Cass County Commissioner

AMC President
Neal Gaalswyk
during AMC’s Board of Directors meeting in April.
President's Column

By Neal Gaalswyk, Cass County Commissioner 2024 AMC President

“To love is to risk not being loved in return. To hope is to risk pain. To try is to risk failure, but risk must be taken, because the greatest hazard in life is to risk nothing.”

-Author unknown

As a law enforcement officer, I thought a lot about courage and worked hard at becoming courageous. My definition of courage was, “The willingness to move toward difficult or dangerous situations, even when doing so creates a risk of personal loss or harm.” As members of a Special Weapons and Tactics team, my teammates and I trained hard, perfecting skills and techniques to increase our effectiveness and to improve the likelihood of of us returning home at the end of the day. I thought that the more skillful I became the more courageous I could be. I had that backwards. My training made it less risky for me to move toward danger and my improving skill decreased my vulnerability to personal loss and harm. The more skilled I became and the more confident I grew, the less courageous I needed to be.

At our AMC leadership conference, Brene' Brown’s “Dare to Lead: Choose Courage Over Comfort” turned my definition of courage on its head. “To be courageous,” she said, “you must first be vulnerable.” She is right. It is only when we humbly and realistically acknowledge our vulnerability that we have the opportunity to be courageous.

What does vulnerable courage have to do with us in our roles as county commissioners and leaders? First, we have to survive an election. Prior to running for office, we can fool ourselves into thinking that everyone in our community likes us and holds us in high regard. After election day, we can count how many don’t!

Running for office takes courage. Next, serving well involves personal risk. Having difficult conversations with constituents and fellow commissioners can put us in situations where we need to concede that we are not as wise as we once thought. Every decision we make carries with it the risk of failure, disagreement, and criticism. It takes vulnerability and courage to lead well.

As leaders we develop both ourselves and those who will go on to take our place. When the leader of ancient Israel was preparing his protégé Joshua to lead the nation in his absence, his overriding message was this: “Be strong and courageous. Don’t be afraid. Listen to the words of instruction I have for you.” Stated differently, this is the message our Association has for our members. We emphasize training so as to be better prepared. We pay special attention to newly elected commissioners to ready them for the challenges ahead. We conduct seminars and trainings such as “Managing Difficult Conversations with Constituents” and “Trustworthy Elections,” with Braver Angels. To help us move into vulnerable and courageous leadership, we are offering a class called “Home Run Leadership.” I encourage you to attend as many of these trainings as you can. Be strong, vulnerable, and courageous in your desire to lead well.

It takes courage to stand as one Association, stronger together. I am watching a Netflix mini series (and will soon be reading the book) titled “Masters of the Air,” the story of the United States airmen who fought the bombing war against Nazi Germany. These men were brave and courageous. They suffered personal loss. They experienced fear, doubt and danger. In spite of this, they continued to fly and fight. As two of these pilots were discussing these things and the hard battles ahead, the one said to the other: “If I’m going to bet on anyone, I’m going to bet on us.”

That’s how I feel about the Association of Minnesota Counties, our staff, and you, my fellow commissioners. If I’m going to bet on anyone in these days of change and times of challenge, I’m going to bet on us. Thank you for your service. It is an honor to stand, vulnerable and courageous, by your side.
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Cannabis Legislative Updates & Considerations for Counties

By Mary Lyon, Public Health AmeriCorps Member

LEGISLATIVE UPDATES

The omnibus cannabis policy bill, which was also amended to include several unrelated provisions, passed the Legislature during the last weekend of session. The cannabis portion of the bill provides technical changes to the program passed last year, while also including two significant policy changes regarding early application access to qualified social equity applicants and early cultivation licenses.

The first major policy change includes a mechanism for early access to licenses for social equity applicants. Potential social equity applicants may apply for “preapproval” and then enter a lottery system that will grant early licensees the ability to get a head start. Local governments will still exert control of time, place, and manner restrictions and must certify that a “preapproved” business still meets local zoning and land use policies for the community prior to applicants receiving a license and beginning operations.

Recently, legislators have pointed out that while retailers will be able to sell cannabis products starting January 1, 2025, there may not be product available to sell because the grower/cultivator licenses also don’t start until the first of the year. Legislators argued that this timing mismatch needed to be addressed to have Minnesota-based product to distribute. As such, this led to the second major policy change that allows for a set amount of early “grower”/cultivator licenses to start growing prior to January 1st. The language still requires local approval and allows for local governments to utilize an interim moratorium.

The bill also clarifies that a local government may receive a municipal license so long as they meet specific requirements but that the license will not count against the 1:12,500 retail cap. AMC’s request for a cultivation license to count as part of the 1:12,500 retail cap that was ultimately not included.

Under the legislative changes local governments will no longer oversee retail inspections, only under-age compliance checks. AMC worked with legislators and the OCM to scope the possibility of the OCM contracting with local governments for cannabis retail inspections if the local government has the capacity and desire to conduct retail inspections. Ultimately, this was not included in the final bill.

Last session, local and tribal public health was funded at $10 million/year, on an ongoing basis, focused on cannabis prevention beginning in FY25. Two days before session ended the Human Services Finance Conference Committee report included a new provision that shifts $3.6 million/year of the $10 million in local and Tribal public health cannabis prevention funds away from local public health to other human services programs. This cut to the local public health funds begins in FY26, leaving $6.4 million in base funding in FY26 and beyond. The bill passed in the final hours of session, despite opposition by AMC and the Local Public Health Association.
WHAT SHOULD COUNTIES BE CONSIDERING AND DISCUSSING NOW?

Counties may want to begin to analyze, deliberate, and decide on if and how they want to regulate cannabis businesses within their jurisdiction given the short timeline between the adoption of state administrative rules and beginning of legal sales.

Counties should begin to have conversations with their cities and townships. Counties may consider asking the following questions:

- Is the county planning on adopting an ordinance that will limit the number of retail stores based on population?
- Are cities within the county planning on adopting an ordinance that will limit the number of retail stores based on population?
- Are the cities and townships within the county planning to delegate registration authority to the county?

Counties and their municipalities may consider a process for the county to confirm with its local jurisdictions that a retail business applicant meets the city’s or town’s local regulations before issuing an application.

Even if a city or town does not register retail businesses, the local jurisdiction may have local regulations that affect the time, place, or manner of a retail business’s operation. Counties may begin the draft process of these limitations.

- Counties may also consider determining which cannabis businesses will be permitted in the different zoning districts and if the businesses will need conditional or interim use permits.
- Counties may consider applying common performance standards on cannabis operations. In jurisdictions in other states, counties and cities have established standards related to odor, security, lighting, and traffic management.

AMC created a Cannabis Planning & Zoning Handbook for Minnesota Counties as a guidance document for counties as they consider local planning and zoning regulations and ordinances. This document provides examples of cannabis planning and zoning ordinances from counties and cities in other states with legalized adult-use cannabis and provides a state statute analysis of the law and scenarios for cannabis retail limitations based on population size. Counties may consider using this document as a starting point for conversations regarding cannabis related ordinances. Download the handbook at www.mncounties.org under Resources and Jobs.

OFFICE OF CANNABIS MANAGEMENT

The Office of Cannabis Management continues to work through rulemaking; however, these rules will not be finalized until later this year. Ideally, counties would wait for the rules to be adopted to draft their local regulations, but these rules will not be completed until later in 2024.

AMC continues to work with the OCM to draft model ordinances and resources for local governments. The OCM has created resources such as a “Hemp Flower and Hemp-Derived Cannabinoid Product Checklist,” an “Enforcement Notice from the Office of Cannabis Management,” and a “Notice to Unlawful Sellers, and guidance on hosting cannabis events with on-site consumption.” These resources can be found on the OCM’s website under About Us.

Association of Minnesota Counties

Fall Policy Conference
September 11 – 13, 2024
Arrowwood Conference Center – Alexandria
Why I Like County Government—and You Should, Too

By Matt Smith, Dakota County Manager (Retired)

By the time this is published, I will have retired from county government. I have spent 40 years or so in public service at the federal, state, city and county levels, the last 16 of them at Dakota County, including eight as an administrator. I want to share a few thoughts about why I’ve found public service, and in particular service in Minnesota county government, so fulfilling—and I hope these resonate with you as well.

Counties—especially counties here in Minnesota—offer the broadest set of public services “at retail” anywhere, all under one organizational roof. In county government we can do more things of practical benefit for more residents than any other unit of government. We serve them from before they’re even born (prenatal visits) right up through the end of life, and sometimes even beyond (indigent burials). I think in some way we all got into government service out of a desire to help other people and make their lives at least a little bit better. Counties are the best opportunity anywhere to do that.

Counties are natural conveners of the partnerships that are essential for effective public service today—and tomorrow. We serve as the ‘arm of the state’ when it comes to implementing policies in human services, public safety, waste management, and other areas that affect other local jurisdictions and residents. We provide many countywide services (some directly, others in partnership) with and for cities, schools, and other local units. Because of the scope of county responsibilities, our geographic reach and relationships, and the expertise and other resources we can bring to bear, counties can often ‘set the table’ for those conversations among local and state partners about how to do things for the public more effectively and efficiently. These are the places where the future of public services is being invented.

Counties can offer a non-partisan public policy space within an increasingly fractious environment. We are not immune to the partisan pressures and conflicts that seem to be everywhere around us and are important to many of our residents—but thanks to the non-partisan design of county government, we don’t have to make them our own. County government represents one of the last best opportunities to maximize practical public service and minimize the political noise coming from St. Paul and Washington.

Our residents trust and rely on us. Consistently for the past 50 years at least (and perhaps forever) polling shows that Americans trust counties and other local governments to handle problems successfully. Local government earns significantly higher levels of public trust than the state and federal levels do. And this is across the political board—Republicans, Democrats, and independents. Here in Dakota County, our own residential survey told us that public confidence in our county actually went up between 2019 and 2022—despite the pandemic (in which we were the public health authority) and a contentious election (which we administered). It’s nice to work in a place where you are needed, and appreciated.

Our people are great. My goal throughout my career has been to do important, genuinely meaningful work alongside capable, committed people. I’ve found that at every stop in my public service career, but nowhere more than in Minnesota county government. Thank you all for the opportunity to serve alongside you, and I wish all of you the best in your service to others, and for you and your loved ones.
AMC Executive Director Julie Ring participated in a Presidential Panel at the American Society for Public Administration annual conference in April in Minneapolis with California State Association of Counties (CSAC) Executive Director Graham Knaus and CSAC Institute Executive Director Paul Danczyk.

Congratulations to Redwood County HR Director Peter Brown (right) for being named the Minnesota County Human Resource Management Association’s (MCHRMA) HR Professional of the Year! With MCHRMA President Julie Johnson, Steele County Human Resources Director (left).

Beltrami County Commissioner and AMC Tribal Affairs Chair Tim Sumner shares his perspective at a meeting of county, tribal, and state leaders focused on achieving Indian Child Welfare Act (ICWA) outcomes.
For How Long Can I Keep My Summer Seasonal Employee?

By Melanie Ault, DDA Consultant

For this simple question, the simplest answer is 67 working days. However, supervisors often want more work time from their seasonal hires, and supervisors can have more days if they are willing to accept more consequences. These are the types of technical criteria to consider when deciding how long to retain a seasonal hire.

Collective Bargaining Agreements (CBAs)

Would the position otherwise be put into an existing bargaining unit? If so, then you will want to wisely schedule each day the person shows up for work to keep it at/below 67 days each calendar year. By allowing the person to work more than 67 days, then the position is supposed to be placed into the relevant bargaining unit, and the CBA provisions apply. Those CBA provisions probably address layoffs, severance pay, and recalls (for next summer?), as well as pay scale, leave accruals, insurances, etc. for the position.

If not covered by a CBA, then County policies govern whether the individual is eligible for benefits. Usually, County policies grant some benefits to regular part-time employees, but offer few benefits to seasonal/temporary/intermittent employees. Policy definitions will determine whether the individual is considered part-time or seasonal/intermittent/temporary.

Posting the Seasonal Vacancy

Even while typical recruitment and selection policies might not have to be strictly followed for a seasonal hire, state and federal principles still need to be upheld, such as Equal Employment Opportunity, merit hiring principles, Veterans Preference 100 points, and background checking. Following the standard hiring practice is always safest.

Earned Sick and Safe Time (ESST) on Day 1

The new ESST benefits require employees to accrue ESST from day 1 of employment if the employee is expected to work at least 80 hours that year. If the employee returns to work within 180 days of separation, the employee is entitled to the ESST hours accrued before leaving the employer the previous season.

3 Consecutive Months – ACA Health Coverage

Are you prepared to offer health insurance? Under the ACA’s pay-or-play rules, if hiring a new employee who is reasonably expected to work at least 30 hours per week, the employer needs to offer coverage to that “full-time” employee within three full months of the date of hire, even if not in a position covered by a CBA. If the seasonal employee stays longer than three months, offer health insurance coverage.

185 Days In “Seasonal” Position, or Provisionally Enroll in PERA

Assuming the employee is not already a PERA annuitant, at the outset ask: what is the likelihood and intent of the position – is it to work for a “season”? Or for a longer term? If the job is intended for a “season” (i.e., a weather season), then seasonals can work “185 consecutive calendar days” which is about 6 months (vs. PERA’s “67 days worked”) and be excluded from making PERA contributions.
If by chance the season is lengthened (e.g., there's no snow that autumn, so highway crews keep repairing roads into November & December), then on Day 186, both the employer and employee will begin making PERA contributions. As soon as it's known a position will exceed 185 days, enroll right away, but not later than Day 186.

Upon hire, determine whether the employee meets the criteria for working in a “seasonal position” and whether to exclude them from PERA. If the employee does not qualify as a PERA "seasonal," then track the earnings in each calendar year, watching for whether that year's minimum earnings threshold is met (PERA might see an increase in the amount this year).

Because employees in seasonal positions are exempt from PERA, PERA does not care how much they earn, is not tracking dollars, and is not watching for minimum earnings thresholds because earnings are not a trigger – the employee is exempt. However, once PERA eligibility is established (working longer than 6 months and then exceeding the earnings threshold), PERA deductions continue until the employment relationship is terminated.

**Rehired Seasonal Employee - FMLA**

Often, the same people are rehired into seasonal positions the following year. Previous years' work hours count toward eligibility for Family and Medical Leave (FMLA). In the prior 12 months, 1,250 work hours were needed, and in the prior 7 years, a total of 12 months had to have been worked to qualify for FMLA benefits. The seasonal employee might be eligible for FMLA leave in the second year or beyond.

**Additional Benefits:**


**School Conferences and Activities Leave** - Available on Day 1, entitled to a total of 16 hours of unpaid leave for child's school activities, Minnesota Statutes, §181.9412.

**Unemployment** - Even seasonal workers who are laid off or terminated because of the season ending (or upon their reaching 67 working days) will typically be entitled to unemployment insurance (UI) benefits. Work in previous quarters elsewhere can help them become eligible.

Invest the Extra Few Days for Posting and Screening

Looking ahead, be careful of "creep" into a regular position; don't suddenly start treating a seasonal as a regular employee if the employee did not competitively compete for the position. The safest approach is to post the seasonal job, apply Veteran's Preference points, interview, make the selection, and conduct background checks. Looking at each year's applicants ensures selecting a top candidate, not an automatic rerun of last year. Don't forget to end the employment relationship before other requirements kick in!

Use our flow chart to help keep your seasonal/temporary hires aligned with PELRA requirements. It's in our Knowledge Base in the “Staffing and Recruitment, Onboarding and Offboarding” section at www.amcddahrsupport.com.
Mary Lyon has been with AMC as a Public Health AmeriCorps member since August 2022. Mary has been integral to AMC’s work on the opioid settlement and legalized cannabis, and we are very happy that she will be staying onboard as part-time employee with the Local Public Health Association (LPHA). Before Mary transitions to her new role at LPHA and a new Public Health AmeriCorps member joins AMC later this year, we asked Mary a few questions about her experience in the Public Health AmeriCorps program.

Why did you choose the Public Health AmeriCorps program?
I chose the Public Health Corps program because I wanted to gain more public health experience before committing the time and resources to get a Master of Public Health degree. Through the program, I have gotten a lot of great exposure to not only local public health but also local government! It has been a great introduction to public health.

What projects did you work on at AMC and what did you learn from the work?
My primary projects have included cannabis legalization research, assisting counties with opioid settlement logistics, public health nuisance work, and homelessness research. I have learned so much about public health issues, local and state public health, local government, and good policy making. I have learned a lot and have also grown professionally throughout my experience with AMC. I am much more confident in my research skills, my public speaking skills, and tailoring my writing to specific audiences.

You decided to stay on for a second year of AmeriCorps service. Is that typical? Why did you decide to stay?
I decided to stay on for a second year of AmeriCorps service because I wanted to continue to gain work experience while completing my graduate degree. It was easy to make the decision to continue working for AMC/AmeriCorps because I enjoyed it so much and wanted to continue to make connections and learn more during this second year. Starting graduate school was a big change and it has been nice to keep my work consistent.

How did your work at AMC fit with your graduate studies?
My graduate program is very focused on research and working with different stakeholders. My work at AMC has also been heavily research focused and so I have been able to translate skills learned in both areas to the other. I also took a policy development course this spring semester and was pleased that much of what the course covered was familiar to me after my time with AMC!

What did you enjoy the most about your time at AMC?
By far, the people have made this such a great experience! The staff at AMC have been so welcoming and kind from the start and have really made me feel apart of the team. I rarely work from home because I enjoy coming into the office so much! Not only have the AMC staff been fantastic but it has also been such a great experience meeting members across the state.

You’ve decided to stay at AMC for a while longer, with a position at the Local Public Health Association. What will you be doing with LPHA?
I will be updating resources and the LPHA website, working on member highlights, moving forward with public health nuisance trainings, and will help facilitate cannabis educational sharing sessions. I am excited to start hosting the LPHA cannabis educational sharing sessions that will be modeled after the opioid settlement sharing sessions that I currently help facilitate. I think our members have a lot of questions and resources to share around cannabis and public health!

What is your career goal? Did your time at AMC influence your thinking about your career path?
My career goal is to work for a local public health department, and this was absolutely influenced by my time with AMC. Coming into my AmeriCorps experience I knew that I wanted to work in the public health field but was not certain about how that would look. Now, after almost 2 years at AMC I am confident in saying that I would love to work in a local or state public health setting.

What advice do you have for others who might be considering the Public Health AmeriCorps program?
Try to gain as much exposure as possible and ask questions! I have had so many wonderful opportunities to go on county field trips, shadow local public health departments, and attend conferences where I have been able to make great connections and showcase my work. At the beginning of both service terms my supervisor, Jill, and I created professional goals that I wanted to focus on throughout the year and I would absolutely advise any AmeriCorps member to do the same to help guide their professional growth.
Local Environmental Public Health in Minnesota

By Jeff Brown, City of Edina - Community Health Administrator

As Community Health Administrator for the City of Edina’s Community Health Board, I believe I can speak for many (or all) of my Environmental Public Health (EPH) colleagues in Minnesota in saying that I was glad to be asked to write an EPH focused article for the Minnesota Counties newspaper! I would also guess that you are wondering why a city employee is writing an article for the Minnesota Counties magazine. This article will hopefully clarify that, as well as give you an overview of Environmental Public Health and how these responsibilities are fulfilled in Minnesota.

Health begins where we live, learn, work, and play. We all live in conditions that we cannot individually control but that can affect our health—the air we breathe, the water we drink, the food we eat. EPH is part of the public health system that focuses on prevention and removal of hazards from the environment. Community Health Boards across all of Minnesota have EPH responsibilities as shown in state statute 145.04 Subd.1a(iv):

“protecting against environmental health hazards by addressing aspects of the environment that pose risks to human health, such as monitoring air and water quality; developing policies and programs to reduce exposure to environmental health risks and promote healthy environments...”

All community health boards have statutory responsibilities in environmental health. However, EPH programs are carried out differently across county and city jurisdictions through delegation agreement with the Minnesota Department of Health (MDH) or as required in Minnesota Rule or Statute. For example, some cities and counties have a delegation agreement with MDH to assume regulatory authority for food, pools, and lodging establishments at the local level, and those agencies have EPH professionals on staff. A map showing Minnesota’s local food, pools, and lodging programs can be found here.

While food, pools, and lodging licensing and inspection activities are a large part of EPH, there are many other programs that may fit into the local EPH responsibilities, including:

- Public health nuisance abatement and enforcement.
- Radon awareness, education, and provision of tests.
- Septic system installation review and inspection.
- Water quality monitoring, from beaches to drinking water.
- Mobile home park/recreational campground licensing and inspection.
- Youth camp licensing and inspection.
- Community outreach and education.
- Food safety certification classes.
- Public Health Emergency Preparedness.

Public Health is done best at a level as close as possible to community members. Environmental Public Health is no different. EPH professionals across Minnesota often act as resources for community members looking to start a restaurant or food truck or help to make sure the local municipal swimming pool is operating safely. Environmental health professionals help local officials keep a pulse on the community’s health and can respond to public health emergencies in an efficient and timely manner. We are fortunate to have the Local Public Health Association as an organization that supports local public health agencies from across the state to collaborate in addressing environmental health needs. Minnesota EPH professionals often work together across jurisdictional lines to find solutions and share information, so please reach out if you would like to know more. I hope this brief overview has been informative, even if it is from a city employee!
Public Surplus has partnered with AMC to help counties sell surplus property online through their online auction website. If your county or department has surplus equipment, vehicles, real estate, tax forfeited property, or anything else, Public Surplus can help you sell it quickly with some of the lowest buyer’s premium fees in the country!

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- **Transparency:** Increased visibility coupled with increased access are a winning combination for government agencies. We know of no other online solution that offers the level of transparency Public Surplus does.

- **Customer Service:** Unmatched customer service. Your agency will have a dedicated support representative to assist you at anytime during business hours. Whether it be for training or just simple questions on the value of an item you are listing, our support representatives are there to assist your agency.

Our brief 30 minute online presentation is the best way to show you the power of our online auction system when coupled with software designed specifically for public agencies.

If you are ready to get started with Public Surplus, visit register.publicsurplus.com/sms/mnaoc.mn/register/agency and fill out the one page registration application that will connect you to the Public Surplus/AMC program.

Please reach out to Josh Quist (801) 932-7000 Ext. 626 joshuaquist@thepublicgroup.com – if you are interested in viewing a presentation about Public Surplus. ●

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Legislative Highlights Following Dramatic Close to Session

The final days of the 2024 session ended with as much excitement and surprise as anyone could imagine after a somewhat turbulent second year of the biennium. From throw-down press conferences and marathon House debates on an Equal Rights Amendment (ERA), to stalled Senate floor action due to a legislator’s absence and a dramatic 30 second late vote over a cash bonding bill, the last week of session was sight to see!

Heading into the final hours of session, it was apparent that there was a good possibility that the Legislature would not be able to successfully pass a majority of their omnibus bills off each chamber floor—not simply because of robust GOP floor debate, but also because of internal divisions and a simple lack of time.

A day prior to the close of session, the Senate had lost nearly an entire morning and afternoon of precious floor time when a DFL senator decided to abstain from voting and leave the Senate floor, communicating concerns about the impasse on Uber/Lyft negotiations. By the evening, this obstacle had cleared when both chambers and the governor’s office held a press conference at 10:00 p.m. outlining an agreement that would raise wages while also garnering the companies’ sign off. This agreement not only settled one of the session's spotlight issues, but also paved the way for a unified Senate DFL voting block to allow the passage of remaining budget bills on Sunday.

Sunday afternoon consisted of conference committee report floor discussion that proceeded at a snail’s pace, receiving hours-long debate until 11:30 p.m., when both chambers started to use procedural tactics to move the pace of floor actions along, despite raucous GOP dissent.

By midnight Sunday, each chamber had passed all their conference committee reports, representing all major omnibus bills worked on throughout session, but an attempt to send a cash bonding bill failed in dramatic fashion on the Senate floor.

Read on for issue highlights from each policy area. For details on session outcomes, please visit the AMC UPDATE page at www.mncounties.org and watch our session overview webinar from May 22.

ENVIRONMENT & NATURAL RESOURCES
- Tax forfeiture settlement and policy victories.
- No damaging policies on drainage.
- Gas and oil exploration and extraction policy.
- Funding to address nitrates in ground and drinking water (Karst region focus).
- Mixed outcomes on Public Waters with a problematic addition to the statutory definition, but also funding for inventory updates.
- Changes to the Wetland Conservation Act.
- Funding for manure management, community tree planting grants, improvements to ATV trails, composting and climate initiatives.
GENERAL GOVERNMENT & TAXES

- Slimmed down tax bill without major tax shifts. No local sales tax policy changes, homeless prevention aid sunset, or fix to Alliance v. Hennepin County court decision.
- Election policy changes that include new requirement for postsecondary institution “pop ups” and a Minnesota Voting Rights Act (VRA). VOTER fund appropriation to local governments doubled.
- Cannabis “technical bill” that includes two new preliminary license groups for social equity applicants and early cultivators. No changes on population thresholds, cannabis aid, or local control authorities.
- Omnibus Pensions Bill included an increase in the postretirement multiplier benefit for county corrections employees resulting in a roughly $3.6 million cost/year for counties. This was the only significant county provision despite robust conversations on early retirement enhancements for 911 telecommunicators, probation, and child protection employees which are expected to continue in the interim.
- Housing: New $50 million authorization of Housing Infrastructure Bonds (HIBS), expansion of Greater Minnesota Housing Infrastructure Grant program to include county recipients, and AMC-supported changes to Local Affordable Housing Aid (LAHA) program.
- County-supported HR clarifications on Earned Sick and Safe Time (ESST) law. No Paid Family and Medical Leave law revision to require use of PTO prior to using new state benefits.

PUBLIC HEALTH & HUMAN SERVICES

- Public Health and Human Services funding provisions:
  - $10 million for the SSIS technology system and accompanying policy directive to DHS to consult with counties.
  - $136,000 for an SSI/RSDI reporting tool and report.
  - $136,000 for a child maltreatment reporting system study.
  - Small amount of funding for MN Indian Family Preservation Act modifications.
  - $275,000 (FY24-25), $638,000 (FY26-27) for Child Mortality Review Panel modifications.
  - $1 million for the Supreme Court council on child protection.
  - $1.02 million (FY24-25), $8.1 million (FY26-27) for the new Department of Children, Youth and Families (DCYF), including an intergovernmental advisory council including counties, state, and tribes.
- African American Family Preservation Act.
- Established a Medical Assistance (MA) benefit for children’s residential mental health crisis stabilization that consists of evidence-based promising practices, or culturally responsive treatment services for children under the age of 21 experiencing a mental health crisis.
- Directs stakeholders to develop recommendations for moving from the children’s and adult mental health grant funding structure to a formula-based allocation structure for mental health services.
- A suspension/closure of CARE Saint Peter SUD facility, transitioning that facility to 16 additional forensics beds. There was $6.75 million in 2024 and 2025 and $13.224 million ongoing.

LEGISLATIVE HIGHLIGHTS, continued on page 18.
LEGISLATIVE HIGHLIGHTS, continued from page 17.

- The Direct Care and Treatment (DCT) executive board must submit a report with options for increasing inpatient substance use disorder beds.
- A one-time appropriation of $1.796 million for redevelopment of a currently closed wing at the AMRTC, the Miller Building, for additional bed capacity.
- New criteria for prioritizing the waitlist into AMRTC for people awaiting transfer from jails. This does not expand the admissions waitlist criteria beyond those who transfer from jails until sufficient bed capacity is added to DCT.
- Commissioner of Human Services to immediately approve an exception to add up to ten patients who have been civilly committed and are in hospital settings to the waiting list for admission to medically appropriate direct care and treatment beds.
- Extends the current Priority Admissions task force, charging it to evaluate the 48-hour rule and to determine recommendations for prioritization for beds and triggering event or timeline for beds prioritization.
- Forgiveness of DNMC bills, or reimbursement for funds already paid, regarding Beltrami and Todd County situations.
- Establishment of a Mentally Ill and Dangerous Civil Commitment Reform Task Force to evaluate current statutes and develop recommendations to optimize the use of state-operated mental health resources and increase equitable access and outcomes for patients.
- Engagement Services Pilot Grants to engage individuals with mental illness and their families to participate in voluntary activities and provide services eligible for medical assistance.
- Establishes a County Correctional Facility Long-Acting Injectable Antipsychotic Medication Pilot Program that provides payments to counties to support county correctional facilities in administering these medications to prisoners for mental health treatment.
- Provisions for DCT’s new governance structure including a new executive board, which will appoint the DCT CEO (with consultation from the governor and approval by the Senate). AMC has an appointment to serve as a non-voting member of that board.
- A one-time investment of $1.321 million in mental health innovation grants, but the ongoing the DNMC costs dedicated to this fund are still limited to $1 million dollars yearly.
- The state will evaluate a Children’s Mental Health benefit and the County Based Purchasing (CBP) priority of CARMA - County-Administered Rural Medical Assistance.
- Transfer of $3.6 million/year of the $10 million in local and Tribal public health cannabis prevention funds away from local public health to other human services programs beginning in FY26.
- Local and tribal cannabis funding widened to prevent use of other substances.
PUBLIC SAFETY

- $9.4 million for crime victim services to be administered to organizations that received a grant from the crime victim services unit in fiscal year 2024. These grants must be used for direct services and advocacy for victims of sexual assault, general crime, domestic violence, and child abuse.
- Removes court fees for juveniles and allows them to participate in a restorative practices program to replace the use of restitution towards the victim of the crime.
- Age change of child delinquency and the defining of a “child in need of protection.” With this provision a child who has committed a delinquent act or a juvenile petty offense before becoming 13 years old (rather than ten under current law) is considered a child in need of protection or services and not a delinquent child or a juvenile petty offender.

TECHNOLOGY, BROADBAND, AND EMERGENCY MEDICAL SERVICES

- Limited prevailing wage application to broadband for federal BEAD funding, Lower Population Density Grant Program and Line Extension Grant Program. Permissive language encourages the state Border-to-Border Grant Program to direct up to 50% of funds to project with prevailing wage.
- New reporting and safety and training standards for broadband grants.
- Cybersecurity Incident Reporting - require that local governments, schools, and post-secondary schools share information about cyber threats and incidents with MNIT and the BCA within 72 hours of an attack or attempted attack. The state would notify all other counties of potential vulnerabilities in their network or a piece of software
- $24 million in emergency aid to EMS operations in rural Minnesota, $6 million for a sprint medic pilot project, and a new state agency to replace the EMSRB.

TRANSPORTATION & INFRASTRUCTURE

- The 2024 session ended without the passage of a cash or bonding bill.
- Transportation Finance Provisions:
  - $3 million from the Trunk Highway Fund for statewide and regional travel demand modeling related to GHG Impact Mitigation Assessment.
  - $800,000 from the Trunk Highway Fund for grants to metropolitan planning organizations outside the metro area for modeling activities related to GHG Impact Mitigation Assessment.
  - Authorizes new Trunk Highway Bonds to allow for $15 million for State Road Construction and $15 million for Corridors of Commerce.
- MN Advisory Council on Infrastructure to define and maintain a vision for the future of Minnesota’s infrastructure that provides for its proper management, coordination, and investment.
- Transportation Greenhouse Gas Impact Assessment updated to move the assessment to a portfolio approach, creates a Technical Advisory Committee and a transportation impact assessment and mitigation account in the special revenue fund for mitigation funding.
- Traffic Safety Camera System Pilot Program for the cities of Minneapolis and Mendota Heights, and a work zone pilot program on between two and four trunk highway work zone segments.
- Metropolitan Counties Sales Tax Uses Reporting adjustments.
- Bus Rapid Transit Project Scope and Funding requirements for the Metropolitan Council.
- Uber/Lyft driver pay provision.

Visit the AMC UPDATE page at www.mncounties.org for more session information.
Rising Costs to Local Government

One of the significant costs of meeting county mandates is the provision of jails, courts, and law enforcement centers, all of which are very expensive facilities to build and maintain. The high cost of these facilities combined with the 30-year trend of reduced state and federal aid to local governments forces county boards to make difficult decisions about how to fund these necessary facilities.

The graphic here shows that in 1996 the Stearns County local taxes and intergovernmental revenues were 42% of total revenues. The county taxes are now 54% of total revenues while intergovernmental revenues are only 34% of total revenues. It is no wonder local governments are seeking alternative revenue sources for highly expensive, regional facilities.

Local Sales Tax Task Force

The task of the seven-member committee enacted by the Legislature was to recommend a process and the criteria necessary for local governments to obtain authority to impose a sales tax. Traditionally, local sales taxes have been used for capital projects of regional significance. In other words, to qualify for the use of sales tax, the facility must serve an area beyond the city (typically) imposing the tax. Cities have used local sales taxes mostly for convention centers, libraries, airports, parks and trails, aquatic centers, sports facilities, and community centers. A handful of counties have imposed a local sales tax for criminal justice system facilities.

The Task Force agreed upon seven guiding principles for considering recommendations. Four of the seven guiding principles of the Task Force stood out:

- Cities and counties should have the flexibility and autonomy to pursue sales taxes for criteria-based regional projects in consultation with their voters, without going to the Legislature.
- To ensure that local sales taxes do not increase inequality among local governments, local sales tax revenues should only be used to fund projects of regional significance.
- To ensure equity, local sales tax policies should recognize, and remedy to the extent possible, disparate burdens on socio-economic groups.
- Local sales tax policies should recognize cities and counties have differences in capacities to raise revenue and potential overburdens in providing services.

In addition, the Task Force considered the impact of local sales taxes on stakeholder groups, namely individuals, small businesses, cities and counties, state agencies and offices, and the Legislature. For example, it was agreed that the local government should pay for the administration (collection) of the tax. A second example, for small businesses struggling to comply with the complexity of the sales tax system there should be some help available. Other stakeholders’ needs were also discussed.
With these principles and stakeholder analysis in mind, the Task Force set about establishing criteria for projects which if met would allow the local government to bypass the Legislative approval process. Criteria for city-type projects were agreed upon while the criminal justice center components were left until last, arguably because there was disagreement about whether jails, courts, and county law enforcement centers were regional facilities that should be considered at all.

During the discussions, it was evident that members had very different perceptions about the complexities and intergovernmental interdependence of the criminal justice system. Counties know that we are required (mandated) to provide many of the services and programs associated with the criminal justice system. For example, many of the primary programs and services typically found in a county law enforcement center are mandated such as law enforcement, dispatching, housing of prisoners, and emergency management. Counties are required to provide court facilities, with courtrooms, judge's chambers, jury rooms, a law library, and more. In addition, counties are responsible for the prosecution of most crimes requiring office space for county attorneys. Thus, the criminal justice system is a collaborative effort between the state, counties, cities, and the federal government serving and processing people from all over the state.

All counties will be serving both residents and non-residents within their criminal justice facilities in different ways and in different amounts. Stearns County is a good example of the regionality of the programs and services within the criminal justice facilities. The current corrections facility and the agencies that support it, including patrol, dispatch, and the court system, are tasked with handling a population comprised of about half Stearns County residents and half out-of-county residents.

Like all Sheriff’s Offices, Stearns County hosts and collaborates with other law enforcement agencies in several ways such as training, use of firing range, sharing of equipment, joint law enforcement efforts and special task forces, use of office space by the FBI and BCA, lab space sharing, regional emergency planning, contracted law enforcement to small communities, and more.

However, Stearns County is not the same as all counties. Thus, a closer look at the county jail system in Minnesota is helpful to understanding the regionality of the criminal justice system. A review of each county’s recent Department of Corrections (DOC) Jail Inspection reports and a survey answered by 85 counties provided the data for the following report.

### A PICTURE OF COUNTY JAIL FACILITIES IN MINNESOTA

#### Types of Jail Facilities by County

- **No Facility**: Mahnomen, Grant, Pope, Stevens, Big Stone, Rock, Dodge
- **Joint Facility**: Red Lake, Polk, Norman – Tri-County
- **72-Hour Hold Facility**: Cook, Lake of the Woods, Murray, Norman, St. Louis County (Hibbing and Virginia)
- **90-Day Lock Facility**: Fillmore, Kittson, Koochiching, Lac qui Parle, Marshall, Pipestone, Watonwan
- **Recent Inspection Report Recommended Downgrade to 90-Day Lock**: Martin, Waseca
- **Fully Licensed Facility**: All other counties

#### Condition of Facilities

The DOC conducts bi-annual inspections of county jails unless it is determined that enough corrective actions are necessary that warrants an annual inspection. In addition, on occasion the DOC will conduct inspections on a semi-annual basis. Counties can also be subjected to a classification change (down to a 90-day or 72-hour facility) or a sunsetting of the license.

When a jail facility is falling short of standards there is a common language used within the DOC inspection reports. When this language is used, it means the facility needs significant repair or replacement. There are 22 counties in which the inspection report reads something like this:

> According to the National Institute of Corrections, the average life expectancy of a facility operated 24 hours per day, seven days per week, is approximately 30 years, depending on usage. Given the physical plant and capacity issues identified, the County’s elected officials are encouraged to determine a course of action to address long term public safety needs.

There are two counties with a DOC Conditional Permit.
The Average Age of the 22 Facilities in Need of Improvement is 42 Years

42 year-old facilities are worn-out, outdated and out of compliance with current DOC regulations and standards, and typically lacking in space. In addition, county facilities built in the 1980’s cannot provide for the special needs and treatment of many people housed in 2024. There are many county initiatives to get people proper care rather than be incarcerated. These include specialty courts, co-responder models, social worker community action teams, social workers in the jails, and other successful programs. Unfortunately, there are people that we fear will commit violence towards others if not placed in custody.

REGIONAL NATURE OF SERVICES

Dynamic Network of Facilities

The arrows in the map below indicate where a county in the last year contracted with another county to house one or more of its inmates. Most of this out-boarding is due to capacity while some is due to the special needs of the person being housed or a conflict of interest. While not portrayed with this map, several counties also housed people for the State Department of Corrections. It is evident this is a state-wide network of facilities changing over time to meet the needs of the state’s criminal justice system.

Task Force Recommendation

The Task Force’s final recommendation recognizes that the criminal justice facilities are multi-functioning. The system is intergovernmental, regional, and arguably a statewide system. There were criteria established for county facilities which recognized the inherent regionality of county jails, district court houses/offices, and law enforcement centers.

Bills were included in both the Senate and House Omnibus Bills that would have allowed justice center facilities to be funded by local sales taxes, but they failed to pass this session.
Nine Delistings Tied to Work Backed by Clean Water Funds

WSR grants support conservation partners' projects contributing to water-quality improvements in lakes, river reaches and stream segments.

Clean Water Funds from the Minnesota Board of Water and Soil Resources supported conservation work that contributed to seven lakes, one river reach and one stream segment's proposed removal from the state's impaired waters list. Those nine water bodies are among 27 slated for delisting this year.

U.S. Environmental Protection Agency approval finalizes that status.

Minnesota Pollution Control Agency staff is responding to the 236 comments submitted during a 60-day comment period that ended in mid-January, and submitted the list to the EPA by April 1.

All seven lakes being proposed for delisting are in the Twin Cities metro, including three in Hennepin County, two in Anoka County, and one each in Ramsey and Washington counties. The river reach, a 48-mile-long segment of the North Fork Crow River, lies in Wright County. The stream stretch is a designated trout stream in Winona County.

Alum treatments, iron-enhanced sand filters, rain gardens and a wetland rehabilitation are among the Clean Water Fund-backed projects and practices that contributed to the seven lakes' water-quality improvements. Gully fixes that curbed sediment-loading to the North Fork Crow River were in play in Wright County, while feedlot fixes were linked to improvements in Winona County’s Beaver Creek.

BWSR awarded the Clean Water Funds — in the form of competitive grants and, more recently, via Watershed-Based Implementation Funding — to the soil and water conservation districts, watershed districts and watershed management commissions that worked directly with partners and private landowners.

The Minnesota Board of Water and Soil Resources' mission is to improve and protect the state's water and soil resources by working in partnership with local organizations and private landowners.

Perspective

“When you see that something's impaired and you see it show up red on the map, it can feel really alarming,” said Leya Charles, the MPCA’s water assessment and impaired waters list coordinator. “It can feel really overwhelming when you see over 6,000 impairments. This is concerning. But it's important to keep it in context.” She reminds people that assessments — and impairments — are based on the beneficial use. So a lake impaired for aquatic life as the result of fish bioassessments is different from a lake impaired for aquatic recreation as the result of nutrients such as phosphorus.

Impaired Waters Definition

The MPCA’s website defines an impaired water as a water body that fails to meet water-quality standards (which protect waters by defining how much of a pollutant can be present before the water is no longer considered drinkable, swimmable, fishable or usable in other defined ways) in one or more of seven areas: nutrients that grow algae, sediment that clouds water, bacteria that can make swimming unsafe, unhealthy insect and fish habitat, mercury levels that limit safe fish consumption, PFOS in fish tissue, sulfate that may affect wild rice production.

Impaired Waters List

Updated every other year, as required by the Clean Water Act.

Meeting Water-Quality Standards

Removal from the impaired waters list requires meeting the standard for phosphorus levels, and either Secchi disk readings, which measure clarity, or Chlorophyll-a levels.

Minnesota Waters

Minnesota waters include nearly 85,450 square miles of surface area, about 105,000 stream miles, about 12,200 lakes 10 acres or larger, about 4.5 million acres of lakes, about 10.6 million acres of wetlands.

‘Unknown Reasons’ Explanation

In some cases, the reason for the proposed delisting is tagged “unknown.” Charles said in some of those cases, the pollutant may have flushed out of the system naturally. Sometimes data cannot sufficiently pinpoint the known restoration activities.

You can find the MPCA Impaired Waters List here: www.pca.state.mn.us/air-water-land-climate/minnesotas-impaired-waters-list
Dos and Don’ts of Ransomware Response

Provided by Matthew Meade, Esq., Eckert Seamans Cherin & Mellott LLC; and Jeff Birnbach, Sylint LLC

Local government entities, big and small, are often the targets of ransomware and other forms of cyber-extortion. These incidents can have a major impact on the entity’s operations, personnel and citizens, ranging from disclosure of sensitive and personal information to permanent deletion of vital documents and records.

Although no two incidents are exactly alike, following basic dos and don'ts can help an organization limit damage, recover faster and reduce the consequences of a cyber-extortion incident.

Ransomware Attacks Unfold Quickly

Imagine you and your team came into the office on Monday morning and found most of your computers were not working and the data on your servers could not be accessed. What would your team do?

Consider this hypothetical ransomware attack timeline.

8:10 a.m.: Amy in accounting calls the IT department but does not reach anyone. She leaves a voicemail message, noting that she cannot log onto her machine after logging off the prior Friday.

8:17 a.m.: Tom in IT is working remotely and tries to log in through the VPN but cannot get through.

8:32 a.m.: Steve in IT calls Tom at home to let him know the servers are not working and asks what he should do. Tom says he is coming into the office and should be there within 30 minutes.

8:44 a.m.: Deputy sheriffs are unable to log into the office’s network from mobile devices in their vehicles. Sue in the sheriff’s IT suspects the county is having some type of large outage and alerts the chief deputy. She also advises the regional 911 center that the office is having issues.

9 a.m.: The majority of employees have arrived for work and most, but not all, are unable to log onto their computers. The county administrator, Mel, has heard from five department heads so far this morning, and two county commissioners are calling him. His assistant hands him a message that Stan, the local news anchor, wants to do a live interview with Mel for tonight’s 5 p.m. broadcast.

9:17 a.m.: Steve and Tom in IT find extortion messages on their file server and their domain controllers with information about how to reach the threat actors via a TOR site. Steve suggests they wipe everything and restore from backups.

9:31 a.m.: The FBI reaches out to the sheriff with information about county devices making connection to a coffee shop in Chechnya.

9:43 a.m.: Ned, the tech rep for the company that leases the copiers to the county, calls to say he heard about this from Steve in IT, and that his brother-in-law is a computer wiz and can help “fix things.”

10 a.m.: Mel, the county administrator, calls an emergency meeting for 10:30 a.m. and invites only the IT team and the county auditor.

Although this may seem like a highly condensed and accelerated scenario, it is not. In many cases the situation evolves just this quickly, and in some cases, even faster.

First Steps to Respond

Let’s look first at what an MCIT member organization should initially do:

• Contact MCIT, the entity’s coverage provider. MCIT can rapidly bring resources including legal counsel experienced in maneuvering through this type of an event, as well as incident response, digital data forensics and investigation experts to help the member limit damage, assess the situation and start working toward recovery.

• Pull together appropriate department heads for regular briefings and start planning for work activities that will likely be restricted for days or even weeks, depending on the severity of the incident.

• Use the member’s incident response plan to guide the organization through the process. If the member does not have a response plan, it should start compiling a list of all computers and data repositories. This will be critical to help identify what devices have been affected and what data may not be available.
• **Determine if backup files are available and viable.** If not, this will affect the member’s response options and strategy.

• **Designate a spokesperson** as the only person authorized to speak on behalf of the organization. Remind all staff and elected officials not to speak with media or discuss the event outside of a “need-to-know” group of key member personnel, legal counsel and forensic investigators. Threat actors often monitor news related to their targeted victims and may use this information to inflict additional damage or leverage against the county in any negotiations.

### Common Response Missteps

Now, let’s consider what a member should not do.

• **Do not delete any files and start to restore from backups.** Doing this will likely obfuscate or destroy valuable evidence that is crucial to determining what happened and what, if any, data has been accessed or exfiltrated that may trigger notification requirements under state or federal law.

• **Do not contact threat actors.** Any communications with them should be handled by the incident response experts, as they will have experience in crafting specific communications designed to yield potentially valuable intelligence from the threat actors to help determine data that may have been affected.

• **Do not issue media statements or give interviews.** Do not share any information the organization may have received from the FBI or other agencies. If absolutely necessary to address an inquiry, the only released information should be limited to “the organization is experiencing a network event and has engaged outside experts to assist in determining the scope and extent of the situation.” Once more details are available, accurate and appropriate communications can be developed for public release.

• **Do not tell departments they will be back up in a day.** Regardless of how solid and complete the organization’s backups may be, containment, assessment, preservation and eradication can take days or weeks. The member should let departments know leadership will share accurate information as it becomes available, but the extent of the incident is still being determined.

• **Do not let outside parties have access to the organization’s computers or network, regardless of how experienced or well-intentioned they are.** The incident should be considered a crime scene and treated as any other crime scene would be. This includes limiting information and access only to those who are authorized to engage in the incident response effort.

• **Do not attempt to “hack back” or access IP addresses that the member thinks may be related to the attack or the exfiltration of data.** Not only is this illegal, but it can also result in damaging important evidentiary information or in some cases, the ability to decrypt.

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Commissioners, administrators, emergency managers, and IT staff from around the state gathered in St. Cloud on April 25 for the first [Cybersecurity for County Decision-Makers conference](#), created through a collaboration between AMC and MCIT, and featured local and national speakers addressing important cybersecurity issues at the county level. Attendees learned about current threats to county networks, tools they can use immediately to mitigate these threats, and how to respond to a security breach. AMC and MCIT also provided additional resources for county staff to use in order to better prepare for cyber threats.
Simple Strategies Shore Up Data, Network Security

Before taking extraordinary and sometimes expensive steps to implement the latest technical options for cyber-security, an organization should ensure that it has mastered the basics.

4 Best Practices

The Cybersecurity Infrastructure Security Agency of the Department of Homeland Security recommends four key steps to prevent or significantly reduce the risk of data compromises, including ransomware.

• Have a strong password policy that mandates complex and unique passwords. Password management systems can help with the challenges of people forgetting the complicated passwords needed for improved security. Uppercase, lowercase, numbers and symbols are all recommended to be used.

• Implement multifactor authentication. Multifactor authentication requires users to have multiple means to access data, such as first entering a password, then providing a time-limited code that is sent to a mobile phone or a fob.

• Require employees to double check the authenticity of a payment change request (either amount or where payment should be sent). Staff should check using methods that are currently on record with the member, such as the phone number, not the one included in the request for the change. See “Avoid the Lure of Phishing Scams” above for more.

• Repeatedly train employees on how to identify phishing or fraudulent messages. Most malware comes from phishing. Malware, including ransomware, allows threat actors to gain access to an organization’s network and data. Ongoing training about how to spot potential fraud and what to do about it is key to limiting malware and misdirected payments. Certain vendors offer simulated phishing attacks and training that help keep staff aware of and on guard for attacks.

• Require software updates. Often malware targets vulnerabilities in software that is only fixed via updates. Many updates are made by IT without the end user’s knowledge, though with many employees working from home or using mobile devices for work, this becomes even more crucial. The endpoints, which are the specific computers, laptops, tablets or other mobile devices, in addition to the main network servers both need to be updated to maintain security. Staff should not be permitted to delay updates indefinitely.

MCIT Recommendations

Based on actual member cyber claims, MCIT encourages members to implement these additional data compromise risk management strategies:

• Adhere to the data retention and destruction schedule: The less data that can be compromised limits the magnitude of an incident.

• Clean out email: Email is highly vulnerable to hacking and should not be used as a storage system. Employees should limit how many emails they keep in the email system, particularly those that contain private and personal data. Remind staff that they can save files for future reference in a more secure area on the organization’s network.

• Create a culture of open communication that makes employees comfortable reporting mistakes and suspected attacks. The quicker the member knows of a potential problem, the faster it can be investigated and addressed, minimizing the fallout.

• Support cybersecurity infrastructure such as segmented networks and segregated backups. These two structures allow for better containment of an attack’s effects and to return to operations after an incident, so budget for these necessities.

REGISTRATION OPENS JUNE 27!

Navigating Key Land Use Issues
August 29 @ 9:00 am - 3:30 pm

The seminar “Navigating Key Land Use Issues” strengthens attendees’ knowledge of the requirements they must consider when making land use decisions for local government entities, as well as explores the current land use concerns and emerging issues in Minnesota.

Who Should Attend?

This training is suggested for:
• Planning and zoning employees
• County commissioners
• Boards of adjustment members
• Planning commission members
• County attorneys

Schedule

Check in: 8:30-9 a.m. / Program: 9 a.m.-3:30 p.m.

Learn More and Register

Visit www.mcit.org/event/navigating-key-land-use-issues/ to learn more and register on or after June 27, 2024.
Main Street is in a building phase. As the effects of the pandemic wane, local governments are making budget choices to both recover from the pandemic and prepare for future challenges.

“Make hay while the sun shines” is the key message of this year’s State of Main Street project. This analysis was launched in 2020 at the start of the COVID-19 pandemic. A key component of the program is a listening tour across Minnesota where local government officials give feedback on county, city, and township financial data. This annual event provides on-going conversations between the Office of the State Auditor (OSA) and those that guide local budget decisions and policies.

This year, our goal was to examine the choices of local entities as they recover from the last challenge and prepare for the next. At this year’s listening sessions, participants from all levels of government shared key challenges on the horizon, including an aging population, affordable housing, housing shortages, unpredictable weather conditions, labor shortage, and materials cost increases.

Here’s what we heard on county-specific issues:

- The stress on infrastructure due to extreme weather events and age is apparent. Fortunately, there was a historic infusion of one-time federal aid coupled with an increase in state aid that allowed counties to focus on critical infrastructure investments for roads and bridges, housing, and health.
- Capital projects that didn’t create on-going funding commitments were prioritized.
- Homelessness and a shortage of affordable housing remained critical issues across the state. To address these issues, counties used a portion of the increased state and federal dollars to support efforts to increase the stock of temporary housing options and access to affordable housing.
- The increased cost of materials and labor was a challenge to keeping tax levies down. Market competition and high inflation increased spending on wages, salaries, and benefits for county personnel. Staffing shortages further intensified this challenge.
- Counties identified the crucial role they play in providing mental and behavioral health services. Increased mental and behavioral health needs in their communities will require more sustainable funding solutions.

**OSA Recommendations**

Plan and build infrastructure for daily operations and maintenance of services:

- Entities should continue to plan for emergencies and one-time money.
- Expanding existing infrastructure requires far fewer resources than building and creating new infrastructure. Having robust facilities, programs, and processes means that, in a crisis, resources won’t be lost to hurried, expensive buildup.
- Relationships and partnerships can be considered another key type of infrastructure and should be shored up and continued during this time of relative calm.

Rebuild and maintain adequate resources:

- Adequate cashflow helped entities take advantage of scarce resources before COVID funding was in place. Historic COVID funding from federal and state sources and financial reserves were key to weathering the unique challenges brought by pandemic.
- Entities should work toward maintaining strong reserve balances. However, focusing on building reserves at the expense of maintaining infrastructure will mean that, in a crisis, infrastructure will need to be built in a hurry. Rushed infrastructure can be more expensive, and often less effective. The benefit of additional reserves, if set aside at the expense of infrastructure, may be negated by the costs of hurrying in a crisis.

On-going funding, such as county program aid (CPA), provides consistent and reliable revenue that help keep property tax levies lower. Projects with the most long-term impact were those that complemented or expanded projects already in existence. Starting systems from scratch under tight timelines and resource pressures during an emergency may lead to errors and fewer direct benefits. Funding for long-term needs increases the chance that adequate infrastructure will be able to assist during a crisis.

Does this match what’s happening in your county? As always, we want to hear your experiences and ideas. Email us at outreach@osa.state.mn.us on this or any other topic.
Minnesotaans are no strangers to severe weather conditions— from heavy snowfall and frigid temperatures during the winter to tornadoes, intense rainfall and even flooding during the warmer months. As we enter spring, it is crucial to prepare for the worst. However prepared, some areas of the state know to expect severe weather come springtime, while others may be taken completely off guard. The damage caused can mean unexpected costs to a community for cleanup and repairs. Whatever the circumstances, USDA Rural Development has several programs to help rural communities and counties affordably recover from natural disasters or simply make improvements to housing and essential community facilities that they may have been delaying.

Rural Development’s Community Facilities (CF) Disaster Repair Grants are designed to help repair essential community facilities—such as hospitals, town halls, fire departments, schools, and food banks—damaged in severe weather incidents named Presidentially declared disasters in 2022. Public bodies, private nonprofit organizations, and federally recognized tribes in areas with populations less than 20,000 are all welcome to apply for funding. Disaster Repair Grants can fund up to 75 percent of the cost to repair damaged facilities, replace damaged equipment or vehicles, or purchase new equipment to undertake repairs. There is no minimum or maximum grant limit per project.

Additionally, our Disaster Water Grants Program is available for communities in Presidentially declared disasters in 2022. These grants can help eligible communities handle expenses related to incidents that damaged water resource infrastructure, including drinking water, wastewater, storm drainage, and solid waste facilities.

We recognize that rural homeowners in Minnesota are also vulnerable when disasters strike. Our Single Family Housing (SFH) Rural Disaster Home Repair Grants are available in the event that your home was impacted by a disaster. This program provides grants to very-low and low-income homeowners to repair their homes damaged in Presidentially Declared Disaster areas in 2022. Funds can be used towards disaster-related home repair expenses, site preparation, and the cost to move a manufactured home to a new location. The maximum grant award is $42,920, but very-low-income applicants may also be eligible to apply for Single Family Housing Home Repair Loans and Grants.

For example, a homeowner’s residence in Alexandria, Douglas County was unlivable after a tornado struck. The tornado ruined their plumbing, air conditioner, and heat; damaged their bedroom, kitchen and living room; left mold and water damage; and ripped out their insulation. The homeowner was forced to move out and live in an apartment while they figured out their next steps. Our SFH Rural Disaster Home Repair Grant reimbursed the homeowner for expenses they paid to make their house livable again, allowing them to move safely back home.

Applications for CF Disaster Repair Grants and SFH Rural Disaster Home Repair Grants will continue to be accepted until all funds are exhausted. Grant recipients must certify that there is no duplication of benefits with their award, including insurance benefits. A list of 2022 Presidentially Declared Disaster areas is available by the Federal Emergency Management Agency (FEMA).

Whether the county library needs improvements or repairs; local county law enforcement needs new equipment; or your home needs its roof replaced, USDA Rural Development has funding available to assist.

We are here to help, from the brainstorming process through project completion. Visit www.rd.usda.gov/mn to locate your local Rural Development area office and get started on your project. And remember to follow @RD_Minnesota on X!
Benefits For You and Your Banker

By William Cherry, Director of Public Partnerships at three+one®

When you are responsible for the finances of any public entity, whether it be a county, city, town, school district, or a higher education institution, you get to know your local bankers pretty well. It is a business partnership that, over time, often grows into a longstanding mutual friendship.

You rely on your bank to protect the funds you have entrusted to their institution and to provide your public entity with fair-market interest earnings on all of the liquidity you have on deposit with them. You also count on your bank to provide your office with seamless, secure services on things like fund transfers, ACH and wire payments, and other important services. Your local banks, in turn, no doubt consider your entity to be one of their most important clients because of the high levels of liquidity you generally have on deposit.

Here at three+one®, we understand and respect those banking relationships. Our liquidity analysis services and future cash-flow projections benefit both you as well as your banker. How? By providing your finance office with accurate, timely data that allows you to confidently diversify a portion of your cash into longer-term investments like higher-interest Certificates of Deposit and U.S. Treasury bills. Our accurate data tells you how long every dollar of your cash will remain on deposit; that opens the door to a more balanced portfolio of short-term available cash, as well as a mix of some longer-term, secure, fixed-rate investments. And you’ll benefit by staying with your bank of choice.

It’s a win-win for both your entity as well as your banker. You put cash to work earning the highest possible interest while reducing rate-fluctuation risks. This in turn increases your non-tax revenues and lets your bank confidently put that fixed-term liquidity to work through small-business loans, home mortgages, etc. Working together in this way serves to strengthen your hometown community.

We are the nation’s leader when it comes to liquidity analysis for municipalities, school districts, and higher ed entities. You will love what our data tells you – and so will your banker!

William Cherry served for 24 years as a county treasurer responsible for managing and investing public funds. He now serves as the Director of Public Partnerships for three+one, and can be reached by phone at 585-484-0311, ext. 709 or by email at wec@threeplusone.us.

Working Together to Ensure Integrity of Elections

By Julie Hanson, Co-Chair MACO Legislative Committee, Scott County Property & Customer Service Manager

As you may already know, MACO (the Minnesota Association of County Officers) is comprised of Auditors, Auditor-Treasurers, Treasurers, Recorders, Finance Officers, Elections Administrators, Deputy Registrars and Vital Records Officials from all 87 counties across our great state. Every other year, the Minnesota Office of the Secretary of State holds its County Election Administration Training Conference; 2024 training was held the week of April 22 in beautiful Nisswa, Minnesota.

Attendees came from across the state to hear from Secretary Steve Simon and his team on a variety of important elections topics, including sessions on “Challenges, Changes, Where We’ve Been and Where We’re Going” to “Election Security & Emergency Planning” to “Managing Absentee Voting.” Other highlights included a comprehensive review of election day processes and reviewing what happens after election day.

The world of elections has changed greatly over the past few years and to quote Time Magazine's Koh Ewe “2024 is not just an election year. It’s perhaps the election year.” Having a venue such as this, with a gathering of elections administrators from all levels of experience, builds confidence in ourselves, shapes strong relationships with our state partners and provides a community of like-minded professionals that we know we can depend on and turn to. The training is an invaluable experience for new and experienced administrators alike. Election administrators learned best practices, legislative changes and balancing being as transparent as possible while still providing the necessary voter privacy and ensuring election integrity.

With the support of County Commissioners, we look forward to administering free, fair, secure and accurate elections with the steadfastness and sense of community that Minnesota is known for.
By Bev Durgan, Dean, University of Minnesota Extension

University of Minnesota Extension and Minnesota counties have a long history of partnering to bring educational programming to residents throughout our state.

This year, counties have the opportunity to renew those partnerships for another three-year term. The AMC Extension Committee has endorsed a proposed agreement, and the Extension statewide operations team will be meeting with county leaders over the next few months to ask for your support.

Extension is proud to bring educational programming to all 87 Minnesota counties. However, every county partnership is slightly different. We understand that what one county needs and can afford might look very different in the county next door. The proposed agreement is designed to allow counties to choose from a menu of options that fit their budgets and priorities.

Your local regional director will work closely with you to select the options that are a good fit for your county.

Thank you for your support of Extension programming, and I hope you will continue to support our important ongoing partnerships.

For 75 years, we’ve made a difference in communities that trusted us to tackle their challenges and exceed their expectations.
WIR Conference

AMC’s delegation to the NACo WIR (Western Interstate Region) Conference in California in early May. (L to R) Lac qui Parle County Commissioner Todd Patzer (NACo Board Member), AMC Executive Director Julie Ring, Lake County Commissioner Rich Sve (WIR Representative), NACo President and Ramsey County Commissioner Mary Jo McGuire, St. Louis County Commissioner Paul McDonald, Stearns County Commissioner Tarryl Clark (NACo Board Member), AMC President and Cass County Commissioner Neal Gaalswyk, AMC Policy Analyst and MAWB Director Cate Duin, Blue Earth County Commissioner Vance Stuehrenberg, and Renville County Commissioner Dave Hamre.

NACo President and Ramsey County Commissioner Mary Jo McGuire swears in new WIR board members.

Lake County Commissioner Rich Sve, AMC’s representative on the National Association of Counties (NACo) Western Interstate Region (WIR) board, was featured in a recent edition of NACo’s County News, discussing the possible boon that could result from the recent discovery of a helium deposit in Lake County.

Association of Minnesota Counties

125 Charles Avenue, St. Paul, 55103-2108
Main Line: 651-224-3344, Fax: 651-224-6540
www.mncounties.org

Administration

Executive Director ........................................ Julie Ring ......................... 651-789-4330
Accountant .................................................... Janine Cross ......................... 651-789-4338
Member Engagement Coordinator ....... Ryan Erdmann ......................... 651-789-4345
Research Coordinator ............................... Jill Suurmeyer ......................... 651-789-4357

Member Services & Communications

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Communications Coordinator .......... Becky Pizinger ......................... 651-789-4332
Education & Training ................................. Matt Cassady ......................... 651-789-4341
Member Services Associate ................... Suzanne LaPalm ......................... 651-789-4333
Administrative Associate ......................... Donna Haupert ......................... 651-789-4336
Affiliate Project Manager ......................... Bob Libal ................................. 651-789-4336

Government Relations

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Environment & Natural Resources .. Brian Martinson ................................. 651-789-4322
Health & Human Services:
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  Child Wellbeing ........................... Angie Thies ................................. 651-789-4321
Public Safety ............................... Emilio Lamba ................................. 651-789-4335
Transportation & Infrastructure .... Emily Murray ......................................... 651-789-4339
GR Project Manager ......................... Matt Cook ................................. 651-789-4346

Affiliate/Contract Services

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Minnesota Association of Community Corrections Act Counties (MACCAC)
  Program Manager ......................... Matt Cook ................................. 651-789-4346
Local Public Health Association (LPHA)
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  Project Manager ......................... Alicia Rodriguez ................................. 651-789-4325
Minnesota Association of County Social Service Administrators (MACSSA)
  Director ............................................ Matt Freeman ......................... 651-789-4340
  Project Manager ......................... Fiona Carson ................................. 651-789-4339
Minnesota County IT Leadership Association
  (MNCITLA) Director ......................... Nathan Zacharias ......................... 651-789-4342

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