

SPOTLIGHT ON: ENVIRONMENT & ENERGY

Counties fight
toxic algae
blooms.

Pg. 10



PFAS
contamination
of our waters.

Pg. 13



CN

CountyNews

YOUR OPINION MATTERS

SURVEY SAYS: FIND OUT
WHAT YOUR RESIDENTS ARE
REALLY THINKING. **PG. 5**



TORNADO SEASON: COUNTY
GETS WEATHER RADIOS TO
AT-RISK RESIDENTS. **PG. 17**

NATIONAL ASSOCIATION *of* COUNTIES

VOL. 51, NO. 8

APRIL 15, 2019



Gunnison County, Colo. Commissioner John Messner testifies April 9 on behalf of NACo on the importance of the U.S. Economic Development Administration before a House subcommittee. Photo by Chris Wathen

FEDERAL AGENCY ON CHOPPING BLOCK?

by Rachel Looker
staff writer

As President Trump targets the Economic Development Administration (EDA) for elimination in his 2020 budget proposal, counties are touting the Commerce Department agency as a boost to local economies.

"I have seen firsthand the difference EDA can make in mitigating the economic downturn and in supporting efforts to create a stable and diversified economy in Gunnison County,"

said Gunnison County, Colo. Commissioner John Messner. He discussed the EDA's role in economic development and recovery April 9 before the U.S. House Transportation and Infrastructure Subcommittee on Economic Development. Messner, who serves on NACo's Environment, Energy and Land Use Policy Steering Committee, testified on behalf of NACo.

Created in 1965, the EDA helps with many areas of economic growth including infrastructure investment, business

development, loans and financing, innovation strategies, economic recovery, job creation and job growth.

With a \$300 million annual budget, the EDA helped create and retain more than 275,000 private sector jobs and attracted more than \$39 billion in private investment in the last six years, according to Rep. Dina Titus (D-Nev.), who chairs the Subcommittee on Economic Development.

See EDA page 17

No college required: County removes need for degree from some jobs

by Mary Ann Barton
editor

For years, people who didn't go to college or didn't finish college often hit stumbling blocks when applying for certain jobs.

In Boulder County, Colo., depending on their work skills and experience, they might be

welcomed with open arms.

"I think we are one of the first counties to be dipping our toe into this water," said Julie Yager, the county's HR director.

The county recently removed college degree requirements from 84 of 375 of its job categories. Some of the jobs that will not require a degree, as of last month, now include agricul-

tural resources specialist, budget analyst, communications specialist, geographic information systems manager, human services program manager, law enforcement records manager, volunteer coordinator, web applications developer and wildfire mitigation specialist.

See DEGREES page 3

President's budget is 'mixed bag' for counties

by Deborah Cox

President Trump's \$4.75 trillion FY 2020 budget proposal includes increases for broadband development, infrastructure spending and full funding of the Payment in Lieu of Taxes (PILT) program, but also cuts to transportation and human services programs important to counties, including the Community Development Block Grant program.

Trump's proposal kicks off the appropriations process that Congress will handle from here. Although the budget request is not binding, it signals the executive branch's priorities over the next year.

The primary goal of the president's FY 2020 budget proposal related to state and local aid is to "slow the growth of grant spending" to state and local governments over the 10-year budget window. Specifically, the budget proposes to move much of the responsibility for many of the programs currently and historically funded by federal grants down to state and local governments. In many cases, the budget argues that "state and local governments should bear greater responsibility" for supporting certain initiatives including housing, economic development and health care. Combined, these changes would increase the fiscal burden carried by state and

See BUDGET page 3

SNAP/STATS

IN HONOR OF
ARBOR DAY APRIL 26,
WE'RE RANKING...

THE 'WOODSIEST' STATES

| STATE | % OF FOREST |
|--------------------|-------------|
| Maine | 89.46 |
| New Hampshire..... | 84.32 |
| West Virginia..... | 79.01 |
| Vermont | 77.82 |
| Alabama | 70.57 |

Source: USDA Forest Service Inventory
and Analysis Program

Deadline May 7 for comments on renewable energy financing

by Julie Ufner

The Consumer Financial Protection Bureau recently published an Advanced Notice of Proposed Rulemaking on Property Assessed Clean Energy Financing (PACE) to solicit information relating to the agency's implementation of the Economic Growth, Regulatory Relief and Consumer Protection Act.

The act amends the Truth in Lending Act and requires that the bureau write regulations to strengthen consumer protections in residential PACE programs. This proposed rulemaking is only the first step of the process and will inform the bureau's rulemaking as the process moves forward. The

agency will accept comments on the proposed rulemaking until May 7.

PACE is a financing mechanism issued by state and local governments to incentivize renewable energy and energy efficiency improvements — such as energy-efficient boilers, upgraded insulation, new windows and solar panel installations — to homes and businesses. Structured as a traditional tax assessment, local governments participating in PACE obtain startup funding through bonds or third-party entities.

Once financing is secured, counties make PACE loans to residents and businesses for energy-efficient improvements. These loans are paid

back on an annual or biannual basis through a special property tax assessment on the property. Currently, 36 states have PACE-enabling laws and 20 states have active PACE programs. This rulemaking is especially relevant to California, Florida and Missouri which have active residential PACE programs, along with other states that are considering similar programs.

The Economic Growth, Regulatory Relief and Consumer Protection Act was signed into law in 2018. While primarily focused on the banking industry, the act instructs the bureau to study whether Truth in Lending Act requirements should be applied to residential PACE programs. Through

the proposed rulemaking, the bureau is seeking feedback on 34 questions, including some that are relevant to local government PACE programs. The questions can be found on pages 6-14 of the proposed rulemaking and are also available here: <https://bit.ly/2Z3ZWmP>.

The bureau is accepting written comments on the PACE proposed rulemaking until May 7 through the Federal eRulemaking Portal at www.regulations.gov. Please identify Docket ID No. CFPB-2019-0011 in your comments. **CN**

Ufner is an associate legislative director, Environment, Energy and Land Use in NACo's Government Affairs department.

Preliminary Schedule Now Available!

Find out more at www.naco.org/WIR

WIR WESTERN
INTERSTATE
REGION

NACo's WESTERN INTERSTATE REGION 2019 CONFERENCE

May 15-17, 2019 • Spokane County, Washington

CountyNews

President
Greg Cox
Publisher
Matthew Chase
**Chief Public
Affairs Officer**
Brian Namey

**Editor and
Senior Writer**
Mary Ann Barton
**Digital Editor
and Senior Writer**
Charlie Ban
Staff Writer
Rachel Looker
Design Director
Leon Lawrence III

ADVERTISING STAFF
**Job Market/Classifieds
representative**
**National Accounts
representative**
Mary Ann Barton
202.942.4223
FAX 866.752.1573

Published biweekly except August by:
National Association of Counties
Research Foundation, Inc.
660 N. Capitol Street, N.W. STE. 400,
Washington, D.C. 20001
202.393.6226 | FAX 866.752.1573
E-mail cnews@naco.org
Online address www.countynews.org

The appearance of paid advertisements in County News in no way implies support or endorsement by the National Association of Counties for any of the products, services or messages advertised. Periodicals postage paid at Washington D.C. and other offices.

Mail subscriptions are \$100 per year for non-members. \$60 per year for non-members purchasing multiple copies. Educational institution rate, \$50 per year. Member county supplemental subscriptions are \$20 each. Send payment with order and address changes to NACo, 660 N. Capitol Street, N.W. STE. 400, Washington, D.C. 20001.

POSTMASTER: send address changes to County News, 660 N. Capitol Street, N.W. STE. 400, Washington, D.C. 20001

(USPS 704-620) n (ISSN: 0744-9798)
© National Association of Counties
Research Foundation, Inc.



We are committed to getting County News on your desktop ASAP. Send your address corrections to cnews@naco.org.

President's budget reduces federal aid



From BUDGET page 1

local governments who may be unable to adequately fill the gap left by a lack of federal resources.

According to the budget, approximately two-thirds of Executive Branch agencies and 13 independent federal agencies provide grants to state and local governments. The administration calculates that this grant spending has increased 3.4 percent of GDP in 2018 from 1.3 percent of the nation's GDP in 1960.

Since 1989, spending on grants to states and local governments increased from 10.7 percent of all federal outlays to 17 percent in 2018. In 2018, the federal government contributed \$697 billion in aid to states and local governments. Over the last three decades, the federal, state and local share of financing has held relatively steady, with states and local governments financing between 74 percent and 79 percent of all programs.

To achieve the goal of reducing federal aid to state and local governments, the White House proposes a new "Cross-Agency Priority (CAP) Goal: Results-Oriented Accountability for Grants." The CAP proposal includes two key components: first, it aims to make federal grant delivery "as [efficient] as possible." Second, the CAP plan proposes a risk-based and data-driven framework for grant awards to target grants to those areas that are the most in need.

The CAP goal recognizes that as federal aid to states and local

governments slows, federal dollars will need to be used more efficiently. It would manage this process through "developing data standards and common business applications and by applying a risk-based, data driven framework that balances compliance requirements with demonstrating successful results for the American taxpayer."

Budget request specifics

Overall, the proposed budget is a mixed bag for counties.

On the positive side, the budget proposes to improve the effectiveness and efficiency of many federal programs that counties use. The budget also proposes to increase and direct new funding at key county priorities including:


- \$1.5 billion in grants to address the opioid crisis
- \$200 billion in new infrastructure investments
- \$200 million for a broadband pilot program
- An increase of nearly \$7 billion to the Federal Emergency Management Agency's Disaster Relief Fund
- A \$94 million increase to the Prevention and Public Health Fund
- Full funding for the Payment in Lieu of Taxes program

However, the budget also targets key federal programs important to county governments for cuts and even elimination. Some of these include:

- Elimination the 15 percent off-system bridge set-aside under the Surface Transportation Block Grant, funded at \$777

million in FY 2019

- Eliminating of the State Criminal Alien Assistance Program, currently funded at \$244 million
- Eliminating of the U.S. Department of Housing and Urban Development's Community Development Block Grant, the HOME Investment Partnerships Program and the Economic Development Administration
- A proposed \$1.4 trillion cut to Medicaid, which would shift health care costs to counties
- A \$39 million reduction to the Essential Air Service program
- Institute universal work requirements for federal public assistance programs that would increase administrative costs for counties
- Cuts \$691 million from federal emergency preparedness grants
- Of great concern to counties, the FY 2020 budget proposes to significantly reduce federal contributions to the federal-state-local intergovernmental partnership by limiting numerous state and local grant and aid programs.

NACO's Government Affairs department has prepared a detailed analysis of the president's budget proposal, with comparisons to FY2019 Congressional funding for individual programs. The analysis can be viewed at <http://bit.ly/2Ua-71hY>. 

Deborah Cox is director of NACO's Government Affairs department and deputy executive director of the association.

Removing barriers for job seekers

From DEGREES page 1

The change has two goals — increasing applications and increasing diversity of the county workforce, she said. A county taskforce began looking at the issue about five years ago and about a year ago, the HR department began looking at its job descriptions, seeking advice from each department on whether degrees were necessary.

For the position requirements that changed to "no college required," the salaries will remain the same, she noted.

With a 3.8 percent unemployment rate across the nation, finding workers to fill jobs can be a challenge for companies, as well as counties. In 16 states, including Colorado, the rate is even lower.

By removing degree requirements from some of its job descriptions, Boulder County will likely see more applicants, but it's too soon to tell, Yager said, since the change was just implemented last month. Boulder County Commissioner Deb Gardner is optimistic.

"We think this is an important step to take in today's competitive job market to help our departments attract larger pools of qualified candidates for their open positions," she said. "We believe this change will allow a more diverse group of highly capable candidates to apply who may have extraordinary experience and were previously excluded from applying simply because they are lacking a degree," Gardner noted.

The county is following in the footsteps of companies such as Google, Apple and IBM which no longer require applicants to have a college degree. Apple CEO Tim Cook has said there is a "mismatch" between skills taught in college and skills needed by businesses.

In Oregon, Gov. Kate Brown (D) and child welfare leaders there want to remove college degree requirements for caseworkers to increase workforce

diversity and the candidate pool for openings they're struggling to fill.

A bill has been introduced in the House to repeal a mandate requiring degrees for the job.

Back in Boulder County, the county Human Resources team reviewed all of its jobs with degree requirements.

The review was part of the county's recruitment, hiring and retention efforts and further efforts to support and sustain equity, cultural responsiveness and inclusion — part of the county's Guiding Values and Strategic Priorities.


The degree requirements for some jobs were found to be unnecessary for essential job performance, according to the Fair Labor Standards Act, according to the county.

Meanwhile, county hiring managers are undergoing training to screen and hire candidates without degrees. The county's HR department will help them by:

- Rewriting job postings with required and preferred competencies and skills.
- Identifying true competencies absolutely required for positions.
- Providing training and/or coaching to help hiring managers conduct skills-based interviewing and hiring.

When proposing a change to education requirements, it is important to be prepared with other valid and reliable means of selecting candidates, the Society for Human Resource Management reported.

"After all, the goal is not to lower hiring standards, it's to focus on the methods of assessment that directly relate to job performance," the group states.

Earning power varies nationally between those with a degree and those without a degree. The Bureau of Labor Statistics reported in early 2019 that the median weekly earnings for workers with a high school diploma were \$730 in 2018; for workers with a bachelor's degree, the median was \$1,198. 

Health department workforce has shrunk 23 percent since 2008



Leaders of the National Association of County and City Health Officials (NACCHO) representing the nation's nearly 3,000 local health departments recently met with their representatives on Capitol Hill to educate them on the most pressing public health issues affecting their communities. Here, Adriane Casalotti, NACCHO's chief of Government and Public Affairs, outlines some of the issues that will be brought to Congress' attention.

Q. NACCHO's Board of Directors and associated leaders recently met with their respective representatives on Capitol Hill. What did they discuss?

Local public health leaders work day in and day out to help keep their communities safe and healthy. This can be leading the response to outbreaks of measles or other infectious diseases, leading a community-wide effort to address opioid addiction or homelessness or convening local health care professionals, hospitals, law enforcement and others to ensure that the community is ready to respond to a disaster. These are complex issues. In so many ways, local public health departments are the chief health strategists in their com-

munities.

But we can only do so with continued, sustained, federal support. Unfortunately, without a budget deal, our nation is looking at the equivalent of a 10 percent across the board cut to non-defense discretionary programs, including the vital public health programs that support local health departments as they work to keep us all safe. We need Congress to raise the spending caps, and then work together to ensure that public health issues are prioritized in next year's funding decisions.

Recently, local public health officials held over 100 meetings with elected representatives to share this message and educate their members of Congress about the pressing public health needs facing their constituents.

Q. What types of issues are local health departments addressing right now?

Local health departments collaborate with community and private-sector partners to ensure the safety of the water we drink, the food we eat and the air we breathe. They are a critical part of every community's first response to disease outbreaks, emergencies and acts of terrorism and they



ADRIANE CASALOTTI

help combat the rising cost of healthcare due to ailments like diabetes and heart disease through community-level interventions.

With such a wide range of responsibilities, there is never a dull moment in the life of a local health department, and right now is no exception as you can see with the current measles outbreaks in communities across the country. Ninety percent of local health departments report participating in direct immunization efforts and educating their community. And combatting misinformation is a growing responsibility for these groups.

While it is heartbreaking to see any child dealing with a preventable affliction, there is a real cost to these preventable cases. For example, Oregon had its first case of pediatric

tetanus in over 30 years, costing more than \$800,000 to treat one child who was unvaccinated. Local health departments are on the front lines of educating communities and delivering these life-saving interventions, as well as keeping track of disease outbreaks and using data to identify communities at-risk.

Similarly, local health departments are key players in addressing and responding to the nation's opioid epidemic. Local health departments work to reduce the toll of opioid abuse and overdose through surveillance, education of healthcare providers and the public, training first responders and the public about overdose reversal medications, promoting substance abuse treatment programs and bringing together community partners to develop effective local responses. While these stories are no longer the lead in newspapers each day, the work on the ground continues to turn the tide of this epidemic.

Q. What else can policy-makers do to support their local public health departments?

Despite the efforts of many, Congress did not complete its reauthorization of the Pandemic All-Hazards Preparedness

Act last year. This law, which was due for reauthorization by Sept. 30, 2018, is the backbone of our nation's health security and provides key provisions that help prepare our nation's healthcare and public health systems to respond to disasters, including the Public Health Emergency Preparedness grant program and Hospital Preparedness Program.

But reauthorizing this legislation is just one step toward ensuring our local communities have the resources they need to keep our communities safe. While public health threats are a constant and increasing concern, federal funds have declined over the past decade.

Similarly, our nation's public health system faces a different kind of threat. After years of budget cuts and doing more with less, the local health department workforce in the United States has shrunk 23 percent since the impact of the Great Recession began in 2008. While much of the rest of the public sector has recovered, or grown, local health departments rolls have shrunk from 190,000 a decade ago to around 147,000 in recent years. This deficiency is compounded by the much older age of the local health department workforce — 55 percent are over age 45 and almost a quarter are eligible for retirement. These workforce numbers are concerning at the local level, but should be as well to federal policy makers. It will take sustained investment and targeted approaches to ensure that we not only have a robust workforce, but one that is trained for the innovative public health careers of the future.

Q. Any final thoughts?

The public health system is a partnership across the local, state, and federal levels. It is always at the ready, working behind the scenes, but often not noticed until tragedy strikes. That makes our job of educating elected officials and the public about our value harder, but perhaps even more important. **CN**

Surveys: A couple thousand dollars for your thoughts?

by **Charlie Ban**
senior writer

County officials can't read residents' minds, but some try the next best thing to see what their constituents are thinking.

Hillsborough County, Fla. launched an online resident survey April 8, hoping to gather more than 1,000 online responses to add to complement a phone survey of 1,300 people.

Two days in, they had surpassed their goal and were going for more.

"The online survey is a little less scientific, but we wanted to give all county residents a chance to weigh in," said Communications Director Liana Lopez.

Guaranteeing responses isn't cheap — it cost Hillsborough County \$95,800 to conduct the phone survey to get its minimal response goal — but for counties that invest in surveying, insight into their public is worth it.

As Hillsborough County (1.41 million residents in 2017) grows, commissioners want feedback from residents about how county government adapts.

"This has been something the county has wanted to do for years, but the timing never seemed right," Lopez said. "As we were embarking on our new two-year budget, we thought it was a good time to get a baseline and take the pulse of the county."

Counties have plenty of points of contact with the public: while delivering services, holding public hearings and seemingly every time an elected official tries to run an errand. But aside from elections, they rarely get measurable, large-scale feedback. Surveys are an opportunity to do that.

Nevada County, Calif. did its first survey in 2017.

"Our public health depart-

ment had done some surveys to get feedback on different initiatives, but we never had the holistic perspective from the public on all the services the county provides," said Taylor Wolfe, the county's communications coordinator who handled the survey effort. "We've had data before, but it had never been citizen-centric the way this was."

County Executive Officer Alison Lehman, who was then assistant CEO, wanted to be able to benchmark Nevada County's measurements against similar counties.

"She appreciated the value of data-driven decision-making backed by community input," Wolfe said.

The results also gave clarity to the Board of Supervisors, which holds annual public planning meetings in January to look ahead to the new year. The results of the survey have helped guide discussions the past two years.

"Before, they were basing their public input on letters and emails they'd received, social media posts, the issues that people wanted to have meetings about," Wolfe said.

Most of those interactions were on a specific topic. The survey prepared by Nevada County's contractor, on the other hand, had five pages worth of questions that it asks of every population, which helped build the benchmarking statistics. Nevada County (99,000 residents in 2017) added specific regional questions. The entire process cost Nevada County roughly \$20,000.

"We knew anecdotally that there were supporters and detractors for legal cannabis sales," Wolfe said. "When we got the survey results back, it was almost split down the middle."

See **SURVEYS** page 6

Congress looks at streamlining CDBG disaster funding

by **Brett Mattson**

The U.S. House Financial Services Subcommittee on Oversight and Reform recently heard testimony on draft legislation to permanently authorize the Community Development Block Grant - Disaster Recovery (CDBG-DR) program.

The Reforming Disaster Recovery Act of 2019 would permanently authorize CDBG-DR as a part of the yearly appropriations process and bring clarity to how the program should be administered. CDBG-DR is used by state and local governments to address unmet needs for housing, infrastructure and economic development recovery in the wake of a presidentially declared disaster.

Currently, CDBG-DR is funded as a supplemental appropriation, meaning Congress must debate and pass funds on a case-by-case basis depending on how much money is available.

Additionally, the U.S. Housing and Urban Development Office of Inspector General (HUD OIG) found that grant applicants must navigate confusing and often duplicative requirements when applying for CDBG-DR funding.

This current process has caused delays in grantees receiving key funding streams to start recovery efforts.

The Reforming Disaster Recovery Act of 2019 would address these concerns by requiring:

- HUD to disburse one-third of CDBG-DR funds within 60 days and the other two-thirds within 180 days of congressional appropriation.
- HUD, FEMA and the Small Business Administration (SBA) to work together to improve data sharing and reduce duplication of benefits between the agencies.
- Any CDBG-DR funded construction project, repair or rehabilitation utilize minimum federal standards for

flood risk mitigation and storm water protection.

Counties support streamlining the CDBG-DR process and NACo will continue working with Congress to pass legislation permanently authorizing the program. **CN**

Brett Mattson is a legislative assistant in NACo's Government Affairs department.

WORD SEARCH

WASHINGTON COUNTY, Arkansas
Created by: Mary Ann Barton

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

- BAND:** A native Arkansan, late musician Levon Helm of The Band called the county home in the 1980s.

BEST: The county seat of Fayetteville was ranked the third best place to live in the United States in 2016 by US News.

BIKES: Bikes, Blues & BBQ is an annual charity motorcycle rally that raises millions of dollars for local charities, bringing thousands of tourists and vendors to the county.

BOTANICAL: The Botanical Garden of the Ozarks features 12 themed gardens and is a popular wedding spot in the county.

CLINTONS: Bill and Hillary Clinton were married in the county in 1975 when they worked there as law professors at the University of Arkansas School of Law.

COURTHOUSE: The county courthouse was built in 1905 and listed on the National Register of Historic Places in 1972.

COWBOYS: Dallas Cowboys owner Jerry Jones and former Cowboys coach Jimmy Johnson first met here as University of Arkansas football players.
- FAYETTEVILLE:** Established as the county seat Oct. 17, 1828, it's the largest city in the county.

GEORGE: The county was named for President George Washington.

HUGOS: Order the Macho Nachos or a Reuben sandwich at this longtime local favorite.

LAKE: Lake Fayetteville offers walking, running and bike trails 5.6 miles around.

OZARKS: The county is located in the Ozark Mountains, in the northwest corner of Arkansas.

RAZORBACKS: Most residents are "Hog" fans, rooting for the University of Arkansas Razorbacks.

WALTON: Walmart founder Sam Walton got his start after opening a Ben Franklin franchise in the county in 1952. The Walton Arts Center is located in the county.

WILSON: Artist Donald Roller Wilson, whose old-master oil paintings of everything from chimpanzees to dill pickles have been displayed at the Smithsonian and other art museums, makes his home in the county.

Counties use resident surveys to prioritize goals

From **SURVEYS**, page 5

Susquehanna County, Pa. (41,000 residents in 2017) got the same results on its local hot-button issue — fracking, also in 2017.

“It probably depends on if they were getting royalties, but it was pretty even,” said Planning Director Bob Templeton.

“Our commissioners liked getting the perspective of people who might not be coming to meetings every month. It was a chance to see what was most important to residents. Do they want to protect the environment? Or do they prioritize adding jobs?”

As it turned out, respondents gave the highest marks to the county’s environmental quality, but more than half said job opportunities were poor, with another third only rating them “fair.”

Houston County, Ala. Commissioner Brendan Shoupe has based some of his posi-

tions on feedback from two annual online surveys. His first survey, which he did for free online in 2018, garnered 400 responses and demonstrated to him that residents were a lot more concerned with broadband internet access than they were with the conditions of their roads.

“Obviously we aren’t going to stop paying attention to roads, but it was a surprise, frankly,” he said. “It got us paying a lot more attention to opportunities to expand internet access in the county.”

Shoupe doesn’t remember what prompted him to put together a survey in the first place, but he did think it would be a good way to increase the feedback to the County Commission.

“A lot of people can’t make it to the meetings, or they’re intimidated by speaking in front of an audience,” he said. “It’s a great way to gauge feedback from the people we represent.”

Susquehanna County did its survey as part of its comprehensive plan update. It mailed 13,627 postcards notifying residents of the survey, and 1,552 surveys were either completed online or requested by mail and returned, yielding a 11.4 percent response rate.

Although that figure may seem dispiriting, Survey Gizmo, an online survey service, says a 10 percent - 15 percent response rate is typical for external surveys. Nevada County had 545 responses from a targeted 1,800 residents, a 30 percent response rate that is on par, Survey Gizmo says, with an internal survey.

“It sounds super low, but it’s a pretty good response rate,” Wolfe said. “We’re coming in cold, we’ve never done this before, but hopefully the next time we do this (in two years), residents will know it’s something we are committed to. And it’s a way of showing we want to hear their voices.” **CN**

Homeless veteran workforce grant applications due April 26

by **Austin Igleheart**

More than \$13 million to help homeless veterans re-enter the workforce will be available to counties, among other entities.

The Homeless Veterans’ Reintegration Program (HVRP) will offer a total of \$13.5 million via the U.S. Department of Labor’s Veterans Employment and Training Service, awarding grants between \$100,000-\$500,000. Applications are due by 4 p.m. ET April 26.

Eligible applicants include county governments and other state and local government agencies, institutions of higher education, nonprofit organizations and local workforce development boards established under the Workforce Innovation and Opportunity Act.

Grantees must provide a variety of services, including job training, career counseling, job development, job placement and resume preparation. Grantees must also work to address

other veteran needs can impact their ability to find employment, such as clothing, housing, medical care and substance abuse treatment, child care and transportation services. The grant announcement stresses collaboration and partnerships with other organizations as an important factor for grantee selection.

Applicants are not required to provide matching funds. Grantees are expected to begin program operations using these funds on July 1, 2019, and the performance period will end on June 30, 2020.

Recipients may be eligible for up to two years of additional funding, subject to funding availability and grantee performance. More information about how to apply, eligibility information and expected measurable outcomes can be found at <http://bit.ly/2U2RuAu>. **CN**

Austin Igleheart is a legislative assistant in NACo’s Government Affairs department.

MOBILE APP LAUNCH



Get Started!

1. Locate the iOS/Android App Store on your phone



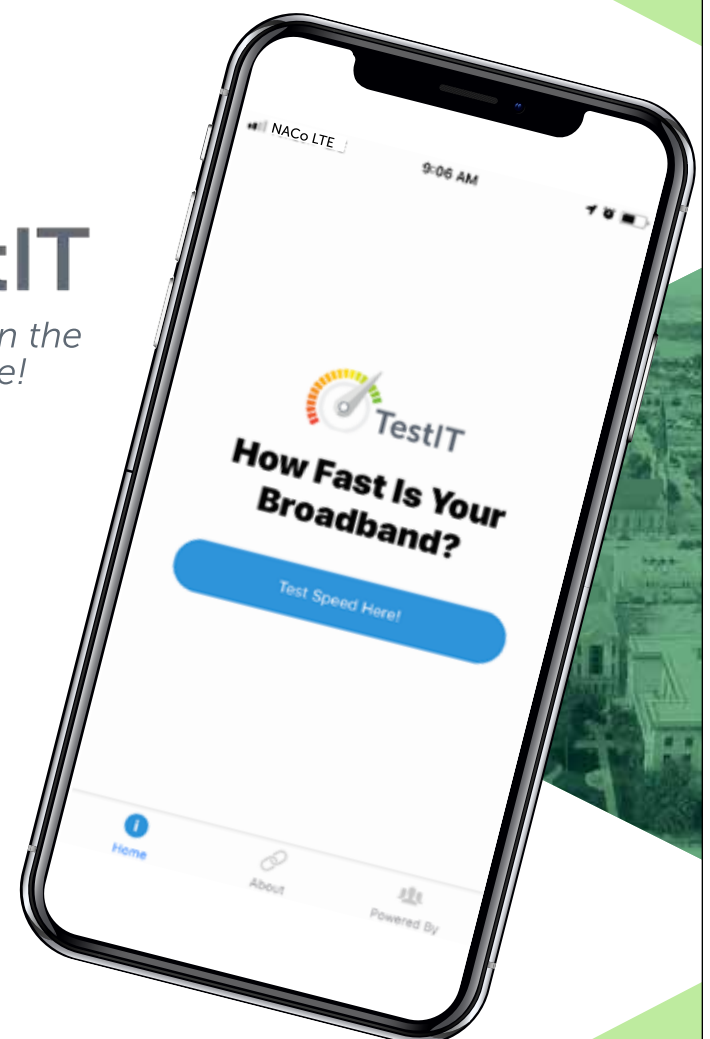
2. Search for “TestIT” in your mobile app store



3. Download TestIT mobile app

4. Open TestIT mobile app and click:
Test Speed Here

Contact
Arthur Scott
ascott@naco.org
(202) 942-4230



Congressional talks move forward on National Flood Insurance Program

by **Lindsey Holman**

Talks are underway in Congress about reauthorization of the National Flood Insurance Program.

The U.S. House Financial Services Committee recently held hearings on multiple reauthorization bills for the program, which is set to expire at the end of May.

The program has received many short-term extensions since the last time it saw long-term reauthorization in 2017.

Four pieces of draft legislation were discussed at the hearing to provide a long-term reauthorization of the program. These draft bills included numerous proposed reforms to the program, such as:

- Addressing unaffordable

premium costs for low-income households

- Lowering costs and fees for policyholders
- Addressing debt accrued by NFIP
- Modernizing and expanding flood risk mapping
- Establishing state revolving loan funds for flood mitigation
- Enhancing mitigation incentives including premium rate reductions and increased cost compliance coverage
- Establishing a community assistance program to strengthen state and local floodplain management
- Making flood map and risk information digitally accessible
- Removing multiple low-risk structures from flood hazard areas at once
- Establishing a new flood



Members of FEMA's Search and Rescue team from Nebraska help out in a flooded neighborhood in Harris County, Texas after Hurricane Harvey. Photo courtesy of NOAA

zone for levee-impacted areas

- Establishing a voluntary community-wide flood insurance policy pilot program
- Strengthening fraud and Write Your Own Program oversight

Congress is working to reauthorize the program ahead of the May 31 expiration deadline. If they are unable to meet that

timeline, another short-term extension is likely to extend the program into the summer as legislators continue their work.

Counties have continually urged Congress to enact a long-term reauthorization of NFIP and NACo will continue to engage with members of Congress and committee staff to provide input throughout the legislative

process to ensure final legislation aligns with county flood insurance priorities.

If you or your county have concerns or policy recommendations, contact Lindsey Holman at lhorman@naco.org. **CN**

Lindsey Holman is associate legislative director for Justice and Public Safety at NACo.

DOL proposes expanding eligibility for overtime pay

by **Daria Daniel**

Roughly 1 million workers would qualify for overtime pay under a proposal by the U.S. Department of Labor. Comments on the rule are due May 21, 2019.

The department released a Notice of Proposed Rulemaking March 22 to increase the salary threshold for overtime pay to \$35,308 per year (\$679 per week) from \$23,660 annually (\$455 per week) beginning in January 2020. Employees making between \$23,660 and \$35,308 and meeting certain job requirements would become newly eligible for overtime pay.

Under what is known as the "white collar" exemption of the Fair Labor Standards Act, employers are not currently required to provide overtime pay for employees who earn above the \$23,660 threshold and meet the job duties criteria for administrative, executive and professional employment.

In addition to increasing the salary level for employees who

would qualify for overtime pay, the proposed rule would also permit bonuses and incentive payments (including commissions) to be used to satisfy up to 10 percent of the salary level at which employees qualify for overtime pay. The rule would not change the job duties criteria for administrative, executive and professional employees, nor would it institute automatic updates or increases to the salary threshold. However, DOL has indicated plans to propose updates to the salary threshold every four years using the notice-and-comment rulemaking process.

In 2015, DOL proposed a similar rule on overtime pay that would have almost doubled the salary threshold for "white collar" employees who would qualify for overtime pay. At the time, NACo submitted comments expressing concerns over the increased financial burden the rule would have imposed on counties, which employ more than 3.6 million people and provide services to more

than 314 million residents.

In June 2016, Mineral County, Nev. Commission Chair Jerrie Tipton testified on behalf of NACo before the U.S. House Committee on Small Business on the 2015 rule. Additionally, NACo released a comprehensive "Analysis of the Impact of the U.S. Department of Labor's Overtime Rule on Counties."

In May 2016, DOL finalized the previous proposed rule, but in November 2016, a U.S. District Court judge in Texas blocked DOL implementation of the rule, which had been slated to take effect Dec. 1, 2016.

Review the DOL's proposed rule at <http://bit.ly/2U1dX0x>. Share information on the potential impact on your county or suggestions for updating the overtime pay threshold for "white collar" employees with NACo Associate Legislative Director Daria Daniel at ddaniel@naco.org. **CN**

Daria Daniel is associate legislative director for Community, Economic and Workforce Development at NACo.



ROCKINGHAM COUNTY, N.C.

Designed by Tom Patrick
Enhanced by Adam Underwood

The North Carolina General Assembly created Rockingham County in 1785. The county is located in north-central North Carolina and is home to over 93,000 residents. In 2004, Tom Patrick Design created the current county seal to highlight the county's scenic beauty.

Rockingham has a vantage point in the foothills of the Blue Ridge Mountains. There are four rivers, two lakes and two state parks in the county.

In 2013, the county approved an enhanced version of the seal completed by Adam Underwood that has more vibrant green, yellow and blue colors. The county seal may be seen around the county on a branded car used by Rockingham's Public Information Office as a traveling billboard to promote the county government.

In the oval-sized seal, a stream is in the foreground, which represents the county's rivers.

The two plowed fields represent the importance of agriculture and the county's rural way of life.

A dogwood tree sits in the center of the rolling hills.

The rays of light on the horizon represent the future as well as the county's willingness to embrace new technologies.



If you would like your county's seal featured in "Behind the Seal," contact Rachel Looker at rlooker@naco.org.

SPOTLIGHT ON:
ENVIRONMENT
& ENERGY

UTAH
COUNTY
CLOSER TO

ENERGY GOALS

A worker installs solar panels on the roof of the Summit County Sheldon Richins Services Building. Photo courtesy of Summit County

by Rachel Looker
staff writer

The grass is looking greener in Summit County, Utah where the governor recently signed a bill that will help the county achieve environmentally sustainable goals and reduce greenhouse gas emissions.

In 2017, Summit County created an environmental stewardship program to set a goal of reaching 100 percent net renewable electrical energy by 2032.

As part of the stewardship program, the county has worked to incorporate electric buses, electric bikes (all county bikes have an electric pedal-assist to help with hills and make commuting easier) and purchase vehicle-charging stations and electric vehicles for the county fleet.

In continued efforts to reduce greenhouse gas emissions, the county has also enhanced recycling and made transit options more available so residents do not have to drive to work.

The program's primary functions are to integrate county departments — such as planning, transportation, housing and economic development — on these goals and to serve as a communication

tool for discussions on creating sustainable environments.

"Everybody has a piece of the pie," said Lisa Yoder, Summit County's sustainability program manager. "It was also a way to announce and keep track of successes and progress along the way ...[to see what] ... each department is doing."

In regard to sustainability, Yoder said long-term decisions must be made even if it requires an initial investment. She said in the past, decisions were made based on whether money was available that year.

"We can't just make decisions based on short-term economics," she said. "We have to look at life-cycle costs of operating much more efficient buildings that lower their ongoing operating costs forever and that takes a little investment upfront, but the reduced costs every single year is what needs to be considered."

The program aims to reach 100 percent net renewable electrical energy by 2032. To accomplish this, a qualified utility company needs to provide electric service from renewable energy resources to a participating customer within a participating community. Customers of a qualified utility may then be served by the community renewable energy program. Once communities adopt resolutions, the utility finds the cost for acquiring

renewable electricity. If the price is right, communities can adopt an ordinance to be 100 percent renewable.

This process was described in Utah's House Bill 411, also known as the Community Renewable Energy Act, which the Utah legislature passed March 14, in the final 30 minutes on the last day of their 45-day 2019 legislative season. The Senate passed the measure 23 to 6 and the House voted 48 to 24 on the bill. Utah Gov. Gary Herbert (R) signed the bill into law March 29.

"This legislation was really a keystone to getting a lot of our sustainability goals moving," said Summit County Council Member Glenn Wright.

The bill allows other communities to share the same goal of having 100 percent net renewable electrical energy, but by 2030 instead of 2032. It includes an opt-out period for customers to leave the renewable energy program without penalty.

Existing customers of the qualified utility may elect not to participate in the program and continue to pay existing rates.

"To make a dramatic change in your carbon footprint, you really have to start going to 100 percent renewable electrical energy and then over a period of years, electrify your infrastructure, your buildings and all of that to utilize the 100 percent renewable energy," Wright said.

He described the environmental sustainability program as what pushed the bill to be brought onto the floor.

"You can't just turn that

switch on overnight. Really, the vital link to get started in an aggressive program like that is to have access to the 100 percent renewable electrical energy," Wright said. "Without the bill, nothing will happen because what the bill did is it authorized the Public Service Commission to come up with this separate rate for renewable energy."

Yoder said the idea behind the program and the bill is to allow customers an open market to get renewables at a good rate.

"It makes renewable energy a standard offer from the utilities," Yoder said.

The most productive way for the county to achieve another one of their goals, reducing greenhouse gas emissions from county operations 80 percent by 2040, is to switch to renewable energy, Yoder said.

Switching to renewable energy will lower the overall county operations emissions by 30 percent. She added the county may be buying 100 percent net renewable electrical energy as soon as 2020 for county-operated buildings.

"I think Summit County is getting a lot done, kind of

leading the nation in what counties can do for their residents," Yoder said.

With the signing of the bill, any community, city or county can join the renewable energy program by passing a resolution that they want to have 100 percent renewable energy by 2030.

The next step will involve detailed negotiations with Rocky Mountain Power on the rate structure with a proposal planned for the end of 2019.

"I think this is a first step in a process in Utah where the state will become a much more environmentally conscious state where more and more communities will sign onto these kind of sustainability goals," Wright said.

"I hope to see people being more mindful of the cause and effect of our actions, the consequences of our actions," Yoder added. "That all people — county staff, county leadership, county council — become mindful of the fact that the fuel in our cars, the heat in our homes comes from somewhere." **CN**

The Summit County Environmental Stewardship Program was named Best in Category for county resiliency: infrastructure, energy and sustainability in the 2018 NACo Achievement Awards.



A man charges his car outside the Summit County Library at an electric vehicle charging station. Photo courtesy of Summit County

Algae blooms pose threat

by Rachel Looker
staff writer

From the Great Lakes to Florida's Gulf Coast, counties all around the country are dealing with a problem that can affect all bodies of water: Harmful algal blooms (HABs).

According to the National Oceanic and Atmospheric Administration (NOAA), HABs are natural and occur frequently in warm, stagnant bodies of water when algae colonies grow out of control. While it is not completely clear how algae form

the blooms, NOAA reports that nutrient loading, which occurs when too many nutrients act as a fertilizer when added to the water, as well as pollution, climate change, the introduction of new species and water flow modifications may increase the potential for the formation of HABs.

County officials from different regions have described HABs as unpredictable and unstoppable. They may exist in both fresh water and salt water. Some are toxic, others

can cause illnesses in humans and some may even deplete the oxygen in water, killing aquatic life.

NOAA identifies the Gulf of Mexico, the Great Lakes, Northeast, Pacific Coast, Mid-Atlantic/Southeast and the Caribbean/Pacific Islands as areas where HABs are most frequently found. Counties near the Chesapeake Bay and along both coasts have all experienced problems with algae.

"We like to call it a moving

target, it is very much a moving target," said Chelsey Erickson, an environmental protection specialist with the Erie County Department of Health in Pennsylvania.

Erie County is the only county in the state that borders a Great Lake in Pennsylvania and has been dealing with HABs affecting Lake Erie. Cyanobacteria, which is commonly known as blue-green algae, affects freshwater bodies of water such as rivers, ponds or lakes.

Erickson said the county had 97 total "algae events" last year that lasted anywhere from one to several weeks. While Lake Erie has been affected by HABs, the bay at Presque Isle State Park had the most instances in Erie County in 2018.

The county works with local universities, the Regional Science Consortium and the Pennsylvania Department of

Conservations and Natural Resources to routinely test the water at multiple sites along the shoreline for algae. The groups work together to inform the county when there are high levels of toxins from HABs by posting signs in contaminated areas.

Toxins released from the algae can have harmful effects on people, fish, shellfish, marine mammals and birds. Illnesses in humans caused by HABs can be debilitating and even fatal, according to NOAA.

According to the Environmental Protection Agency (EPA), humans may be exposed to toxins from HABs by drinking, inhaling or touching contaminated water. Humans may also become exposed to the toxins by eating contaminated marine life.

See BLOOMS page 11

SPOTLIGHT ON:
ENVIRONMENT
& ENERGY



Blue-green algae contaminated Paradise Marina on the Caloosahatchee River in Lee County, Fla. Photo courtesy of Lee County

From **BLOOMS** page 10

Warning the public about toxic waters

Erickson explained that the county uses three levels of notifications to warn the public about potential dangers from HABs. The first level is when toxins could be harmful to dogs swimming in contaminated bodies of water. This level is the most common throughout the area. The second level is a recreational advisory, which means toxins may cause dermatological issues to people. The third level is labeled as “no contact” and is issued when the toxins are so high that no one should go into the water.

Depending on the type of toxin, human health effects may include abdominal pain, headache, sore throat, vomiting, diarrhea, drowsiness or respiratory paralysis, which the EPA reports has led to death in some animals.

Erickson said she is not aware of any people who reported physical side effects from HABs in the county, however, she said some people may have been affected but did not report it to the health department.

Contamination from HABs has impacted the economy in the county, according to Breanna Adams, the director of environmental health services at the Erie County Department of Health.

Specifically, the tourism industry has been affected because fishing, boating and swimming are limited when there are possible signs of algae in the water.

In some situations, the county posts a sign warning people of algae, but the water may appear to be clear, Adams explained. At other times, there will be a visible bloom of algae that won’t test positive for toxins, but causes people to avoid the water.

“Finding that balance between, you know, we want people to be outside. We want people to be recreating and we don’t ever want to scare anyone away from that but also presenting that this is a risk in cer-

tain areas,” Adams said.

In addition to Lake Erie, Adams said other bodies of water throughout the county have been affected.

“I would say that they [HABs] are a problem, just because I think it’s still a relatively emerging environmental and public health concern and not everybody’s aware of it,” Erickson said.

She added that she does not think HABs will be going away in Erie County.

Advice for other counties dealing with the issue: “Try to tackle it as head on as possible. Try to build those collaborations... to figure out the best strategy that is going to work for your counties or your municipalities,” she said.

On the other side of Lake Erie, Lucas County, Ohio, is facing similar issues from HABs impacting the lake. HABs have also spread to other bodies of water in Ohio.

Counties around the lake at Grand Lake St. Mary’s State Park and Buckeye Lake are also dealing with HABs, according to Heidi Griesmer, deputy director of Communication for the Ohio Environmental Protection Agency. HABs can be found in various reservoirs in the state and a few years ago, 500 miles of the Ohio River were covered in HABs, she said.

There are multiple challenges when dealing with HABs, she noted, including potential health risks and contamination of public water systems that use reservoirs or lakes as sources for drinking water plants.

“We have done a lot of outreach and education and provided funds for these drinking water plants to be able to test for this in their source water and then treat it if they find it so we can assure that the water they are providing to their customers is safe,” Griesmer said.

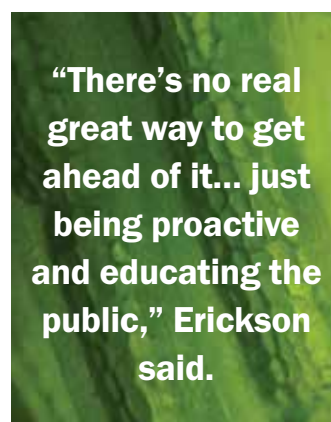
Algae blooms impact on tourism

Similar to Erie County in Pennsylvania, HABs have also affected tourism along the western basin of Lake Erie in Ohio.

“We’ve talked to charter boat captains on Lake Erie who have seen a decline in people asking for fish charters, especially in the late summer when there tends to be more harmful algal blooms,” Griesmer said.

Ohio and Pennsylvania are not the only states where HABs are affecting tourism. The industry in Florida has also been affected, especially because HABs thrive in warmer climates.

Lee County, Fla., was simultaneously impacted by both blue-green algae last summer and the red tide, another type of HAB. On the east side of the county, the blue-green algae took over the freshwater Calo-



osahatchee River. On the west side of the county, the red tide impacted coastal cities along the Gulf of Mexico. Florida Gov. Rick Scott ordered a state of emergency last summer for several counties including Lee County because of the algae blooms.

“Between the two [bodies of water], it was really a taxing thing for the county,” said Betsy Clayton, the communications director for Lee County.

It cost \$1.61 million to clean up the blue-green algae, Clayton said. The county removed 400,000 gallons of “slurry,” algae residue mixed with water.

The county created campaigns and countywide initiatives to engage the community and encourage residents to visit restaurants and hotels to help the local economy, she said. The county also created materials to inform individuals about what causes the blooms, disprove misinformation and show that the county was acting to rectify the problem.

“Never underestimate the value of your own workforce in terms of being ambassadors of accurate information,” she said.

The county is currently looking ahead to see if HABs will return this summer. County officials are creating a cleanup plan with a contractor if a similar situation happens again.

Additionally, Clayton said Lee County holds supervisory meetings for county employees where they plan to discuss water quality to keep employees informed and provide them with accurate data.

On the western side of the state, Martin County, Fla., was hit hard with HABs this past year.

Martin County Commissioner Doug Smith said the county has had three major outbreaks of algae in the last 10 years. He said most of it has originated in Lake Okeechobee. The lake discharges algae-covered water, via canals, into the St. Lucie River.

“In some of the events, it has covered almost the entire river,” Smith said.

Algae harms Gulf Coast coastlines

In 2018, the algae spread into the ocean, resulting in Martin County closing down a beach, Smith said.

“The commercial end of what is involved, anything relative to water, dealing with water, any commercial activities at all, gets significantly hampered by that because nobody wants to be on the water,” he explained.

Martin County is located on the northern part of the Florida Coral Reef. With the nutrient loading that is contributing to the algae blooms, Smith said the coral reef is also harmed.

“We are starting to understand and trying to understand the impacts of the algae as well as on the reef itself, but the nutrient-laden water that’s feeding the algae is absolutely not good for the coral reefs,” Smith said.

After the Deepwater Horizon oil spill, states in the Gulf formed a group called the Gulf States Counties and Parishes Caucus, which brings together Alabama, Florida, Louisiana,

Mississippi and Texas. The caucus plans to meet this spring to focus on the health of the Gulf and dealing with HABs, Smith noted.

Representatives from each state say that they are experiencing issues with HABs, he said. They agreed the best thing to do is to come together and bring experts from each of the states to discuss finding solutions to the algae blooms.

“We need a program that is very specific to the Gulf that has a dedicated funding source of significance to help the various issues that are contributing to nutrient-loading of the Gulf,” Smith said.

“I think that in itself would be a huge step forward if we could get to that point and take that to Congress.”

In January 2019, President Trump signed America’s Water Infrastructure Act of 2018, which creates a harmful algal bloom technology development program to develop strategies for early detection, prevention and management techniques.

According to the EPA, to reduce the presence of HABs when they are on surface waters, affected areas can use aeration, hydrologic manipulations, mechanical mixing to create circulation, surface skimming, ultrasound techniques, or lower the water level in reservoirs. Some chemicals or biological controls may also be used to reduce the algae.

NOAA’s HAB Operational Forecast System includes Florida and Texas and identifies whether a bloom will contain a toxic species, where it is, how big it is, where it’s headed and if it could become more severe. They use satellite imagery, field observations, models, public health reports and buoy data to gather data to inform the public about the possible risks of HABs.

“There’s no real great way to get ahead of it... just being proactive and educating the public,” Erickson said. “Awareness is going to be the biggest thing I think that will help us in general with this issue.” **EN**

RED TIDE 'WORST IN YEARS' NEAR FLORIDA GULF

by **Rachel Looker**
staff writer

"Red tides and harmful algae blooms, they can be very different," said Rhonda Watkins, principal environmental specialist for Collier County, Fla.'s Pollution Control.

A red tide is another type of harmful algal bloom (HAB) that only occurs in salt water. They are caused by blooms of a harmful algae called *Karenia Brevis*, according to the National Oceanic and Atmospheric Association (NOAA). The toxin that is released during a red tide kills fish, causes respiratory irritation and may poison shellfish.

The Gulf of Mexico recently had a red tide that lasted for 16 months. According to NOAA, this red tide killed fish, dol-

phins, manatees, sea turtles and birds.

Watkins, who works with HABs in Collier County, said a red tide is a normal occurrence on the coast, but added that red tides are getting worse

as temperatures rise and create more favorable conditions for an outbreak.

"Definitely the worst I've ever seen," she said about the red tide that hit the Gulf in 2017 and 2018.

A red tide is difficult to treat because it's either too big, too isolated or it moves too quickly, according to Watkins.

In last year's red tide event, she said cell counts, which indicate how bad a red tide is, were higher than she'd ever seen. This made the red tide material very thick and caused it to all die at once. The red

tide material decomposed and bacteria started to eat it, using up all the oxygen in the water. Crabs and other marine life were forced to come onto beaches to breathe because of the oxygen depletion.

Watkins said the main problem for Collier County was getting real-time information out to the public. She explained that test results take time to indicate if there is a toxin in the water and conditions can change quickly by the time tests are completed.

"We can have years where it's really bad, like we did last year, and some years where it may pop off offshore and you'll never know at the beach that it was even there," she said.

Lee County, located just north of Collier County, was affected by both the red tide and blue-green algae in the past year. Lee County spent



\$2.5 million in the summer of 2018 to clean up after the red tide. Workers spent more than 36,000 hours removing 2,000 tons of material.

"Having both at the same time, you essentially were needing to better understand long-term fixes for each of them — if there are long-term fixes," said Betsy Clayton, com-

munications director for Lee County.

Florida Gov. Rick Scott (R) ordered a state of emergency for Collier and Lee counties because of the HABs.

"Our whole economy is driven by water," Watkins said. "Nobody wants to come to Florida and not go to the beach." **CN**

**SPOTLIGHT ON:
ENVIRONMENT
& ENERGY**

Industrial chemicals contaminate drinking water

by **Charlie Ban**
senior writer

Chemicals that are harder to understand than they are to pronounce have found their way into drinking water and are leaving states and local governments wondering how to protect against them and how dangerous they can be.

Per- and Polyfluoroalkyl Substances, known as PFAS, have been used in the production of Teflon, Scotchgard, cardboard packaging and other products since the 1960s. Manufacturers stopped using the chemicals in 2006, but because they don't deteriorate, these potentially harmful chemicals pose a long-term risk. In addition the U.S. Department of Defense has long mandated use of a particular firefighting foam that contains chemicals in the PFAS family.

These contaminants have been showing up near military bases, industrial sites and some firefighting testing facilities.

The county responsibility varies among states, with some best positioned to educate the public about this newfound risk, or in some cases, they assume financial burdens to fulfill their obligations.

"Counties in New York are responsible for water quality and enforcement," said Steve Acquario, executive director of the New York State Association of Counties. "I believe that this is the number one environmental contaminant facing the United States today. The use of these chemicals is so widespread that it will be an issue in every almost state at some point."

PFAS have been detected in 44 states, according to a Northeastern University study, with the heaviest concentrations in the mid-Atlantic, Rust Belt, southern Appalachians, eastern North Carolina, Florida and California. New Jersey, Delaware and New York's Long Island have seen particularly heavy concentrations.



Brunswick County, N.C. is using a low-pressure reverse osmosis system to filter PFAS chemicals from the Cape Fear River. This scaled-down model was tested in 2018. Photo courtesy of Brunswick County

Although the EPA has not established a federal drinking water standard for PFAS, it has issued a lifetime health advisory to 70 parts per trillion.

"That's a couple of eye drops in 55 gallons of water," Acquario said.

That level was much higher — 400 parts per trillion — before a survey in Rensselaer County, N.Y. found dozens of cases of cancer, hundreds of cases of thyroid disease and other illnesses in areas of high PFAS contamination.

"It was a big wakeup call. Nobody had thought that the chemical was that destructive," Acquario said.

An Agency for Toxic Substances and Disease Registry report on PFAS exposure found similar results — links to developmental impairment, hormonal disruption, immune dysfunction and increased cancer risk. Animals process the chemicals differently than

humans, but animal testing has shown changes in liver, thyroid and pancreatic function and changes in hormone levels.

New Jersey's Department of Environmental Protection has proposed limits for different PFAS that could be as low at 13 parts per trillion and a rule that would require all public water systems to begin quarterly monitoring for PFOA and PFOS within the first quarter of 2021.

Brunswick County, N.C. is already moving to address PFAS contamination in the drinking water it draws from the Cape Fear River. GenX, a PFAS produced by a spinoff of DuPont, has been found in the river.

"When you say there's this new chemical and we don't know much about it, residents get concerned," said Ann Hardy, county manager. "At the same time there are reports that these chemicals have been

in the water for years, how dangerous are they?"

Brunswick County is in the process of designing and building a \$100 million low-pressure reverse osmosis system to filter GenX from the drinking water, to the tune of 12 million gallons a day. The design phase is half-way complete and due to start operating in December 2021.

The equipment will cost roughly \$3 million a year to maintain, and the total cost will end up adding roughly \$7 more per month for water customers.

"GenX is not well regulated and there's limited amount of information about it," Hardy said. "There are some targeted goals around it."

The EPA has not yet classified PFAS as hazardous, but a group of 30 U.S. senators are hoping to change that with the PFAS Action Act.

U.S. Sen. Tom Carper (D-Del.) told community leaders from Bucks and Montgomery counties in Pennsylvania

at an April 8 meeting that attaching the act to the Defense Authorization Act would help ensure its passage.

The classification would make contaminated sites eligible for Superfund remediation and force polluters to take charge of remediation efforts, and ultimately pick up the tab.

"Without that designation, local governments won't have access to federal Superfund cleanup monies," Acquario said. New York is using state Superfund money, but can't access federal Superfund money for cleanup around military installations.

Several states have classified PFAS as hazardous and others are pursuing that designation.

In February, the EPA announced a two-year action plan to deal with PFAS contamination. That plan includes:

- gathering and evaluating information to determine if regulation is appropriate for a broader class of PFAS chemicals.
- strengthening enforcement authorities and clarifying cleanup strategies such as designating PFOA and PFOS as hazardous substances and developing interim groundwater cleanup recommendations.
- considering the addition of PFAS chemicals to the Toxics Release Inventory and rules to prohibit the uses of certain PFAS chemicals
- proposing nationwide drinking water monitoring for PFAS under the next Unregulated Contaminant Monitoring Rule (UCMR) monitoring cycle.
- expanding the scientific foundation for understanding and managing risk from PFAS
- working collaboratively to develop a risk communication toolbox that includes multi-media materials and messaging for federal, state, tribal and local partners to use with the public, and
- using enforcement tools, when appropriate, to address PFAS exposure in the environment and assist states in enforcement activities. **CN**

**SPOTLIGHT ON:
ENVIRONMENT
& ENERGY**

Counties play role cutting red tape to increase use of solar energy

by Jack Morgan

You've heard the news: Millions of Americans are now seeking renewable energy sources to power their lives. Thanks in large part to technological innovations, commercialization and manufacturing scaling, the costs of solar energy systems have rapidly declined over the last two decades.

Since 2008, this has led to a 20-fold increase nationwide in the amount of solar photovoltaic (PV) energy connected to the grid.

Accompanied by this installation growth, job growth in the solar energy industry has increased 70 percent from 2013 to 2018, according to the annual National Solar Jobs Census conducted by the Solar Foundation.

More than 240,000 Ameri-

cans now work in the solar industry.

While overall costs of solar energy have decreased, the non-hardware costs of going solar — better known as “soft costs” — have not declined at the same pace.

Including costs such as permitting, inspection and installation, soft costs now make up more than half of total costs of residential and commercial solar systems and remain a significant barrier to solar growth.

Counties are in a unique position to help reduce the soft costs and “red tape” and streamline solar onboarding through the county permitting and inspections process.

As local solar markets grow, counties are also positioned to determine where and how solar is developed in their com-



Photo courtesy of San Miguel Power Association (SMPA)

munity through local planning and zoning. Properly assessing and updating county processes to become less deterrent to solar, however, may be a daunting and challenging pro-

cess for many counties with limited staff time and capacity.

Enter SolSmart. The SolSmart initiative is a U.S. Department of Energy-funded program that provides

no-cost technical assistance and guidance to local governments across the country interested in developing more

See SOLAR page 15

CONNECTING THE UNCONNECTED



Learn more
www.NACo.org/ncgm



#NCGM



From SOLAR page 14

solar-ready processes and policies. The program also provides national recognition to solar-leading local governments that have implemented critical best practices to advancing solar through a community designation at Bronze, Silver or Gold levels.

To date, 50 counties from across all regions of the country and ranging from populations of under 10,000 to more than 2 million have received the SolSmart designation.

San Miguel County, Colo. is one of the 50 counties to be recognized for their local efforts in advancing solar energy, receiving SolSmart Bronze designation in December. With about 7,900 residents, the county is the smallest SolSmart-designated county by population.

As a rural county in the Western Slope region of Colorado, San Miguel County recognizes the tremendous natural asset that more than 240 days of sunshine each year brings to their community.

To capitalize on this asset and advance solar growth, the county launched the WattsUp San Miguel County initiative (which you can read more about online here: <https://bit.ly/2P14eqd>) designed to streamline the permitting process and highlight available technical and finance resources to assist their citizens in going solar.

Through this initiative, for example, the county now has a no-fee solar permitting process and allows small-scale solar PV systems as a by-right use in all land-use zones.

Taking these actions is a positive step in promoting renewable energy installation throughout the county, according to Kris Holstrom, who chairs the Board of County Commissioners.

"We are pleased to receive the SolSmart designation and are working to reach the highest level," he said.

"As one who has relied on solar power for my home for over 30 years, I know firsthand

that an easy permitting process helps."

To make access to solar energy even more easy and affordable for all, San Miguel County also collaborated with the San Miguel Power Association and other local and state partners to launch an innovative community solar project on a former county landfill site.

By transforming what was formerly a brownfield site into a "brightfield," the county now helps in providing solar energy access and reducing energy costs to lower income households, all while adding additional environmental benefits to the local community.

The county hopes to continue to lead by example when it comes to renewable energy issues, according to Holstrom, including the goal of installing solar on county buildings.

"From the county point of view, we want to walk-the-walk," Holstrom said.

"We try to lead the way as much as we can on this issue, as well as other important environmental issues," he noted. "In the long run, this saves us money, while representing values that are important to us, as well."

For these goals and commitment to county facility solar installations, San Miguel County was additionally named the winner of the 2018 SolSmart County Challenge.

As a prize, experts at the National Renewable Energy Lab (NREL) are providing the county with advanced technical assistance and analysis for siting and installing PV systems on county facilities.

Is your county interested in receiving similar solar energy technical assistance and other resources?

The application window is now open for the 2019 SolSmart County Challenge. Visit www.solsmart.org or contact NACo Program Manager, Jack Morgan at jmorgan@naco.org to schedule a consultation call to learn more. **CN**

Morgan is a program manager for Community and Economic Development at NACo.

COUNTY TURNS LANDFILL INTO COMMUNITY PARK, CONCERT VENUE



Cascades Park in Leon County, Fla. is the site of a former landfill. Photo courtesy of Leon County

by Mary Ann Barton
editor

Each person in the United States will toss out an average of 102 tons of garbage in their lifetime, according to author Edward Humes, whose book *Garbology: Our Dirty Love Affair with Trash* digs into the topic. That works out to a little more than seven pounds per person per day. Much of the trash goes to one of the 2,000-plus local landfills across the country.

And recently, with China accepting fewer processed recyclables, landfills across the country are seeing an uptick in items that used to be recycled.

If your county has a landfill, there are ways it can become more than a dumping ground at the end of its usefulness.

In Leon County, Fla., Cascades Park, a former landfill, is a public gathering place that includes trails, playgrounds, a 16-foot waterfall, interactive fountains, a war memorial and a state-of-the-art amphitheater for concerts and community events.

"Like many communities, over that time, neighborhoods have been constructed around the landfill, it was originally in a very rural area, so we were cognizant of impacts of odor to nearby neighbors," said Maggie Theriot, director of the county's Office of Resource Stewardship.

"Starting about 15 years ago, the County Board of Commis-

sioners saw the long-term vision and constructed a transfer station which allowed us to ultimately close the function of the landfill and transfer the waste to a regional landfill," she said.

The visioning for the park was fairly simple but the closure was more complicated and expensive, she said.

"The process of closing a landfill is not as simple as just putting a closed sign out on the driveway," Theriot said. "It's a highly regulatory process through the Department of Environmental Protection here in Florida, as it should be, to protect water quality and long-term impacts of such a landfill if it's not done properly."

Tipping fees helped pay for the closure of the landfill.

While serving on the County Board of Commissioners, John Dailey went before Congress in 2017 to talk about the turnaround.

"We are justifiably proud of our 24-acre Cascades Park, a former manufactured gas plant and landfill site, located just blocks from the Florida capitol in downtown Tallahassee," he told a House subcommittee.

The park also serves as a sponge of sorts when it rains, using a system of culverts, retention ponds and constructed wetlands to mitigate local flooding, he noted.

"Even though we have had

multiple significant storms in the past several years, our surrounding neighborhoods have not experienced flooding since the park was built," said Dailey, who was recently elected mayor of Tallahassee.

County leaders began rethinking the landfill site in 2010, partnering with Tallahassee to redevelop it, using a 1-cent sales tax and an EPA Superfund grant.

The construction of the park cost \$25 million, with most of the funding, \$21 million, coming from the sales tax.

As land becomes harder to find for any county, Theriot said county officials need to be planning about a decade ahead if they decide to make a change. Landfills continue to settle over 30 years after they're closed, she said, and any counties considering new development for a landfill need to know what they can't build, such as ballparks or tennis courts.

"That would not be the right mix, as that land is settling constantly over the next few decades," she said.

Sand volleyball, disc golf and wildflower fields are popular choices, she said. **CN**

The Leon County park has been recognized locally, statewide and nationally and also earned EPA's "Excellence in Site Reuse" award.

**SPOTLIGHT ON:
ENVIRONMENT
& ENERGY**

LEADERSHIP EDGE

Don't Confuse Effort with Progress or Output with Outcomes

by Tim Rahschulte

How often do you greet people throughout the day and ask, "How's it going?" or "What are you working on?" Probably a lot. How often do you get an immediate response such as, "Wow, there's a lot going on," or "We're really busy working on a lot of things today?" Is the response one of effort or progress? It's easy to be busy and it's good to be busy. Output is important. But it's far better to make progress on a major outcome. So yes, busy is good, but productive is much better. Effective leaders ensure their team is producing outcomes and not mired in busywork.

Effectiveness and success are about progress, not effort. They're about outcome, not output. Now some people view output and outcome as mere semantics, and that's unfortunate — the differences are much more profound than semantics alone. An outcome is something your customers, clients and employees can actually see and experience. These are results, and they serve as a measure of performance — not just effort, but performance. Anyone or any team of people in your company may very well be busy working on a number of things, but that busyness doesn't assure an effective out-

come. It's for this reason that the best leaders focus on outcomes rather than outputs.

Bob Behn, a lecturer at Harvard's John F. Kennedy School of Government, said "The only thing that counts is an outcome. The only thing worth counting is an outcome." Agreed! In a time of gross self-aggrandizing efforts, busyness and a wide sense of self-entitlement, our reality is that no one really cares how hard you work. You're expected to work hard, but working hard doesn't guarantee your success. Outcome trumps output, accomplishment trumps effort, value actions trump value statements and results trump any level of intent.

Let's think about output versus outcome through the lens of products for a moment. There's no arguing that McDonald's has sold a lot of hamburgers over the years. It's been calculated (and posted in marketplace.org) that they sell about 75 burgers every second. That's well over two billion burgers sold in a year. According to the NPD Group's food-service market research, there are about nine billion burgers sold and consumed every year. So, while McDonald's sells the most by far, consumers do have options. Besides McDonald's, we can buy burgers from In-N-Out



Burger, Five Guys, Shake Shack and Red Robin, to name a few. But let's get back to outputs versus outcomes.

Selling more burgers is an output, not an outcome. Shake Shack doesn't want to be compared to McDonald's, and while they may be happy with selling more burgers, they're focused on something even more important to them: the consumer's experience. Their desired outcome is a positive customer experience and they believe that outcome occurs from using better ingredients, providing better service and perhaps offering a better environment. Certainly, you'll pay for that difference. Shake Shack burgers are more expensive than a burger at McDonald's.

You can buy a hamburger from McDonald's for about a dollar. It'll cost at least three times that amount at the other restaurants mentioned. But what are they creating? What's the outcome? It's not about the number of burgers sold but rather the customer's experience.

Outcome isn't about making or selling more stuff. That's output. Outcome is the impact you have on customers. It's much more aligned with the vision of the future state. It's the reason Maserati isn't focused on catching Volkswagen to be the number one seller of automobiles. Maserati isn't focused on that output. Rather, their vision and focus are on creating the best user experience for their buyers, drivers of high-performance automobiles.

This experience isn't just limited to consumers. It's applicable to employees as well. Think about the outcomes you're aiming to provide your customers. The only way they'll experience what you have envisioned is through interaction with your employees — the products and services they provide. With that in mind, what interactions do you have with your employees? What experiences are you providing them? What outcomes do you want your employees to have so that, in turn, they'll create the outcomes you have

planned for your customers?

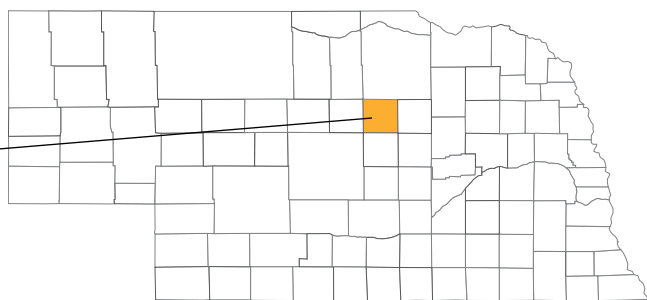
All of your actions matter because you're always influencing those around you. You're either enabling those around you to be great or inhibiting them from being so. If you're intentionally creating experiences for your employees to be great and do great work, that'll lead to higher levels of engagement and customer service from them, which will lead to better outcomes all around.

As a parting note here, it is understood that outputs are important for managers within organizations. They'll likely always be measured. The importance of this rule, however, is that while outputs may provide some perspective about the busyness of your business, don't allow the focus on outputs to blind you to the importance of your outcomes. The best leaders align outcomes to their vision and understand (and measure) the outcomes they intend to realize among their team, across the enterprise, with their products and services, and with their customers and clients. **EN**

Tim Rahschulte is the CEO of the Professional Development Academy and chief architect of the NACo High Performance Leadership Program (naco.org/skills).

GET TO KNOW...

Garfield County, Neb.



Welcome Garfield County, Neb.

Garfield County is located in central Nebraska. It was organized in 1884 and named after President James A. Garfield, the 20th president of the United States. Burwell, the largest city in the county, is the county seat. The 570-square-mile county has a population just over 2,000. The Calamus Reservoir State Recreation Area is a spot where visitors can go fishing, boating or tubing in the Calamus River that runs through the county. **Burwell holds Nebraska's Big Rodeo, a community celebration that began in 1921 and is held each summer.** The event reflects the western heritage of Burwell and attracts many professional rodeo champions.



BRIGHT IDEAS HENRICO COUNTY, Va.

County Distributes Radios for Weather Emergencies

PROBLEM:

Low-income families lack emergency planning resources for severe weather situations.

SOLUTION:

Distribute weather radios and other resources to improve information-sharing during weather emergencies.

by Rachel Looker
staff writer

Henrico County, Va. has found a way to connect the unconnected when it comes to preparing for weather emergencies.

Citizens in the county are learning to “weather the storm” through the At-Risk Resident Weather Radio Distribution Project. The project provides weather radios and emergency planning resources to low-income families throughout Henrico County.

The goal of the project is to reduce the loss of life and property in the county by providing hazard and risk information when bad weather strikes.

In the fall of 2017, the Henrico County Office of Emergency Management collaborated with the Henrico Christmas Mother, a volunteer group run through the county that targets low-income families, providing them with items for children.

The groups worked together to hand out nearly 100 National Oceanic and Atmospheric Administration (NOAA) weather radios to low-income families.

They distributed information on emergency preparedness as well as supplied a “File of Life” to families which documents a resident’s medical information and can be placed in an accessible spot, such as on the refrigerator, for emergency responders in the case

of an emergency.

Many people targeted through the program were lacking basic preparedness information for weather emergencies, according to Robert Foresman, emergency planner for the Office of Emergency Management. He added that the county is susceptible to different types of severe weather including tornadoes, flash floods and snow and ice storms.

“We gave them general preparedness information on severe weather, what to do in order to be prepared prior to a storm arriving, what to do during the storm and also information on the recovery aspect,” Foresman said.

The program targeted low-income groups in households with residents 65 years or older, children 12 years of age or younger and individuals with disabilities who may have difficulties escaping dangerous situations.

“We have found through studies that that is the group that is most affected during a disaster,” Foresman said.

Each radio costs \$30 and provides weather updates, emergency weather information from the National Weather Service, Amber Alerts and other emergency announcements.



that the office focuses on.”

Part of the reason low-income families were initially chosen for this project, she added, was because they already have a tie-in with other county agencies through social services, the health department or volunteer outreach groups such as the Christmas Mother, making them an identified group in need of more emergency management resources.

“They could be one paycheck away from a personal financial disaster if the weather turns the wrong way or they have a fire at home or are flooded out of their neighborhood,” she said.

McRay added that it’s not just about distributing radios, but also about sharing information on ways people can prepare for emergencies.

She said projects like the At-Risk Resident Weather Radio Distribution Project should empower communities to be ready for whatever disaster comes and create ongoing year-round engagements to make sure citizens are prepared.

“We wanted to start small with the pilot group through the Christmas Mother with the hopes of expanding it, given available grant funds in future years to be able to grant other groups,” McRay said.

Foresman said the county plans to hold another radio distribution this year.

“If it saves just one life, it is money well spent,” Foresman said. **CN**

The Henrico County At-Risk Weather Radio Distribution Project was named Best in Category for Risk and Emergency Management, 2018 NACo Achievement Awards.

EDA helps create jobs

From EDA page 1

Gunnison County and neighboring Delta County long relied on the coal mining industry and have faced negative economic impacts from coal mine closures, resulting from competition with natural gas production. Of four operating coal mines in the area, three shut down, leaving one that still operates. More than 1,700 jobs were lost.

Declining tax revenues following mine closures changed the county’s economic development strategy. The county has struggled to diversify the economy and provide alternative job opportunities.

“EDA’s engagement, financing and support have been integral to our economic revitalization following the coal mining industry downturn,” he said.

The EDA’s \$650,000 grant allowed the county to create an innovation center, “The ICELab,” which stands for the “innovation, creativity, entrepreneurship” lab at Western Colorado University. Titus added that the EDA should look into additional ways to bolster university partnerships for economic development opportunities.

The ICELab gives local businesses and entrepreneurs a space to collaborate, compete for funding and have access to a work space. The lab has generated entrepreneurial success stories, such as the development of hardware equipment for the fire-fighting industry and the development of an invention that automates irrigation water pipelines on farms.

“These businesses have created new jobs, diversified our economy and filled a much-needed gap,” Messner said. The ICELab leveraged other state and local funding opportunities for the county, encouraging entrepreneurs to stay in the area.

“Without assistance provided by EDA, we would still be facing intense economic difficulties,” Messner said during his testimony. **CN**

MONEYMATTERS

A Best Practice from the Government Finance Officers Association Bringing Sales Tax Into the 21st Century

by Mike Mucha

Note: This article has been adapted from GFOA's research report available at www.gfoa.org.

Since the mid-1900s, state and local governments have struggled with the issue of taxing remote sales. For decades, the primary method of remote sales was in the form of mail-order businesses. In 1967, the U.S. Supreme Court ruled in *Bellas Hess v. Department of Revenue*, 386 U.S. 753 (1967), that a state could not require sellers to collect use taxes if the only connection with customers in the state is through materials sent by common carrier or mail.

Then in 1992, the Supreme Court upheld the standard in *Bellas Hess in Quill v. North Dakota*, 504 U.S. 298 (1992), holding that a state can only require a business to collect and remit sales tax if the business has substantial presence (i.e. nexus) in that state. Both decisions, however, occurred well before the Internet forever changed the way consumers shopped and transformed the retail marketplace into the billion-dollar global platform we know today.

As a result of these decisions, state and local governments faced growing numbers of uncollected sales taxes over the past several decades. In an attempt to remedy this, there have been efforts at the federal level to enact legislation that would establish a framework of sales tax simplification and administration. The intent of the framework is to bring sales tax laws into the 21st century and grant state and local governments the ability to enforce existing sales tax laws on remote sales, while also minimizing the burden of collection on retailers.

The billions of dollars state and local governments forego each year is much needed revenue

that could support vital services in communities across the country like infrastructure, public safety and education.

But 2018 proved to be a landmark year for the issue of remote sales tax. In June, the U.S. Supreme Court reversed those two pivotal cases by finally removing the antiquated physical presence requirement that has burdened state and local sales and use tax laws.

While the origins of the Internet date back to the 1950s, the Internet as many of us know it now, emerged in the late 1980s and early 1990s. But it was not until the 2000s that the Internet's true capability to serve as a significant retail platform really began to evolve. A prime example of this trend is retail data on Black Friday, the traditional start of the holiday shopping season. For years, Black Friday was marked by customers lined up outside of retail locations eager to score an early-bird special. But as more customers flocked online, the numbers painted a very different picture. For Black Friday 2017, shoppers spent a record \$5 billion online, marking an almost 17 percent increase in sales over the same 24-hour period in 2016.

While the *Quill* physical pres-

ence standard was in place, online-only retailers were able to enjoy a 5-10 percent competitive advantage because they did not have to collect sales taxes. Not only did local businesses suffer, the communities they supported suffered as well. In addition to the taxes that weren't collected, less of the money from the sale was reinvested in the community. It also is a common misconception within this debate that state and local governments simply want to tax the Internet. But given the trends over the last decade or more, the primary objective is to help existing sales and use tax laws reflect and keep pace with evolving technology. This would level the retail playing field, ensuring updated tax policies apply to all retailers, whether they are online or in a brick-and-mortar location.

2018: A shift in the sales tax paradigm

For decades, the issue of remote sales tax has floundered in the U.S. Congress with the only major milestone being the Senate's passage of remote sales tax legislation in 2013. Since then, several states have made efforts to enact state laws to address remote sales, setting the stage

for dual tracks for resolving the issue.

On June 21, 2018, the U.S. Supreme Court issued a decision that essentially clears the path for states to enact laws on taxing remote sales. But the decision did not necessarily prescribe how states should design their tax laws post-*Quill*. Rather the decision more or less pointed out that South Dakota's law was one way to do it. What remains to be seen is how other states will react and whether this development will motivate Congress to act and create a national framework for sales tax administration.

Over the last decade or more, several bills have been introduced in the U.S. Congress to establish a national framework to allow states and local governments to enforce existing sales tax laws and potentially recoup the billions in revenue lost every year. The farthest any proposal has advanced in Congress was in 2013, when the Senate passed the Marketplace Fairness Act in a strong bipartisan vote. Unfortunately, the House failed to capitalize on the momentum to advance the legislation to the President's desk. Since then, legislation has been reintroduced in each chamber. There

are minor differences between bills, but they largely follow the same approach to simplify sales tax administration.

The Marketplace Fairness Act (MFA) would grant states and local governments the authority to compel remote sellers to collect taxes regardless of their location. The amount of tax would be based on the location of the buyer, i.e. destination-based sourcing. Under the legislation, sellers who have less than \$1 million in annual remote gross receipts would be exempt from the requirement to collect. States would obtain the authority only after they have simplified their sales tax laws.

Similar to MFA, the Remote Transactions Parity Act (RTPA) would also grant states and local governments the authority to compel remote sellers to collect taxes regardless of their location provided states adopt minimum simplification requirements. Further, like MFA, RTPA utilizes destination-based sourcing to determine the tax amount and it provides two options for states to meet the simplification requirements. One of the major differences between RTPA and MFA is found in the small seller exception provision. During the first year following enactment of the RTPA, sellers with less than \$10 million in annual remote gross receipts would be exempt from collection requirements. This threshold is lowered and ultimately phased out by the fourth year following enactment.

Streamlined Sales and Use Tax Agreement

Formally adopted in 2002, the Streamlined Sales and Use Tax Agreement (SSUTA) is a result of a collaborative effort between government and business to simplify sales and use tax collec-

See SALES TAX page 19



What's next in collection of tax on remote sales?

From SALES TAX page 18

tion and administration. Member states of the SSUTA must adhere to provisions that call for uniform tax definitions, uniform and simpler exemption administration, rate simplification, administration of sales taxes at the state level, uniform sourcing of taxable sales and state funding of the administrative cost to business. The ultimate goal was to minimize the costs and potential administrative burdens on retailers that collect sales taxes, particularly those operating in multiple states. Currently, 24 states have adopted legislation to conform to the SSUTA.


Under the SSUTA, technology is one of the primary tools to address a long-held concern of the retailers — the administrative burden of performing the sales and use tax functions for remote sales, especially when having to deal with different states. The SSUTA not only cer-

tifies the software that retailers can use to assist in sales tax collection, the software is provided at no cost to the business. In conjunction with simplified tax laws and definitions and streamlined administration with states, the burden on business is substantially reduced.

The next several months and years will certainly be indicative of how the sales and use tax landscape will evolve. With some states already implementing and others preparing to effectuate remote seller laws soon, the decision by the Supreme Court will undoubtedly play a major role. Given the state-by-state development of the laws, any state's law could potentially be challenged.

But there is relief knowing the antiquated physical presence standard no longer stands in the way of developing laws to reflect the 21st century retail marketplace. Now that this hurdle has been removed, only time will

tell how successful states will be in implementing the collection requirement on remote sellers. Further, the question remains whether Congress will ever decide to weigh in with federal legislation or whether they will simply let the states chart the course. Nonetheless, there is no question that technology will continue to improve and allow greater innovation in the retail market, as well as allow for greater strides in the administration and simplification of sales tax.

To download the Government Finance Officers Association's complete version of the report, visit <https://www.gfoa.org/bringing-sales-tax-21st-century>. For more information, visit www.gfoa.org/flc or contact GFOA at 312-977-9700. 

Mike Mucha is the deputy executive director of GFOA and director of Research and Consulting at GFOA.

ON THE MOVE

NACo STAFF

- **Timothy McCue** is NACo's new associate program director for health. He was most recently director of grant programs at the Potomac Health Foundation. He earned a Master of Public Health degree from Case Western Reserve University and a B.A. from Hiram College.
- Executive Director **Matt Chase** spoke April 3 about the State and Local Tax Deduction to the House Ways and Means Committee in Washington, D.C.
- Associate Legislative Director **Jessica Jennings** gave a federal legislative update April 15 on transportation and infrastructure to the National Association of County Engineers (NACE) Annual Conference in Sedgwick County (Wichita), Kan.
- Associate Legislative Director **Jonathan Shuffield** spoke April 2 about the Secure Rural Schools program to the National Rural Education Advocacy Consortium in Washington, D.C.
- Associate Program Director **Kathy Rowings**, Senior Associate **Vernon Smith** and Justice Associate **Jessica Perez** managed the Justice Peer Exchange April 11-12 in Multnomah County, Ore.



McCue



Jennings



Shuffield

CONFERENCE HIGHLIGHTS

SESSIONS WILL COVER

Schedule subject to change

2020 Census

Affordable Housing

Data-Driven Justice

Disaster Management

Federal Policy Outlook

Health Equity

Brand Development

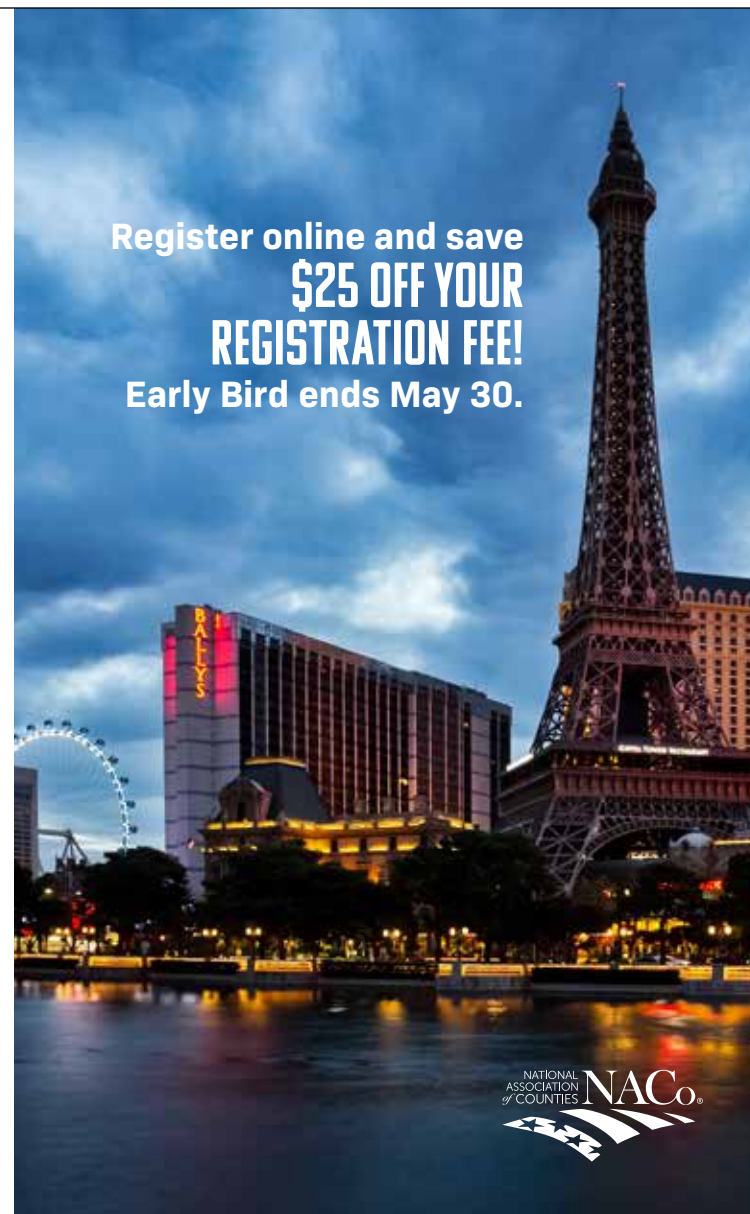
Renewable Energy

Federal Public Lands

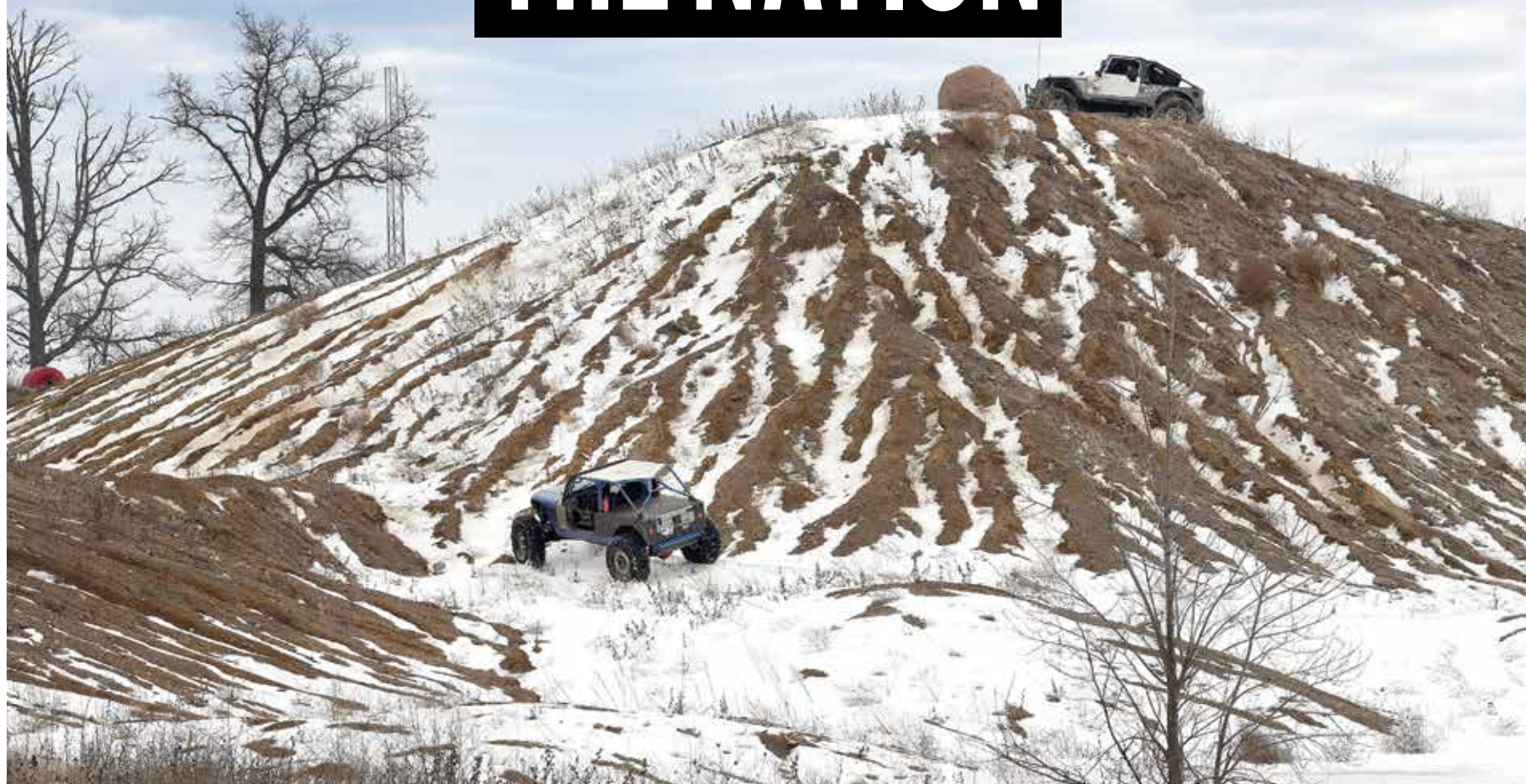
...and more!

National Association of Counties
ANNUAL CONFERENCE & EXPOSITION
CLARK COUNTY LAS VEGAS, NEVADA
July 12-15, 2019

Visit us at NACo.org/annual
to view the live schedule
and register today.



NEWS FROM ACROSS THE NATION



MICHIGAN

Officials in **OAKLAND COUNTY** are expected to approve a rugged park to be an “**off-roader paradise**” for four-wheeler clubs and SUV owners, the *Detroit Free Press* reported. The park, which will be located 90 minutes north of Detroit, is expected to be purposely rugged with hundreds of rock-strewn acres. County officials hope tourists will camp overnight near the park to increase tourism and the local economy. The state is planning to lease the land to Oakland County, which will pay to operate the park. Photo credit: Oakland County Parks and Recreation

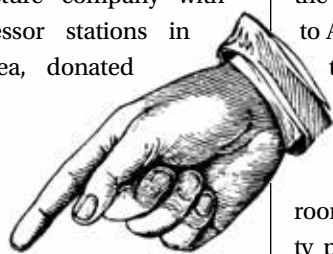
ALABAMA

Changes are coming to the recycling program in **MADISON COUNTY**, WAAY-TV 31 reported. Residents can now ask for a **recycling cart** that resembles a larger trash can and is five times the size of a regular recycling bin. The new changes to the program will make recycling available to an additional 20,000 households in the county. The recycling carts will be collected once a month instead of the current weekly pick up. Residents can choose to opt into the program and will receive a new recycling cart at no charge. The recycling carts will be purchased with grant money.

ARIZONA

A generous gift of **new signage** is helping tourists find

their way to wine-tasting rooms in **COCHISE COUNTY**. Kinder Morgan, Inc., an energy infrastructure company with compressor stations in the area, donated



six to 10 new signs to the Public Works Department in an “act of goodwill” for companies in the wine industry, according to Arizona Public Media. Since the area is very rural, the signs will help tourists by pointing toward one of the many wine-tasting rooms in the county. The county plans to highlight the wine industry to promote economic development.

ARKANSAS

PULASKI COUNTY is adding free **after-school programs** for children in the county who are in need of support, the *Northwest Arkansas Democrat-Gazette* reported. Three new programs will be held for children between the ages of 6 and 12 who are in unincorporated sec-

tions of the county. Kids will be able to receive help with homework, play with other children and eat snacks. The goal of the after-school programs is to keep children engaged and provide them with support. Children can attend the programs after school during the school year and during the day in the summer.

CALIFORNIA

• **SAN JOAQUIN COUNTY** has launched a program to keep its roadways **free of trash**, Capital Public Radio reported. The “Adopt-a-Road” program puts signs along county roads that indicate the name of a volunteer group responsible for keeping the road free of litter. In the past, the county has faced issues with illegal dumping of

items such as abandoned boats, sets of tires and bags of garbage. Last year, the county spent \$1 million to pick up trash.

• In a surprise to prosecutors in **LOS ANGELES COUNTY**, few people took legal action to **clear criminal records** after recreational marijuana was legalized in the state, *Governing* reported. People convicted of marijuana possession in the past are able to petition to have the charges cleared or have crimes reduced from a felony to a misdemeanor. The petition process was difficult to navigate, which resulted in few people attempting to clear their records. Since voters approved the legalization of recreational

See **NEWS FROM** page 21

From NEWS FROM page 20

marijuana, prosecutors announced plans to dismiss or reduce 54,000 marijuana-related convictions to offer a clean slate for those who were previously convicted. The move is in partnership with Code for America, a nonprofit technology organization that developed an algorithm to determine which cases meet the requirements to be cleared.

- The Board of Supervisors in **SAN DIEGO COUNTY** is planning to turn a run-down facility into a **behavioral health center**, KUSI News reported. The Health and Human Services Agency will study the property to look into turning it into a regional hub for Behavioral Health Continuum of Care. The property is owned by the county and has been vacant for 10 years. The hub would provide services such as crisis stabilization, inpatient, residential psychotherapeutic rehabilitation, intensive outpatient services and more.



COLORADO

Officials in **PITKIN COUNTY** are one step closer to implementing a program to help people with **mental health or substance abuse issues** stay out of jail for low-level crimes, the *Aspen Daily News* reported. The five-year program for Pitkin Area Co-responder Teams is funded through a grant from the state Office of Behavioral Health. The program involves the Pitkin County Sheriff's Office and the Aspen and Snowmass Village police departments. Through the program, law enforcement and

mental-health specialists will both respond to incidents in the hopes of keeping people suffering from mental-health issues out of the hospital and out of the justice system if it is unnecessary. The initiative is serving as a pilot program for rural areas.

FLORIDA

- HILLSBOROUGH COUNTY** has expanded the number of offenses eligible for juvenile civil citations to include almost all misdemeanor crimes, the *Tampa Bay Times* reported. The expansion of the Juvenile Arrest Avoidance Program offers a probation-style diversion program for first-time juvenile offenders instead of arrest or prosecution. Juveniles who receive citations have to accept responsibility for the crime and enter the diversion program. Previous eligible crimes only included acts like petty theft, misdemeanor marijuana possession, resisting arrest without violence and carrying a concealed weapon. Now, the agreement includes family violence, exhibition of a weapon, lewd and lascivious acts, disorderly intoxication and reckless driving.

- A **counseling program** for middle schoolers called "School is Cool" is expanding in **BROWARD COUNTY**, WLRN-TV reported. The program targets students who have issues with attendance, behavior or bad grades and works to get them more involved in school. Initially, the program was launched in 10 middle schools through the funding of non-profit agencies and The Community Foundation of Broward. It was only available during the summer and after school. Now, The Community Foundation of Broward matched the school district with a \$3 million grant for a new three-year program that will be held during the school day. The goals of the expanded program are to focus on social health for middle schoolers and increase the graduation rate to 90 percent.



Photo Credit: Mike Hartz/Evansville Courier & Press

INDIANA

A contractor in **VANDERBURGH COUNTY** has been blamed for mistakenly **cutting down an oak tree** in Evansville that was planted for the nation's bicentennial in 1976, according to the *Courier & Press*. The 42-year-old tree stood in downtown Evansville. County officials say the tree service mistakenly cut the tree down before getting approval. The contractor's lawyer said the company was following approved plans. A plaque was placed where the tree stood saying it was planted in honor of the nation's 200th birthday.

KANSAS

The Mental Health Center in **JOHNSON COUNTY** is creating a **new training program** to stop an increase in teenage suicide rates, according to KSHB-TV. Community members can become "suicide-alert" helpers after completing training to identify and connect with people who may be experiencing suicidal thoughts. The training is called "safeTALK," which stands for "suicide alertness for everyone" and "tell, ask, listen and keep safe." The goal of the program is to provide individuals with the right tools to help someone in a suicidal crisis.



MARYLAND

A **new grocery store** is opening in **PRINCE GEORGE'S COUNTY**, an area designated by the U.S. Department of Agriculture as "low access" because residents have to travel more than one mile to access fresh meats and healthy food options. Fifteen percent of the county is classified as a "food

desert." Good Food Markets will open a 3,800-square-foot space that will offer a café with healthy grab-and-go options. The county is continuing to help revitalize many shopping centers to address areas designated as food deserts.

NEW YORK

- Executive Marc Molinaro has signed a bill enacting **term lim-**

its on **DUTCHESS COUNTY** officials. Starting in January 2020, the office of the county executive will be limited to three four-year terms and a legislator may only serve six two-year terms. The comptroller will begin to serve three four-year terms in January 2022, *The Poughkeepsie Journal* reported. Current elected officials will not be affected. State law prohibits the county from limiting the total terms for county sheriff, county clerk and district attorney.

- A judge has **invalidated ROCKLAND COUNTY's** emergency declaration that barred unvaccinated minors from public places for fear of the spread of measles. The declaration order, issued March 26, would have lasted for 30 days, but state Supreme Court Judge Rolf Thorsen said such emergency orders cannot exceed five days and that the 166 measles cases in a population of 330,000 people over six months doesn't constitute an "epidemic" meriting an emergency declaration.

OHIO

- The state House has passed

See NEWS FROM page 22



MISSOURI

Hoping to make a little money the way **HARRIS COUNTY**, Texas did a few years ago, **JACKSON COUNTY** will remove and store tens of thousands of old **Arrowhead Stadium seats** with the intention of reselling them to fans and sports memorabilia collectors.

The county will pay nearly \$43,000 to remove and store the 30,000 dismantled seats, KYTV-3 News reported. The Kansas City Chiefs planned to sell the dismantled seats, but the county intervened because it owns the seats. Harris County grossed \$1.5 million from selling seats removed from the now-dormant Houston Astrodome.

NEWS FROM
**ACROSS
THE NATION**

From NEWS FROM page 21

a bill allowing counties to appeal to the state for help paying for **expensive murder trials**. If a trial is projected to cost at least 5 percent of a county's annual budget, the county may petition the attorney general and state public defender's offices for financial help. **PIKE COUNTY** is facing a \$4 million bill to prosecute and defend four defendants in a murder trial, but the county only budgets \$10 million a year overall, *The Plain Dealer* reported.

- Hoping to contain costs, **TRUMBULL COUNTY** commissioners capped the amount of vacation time that non-bargaining unit employees can **sell back** to the county. That new limit is 120 hours – three weeks, *The Tribune Chronicle* reported.

OKLAHOMA

Inmates at the **OKLAHOMA COUNTY** jail are using old mattresses and sheets to **make pillows** for use throughout the jail. Oklahoma News 9 reported that the sheriff's office made the decision in order to save money for other uses.

OREGON

Members of a **CLACKAMAS COUNTY** Water Rescue Consortium team ended up getting real-life experience, **saving a hiker** while they were out on a training exercise. A passerby flagged them down and said there was a medical emergency on the Clackamas River Trail — 3.5 miles away. According to initial reports, a woman had fallen and broken her ankle a short distance up the trail from the Fish Creek Trailhead. Rescue crews pulled her out of the water and headed to the trailhead as several other agencies responded as well.

PENNSYLVANIA

The **ERIE COUNTY** Council voted to give nonprofit Empower Erie \$15,000 to update an impact study and a marketing campaign to “re-invigorate

and re-energize” stakeholders and the community at large in hopes of establishing a **community college**, *The Erie Times-News* reported.

SOUTH CAROLINA

GREENWOOD COUNTY and its county seat are using hospitality tax funds to hire a **litter coordinator**. The coordinator will pursue grant opportunities and streamline grassroots pickup campaigns across the region. The county pledged \$50,000 for the staff position and the city is contributing \$20,000 for operations and expenses, *The Index-Journal* reported.

TEXAS

A **HARRIS COUNTY** judicial court judge found himself **unwittingly resigning**. Bill McLeod posted online future plans to run for state supreme court, but Article 16, Section 65 of the state constitution says that any officer announcing candidacy for another office results in automatic resignation. The constitution also allows county commissioners, given charge over appointing replacements, authority to keep McLeod as a holdover until there is a special election, according to KHOU News.

VIRGINIA

- A large spike in patients seeking addiction treatment has spurred **ARLINGTON COUNTY** to launch a program to **waive charges** for people who turn themselves and their drugs in and ask for help. Operation Safe Station will refer participating people to support groups, outpatient office-based opioid treatment programs, Methadone programs and when appropriate, residential treatment. The program is a joint creation of the Commonwealth's Attorney's Office, Arlington County Police and Arlington's Department of Human Services. The program does not

accept people who have outstanding arrest warrants, have been convicted of giving, selling or distributing drugs, or have been convicted of doing so with the intent to manufacture, are under 18 years old and don't have a guardian with them, or are determined by police to be a threat to program staff.



- **FAIRFAX COUNTY** police have been ordered to stop maintaining a **database of license plate photos**, following a judge's ruling that “passive use” of data from automated license plate readers on the back of patrol cars violates Virginia privacy law, *The Washington Post* reported. Police say license plate location data has helped find dangerous criminals and missing persons, but privacy advocates say long-term storage of that information provides too much opportunity for abuse by the police.

- It's not a no-show job, but since **HALIFAX COUNTY** resident Jimmy Wade was elected **tie-breaker** for the eight-person Board of Supervisors in 2015, he had not been called upon once. Until now.

Wade recently cast the vote breaking a 4-4 tie on a vote to increase the county real estate tax rate by 2 cents to 50 cents per \$100 value along with adopting a land use program for agriculture and horticulture, *The Gazette-Virginian* reported. **CN**

News From Across the Nation is compiled by Charlie Ban and Rachel Looker. Do you have an item for us to include? Contact us at cban@naco.org and rlooker@naco.org.

PROFILES IN SERVICE

RON BERRY

Board Member
Commissioner
Roane County, Tenn.



Berry

Number of years involved in NACo: Two

Years in public service: 18

Occupation: Owner of Ron Berry Insurance Agency

Education: Middle Tennessee State University

The hardest thing I've ever done is: Bury my parents.

Three people (living or dead) I'd invite to dinner:

Vince Lombardi, Gen. Robert Neyland and Gen. George Patton

A dream I have is to: Travel by boat to Mobile, Ala., down the Tombigbee Waterway.

The most adventurous thing I've ever done is: Hike 70 miles of the Appalachian Trail.

My favorite way to relax is to: Spend time with my family on the lake.

I'm most proud of: Serving in the United States Marine Corps.

Every morning I read: A couple newspapers.

My favorite meal is: My wife's spaghetti.

My pet peeve is: Workers on their cell phone while pretending to wait on me.

My motto is: It's not what you gather, but what you scatter.

The last book I read was: *The Reckoning*

My favorite movie is: *The Natural*

My favorite music: '60s and '70s

My favorite U.S. president: John F. Kennedy

My district is a NACo member because: The research, lobbying and representation we receive on the national level.

You'd be surprised to learn:

I attended high school in Green Bay, Wisconsin and played football games at Lambeau Field.



the HR DOCTOR

With Phil Rosenberg

Phil Rosenberg



Taking Note

How ever you feel about various investigations, hearings and media commentary about the conduct and decision-making of the current U.S. president, there is an important common theme, valuable for every public administrator and many others. I want to convey to you what that behavior is and why it can be so very helpful for anyone who practices it.

A long time ago, when I was skinnier, much more handsome and had much more hair, I was an intelligence officer in Washington D.C. and Europe. Among many other things which come with that work, I got to attend Intelligence School, and the Defense Language Institute, as well as receive a master's in Political Science and post-master's graduate work.

A very early lesson for agents-in-training was that no matter how smart or educated we may think we are, so much goes on in our busy daily lives of bureaucracy, family, hobbies, charity, etc. that we cannot possibly keep track of it all. In the case of the director

of Human Resources in a large local government organization, not to mention later being its chief administrative officer working with literally thousands of people every year, the notion that I might actually remember, and remember accurately, what I might have said, thought about or done back two months, two years or two decades ago becomes increasingly unlikely with the passage of time.

Such memories will probably have left my brain. In theory, I would like to think of the vacating of such memories as simply making room for new adventures, decisions and thoughts. But I also know that accurate recall of some of those thoughts, the basis of subsequent decisions, others present at the time and much more can be extremely important. Just ask your doctor if she keeps diligent patient notes, or your personal lawyer or many other important professionals in your life.

An important technique to overcome the risks of hanging out a "vacancy" sign in front of your brain when it comes to remembering important things

is the concept of "contemporaneous note taking." The idea represents a simple, but very powerful instrument of success. The moment you make a decision, issue an order, deal with a controversy, complete an important presentation or feel uncomfortable with a situation, take the time to write down or in my case, dictate recollections. These may consist of what led to the decision, what issues you weighed reaching your conclusion, who else might have been present or participating in the making of the decision, and any other information or feelings that you experienced which helped out and supported your choice of a particular course of action. Most of the time, these contemporaneous notes may end up being nothing more than historical trivia. Neither you nor anyone else may ever look at them again.

However, in many cases, at least during my five decades (wow, how did those years fly by so quickly??) of executive service in counties and cities, not to mention those intelligence years, being able to retrieve notes detailing deci-

sion-making thoughts years earlier was a very compelling and important tool for me to use. My notes created a historical timeline and helped propel a future leader or critic back in time to that meeting where your decision was made, perhaps amidst serious controversy.

The results of having contemporaneous notes in our profession can be immense. In many cases, tough decisions like firing someone, how you handled a complaint of race discrimination, sexual harassment or workplace violence or how you came to a decision selecting one vendor over another, becomes embroiled later in disagreements, complaints, bad publicity and perhaps lawsuits.

In most of these cases, the "winner" in terms of the decisions made by third parties in these cases is shaped by the credibility of testimony and evidence submitted. Clearly, that credibility is greatly enhanced the more your recollections of events can better take an arbitrator, a judge, or "jurors" in the court of public opinion and media relations, on a journey into how and why you made your decisions.

So it was in my career of tens of thousands of decisions made, that the fact that I could document the direction I gave to people, the training and policies I provided about how ethical and proper behavior is to be carried out in relation to the equitable treatment of employees and members of the public, proved quite important. These contemporaneous notes help validate the actions your agency or you personally, took to third-party decision-makers. They may well contrast sharply with whatever is submitted on behalf of opponents or challengers who "pop up" later. Those people may be relying on testimony or depositions in which they struggle to think back years earlier.

In other words, being able to produce a "memo to file" right after some decision was made

or meeting occurred — containing details of thinking and acting as well as others who may have witnessed how that decision was made — makes a very powerful impression and a powerful difference in the outcome.

Contemporaneous notes are a tool for "affirmative defense." They can document that your decisions were based on ethical, legal and humane conduct at the right time and in the right way. Such notes, however, can also play an "affirmative offense" role, helping to demonstrate that you were a proactive leader working to be innovative and to create long-term wonderful outcomes happen (as well as to take action to prevent bad things from happening).

In effect, using this contemporaneous note-taking tool is like having a historian attend your staff meetings at key decision moments. It is as if you have created a way to relive those moments and share them with people, even after intervening years go by. It is similar to the value of a translator being present at a meeting between leaders who speak different languages.

Having an expert by your side, creating an unbiased historical record of what and how things were said, or what commitments might've been made is something which can be critical in judging the value of our service for those in the future. Conversely, not engaging that "historian translator" can put you at a serious disadvantage in ways you might never ever conceive of at the time a decision is made.

So, what's the lesson? All of us in government service — and in the service of being great moms, dads, employees or citizens — are creators of the kind of personal history or future legacy we will leave behind. In addition, though, we are also historians of what occurred in the past. The tool you have just read about can be a great ally for you. I hope you "take note" of its importance. **CN**

You're Invited! *Stepping Up* **Month of Action** *May 2019*



WHERE: YOUR Community

WHO: Stepping Up Champions in YOUR County

FIND OUT MORE: www.StepUpTogether.org

THE
STEPPINGUP
INITIATIVE