

## Trump rolls back climate rules

**By Julie Ufner**  
associate legislative director

President Donald Trump signed an executive order, "Promoting Energy Independence and Economic Growth," March 28, to start the process to dismantle climate change policies established under President Barack Obama. The rule also addresses other issues related to barriers that limit domestic energy production.

The cornerstone of the rule centers on Trump's promise on the campaign trail to revoke the Environmental Protection Agency's Clean Power Plan (CPP), which is considered to

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**Western Interstate Region President Joel Bousman, Sublette County, Wyo., and Commissioner Jim French, Humboldt County, Nev., were among the guests invited to witness President Trump's signing of legislation withdrawing the BLM Planning Rule 2.0.** Photo courtesy of Department of the Interior

## Attorney general vows to pull funds from 'sanctuary' counties

**By Mary Ann Barton**  
senior staff writer

Counties must enforce federal immigration laws or risk losing \$4.1 billion in crime-fighting grants in the current fiscal year, U.S. Attorney General Jeff Sessions announced March 27.

Sessions, appearing before reporters at a White House press briefing, urged leaders of so-called "sanctuary cities" to comply or risk losing their federal grants.

"I urge our nation's states and cities to consider carefully the harm they are doing to their citizens by refusing to enforce our immigration laws and to re-think these policies," Sessions said. "Such policies make their cities and states less safe, and put them at risk of losing valuable federal dollars."

The federal government is expected to dispense \$4.1 billion in grants this year through the Office of Justice Programs and the Community Oriented Policing Services, or COPS, program, but "sanctuary cities," Sessions said, risk having the funds taken away or denied.

NACo Executive Director Matthew Chase said the attorney general's remarks present "serious legal issues" for counties.

"The recent remarks by U.S. Attorney General Jeff Sessions raise serious legal issues for county governments," Chase said. "Based on various federal court rulings and our clear understanding of U.S. constitutional provisions — including the Fourth, Fifth and 10th amendments — county

leaders are already cooperating with federal immigration officials, including ICE (Immigration and Customs Enforcement), when appropriate."

A 2014 federal court case, *Miranda-Olivares vs. Clackamas County*, held that counties which hold people in jail for federal agencies without probable cause violate the Fourth Amendment of the Constitution.

"ICE detainers are voluntary actions by local governments, clearly not mandatory," Chase noted. "As stated repeatedly by county executives and sheriffs, counties routinely comply with ICE detainer requests with the required court warrants or orders. Otherwise, when ICE requests a detainer

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## Health care reform is far from over

**By Brian Bowden**  
associate legislative director

On March 24, House Speaker Paul Ryan cancelled the planned vote on the "American Health Care Act (AHCA)," a bill that would have repealed and replaced provisions of the Affordable Care Act (ACA) and severely cut federal funding for the Medicaid program.

Although multiple changes were made to the legislation in the final days to gain support from conservative and moderate factions within the House Republican caucus, in the end these were not enough. Still lacking the votes needed for a simple majority, the bill was pulled just before the scheduled vote on the House floor.

After Ryan, in a subsequent press conference, remarked that "Obamacare is now the law of the land" and President Trump signaled his desire to abandon the effort and move on to other priorities, many are asking what is next on the health care front.

Just a few days after the bill's failure, Ryan appeared to reverse course, signaling that the House has not abandoned their attempts to overhaul the healthcare system, though he did not lay out a specific plan or timeline. Senate leaders have been less optimistic, while still acknowledging that if the House was somehow able to pass an ACA repeal and replace bill, they would con-

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## CN SPOTLIGHT



## PLANNING 2.0 REPEALED

Western Interstate President Joel Bousman, Sublette County, Wyo., (l) and Commissioner Jim French, Humboldt County, Nev. (r) pose with Vice President Michael Pence at the White House. Bousman and French joined Pence and President Donald Trump at the White House March 27 as Trump signed into law H.J. Res. 44, a resolution rescinding the Bureau of Land Management's Planning 2.0 rule. NACo had expressed concerns about the rule, which was first proposed last year.

Photo courtesy of the White House.

# Budget deadline likely to upstage any second passes at ACA repeal

*From ACA REPEAL page 1*

sider it.

After the AHCA was pulled, health care overtook national security as the top priority for American voters, according to Morning Consult/POLITICO polling data, and members of Congress will likely be hearing more from their constituents when they return home to their districts for a scheduled two-week recess (April 10–21).

However, when they return, Congress will have only one week to pass a federal funding package to keep the federal government open past April 28, when the current continuing resolution is set to expire. In addition, Trump and Congressional leaders are simultaneously preparing major tax reform and infrastructure packages. It remains to be seen whether big-picture healthcare legislation can happen in the near term.

Experts agree that administrative actions from Department of Health and Human Services (HHS) Secretary Tom Price now present the most immediate opportunities and challenges for overhauling the health care system.

This was already the second of the “three buckets” identified as a part of the president and Congressional leadership’s comprehensive strategy to repeal and replace the ACA (the first bucket involved using the budget reconciliation process, as Republicans did with the AHCA, and the third bucket focuses on passing individual pieces of smaller legislation through regular order). Trump

already signaled his intent to use administrative actions in the Executive Order that he signed on the first day of his administration, “Minimizing the Economic Burden of the Patient Protection and Affordable Care Act Pending Repeal.”

Even during the 17-day window in which the AHCA was being debated, the Trump Administration, under HHS Secretary Price, had already begun taking administrative action.

On March 13, Price sent a letter to governors encouraging states to apply for a new type of Medicaid waiver. Waivers can provide an opportunity for states to advance objectives of the Medicaid program that are not otherwise codified under federal law.

One particular waiver, called a Section 1332 waiver, will allow states to make changes to health insurance exchanges, qualified health plans, premium tax credits and cost-sharing subsidies, as well as to the individual and employer mandates.

On March 14, immediately after the Senate confirmed Seema Verma as the administrator of the Centers for Medicare and Medicaid (CMS), Price and Verma sent a joint letter to governors outlining their vision of the Medicaid program as one “where states have more freedom to design programs that meet the spectrum of diverse needs of their Medicaid population.” According to the National Association of Medicaid Directors, the letter lays out CMS’ intent to provide states additional flexibility in the Medicaid program to “support

state efforts to promote employment and design programs which more closely align with private coverage. This includes consumer direction, enrollment in employer-sponsored health insurance, premium contributions, emergency room co-pays, and waivers of non-emergency medical transportation, retroactive eligibility, and presumptive eligibility.” Such efforts can be achieved under existing Section 1115 waivers, which provide the HHS Secretary broad authority to approve state Medicaid programs.

Without legislation, however, other decisions must be made that impact the status of the health care system as it currently exists under the ACA. For example, the Trump Administration and Congress must determine how to stabilize the insurance markets. The AHCA included a \$115 billion fund to do just this, so Congress now needs to decide if they will provide additional funding. In addition, they must determine whether to promote open enrollment in the individual marketplaces after deciding this past year to pull advertisements. Since many counties have struggled to attract more than one insurer, the Trump Administration must decide if it wants to get involved in helping to recruit new insurers.

Beyond appropriations, which will determine discretionary funding levels for everything from mental health and substance abuse services

*See ACA REPEAL page 12*



## SNAP/STATS

## FASTEST GROWING COUNTIES

County	Average number people added per day in 2016
Maricopa, Ariz.....	222
Harris County, Texas .....	155
Clark County, Nev. ....	127
King County, Wash. ....	98
Tarrant County, Texas .....	97

Source: U.S. Census Bureau Population Estimates 2015–2016, March 23, 2017

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# County Health Rankings show spike in drug overdose deaths among young

By Mary Ann Barton  
senior staff writer

Young people dying from drug overdoses is driving up premature death rates across the country, according to recently released findings from the 2017 *County Health Rankings & Roadmaps* report.

The rankings and data from the recently released report are meant as “a jumping off point” for county leaders to see where they’re doing well and where they need help when it comes to the health of their residents, said Abbey Cofsky, managing director of the Robert Wood Johnson Foundation, which collaborates on the rankings report with the University of Wisconsin Population Health Institute.

Drug overdose deaths continue to be a big problem. “We’re continuing to see premature deaths of 25- to 44-year olds, in the prime of their life, in their most productive years,” Cofsky said. The rate of overdose deaths has increased 137 percent since 2000, according to the Centers for Disease Control.

From 2014 to 2015, 85 percent of the increase in premature deaths can be attributed to a sharp increase in drug deaths among Americans 15 to 44. Drug deaths are also accelerating among 15- to 24-year-olds.

Suburbs, once ranked lowest in drug deaths, are now the highest, the report shows. A decade ago, suburbs had the lowest rates. Smaller metro and rural areas are also witnessing higher fatal drug overdose rates.

Counties have to ask: “What is it that’s happening in our communities that’s fueling this epidemic?” Cofsky said. “Communities can make a difference, she said, by asking ‘What does it take to create opportunities to prevent drug overdoses?’

**County Health Rankings & Roadmaps**  
Building a Culture of Health, County by County  
A Robert Wood Johnson Foundation program

Socio-economic factors in a county will have the biggest impact on the health of a community, said Julie Willems Van Dijk, County Health Rankings director.

Instead of focusing on end problems such as obesity or smoking, counties are now looking at supporting resources such as truancy intervention, early childhood programs, employment and housing that provide at-risk students and families with a foundation to improve self-esteem, social skills and unmet needs.

“This goes to the core of the rankings — communities and counties can actually do something about the issue if they couple it with what’s happening on the ground,” Cofsky said.

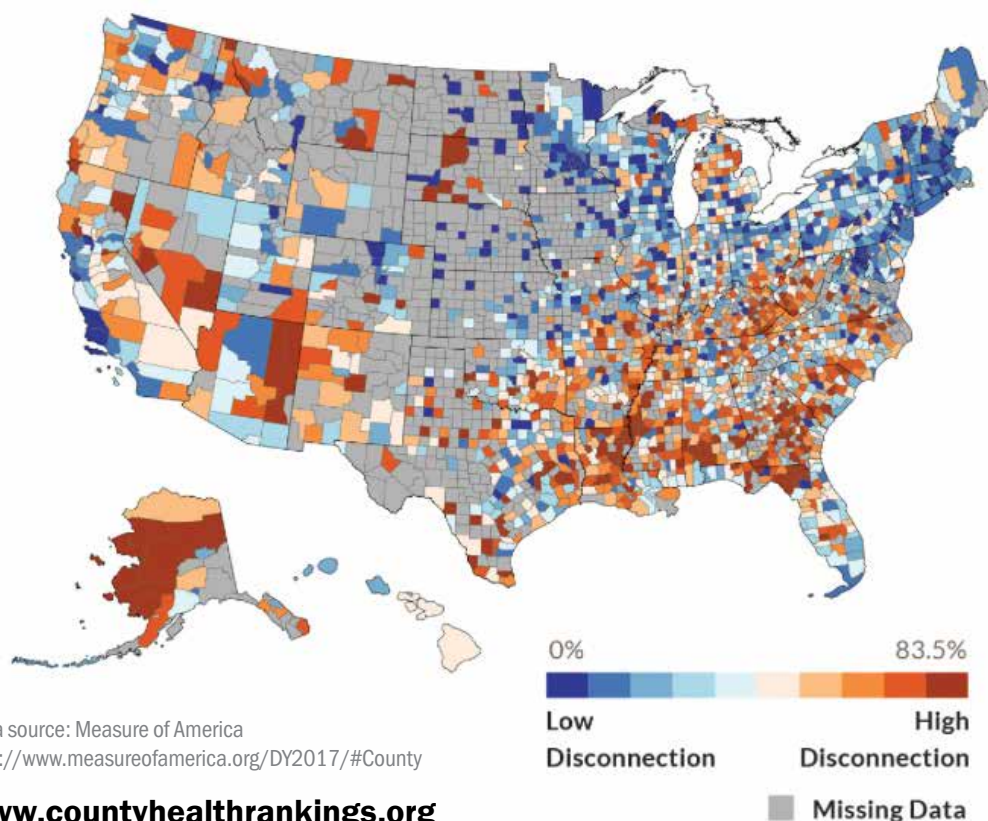
## Disconnected Youth

A new measure introduced in this year’s *Rankings* report focuses on young people (ages 16 to 24 who are not in school or working) lacking opportunity.

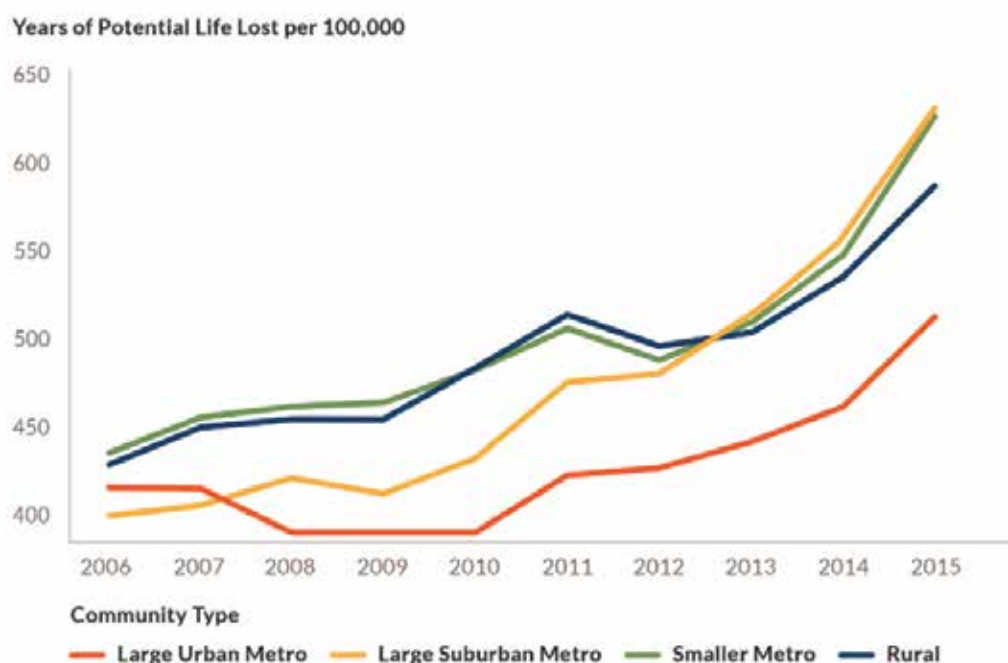
Nearly 5 million young people in the United States — one in eight — fall into this category, according to the report. Rates of youth disconnection are higher in rural counties (21.6 percent), particularly in the South and West, than in urban ones (13.7 percent).

“There are not a lot of measures that look at that population,” Cofsky said. “It goes again to the core of what the rankings are about. There are ways to prevent that. It’s not always going to happen at home or at school. It’s the community, social support, safety. It raises the questions: ‘What are the job opportunities? After school programs? Do they have a safe place to live?’ What’s happening to provide this support?”

## PERCENTAGE OF DISCONNECTED YOUTH BY COUNTY, 2010–2014



## TRENDS IN PREMATURE DEATH DUE TO DRUG OVERDOSE BY COMMUNITY TYPE FROM 2006 TO 2015



Ideally, a county will look at the data from the *Rankings* report and ask “Why do we rank this way? Why is the data increasing or decreasing?” Cofsky said. “It prompts them to take a closer look at the data,

to bring leaders from different areas together, from social services, housing, transportation and education. That’s really the hope, the starting of a conversation.”

“Health is local,” she said,

“there’s an enormous amount that can be done.” Find information about your county at [www.countyhealthrankings.org](http://www.countyhealthrankings.org) and click on your state. This is the eighth year the *Rankings* report has been issued. **CN**

# National County Government Month begins

## Counties encouraged to celebrate ‘Brilliant Ideas at Work’

National County Government Month (NCGM) is an annual celebration of county government held each April. Since 1991, NACo has encouraged counties to raise public awareness of the robust role counties play in our communities.

This year, the theme is consistent with NACo President Bryan Desloge's initiative, “Brilliant Ideas at Work.” The theme encourages counties, parishes and boroughs to feature their most innovative and successful programs — those truly making a difference in residents' lives.

In NACo's NCGM toolkit, county officials will find multiple ideas to share “Brilliant Ideas” with the public. Media outreach tips are in the toolkit, where you can also find a sample proclamation and news release. Suggestions include holding an open house at county departments to showcase the services they provide, offering tours to show how county facilities operate and holding a job fair to highlight workforce development efforts.

Access the toolkit at [www.naco.org/NCGM](http://www.naco.org/NCGM).

[naco.org/NCGM](http://naco.org/NCGM).

On April 4, NACo encourages you to participate in the Mayor and County Recognition Day for National Service, recognizing the impact of national service. The Corporation for National and Community Service has partnered with NACo, the National League of Cities and Cities of Service to encourage leaders to host events, issue proclamations and participate in service projects. Use the hashtag #County4Service on social media to highlight your communities' volunteerism and thank AmeriCorps and Senior Corps members for their contributions.

National County Government Month is also a great way to help students learn about county government.

On April 5, NACo and its partner, iCivics, will unveil updated versions of its signature civic education tools for students — the Counties Work online educational game, where students simulate the role of county leaders, and the County Solutions classroom curriculum.

The County Solutions curricu-



lum will be expanded to include both junior high and high school instruction, and the Counties Work game will be compatible with a wider range of computers, including tablet devices. Access the new resources beginning on April 5 at [www.naco.org/iCivics](http://www.naco.org/iCivics).

On April 19, as part of NACo's partnership with the Robert Wood Johnson Foundation, County Health Day will highlight how counties build healthier communities — including health care delivery, public health and behavioral health services. Throughout the day,



NACo will share success stories and resources for counties.

NACo wants to know about the activities you have planned during NCGM so it can share this information with other counties. Email your activities to David Jackson, communications director, [djackson@naco.org](mailto:djackson@naco.org). Send us your media

coverage, proclamations, photos and videos of your county's celebrations.

Share your activities on NACo's Facebook page at [www.facebook.com/NACoDC](http://www.facebook.com/NACoDC) and include us on Twitter at @NACoTweets. Join the conversation by using the hashtag #NCGM. **CN**

## NACo supports brownfield redevelopment funding

Counties can use brownfield sites to drive economic development, but they need support from the federal government to make the most of these opportunities.

That was the message Leon County, Fla. Commissioner John Dailey took to the House Transportation and Infrastructure Committee's Water Resources and Environment Subcommittee March 28, when he testified on NACo's behalf.

He described counties' role in brownfield redevelopment projects, in which they are often responsible for local land use planning, zoning, economic development and environ-

mental enforcement and monitoring.

“We completely transformed the area, it's vibrant,” Dailey said of a 450-acre site in Leon County that was once home to a rail depot and chemical warehouses. “It now includes shops, restaurants, pubs, hotels, private housing and our small business incubator. The corridor has brought 200 new jobs, it has increased the tax value by \$130 million and it's attracted 3,000 new residents.”

Dailey discussed how the Environmental Protection Agency's (EPA) brownfields program helps counties develop unused or abandoned

brownfield sites to promote economic development and revitalize local communities.

“These many responsibilities allow us to see the big picture for our communities and direct our focus on areas that would most benefit from brownfields redevelopment projects,” he said.

Dailey's testimony highlighted the number of successful county brownfields projects across the nation.

However, he also noted that there are over 400,000 brownfield sites that have yet to be cleaned up. Dailey urged Congress to consider revisions to federal brownfields policies to

ensure that local governments can clean up and develop more sites as part of their overall comprehensive plans.

Dailey recommended several specific modifications Congress could make to the program:

- Maintain or even increase funding for EPA's brownfields program.
- Create a multipurpose grant that would allow local governments to apply for one grant, rather than multiple brownfields grants to clean up a site.
- Exempt local governments from liability if they neither caused nor contributed to the contamination and exercised

due care with contaminants once they acquired the site.

EPA's brownfields program was originally authorized in 2002 through the Small Business Liability Relief and Brownfields Revitalization Act (P.L. 107-118).

EPA's brownfields program provides technical assistance and grants for communities to undertake brownfields projects.

While the program's authorization expired in 2006, Congress has continued to fund the program on an annual basis. **CN**

*Charlie Ban, senior staff writer, contributed to this report.*

# States eyeing policy changes to force immigration enforcement cooperation

**By Charlie Ban**  
senior staff writer

A busy week of action in state capitols in late March attempted to clarify policies guiding local governments' cooperation with federal immigration authorities.

Mississippi Gov. Phil Bryant (R) signed a law March 27 outlawing policies by local governments that would defy detention requests by federal authorities, the same day Virginia Gov. Terry McAuliffe (D) vetoed a bill that would have prevented local governments from restricting federal immigration law enforcement. A day later, Vermont Gov. Phil Scott (R) signed a law prohibiting state and local police from participating in federal immigration enforcement, but insisted it would not conflict with federal

regulations, while in Montana, the state House passed a bill targeting local governments that would resist assisting immigration efforts.

A California bill, pending review, prevents local authorities from enforcing immigration laws. Maryland Gov. Larry Hogan (R) has promised to veto a similar law that likely won't pass the Senate.

More than 90 bills have been introduced in 29 state Legislatures and the District of Columbia, clarifying compliance with the U.S. Immigrations and Customs Enforcement (ICE) detainer requests.

"It's turned into the hot topic of the year," said Ann Morse, program director for immigration policy at the National Conference of State Legislatures. "There are a lot of bills introduced that are meant to

express support and are not likely to make it through the process, but most have encouraged cooperation with ICE."

Detainers are issued by ICE to hold an inmate for 48 hours beyond adjudication if they are in the country illegally, during which time ICE officials would take custody. Counties are responsible for the detention costs in the meantime.

Twenty-five states are considering legislation clarifying how counties and cities should treat detainer requests, with several planning to withhold federal and state money from counties and cities that ignore detainer requests. Different chambers in Florida and Texas have passed bills disapproving of sanctuaries.

Eight states and D.C. are opposed to ICE detainer compliance and five states have legis-

lation taking both sides of the argument.

In 2014, federal courts entered the detainer compliance debate.

Three court decisions determined that compliance with ICE detainers was voluntary; that being held on a detainer without cause violates a person's Fourth Amendment rights against unlawful arrest and detention; and that counties could be held responsible for holding someone beyond 48 hours.

Lehigh County, Pa. lost \$95,000 when settling with a New Jersey resident who was mistakenly jailed.

That court decision changed the way Pennsylvania counties viewed detainer requests and has landed 15 of the state's 67 counties on a list of jurisdictions that ICE claims enacted policies to disregard detainer requests.

Clarion County, Pa. was the first, establishing a county corrections policy in 1997 that rejected holding individuals based solely on an ICE detainer, instead requiring a warrant. Only Clarion and Lebanon counties in Pennsylvania, King County, Wash. and Cook County, Ill. established county policies on ICE detainers before court decisions in early 2014 changed local governments' view of detainers.

No uniform definition of a sanctuary policy has been adopted nationwide, however.

Fear of liability and vague direction has put those counties in a tough place, said Doug Hill, executive director of the County Commissioners Association of Pennsylvania.

"It is incredibly unfortunate

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**MAY 24–26, 2017**

DESCHUTES COUNTY / SUNRIVER, OREGON

# Trump 'skinny budget' could impact counties in big way, local leaders say

By Mary Ann Barton  
senior staff writer

The cuts proposed last month by President Donald Trump in his "skinny budget" could impact counties in a huge way — from cuts to rural airports to Meals on Wheels to Payments In Lieu of Taxes.

In a proposal issued March 16, Trump unveiled his first budget, "America First: A Budget Blueprint to Make America Great Again," which calls for a \$54 billion increase in defense spending and funds to build a wall along the U.S. border with Mexico, and cuts to State Department and social service spending. The next stop for Trump's budget blueprint: Congress.

"If the proposed cuts are implemented, every state and local unit of government will be impacted," said Daryl J. Delabbio, county administrator-controller for Kent County, Mich. "We have already been negatively affected by sequestration, which pales in comparison to the cuts being proposed."

Delabbio said while it's too early to predict exactly what will happen, the proposed elimination of the Community Development Block Grant program "would negatively impact our most vulnerable citizens and could increase homelessness." He foresees that local governments will be forced to increase their funding levels or eliminate programs altogether.

As far as what a county could do in his home state to offset such cuts, Delabbio said "it would be difficult to increase revenues because in most instances, the increase would have to be supported by a vote of the people (in Michigan)."

"Budgeting would become more difficult and would result in reductions in workforce and in programs and services,"

he said. "In the most drastic terms, counties would have to make significant reductions. Basically, the best way to prepare for possible cuts is to eliminate any reliance on federal funding. There are few, if any, public entities that are totally reliant on local funding."

Delabbio's state could see the end of federal subsidies to airports in Chippewa, Delta, Dickinson, Gogebic and Houghton counties if the 40-year old Essential Air Service program is eliminated as proposed in the Trump budget.

Meanwhile in California's Santa Clara County, Supervisor Cindy Chavez said the proposed cuts could impact thousands of county residents.

"It's alarming and irresponsible that President Trump wants to slash aid to women and children," said Chavez. "We're talking major cuts to women, infants and children nutrition (WIC) assistance, after-school and summer programs for low-income students, and federal work-study aid to college students. These programs have given thousands of Santa Clara County residents the foundation to build productive lives and careers that have contributed substantially to the economy and success of Silicon Valley."

Approximately 23 percent of families in the county earn less than \$50,000 and children in those families qualify for reduced or free lunch. In 2015, nearly 85,000 children were eligible for subsidized meals. In 2011 22,056 women, infant and children (WIC) were served per month in Santa Clara County.

## Congressman sees 25 percent cut to Texas county budget

Rep. Henry Cuellar (D-Texas) drew up a list of entities in his district that would suffer cuts under the proposals. It shows

that Hidalgo County would see almost 25 percent of its \$194.3 million general fund budget cut, although the cuts would not exclusively impact the county, *The Monitor* newspaper reported. Those cuts could include \$10 million in Community Development Block Grant (CDBG) funding. Other cuts to the county would include:

- \$1.8 million to Hidalgo County Community Services Agency, which provides emergency food assistance and employment programs.
- \$2.1 million for programs to help buy and rehabilitate af-

fordable housing.

- \$4.7 million for programs to help with home energy assistance.

Here's a look at some other potential challenges counties may face across the country if the president's proposals become reality:

**Meals on Wheels:** The program is popular especially with senior citizens on a budget and got a lot of press initially when the budget came out. It gets its funding from a variety of local, state and federal sources including the Community Development Block Grant (CDBG),

Health and Human Services and the Older Americans Act. The impact is likely to vary from place to place. Every Meals on Wheels affiliate gets money from a mix of funds, along with individual donations and philanthropic organizations.

In Lawrence County, Pa., a program coordinator said any cuts would not impact their Meals on Wheels service because of donations to the program, plus money received from residents, who pay \$6 a day, the *Ellwood City Ledger*

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## PARTIAL LIST OF PROPOSED FEDERAL PROGRAM ELIMINATIONS

### Department of Agriculture

- Water and Wastewater loan and grant program (\$498 million)
- McGovern-Dole International Food for Education Program (\$202 million)
- Rural Business Coop Service (discretionary/\$95 million)

### Department of Commerce

- Economic Development Administration (\$221 million)
- Minority Business Development Agency (\$32 million)

### Department of Energy

- Advanced Research Projects Agency-Energy (\$382 million)
- Title 17 Innovative Technology Loan Guarantee Program
- Advanced Technology Vehicle Manufacturing Program
- Weatherization Assistance Program (\$121 million)
- State Energy Program (\$28.2 million)

### Department of Health and Human Services

- Health professions and nursing training programs (\$403 million)

- Low-Income Home Energy Assistance Program (\$3.4 billion)
- Community Services Block Grants (\$715 million)

### Department of Housing and Urban Development

- Community Development Block Grant program (\$3 billion)
- Section 4 Capacity Building for Community Development and Affordable Housing program (\$35 million)

### Department of Homeland Security

- FEMA pre-disaster mitigation grants (\$667 million)

### Department of the Interior

- Abandoned Mine Land grants (\$160 million)
- National Heritage Areas (\$20 million)
- National Wildlife Refuge fund (\$13.2 million)

### Department of Justice

- State Criminal Alien Assistance Program (\$210 million)

### Department of Labor

- Senior Community Service Employment Program (\$434 million)
- Occupational Safety and Health Administration training grants (\$11 million)

### Department of Transportation

- The Essential Air Service program (\$175 million) provides federal subsidies for commercial air service at rural airports.
- Transportation Investment Generating Economic Recovery grants (\$499 million)

### Department of the Treasury

- Community Development Financial Institutions grants (\$210 million)

### Environmental Protection Agency

- Geographic watershed programs (\$427 million) such as the Great Lakes Restoration Initiative (\$40 million) and the Chesapeake Bay Restoration Initiative (\$14 million)
- 50 other EPA programs (\$347 million) including Energy Star and Targeted Airshed Grants.

# Trump 'skinny budget' slashes programs important to counties

From BUDGET page 6

reported.

But in Wake County, N.C., a spokesperson for Meals on Wheels calculated they could run into problems.

"Based on the proposed budget that the president released just last week, we would estimate that about \$200,000 would be cut from our program and that means that we would not have enough money to feed 110 people," Alan Winstead of Wake Meals on Wheels told WRAL-TV in Raleigh.

## Moving forward

The loss of CDBG funding could hit counties in many ways. Some officials are moving

ahead in the face of uncertainty. In Clark County, Nev., the Board of Commissioners recently voted to move ahead with some \$25 million in public projects that could lose funding.

"Just because the governor, president, whatever asks for something within their budget or not, doesn't mean they're going to get that passed," the *Las Vegas Review Journal* reported Commissioner Chris Giunchigliani as saying.

"So, I think we still have to do our due diligence for our constituents and move it forward. If their funding does actually get cut, then we have time to step back and find additional money."

## Losing some Payments in Lieu of Taxes funding

Counties that see Payments in Lieu of Taxes (PILT) funding could see a drop under the budget proposal; in Idaho, that means a possible loss of \$4.4 million the *Post Register* newspaper reported.

The federal payments to local governments help offset losses in property taxes due to non-taxable federal lands within their boundaries.

With counties throughout the Gem State receiving a total of \$29.4 million last year, a 15 percent reduction implies a loss of \$4.4 million in county revenue, the newspaper reported. In Bonneville County,

this would mean a loss of about \$190,000, in Fremont \$163,000, in Lemhi \$145,000, in Custer \$109,000, and in Butte \$50,000.

And those effects would hit some rural counties, including Butte, Lemhi, Clark and Fremont, particularly hard, the newspaper pointed out.

Local taxpayers in these counties would either face significant reductions in government services such as road repair and snow removal, or face large tax hikes.

In Lemhi County, where the general fund budget is just over \$4 million, that would mean about a 4 percent budget cut. The county would be unable to maintain its current level of

service unless it took the maximum legal tax hike and dipped into foregone revenue as well, the newspaper noted.

What's next for the Trump budget?

Some county officials, such as Loudoun County, Va. Board of Supervisors Chair Phyllis Randall, say Congress will step in, and that cuts won't be as dire as proposed.

"I am confident that senators and congress people from both houses and both parties will not let [the budget] stand," she told her local newspaper, the *Loudoun Times-Mirror*, "and there will be a lot of adjustments to this budget before it comes to fruition." **CN**

## New exclusive member benefit comes online

The Institute for Building Technology and Safety, or IBTS, is offering NACo-member counties the opportunity to bring their permitting process online. GOVmotus is a cloud-based system, accessed by logging into the GOVmotus website.

The system manages, automates and tracks community development processes. With it, all permitting applications are online, including plan review, inspection scheduling and reporting, and Certificate of Occupancy issuance. Any information generated by GOVmotus is backed up by IBTS and available at any time to the subscribing county.

All NACo member counties are eligible for the GOVmotus Bronze package at no cost or can receive a discount on Silver, Gold or Platinum packages. Counties that choose to take advantage of this online program will sign a subscription agreement with IBTS. While the online software is given to the county at no charge, a \$7.50 fee is charged to the applicant for each permit that is filed and is remitted to IBTS.



"NACo is pleased to partner with IBTS to bring this solution to our members and we believe that the Bronze level GOVmotus package, which is offered at no charge, will be valuable to smaller counties who may not be able to afford this kind of online software package," said Linda Langston, NACo strategic relations director

Counties wishing for more licenses and more services such as floodplain tracking, document and report management, contractor list management and portals for contractors to track their projects can contract with IBTS for their Silver, Gold and Platinum programs at a discount, she added.

To learn more, contact Jason Delgado at [sales@govmotus.org](mailto:sales@govmotus.org), Linda Langston, [llangston@naco.org](mailto:llangston@naco.org) or go NACo's website ([www.naco.org/govmotus](http://www.naco.org/govmotus)) for more detailed information. **CN**



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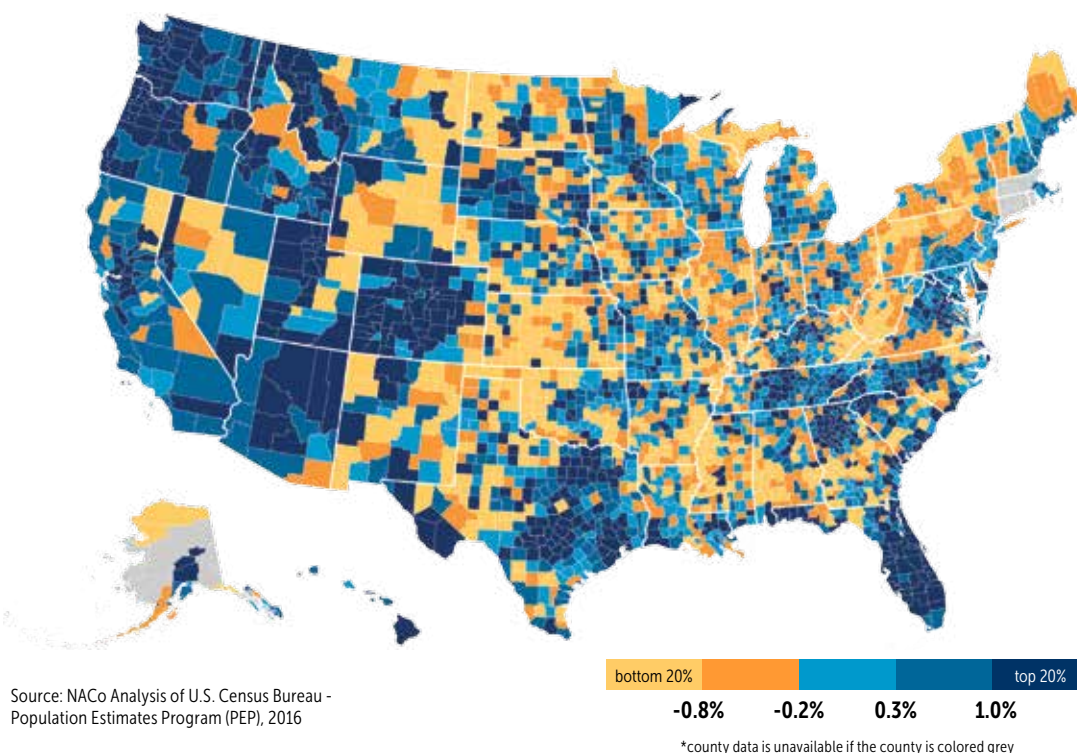
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# Population gains experienced by half of U.S. counties

By Tadas Pack  
research assistant

## 2016 POPULATION LEVELS AND TRENDS

### POPULATION ANNUAL GROWTH RATE (FROM PREVIOUS YEAR)



The latest U.S. Census Bureau population estimates released last month reveal that just over half of America's 3,069 counties experienced population growth in 2016.

The most populous counties continue to add residents in high numbers; 84 percent of the 128 largest counties (those with a population greater than 500,000) experienced growth last year. The rate was slightly lower for the 821 medium-sized counties (with populations between 50,000 and 500,000 residents): only 71 percent of them saw their populations expand between 2015 and 2016.

In contrast, less than half (only 42 percent) of the nation's 2,120 small counties (with populations less than 50,000) experienced growth.

Population continues to significantly concentrate in large counties. Counties with more than half a million people added nearly 1.3 million residents

in 2016, more than all the other counties combined. For the first time in the last four years, Maricopa County, Ariz. overtook Harris County, Texas in terms of number of residents added in a year: over 81,000

residents.

Pasco County, Fla. grew by more than 15,000 residents last year, pushing it over the 500,000-population threshold. The Florida county became the 128th large county in the coun-

try. Overall, the large county residents represent 49 percent of all counties, an expanding share among counties of different population sizes.

Across the country, southern and western counties are

expanding the most. For example, Texas counties added just over 430,000 residents last year, further driving population concentration in the South. Most of the fastest growing counties are also located in these regions. Of the 100 fastest growing counties, nearly half of them are found in Colorado, Florida and Texas. Almost half of the rapidly expanding counties are small. Idaho, South Dakota and Colorado saw most of their small counties' adding population last year.

While many pockets of the country showed signs of healthy population growth, others showed declines. Sixty percent of Midwestern counties and 65 percent of Northeastern counties took a population hit last year. This trend cut across different population sizes, but rural counties were more likely to register losses. Less than a fifth of counties in Illinois, New York, and West Virginia registered population increases last year. This trend remains consistent with prior years. **CN**

## Santa Clara County, Calif. lawsuit seeks relief from Trump executive order

From SESSIONS page 1

without a court order or warrant, our counties are hit with lawsuits and legal actions based on Fourth Amendment protections against warrantless arrest, which extend to all individuals in the United States, regardless of immigration status."

The attorney general's announcement March 27 comes just days before the April 5 hearing for the Santa Clara County, Calif.'s lawsuit challenging the Trump Administration's executive order promising to withhold all federal funding from "sanctuary jurisdictions."

At the hearing, a federal court will consider Santa Clara's request for national injunctive relief from the order.

"The attorney general's move is intended to force jurisdictions to follow a wrongheaded immigration policy that does

not align with our local values," said Jeffrey V. Smith, Santa Clara County executive. "The county looks forward to the hearing on April 5, at which the federal court will hear arguments about the danger of an unchecked executive branch and the dire implications for the health, safety and well-being of our county's residents if President Trump is allowed to trample our Constitution."

Reacting to Sessions' announcement, King County, Wash. Executive Dow Constantine said his county "will not be bullied."

"If this is about coercing a local jurisdiction to imprison people without judicial process then no, we will not be bullied — we will continue to honor the Constitution, rather than the extrajudicial orders of any person, including the president," he said.

"That may or may not put

some Department of Justice funding to communities like ours at risk," Constantine said. "If this order is a precursor to an attempt to withhold other federal funds, the White House will face legal challenges. Case law restricts the federal government's ability to place extraneous conditions on spending and grants for state and local governments."

The Department of Homeland Security recently began calling out cities and counties in a U.S. Immigration and Customs Enforcement (ICE) Declined Detainer Outcome Report, a weekly look at jurisdictions that choose not to cooperate with ICE detainees.

President Donald Trump's executive order obligates the Department of Homeland Security to compile the weekly list of the top jurisdictions that refuse detainer requests.

The latest report that ICE

issued shows 2,825 detainees throughout the U.S.

Hennepin County, Minn., authorities expressed surprise to see they were listed on an earlier ICE report as non-complying.

"I think it's grossly unfair that they tell the public that two individuals that were in custody here at the Hennepin County Jail were released back out to the public without any type of cooperation, and that these folks had a criminal background," Hennepin County Sheriff Rich Stanek told KSTP-TV in a news conference. In fact, he said, the sheriff's office notified ICE when the two suspects would be released.

Meanwhile, Burlington County, N.J., was surprised to find itself singled out in an ICE press release last month criticizing the jail for releasing an inmate despite an immigration detainer request.

"We have no record of a detainer request," county spokesman Eric Arpert told *The Times of Trenton*. He said the jail is in daily communication with officials at a local ICE office and never heard ICE was unhappy with the jail's dealings with a particular suspect.

"County government leaders, including our policy boards and law enforcement officers, are 100 percent committed to the public safety of America's communities," Chase said.

Jonathan Thompson, National Sheriffs' Association executive director, said the Department of Justice needs to issue legal guidance, the *Washington Times* reported.

"Until the Department of Justice issues legal guidance confirming the constitutionality of current detainees," he said, "sheriffs will remain exposed to legal and ethical ramifications." **CN**

# Supreme Court decides special education case

By Lisa Soronen  
State and Local Legal Center

The U.S. Supreme Court held unanimously in *Endrew F. v. Douglas County School District* that public school districts must offer students with disabilities an individual education plan (IEP) “reasonably calculated to enable a child to make progress appropriate in light of the child’s circumstances.”

The court rejected a 10th Circuit’s holding that an IEP must merely confer “some educational benefit” that is “more than *de minimis*.”

This ruling came down while Supreme Court nominee, Judge Neil Gorsuch, was testifying before the Senate Judiciary Committee. Gorsuch was the author of a 2008 opinion, which was the basis for the 10th Circuit’s opinion in *Endrew F.*

As required by the federal Individuals with Disabilities

Education Act (IDEA), a student with a disability receives an IEP, developed with parents and educators, which is intended to provide that student with a “free and appropriate public education” (FAPE).

Endrew F. is autistic. When he was in fourth grade, his parents removed him from Douglas County, Colo. School District because they thought he wasn’t making adequate progress. The IDEA law allows parents to enroll their child with a disability in a private school and receive reimbursement from the public school if the public school was unable to provide the child an FAPE. The district argued it was able to provide Endrew F. an FAPE and refused to reimburse his parents for the cost of private school tuition.

*The Board of Education v. Rowley* (1982) was the first case where the Supreme Court defined FAPE. In that case, the

court failed to articulate an “overarching standard,” but did say that an IEP must be “reasonably calculated to enable a child to receive educational benefits.” For a child receiving instruction in the regular classroom an IEP must be “reasonably calculated to enable the child” to advance from grade to grade.

In *Endrew F.*, the court stated that if “progressing smoothly through the regular curriculum” isn’t “a reasonable prospect for a child, his IEP need not aim for grade level advancement, but his educational program must be appropriately ambitious in light of his circumstances, just as advancement from grade to grade is appropriately ambitious for most children in the regular classroom.

“The goals may differ, but every child should have the chance to meet challenging objectives.”

The court admitted its new standard is “general,” but was also clear that it is “markedly more demanding than the 10th Circuit’s standard.”

Four federal circuit courts of appeals apply a standard similar to the 10th Circuit (Colorado, Kansas, New Mexico, Oklahoma, Utah and Wyoming); and school districts in those states will need to accommodate the new ruling. They are: 1st (Maine, Massachusetts, New Hampshire, Puerto Rico, and Rhode Island); 4th (Mary-

land, North Carolina, South Carolina, Virginia, West Virginia); 7th (Illinois, Indiana, Wisconsin); and 8th (Arkansas, Iowa, Minnesota, Missouri, and Nebraska). **CN**

*Soronen is the SLLC’s executive director. NACo is a founder, a funder and a board member of the State and Local Legal Center, headquartered in Washington, D.C. The center extends NACo’s advocacy on behalf of counties to the highest court in the land.*

## COUNTIES AND PUBLIC EDUCATION

- K-12 public education is county-run in a number of states including Maryland, Virginia, Tennessee and North Carolina.
- In total, counties spent \$76.8 billion on elementary and secondary education in 2012.
- Counties also spent \$5.7 billion on the construction of educational facilities in 2012.

Source: NACo “County Explorer”

## States jump into immigration melee

From STATES page 5

that someone decided to call this a sanctuary issue,” he said. “This is not the same thing, in the true historical meaning of sanctuary, that is, you come here and you won’t be arrested. Our view is this has nothing to do with immigration policy, and not one of our members has adopted these so-called violation policies out of an interest in hiding, coddling or giving comfort to anyone who is here illegally.”

The Lehigh County case threat motivates everything.

“We do everything ICE asks, but if someone qualifies for bail, we release them,” Hill said. “We’re obligated to let them go.”

A bill in the state Senate would withhold a collective \$1.3 billion in state funding from 20 municipalities if they don’t accept detainees. Hill said the House could take up the legislation late in April, or

move it into the summer, after the state budget is addressed.

Unlike Pennsylvania’s proposed legislation, Mississippi’s new law passed quickly.

“It was like a freight train coming,” said Steve Gray, director of government affairs for the Mississippi Association of Supervisors. “At the end of the day it was a leadership agenda item. There were no hearings, no meetings to get feedback from local government, but we have yet to hear from any counties about that.”

The only applicable policy in place in Mississippi is a 2010 ordinance that prevents city police officers in Jackson from asking about immigration status.

NCSL’s Morse said the recent trend in state immigration policies has been a dramatic shift from recent years, during which states focused more on fostering community policing environments.

“There was a recognition that public safety, versus national

security, is the domain of state and local law enforcement,” she said. “The interest is making sure witnesses come forward, victims come forward to manage crime. The ratio of the public to law enforcement requires trust of the community.”

Anti-immigrant sentiment in the United States and Europe, however, is on the rise.

“With the latest rhetoric, the concern about national security, terrorist attacks around the world and tightening visas, the climate has changed dramatically,” Morse said. “It’s turned much more into a fear factor.”

Any criticism local governments are receiving is unwarranted when you examine actual justice policy, she said.

“The bottom line is that nobody is releasing violent criminals,” she said. “These are people who have served their time and are eligible to be released. If they committed violent crimes, they’d be turned over to ICE.” **CN**

New NACo  
Member

GET TO  
KNOW...



### Erie County, N.Y.

#### Welcome, Erie County, N.Y.

Erie County lies on the western edge of New York state, bordering Lake Erie as well as the **international border of the United States and Canada**. It is the most populous county in upstate New York outside of the New York City metropolitan area.

Buffalo is the county seat of Erie County, making it not only the home county of the Buffalo Bills, but also the home county of the Buffalo wing, created at the Anchor Bar in 1964.



## BRIGHT IDEAS | MONTGOMERY COUNTY, MD.

# Providing Free Transportation to Low-Income Residents

### PROBLEM:

Low-income residents needed a low-cost way to get to home, work or school.

### SOLUTION:

Incorporate a low-income component into new bike-sharing program.

**By Mary Ann Barton**  
senior staff writer

When Montgomery County, Md., resident Diana Abadi was trying to figure out how to save money on her commute to her university classes in Arlington County, Va., she turned to a new county program called MCLiberty.

MCLiberty is the name of the Montgomery County program that offers free memberships to Capital Bikeshare. Capital Bikeshare offers access to bicycles at hundreds of stations throughout the D.C. metro area. The memberships normally cost \$85 per year.

Abadi, 33, is visiting the United States on a student

visa from her native Bogota, Colombia, getting a master's degree at George Mason University. Although she works at the university, she is on a fixed budget, she said. She was looking for a way to reduce the cost of her \$10.20 roundtrip metro fare and found it by using the county's MCLiberty program.

After she enrolled in the program, she was given a bike helmet and a key that she can use at any of the Capital Bikeshare stations located throughout Maryland, D.C. and Virginia. She uses the key given to her as part of the program to unlock a bicycle from the Capital Bikeshare rack at a Virginia metro station in Arlington and saves money by riding the last leg of the trip, 2.5 miles, to the university. She returns the bicycle to the rack on her way home.

When Montgomery County began making plans to add Capital Bikeshare several years ago, the county wanted to figure out a way to offer free memberships to its low-income residents.

The county received a grant of \$1.28 million from the Fed-

eral Transportation Administration's Job Access and Reverse Commute Program, and the City of Rockville contributed \$300,000 to help get Capital Bikeshare off the ground in Montgomery County.

The county opened its first Bikeshare stations in September 2013 and began marketing and outreach to the community about the free bicycle program in February 2013.

The direct costs of the program are limited to marketing and enrolling applicants, with

a small amount for materials.

Bike helmets cost about \$1,000 per year and bike safety training costs are about \$10,000 per year. The county pays all the costs for the members of the MCLiberty program as part of the overall cost of the operation for the bike share program.

Low-income residents can apply for the free membership and need to either live, work or attend school in the county and currently receive some type of financial assistance.

Some of the unique aspects of the program include:

- No need for a credit card or credit to enroll.
- Free helmets and bike safety classes.
- Established in a suburban setting.

Montgomery County counts nearly 2,000 memberships to Capital Bikeshare and more than 200 to the free program. **CN**

*Bright Ideas features noteworthy and award-winning programs.*

### ADVICE TO COUNTIES TRYING TO IMPLEMENT A SIMILAR PROGRAM

- Plan your system on a limited basis (a limited number of stations in one or two geographic areas) to limit front-end costs, as well as the substantial staff effort that will be necessary.
- Allow ample time to get the program planned and implemented.
- Work with as many partners as possible through organizations in your area. Build constituencies as well as agency support.
- Make the enrollment process for low-income participants as simple as possible. One option is to use pre-qualification through other programs.
- Design marketing materials to appeal to the target population — and plan to do extensive outreach.



**Diana Abadi of Montgomery County, Md., rides a Capital Bikeshare bicycle to her university classes for free, thanks to the county's MCLiberty program.** Photo courtesy of Diana Abadi

## LEADERSHIP EDGE



By Brie Barker

As an elected county official, how important is it for you to be able to persuade people in one-on-one conversations?

When I asked this question of the people who attended last month's NACo Legislative Conference, the general response was not surprising — it's *extremely* important.

Your success as an elected county official depends on your ability to persuade the individual people you interact with — be they fellow county officials, your staff or your constituents — in a way that creates positive and productive relationships.

The less you are able to do this, the less chance you have to be effective in your job and move your political agenda forward — not to mention get re-elected.

In persuasive communication, the key skill is adapting the way you communicate with each individual. The good news is you can learn this skill — and it's a skill you can always improve.

Here's my 7-Step process for persuasive conversations ...

### STEP 1 Believe you can succeed.

This is especially important if you've become frustrated in not being able to persuade a specific person of something. Shift your mindset and recommit to succeeding. If you don't, then your subconscious will do its best to undermine you.

### STEP 2 Let go of your ego.

If you see the other person as your enemy — that you are right and they are wrong — you're creating a wall. Let go of your need to be right and you'll create space for open sharing of ideas.

### STEP 3 Engage your empathy and compassion.

The other person is a full, real human being. They have struggles just like you do.

Without empathy and compassion for them — and for their point of view — it's going to be hard for them to lower defenses, and really hear and consider what you're trying to say. If you attack, they'll defend.

### STEP 4 Get clear on your objective.

What exactly is it that you want to persuade them of? Do you want them to change their attitude towards something? Adopt a particular point of view? Take a specific action?

Whatever it is, if you're not clear on your objective going into the conversation, you're not likely to get the outcome you want.

### STEP 5 Know the person's communication needs, motivations.

This is the biggest piece of the process, one that can't be fully conveyed in this article.

My *DISC-Based Communication Strategies* eBook fully explains how to effectively adapt your communication style for different types of people. Just send an email to the address at the end of the article and I'll be happy to send it to you at no charge.

### STEP 6 Have the conversation.

Now it's time to trust your

In persuasive communication, the key skill is adapting the way you communicate with each individual.

preparation and be completely present with the other person.

The key here is not to retreat into your own head, just waiting for the other person to stop talking so you can say what *you* want to say next.

To have an effective conversation, you also have to adapt the way you communicate during the conversation — and not just to what they're saying.

Their body language and tone of voice will tell you a lot. Are they following what you're

saying or do they seem confused? Do they seem open and relaxed or closed and tense? Do they seem connected to you or disconnected? Engaged or shutting down?

However they react, you have to be attentive to, and respond to, their cues.

### STEP 7 Reflect.

Reflection is an essential part of learning and development.

As soon after the conversation as possible — and definitely before you go to bed that night — you need to take some quiet, focused time — even it's just five or 10 minutes — to reflect on the conversation.

Were you successful in persuading the person? If so, why? If not, why not?

And here's an important point to remember: you can't always expect to persuade the person completely in one conversation. If you can just move the ball down the field, then

that's a win — that's progress.

Now plan out the next conversation you need to have with this person. Take what happened in this one and learn from it. I'd encourage you to keep a written journal.

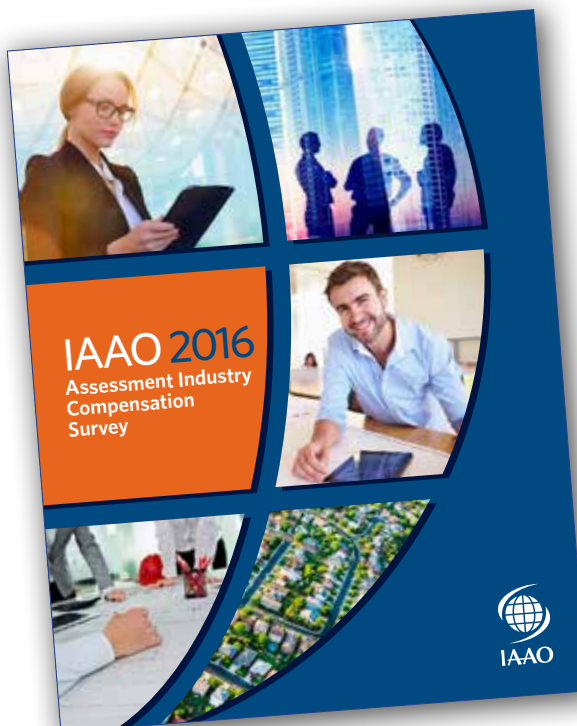
### Final Thought.

Remember, being able to skillfully adapt your communication style to the other person is what it takes to persuade them — and to create and maintain a positive and productive relationship at the same time.

As an elected official, perhaps no other skill is more important. **CN**

*Brie Barker is a senior learning and leadership development specialist at 4Forward (www.4Forward.com). He recently delivered a half-day session on The Art of Persuasion at NACo's Annual Legislative Conference. He can be reached at brie@4forward.com.*

## Valuable Human Resource Data to Attract & Retain Employees



The compensation survey provides information from approximately 3,000 respondents and provides an in-depth analysis on compensation. It is the only survey in the assessment profession gathered at a national level in the United States that includes a standardization of hundreds of job descriptions.

Among the major findings, the survey revealed that nearly half, or 48%, of employed respondents plan to retire or leave the assessment industry within 9 years, including 23% who plan to do so in less than five years.

Now available for sale at [www.iaao.org/Compensation2016](http://www.iaao.org/Compensation2016)

TRUMP ISSUES APPROVAL OF KEYSTONE XL PIPELINE

After being rejected by the Obama administration in 2015, last week a permit for construction of the long-controversial Keystone XL Pipeline was granted by the White House. NACo passed a resolution at the 2016 Annual Conference calling for project approval, which proponents claimed will create jobs and

increase American energy independence. The pipeline still needs a Nebraska state permit to proceed.

TRUMP RESCINDS BLM PLANNING 2.0 RULE

President Trump signed into law last week H.J. Res. 44, which repealed the federal Bureau of Land Management’s Resource Management Planning Rule, known

as “Planning 2.0.” The rule defined how the agency would develop its Resource Management Plans (RMPs), which guide approved uses and actions on the over 245 million acres of surface land and over 700 million acres of subsurface minerals currently under BLM management — mostly in the Western United States. NACo had argued throughout the process that it diminished local participation in land planning.

Major health care programs’ funding ends in September

From ACA REPEAL page 2

to public health, other must-pass healthcare legislation awaits even if Congress does not attempt another massive bill to repeal and replace the ACA. Federal funding for a whole suite of major health programs runs out at the end of September, including the Children’s Health Insurance Program (CHIP). Enacted in 1997, the CHIP program is administered similarly to Medicaid, and now covers approximately 9 million children — all from families with incomes that are modest but too high to qualify for Medicaid.

“One bill might be dead, but challenges with our nation’s health care system are very much alive,” said NACo Executive Director Matthew Chase. “We are pursuing practical solutions to increase access to affordable health insurance and to make Medicaid more efficient and focused on those with the greatest need, including older adults, people with disabilities and children. The health of our residents is a top priority for counties nationwide.”

Chase emphasized the fundamental role counties play in health care: “Counties provide

the local health safety net, and, in many cases, are required by law to provide health care to some of our most vulnerable residents.”

County governments play an integral role in the nation’s health care system by paying for and providing health services, investing over \$80 billion annually and working with private-sector and community providers.

Counties support 961 hospitals, 883 skilled nursing facilities, 750 behavioral health authorities and 1,943 public health departments. NACo will continue to work with the Trump Administration and Congress to ensure that any future changes to the nation’s health care system do not simply shift federal and state costs to counties.

“We will work with Congress, the administration, states and other partners to ensure that counties can continue to serve our residents,” Chase said.

“We remain ready to identify strategies to strengthen our nation’s health system by improving health outcomes and access to care while being responsible stewards of local taxpayer dollars.”

WORD SEARCH

MALHEUR COUNTY, ORE.

LEARN MORE ABOUT THIS FEATURED COUNTY IN 'WHAT'S IN A SEAL?'

Created By: Mary Ann Barton

S O X Z R D S O O J R L P J G S M C E S  
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V H J R I M Y W X A N R E J L Y A U A U  
B G W M A H U E R M E U X H Z E G N C Q  
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P Y D Q O O K O S Y R W W O G V J F I B  
Q A G M G X U U F E T F C P J O W A L Z  
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W S P U T U O M G V C B F D Y P L Z Q Z  
M I S F O R T U N E J E M J R H I Q P N

- OREGON TRAIL** Historic 2,000-mile wagon trail cuts through county; area near the Malheur River was a resting spot.
- MISFORTUNE** Malheur County gets its name from the Malheur River. According to legend, French trappers were attacked by Indians there. The river was named “Malheur,” French for “misfortune,” after the incident.
- OWYHEE DAM** Concrete arch-gravity dam on Owyhee River. Completed in 1932, it generates electricity and provides irrigation water.
- VALE** County seat
- ONTARIO** Largest city
- GOLD** Discovered there in 1863
- BASQUES** Settlers from Basque region of France and Spain came to the county to raise sheep.
- PILLARS OF ROME** 100-foot high formations of fossil-bearing clay named after ruins of Rome, Italy
- TIME ZONES** The only county in Oregon in the Mountain Time Zone and a southern portion of the county observes Pacific Time. It is one of the few counties to observe two time zones.
- ROMIO'S** Ranked #1 restaurant in Ontario by Trip Advisor
- STARLITE CAFÉ** Ranked #1 restaurant in Vale by Trip Advisor
- COUNTY FAIR** Malheur County Fair & Rodeo has been held every year since 1909.
- MALHEUR ENTERPRISE** Newspaper covering local news since 1909 in Vale and Ontario
- RINEHART STONE HOUSE** First building in Vale, built along the Oregon Trail in 1872, now a museum
- MURALS** 30 murals depict history of Vale throughout the city.
- TREASURE VALLEY** Treasure Valley Community College is located in Ontario.

ON THE MOVE

NACo OFFICERS, COUNTY OFFICIALS

- President **Bryan Desloge** briefed members of the Michigan Association of Counties (MAC) on his presidential initiative, civility, and NACo’s 2017 priorities at a general session during MAC’s Legislative Conference in Ingham County, March 27–29.
- President **Desloge** represented NACo at the Association of County Commissioners of Oklahoma’s Spring Conference, held March 29–30 in Cleveland County.

 Desloge

NACo STAFF

- Arthur Scott**, associate legislative director, spoke at the 2017 National Association of Development Organizations (NADO) Washington Policy Conference on March 21 discussing the 2016 presidential election and its impact on rural public policy.

 Scott

MARK YOUR CALENDARS!

APRIL 5, 2017

TO PLAY COUNTIES WORK

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# MONEYMATTERS%

## Treasury Begins Implementing Extraordinary Measures as Debt Limit Deadline Looms

By Michael Belarmino  
Government Finance Officers  
Association

The Treasury Department announced, March 8, that it will suspend sales of Treasury Securities — state and local government series (SLGS), until further notice.

The suspension is aimed at helping the Treasury manage debt subject to the federal debt ceiling, which is the total amount of money that the United States government is authorized to borrow to meet its existing legal obligations.

The last time Congress acted on the debt ceiling was March 2015 when it passed the Temporary Debt Limit Extension Act, which suspended the debt ceiling until March 15, 2017.

SLGS are special purpose securities that the Treasury Department issues to state and local government entities, upon their request, to help them comply with federal tax laws and Internal Revenue Service

arbitrage regulations when they have cash proceeds to invest from their issuance of tax exempt bonds.

A primary way SLGS can be seen in practice is through bond refundings. State and local governments commonly use bond refundings to achieve savings on interest costs by redeeming or retiring an outstanding bond issue using the proceeds from a new debt issue that is almost always at a lower interest rate.

Proceeds of a bond refunding are usually placed in an escrow account where they are held until the call date of the refunded bonds. While in escrow, the proceeds are typically invested and earnings are used to minimize the cost of the escrow.

SLGS generally are the recommended investment option rather than utilizing open market securities for escrow accounts for refunding bonds.

Now that the Temporary Debt Limit Extension Act has expired, the debt limit needs to

be reset to approximately \$20 trillion to reflect the nation's current debt. Congress must act in the coming months to increase this limit. Until then, Treasury will implement "extraordinary measures" to potentially extend the timeframe in which Congress can act and keep the government from defaulting on its debt.

Suspension of SLGS sales has become a standard component of the extraordinary measures implemented by the Treasury Department over the past several years during partisan congressional and White House battles over increasing the debt ceiling.

The SLGS window is unlikely to reopen until fall, when the federal government will exhaust its borrowing ability. Until then, governments can buy Treasuries from brokerage firms as an alternative to SLGS, although doing so might be costlier. **CN**

*Belarmino is a senior policy advisor at GFOA.*

## PROFILES IN SERVICE

**KATHY JIMINO**

Board Member

County Executive  
Rensselaer County, N.Y.



**Years in public service:** 38

**Education:** B.A., mathematics, Siena College, Loudonville, N.Y.; M.A. social policy, SUNY Empire State College, Saratoga Springs, N.Y.

**The hardest thing I've ever done:** Propose a budget that includes both layoffs and increased property taxes.

**The most adventurous thing I've ever done is:** Take a jeep tour of the Tonto National Forest in Arizona.

**My favorite way to relax is to:** Read a novel on the beach.

**I'm most proud of:** My children who are now responsible adults and even pay their own bills.

**Every morning I read:** The *Times Union* and *The Record*.

**My favorite meal is:** Lobster.

**The last book I read was:** *Inferno* by Dan Brown.

**My favorite movie is:** *Gone with the Wind*.

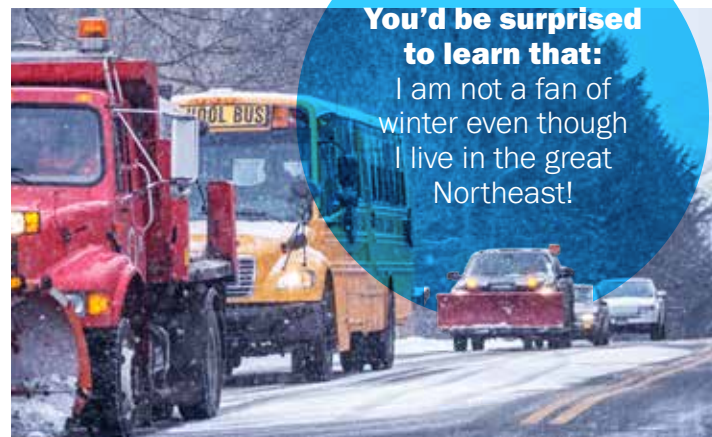
**My favorite music is:** Billy Joel.

**My favorite U.S. president is:** Abraham Lincoln.

**My county is a NACo member because:** County voices are most effective when we work together to educate and influence the decisions of policy makers at the national level.

### You'd be surprised to learn that:

I am not a fan of winter even though I live in the great Northeast!



## President Trump revokes EPA Clean Power Plan

From CLIMATE page 1

be Obama's signature effort to combat climate change.

The executive order instructs EPA to review the rule and, "if appropriate, shall, as soon as practicable, suspend, revise, or rescind the guidance, or publish for notice and comment proposed rules suspending, revising, or rescinding those rules."

Finalized in 2015, CPP was designed to reduce carbon pollution from the electric power sector by 32 percent

below 2005 levels by 2030. Almost immediately after the rule was finalized, states and other entities challenged it in court, and in February 2016, the U.S. Supreme Court froze its implementation until those decisions were rendered. But, all of this may be moot because the Trump Administration has asked the U.S. Court of Appeals for the D.C. Circuit to temporarily suspend the lawsuit until EPA concludes their review and potential revisions of CPP.

Trump's order also address-

es federal policies, initiated under the Obama Administration, that limit or prevent further development of domestic energy resources such as oil, coal, nuclear energy and natural gas. The order instructs federal agencies to review rules that "obstruct, delay, curtail, or otherwise impose significant costs on the siting, permitting, production, utilization, transmission or delivery of energy resources." The agencies are instructed to compile a report that details actions the agencies can take

to revise existing barriers. As a result of the executive order, Department of Interior Secretary Ryan Zinke immediately rescinded a 2016 Obama Administration moratorium for coal leasing activities on federal lands and promised to review all agency policies that may impact domestic energy production.

While Trump may use executive orders to address aspects of the Obama Administration's policies, executive orders cannot be used to overturn regulations. Federal agencies must

conform to the Administrative Procedures Act (APA), which lays out specific requirements for revising or repealing rules. Additionally, the administration must provide a strong and legally defensible justification for withdrawing the rule through the APA, and this justification could be vulnerable to legal challenges if is controversial or not sufficiently supported by existing science.

The bottom line is, this process is likely to take months, if not years, and will likely be challenged in the courts. **CN**

# NEWS FROM ACROSS THE NATION

## CALIFORNIA

Remember the days when marijuana was a hazy punch line for Cheech and Chong in the '70s? Nowadays, growing pot is a big, and legit business, and the government aims to keep it that way. The **YOLO COUNTY** Department of Agriculture will **help local marijuana farmers tag and track their plants and products** through the supply chain, *The Sacramento Bee* reports.

The \$30,000 county program was created, with help from a Swiss security firm, to help farmers label, register and ship their products. Paid for by fees from cannabis growers, the pilot program is being used to help prevent diversion of weed to the black market.

There are an estimated 1,000 cannabis growers in the county.

## COLORADO

Where's Dr. Quinn, Medicine Woman, when you need her? **PARK COUNTY** is **chipping in to help attract a doctor to its remote location** in the Rocky Mountains, KUSA-TV recently reported. A completely outfitted doctor's office has been sitting vacant after the area's last doctor retired three years ago. Residents in the county, population 16,000, currently must drive 80 miles to see the nearest doctor.

The county, along with the communities of Alma and Fairplay, have been working together to try to attract a doctor to the area, including leasing out the doctor's office for \$1 per year. Park County Administration Officer Tom Eisenman said the county could find some money in its discretionary budget to help a doctor offset some startup costs.

## FLORIDA

■ **HOLMES COUNTY** has



## COLORADO

**The tiny house movement just got a big boost in LAPLATA COUNTY, which will include standards for building tiny houses when it updates its building codes, after the International Code Council approved the standards in December. "The International Code Council has been working on the tiny house issue," Butch Knowlton, director of the La Plata County Building Department, told the *Durango Herald*. "We think the new code is something we can live with, and we'll include that in our adoption process so we have some tiny house standards." Tiny houses have gained popularity due to high housing costs and a grassroots movement toward minimalism.** Photo courtesy of Richardson Architects

written itself a prescription for success — the county will soon have **a new home for its administrative offices at an old hospital being donated to the county**, the *Washington County News* reported. Doctors Memorial Hospital donated the property, and the county is renovating it with \$7 million in grants from the state. The county is also kicking in \$900,000 of its own, from a 30-year bond to be paid in \$40,000 annual installments.

The old hospital will be the new home for the county commission's administrative offices, as well as the supervisor of elections, EMS office, tax collector, property appraiser, FEMA, Veterans Administration and the Holmes County building department.

■ In **PASCO COUNTY**, tourists may be shedding their clothing, but the **county is draping itself in tourism dollars as the "nudist capital of the world."** The county even spends county funds on the annual nude Caliente "Bare Dare" 5K run, coming up in

May. Caliente Club and Resort is one of about a dozen clothing-optional communities in the county. This will be the fifth year the county has chipped in funds for the event.

"The clothing-optional industry has a significant economic impact in Pasco County," Pasco County Spokesman Doug Tobin recently told WF-LA-TV. County officials estimate that runners participating in the race will spend at least \$25,000 in hotel charges alone. Race participants will get a chance to cover up — at

the end of the race — when each will receive a beach towel emblazoned with "Visit Pasco."

## HAWAII

**MAUI COUNTY** is **giving a helping hand to the homeless**, by paying them minimum wages to clean local streets, *Hawaii News Now* reports. The new program "Clean and Safe," which costs the county \$200,000, seems to be a "win-win" for the homeless population as well as a local com-

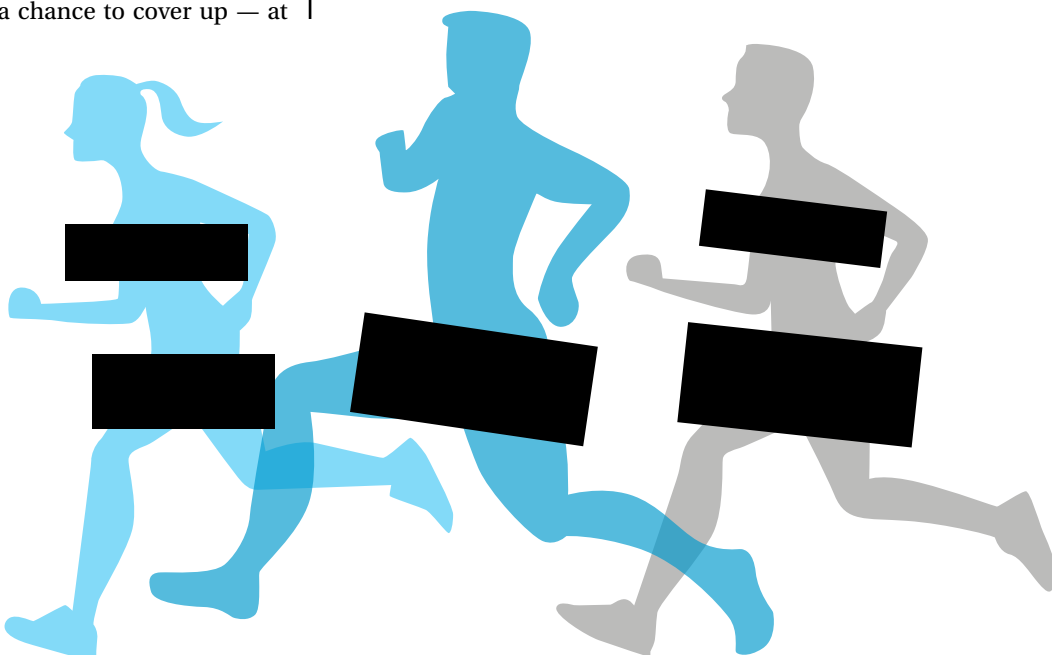
munity that had its share of an overabundance of homeless people and trash.

As part of the program, retired police officer and Wailuku Clean and Safe ambassador Lawrence Kauhaahaa helps clients get connected to social services. Instead of excluding the homeless, he said, the community includes them in their efforts to solve the problem. "When we talked to them that way, they were really willing to work," Kauhaahaa told the news service. "A lot of them wanted to work, they were just never offered."



## KENTUCKY

■ After tragedy struck in a nearby county, **FLOYD COUNTY** has started a new "Checking On a Senior Today" or COAST, program to **check on the welfare of senior citizens** who don't have family living in the area. Anyone who knows or is a senior citizen can sign up for the program by contacting the sheriff's office. "This program is meant to provide the elderly citizens who live alone a sense of security knowing some-



one will be checking on them in case a tragedy happens,” Floyd County Sheriff John Hunt said at a news conference announcing the new program.

■ Nearby **ROWAN COUNTY** started the **COAST** program last year after two senior citizens passed away of natural causes and were likely dead for a few days before being discovered by law enforcement officials, the *Floyd County Times* reported. One senior citizen, whose family had installed a surveillance system, thought their father died of a heart attack. After his daughter watched a video of her father, the newspaper reported, it was discovered he had survived for three days after falling. He crawled a short distance but was unable to make it to the phone to call for help.

## MISSOURI

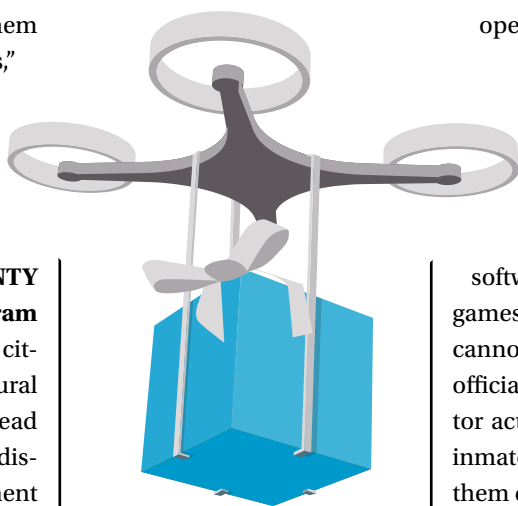
They say that necessity is the mother of invention and that seems to be the case in the Show Me State, where counties have teamed up with cities to **track the prescription and sale of opioids**, because the state won’t do it. The Associated Press reports that while 49 other states are tracking such information, Missouri is the lone state to drop the ball.

Leaders of **ST. LOUIS COUNTY**, the city of St. Louis, **JACKSON COUNTY**, **ST. CHARLES COUNTY** and a few non-urban counties have banded together to start their own monitoring program, which is scheduled to go online next month, the AP reported. Though the consortium includes only a small percentage of Missouri’s 115 counties, it covers nearly 2.5 million of the state’s six million residents.

## NEW YORK

■ Keep your **drones** away from the **WESTCHESTER COUNTY** jail.

The Board of Legislators has outlawed them within 1,000 feet of the jail’s outer fence. That no-fly zone will prevent people from dropping contra-



band to inmates, *The Journal News* reported. A drone had been used to deliver heroin to an inmate in an Ohio jail in 2015, and a failed handgun and narcotic drop in Maryland.

Those who break the law will face a penalty and a fine. Second-time offenders can be charged with a misdemeanor.

■ **ULSTER COUNTY** is considering passing a **law against cyber bullying**.

County Executive Mike Hein sees it as a natural outgrowth of his suicide prevention and awareness campaign.

The legislation prohibits “the electronic transmission of information that will cause harm to the minor’s reputation,” including video or photos of uncovered “breasts, buttocks or genitals of the minor” and false sexual information about the minor.

First offenders and those under the age of 16 would wind up in Family Court; repeat offenders will face a misdemeanor charge, punishable by up to a year in prison and a \$1,000 fine, the *Times Herald-Record* reported.

## PENNSYLVANIA

**CRAWFORD COUNTY** commissioners are considering **allowing inmates in the county jail to rent computer tablets** for a monthly fee. The county’s Prison Board has already approved the plan, the *Meadville Tribune* reported.

The tablets will cost \$20 a month, though the supplier will provide 15 free tablets for use by inmates enrolled in the jail’s new GED program. They

operate on secure closed intranet systems, which will include law library resources, 10,000 electronic books, podcasts, approved music stations, job-search software and individual games such as solitaire. They cannot access the internet. Jail officials will be able to monitor activities on the individual inmate tablets and can shut them down if necessary.

## TEXAS

Backlit by the national debate over immigration, the **EL PASO COUNTY** Commissioners Court voted to place “**Know Your Rights**” pamphlets in county facilities for the undocumented, and their families and friends.

The Mexican Consulate will be providing its existing pamphlets to the county free of charge, though the county may pay to present the information on cards, instead. The information within explains how to respond to certain questions and informs readers they have a right to an attorney, KVIA News reported.

County Judge Veronica Escobar pointed out there are constitutional rights that many, even American citizens, are sometimes unaware of.

## VIRGINIA

The **ARLINGTON COUNTY** Board will decide whether to ban or register **exotic pets**. The legislation has so far changed to allow hedgehogs; to clarify that most birds are not banned; to add certain spiders, scorpions and centipedes to the banned list; and to bar venomous snakes and weigh them rather than measure them.

The proposal, which will be up for a vote in June, would also create exclusions for zoos, nature centers, veterinary clinics and scientific research facilities, according to the *Washington Post*.

## WEST VIRGINIA

■ A bill in the Legislature would **move up the date inmates in regional jails would**

**become the state’s responsibility**, saving counties \$3.85 million per year.

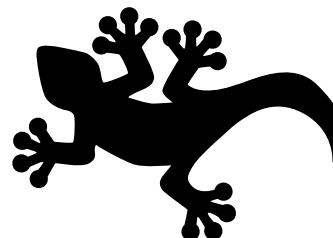
House Bill 2845 would make the Division of Corrections responsible for the costs of housing and maintaining an inmate beginning the day after the individual’s conviction. Under current law, inmates remain the counties’ responsibility until they are sentenced, *The Intelligencer* reported.

The bill will cut down on average about six weeks that the counties don’t have to pay for each inmate, which Del. Joseph Canestraro said worked out to \$42.85 a day.

■ **CABELL** and **KANAWHA** counties have joined others around the state and in New York in **suing pharmaceutical companies** for oversupplying their areas with opioid painkillers and creating a public health hazard with the addictive drugs. **MERCER COUNTY** plans to join once it selects a law firm to represent it.

The lawsuit, filed in U.S. District Court, claims 40 million doses were dispensed in Cabell County between 2007 and 2012, even though fewer than 100,000 people lived there in 2010. More than 66 million pills were distributed in Kanawha County, which has a population of under 200,000.

The suit names AmerisourceBergen Drug Co., Cardinal Health Inc., McKesson Corp. and H.D. Smith Wholesale Drug Co. as defendants. It also names CVS, Rite Aid, Wal-Mart, Kroger and Walgreens. **MCDOWELL COUNTY** filed a similar suit in January. **EN**



*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.*



## MALHEUR COUNTY, ORE.

**M**alheur County’s name is French for “misfortune.” Legend has it that French trappers and traders were attacked by native American Indians near a river. Members of the party were killed and wounded, and those misfortunes led the French to name the river Malheur, or loosely translated, “unhappy river.”

Nearly 94 percent of the county, in the southeastern corner of Oregon, is rangeland — two-thirds of which is controlled by the Bureau of Land Management.



The livestock on the seal represents the county’s agricultural character.

The outline of the county borders includes the major roads that crisscross the county and Lake Owyhee.

The county was created in 1887, another fact noted on the seal, and the wagon train represents the travelers who passed through the county on their way West.

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



# Counting Paper Clips — Discounting Life's Joys

A recent weekend involved spending hours — incredibly “enjoyable” hours — preparing tax information for the filing of our 2016 tax return. Over the prior year, receipts, bank statements, credit card statements, bills and an awful lot more (emphasis on the word “awful”) had been filed away. However, on this particular weekend, I could be found reliving my past by looking at every one of the piles of documents and deciding which ones might have some tax relevance. In turn, those were sorted by date, type and amount into other piles.

In step three, the piles were transplanted into electronic piles (i.e., spreadsheets). I could sense the hours of my life ticking away. At the end of the process, I listened carefully to see if I could hear the sounds of Black Hawk helicopters and IRS agents rappelling down onto my beautiful central Florida property.

Finally, I felt that I had dissected my prior year's life sufficiently to satisfy the great CPA to whom the information was sent. He would then heroically make sense of all of this for me while I went back to reading the book I have been moving through before the tax completion bug assailed me.

I realized quickly that while I had been spending hours poring over minutiae, all the while risking serious paper cuts, I was doing for a few hours what many people spend their lives doing every day. They deal with the tactical elements of life. They work very hard not only during the work day but often in the evenings and on weekends and holidays to meet the goals, deadlines and responsibilities of their work.

Many come home after a commute involving a couple of dozen miles each day exhausted. They arrive to find their family mem-

bers, including their pets, waiting to claim some of their attention.

A great many of us live lives which focus on the “tactical.” When you do that, what can get lost is that which is really most important — life's strategic opportunities for fun and high levels of contribution.

Those people are fortunate indeed who find a career and create a life which balances the inevitable details of day-to-day existence with the overwhelming joy of being able to focus on the critical elements of “strategic wonder.” For many people that focus may involve what they do when they come home from work and get to be involved with their families or hobbies. Others find strategic joy and passion coming from charitable engagement, spending time with friends or making new friends.

For public administrators, whose work every day can affect the health, safety and quality of the lives of many thousands, if not hundreds of thousands of people, the opportunities for a life of strategic amazement are even greater.

That same day that I worked on taxes I was finally able to return to reading the book I had started the prior week. It looked at the future of industries as viewed by author and innovator Alec Ross. He was pointing out what the future holds for our kids and grandkids when it comes to their careers and what life will be like in the future. If a bunch of kids could have been with me looking over my shoulder as I was reading and could talk with me about what their own futures might be like, I would help them understand some of the messages conveyed by Mr. Ross and by my own strategic experiences.

Many occupations will be the purview of our robotic friends in the future. This is not a particularly good advertisement to enroll your grandchildren in schools preparing them to work

in manufacturing or logistics, for example. Manufacturing will be increasingly automated and human power replaced by machine power. Ironically, this is not all that different from life during the transition from an agricultural-based economy to a manufacturing one.

During that transition over the past couple of centuries, machine power replaced animal power. While many jobs in the mass production manufacturing gave way to the service industry, we find the same replacement trend occurring. Bank tellers replaced by ATMs, Amazon.com replacing many trips to brick and mortar stores, travel agents surrendering to travel web sites, and “self-service” (i.e., no service) gas stations, to name just a few. One article a couple of years ago quoted an airline employee as referring to passengers as “self-loading” baggage.

In the coming decades, the need for lawyers will decline. Much of what they do consists of document review and preparation -- work which robotic algorithms are already learning. However, attorney specialists -- those who interpret in strategic ways, will remain in the “much needed” column. The same is true of physicians.

As Doctor Daughter Rachel was finishing medical school about eight years ago, I gently introduced the notion that by the time Rachel was ready to retire from medicine decades from now, the great majority of what she was learning would be obsolete. No occupations will be safe from the march of the “algorithm monster.”

Much of the public service will not escape these transitions. There is hardly a better illustration than my favorite profession, Human Resources. There is “small HR” marked by an office which looks remarkably like a giant file cabinet responsible for keeping person-

nel records. Such an office is the very kind of HR department found in a great many cities, school districts and counties in the United States and around the world. It focuses on paper clips at the expense of opportunities for innovative change. “Little HR” is ripe for takeover by automated data miners and minders. “Mama don't let your babies grow up to be ‘little HR’ cowboys!” in terms of spending a career in such an office.

Given these trends — and new trends we have not yet imagined — what advice can I give to my gorgeous granddaughter Evie, not to mention my public administrator colleagues?

Of course, you have to master the management of details, but pay at least equal attention (I recommend greater attention) to broader strategies for happiness. As Mahatma Gandhi said, “live as if you will die tomorrow; learn as if you were to live forever.”

Never stop learning, but do stop watching seemingly endless amounts of television or other video device games. Instead, devote part of that time learning new skills, reading and learning from books (you know, those rectangular paper objects decorating the shelves), especially the classics like *The Iliad*, *Gilgamesh*, and other timeless sources of metaphors for human civilization. Enjoy diverse hob-

bies, especially the arts and sciences. Keep going back to school — especially the local state colleges (i.e., formerly community colleges... i.e., again — formerly junior colleges). They are affordable, convenient local treasures!

Learn as much as you can to aid you in the next wave of career opportunities, what I call “the ‘ics!’” These are highlighted by robotics, genomics, data analytics, and “strategics.” The latter is a concept I just invented to refer to the need for the skills of long-term thinking, of mixing imagination with a broad “renaissance person” knowledge base.

In the case of Human Resources, train and practice being an “HR Strategic” — one who knows how to take command of the data in order to produce a solid basis for long-range problem solving. Sit at the right hand of the top executive — or be that top executive yourself.

The happiest, most fulfilled people 20 or 30 years from now will be those who today — right now — sought out and appreciated the guidance of mentors, relatives, teachers and ancient wise people. They will advise you to take action now to prepare for the kind of world we have coming in the future — to be prepared for a world in which details remain important but are subsumed under the value of strategic thinking and action. **CN**

