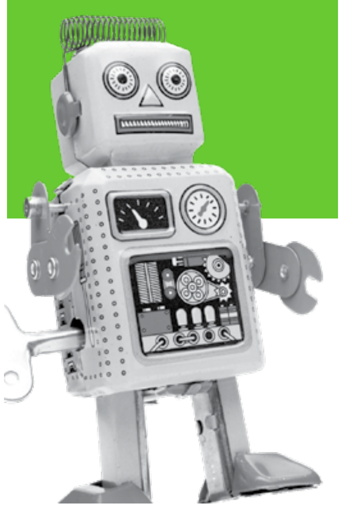
SPOTLIGHT ON:
COST SAVINGS

In Indiana, debt offset program returns big bucks **Pg. 10**

Cyber solutions and purchasing power **Pg. 12**



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CountyNews

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NATIONAL ASSOCIATION *of* COUNTIES VOL. 50, NO. 4 FEBRUARY 19, 2018

Photo courtesy of Gwinnett County, Ga.

Gwinnett County, Ga. mounted a Black History Month display in its Justice and Administration Center highlighting the life of Frederick Douglass, noted African American abolitionist and statesman. The collection is on loan from Mike Glenn, former NBA player.

White House unveils $1.5 trillion infrastructure plan

By Kevan Stone
associate legislative director

The Trump Administration introduced its long-awaited "expanded principles," outlining a vision for a new federal infrastructure package, which would total $1.5 trillion.

The White House's infrastructure plan, released Feb. 12, comprises mainly two parts: grant funding and regulatory reform.

Overall, the plan calls for $200 billion over 10 years in new federal spending, with the goal of leveraging those dollars to yield a total of $1.5 trillion in new spending and financing for infrastructure projects across the country.

There are four main components of the plan, three of which involve funding allocations and one which deals with regulatory streamlining measures.

The first component, accounting for 50 percent of the new package's funding, would go towards a new "incentives program."

This grant program, which counties would be able to directly apply to, would provide as much as 20 percent of funding towards an infrastructure project. Traditionally, the federal government has contributed as much as 80 percent towards infrastructure projects.

This change, which only applies to this infrastructure

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President signs massive two-year budget pact

By Valerie Brankovic
legislative assistant

President Donald Trump signed a massive two-year budget agreement, Feb. 9, ensuring the continued operation of multiple federal domestic programs as congressional lawmakers work with the administration to finalize FY2018 and FY2019 appropriations.

In addition to two years of funding, the legislation, titled the Bipartisan Budget Act of 2018, contains a continuing resolution (CR) to fund the government through March 23, an agreement to lift budget caps on defense and domestic spending by approximately $400 billion and a suspension of the federal debt ceiling through March 2019. The CR attached to the budget deal marks the fifth such stopgap measure enacted since Sept. 30, 2017, when FY2017 funding expired.

Congressional members' decision to lift strict budget caps will allow Congress to make further expenditures on federal programs and the military. According to the Congressional Budget Office (CBO), the budget agreement is expected to add $320 billion to the national deficit over the next decade.

Other major items in the budget include program reauthorizations and funding extensions for health and human services programs important to counties; nearly $90 billion in

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State, local governments asked to pony up in infrastructure plan

From BUILD page 1

plan, would call for local and state governments to increase their financial contribution for a project, whether it be from existing revenue shifting or private sector partnerships.

The second component is dedicated to rural infrastructure, with $50 billion allocated for infrastructure in places where the population does not exceed 50,000 residents.

Grant program funding, unlike incentives program funds, would be controlled by state governors, who would determine which projects the funding supports. No specific funding matches are mentioned, but plan language implies that local investments from public or private sectors may be expected.

The plan names transportation, broadband water resources, storm water and waste water infrastructure, and power and electric facilities as prime sectors for these funds.

The third grant program calls for $20 billion to go towards "transformative projects."

This notion would build upon President Trump's calls during the 2016 presidential campaign for new, transformative projects of "national significance."

The availability of funds would be determined by the projects' stages: 30 percent for demonstration; 50 percent for planning; and 80 percent for capital construction.

The plan's final funding component calls for the expansion of federal loan programs, many of which are used by counties.

These lending programs, the Transportation Infrastructure Finance and Innovation loans, Water Infrastructure Finance and Innovation loans and Railroad Rehabilitation and Improvement Financing program, provide low interest loans for projects, which counties use to leverage their funds.

Fourteen billion dollars has been allocated to growing these loan programs.

Additionally, private activity bonds, a tool widely used by counties, would receive a $6 billion injection and have its project eligibility expanded to include areas such as flood control and storm water facilities.

In addition to the funding components of the plan, considerable focus has been given to the streamlining of the permit process for undertaking infrastructure projects.

Most notably, the administration has introduced a "One Agency, One Decision" process in which one lead agency would be responsible for greenlighting project permits.

In addition to the grant components and regulatory reforms mentioned in the plan, the plan also dedicates sections to the Department of Veteran's Affairs federal real property as well as workforce development reforms, designed to support work-based learning, career and technical education.

The White House has stated it is open to revisions to their plan, as Congress will be tasked with crafting legislation.

Early reports are that as many as 11 separate congressional committees could have sections of jurisiction within an infrastructure package, so much work is to be done to turn principles into legislative text. CN

SNAP/STATS

COUNTIES WITH THE LARGEST TRANSPORTATION INVESTMENT BY POPULATION SIZE

Large Counties (more than 500,000 residents)		
New York City	N.Y.	$17,201,922,000
San Francisco City & County	Calif.	$2,078,127,000
Miami-Dade County	Fla.	$1,415,369,000
Clark County	Nev.	$1,135,913,000
District of Columbia	D.C.	$1,022,380,000
Medium-sized Counties (between 50,000 – 500,000 residents)		
Anchorage Borough	Alaska	$184,402,000
St. Louis City	Mo.	$177,899,000
Washoe County	Nev.	$139,762,000
East Baton Rouge Parish	La.	$124,546,000
Horry County	S.C.	$117,910,000
Small Counties (fewer than 50,000)		
City and Borough of Juneau	Alaska	$58,913,000
McKenzie County	N.D.	$55,369,000
Tillman County	Okla.	$54,827,000
Mountrail County	N.D.	$48,902,000
Pitkin County	Colo.	$33,710,000

Source: NACo Analysis of U.S. Census Bureau- Annual Surveys of State and Local Government Finances, 2015. NOTE: The 2015 finance files have data for 2,026 out of the 3,069 counties with county governments (66.01% of counties).

NACo WELCOMES FOCUS ON NATION'S INFRASTRUCTURE *(statement released Feb. 22)*

"We welcome President Trump's focus on upgrading our nation's infrastructure," said NACo Executive Director Matt Chase. "We must work together to achieve long-overdue infrastructure improvements."

"Counties are using every tool at our disposal to deliver infrastructure projects to our residents," Chase continued. "Despite strict constraints on our ability to generate revenue and an ever-growing list of federal and state unfunded mandates, we invest significantly in infrastructure. We also leverage innovative financing and private-sector partnerships to meet our communities' infrastructure needs."

Counties invest more than $122 billion in infrastructure and public works annually. Counties build and maintain the largest share of public road miles — 46 percent — and 38 percent of America's bridges. Counties are also involved in a third of the nation's airports and support 78 percent of all public transportation systems. Additionally, counties construct water and sewer systems, hospitals, libraries and other public facilities and public safety communications networks.

"To build upon our efforts, we need a reliable federal partner to invest in our communities and streamline processes that inhibit our efficiency," Chase concluded. "Transformational improvements to America's infrastructure have always been the result of a strong federal-state-local partnership. We stand ready to work with the administration and Congress — along with other public, private, nonprofit allies — to reinvest in our communities."

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Budget agreement includes $90 billion for disaster cleanup

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disaster relief for communities impacted by hurricanes, wildfires and other disasters; and $20 billion in new funding for infrastructure.

Health

The *Bipartisan Budget Act* reauthorizes and extends federal funding for multiple health care programs important to counties, including the Children's Health Insurance Program, Community Health Centers and the National Health Service Corps. It also eliminates reductions to Medicaid Disproportionate Share Hospital (DSH) payments.

The Children's Health Insurance Program, a federal-state program providing health insurance to children in families with incomes that are modest but too high to qualify for Medicaid, was reauthorized for an additional four years. Federal funding for CHIP had been reauthorized for six years in a previous CR passed on Jan. 22. The program's current authorization will last 10 years, through FY 2027.

The bill also reauthorized Community Health Centers and the National Health Service Corps (NHSC) for two years. In total, approximately 1,200 CHCs provide primary health services for more than 25 million people in counties across the country, primarily in underserved areas. The NHSC program places health professionals in underserved communities in exchange for loan repayment or scholarships. More than 10 million people rely on a NHSC-supported provider for access to primary care service.

Additionally, DSH, shorthand for "disproportionate share hospitals" and an important funding mechanism supporting most of the 900 county-supported hospitals across the country, received full funding for the next two years. DSH payments compensate health systems for treating a substantial proportion of uninsured patients and Medicaid beneficiaries; cuts to the program had been scheduled to take effect immediately.

The legislation also allocates $6 billion over two years to address the opioid epidemic, including enhanced state grants, public prevention programs and law enforcement activities related to substance abuse and mental health programs.

While these provisions will greatly enhance counties' ability to provide health services to their residents, the spending package is partially offset by cuts to the Prevention and Public Health Fund (PPHF) totaling $1.35 billion over the next 10 years. Across the country, more than 1,900 county public health departments rely on the PPHF to maintain the health and safety of their residents such as responding to infectious disease outbreaks and providing immunizations. Cuts to the PPHF would further strain local public health departments and inhibit counties' abilities to promote positive public health outcomes.

Human Services

The *Bipartisan Budget Act* makes key investments in early childhood development programs, including child care, Head Start and the Maternal, Infant and Early Childhood Home Visiting (MIECHV) Program. In addition to these programs, lawmakers also attached significant changes in foster care entitlement funding, including new opportunities for preventive services, to the FY2019 spending bill.

In a positive development for counties, the bill doubles funding for the Child Care Development Block Grant, amounting to $5.8 billion over FY2018 and FY2019. In response to damage caused by last year's hurricanes and wildfires, the bill provides $650 million in recovery funds for Head Start centers and facilities.

The budget agreement also includes a five-year reauthorization of the MIECHV program and funds the program at $400 million per year through FY2022. As a federal-state program operating with county assistance, MIECHV helps counties improve maternal and child health, prevent child abuse and neglect, encourage positive parenting and promote child development and school readiness. At the local level, counties have the flexibility to tailor MIECHV funds to serve the specific needs of their communities' most vulnerable populations.

The Family First Prevention Services Act (FFPSA), which was held up by several senators in 2016, was also added to the final budget agreement. The legislation provides foster care entitlement funding for a limited set of prevention services for up to 12 months for families and children at risk of entering or re-entering the foster care system. Eligible services consist of mental health and substance abuse prevention and treatment and in-home parent skill-based programs, including parent education and counseling. To assist states and counties in recruiting foster families, FFPSA also appropriates $8 million in nationwide competitive grants. FFPSA does not extend existing child welfare waivers past Oct. 1, 2019, when they are set to expire.

Disaster aid included on top of budget deal

In addition to program funding extensions, the bill includes a disaster relief supplemental totaling $89.3 billion for states and communities impacted by hurricanes and wildfires. This figure represents an $8 billion increase compared to the amount approved by the House in December 2017.

The $89.3 billion will be distributed across multiple federal agencies, including the Departments of Agriculture, Housing and Urban Development, and Health and Human Services.

The bill allocates $23.5 billion of the total package to the Federal Emergency Management Agency's Disaster Relief Fund (DRF). State and local governments that have declared states of emergency under the Robert T. Stafford Disaster Relief and Emergency Assistance Act can tap DRF funds to respond to hurricanes, wildfires and other natural disasters.

The legislation also directs $28 billion to states and communities through HUD's Community Development Block Grant, to be used for improving electrical power systems, infrastructure restoration, housing and economic revitalization.

New funds included for transportation and infrastructure

The legislation promises $20 billion in new funding for infrastructure, which will go toward existing programs for water and energy, as well as non-traditional infrastructure such as rural broadband expansion and surface transportation projects. Congressional appropriators will determine how the funds are allocated.

The $20 billion infusion into the nation's infrastructure network comes as the White House introduces its long-awaited infrastructure plan. The plan includes incentives for state and county governments to create specific funding streams for infrastructure projects, block grant funds for rural areas to enhance their broadband capabilities and an expansion of existing federal loan programs for infrastructure projects.

The federal contribution contained in the White House's infrastructure project totals $200 billion. It is not yet clear how the $20 billion included in the budget deal will factor into that funding.

Next steps in the FY2018 appropriations process

The budget agreement allows congressional appropriators to continue working on an omnibus spending package and temporarily end the cycle of funding stopgap measures. The two-year budget agreement, which will last through Sept. 30, 2019, alleviates some of the recent funding uncertainty for state and county governments, especially because it addresses multiple outstanding legislative priorities and contains several program reauthorizations.

Counties play a key role in administering federal programs and services at the state and local level. When the federal government misses key appropriations deadlines or uses short-term funding extensions, counties are often unable to effectively plan and implement a workable budget. CN

BEHIND THE SEAL

SAN JOAQUIN COUNTY, Calif.

Designed by: June Sand
Introduced in: 1962

San Joaquin County is one of the original counties in California, created at the time of statehood in 1850. The county was named for the San Joaquin River and was developed mainly for agriculture purposes.

An original county seal was dominated by a sheaf of grain to represent their agricultural past.

As the county expanded, this new seal was designed to symbolize the county's balanced resources of industry, water and transportation.

If you would like your county's seal featured in "Behind the Seal," contact Charlie Ban, senior staff writer: 202.942.4249 or cban@naco.org.

Changing the Odds: How Stable Employment Stops Recidivism

By Taylor Hall

Ex-convict Marty Hamilton works for Charleston County, S.C. via the Turning Leaf Project. Photo courtesy of Charleston County, S.C.

Marty Hamilton is a busy guy. He works two full-time jobs, takes night classes, meets with his probation officer weekly, makes time for his wife and seven children, and on top of all that, continues to check in with the Turning Leaf Project. But being busy doesn't bother Hamilton.

"It's a positive way of life," he said. "People who know me, they're shaking my hand now. I try to inspire them to be a law-abiding citizen — a working citizen." Most of Hamilton's life has not been spent as a law-abiding citizen. He's been to prison seven different times and spent two stints in the Charleston County S.C. Detention Center. After his last incarceration, Hamilton's probation officer referred him to the Turning Leaf Project, an organization that uses proven practices to reduce recidivism.

"They teach you life skills, you know, better decision [making] skills, work skills and education skills," he said.

Through connections with Turning Leaf, Hamilton started working at Palmetto Parking as an attendant. After three months of involvement with the program, which included rehabilitation classes, Charleston County's Public Works Department hired Hamilton to work ditch maintenance.

"I really like working [for the county]," Hamilton said. "I really want to, my plan and goal is to work my way up the ladder. I want to learn the vac truck — and this is where I want to retire from if I'm going to be honest with you."

Charleston County began working with programs like the Turning Leaf Project and SC STRONG in 2016. The Public Works Department currently employs two ex-convicts working to avoid recidivism. Jim Armstrong, deputy county administrator for transportation-public works, became an advocate for programs like these after working with some of their participants.

"After learning about these organizations, I realized that what you have is a bunch of gentlemen that understand that they have gone awry and that they need to get their life back in order," Armstrong said. "To do that, they need a little help."

Charleston County, along with both the cities of Charleston and North Charleston, helps these programs by providing employment opportunities to those who are serious about ditching a life of crime.

South Carolina faces a crisis of high incarceration rates, the eighth highest in the nation. According to the South Carolina Department of Corrections, just over 8,000 men were released from incarceration in 2017. All of these individuals are subject to recidivism, and for those without an outlet for rehabilitation, odds are some offenders will face re-incarceration within three years.

The Turning Leaf Project focuses on changing those odds, and a key component is a stable employer. Marty Hamilton wakes up every morning with the county on his mind, and he says that helps him stay out of trouble. He now encourages those he sees headed toward a life of crime to consider working for the county.

"[Working for the county], makes me a better family person, too," he said. "You know, my kids love to see me come home with my steel-toed boots on. My whole attitude and outlook on life has changed since I started working for the county… You work around good people and that brings me to continue wanting to be a good person."

Hamilton's dedication to his job has kept him out of trouble since March of 2017.

By providing employment opportunities to ex-convicts, the county hopes to reduce the rate of recidivism as a way of bettering its community. CN

Hall is the public administration liaison for transportation development in Charleston County, S.C.

Car chargers gain larger footprint in counties

By Mary Ann Barton
senior staff writer

Electric car sales were set to rise 30 percent last year in the United States, according to the Electric Drive Transportation Association. And sales are projected to rise to 1.2 million by 2025, representing 7 percent of all car sales, the Edison Foundation Institute for Electric Innovation said. The top metro areas for electric vehicles: Los Angeles, the Bay Area, Atlanta, New York/New Jersey/Connecticut, San Diego, Seattle and Chicago, according to IHS, Inc.

With an increase in electric cars comes the need for the infrastructure to support them — specifically, electric vehicle (EV) charging stations. Without them? It's the single biggest obstacle to increasing the adoption of electric vehicles in the United States, according to the Rocky Mountain Institute.

Currently, there are about 17,000 electric stations or 47,000 electric car charging outlets in the United States, according to the Department of Energy (DOE). The country will need about 100,000 to 200,000 charging stations to fulfill future demand, according to the DOE.

Some counties around the country are adding public electric car charging stations to county-owned properties. Montgomery County, Md. is being proactive. "About three years ago, we began putting electric car charging systems in our parking garages," said Al Roshdieh, director of Montgomery County's Department of Transportation.

The county charges residents what the county pays for the electricity, he said. Typically, drivers pay about $2.50 to $3 for a four-hour charge. A car-charging station typically costs the county about $10,000.

Availability of public charge points and workplace charging is linked with electric vehicle market uptake, according to the International Council on Clean Transportation. The markets of Charlotte, Detroit, Kansas City, Minneapolis, Pittsburgh, Providence and Virginia Beach showed charging infrastructure growth of approximately 30 percent to 80 percent, corresponding with at least a doubling of their electric vehicle uptake from 2015 to 2016.

Range anxiety

Where EV chargers are scarce, EV owners experience "range anxiety" because they're not sure where they will be able to get their next charge. Last fall, the governors from seven Western states promised to work on a regional electric vehicle plan designed to make travel easier through a network of 5,000 miles of highway.

Some counties are also encouraging the build-out of charging stations. In Dutchess County, N.Y., electric car drivers are encouraged to contact DaSolar Energy for a free EV charger consultation for information on how to install a residential or commercial charger. In Fresno County, Calif., the county offers rebates of $4,000 for single port EV charging stations and $7,000 for dual port EV charging stations.

Sarasota County, Fla., offers rebates of 25 percent of the cost of purchasing and installing EV charging stations to businesses and 50 percent rebates to non-profits or government organizations.

"The program has been somewhat successful," said Lee Hayes Byron, sustainability manager for the county. A local college, a local government and a non-profit have all taken advantage of the program, she said, installing five chargers.

The county is getting the word out about the rebate program in news releases, presentations and emails sent to those who have expressed interest. Anyone who takes advantage of the program must make their chargers available for public use, and commit to owning and managing the chargers for three years and sending usage information to the county.

It fills gaps in the current network of charging stations by limiting rebates to the following locations:

- tourism attractions
- hotels
- retail hubs
- community centers
- government properties with significant visitor numbers, and
- major employers.

The program pays for itself through the county's pollution recovery trust fund, made up of fees and penalties paid from pollution violations in the past, Byron said. (See more about the rebate program here: *http://bit.ly/2BfeuWT*.)

The county itself owns 13 charging stations with 22 ports, mostly at libraries, parks and the county permitting center.

The site's host in Sarasota County typically selects a location and works with local officials to site and permit the installation. Once an electric car charging station is built, the site host is typically responsible but may contract with a charging station service provider to maintain maintenance and billing.

Zoning codes (including permitting), and parking ordinances are all regulatory tools at the disposal of state and local officials to further the EV readiness of communities. Sarasota County doesn't require electric vehicle charging stations but it encourages developers and builders to install charging stations through regulatory and financial incentives, Byron noted.

Electric car charging stations can also be co-located at gas stations.

The owner of the site is typically the owner of the unit. Owners span a wide range: municipalities, homeowners and apartment owners, parking garages, employers and commercial business owners. Whoever owns the charging site where a station is located usually contracts with a charging station hardware service provider to install it, according to the DOE.

Mapping your county's EV chargers

Finding out how many electric car chargers are in your area can be helpful if you're trying to decide where to add new ones. A website called PlugShare will show you a map of electric car chargers including whether the charger is public or not and whether it's in use. You can also plug in your address or ZIP code on this Department of Energy website: *http://bit.ly/2Do9RfN*

Chargepoint, a company that operates the world's largest network of electric car-charging stations, points out the benefits of having charging stations, including:

- Driving more traffic to local businesses.

See ELECTRIC page17

Cars charge up at a charging station in Harris County, Texas. Photo courtesy of Wikimedia Commons

Federal judge in opioid case, fast-tracking distribution changes

By Charlie Ban
senior staff writer

Hundreds of county and state lawsuits aimed at collecting damages from opioid painkiller manufacturers and distributors have landed in the Cleveland, Ohio courtroom of U.S. District Judge Daniel Polster. In December 2017, the U.S. Judicial Panel on Multidistrict Litigation consolidated more than 200 cases scattered in courts across the country and sent them to U.S. District Court, Northern District of Ohio, Eastern Division and Judge Polster.

Polster, who was appointed by President Bill Clinton in 1998, intends to change the way pills are prescribed and distributed before addressing the financial considerations of the cases.

"My objective is to do something meaningful to abate this crisis and to do it in 2018," he said during a Jan. 9 hearing. "What I'm interested in doing is not just moving money around, because this is an ongoing crisis. What we've got to do is dramatically reduce the number of the pills that are out there and make sure that the pills that are out there are being used properly. Because we all know that a whole lot of them have gone walking and with devastating results."

Counties, cities and states' lawsuits claim that deceptive marketing practices and false claims about the drugs' addictive nature have fueled an epidemic that has pushed many patients to heroin as a low-cost substitute. For counties, that prescription drug and heroin abuse has meant an explosion in costs to social services agencies and their justice systems. And a mounting death toll.

Defendants include Purdue Pharma, Teva Pharmaceutical Industries, Johnson and Johnson, Endo Health Solutions, Allergan, Cardinal Health and McKesson Corporation among others.

Most recently, Polster gathered roughly 300 attorneys in Cleveland (Cuyahoga County, Ohio) Jan. 31 for a settlement conference, leaving them with directions to choose six attorneys for each side's settlement team by Feb. 6. The co-leads for each side will meet again March 6. Officials from the Drug Enforcement Administration and the Food and Drug Administration were also on hand Jan. 31 to describe steps their agencies have taken to restrict pill supply.

"(Polster) made it perfectly clear ... that he is determined to use his powers to bring about a settlement and not to try and litigate this case, which could take years," said Steve Acquario, executive director of the New York State Association of Counties. "He was very forceful. He believes it's in nobody's best interest to litigate this over a multiyear period. People are dying every minute of every day."

Several conference attendees reported that Polster is prioritizing possible injunctive action that could affect immediate change to how opioids are distributed or prescribed.

In a Feb. 2 scheduling order, Polster called the Jan. 31 conference "productive" and the discussions "meaningful." State governments have filed separate suits, and Polster has requested the voluntary formation of a committee of attorneys general, who are not subject to the court's jurisdiction.

Although several states have also sued, counties are taking action after damages from the 1998 Tobacco Master Settlement Agreement failed to reach the local level. The tobacco settlement will pay at least $206 billion until 2023 to 46 states, with payments continuing in perpetuity.

Joseph Rice, one of the co-leads for the counties, said there was a major difference between the tobacco suit and opioids.

"Tobacco products took years to kill users," he said. "Now, someone could overdose and die very quickly if they took too many pills."

Albany County Executive Dan McCoy liked the pace the settlement talks were taking, but worried that the rush to settle would leave details liable to be forgotten along the way.

"There's less of a rush for the money than there is changing protocols and getting some meaningful change in place," he said. "I hope we don't miss crossing some 't's and dotting some 'i's because we hurried too much. We want to make sure people are held accountable."

Acquario said New York counties' suits in New York State Supreme Court could shine a light on how settlement talks would proceed. The state suit is in the discovery phase, and the information produced could have a "massive impact nationally."

"Nobody has that data yet, the marketing and the distribution data," Acquario said. "Analysis of that can produce trends and provide a roadmap for parallel court action."

Paul Hanly, along with Rice and Paul Farrell, will serve as co-lead counsels for the plaintiffs, who are represented by nearly 100 other firms. Rice represents

See OPIOIDS page 7

A DIFFERENT STRATEGY ON OPIOID LAWSUITS

When Association of Arkansas Counties Executive Director Chris Villines hired Colin Jorgensen away from the state attorney general's office a year ago, the plan was to have Jorgensen be a litigator for the association's risk management portfolio in court, something state law recently allowed for the first time in 2017.

But for now, Jorgensen has a different assignment — representing as many as 75 Arkansas counties in state court against opioid manufacturers and distributors. The association will try to avoid being pulled into the multidistrict litigation settlement talks in Ohio, in favor of trying the case in front of an Arkansas jury.

And, unlike the federal case, Jorgensen is hoping the state will sign on as a plaintiff.

"We fully expect the defendants will remove it to federal court; we'll file a motion to remand it to state court, the federal judge will decide where it goes," he said. "It would be helpful if we have the state as a plaintiff, that will be easier to keep it in state court."

If the association gets its way and is able to prosecute the case in state court, Jorgensen hopes the narrative that has caught on in the press will sink into jurors.

"We feel like we're more likely to get the justice we need in Arkansas," he said of the effort to avoid the multidistrict litigation talks. "Arkansas has 3 million people. There's a risk of being ignored, or lost, or underappreciated in the context of the multidistrict litigation, where you have cities or counties that are by themselves bigger than the state."

In 2017, Arkansas allowed risk management organizations like the AAC and the Arkansas Municipal League to use in-house counsel to directly represent their members.

A lawyer like Jorgensen who's employed at the association can appear as the counsel of record in a case on behalf of a county or a county official.

"Before, we could provide advice, but when it was time to go to court, we'd have to hire outside private law firms," Jorgensen said. "This makes sense because it's cheaper to pay me a salary and have me do a full slate of cases than it is to pay outside law firms $200 an hour for the same amount of work."

Jorgensen is not lacking any motivation when it comes to trying to slow the spread of opioid addiction. He's a recovering alcoholic who is active in sponsoring others in recovery.

"This is a perfect fit for me, personally," he said. "I've been to four funerals in the last year, friends I knew from recovery fellowship, people who disappeared from anything from a couple of days to a couple of weeks and turned up dead from an overdose. I'm right in the middle of the community of folks who struggle with addiction, and I know what it's like and why counties need to help break addiction."

He sees Arkansas getting worse before it gets better. The opioid prescription rate is still high there.

"Our 'pill phase' of the addiction cycles is still growing, whereas a lot of states are on the pill decline," he said. "We haven't seen the heroin bubble inflate yet."

With 70 of the state's 75 counties signed onto the suit, Jorgensen will try to get the remaining holdouts on board.

"Some counties don't like the idea of being a plaintiff," he said. "That will be a matter of explaining to them all the money they'll be spending to provide human services and law enforcement.

I can go on the road to each sheriff or jail and dig up that data we need, talk to the county judges and make our case."

Colin Jorgensen speaks to Arkansas county judges.

Court rules wastewater injection wells require federal permit

By Julie Ufner and Austin Ingleheart

The U.S. Court of Appeals for the 9th Circuit has upheld a lower court's decision in *Hawaii Wildlife Fund v. County of Maui,* finding wastewater injection wells can be a regulated pollution source under the Clean Water Act (CWA). By ruling that underground wells are "point sources" for pollution, thereby requiring a permit for discharge, the 9th Circuit Court's decision, Feb. 1, may have a significant impact on both public and industrial underground injection wells, as well as municipally-owned wastewater and stormwater management facilities, especially those using water storage systems.

To comply with the ruling, Maui County estimates the county will be responsible for $2.5 million in upgrades, plus additional civil penalties.

Technically the ruling in this case only applies in the 9th Circuit (Alaska, Arizona, California, Hawaii, Idaho, Montana, Nevada, Oregon and Washington). But other federal circuit courts of appeals, which have yet to rule on whether an indirect discharge from a point source to navigable waters requires a federal permit, may find the 9th Circuit's opinion persuasive. This may be all the more likely because it agrees with similar rulings from the 2nd and 5th Circuits.

The case in question involves Maui County, Hawaii's practice of injecting millions of gallons of treated sewage wastewater into four underground wells. The county has been using this process since the mid-1970s and previously had not been required to obtain a CWA permit.

However, environmental groups challenged this approach, arguing the county should be required to obtain a CWA National Pollution Discharge Elimination System (NPDES) permit since the discharge, through groundwater, ultimately runs into the Pacific Ocean. Groundwater has historically not been regulated by the CWA, leaving the responsibility to the states.

Maui County argued the discharges were not regulated because they were not released directly into the ocean. However, the environmental groups performed a dye test indicating that, even though the wastewater was injected into groundwater, the injections eventually reached the ocean after nine months.

The Court of Appeals decision upheld a 2015 decision by the U.S. District Court for the District of Hawaii, ruling the county does in fact need to obtain an NPDES permit. In its decision, largely based on the "conduit theory," the court stated that because the discharge has the potential to reach the Pacific Ocean, it is the "functional equivalent" of a direct discharge into a navigable water regulated under the CWA.

NACo filed an *amicus* brief in this case in favor of Maui County. CN

Ufner is NACo's associate legislative director for the environment and Igleheart is a legislative associate. Lisa Soronen, executive director, State and Local Legal Center, also contributed to this report.

Counties should file lawsuits

From OPIOIDS page 6

McCoy's Albany County, along with the state of South Carolina, and Farrell represents a number of West Virginia counties and cities. Hanly previously litigated more than 1,400 opioid cases brought by 5,000 individuals against pharmaceutical companies in 2004, when the epidemic was in its infancy.

Whether a county has filed may make a difference as negotiations progress toward a settlement.

"It absolutely matters," said Krista Baisch, an attorney for Crueger Dickinson, which represents 61 Wisconsin counties, 45 Iowa counties and one county each from Indiana, Minnesota and North Carolina.

"To have an advocate for your county in that resolution room, you'll have to file a lawsuit. That protects a county's interest."

Baisch said the defendants could create a settlement class for counties that haven't sued, limiting how much they would receive, relative to counties that have sued.

Rice, who is representing Albany County, said counties' ability to sue could depend on how detailed their records are.

"Some counties don't have computerized records going back 15 years, so that could be a big factor in whether or not they can prove the impact these pills have had," he said.

As for damages, Rice said it was too early to predict amounts, and Ohio Attorney General Mike DeWine (R) told *The (Cleveland) Plain Dealer* that any payout by drug companies would be held up by appeals.

Although the Big Tobacco settlement looms as an obvious comparison, Rice said nuances of the opioid case make it harder for modern litigants to prove.

Tobacco companies' vertical integration created a direct line from manufacturer to consumer.

"Tobacco companies designed, manufactured, packaged, marketed and sold, and delivered the cigarettes. Here you don't have that," he said. "Here you have multiple manufacturers, and you have multiple distributors. You have your pharmacies and your generics.

"We're going to have to show that company number one's conduct and maybe have to show company number one's pills were used by injured party number one and match it up. That's going to be tough to do in some cases." CN

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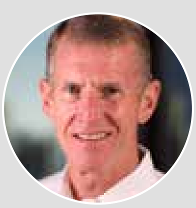

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WORD SEARCH

SAN JOAQUIN COUNTY, CALIF.

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Created by: Mary Ann Barton

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ASPARAGUS: No county produces more asparagus than San Joaquin County.

BRUBECK: The Brubeck Institute at the University of the Pacific, in the county seat of Stockton, is named for late jazz pianist Dave Brubeck.

FRESNO: The City of San Joaquin is located in Fresno County.

HAGGIN: The Haggin Museum, which opened in 1931, houses the largest collection of works by American painter Albert Bierstadt, known for his landscapes of the American West.

JUSTICE: The Goddess of Justice statue made of gilded zinc sits on a pedestal at the entryway of the current courthouse, built in 1960. It was moved from the 1890 courthouse.

LEIGH: Late Hollywood film star Janet Leigh ("Psycho") was raised in Stockton where a downtown plaza is named for her. Her daughter, actress Jamie Lee Curtis, followed in her footsteps.

MARAGO: A Spanish lieutenant named Marago, in 1813, discovered a stream in the region and called it San Joaquin.

MILK: The largest agricultural product, in terms of value, produced in San Joaquin County.

MONDAVI: The late Robert Mondavi, a wine pioneer, grew up in Lodi in the county. Woodbridge Winery, founded by Mondavi, is located in the county.

RIVER: The county was named for the San Joaquin River, which runs through it.

SPANOS: Real estate developer and county resident Alex Spanos is a self-made billionaire who started out with an $800 loan to purchase a small trucking company. He is owner of the Los Angeles Chargers.

STOCKTON: The county seat.

VALLEY: San Joaquin County is home to California's Central Valley, home to the world's largest patch of Class 1 soil, growing more than 230 crops.

WALNUTS: The county is home to one of the largest walnut processing plants in the world, DeRuosi Nut.

WEBER: Captain Charles M. Weber was instrumental in developing Stockton, the county seat, as a port of entry. Ships still deliver cargo to the port by the channel Weber had dug in the 1800s.

BRIGHT IDEAS | MADERA COUNTY, Calif.

Elder Orphans program offers safety check for older residents

PROBLEM:

What's the best way to check on older adults who live alone in your county?

SOLUTION:

Madera County, Calif. began a program dubbed "Elder Orphans" that places daily calls to senior residents, instructing them to press #1 if they are fine. And the county got its system for free.

By Mary Ann Barton
senior staff writer

To quote from that 1965 classic Bob Dylan song, "Like a Rolling Stone," many in the baby boomer generation will find themselves on their own in coming years. Their population will more than double by the year 2050, to 80 million, according to the Census Bureau.

Aging boomers living on their own — and their loved ones — can get peace of mind with a program like one being used in Madera County, Calif. The county uses daily automated phone calls to check on its elderly population. They call the program "Elder Orphans."

It got its start under former Sheriff John Anderson and Erica Stewart, former public information officer, who spearheaded the project. "Because we do welfare checks on these elderly people, their relatives are calling from Southern California, 'Hey my Mom is living up there, I haven't heard from her in days.' We go up there and sometimes we find them well and sometimes we don't," said Madera County Sheriff's Deputy Patrick Majeski. "I think in a nutshell that's how it started."

Located east of Santa Clara County, Madera County's 65-plus population comprises approximately 13.5 percent of the total population of 155,000. The "Elder Orphans" name stuck when an older resident wrote a letter to the county asking if the Sheriff's Office had a way to check on him daily after his wife of 46 years had passed away, leaving him, as he described, "an elder orphan."

In his letter, he said three neighbors, all living alone, had died in the span of three months. In one case, it took up to two days before the neighbor was found. A second wasn't discovered for several weeks. The third resident was found in advanced stages of decomposition and her dog also died.

The neighbors lived in a mobile home community in the mountains. And with many living in more sparsely populated areas, the Sheriff's Office was concerned that the problem could get worse.

Five years ago, Sheriff Anderson tasked Stuart with researching a solution to bring peace of mind to the county's older population and their families. One hurdle emerged: Cost. As a rural law enforcement agency, they didn't have unlimited funds, Majeski said. Nonetheless, they found a way to add a system without having to invest additional dollars.

The office was revamping its emergency reverse-911 system, used mainly for wildfires. The new contract provided an opportunity to incorporate the welfare check program during the revamp, Majeski said.

The new check-up system employs a telephone messaging service that stores the subscriber's name, phone number, address, emergency contact information and call times. The service is free and provides daily contact when the subscriber receives a pre-recorded message on their home phone. They can select when they want to be called and how often.

Here's how it works: When a subscriber receives the call, they are instructed to touch the #1 button on their phone if they're fine or the #2 button if they need emergency assistance. If they hit the #2 button, they are connected to the Sheriff's Communications Center.

If someone does not answer, a volunteer, a member of the county's "Citizen on Patrol" is sent to the home. Deputies can also step in, if required.

Residents can choose to be called at 9 a.m. or 4 p.m. Most opt for the morning call. CN

"Elder Orphans" was a semi-finalist, December 2015, in the Harvard Kennedy School's Ash Center for Democratic Governance and Innovation. For more information visit: http://bit.ly/2nDyxpM or contact Majeski at 559.675-7770.

SPOTLIGHT ON:
COST SAVINGS

You don't need to be a severely cash-strapped county to want to save money. Even the most revenue rich jurisdictions keep an eye on the bottom line and take advantage of cost-saving opportunities when they find them. In this edition of ***County News,*** we introduce the first of several **Spotlight series** planned for the year. This one explores cost-saving ideas from several counties and NACo's Financial Services Center (FSC).

If you have an idea for a Spotlight series, contact us at 202.942.4249, or pass along your idea to any NACo staffer.

Indiana counties repaid $4.5 million in debts

The Association of Indiana Counties Tax Refund Exchange and Compliance System (AIC TRECS) is a local government debt setoff clearinghouse enabling counties to submit debts for potential offset against state personal income tax refunds or lottery proceeds. State agencies have used debt offset for years as an easy and successful method to collect state debts.

With support from NACo, Indiana counties achieved legislative authority to participate in the state's existing system in 2018 for collection against 2017 returns. Just from initial notices to county debtors, participating counties have reported combined repayments totaling $4.5 million.

In 2017, Marion County volunteered as the TRECS clearinghouse pilot county, and based on roughly 15,000 debts submitted to the Indiana Department of Revenue as a test, $1.04 million would have been eligible for collection had the program been in place in 2017. From the successful pilot results, the Association of Indiana Counties decided to officially launch the AIC TRECS program for its county members as an additional and effective tool for debt collection.

Presently, 10 counties are registered for participation. As part of the process, counties send a pre-seizure notice to county debtors, initiating the beginning of a 30-day dispute window. From these notices counties have realized an influx of unexpected payments. From about 15,000 debtor letters mailed in early December from Marion County, thousands of debts totaling upwards of $2.9 million were repaid.

With about $8,000 invested in printing and postage, the county saw a 260 percent return-on-investment. Additionally, previously uncollectable outstanding judgement debts over 10-years old were repaid. As of this writing, Henry County reported collecting $13,000 for two consecutive days as debtors responded to their county's TRECS candidate notice mailed in mid-January. Lawrence County collected nearly $50,000 in just one week from roughly 1,000 debts. The county is nearing the end of its contestation window and has received $163,000, a significant amount for a county with a population of fewer than 50,000.

Regarding due process, debtors have two 30-day contestation, or dispute, windows. Many Indiana counties have sent courtesy letters for years, usually with no results. The TRECS notices are believed to be resulting in influxes of payments because of the new local government's authority to collect through state personal income tax refund withholdings.

As of this writing, Marion County reported that only 51 TRECS candidates from about 15,000 mailed notices formally contested their debts, and 23 of those withdrew their appeals requests after talking with the county and understanding more about the debt owed. Of the 28 remaining appeals requests, only three were deemed legitimate claims.

Indiana TRECS is free for counties to participate, however counties are responsible for the handling of printing and mailing costs of candidate notices, as well as any expenses arising from resulting contestations and hearings. All other administrative costs are paid for by the debtor, and are included in the setoff.

How does it work? The AIC working with NACo set up the clearinghouse as an automated data exchange with participating local governments and the Indiana Department of Revenue (IDOR). TRECS receives data files from a county's tax software system, appends Social Security numbers, scrubs the data to meet IDOR file requirements, and submits the file to IDOR.

The Department of Revenue runs ongoing matches against all debt setoff files and notifies

See OFFSET page11

U.S. COMMUNITIES KEEPS PUBLIC AGENCIES NIMBLE

SPOTLIGHT ON: **COST SAVINGS**

In the second annual Survey of Government Procurement Professionals, 40 percent of public sector buyers said they were overworked. Buyers today struggle to conduct the research needed to write good bids and requests for proposals. As contracting workloads increase and budgets become more strapped, state and local government procurement professionals seek efficient ways to meet the needs of their agencies and taxpayers. To ease the strain, these professionals are turning to cooperative purchasing to save valuable time and money.

Cooperative purchasing provides resources and solutions to local and state government agencies at the best overall government pricing. In accordance with state procurement laws and regulations in all 50 states, there are numerous advantages for public agencies. Cooperative contracts are competitively solicited and allow public sector buyers to avoid the bid process. This saves valuable time and money by lowering the effort and cost associated with traditional procurement.

Stephanie Brice, purchasing supervisor for Cobb County, Ga. said: "Cooperatives allow county governments to purchase through an already competitively-bid contract thereby saving local time and resources, which can then be focused on other ways to support the community. They allow us to efficiently make sure our citizens come first."

Purchasing cooperatives also expose agencies to quick and efficient sources to procure supplies and services by leveraging the volume of public entities across the country. Once a supplier is chosen, any public agency — as long as they are registered with the cooperative program — can piggyback off of that contract and receive the bulk purchase discount as negotiated by the lead public agency. By using a lead public agency model, the costs of preparing a bid and managing a contract can be significantly reduced or avoided. Contracts are non-exclusive and discretionary, so an agency can choose to use any contract that is in their best interest. There are no fees to participate and no purchasing minimums, allowing maximum flexibility for participating agencies.

Cathy Muse, chief procurement officer for Fairfax County, Va. said, "U.S. Communities allows public agencies to be nimble and efficient in the acquisition process while bringing innovative solutions to our customers and citizens."

Each month new public agencies register with U.S. Communities in the interest of simplifying their procurement process. This continuing growth is fueled by the program's proven track record of delivering excellence in procurement solutions.

For more information on U.S. Communities, please visit *www.uscommunities.org.*

NACo is a founder and sponsor of the U.S. Communities Government Purchasing Alliance. U.S. Communities is the only accredited national government purchasing cooperative providing world-class government procurement resources and solutions to local and state government agencies, school districts (K-12), higher education institutions, and nonprofits at the best overall government pricing. CN

NACo FSC to expand debt offset platform

From OFFSET page 10

the clearinghouse of debtor matches on a weekly basis. The clearinghouse notifies the debtor and the county to confirm the debt, and initiates another 30-day dispute window. During this time, the IDOR freezes the debtor's refund. If the debtor has not come in to pay or contest at the end of the 30 days, TRECS sends an approval file to the Department of Revenue to offset the refund. TRECS then transfers the funds owed to the county and provides an electronic file to the county for import into the county's tax software system to reconcile payment records. Withholdings are currently in process with real offsets beginning in March after secondary contestation windows close.

TRECS offers benefits to all parties involved. The county treasurer has an alternative tool to tax sale for property taxes or using private collection agencies. Marion County reported a much-needed record clean-up as a side benefit of the TRECS candidate notice process. The debtor's credit-rating is not impacted through the program and a debtor only repays the debt when they have the money for repayment in the form of the income tax refund.

The debt is also satisfied with no action necessary on the part of the debtor. Indiana's model was based on North Carolina's Local Government Debt Setoff Clearinghouse, where it was found that many debtors were using the clearinghouse for convenience and made no protest to the setoff year after year. The program also ensures taxpayer equity as more taxpayers are paying their fair share for local government services.

NACo FSC is building its local government debt setoff program as a national platform to as a new service for state associations that have a state income tax in place to offer. FSC research has shown that all states with a personal income tax system in place have a debt setoff program for use by state agencies, and many allow some local government participation. NACo FSC brings its secure backend file processing to integrate smoothly with existing state and county financial practices, enhancing debt setoff success for debts owed to counties and other local agencies. CN

For more information, please contact FSC's Spencer Bridgers, sbridgers@naco.org.

SPOTLIGHT ON: COST SAVINGS

Improved IT procurement adds greater efficiency, improved bottom lines

By Tiffany Anzalone McCasland

Last month in Hawaii, a state emergency employee accidentally sent an alert to residents and tourists stating: "Emergency Alert: Ballistic missile threat inbound to Hawaii. Seek immediate shelter. This is not a drill." For 38 minutes people in Hawaii panicked until a follow-up message was sent alerting that the missile warning was a mistake.

The false alert in Hawaii placed a magnifying glass on the ailing state of government technology, exposing a larger problem: The government's technology systems are not only outdated and problematic, but the process to buy, build and use new technology is just as archaic.

Older information technologies, time-consuming procurement practices and expensive solutions plague government technology. Even when a new technology solution is procured, by the time it is launched, the technology is already outdated. Considering the time challenges of the digital age, using the procurement expertise of the U.S. Communities Government Purchasing Alliance becomes a necessity.

Local and state governments can save valuable time and money by lowering the effort and cost associated with traditional procurement. Being able to work with a cooperative purchasing alliance such as U.S. Communities and use their meticulously sourced suppliers takes the guessing game out of identifying the right supplier from a never-ending list.

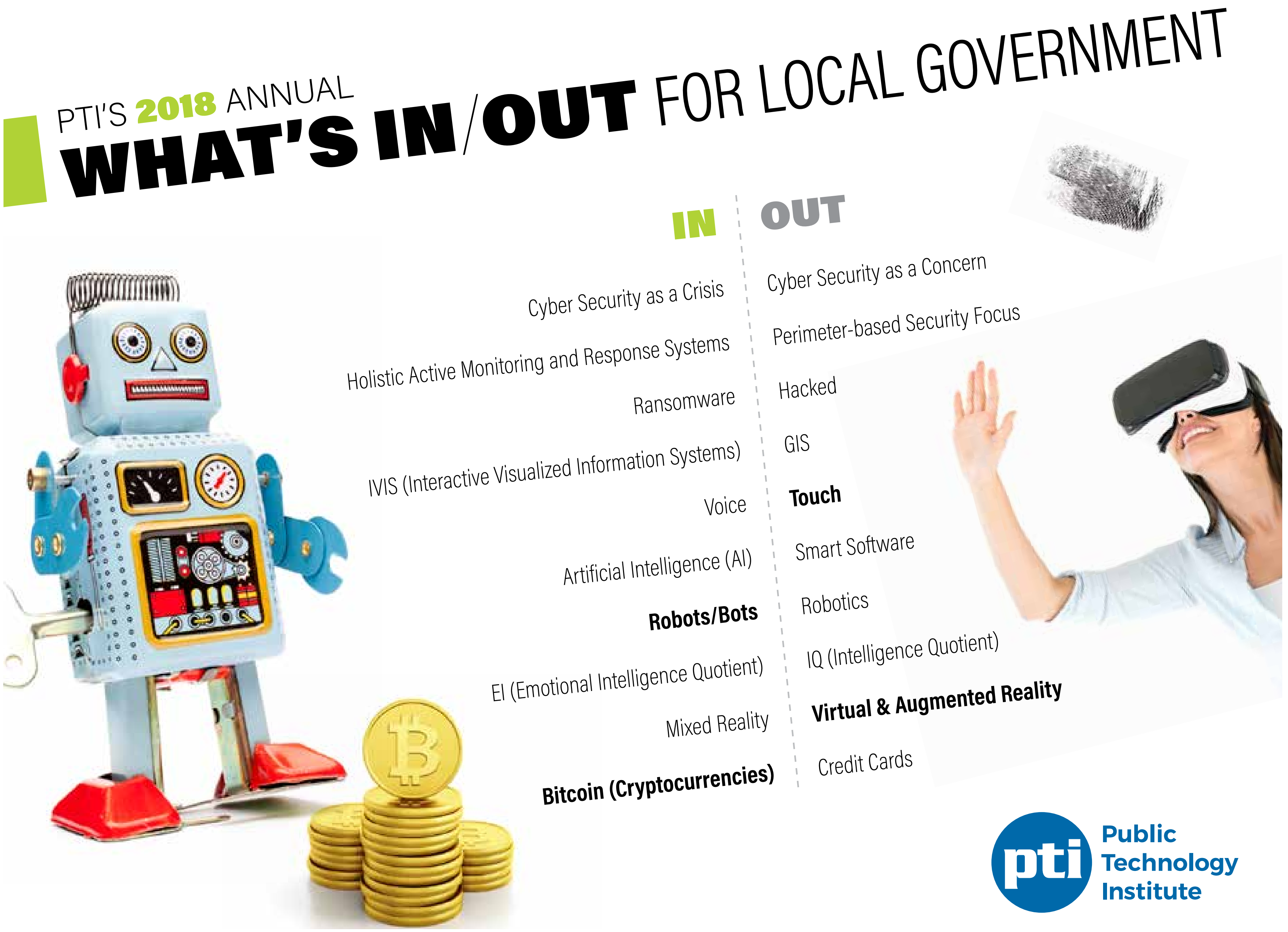
"With U.S. Communities, you know the products and services have been pre-vetted," said Dr. Alan R. Shark, executive director/CEO of the Public Technology Institute.

"You don't have to start from scratch," he said. "Vendors are already picked via an IT advisory group which combines technical people with procurement excellence, which is a dialogue that does not normally exist. By fostering both sides, the IT advisory group makes collective recommendations on guidelines for improving government IT and streamlining the procurement process. The vendor selection process is rigorous and I have not seen another cooperative purchasing program have such a high standard of excellence."

States and counties have realized over the last few years that in order to stay ahead of the ever-changing technology solutions, the old way of procuring goods and services is not going to cut it. To procure solutions for cyber security and cloud services, which have been identified as the top two of the Top 10 State CIO Priorities of 2018, agencies should turn to U.S. Communities to ensure they have the best overall government pricing for solutions that are delivered in a timely manner.

"There have been many times when we have chosen cooperative contracts to save money and shorten the process of accessing important resources, eliminating the lengthy bid process," said Chip LaMarca, Broward County, Fla. commissioner. "As we constantly strive to be more efficient in local government and do more with less, cooperative purchasing provides vetted solutions you can trust." CN

U.S. Communities Purchasing Cooperative is the leading national cooperative purchasing program, providing world-class government procurement resources and solutions to local and state government agencies, school districts and other public entities. U.S. Communities Technology Solutions include: Ricoh; Insight Public Sector; Microsoft; UNICOM Government; DLT Solutions – Oracle; DLT Solutions - Amazon Web Services. Also: Carahsoft-Google Cloud; Graybar; Kronos; Acro Service Corporation, and Knowledge Services and Experian.

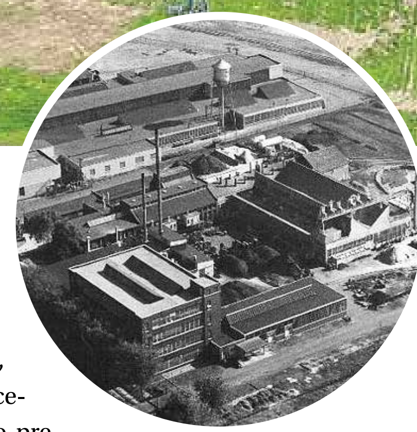


LAND BANKS RESCUE SLIDING TAX BASES, CLEAR BLIGHT, STABILIZE COMMUNITIES

SPOTLIGHT ON: **COST SAVINGS**

By Charlie Ban
senior staff writer

A brownfield is transformed into a 20-acre solar farm in Lucas County, Ohio.
Photo courtesy of *Solar Builder* magazine



For years, the empty Houghton Elevator Company factory greeted visitors to the Toledo Zoo. Offline since 1989, the hulking, vacant facility next door to the vibrant home of hundreds of exotic animals struck a stark contrast, and it didn't look much better when the building was demolished, either, leaving a large vacant lot.

When describing the difficulty in using the brownfield site, *The Toledo Blade* described the scene as resembling a bomb blast or an air raid, with rubble everywhere and the property a hot potato juggled by a variety of owners who couldn't get anything built there.

"It was vacant; it wasn't going to be easy for anything to be done there, but it was right next to our major asset," said David Mann, president of the Lucas County Land Bank. "If you were coming to the zoo, you'd see this vacant lot first."

But in the course of nine months, by working with Mann's land bank, GEM Energy had purchased the land and built a 20-acre solar array, which now provides half of the zoo's energy.

"(GEM Energy) had their eyes on it, but what they didn't have any real power to do was unwind significant delinquent tax issues and the other title issues on the land itself," Mann said. "That's the role we played. We were the catalyst to make this happen. Maybe they could have figured it out, but economically, they needed a fresh start in order to do this work."

That ability to quickly settle delinquent tax bills and be a matchmaker for interested owners is what makes land banks an increasingly popular option for counties. Cities and municipalities can also form and operate land banks.

In addition to clean energy, the solar array is generating property tax revenue for Lucas County and represents a high profile example of what land banks can do. Since 2011, 10 states have passed legislation allowing for land banks, and counties that have made use of them have been able to save and generate money.

Under the radar

For every zoo-adjacent solar field, land banks are involved in dozens of lower-profile real estate transactions. They are more likely to be part of a deal to put a run-down house in the middle of a residential block into the hands of someone who wants to fix it up than to catch the at-large community's eye with a big project. It could mean rehabilitating a home or demolishing it and selling it to a neighbor to add to their yard.

"You'll find savings in stabilizing the tax base, and they grow the revenue base for communities where property has been neglected and abandoned," said Chris Gulotta, a former redevelopment director in Cumberland County, Pa. As a private consultant, he has helped set up land banks in several Pennsylvania counties since 2012. "More immediately, you will see savings from the reduction of police and fire departments and code enforcement workers who don't have to focus on those properties, because once the land banks have taken control they won't be the magnets for criminal activity that they are when they're vacant."

The arson risk in vacant buildings is disproportionate to occupied buildings, Gulotta said. Studies have found that blighted properties can reduce property values within a two-block radius by up to 20 percent, making their remediation more than simply an aesthetic concern for their neighbors.

Whoever shows up to buy a tax-delinquent property could fix it up, but they could also not touch it and drain the equity further before giving up on it.

As effective as land banks are, Gulotta said, effective code enforcement is the best tool to prevent blight.

"There's a return on investment in terms of reduction in the long-term of blighted properties to the extent that codes are enforced uniformly," he said.

Ripe for redevelopment

Land banks are primarily an Eastern phenomenon, particularly in the Rust Belt owing to the age of its communities and the population drain from which many areas have not recovered.

"In the East, you see disinvestment that has resulted in a decline in the economic base of communities," Gulotta said. "What land banks can do is make reuse happen with a little help."

That help, of course, is contingent on money, and funding sources vary by state. New York seeded its land banks with money from the mortgage crisis restitution fund. Ohio generates land bank funding from a fee paid by tax delinquent property owners, making their land banks the envy of other states.

Erie County, N.Y.'s land bank, the Buffalo Erie Niagara Land Improvement Corporation (BENLIC), started off with $22 million, and the projects the bank funds are selected in part to help the bank remain viable despite the lack of dedicated funding. Since 2012, after demolishing or renovating nearly 150 properties, BENLIC has returned $5 million in assessed value back to the tax rolls.

"Every land bank makes a decision about what kind of properties it's going to focus on," said Executive Director Jocelyn Gordon. "Some decide they're going to focus on the hardest-hit

See LAND BANKS page14

County saves $3 for every $1 spent on 'Durham Connects' program

By Mary Ann Barton
senior staff writer

For every dollar invested in its healthy baby program, dubbed "Durham Connects," Durham County, N.C. not only saves newborns, but dollars as well.

SPOTLIGHT ON: COST SAVINGS

The county saves $3 for every $1 spent, when comparing the costs of the program versus the cost of an average infant ER and hospital stay, according to Ashley Alvord, director of Dissemination & Program Certification.

The program is offered to parents and newborns, providing health checks and other services. Nurses make a first visit when the baby is about three weeks old helping connect parents with community resources to help them raise their baby. Nurses in the program encourage families to create strong relationships with pediatricians and to avoid visiting the ER.

The Durham Connects nurse home-visiting program leads to sharp declines in emergency room visits and health care costs, she said. *The American Journal of Public Health* noted that infants in the program used 59 percent less emergency care in their first six months of life.

Another study, by *Pediatrics*, the official journal of the American Academy of Pediatrics, found the program's benefits continue through the child's first year, with infants using 50 percent less emergency care than babies not in the program.

The reductions in visits to the ER proved true across several subgroups studied including single-parent families, two-parent families, those on Medicaid and people who were privately insured.

Here's a comparison of costs:

- Emergency outpatient visit: $423 per visit
- Hospital night stay: $3,722
- Durham Connects program: $700 per family

The program was launched in 2008 by Duke University's Center for Child and Family Policy in cooperation with the Durham County Health Department and the Center for Child & Family Health.

Six full-time registered nurses currently work in the program and each nurse visits six to eight families per week, Alvord said. About 40 percent of families need a follow-up visit after the initial visit.

"It's up to each family how much follow-up they need," she said. Part of the nurse's job is to connect families with community resources; they can refer them to an array of services at 400 different agencies.

The Center for Child and Family Policy at Duke University estimates that for local governments of similar size, averaging 3,187 births per year, an annual investment of $2.2 million in nurse home visiting would yield community health-care cost savings of about $6.7 million in the first six months of life, or $3 saved for every $1 spent.

Funding sources for the program include the Duke Endowment, Medicaid reimbursements through Durham County's Department of Public Health, the Durham County commissioners and the North Carolina Department of Health and Human Services.

In addition to the cost savings, other benefits of the program include lower rates of maternal anxiety, higher quality home environments (safe, clean and free of hazards as well as more age-appropriate books and toys). Parents also showed more positive behaviors and chose higher quality daycare if they chose out of home care.

The program has been replicated in other North Carolina counties including Beaufort, Bertie, Chowan, Hyde, Forsyth and Guilford counties. Similar programs have also taken root in Iowa, Maryland, Oregon's Bend, Linn and Lincoln counties and in Minnesota's Cook County. CN

Land banks shore up neighborhoods

From LAND BANKS page 13

neighborhoods. We don't work with farmlands or suburban properties on cul de sacs, we focus on city and village centers."

Although entire properties in need can be clustered, addressing them first is not always the strategic option. "There are plenty of 'war zones,' but we can't make a difference there," she said. "But we can stabilize neighborhoods that are really on the brink, shore them up and spur new development."

Successful completion of a few higher-end properties can both continue to fund the land bank's operations and finance a project on a house that wouldn't fetch nearly as much for resale. In New York, the proceeds from a land bank property's sale are split between the land bank and the municipality to pay back property taxes. When BENLIC was formed, it was one of 10 New York land banks. Now there are 25, and the pie for funding has not grown.

"If one of our land banks across New York fails, it makes us all look bad," Gordon said. "We really have to be sustainable and be cognizant about our long-term source of funding."

The ideal property in Gordon's eyes is close to a municipality's main street, within walking distance of a business district, parks, schools and other services. BENLIC works with distressed property task forces from each municipality, which decide on properties and request the land bank's assistance.

"We don't choose the properties, we just decide whether to take the project," she said. "We're trying to make everybody else's land use plans workable."

Despite Buffalo's population loss, there is a limited supply of the housing stock that is in demand — energy efficient, single-story houses that appeal across the age spectrum. When the opportunity to rehab or rebuild that kind of house presents itself, Gordon jumps at it.

Gulotta also sees a lot of potential in urban infill throughout Pennsylvania.

"Land banks in markets that are in transitional areas will find interest in market-rate housing in downtown areas from millennials in their 20s and 30s," he said. "Once you have that residential base there's a lot more commercial viability, but it all comes from the properties."

Land banks have an advantage private developers don't when it comes to acquiring properties: They can either take charge of a property before it goes to sheriff's sale, or have a preferred bid that effectively ends the auction for that property.

"That's one of the best parts of New York's land bank legislation," Gordon said. "The auction is fraught with risk, but with the preferred bids land banks have, we can guarantee a positive outcome."

BANK ON IT

Land banks developed following the suburban flight of the second half of the 20th century to create markets for tax-delinquent properties for redevelopment. They are government entities that can clear tax liens and hold property, contract work to improve or demolish the property and then sell it to generate payment for back taxes.

The initial set of land banks, in St. Louis, Cleveland, Louisville and Atlanta, were successful in using what Frank Alexander of the Center for Community Progress describes as relatively limited powers, but worked at lower capacities.

Genesee County, Mich. and Cuyahoga County, Ohio made up what Alexander calls the second generation of land banks in the early 2000s, which involved creating multi-jurisdictional entities and allowed them access to funding beyond the earlier land banks' local-government-only funding, which allowed for expanded scopes of operation. They could now fund themselves with proceeds from property sales.

Since the great recession, 10 states have enacted land bank legislation: New York, Georgia, Missouri, Pennsylvania, Tennessee, Nebraska, Alabama, West Virginia, Delaware and Virginia. Rather than amending individual laws to create land banks, Alexander writes, these states enacted "template" legislation that often limited land banks to a single metropolitan area before expanding statewide.

Participating county, city and municipal governments appoint officers to land banks, who then enforce tax liens to acquire property. Given the intergovernmental relationships at play in setting up a land bank, a state typically must pass legislation creating land banking authority. If local governments have a strong range of home rule authority such as Cook County, they do not necessarily need state legislation to create a land bank.

Plagues on Our House

Today we battle two particularly vicious plagues in the world at the same time. The first is a worldwide outbreak of a particularly virulent strain of influenza. The second is another worldwide plague – this one against the concepts of respect and civil rights. Spotlights are shining all over the world on repugnant sexual harassment behavior. There are, of course, other plagues in the modern world as there always have been. These include poverty, lack of education, very unequal access to healthcare and education, and hunger to name only some.

However, the two plagues I highlight in this article are receiving enough public attention to be used to highlight their relevance to public administration. They are also quite manageable, if only we act to make them so.

The great bard Homer in the *Iliad* — one of the root metaphors for behaviors in society — tells us of the support the warriors of Troy received in their 10-year war with the Greeks by the great god Apollo. Apollo is the God of Medicine and Healing but, ironically and inversely, also the God of Plague and Disease. To demonstrate his support for the Trojans, Apollo is said to have wandered through the Greek camp firing arrows of plague into Greek warriors and weakening the Greek military efforts as a result. It is not unlikely that one of the plagues found at the tips of his arrows was potentially influenza, if not some other scourges such as typhoid and dysentery.

Influenza has been the greatest disease killer in human history, only surpassed by the even greater effects of what I consider a disease — arrogance or hubris. It was a century ago this year that the greatest of the influenza pandemics in history (there have been nine in the past 300 years) killed an estimated 50 million to 100 million people. Fortunately for us in the 21st century, healthcare advances have had a profoundly positive effect on our ability to fight back against the influenza plague. The advancement of science and commitments of governments to support health care, mixed with the availability of treatment has been so widespread since this great 1918 outbreak, that the numbers of deaths have been very greatly reduced.

If only there would be a similar commitment in general to engage in a sustained battle against the other plagues mentioned earlier in this article! Nonetheless, with regard to influenza, we have seen both sides of Apollo — the hand of "Apollo the Healer" and steady aim of Apollo as the bringer of disease! These opposites are very much present in the lives of all of us. The Law of Unintended Consequences provides ample evidence of this perhaps even daily in our lives. One decision, despite our best analysis, appears good at the moment, but leads to very bad consequences down the road. Those consequences and warnings may not have been foreseen, or they may have been ignored. A conscious choice, for example, to defer road and bridge maintenance in the name of balancing a county budget without tax increases may make short-term political sense or "short-sighted" sense, but it will lead to far greater expense and threats later — probably after the government officials who kept approving the inadequate budgets have retired.

As with many things in our country the federal government seems to garner or seek out publicity and act as though it plays the most important and perhaps only substantial role in combating evils. The reality, we in local government know, is that "boots on the ground" occurs at the local level. The very worried parents of an ill child do not call the federal government for help. The 911 calls are answered locally and the dispatching of paramedics, firefighters and law enforcement is done locally. Indigent healthcare is in one form or another a responsibility to be addressed locally, even if the number of county hospitals has greatly reduced because of ceaselessly increasing cost increases.

At this point in the discussion, it is time to raise a toast to the many amazing physicians who choose medicine as a career, especially family practice. They put into "practice" dozens of times a day the promise made to "Apollo the Healer" as they took the Hippocratic Oath at medical school graduation. They swore by Apollo, and others including his son Aesculapius (also a healing deity, like daddy), to treat people regardless of ability to pay and to the best of their abilities. Young physicians take this oath as they begin their careers. They do so even in the face of another overwhelming plague. They have realized their dreams of becoming a physician by having no choice in most cases but to take on a mountain of debt to afford the costs of medical school. It is estimated by a CBS News report that the average new physician education debt in the United States is $166,750.

The other massive plague at the center of this article involves disrespect shown primarily, though not completely, to women who are the victims of sexual harassment and discrimination. The terrible behavior of perpetrators, who are overwhelmingly males, will doubtless soon be argued by their lawyers attempting to be clever that their client's poor bullying behavior may also be manifestations of a larger group of behavioral symptoms, including lack of respect, a need to control and feel dominant or entitled, displays of anger and defaulting to violence or threatening displays. Nonetheless, the victims have rights not to be insulted, annoyed, or perhaps even assaulted against their wishes. They have rights to be treated as equal members of society. The perpetrators have a duty to behave with civility and respect and certainly not in an unlawful manner.

Just as the victims of influenza today are fortunate to have a strong support system in the medical community, so too should there be natural allies for victims against the untoward behavior of sexual harassment perpetrators.

For a huge number of women, the strongest of these allies should readily come to mind, though it may not work that way in reality. It should be the employer. Much of the sexual harassment claims filed relate to behaviors at work. When a person is an employee she or he has the right to expect that the employer will act proactively to prevent these problems. Further, the employer should be aggressive in identifying and punishing the perpetrators.

Public employees have special responsibilities to behave to a higher standard of conduct. This is especially true for elected officials who may also fall victim to the testosterone overdose phenomenon. A core principle in English Common Law, from which our system is derived, is the notion of "Respondaet Superior" or "Let the Master Answer." This means that when an employee behaves illegally or badly there is a responsibility and a liability for that person's employer to have known about the risks and to have taken active steps before the problem arises to prevent or mitigate future disasters.

The news is filled with interviews of persons in white lab coats providing basic health guidelines for preventing or dealing with influenza. There are protocols available to reduce the spread of infection. If only we follow those protocols the risks would be considerably reduced.

So too it is with sexual harassment! There are clear concepts and practices available to reduce these risks.

Every public agency should have already and very recently

See HR DOCTOR page 20

LEADERSHIP EDGE

If You Build It, Will They Come?

By Brian Muir

As I've facilitated strategic planning sessions with elected leaders and staff for the last 15 years, I've observed that they respond to their communities' challenges and opportunities differently, depending on their values and resources. Here are six strategic community and economic development planning approaches taken:

1) Wait until they come, then build.

With this approach, land owners or developers approach the county or city with a plan and then the elected leaders and staff follow their lead in designing undeveloped areas and pursuing economic development.

Developers are usually more organized and better-funded. To make more profit, they persuade elected officials and staff to change zoning ordinances and policies to increase housing density. Some communities are so desperate for growth that they agree to developers' conditions without considering the long-term consequences.

For better or for worse, the future of the city or county is defined mostly by others, who may or may not have the community's long-term best interests at heart.

2) If you build it, they will come.

In this approach, community leaders and staff design the development, create the infrastructure — the roads, streets, and transportation corridors — and build a website presentation showing what they can do for potential businesses and future residents. Then they wait — hoping for the right developers, businesses and residents to come to them.

In the movie *Field of Dreams*, Kevin Costner plays a novice Iowa corn farmer who hears a whispering voice say, "If you build it, they will come." He later envisions a baseball diamond on his farm and builds it. He eventually reunites with his estranged father and a host of baseball greats. His dream changes his life, relationships and community.

Leaders who dream big then build can be successful. But sometimes they risk too much and don't consider the details — their dream becomes a fantasy. Recently I drove a Southwest interstate and saw an impressive modern mall with its own exit. Unfortunately, it had no tenants and customers. Both the investors and community had wasted many resources on a lemon.

Sometimes communities overestimate demand and have significant shortfalls in tenants and consumers. Ultimately,

Muir

there is not enough tax revenue to pay for the infrastructure, leaving taxpayers to bail out the project, or worse, leaving the county or city unable to pay the investors' bonds, and lowering their bond rating.

3) Assess before you build — build — and then they will come.

In this approach, leaders and staff take more calculated risks. They do their homework to assess what the citizens' and future residents' demand might be for certain housing areas and businesses, then build based on that data. This increases the chances that the kinds of businesses and residents they want will come.

For example, before you design and build, you could do a study of your residents' buying behavior (psychographics), then analyze how many rooftops you may have to drive demand. You could also estimate demographic growth to forecast the amount, age and culture of the population.

One kind of homework missed is considering the competition. Oftentimes, your competition is neighboring communities. You need to factor in if a neighboring community plans to attract big box retailers. Unfortunately, these businesses play one community against the other so they can get a tax break. Knowing and selling your community's strengths will help you negotiate your best future.

Today your community's businesses compete with online retailers and companies from other states and globally. Significantly, the 75 million millennials, aged 20 to 36, shop online more than previous generations — their buying power rivals baby boomers'. Communities that focus too much on brick-and-mortar development — with malls, other businesses, and professional office space — risk not having enough tenants or tenants who go out of business.

Even mixed-use development, with its combination of residential, commercial and industrial buildings can be risky, if comprehensive collection and analysis of the data has not been completed. This can create great risk with sales tax revenue forecasts. One mixed use development in Utah that used both taxpayer and private funds, that did not factor in the strength of a future competitor, lost over 50 percent of their taxable sales in just two years when many of their anchor tenants relocated to the other mall.

A word to the wise: given the amount, size, and buying behavior of the millennial generation, you should heavily weight their buying behaviors into your forecasting.

4) Assess, build and then persuade them to come to us.

With this approach, after carefully measuring demand, community leaders and staff design and build, then bring the right businesses into the community. Then they attract the kinds of residents those businesses hope to employ. They hire or outsource economic development experts to target the kinds of companies (and residents) they want.

Research shows that one of the best ways to attract great businesses is to market the skills of the people in your community. "Access to skilled labor is the #1 drawing factor in a company's location decision, according to *Area Development Magazine*. When you factor in the rise of the sharing economy and the cross-industry shift toward services, people are [y]our strongest asset."

Your role is twofold:

1) Persuade businesses to see benefits of your current workforce. In this case it's not just getting found on Google, it's also about closing the deal. You need the right kind of people proactively e-mailing, calling, texting, meeting and lunching with potential businesses. Use contact management software like Salesforce to organize the process and selling skills to persuade the customers about the features, advantages and benefits of your local workforce.

2) Attract more skilled labor to your community. You can do this by marketing the following quality of life assets:

- Your community's strengths
- The depth and breadth of educational opportunities
- The availability and flexibility of housing
- Transportation options, and
- Sense of community — in a study by Community Builders, 83 percent of people prefer to live in their ideal community with a lower salary.

5) Please come, but support our quality of life.

Some communities' vision is to preserve their quality of life and to invite newcomers to do so too. Many rural communities resist becoming suburbanized or urbanized. Park City, a world-famous ski resort com-

See BUILD IT page 17

ON THE MOVE

NACo OFFICERS, COUNTY OFFICIALS

- NACo President **Roy Charles Brooks** represented NACo at the West Virginia Association of Counties Conference in Kanawha County (Charleston), held Feb. 11–13.

NACo STAFF

- **Daria Daniel**, **Arthur Scott** and **Julie Ufner**, associate legislative directors, were featured speakers at the National Association of Regional Councils (NARC) Conference, Feb. 13. Daniel and Scott spoke at the Economic and Community Development Committee meeting. Ufner spoke at a breakout session on "Water Priorities and Issues in 2018."

Some places prefer to be left alone

From BUILD IT page 16

munity in Utah, home of Robert Redford's Sundance Film Festival has an effective vision: Keep Park City, Park City.

They proactively keep their unique culture, with its balance of residential, business, open space, historic preservation, year-round resort, main street and the arts.

Many communities use strategic planning to preserve their charm and promote their brand.

6) It's OK to come, but don't stay too long. We like things the way they are.

Years ago, I saw a bumper sticker on a farmer's truck that said, Welcome to Idaho, now please go home!

It was in the heart of potato country. I think he was saying, "please buy your French fries at McDonald's but don't come and fish my favorite hole and develop our land."

Some communities don't want to attract tourists, businesses and residents.

They raise crops and families and then their children (their highest quality "exports") take the strong work ethic and country values they have learned to start careers in bigger communities.

Nevertheless, many small communities I consult with conduct strategic planning to figure out ways to keep their children from moving away, probably so they can spend more time with their grandchildren!

Whatever your challenges and opportunities, it's important to know which of these six strategies you follow and whether or not you should be going in a different direction. Sometimes you may simply just need to update your strategic plan. Taking a calculated risk to build your dreams could not only get businesses and residents to come, but also help you keep the American dream alive in your community, home town or county seat. CN

Brian Muir, president and founder of the James Madison Group Inc., has over 26 years of employee, organizational, business and community development experience. He has worked with more than 180 government agencies and has developed over 12,500 frontline and management personnel in 17 states.

Utilities pick up tab for EV chargers

From ELECTRIC page 5

- Boosting downtown economies.
- Creating new jobs.
- Meeting emerging government regulations, and
- Establishing your local government as a green leader.

An electric car getting a charge.

Costs for an electric car charger range from $300 to more than $40,000 depending on the power output. The most expensive are "fast charging" and are usually able to charge 50 to 70 miles of range in less than 20 minutes, according to the Department of Energy. This does not include the cost of installation, which can run anywhere from $3,000 to $51,000.

One way to pay for EV chargers? In California, Pacific Gas & Electric is footing the bill, launching its EV Charge Network pilot program last month. The program calls for 7,500 Level 2 chargers and a budget of $130 million, with the utility picking up all infrastructure costs, according to Greentech Media.

Chargers will pop up across the utility's service area in northern and central California. So far, PG&E has fielded interest from more than 500 customers who would like to install chargers. Site hosts can choose to own and manage their chargers and choose from 15 vendors, which are expected to expand. Southern California Edison and San Diego Gas & Electric have already launched EV infrastructure pilots.

California has seen the number of electric cars grow by 53 percent between 2013 and 2017, and the state is projected to see more than 1.5 million electric cars on the road by 2025.

Gov. Jerry Brown (D) has laid out aggressive plans to spend $2.5 billion from now until 2025 with some of that going to expand the number of car charging stations from 14,000 to 250,000. The program would be funded from a $2 fee per car registration for clean air programs.

German automaker Volkswagen's emissions scandal is turning out to be good news for the U.S. electric car charging market. The company is paying out $2 billion over 10 years as part of a federal settlement to build out new charging stations. CN

PROFILES IN SERVICE

IKAIKA ANDERSON

Board Member
Council Vice Chair
City and County of Honolulu, Hawaii

ANDERSON

Number of years involved in NACo: 8

Years in public service: 20

Occupation: Small businessman

Education: B.A. in political science, University of Hawaii-Manoa; B.A. in journalism and public relations, University of Hawaii-Manoa

The hardest thing I've ever done is: Become a parent, which teaches me something new every day.

I dream I have is: Healthcare for every man, woman and child in America.

You'd be surprised to learn that: When I graduated from high school, I wanted to be a lifeguard for a living.

The most adventurous thing I've ever done is: Travel to Samoa at age 16 to compete in outrigger canoe racing.

My favorite way to relax is to: Travel with my wife Lisa and our children.

I'm most proud of: My four children.

Every morning I read: *The Honolulu Star-Advertiser* and my office emails.

My favorite meal is: Ahi Poke (Hawaiian-style raw tuna) and poi (Hawaiian starch staple made of taro).

My pet peeve is: Clutter — it drives me crazy!

My motto is: "Always under-promise and over-deliver."

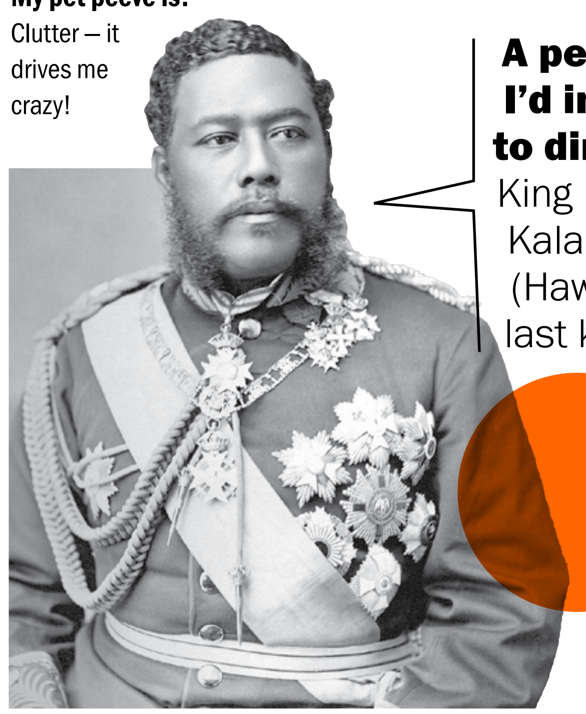
The last book I read was: *One Voice* by Sen. Daniel K. Akaka.

My favorite movie is: *Rocky*.

My favorite music is: Contemporary and traditional Hawaiian.

My favorite U.S. presidents are: Lincoln and Obama.

My county is a NACo member because: Honolulu's membership in NACo provides our city valuable opportunities to network with other county elected officials and executives to share experiences and learn from each other; opportunities we may not otherwise have due to our exceptional geographical situation. Honolulu also faces infrastructure issues, homelessness and ever-rising employee benefit costs. We benefit from collaboration opportunities with our sister NACo counties as we work to meet these challenges.



A person I'd invite to dinner: King David Kalakaua (Hawaii's last king).

NEWS FROM ACROSS THE NATION

CALIFORNIA

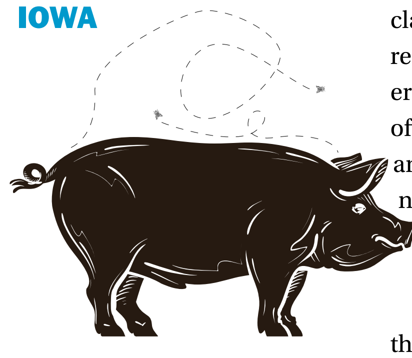
SONOMA COUNTY plans to **sue Pacific Gas & Electric Co.,** seeking up to $25 million in damages over the October wildfires, according to a report by *The Press Democrat*. More than 5,000 homes were destroyed and 24 people died in the fires that stretched across the region. Supervisors voted 5–0 to authorize California Fire Lawyers to sue the utility, claiming that it was responsible for fires that blazed across more than 137 square miles in the county. The county will use any money from the lawsuit to clear debris, rebuild infrastructure and develop safety measures to prevent future disasters, the newspaper reported.

FLORIDA

- **HILLSBOROUGH COUNTY** recently launched a program that **allows adults facing certain misdemeanor charges the chance to avoid an arrest record**, according to the *Tampa Bay Times*. Known as the Adult Pre-Arrest Diversion Program, the program began with a pilot in July. Another Sunshine State county, **PINELLAS**, launched an adult diversion program in October 2016 and, so far, has seen nearly 2,000 participants. The top five offenses? Marijuana possession, retail theft, battery, petty theft and possession of marijuana paraphernalia.

- **ORANGE COUNTY** recently partnered with Solar United Neighbors of Florida to **launch two new solar co-ops** — one in East and West Orange County. The co-ops provide bulk discounts between 15-33 percent for a group of homeowners interested in purchasing solar panels. The county launched its first solar co-op in the summer of 2016 with 515 participants. In all, $1.3 million was invested in solar with that co-op with a total energy savings over a lifetime of solar of $3.5 million.

IOWA

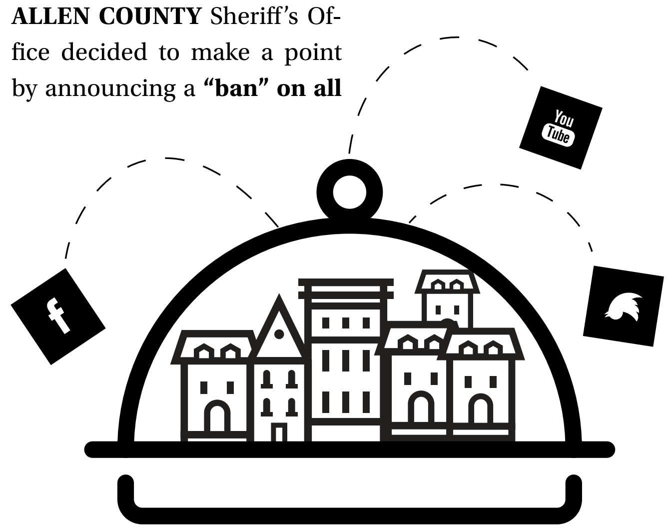


WINNEBAGO COUNTY recently **rejected a construction permit for a proposed hog confinement operation**, saying it might not meet distance requirements. Property owners near the site said they "really wish it wasn't going to happen," Supervisor Bill Jensvold told the *Globe Gazette.* The proposed site is fewer than two miles from a golf course and one resident told the newspaper he was concerned about the odor carrying to the course.

KANSAS

After receiving complaints from citizens about being harassed, scammed or taken advantage of on social media, **ALLEN COUNTY** Sheriff's Office decided to make a point by announcing a **"ban" on all social media** in the county. Here's what the Sheriff's Office posted: "Citizens of Allen County: Due to the extensive and repeated misuse of Facebook and other social media applications within this jurisdiction we will be blocking all Allen County access to Facebook, Twitter, Snapchat, Instagram, Tumblr and YouTube."

Within 24 hours, the post went viral, receiving 60,000 views, 3,700 comments, 6,100 shares, 2,400 reactions and calls from three TV news stations. Six hours after the post went up, a second post proclaimed: "You do know there is really NO WAY to stop the power of social media right?" The office continued: "Just so we are clear, law enforcement has no way to limit or otherwise restrict anyone's usage of social media, internet, telephone or anything like that. We have enough trouble dealing with our children and their phones."



MINNESOTA

McLEAN COUNTY's Zoning Board of Appeals recently signed off on a Chicago-based company's $300 million plan to **build and locate 100 wind turbines** for its Wind Energy Center across several townships, *The Pantagraph* reported. Board members said they wanted to see the company follow strict requirements on turbine noise, making contact information available for any complaints, locating turbines near streams and preventing erosion on access roads as conditions of a special-use permit. The project would

LOS ANGELES COUNTY Supervisor Kathryn Barger tours a homeless area last fall to discuss the standard of care for those with mental illnesses with *Los Angeles Times'* Steve Lopez; NAMI Los Angeles County Council Executive Director Brittney Weissman; and Dr. Susan Partova. Photo courtesy of Kathryn Barger

CALIFORNIA

LOS ANGELES COUNTY is seeking to broaden the definition of "grave disability" in order to be able to forcibly treat the **homeless suffering from mental illness**, according to the *Los Angeles Times.* The county coroner's office reports that 831 homeless people died last year.

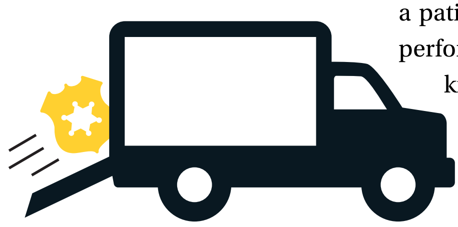
Broadening the law would allow the county to put some homeless people on involuntary psychiatric holds if a court determines that because of a mental illness, that person is unable to seek medical care. Opponents say it infringes on the rights of the homeless.

"The goal is to get people healthcare. We have to do better," said Supervisor Kathryn Barger, who co-sponsored the motion with Supervisor Mark Ridley-Thomas. Barger spent time visiting people on skid row and is attempting to find a state lawmaker to propose the legislation. Supervisor Sheila Kuehl cast the lone dissenting vote, saying: "You'll have a 72-hour hold in a hospital and then what? Who is going to take care of [their] pets? Who is going to watch [their] stuff?"

power approximately 69,000 homes, create 35 long-term jobs and provide about $2.3 million in annual taxes to the county. The proposal goes before the county Board Feb. 20.

MISSOURI

Since the Show Me State was the only state in the country not to track prescription sales, a local solution overseen by the **ST. LOUIS COUNTY** Department of Public Health continues to pick up steam. The program, which has been adopted or is in the process of being authorized by nearly 60 jurisdictions, is an attempt to **curb opioid addictions. JOPLIN** and **JASPER counties** are the latest to join in by enrolling pharmacists and soon physicians in their counties. Doctors and pharmacists will be able to query the prescription history of a patient to see if they have received medications within any of the counties or cities in the database.



NEBRASKA

A long time tenant at the **ADAMS COUNTY** Courthouse will be moving in 2019. Gregg Magee will retire as sheriff after 35 years, and the county will change its rules **requiring the sheriff to live at the county jail**. While the practice was common throughout Nebraska, *The Grand Island Independent* reported, the requirement chafed families of prospective sheriffs, and Adams County was the last to take the rule off of its books. Magee has lived alone throughout his nine terms, and had no complaints. Once January 2019 arrives, the county will no longer provide living quarters for the sheriff.

OHIO

- EMS personnel in **TUSCARAWAS COUNTY** will change their protocol for **treating cardiac arrest**, starting in March.

Paramedics typically rush a patient to the hospital while performing CPR, a method known as "scoop-and-run." Soon, they will stabilize the patient ("stay and play") before making the hospital transfer, *The Times Reporter* reported, because the CPR in transit is less effective.

County EMS will also stop rushing patients to the hospital if resuscitation fails, which has increased costs and added traffic risks.

OREGON

In an effort to prevent theft, **LANE COUNTY** will replace the day pass kiosk at the Mount Pisgah recreation area with a **debit and credit card reading machine**. It will serve as a test for other locations and reduce the chance for the theft, since money will no longer be stored in a collection box. Cash purchases will still be available during weekdays, KATU News reported.

SOUTH DAKOTA

PENNINGTON COUNTY is offering a five-week Community Emergency Response Team **training course for teenagers**. Open to high school sophomores, juniors and seniors, the courses cover fire safety, medical triage training to set up treatment areas and how to help those who are injured, light search-and-rescue skills, assisting responders and learning to reduce survivors' stress. The courses teach kids when it's prudent or safe to help, and when the best course of action might be to take notes and provide information to responders. The courses are taught by firefighters, paramedics, search-and-rescue team members and others who work as responders in the Black Hills, the *Rapid City Journal* reported.

Courses culminate in a simulated disaster, such as a traffic accident or an incident in school that teens might actually encounter, and draw on students to assist volunteer "victims," who are bandaged or made up to look bloody and wounded.

UTAH

In light of a **hepatitis A** outbreak, the **SALT LAKE COUNTY** Board of Health is requiring food workers be vaccinated at an eatery if any employee has been exposed to the virus.

Affected establishments have 14 days to come into compliance with the new requirement, *The Deseret News* reported. Workers who don't comply will be excluded from work assignments that involve handling food or food-contact services.

If health officials determine that a worker has been exposed to hepatitis A, the restaurant would need to have employees show proof of vaccination. Each occurrence of an unvaccinated employee handling food or a food-contact surface will be recorded as a critical violation on the establishment's inspection history.

The temporary measure allows the county to cover up to 50 percent of the cost of a vaccine for anyone getting the treatment at a health department clinic who is able to verify they are a food-service employee.

Most of the more than 140 cases of hepatitis A cases reported in Utah since May 2017 have been in Salt Lake 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.

OHIO

- Like that painting? It can be yours for four weeks. A partnership between the Akron Art Museum and the Akron-**SUMMIT COUNTY** Public Library is allowing patrons to **check out works of art** created by Northeastern Ohio artists, *Cleveland Scene* reported. Art can be renewed up to five times.

A tale of two plagues in the workplace ... and what you can do

From HR DOCTOR page 17

reviewed prevention policies to make sure that no employee can offer an excuse for bad behavior such as, "I didn't realize there was a policy against this!"

This is a key HR Doctor training precept, "Take excuses away!" It is the foundation of effective intervention and prevention.

Once there's a compelling and up-to-date policy, it is necessary that every person in the organization, including and especially the very top elected and appointed officials, receive a copy of the policy and participate in very effective training.

Every employee should be required to sign a "receipt" attesting to the fact that they received the policy, read and understood it, received training about why it is so important and understand their obligations to comply.

This "receipt model" is one form of taking excuses away. Training once every 32 years is nowhere near enough. There needs to be a reassertion of the importance of the core policy regularly, at least annually, perhaps more frequently in higher liability areas such as law enforcement and health care and management.

The organization has ensured that there is a new strong, up-to-date policy. It is made sure that every employee has received the policy, been trained about it, and accepted their direct responsibility. What now?

Supervisory and management employees need a special dose of vaccination against bad behavior. They are the agents of the organization. They represent the organization.

If they "walk by something wrong," in effect, it is the employer and in particular the government agency-employer which is ignoring and walking by.

It is not coincidental that the HR Doctor's first book was called *Don't Walk by Something Wrong!*

As a longtime human resources director in two counties and two cities and a past county chief administrative officer, and management consultant, the HR Doctor has done many seminars, investigations and interventions over the years about this very problem. This is not to mention other related plagues like workplace violence, race discrimination, and other organizational horrors.

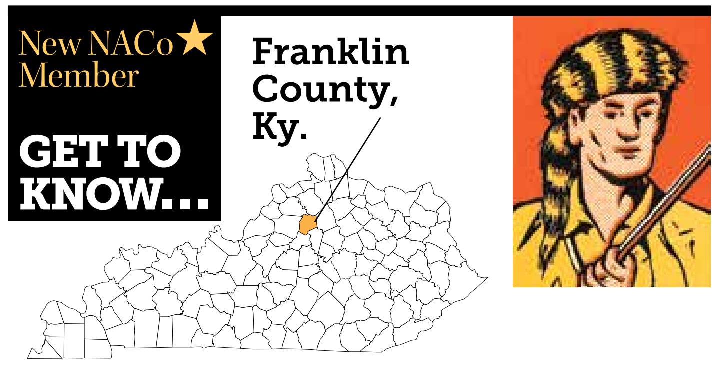
It is ironically often more effective for an outside consultant to deliver this training than for a familiar colleague at work, especially if the workplace has not had any sense of aggressive prevention and recognition of problem in the past.

All that being said, just as new physicians swear to Apollo among other things to do no harm and to help selflessly, so to the leaders of agencies have a duty to take seriously and regularly reaffirm their obligation to step into and step up to an honorable position of responsibility.

Keeping the workforce respectful is not only the right thing to do, it makes the best business sense as well. It helps attract and retain spectacular employees who will not put up with plagues in their workplace.

It also reduces organizational liability and substitutes effective representation of the public for unnecessary legal fees, bad publicity and long-term costs.

Despite support from Apollo, you may be aware that the Greeks defeated the Trojans. This defeat ended Troy's existence as a strong organization. It need not be that way with regard to the reputation and honor of local government employers fighting off these current plagues. CN



Welcome, Franklin County, Ky.

Franklin County is named for American inventor Benjamin Franklin. **The county seat of Frankfort is home to the state capital of Kentucky**, as well as the Kentucky governor's mansion and the **Frankfort Cemetery, where Daniel Boone is buried**. Kentucky State University, home of the Thorobreds, was chartered in Franklin County in May 1886 as the second state-supported institution of higher learning in Kentucky.