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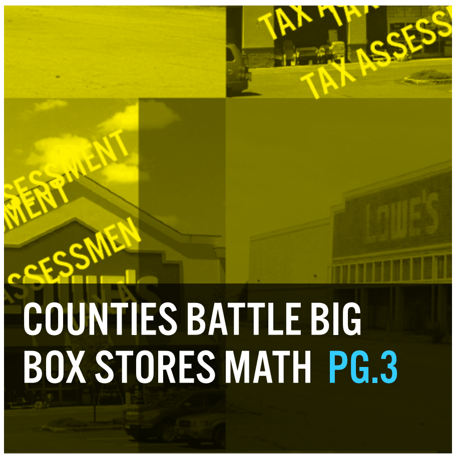
CountyNews



NATIONAL ASSOCIATION of COUNTIES VOL. 49, NO. 10 MAY 15, 2017

Omnibus budget bill good news for counties

By Austin Igleheart
legislative associate

In recent years, as partisan battles over federal spending have intensified, Congress has been unable to enact stand-alone appropriations bills through the regular appropriations process.

Instead, Congress has started to rely more heavily on year-end omnibus appropriations measures (that combine some or all of the 12 annual spending bills) or continuing resolutions (which fund federal government programs and agencies at prior-year spending levels) to finalize the annual process.

This year was no different

See SPENDING BILL page 2

Rhinos in Ohio? Indeed! Visitors to the Columbus Zoo get a good look at the horned critter, the second-largest land mammal after the elephant. A visit to the world-famous zoo is just one of the many activities for families available during NACo's Annual Conference in Franklin County. Learn more on page 9.

Significant challenges ahead in Senate for ACA overhaul bill

By Brian Bowden
associate legislative director

On May 4, the House narrowly passed the American Health Care Act (AHCA), H.R. 1628, legislation that would reshape the nation's health care system.

The complex legislative package, which has already undergone multiple revisions since first being introduced in March, now goes to the Senate, where it is expected to be significantly changed.

AHCA also faces stricter procedural rules and different policy dynamics in the Senate, where Republicans can only lose two votes. Both chambers must agree on a final bill before it can be sent to President Trump for his signature.

AHCA passed the House by a vote of 217–213, with 20 Republicans and all Democrats opposing the bill. While the legislation would only repeal certain provisions of the Affordable Care Act (ACA) and makes further structural changes to the nation's health care system, it is widely viewed as an effort to "repeal and replace the ACA," a campaign promise made by President Trump and Republican members of Congress.

Senate Majority Leader Mitch McConnell (R-Ky.) has already set up a health care working group of Republican senators, who are meeting regularly to discuss a path forward. Like House Speaker Ryan, he must unite conservative and moderate Republicans. However, he faces an even higher hurdle, only being able to afford to lose two Republican votes, even with Vice President Pence breaking a tie.

On matters of substance, the steep Medicaid cuts and phasedown of the Medicaid expansion in AHCA will be more of an issue for senators, since they are more in sync with their governors. There are 20 Republican senators from states that have expanded Medicaid.

The Senate will grapple with

See ACHA page 4

Administration eliminates USDA Rural Development Undersecretary

By Arthur Scott
associate legislative director
political outreach manager

The Trump Administration significantly repositioned the office of rural development at the Department of Agriculture (USDA), May 11, when Secretary Sonny Perdue announced the creation of a newly minted Trade Undersecretary position to serve within USDA, and the subsequent elimination of the Undersecretary for Rural Development position.

Pitching the shift as an "elevation of rural development," the administration replaced the rural development undersecretary with a "Special Assistant to the Secretary" — a position which does not require Senate confirmation. This is an important distinction to make since Senate conferees are held directly accountable to Congress for their office, scope and mission — special assistants are not.

"Production agriculture is extremely important to both the local and global economy, and we applaud the administration for bolstering this important industry through the creation of a Trade Undersecretary," said NACo Executive Director Matt Chase.

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Most county programs fare well in federal spending bill

From SPENDING BILL page 1

with Congress needing to pass two separate short-term continuing resolutions before finalizing the annual appropriations process.

On May 1, just days before the May 5 shutdown deadline, House and Senate appropriators released the text of a $1.163 trillion, 1,665-page omnibus spending package (H.R. 244) that would fund the federal government through the remainder of FY17.

One trillion dollars of the funds ($1.07 trillion) are considered "base spending" funds, while the remaining $93.5 billion was included for Overseas Contingency Operations and Global War on Terror funding. OCO funding does not count against statutory budget caps.

The spending plan combines the remaining eleven FY17 appropriations bills into one large measure and would provide a slight increase in overall spending from FY16 levels, while keeping base discretionary funding roughly equal.

Under the omnibus, most programs important to counties fare very well. For example, many Department of Agriculture Rural Development and water programs receive funding above or equal to FY16 levels. Water and Waste Disposal Programs, the Rural Community Facilities program and Rural Development Grants all receive slight increases under the omnibus.

Programs under the Department of Housing and Urban Development also generally fare well. The Community Development Block Grant program receives level funding at $3 billion compared to FY16, while the HOME Investment Partnerships program also receives level funding at $950 million.

Although EPA takes a small cut under the omnibus, most programs important to counties receive level funding. For example, the Clean Water State Revolving Fund and the Drinking Water State Revolving Fund, grants to assist with water quality improvements, receives level funding under the omnibus package, as do regional water grant programs and the Leaking Underground Storage Tank Program.

Certain health programs, including the Prevention and Public Health Fund (PPHF) and those to address the nation's mental health crisis, also fared quite well under the spending package.

PPHF, the first dedicated funding stream that was established out of the Affordable Care Act to support community prevention efforts, is fully funded at $1 billion. Efforts to combat the opioid epidemic received $800 million, a more than five-fold increase over FY16. In addition to increased funding for opioids, the omnibus provided level funding, at $1.9 billion, for the Substance Abuse and Mental Health Services Administration's (SAMHSA) Substance Abuse Prevention and Treatment Block Grant; $30 million in increased funding for SAMHSA's Community Mental Health Services Block Grant, for a total of $541.5 million; and an additional $50 million for mental health divided between SAMHSA and the Health Resources and Service Administration.

Human Services programs are largely level-funded. The Low-Income Home Energy Assistance Program, for example, receives level funding of $3.39 billion compared to FY16. The Community Services Block Grant, a NACo-supported program, does receive a cut of $9 million and will be funded at $742 million for FY17. The Head Start program, funded at $9.25 billion through the omnibus, receives an increase of $8.2 million.

State and local homeland security grants, such as those administered by the Federal Emergency Management Agency (FEMA), are also spared major cuts. The State Homeland Security Grant Program ($467 million) and FEMA grants ($2.7 billion) both receive level funding. FEMA Mitigation Program funding, on the other hand, is increased by $600 million to help provide disaster relief to local communities.

Programs of interest to counties under the Department of Justice such as the State Criminal Alien Assistance Program (SCAAP) and Second Chance Act grants are level-funded at $210 million and $68 million, respectively. SCAAP reimburses states and local governments for the cost of incarcerating undocumented immigrants convicted of certain crimes. Second Chance Act grants help reduce recidivism by improving individuals' reintegration into the community after release from incarceration.

County public lands priorities were also addressed in the omnibus, though the bill does not include a reauthorization of the Secure Rural Schools program. The Payments In lieu of Taxes program will be fully funded in FY17, receiving $465 million in the omnibus package.

This is an increase of $15 million over FY16. Further, the omnibus fully funds the 10-year average cost for wildland fire suppression for both the Department of the Interior and the Forest Service. These accounts are funded at $4.2 billion with $407 million in emergency funding.

For transportation-related funding, the omnibus maintains critical programs such as the Essential Air Service and TIGER Grant programs, providing level funding for each. Both had been scheduled for elimination under President Trump's "skinny budget."

The bill also allows $44 billion from the Highway Trust Fund to be used for federal-aid highways. This represents a $905 million increase over FY16. CN

Photo By DeeAshley

SNAP/STATS

COUNTIES WITH MOST BRIDGES

County, State	Number
Harris, Texas	3,749
Los Angeles	3,546
Dallas, Texas	2,992
Maricopa, Ariz	2,665
Tarrant, Texas	2,251

Source: NACo County Explorer

Rural shake-up at USDA

From RURAL page 1

"Yet, In addition to trade, America needs a strong agricultural industry. Farmers and production agriculture need strong, healthy communities with efficient transportation infrastructure, high-speed broadband, affordable water, quality schools and public safety."

USDA Rural Development has a $216 billion portfolio with over 5,000 employees nationwide. Programs under the rural development portfolio provide critical resources and technical assistance for some of the most underserved communities in the country. They help counties ensure the safety and vitality of not only rural America, but the nation at-large, Chase added.

"We support and encourage the efforts to strengthen agricultural trade, but our underserved rural communities also need a robust rural development program to be competitive in a global market. Production agriculture and rural development are two distinct pieces of the puzzle that must both be in place to result in success for rural America," said Wise County, Texas Judge J.D. Clark, chair of NACo's Rural Action Caucus.

Agency representatives, citing the Department of Agriculture Reorganization Act of 1994, originally reported USDA

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NATIONAL ASSOCIATION *of* COUNTIES NACo

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Counties fighting ‘dark store’ math by big box retailers

By Mary Ann Barton
senior staff writer

After striking out in the state Senate last year, Michigan counties are once again trying to get legislation passed that would level the playing field when it comes to how they assess big box store properties.

Large chain stores such as Lowe’s, Home Depot and Target have challenged their property tax assessments — and won — resulting in huge losses to counties in Michigan, and the practice appears to be spreading to other states including Indiana, Kansas, New Hampshire, New York, Texas and Wisconsin.

When the big box stores win, counties lose. In Michigan, it’s to the tune of $100 million in lost property tax revenue since 2013, according to the Michigan Association of County Treasurers.

“Our fear is, where does this end?” said Marquette County, Mich. Administrator Scott Erbisch. “They’re shifting the buck to Mom ’n Pop businesses and residents.”

While still doing business, the stores argue their properties are worth much less, the same as a vacant “dark store.” The stores, they argue, are not as valuable because of deed restrictions that they placed on the properties themselves so competitors can’t locate there.

Unveiling his bill at a Michigan Municipal League meeting earlier this spring, state Rep. David Maturen, a real estate appraiser and former county board chair and commissioner in Kalamazoo County, gave examples of the practice and how it is hurting local communities.

In Kalamazoo County, he said, Costco spent $17.5 million to open a new store but argued it was only worth $4 million.

“Multiply $100,000 times every big-box store in this state and all of a sudden there’s some major money out there…that should be going to police and fire and schools, and every other service that’s provided,” he said.

Maturen’s bill would require the Michigan Tax Tribunal — when it hears challenges to local property tax assessments — to apply “standard appraisal procedures when reaching their findings of facts and conclusions of law in larger property tax cases.” A similar bill passed the Michigan House last year 97–11 but never made it out of a Senate committee for a vote.

The proposed legislation is facing steep opposition from the Michigan Chamber of Commerce, which said that it is strongly opposed to “legislation being pushed by local government tax collectors to rig the assessment and appeals system against taxpayers and in favor of local governments.”

But a smaller group of chambers, the Northern Michigan Chamber Alliance, is supporting the legislation. The bill is awaiting a hearing in the House Tax Policy Committee.

Indiana Awaits Legislative Fix

Two years ago, counties in Indiana were successful in helping get legislation passed that restricts “dark store” math, but stores have challenged the measures. Elkhart County recently refunded $3.1 million to three retailers, after those companies won appeals with the Indiana Board of Tax Review.

Last month, the Indiana Supreme Court dealt a major blow to counties when it refused to hear a case involving Howard County and Kohl’s department store.

That means a previous state tax court ruling stands, in favor of Kohl’s.

“We had to refund about $219,000 to Kohl’s,” said Howard County Assessor Mindy Heady. The county spent about $175,000 fighting the case. “It makes our job hard. We’re just trying to be fair and equitable,” she said.

Pending appeals in counties across the state include several CVS stores, Lowe’s, and other retailers.

But counties are holding their powder. A revision they hope has put more teeth into the law will likely be tested soon, according to David Bottorff, executive director, Association of Indiana Counties.

Bottorff said a revised rule expected from the state Department of Local Government Finance deals with market segmentation and is designed to focus interpretation of assessments. It says that a property must be compared to similar properties.

Lawyers for big box stores and other retail chains have been comparing up-and-running properties with rundown abandoned stores.

Bottorf hopes this tweak to the regulations will lead to a win for counties in one of the challenges working their way through the state.

Wisconsin Fighting Back

The Wisconsin Counties Association is urging counties to pass a resolution supporting proposed legislation to prevent “a significant tax shift from commercial to residential property tax payers.”

Earlier this month, state lawmakers unveiled their proposals, which said “vacant dark stores cannot be compared to open stores,” and that assessors must use comparable properties with regard to age, location, design and condition.

See DARK STORES page 8

Trump eliminates Rural Development Undersecretary position

From RURAL page 2

was limited to maintaining a total of seven undersecretaries with independent mission areas. However, according to the Office of General Counsel, the secretary actually has full authority to add or eliminate any number of Undersecretaries at will under the Agricultural Act of 1954.

Confusion Mounts

The reorganization is only one part of a series of events causing concern among rural stakeholders. President Trump's "skinny budget" proposal to Congress included the entire elimination of the Community Development Block Grant (CDBG) program, the Rural Business Cooperative Service and the Rural Water Wastewater Program.

These programs help counties make critical investments in the nation's workforce and infrastructure. Additionally, President Trump signed an executive order that eliminated the previous administration's White House Rural Council replacing it with the "Interagency Task Force on Agriculture and Rural Prosperity" – a task force that will focus more on bolstering production agriculture as the primary driver for rural prosperity. Additionally, according to numerous Hill staff attending the May 11 briefing ahead of the secretary's announcement, USDA officials are pointing at this reorganization as a "down payment on future plans" and expect this "streamlining" to continue through the FY18 and FY19 appropriations processes.

"Rural America should not have to choose between production agriculture and critical economic development investments. We need core services and programs aimed directly at addressing the unique and diverse needs of rural counties," Judge Clark said. CN

House passes bill to repeal, replace ACA

From ACHA page 1

balancing how to preserve tax cuts in the AHCA while trying to restore health protections. Both typically drive up federal deficits, and the final package must in fact reduce the federal deficit over the next 10 years to comply with the budget reconciliation requirements.

If the Senate can get an altered version of AHCA passed over the next few months, as it plans to do, differences would have to be reconciled with the House through the conference committee process before a bill could be passed and signed into law.

A Complicated Path to Passage

AHCA has faced multiple fits and starts, including a pulled vote in late March, before Republicans negotiated additional amendments to win over different factions of their party. Originally the bill was scheduled to be voted on March 23, the seven-year anniversary of the signing of the ACA. Still lacking the votes, another change was made to the bill with a vote scheduled for March 24. However, at the last moment, Speaker Paul Ryan announced they were pulling the vote on the House floor because they still did not have the votes necessary for passage.

On April 6, immediately before Congress left for a two-week recess, an amendment was offered by Reps. Gary Palmer (R-Ala.) and David Schweikert (R-Ariz.) that would appropriate $15 billion over the next nine years to create a federal "invisible risk-sharing" program to supplement a patient stability fund included in the original AHCA. Coming off the recess after facing constituents in town halls, House leadership was eager to bring AHCA back to life.

To win support from the Freedom Caucus, Rep. Tom MacArthur (R-N.J.), a member of the moderate Republican group known as the Tuesday Group, negotiated with Freedom Caucus Leader Rep. Mark Meadows (R-N.C.) on an amendment on April 25 to allow states to opt out of certain ACA insurance regulations. For instance, states could opt out of ACA's essential health benefits, which require insurers to cover 10 main benefits, including maternity and newborn care as well as mental health and substance abuse disorder services. The amendment would also let states waive the requirement that prevents insurers from charging enrollees more based on their medical history or pre-existing conditions.

While the "MacArthur Amendment" gained support from the Freedom Caucus, it still failed to gain enough votes from Republicans, who were primarily concerned about the ability of states to waive requirements to cover pre-existing conditions. In response, Rep. Fred Upton (R-Mich.), one of the most influential holdouts, negotiated an amendment on May 3 that would add $8 billion over five years to high-risk pools, through which states can subsidize more expensive premiums for people with pre-existing conditions. While it is debatable if this would be enough money or effective, it was enough to win over enough Republicans, including key moderates.

President Trump and the House celebrated immediately at the White House, intent on moving on other priorities such as tax reform as they punt the heath care bill over to the Senate. Immediately key Republican Senators including Dean Heller (R-Nev.) and Rob Portman (R-Ohio) issued statements signaling their concerns with the current version of AHCA.

Under procedural rules, the Senate cannot officially take up the package until CBO scores the final package, which is currently expected the week of May 22 at the earliest.

NACo will continue to monitor developments and work with members of the Senate, the administration, states, and other partners to ensure counties can continue to serve the health needs of residents in any final legislative package. "We remain ready to identify strategies to strengthen our nation's health system by improving health outcomes and access to care while being responsible stewards of local taxpayer dollars," NACo Executive Director Matt Chase said. CN

KEY PROVISIONS OF THE AHCA

While the final version of the House-passed AHCA is still being scored, an earlier estimate by the Congressional Budget Office (CBO) projected that AHCA, in sum, would reduce the federal deficit by approximately $150 billion over the next 10 years.

This would be achieved by cutting over $800 billion to the Medicaid program over the next 10 years, or approximately 25 percent of federal support. The replacement of ACA's subsidies and tax credits with a new age-based tax credit, provides additional savings.

These provisions, according to the CBO, would result in 24 million fewer Americans having health coverage, including 14 million fewer Medicaid beneficiaries, by 2026.

AHCA would eliminate approximately $900 billion in taxes imposed by the ACA on high-income earners and health care providers or insurers.

While AHCA is very complex and will face additional changes in the Senate, the current bill:

- Structurally changes the core Medicaid program by converting federal funding for Medicaid into a per capita cap or block grant starting in 2020. (Currently, states are guaranteed at least $1 in federal funds for every $1 in state spending on the program.)
- Phases out enhanced federal funding for 32 states that expanded Medicaid— eliminating entirely in 2020 — and prohibits new enrollees under expansion criteria.
- Adds a state option to require work as a condition of eligibility for nondisabled, nonelderly, nonpregnant Medicaid adults.
- Repeals funding for the Prevention and Public Health Fund (annually provides approximately $1 billion for public health) at the end of FY18.
- Eliminates most taxes and tax increases imposed by the ACA (the Cadillac tax, which has already been delayed until 2020 is further suspended until 2025).
- Removes the individual and employer mandates immediately.
- Imposes a penalty on individuals who do not maintain continuous coverage.
- Allows states to waive ACA's essential health benefit requirements for health plans in individual and small group markets such as emergency services, maternity and newborn care, mental health and substance abuse treatment.
- Allows states to obtain waivers that would allow insurers to charge higher rates to individuals with preexisting conditions under certain circumstances.
- Ends the ACA's subsidies and tax credits for people with incomes up to 400 percent of the poverty line as of 2020 and replaces them with age-adjusted fixed-dollar tax credits not based on income.
- Allows insurers to charge older customers in the individual and small group market as much five times higher as young adults (age rating ratio of 1 to 5), as opposed to the ACA's limit of three times as much.

Remote sales tax bills reintroduced

By Jack Peterson
associate legislative director

Bipartisan coalitions in both the Senate and the House reintroduced two remote sales tax bills on April 27: S. 976, the Marketplace Fairness Act (MFA) of 2017, and H.R. 2193, the Remote Transactions Parity Act (RTPA) of 2017. Both bills were introduced during the 114th Congress, and MFA was passed by the Senate in the 113th Congress.

NACo supports both bills, which would allow states and counties to enforce existing sales tax laws and collect taxes on remote purchases. In 2016, the top three U.S. internet retailers — Amazon.com, Wal-Mart Stores Inc. and Apple Inc. — had sales of $65.5 billion. Total U.S. e-commerce sales for 2016 were tagged at $322.17 billion. In 2000, U.S. e-commerce sales weighed in at $27.1 billion.

Legislation to allow the collection of sales tax on remote sales has been a longstanding priority for NACo. The current inability of states and local governments to collect existing sales taxes is the result of two, decades-old Supreme Court decisions, *National Bellas Hess v. Department of Revenue* (1967) and *Quill Corp. v. North Dakota* (1992).

Even though the *Quill* decision, which states that a business must have a physical presence in a state before the state can require it to collect sales taxes, upheld *Bellas Hess*, the court also held that Congress ultimately has the authority to regulate interstate commerce and could overrule the decision through legislation.

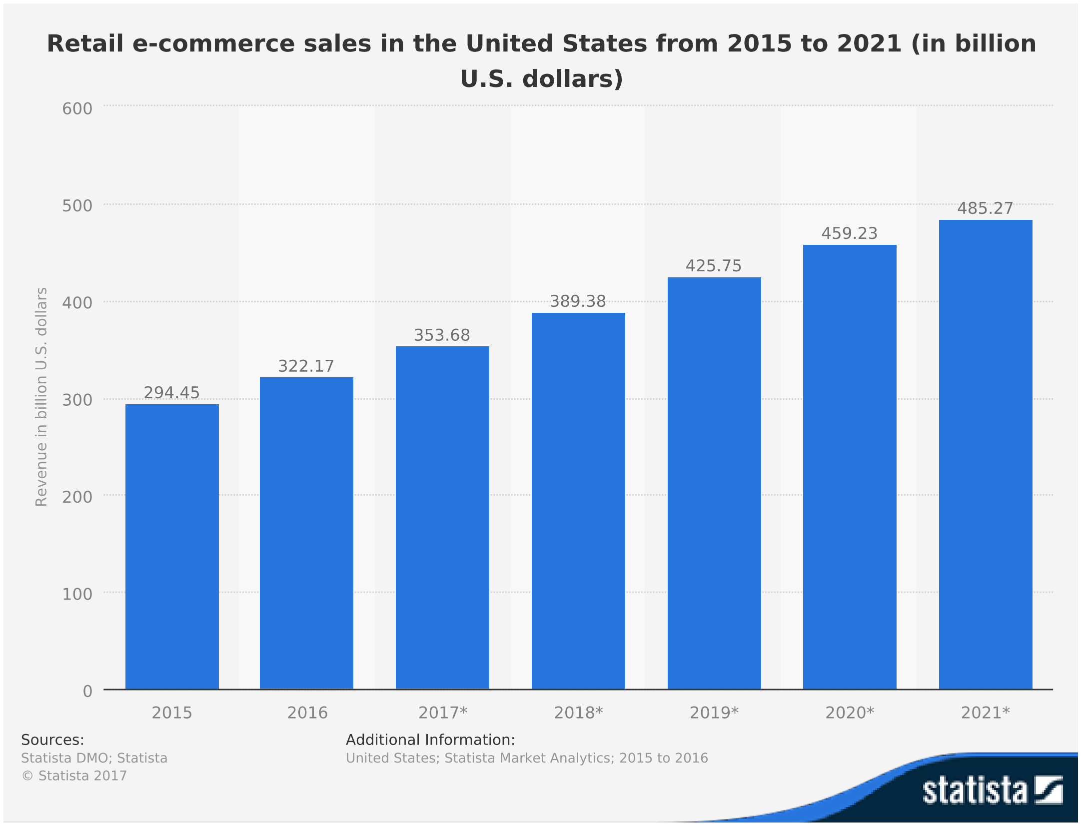
MFA and RTPA would not automatically give states and local governments the authority to collect existing sales taxes. To exercise this authority, states and local governments would need to simplify sales and use tax administration through one of two options: adoption of the Streamlined Sales and Use Tax Agreement, where participating states have already implemented simplification measures, or adoption of measures to meet minimum simplification requirements detailed in the bill.

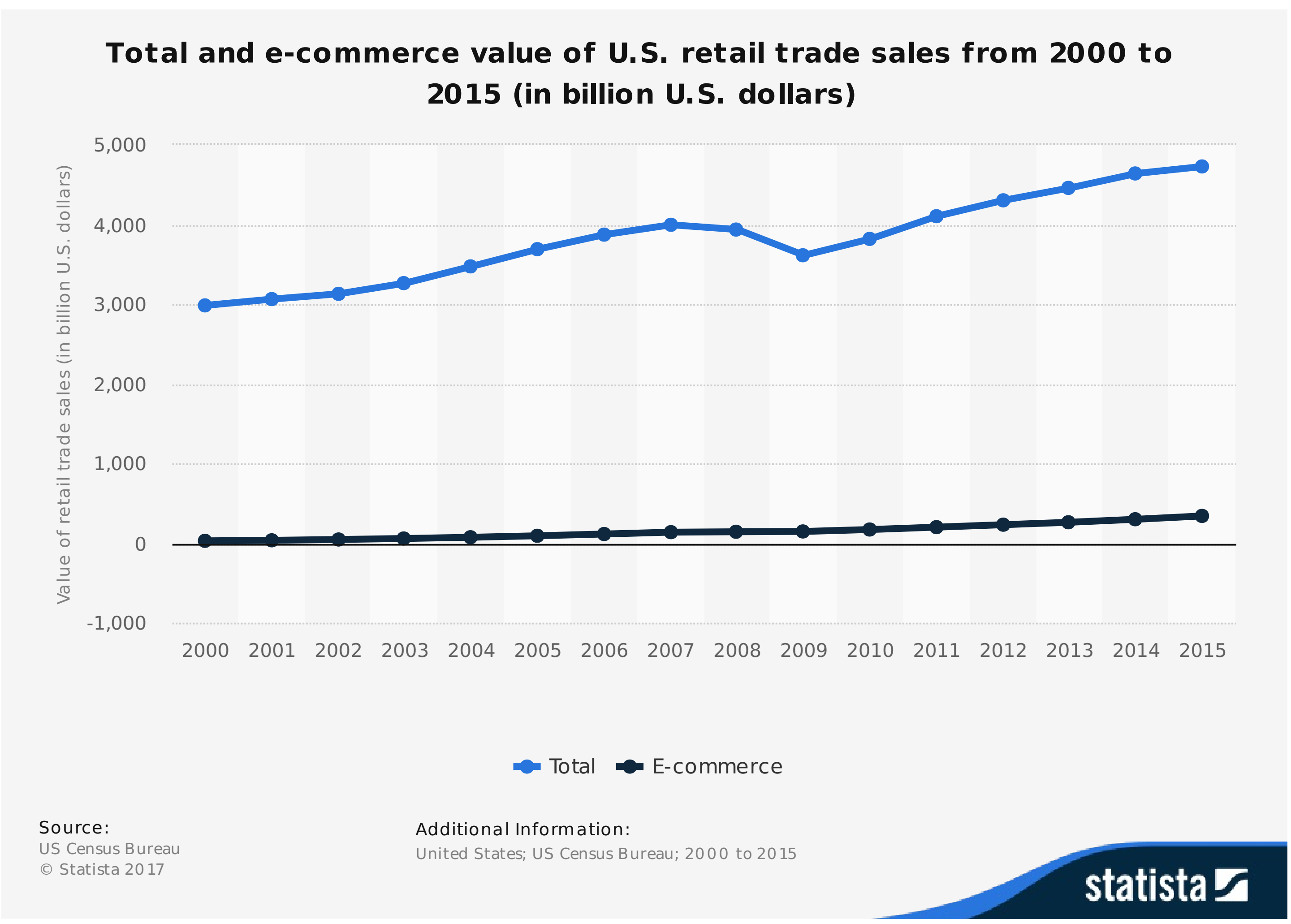
MFA will be referred to the Senate Finance Committee, while RTPA will go to the House Judiciary Committee, where it has faced opposition in the past from Chairman Bob Goodlatte (R-Va.). There is not a clear timeline for action in either chamber.

Meanwhile, other House members are working on legislation that would codify the *Quill* decision, effectively requiring that sellers have a physical presence in a state for states and counties to be able to enforce sales tax collection on online purchases.

In the absence of federal legislative action, multiple states have passed their own bills forcing the collection of remote sales taxes. These bills are facing legal action, and some court challenges could make their way to the Supreme Court as early as 2018. This would give the Supreme Court the opportunity to review the *Quill* decision and determine if it is still relevant for today's marketplace.

NACo and other state and local government organizations released a joint statement April 28 commending the introduction of MFA and RTPA and urging their passage, noting: "Without the ability to enforce existing sales and use taxes on remote purchases, states and local governments lose billions each year, which could be used to reduce other taxes and invest in infrastructure, education, public safety and other services that improve residents' quality of life." CN





Bipartisan bills introduced to reauthorize Secure Rural Schools funding

By Austin Igleheart
legislative associate

Sens. Orrin Hatch (R-Utah) and Ron Wyden (D-Ore.), the chair and ranking member of the Senate Finance Committee, have introduced legislation (S. 1027) that would extend the Secure Rural Schools (SRS) program for an additional two years. Identical legislation (H.R. 2340) was also introduced in the House by Reps. Cathy McMorris Rodgers (R-Wash.) and Suzanne Bonamici (D-Ore.).

SRS payments — $296.6 million in FY15 — help provide stability for forest counties and school districts affected by reduced revenue due to federal policies that have significantly curtailed federal timber receipts.

The payments support public schools and teachers, public roads, forest health projects, essential search and rescue and emergency services, and other essential services in counties that contain federal forests within their jurisdictions. Approximately 700 counties receive SRS funds.

> When the SRS program lapsed in FY14, forest counties saw a more than 80 percent reduction in forest payments.

Historically, rural communities and schools have relied on a share of receipts from timber harvests to supplement local funding for education services and roads. During the 1980s, national policies substantially diminished the revenue-generating activity permitted in these forests. The resulting steep decline in timber sales decreased the revenues that rural counties and school districts received from forest management activities.

In response to this decline, SRS was enacted in 2000 (P.L. 106-393) to stabilize payments to counties and to compensate for lost revenues. When the SRS program lapsed in FY14, forest counties saw a more than 80 percent reduction in forest payments.

NACo has sent letters to Chairman Hatch and Ranking Member Wyden, as well as to Reps. McMorris Rodgers and Bonamici, in support of both S. 1027 and H.R. 2340.

The letters highlight the critical need for SRS reauthorization and the severe challenges counties will face if Congress fails to renew this longstanding federal obligation.

Currently, the Senate bill has 16 co-sponsors, all from Western states except for Sen. Joe Manchin (D-W.Va.), while the House measure has five co-sponsors, three Democrats and two Republicans. CN

WORD SEARCH

MONMOUTH COUNTY, N.J.
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Created by: Mary Ann Barton

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ATLANTIC OCEAN The county has 27 miles of Atlantic coastline.

BATTLE OF MONMOUTH An American Revolutionary War battle fought June 28, 1778 in the county.

COMFI Ranked #1 restaurant in the county on Yelp.

DUTCH The county was predominantly under Dutch influence from 1614 to 1664.

FREEHOLD BOROUGH County seat.

GAS No one pumps their own gas in New Jersey.

GARDEN STATE PARKWAY A 172.4-mile parkway that stretches the length of the state and runs through the county.

GEORGE WASHINGTON The general's soldiers battled the British in the longest land battle of the American Revolutionary War, in the county.

HENRY HUDSON English navigator who spotted land in 1609 in what is now the county.

JERSEY SHORE Monmouth is the northernmost county along the shore.

JON BON JOVI Rock musician from the area.

LENAPE Native Americans who lived in the area.

MIDDLETOWN The oldest settlement in New Jersey, in the county.

BRUCE SPRINGSTEEN Rock musician from the area.

TWIN LIGHTS Former lighthouse and museum overlooking Sandy Hook Bay.

PROFILES IN SERVICE

BOB FOX
Board of Directors Commissioner
Renville County, Minn.

Fox

Number of years involved in NACo: 12 years.

Years in Public Service: 27 years of public service - township supervisor (12 years) and county commissioner (15 years).

Occupation: Agriculture and county commissioner.

Education: Willmar Community College and South Dakota State University (GO BIG BLUE!).

The hardest thing I've ever done: Surviving farming in the 1980s.

Three people (living or dead) I'd invite to dinner: Abraham Lincoln, Franklin D. Roosevelt, Richard Allen (my grandfather who passed away before I was born, but was the last member of my family to leave Queenstown, Ireland, which is now known as Cobh, County Cork).

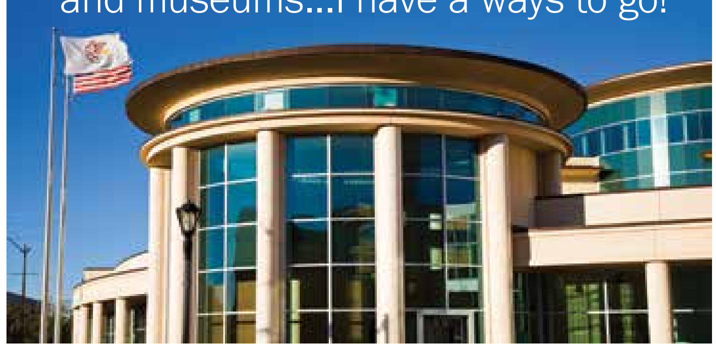
You'd be surprised to learn that I: Prefer rock 'n' roll music to country.

My favorite way to relax is to: Watch a baseball game or walk to check crops or enjoy the great outdoors of rural America.

I'm most proud of: Having the privilege to develop and promote the ethanol industry in Minnesota; and along with community members from my hometown, identified the need for a local daycare center and assisted with the construction, operation and partnership with our local school district.

Every morning I read: Four regional newspapers, as well as multiple national newspapers.

A dream I have is to:
Visit all of the presidential libraries and museums...I have a ways to go!



My favorite meal is: Grilled beef, pork or salmon, fresh vegetables from my vegetable garden or local farmers market.

My pet peeve is: People who complain about an issue, but don't want to help change or improve the situation.

My motto is: Take the world as it is, but leave it better.

The last book I read was: *Sundown at Sunrise* by Marty Seifert. A historical fiction based on a true story of a gruesome ax murder that occurred on a farm in southwestern Minnesota 100 years ago.

My favorite movie is: *Butch Cassidy and the Sundance Kid*.

My favorite music is: Rock from the 1960s – '80s.

My favorite U.S. President is: Abraham Lincoln.

My county is a NACo member because: Small, rural counties need and rely on NACo's partnership to help make their community better.

COMMENTARY

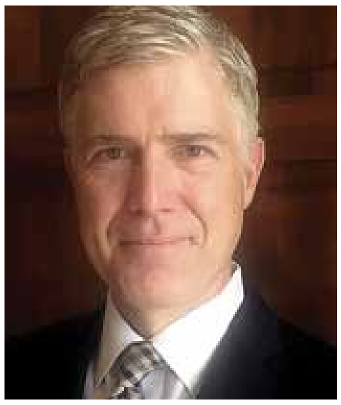
Confirmation by fire: How might the confirmation process affect Justice Gorsuch?

By Lisa Soronen
SLLC executive director

Justice Neil Gorsuch is certainly aware of the fact that his confirmation was one of the most politically driven in recent memory.

Only time, and perhaps his idiosyncrasies on the bench, will tell us whether, like Chief Justice John Roberts, Gorsuch is concerned about the court's being perceived as apolitical.

It is difficult for those of us who treasure our democracy and our legal system in particular to accept the notion that Supreme Court justices — and even regular old judges — are chosen for political reasons. We want to believe that our judges dole out the law evenly, intelligently, and objectively and are picked based on their perceived ability to do so — with justice as the end result.


Gorsuch

But beyond the thin veneer of choosing someone with stellar academic credentials who has had an impressive legal career, politics always looms large in the selection of Supreme Court justices. This is as much because a president doesn't want to see measures he worked on overturned and wants his political party to succeed, as it is that Supreme Court justices are a key part of a president's legacy. A 49-year-old justice like Gorsuch may sit on the court for 30 years.

It is impossible to deny that politics played a significant role in the selection of Justice Gorsuch. President Obama never would have nominated Merrick Garland, a 63-year-old moderate white man, had Republicans not said they would hold no confirmation hearings no matter who Obama nominated. While Republicans claimed they wanted "the people" to pick the next Supreme Court justice, they were very quick to congratulate themselves on the effectiveness rather than the correctness of not holding confirmation hearings for Garland when Donald Trump won the election.

Candidate Trump came up with two lists of 21 people from which he vowed to choose for Supreme Court nominations. To come up with these lists, he let voters know he sought input from two conservative organizations, the Federalist Society and the Heritage Foundation. It was no coincidence that all but one person on the lists were current judges with long track records to avoid "another Justice Souter." It also may not be a coincidence that the person chosen — Justice Gorsuch — was one of the two judges on the lists the authors of *Searching for Scalia* considered to be the most Scalia-like.

And of course, Gorsuch was confirmed only after Senate Republicans deployed the "nuclear option," meaning Supreme Court nominees may advance with the vote of a simple majority. The former 60-vote threshold made it more likely nominees would have to garner wide bipartisan support to be confirmed.

Will the fact that Gorsuch was confirmed in such a politically charged environment affect him and how he votes on the court, particularly in cases affecting states and local governments?

He soon will be tested in big cases. At some point the Supreme Court will rule on the legality of President Obama's or President Trump's Clean Power Plan and the "waters of the United States" definitional rule.

No matter how he votes or what he writes it will be impossible to know his true motivations. For example, in these particular cases his votes may have more to do with how he feels about federalism, agency deference and environmental regulation or protection than whether he is a liberal or a conservative, or whether he feels any loyalty to the president who nominated him.

Court observers have speculated Roberts voted to uphold the Affordable Care Act's individual mandate to protect the institutional integrity of the court. Roberts may have feared the court would have looked like a political body if the five conservative-leaning justices, all appointed by Republican presidents, struck down the Democratic president's signature piece of legislation.

If one looks closer at Roberts' record, they will find other more subtle idiosyncrasies, which possibly indicate that he is generally concerned about the court's institutional integrity as a non-political branch of government.

Specifically, Roberts rarely joins the concurring and dissenting opinions of his more conservative colleagues, Samuel Alito and Clarence Thomas, perhaps simply because he is less conservative than they are. But more subtlety, I can't help believe that when he assigns himself opinions in small cases involving racial bias, where the court rules in favor of the person who experienced that bias, as he has done this term, *Buck v. Davis*, and last term, *Foster v. Chatman*, that he isn't saying something — conservatives care deeply about irradiating racial bias too.

I expect Justice Gorsuch, like Roberts, in general to be a reliable conservative. But as Justice Gorsuch's idiosyncrasies become clearer over the years, they may reflect his concern for the court as an institution, just as the Chief Justice's idiosyncrasies may reflect the same.

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

ON THE MOVE

NACo OFFICERS AND COUNTY OFFICIALS

• NACo First Vice President **Roy Charles Brooks** spoke May 9 at the Association of Oregon Counties Stepping Up Summit in Marion County (Salem).

• NACo Board member, Women of NACo president and Wayne County, Mich. Commission Vice Chair **Alisha Bell**, was a featured speaker May 2 at the 2017 Governing Michigan Leadership Forum in the state capital, Lansing. Bell participated on a women's leadership panel that also included mayors from Grand Rapids and Pontiac as well as the director of the Michigan Department of Environmental Quality.


Brooks

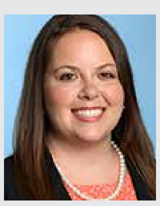
NACo STAFF

• **Matt Chase**, executive director, spoke at the Southern Counties Conference held May 15–16 in Buncombe County (Asheville), N.C.

• **Emilia Istrate**, managing director, NACo Counties Futures Lab, served as a moderator for several sessions at the Census Bureau's ACS Data Users Conference May 11–12 in Alexandria, Va. She also briefed participants on how counties use American Community Survey (ACS) data.


Istrate

• **Nastassia Walsh**, program manager, moderated a panel discussion May 9 by county officials from Buncombe, Alamance and Pitt counties on Stepping Up efforts at the *Practice Improvement Collaborative: Stepping Up in North Carolina* meeting.

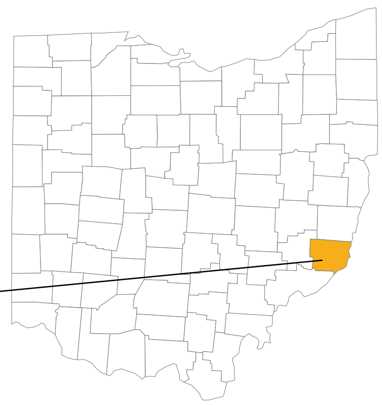

Walsh

• **Christina Iskandar**, program director, discussed the importance of NACo membership, how the County Futures Lab can help counties and pointers on navigating and using County Explorer for advocacy April 20 at the Delaware State Association of Counties' Quarterly Dinner in Kent County (Dover).


Iskandar

New NACo Member

GET TO KNOW…



Monroe County, Ohio

Welcome, Monroe County, Ohio

Monroe County was named for James Monroe, who served as the U.S. secretary of state when the country was established and later became the fifth president of the United States. Although it is the second least populated county in Ohio, **Monroe County pulls in a great deal of motor enthusiasts thanks to the 'Demon's Triangle', one of the most challenging motorcycle routes in the country.**

'Our fear is: Where does this end?'

From DARK STORES page 3

A Win for Bexar County, Texas

Earlier this year, a Bexar County arbitration panel sided with the county when it rejected Lowe's attempt to value some of their stores in the county as if they were empty. "Texas law does not support the notion that appraisal of the subject properties should be conducted as if they were vacant," the panel wrote.

The company is suing Bexar County to try to cut its property bill in half for 10 of its stores in the area. The non-binding decision by the arbitration panel, which looked at the value of four of the 10 stores, means Lowes can still challenge Bexar County in court. The county, which spent $300,000 on legal fees, has estimated a loss of $850 million in property tax revenue for 2015 and 2016 tax years.

Dallas, Harrison and Williamson counties in Texas have all settled with big box retailers, a common practice for local governments fighting this issue, so they don't rack up high legal fees.

Wide acceptance of the dark stores math in Texas could mean a loss of $3.3 billion a year within five years to local governments, according to Glenn Hegar, Texas comptroller of public accounts. "When the burden is shifted to homeowners," he wrote in a recent op-ed, "it will amount to an increase of $311 annually for every home in Texas." CN

Family fun is fundamental at NACo's Annual Conference

Visitors check out a polar bear at the Columbus Zoo and Aquarium in Franklin County, Ohio. Photo by G. Jones

By Germaine Schaeffer
conference director

The NACo Annual Conference and Exposition schedule is full of educational content, committee meetings to set NACo's policy agenda for the next year and networking for attendees. The July dates and location in Franklin County (Columbus), Ohio make it a great place for your family to enjoy a quick get-away while you gain valuable insights to help your county and residents.

If your family is planning on tagging along, here are a few activities to keep them busy.

NACo offers a guest registration category, for a fee of $150–$180, depending on when you register. Guest registration includes attendance at both general sessions, the opening reception and the conference celebration event and access to the exhibit hall. Attendee registrants are also able to add up to four complimentary tickets to the Columbus Clippers baseball game at 7:15 p.m. Friday, July 21 when they register for the meeting.

Franklin County has also set up special activities available only to guest registrants.

Visitors view a Chihuly sculpture at the Franklin Park Conservatory.
Photo courtesy of Franklin Park Conservatory

The three tours are available when registering and include behind-the-scenes tours of the Columbus Zoo and Aquarium and Ohio Stadium at Ohio State University. A guided tour of the Franklin Park Conservatory and Botanical Gardens with time to visit the Columbus Museum of Art is the third guest-only option.

All three tours have a fee of $50 each to cover transportation and entrance fees.

For those who are more adventurous, the neighborhood around the convention center is chock-full of things to do — many of them free. For art lovers, the Pizzuti Collection, located just six blocks from the convention center, features thought-provoking contemporary art that rivals collections in some of America's finest galleries. The museum is open 11 a.m.–5 p.m. Tuesday – Saturday ($12/adult, $10/senior and free for students and children).

Food lovers will want to leave time to visit the North Market, site of NACo's opening reception, where you can explore the maze of more than two dozen local vendors. A local farmers market on Saturday and Peddler's Picnic on Sunday give you reasons to visit the market daily.

For beer lovers, Experience Columbus has put together an "Ale Trail." Brew Books featuring the 29 participating breweries can be found at the information desk at the convention center; getting just four stamps earns you a pint glass.

The annual Columbus Jazz & Rib Fest is scheduled to take place July 21–23 at Bicentennial Park on the Scioto Mile. Offering a variety of jazz performances, the event features a barbeque cook-off between teams from across the country.

You'll want to pack an extra suitcase if your guests participate in the "Made in Cbus Trail." This trail includes 20 businesses, including top-rated distilleries, locally designed clothing and artful home goods. Visitors who purchase an item from at least four of the shops can turn in their booklet for a free "Made in CBUS" T-shirt.

For more ideas on places to visit in Franklin County, visit the Experience Columbus website, *www.experiencecolumbus.com*. Share your favorite Franklin County shop or restaurant with other attendees by using the hashtag #NACoAnn. CN

See the full schedule of events and register today at www.naco.org/annual.

BEHIND THE SEAL

MONMOUTH COUNTY, N.J.

Designed by: Aaron Townsend and Emma Dwight
Introduced in: 2017

Monmouth County redesigned its more than 200-year-old seal last month ending confusion about what had been depicted on its predecessor. Freeholder Director Lillian Burry told the *Asbury Park Press* that the seal had been a topic of discussion for years. Some saw a coffin in the abstract artwork, so the new design — drafted by public information staff — **more clearly depicts a farmer pushing a sleeker, unmistakable plow.**

COUNTY OF MONMOUTH 1683 NEW JERSEY

OTHER ELEMENTS INCLUDE:

Green fields and brown furrows for the county's green space and farmland.

Trees and blue sky to represent the preservation of farms, open space and water.

The year Monmouth County was established — 1683.

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

Rural hospitals face long odds

By Charlie Ban
senior staff writer

Rural hospitals are under siege, battling demographic changes, eroding federal support and state-level decisions. And they're losing.

Since 2010, 80 rural hospitals have closed, and 673 are at risk of closure, according to iVantage Health Analytics, with 210 at "extreme risk." Mounting losses, particularly in the South, are leaving counties without stable economic bases and residents without adequate health care and forcing counties to start helping private hospitals stay in business.

Meanwhile, developing legislation to roll back the Affordable Care Act includes cuts to Medicaid that would, in the words of rural hospital consultant Jimmy Lewis "wipe out rural health care."

The 20 percent of the U.S. population in rural areas tends to be poorer, older and sicker and more expensive to care for. Two-thirds of the patient costs at rural hospitals are paid for by Medicare and Medicaid.

"The Affordable Care Act has served as a mitigating force for these rural hospitals," said Michael Topchik, national leader of the Chartis Center for Rural Health. "In states that have expanded Medicaid, you see a higher median rural operating margin and fewer closures."

But the Kaiser Family Health Foundation says that Medicaid expansion alone isn't enough to save these hospitals.

"A hospital's success is foremost a function of its demographics," said Lewis, CEO of HomeTown Health, LLC. "It takes about 40,000 people in a community to support a rural hospital without subsidies."

Those subsidies may come from counties, and residents in four Georgia counties have voted strongly in nonbinding referenda in support of raising taxes to support independent hospitals.

Quitman County, Miss. is one of those places not favored by demographics. It lost its hospital in September 2016. County Administrator Velma Wilson said the Board of Supervisors found out about the hospital's impending closure two weeks ahead of time.

As in many rural counties, the hospital was the largest employer, in this case supporting 93 full- and part-time workers. For an 8,000-person county, it was significant.

"Even the people who came from other counties to work there, they were spending money here," Wilson said. "It's hard to attract businesses if there's no hospital in town."

The hospital's two doctors were working past their planned retirement ages and several attempts to sell Quitman hospital fell apart. Emergency room costs sealed the demise. Now, the closest medical center is a 30-minute drive away in Coahoma County.

Wilson said the county does not want to get into the hospital business and administer one itself, but supervisors are looking to a different health care delivery model using the existing building.

"If we could reopen as an urgent care facility, maybe an emergency room, that would at least keep people alive until they can get somewhere else," she said.

Lewis said urgent care facilities, while limited, are viable options, but the prospects for stand-alone emergency departments are not good.

Where Lewis does see promise is in the application of telemedicine, serving as triage before transporting patients to appropriate care centers.

"You do that in schools, churches or EMS units," he said. "You can turn ambulances into rolling hospitals. Short of surgery, you can do everything to stabilize someone to get them somewhere else."

Telemedicine's application is limited by internet access and regions without broadband are at a disadvantage, though Lewis said 4G internet hotspots have worked in some cases.

That might be the best option for many counties that can't support a hospital, with the realization that things won't be the way they once were serving as a mental hurdle.

"I think there's a growing sense among rural policy makers that we need to stop the bleeding, but we also probably have to create an alternative path forward that preserves vital, critical services but also recognizes that we can't have a 'hospital' in every community," Topchik said.

Success Stories

The National Rural Health Association's Top 20 Rural Community Hospitals highlight what can help rural hospitals thrive.

Campbell County, Wyo. is home to the Campbell County Memorial Hospital, in which the county has no managing interest, but property taxes help subsidize the hospital. It was one of the National Rural Health Association's 20 featured hospitals, and Commissioner Matt Avery points to the county's strong energy market when explaining why the hospital has been successful.

"When out daughter was born 40 years ago, we had to drive 90 miles to Sheridan County because we didn't have a pediatrician in Campbell County," he said. "That mineral wealth has made all the difference. We wouldn't be able to afford this hospital without it."

David Jahn, CEO of War Memorial Hospital in Chippewa County on Michigan's Upper Peninsula, said his hospital has benefitted from limited competition in neighboring areas, but nothing beats the combination of focusing on safe, quality patient care and customer service.

Things are still tough for Jahn's hospital, which, like many others, relies on government-provided health coverage for most patients.

"It would be great to be in an affluent community with commercial insurance where people pay 50 percent of what you charge," he said. "We're fortunate to get 30 percent of that."

Like Lewis, Jahn sees telemedicine as the key to expanding healthcare.

"That has to expand exponentially in rural areas in the future," he said. "If we don't get on that, it's going to make a lot of the things we try to do obsolete."

Even for a successful rural hospital, War Memorial struggles with recruitment, seeing prospective doctors spurn opportunities there for jobs in cities.

The Policy Picture

Though federal legislation has been written to address rural health care, nothing significant will be done before the future of the American Health Care Act (AHCA) is resolved, said Topchik, from the Chartis Center for Rural Health.

As it stands, the ACHA would cut Medicaid spending by over $800 billion over 10 years, further reducing funding that supports rural hospitals.

"We are likely to see the total size of the pie shrink," he said. "We will see a smaller total amount of reimbursement available for underemployed populations, indigent populations, which will disproportionately affect rural populations."

Lewis laments the weak position rural communities have in the grand scheme of health care overhaul negotiations.

"We're 20 percent of the population — we couldn't sway politics if we wanted to, so where we find ourselves is at the mercy of whoever we can speak the loudest to," he said.

But Topchik sees the rural support for the Republican Party lining up with both Republican and bipartisan legislation written to help rural hospitals.

The Rural Emergency Acute Care Act (REACH), sponsored by Sens. Charles Grassley (R-Iowa) and Cory Gardner (R-Colo.) would create a new Medicare payment designation for rural emergency care. The Save Rural Hospitals Act, introduced by Reps. Sam Graves (R- Mo.) and David Loebsack (D-Iowa) would reverse sequester cuts and preserve or increase federal payments for low-volume and Medicare-dependent hospitals, and delaying some penalties for rural hospitals.

"The political alignment makes something like the Save Rural Hospitals Act look viable," Topchik said. CN

Vanishing tax base for counties?

2017 on pace for record store closings

By Mary Ann Barton
senior staff writer

The days of hanging out at the mall, spending a leisurely day shopping and piling your car trunk full of shopping bags appear to be on the wane as a "perfect storm" of factors align, changing the retail landscape and possibly counties' bottom lines.

Counties across the country could see nearly 9,000 stores close in their communities in 2017, outpacing closures during the recession of 2008, according to a report released recently by brokerage firm Credit Suisse.

The factors leading to store closures include increased shopping online, "overbuilding" of shopping centers in past decades and demographic changes. Here's a look at some of the trends that could mean a hit to counties' budgets.

Store Closings Record

Like many consumers across the country, Belmont County, Ohio's 70,000 residents are noticing fewer brick and mortar retailers in their communities. "We have seen too many store closings in our county," said Belmont County Commissioner Mark Thomas.

"Kmart, Radio Shack, HHGregg, MC Sports have either closed or are in the process of closing," he said. "Unfortunately, the county will be losing Sears, as I am sure they will be closing this or next year."

In McIntosh County, Ga., population 14,000, located halfway between Savannah and Jacksonville, Fla., it's even more dire. The Darien Outlet Center just off of Interstate 95 was thriving 10 years ago, and was about 80 percent occupied. Ten years later, the occupancy is at about 25 percent, and it wasn't just the stores and shoppers that left. The county saw an 80 percent drop in tax revenue, according to the Georgia Chamber of Commerce.

In addition to the stores mentioned by Thomas, other stores across the nation closing locations this year include Macy's (68 stores), J.C. Penney (130 locations), The Limited and American Apparel. Store closures have been announced, since early April, in 2,880 locations, according to the Credit Suisse report.

Analysts note one of the reasons stores are closing: Companies overbuilt shopping centers from 1970 to 2015, when malls grew twice as fast as the U.S. population, according to a report by Cowen and Company.

Impact on County Budgets

What impact do store closures have on county budgets? In Ohio, counties have limited taxing authority, Thomas pointed out, so many counties depend upon sales taxes to help balance their budgets.

"Our sales tax numbers have been down for the past six months and I assume they will continue to go down, for now, until other retailers locate in this vacant space," he said.

The news isn't all gloom and doom. "We had an Elder-Beerman [department store] close here on Feb. 28, but it is being replaced by a Marshall's store."

In Polk County, Mo., Debbi McGinnis, collector of revenue, said: "We know we are losing sales tax revenue, but it's difficult to calculate. Also, while Amazon will now be collecting sales tax in Missouri, we won't get revenue from the Amazon 'marketplace,' (third-party sellers) and that's a huge chunk of business. Our county hasn't yet suffered from a reduction in sales tax but I believe our numbers would be much higher if online purchases were taxed. I believe we are on a slippery slope."

Online Shopping

The elephant in the room is the increasing number of consumers shopping online, with Amazon.com reporting retail sales of $35.7 billion in the first quarter of 2017, up nearly 23 percent from a year ago. Last year, WalMart scored $12.7 billion in e-commerce sales, while Apple and Home Depot reported sales in the $5 billion–$6 billion range.

The 1992 Supreme Court decision in *Quill Corp. vs. North Dakota* prohibits states from imposing sales and use tax collection obligations on vendors that don't have a presence in a state.

As Amazon has grown and began adding warehouses in more locations to fulfill its promises of speedy delivery, it's expanded the number of states where it collects sales taxes. Starting April 1, the retail colossus began collecting sales taxes in the 45 states that levy the tax.

But the picture is still fuzzy as to the amount of sales that counties will see. "While we do see some sales taxes from online retailers like Amazon, I have yet to see an explanation from the State of Ohio, Department of Taxation, on how it is directly getting to Belmont County," Thomas said.

"I do know this though, I can almost guarantee that there is not an apples-to-apples payment from online retailers versus the brick and mortar stores located in Belmont County."

"In the end, too many of us are shopping online and the national retailers are taking a hit that they probably may never recover from in the near and far future," Thomas said. "Con-

See RETAIL page 12

Nearly 9,000 stores to close this year

From RETAIL page 11

sumers' spending habits and options have changed and I really do not see traditional retailing ever returning to its former self."

Demographic, Population Shifts

Large retailers are also the victims of a population shift and changing demographics. Fewer Millennials are flocking to the suburbs, where many regional malls were built in the 1970s and 1980s, according to George Ratiu, director of Quantitative & Commercial Research for the National Association of Realtors.

Ratiu also zeroed in on changing demographics, with more of the U.S. population either shopping high-end retailers or low-end discount stores. Stores such as JC Penney and Sears, that once served the thriving middle-class, are vanishing.

Congress Eyes Legislative Fix

Congress is once again trying to create a level playing field for brick and mortar stores by reintroducing legislation last month that would require remote sellers to collect sales and use taxes.

"The Marketplace Fairness Act is about supporting jobs and services we have in our towns while ensuring states have the ability to collect taxes they are owed, if they choose to," said Sen. Mike Enzi (R-Wyo.), in a statement.

Enzi introduced the bill with Dick Durbin (R-Ill.), Lamar Alexander (R-Tenn.) and Heidi Heitkamp (D-N.D.).

"Right now, thousands of local brick and mortar businesses are forced to do business at a competitive disadvantage because they have to collect sales and use taxes and remote sellers do not," Enzi said.

"This legislation promotes internet fairness by putting Main Street businesses on a level playing field with online retailers," he said.

"In 2013," he noted, "the Senate passed this bill with bipartisan support. It's time to give states the right to enforce their own laws without having to get permission from Washington."

The House has introduced similar legislation; NACo supports both pieces of legislation which would allow states and counties to enforce existing sales tax laws on remote purchases. CN

CAPITAL LOOP

House passes overtime pay change for private sector:

The House passed H.R. 1180, the Working Families Flexibility Act, May 2, which would offer private sector workers the choice of compensatory time (leave) or overtime pay for any extra hours worked.

Bipartisan Secure Rural Schools bills debut in both chambers of Congress

The legislation would extend the now-expired program, which compensates counties for revenue loss due to federal timber management practices, for an additional two years. NACo has written to Sens. Hatch (R-Utah) and Wyden (D-Ore.) as well as Reps. McMorris Rodgers (R-Wash.) and Bonamici (D-Ore.) in support of the bills.

Remote sales tax bills reintroduced in 115th Congress

NACo supports both pieces of legislation, which would allow states and counties to enforce existing sales tax laws on remote and online purchases.

CONGRATULATIONS TO THE 2017 NACo ACHIEVEMENT AWARD WINNERS!

605 WINNING ENTRIES IN COUNTIES ACROSS 29 STATES

BEST IN CATEGORY WINNERS

ARTS AND HISTORIC PRESERVATION
Miami-Dade County Movie & TV Map Tour
Miami-Dade County, Florida

CHILDREN AND YOUTH
Birth to Age Eight Collaborative Initiative
Dakota County, Minn.

CIVIC EDUCATION AND PUBLIC INFORMATION
ISAC Voting in Iowa Video Series
Iowa State Association of Counties

COMMUNITY AND ECONOMIC DEVELOPMENT
Realtor to the Rescue
Oakland County, Mich.

COUNTY ADMINISTRATION AND MANAGEMENT
Implementing a Shared Services Strategy for Information Technology
Orange County, Calif.

CRIMINAL JUSTICE AND PUBLIC SAFETY
Adult Probation Distance Learning
Coconino County, Ariz.

www.naco.org/achievementawards

COUNTY RESILIENCY: INFRASTRUCTURE, ENERGY AND SUSTAINABILITY
LitterTRAK and PGCLitterTRAK- Mobile apps for tracking progress toward cleaner and healthier waterways
Prince George's County, Md.

FINANCIAL MANAGEMENT
Developing a Financial Book Purchasing Model for Public Libraries
Wake County, N.C.

HEALTH
Everyone SWIMS Self Sufficient, Well-being, In House, Mental Health, Services Program
San Bernardino County, Calif.

HUMAN SERVICES
Stand Together: A School-Based Anti-Stigma Peer-to-Peer Initiative
Allegheny County, Pa.

INFORMATION TECHNOLOGY
LEADER Replacement System (LRS)
Los Angeles County, Calif.

LIBRARIES
Cedar-Riverside Community Outreach Program
Hennepin County, Minn.

PARKS AND RECREATION
OUCARES Day Camp and Staff Training
Oakland County, Mich.

PERSONNEL MANAGEMENT, EMPLOYMENT AND TRAINING
Building with our Veterans
Mecklenburg County, N.C.

PLANNING
The District Plan
Adams County, Colo.

RISK AND EMERGENCY MANAGEMENT
Brush Truck and Tanker Retrofit Program through a Public-Public Partnership
Camden County, Ga.

TRANSPORTATION
GovDelivery Incident Alert Service
Macomb County, Mich.

VOLUNTEERS
Community Ambassadors Program
Loudoun County, Va.

Stay tuned for the announcement of the Counties Matter Challenge: Brilliant Ideas at Work winners, which will be revealed at the end of May.

BRIGHT IDEAS | RAMSEY COUNTY, Minn.

'Fix-It' Clinic Keeps Old Items Out of Trash Heap

PROBLEM:

Throwing away household items that could be fixed, adding to landfills.

SOLUTION:

Recruit volunteers to help residents repair small appliances or other items.

By Mary Ann Barton
senior staff writer

A toaster that popped up its last English muffin. A vacuum cleaner that refuses to inhale any more dog hair. An old pair of jeans that are ripped — and not on purpose. All fodder for the junk heap. Sound familiar? Although a broken appliance here or there might not seem like a big deal, 169 million tons of trash end up in landfills and incinerators each year in the United States, according to the Environmental Protection Agency.

While most people will simply give up and throw broken items away, one county is trying to get the message out that fixing things is the greener way to go.

Ramsey County, Minn., started a "Fix It" Clinic program almost two years ago, in July 2015. "We witnessed how successful similar programs had been and saw the need for a program in Ramsey County as well," said Terese Bordeau, an environmental specialist with the county who coordinates the program.

Volunteers first came aboard after seeing informational flyers, newspaper ads and web ads. Word of mouth lured several volunteers to the program as well.

"The clinics themselves are a great marketing tool for volunteering," Bordeau said. "We've had several people who literally drop in to take a look — and perhaps get an item fixed — and decide right then and there to volunteer!"

Volunteers help residents repair old items instead of throwing them out at Ramsey County (Minn.) 'Fix It' Clinic. County photo

Formally, the county makes sure that volunteers review the county's volunteer guidelines and sign a volunteer consent form. As far as screening for particular skills, "it tends to happen on a case-by-case basis," Bordeau said. She suggests potential volunteers attend a clinic "to get a feel for what the fixers do, how the clinics are run and what items are brought in."

The county looks for volunteers with different "fix-it" skills, including general repair, electronics repair and those who sew and mend clothing. "The best fixers tend to be really handy — think MacGyver or some other 'professional tinkerer,'" Bordeau said. "Good fixers are patient, work well in teams and are willing to teach folks about their item while it's being fixed."

The most common items brought to the fix-it clinics tend to be fans, lamps, coffee makers, toasters and other small household appliances. Other popular items include DVD players, printers, radios and turntables. "We have a fixer who is especially adept at fixing sewing machines, so we get a lot of those as well," Bordeau said.

"We've also been promoting sewing and mending lately, so we've seen more clothing and other textiles," she added, such as pillows and backpacks.

Some of the more unique items that have been brought in to be fixed? "Once, we had someone bring in an animatronic deer head, meant to be mounted on the wall," said Bordeau. "That was a fun one. Unfortunately, we weren't able to fix it, but the couple was so thankful we even took a look at it to confirm it wasn't fixable."

"We certainly see a lot of eclectic items," Bordeau said. "When items with a past are brought in, you know they have been and still are dearly loved. That's why I think it has such an impact on folks. Yes, we are keeping items out of the waste stream, but we're also extending the life of an already much-loved and much-used item. Plus, folks are learning a thing or two about repair, which is a positive side effect. This is the true impact!"

Each monthly fix-it clinic attracts approximately 40 to 50 attendees; sometimes more, such as the most recent clinic which brought in 78 people. They are held on Saturday mornings usually at libraries and community centers and last three hours.

"It seems like the word is getting out there," Bordeau said. "It helps that other counties in the Twin Cities have Fix-It Clinic programs, which leads to cross-county marketing."

Is the program successful? Ramsey County collects a lot of data to measure its impact. Since July 2015, the program has kept 828 items, weighing a collective 4,865 pounds, out of the "waste stream." The county also calculates a success rate (the number of items brought in that were repaired). Three out of four items are likely to be successfully repaired.

The county also keeps track of attendee satisfaction, wait time, how they heard about the program, as well as constructive suggestions for improvement.

The program costs $8,600 a year to run not including costs for marketing the clinics.

Bordeau's advice to other counties who may want to start starting their own fix-it clinics:

- Identify a specific staff person to coordinate the program. Consistency is very helpful.
- Piggy-back off what's already been done. There are fix-it clinic-repair café programs popping up all over the United States. While it's helpful to tailor the clinics to the needs of your county, it's also beneficial to see what's already been done and to evolve from there. There's no need to reinvent the wheel.
- Consider grant funding, if available. Dakota County, Minn.'s program began with grant funding, which was pivotal.
- Partner with others, whether it be nearby counties with similar programs, local repair shops, libraries or thrift shops. These partnerships are so beneficial.
- Ask for supply donations. Bordeau asked around for sewing supplies and ended up with a great selection to choose from. Plus, it was free.

The fix-it clinics tend to draw a middle-aged and senior citizen crowd. "I think part of the reason why is that these generations grew up before the 'throw-away culture' really set in," Bordeau said. "Therefore, it makes sense these folks almost inherently have these repair skills (if they are fixers) or feel the drive to repair an item before tossing it in the trash."

But the younger crowd is also known to attend fix-it clinics, Bordeau said. "Being a Millennial myself, I love it when a Millennial walks through the door. I think the market is there, we just need to convert the fix-it message to action. I get the impression Millennials care about the environment," she said, reeling off popular hashtags "#masonjars, #paperless, #roadbikes, #upcycle."

"Even with that said, it can still be a challenge to convince someone to bring in a broken toaster when he or she can easily buy a new one for $10," she said. "It's the traditional cost-benefit conundrum. However, I am hopeful. I think the message will continue to percolate in this particular generation and will eventually lead to action." CN

Note: Dakota and Hennepin counties in Minnesota also sponsor popular fix-it clinics.

NEWS FROM ACROSS THE NATION

Firefighters battle flames from an explosion in a house located near an old oil and gas well in Firestone, Colo. Two people were killed. Photo by Dennis Herrera

COLORADO

ADAMS and **BOULDER** counties called for all **oil and gas companies to shut down and inspect their vertical wells** after a home exploded near a well April 17, killing two people, in the nearby town of Firestone, just north of Denver. The governor ordered all companies to inspect their wells statewide. The home was located less than 200 feet from an older vertical well that investigators blamed for the blast. The oil company shut down the well, along with 3,000 others, as a precaution. *The Denver Post* reports there are 54,000 active oil and gas wells in Colorado and about 48,000 older vertical wells. There are oil and gas wells in 35 states, according to Fractracker Alliance.

ARIZONA

They're not clowning around in **MOHAVE COUNTY**, where supervisors recently voted 3-2 to **ban traveling circuses** because of the way circus animals are treated. Supervisor Steve Moss said he voted for the ban after meeting with animal rights groups. Supervisor Buster Johnson voted against it, questioning whether the county had the authority to ban circuses. Animal Defenders International says that 60 counties and cities have banned the use of animals in traveling circuses. The ban in Mohave County would not affect rodeos, animal shelters or animal sanctuaries.

CALIFORNIA

Protesters surrounded and **shut down the entrance** to the **ALAMEDA COUNTY** Administration Building on May 1, as part of May Day protests. The protesters, which numbered about 150 people, were there to demand an end to the county sheriff's office cooperation with Immigration and Customs Enforcement, or ICE. Most county workers were able to enter the building through the parking garage.

COLORADO

There's a pot of gold in **PUEBLO COUNTY**, where **taxes collected from the sale of recreational marijuana** are being used to help education. The county imposes a 3.5 percent tax on legalized weed, which hit $1.3 billion in sales last year statewide.

The county has $475,000 for cannabis-funded college scholarships, created by a 2015 ballot initiative. The county recently noted they were "the first community in the world to provide a cannabis-funded scholarship to every graduating high school senior." The county will also use tax revenue from pot sales to help expand a needle exchange program for an opioid epidemic assistance program.

GEORGIA

The **GWINNETT COUNTY** Department of Corrections will soon see an increase in the **number of inmates assigned to work crews** in the community — following an amendment to its contract with the Georgia Department of Corrections. The county Board of Commissioners agreed to increase the number of state inmates housed at the county prison from 158 to 222. The state pays the county $20 per inmate per day. "Requests for work details to meet the needs of the community is constant and is increasing, so the timing of the agreement is a blessing," said Warden Darrell Johnson.

The Gwinnett County Department of Corrections decreases the operating costs associated with lawn and grounds maintenance at county parks, fire stations, the Gwinnett Justice and Administration Center, and other government-owned properties. Inmates also work picking up roadside litter and covering up gang-related graffiti.

Supervisors in Mohave County, Ariz., recently voted to ban traveling circuses like this one.
Photo courtesy of Animal Defenders International

IOWA

CERRO GORDO COUNTY has taken its **concerns about a proposed concentrated animal feeding operation** (CAFO) to the governor and Legislature, asking them to reconsider their evaluation. The state's Department of Natural Resources has overruled local concerns about construction, drainage, roads, residential development and the environment when it comes to construction of the hog confinement facilities.

"I'm a big supporter of agriculture, but it's time for the governor and state Legislature to take a look at this," said Tim Latham, a Cerro Gordo County supervisor. Cerro Gordo County is the 11th entity to write the state about environmental concerns associated with the facilities.

KENTUCKY

- Can you hear me now? **BOONE COUNTY** recently voted to **swap out a $33 landline fee for a $75-per-dwelling fee**. The new fee will be issued to all residents and businesses to fund a new emergency dispatch center. The Boone County Fiscal Court voted 3–1 in favor of the new 911 fee. Several residents spoke out about the fee before the vote, saying they thought it was unfair to charge a flat fee instead of charging based on the size of the home or business. Supporters of the new fee say it would provide a more stable revenue source

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than the landline fee, since revenues from such fees have dwindled nationwide. Boone County was subsidizing the shortfall. A new regional communications system will also include neighboring **KENTON** and **CAMPBELL** counties.

● They're seeing a lot of green in their future in **GREENUP COUNTY**, where they expect to **see 550 new jobs** with the building of a $1.3 billion aluminum mill.

The 2.5-million square-foot plant will produce sheet and plate for the auto and aerospace industries. Greenup County Judge/Executive Robert Carpenter said the project will bring new and long-range opportunities. "This project will change the entire region going forward," Carpenter said.

Construction, which will begin next year, will create about 1,000 jobs. Once the plant is built, the average wages for the 550 new jobs will be about $70,000 per year.

MICHIGAN

WASHTENAW COUNTY has seen more than 1,200 residents participate in its **county ID card program** after it launched about two years ago; the county recently reiterated its support for the cards.

"I know that because you are here today, you all understand how important it is that we have strong documentation for our immigrant community to be able to access the community services that we all offer," said Commissioner Conan Smith, holding up his own county ID, as he addressed a group gathered recently at the county clerk's office.

"Over the last several months, however, we've experienced a real change in that environment, and documentation has become increasingly important as a validator of our identity and as a statement about the values that we hold as a community of welcoming everybody here in Washtenaw County," Smith said.

The ID, available for residents ages 14 and older, is intended to provide a means of proving residency and also helps with accessing county programs, services and activities, and providing identification to law enforcement.

NEW MEXICO

With a demand for oil and gas workers prompting construction of mass housing, **EDDY COUNTY** has enacted a three-month **moratorium on "man camps"** to allow officials to address relevant regulations.

The *Current-Argus* reported that residents have been airing concerns about the increased burden on water and electric utilities, large vehicles for both construction and transportation and a lack of commitment to the community from temporary workers.

County officials have struggled to collect taxes from the camps as they continue to develop in increasing numbers, unable to tabulate the exact number of parks or guests.

● A new **Victims Service Alliance**, composed of crime victims, advocates and the district attorney, will come to the aid of victims of crime in **BERNALILLO COUNTY**.

"They'll have an opportunity to serve, they'll have an opportunity to help victims of violent crimes and people who are trying to navigate the criminal justice system," District Attorney Raul Torrez told KRQE News.

OHIO

The **SUMMIT COUNTY** Probate Court has produced a video helping **parents of developmentally disabled children** plan for their child's transition to adulthood.

During the 39-minute-long video, *Guardianship: As Your Special Needs Child Becomes an Adult,* Probate Court Judge Elinore Marsh Stormer takes two families through the process of becoming the legal guardians to their children.

The Ohio Supreme Court mandates Guardian training.

OKLAHOMA

County budget committees received letters from the state government that it would **no longer pay utility bills** for county courthouses. Money collected from fees, court costs and other revenue sources goes to the state, which later disperses it to other agencies, such as the Highway Patrol, the *Duncan Banner* reported.

PENNSYLVANIA

● Concern over **lead exposure** has prompted the **ALLEGHENY COUNTY** Health Department to recommend mandatory testing for 1- and 2-year-olds.

Children in high-risk environments will be tested annually for six years, the *Pittsburgh Tribune-Review* reported. More than 60 percent of houses in the county were built before 1960, when lead paint was prevalent.

The recommendation will go to County Council.

● The **CUMBERLAND COUNTY** commission will will take up the Redevelopment Authority's proposed a $15 fee to every home sale to **fund blight prevention efforts**.

The money would pay to fix and demolish condemned buildings.

A six-person panel would decide which of the counties dozens of condemned building would be addressed, WHTM News reported.

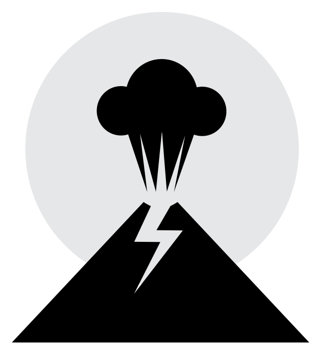
UTAH

The **SAN JUAN COUNTY** Commission told Interior Secretary Ryan Zinke that the National Monument protection for **Bears Ears** is not necessary thanks to other protections already in place, according to the *Salt Lake Tribune*. Zinke is reviewing large monument designations from the last three administrations.

President Obama created the monument in December 2016, protecting more than 1.3 million acres on land managed by the Bureau of Land Management, the Forest Service and five local Native American tribes

VIRGINIA

Gov. Terry McAuliffe (D) has signed a bill into law overriding **ARLINGTON COUNTY**'s "real-time authorization" of automobile towing that required businesses to authorize each individual **towing** from their property during business hours. The bill also calls for towing operators to notify the local animal control office when a car is towed with a pet inside, according to *ARLnow.com*.



WASHINGTON

The threat of **volcanic eruptions** from Mount Rainier and Mount St. Helens has prompted **PIERCE COUNTY** to consult with experts from Colombia, who visited both volcanos. Those conversations helped inform the county's preparedness, which also included a public question and answer session with experts from both counties, according to KIRO News.

SNOHOMISH COUNTY, WASH.'s Paine Field Community Park now includes a high ropes course operated by a private company. A 12-year lease will pay the county $500,000 and offer a new recreational opportunity.

The course, 55 feet off the ground, includes obstacles and zip lines, but is accessible to novices. Children younger than 11 have access to a ground course. The course is self-guided, and is described as a choose-your-own adventure approach. Photo courtesy of High Trek Adventure

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

the HR DOCTOR
with Philpot & Winkeler

Your Workplace, a Place of Wellness

For some, the word "wellness" can create an image of exercise and biometric data. For others, it may conjure the image of students in a yoga class. While those may be elements, wellness, in fact, encompasses so much more than physical health. Matters of wellness also include stress, work-life balance, sleep, safety, financial knowledge and anything else that may affect one's physical, social, and emotional well-being. Ultimately, wellness encompasses the health of body and mind.

Employer wellness programs should reflect the holistic nature of the term "wellness." How does an organization create a culture of wellness and create an effective wellness program? First, consider what a well-rounded wellness program might entail. A complete wellness program might include social activities, such as team competitions, steps-of-the-month club, weekly yoga classes or potlucks with healthy recipes. To address work-related or other stress, employers may use their programs to set up walking meetings, lunchtime bike rides or teach relaxation techniques.

Employees don't need to become triathletes to be wellness warriors. Small modifications, such as cutting back on sugar, developing a walking routine or learning about mindfulness, may be a huge lifestyle change that employees can commit to maintaining long term. Similarly, wellness programs don't require huge rewards; employers don't have to compete with "The Price Is Right" to make it fun. Solicit donations, make certificates, create friendly competitions, and publish success stories in your electronic newsletter.

The most important things are to:

- Get employees thinking about wellness.
- Get employees to try new things that may have wellness results.
- Create opportunities for employees to find long-term lifestyle changes through creative programs.
- Support one another through a culture of wellness.

What else can the organization do? Don't encourage people to work when they are sick; rather, encourage people to stay home, get well, and prevent the spread of illness. Don't reward employees with high-fat food. There are other ways to show appreciation or recognition that do not involve cake. Encourage employees to walk outside, take a break and recharge at lunch rather than eat at their desks.

> **Small modifications, such as cutting back on sugar, developing a walking routine or learning about mindfulness, may be a huge lifestyle change that employees can commit to maintaining long term.**

If your wellness program could use an update, first you will need to determine how your program should be structured going forward. Programs may be participatory, which only requires participation and does not place value on individual health status or improvement in health status, or health contingent, which requires participants to achieve a specific health standard to receive a reward.

Consider the culture of the organization before determining the structure of your program. Voluntary participation and incentives for participation may motivate employees much more effectively than punishment for employees who don't take part. A rewards-based program may improve morale and health, as employees act as champions for one another and encourage long-term behavioral change.

Engage a committee of employees from across the organization who are interested in wellness and committed to its success to move your program forward. Ask that committee to develop or update a strong wellness mission statement. Then, ask them to develop and implement some creative new ways — a meditation space, jumping jack breaks, stairs challenge, volunteering at lunch, company garden—and maybe even a competition or two, to encourage wellness.

In July 2016, *healthfitnessrevolution.com* listed the top 10 benefits of wellness as fun, improved productivity, happier employees, building community, lower healthcare costs, sense of accomplishment, improved physical fitness, weight loss, less stress and healthier habits.

What small thing can you do to make your workplace a place of wellness? And how can you inspire others with your example of wellness leadership? CN