



Association of  
Minnesota Counties

# Fall Policy Conference

September 13 – 15, 2023

Arrowwood Conference Center – Alexandria

Special Thanks to Our  
Conference Sponsor



BlueCross  
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# Welcome & Introductions



**AMC President  
Mary Jo McGuire**  
Ramsey County  
Commissioner





# Pledge of Allegiance



# Special Thanks to Our PREMIER Partners for Their Commitment to AMC and Counties!







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# General Session Panel



## **Solutions for the County Dispatch Workforce Shortage**

Jill Bondhus, Emergency Communication Networks 9-1-1 Operational Coordinator

Valerie Sprynczynatyk, Anoka County Emergency Communications Center Director

Sheriff Mark Brown, Big Stone County

Sheriff Eric Tollefson, Kandiyohi County



# Solutions for the County Dispatch Workforce Shortage

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# General Session Panel



## AMC Tax Forfeiture Update

Commissioner Chris LaTondresse, Hennepin County

Commissioner Paul McDonald, St. Louis County

Julie Marinucci, Land and Minerals Director, St. Louis County

Daniel Rogan, Senior Assistant Attorney, Hennepin County





# *Tyler v. Hennepin County*

Decision and Implications

# *Tyler v. Hennepin County*

- Tyler's condo forfeited after and was sold for \$40,000. Only \$15,000 in tax was owing.
- 2019 putative class action filed in state court
  - Hennepin County removed to federal court
  - District court dismissed for failure to state a claim
  - Eighth Circuit Court of appeals unanimously affirmed
  - SCOTUS granted certiorari
  - Argued April 26, 2023
  - Decided May 25, 2023





# Holding

The retention of value in excess of the lien amount is a Taking.

## Syllabus

NOTE: Where it is feasible, a syllabus (headnote) will be released, as is being done in connection with this case, at the time the opinion is issued. The syllabus constitutes no part of the opinion of the Court but has been prepared by the Reporter of Decisions for the convenience of the reader. See *United States v. Detroit Timber & Lumber Co.*, 200 U. S. 321, 337.

## SUPREME COURT OF THE UNITED STATES

## Syllabus

TYLER *v.* HENNEPIN COUNTY, MINNESOTA, ET AL.

CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR  
THE EIGHTH CIRCUIT

No. 22–166. Argued April 26, 2023—Decided May 25, 2023

Geraldine Tyler owned a condominium in Hennepin County, Minnesota, that accumulated about \$15,000 in unpaid real estate taxes along with interest and penalties. The County seized the condo and sold it for \$40,000, keeping the \$25,000 excess over Tyler’s tax debt for itself. Minn. Stat. §§281.18, 282.07, 282.08. Tyler filed suit, alleging that the County had unconstitutionally retained the excess value of her home above her tax debt in violation of the Takings Clause of the Fifth Amendment and the Excessive Fines Clause of the Eighth Amendment. The District Court dismissed the suit for failure to state a claim, and the Eighth Circuit affirmed.

*Held:* Tyler plausibly alleges that Hennepin County’s retention of the excess value of her home above her tax debt violated the Takings Clause. Pp. 3–14.

(a) Tyler’s claim that the County illegally appropriated the \$25,000 surplus constitutes a classic pocketbook injury sufficient to give her standing. *TransUnion LLC v. Ramirez*, 594 U. S. \_\_\_, \_\_\_. Even if there are debts on her home, as the County claims, Tyler still plausibly alleges a financial harm, for the County has kept \$25,000 that she could have used to reduce her personal liability for those debts. Pp. 3–4.

(b) Tyler has stated a claim under the Takings Clause, which provides that “private property [shall not] be taken for public use, without just compensation.” Whether remaining value from a tax sale is property protected under the Takings Clause depends on state law, “traditional property law principles,” historical practice, and the Court’s precedents. *Phillips v. Washington Legal Foundation*, 524 U. S. 156, 165–168. Though state law is an important source of property rights, it cannot be the only one because otherwise a State could “sidestep the

# Policy considerations to monitor

- Conservation
  - Will government acquire the parcels it desires through the judicial foreclosure sale?
- Distressed properties
  - Will buyers at the foreclosure sale remediate distressed properties?
  - If government is the default buyer, how will it fund expensive cleanup?
- Administratively efficiency
  - Will the new process administratively efficient and transparent for all parties involved?
- Revenue for local government
  - Will taxes collected through the foreclosure sale equal or exceed disbursements from the “old” TFL sale fund?
- Fairness
  - How do we balance private interest along with the public’s interest?

# Perspective from the North

The unique nature of tax-forfeited lands & minerals in NE Minnesota



# Early History



**pre-1920**

White Pine & Norway in high demand to feed the sawmills



**1900-1920**

Mills shut down, Settlement of cut-over lands promoted, regardless of location & adaptability



**1920-1935**

Agriculture did not have a market and a global recession coupled with property tax assessment issues led to massive tax delinquency



**1935**

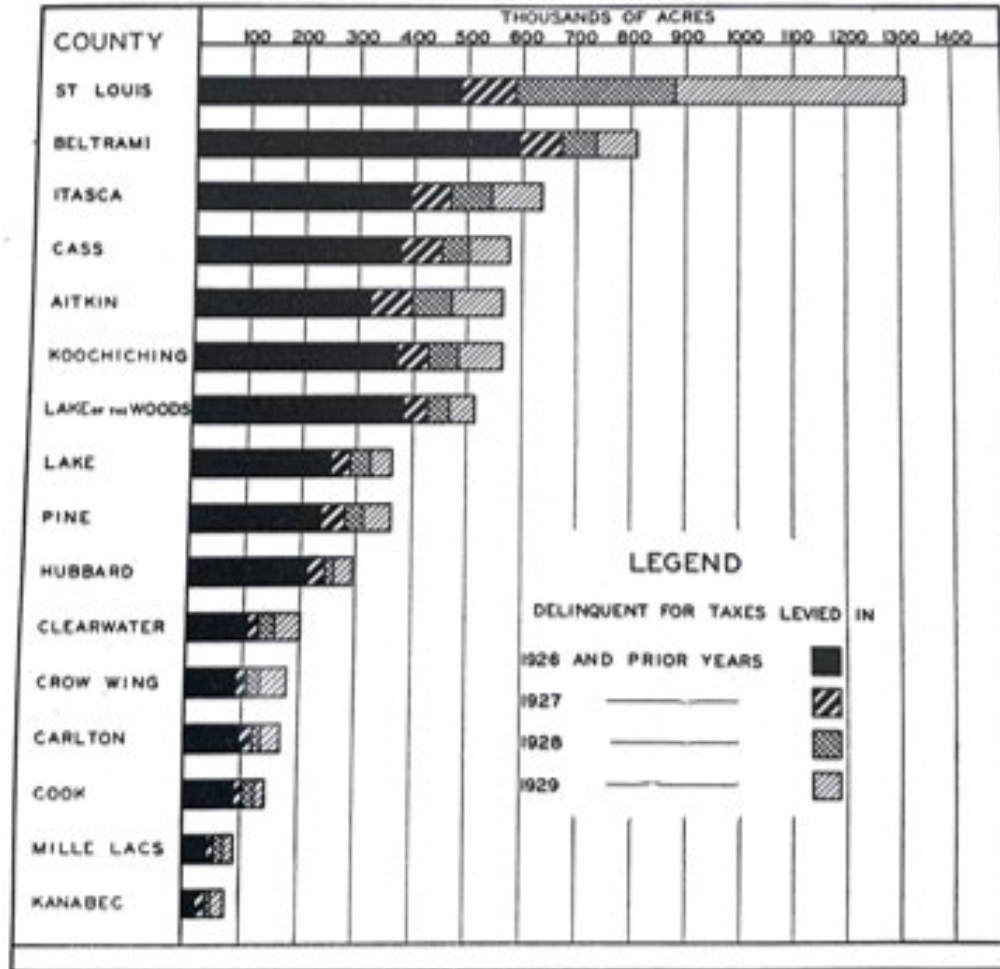
Enactment of first Tax-Forfeiture Law with the objective to put lands to best use. Chapter 278, Session Laws of 1935



**1936-1937**

First lands coming into full forfeiture after being tax delinquent back to 1926. The first sale of forfeited lands was in 1939.

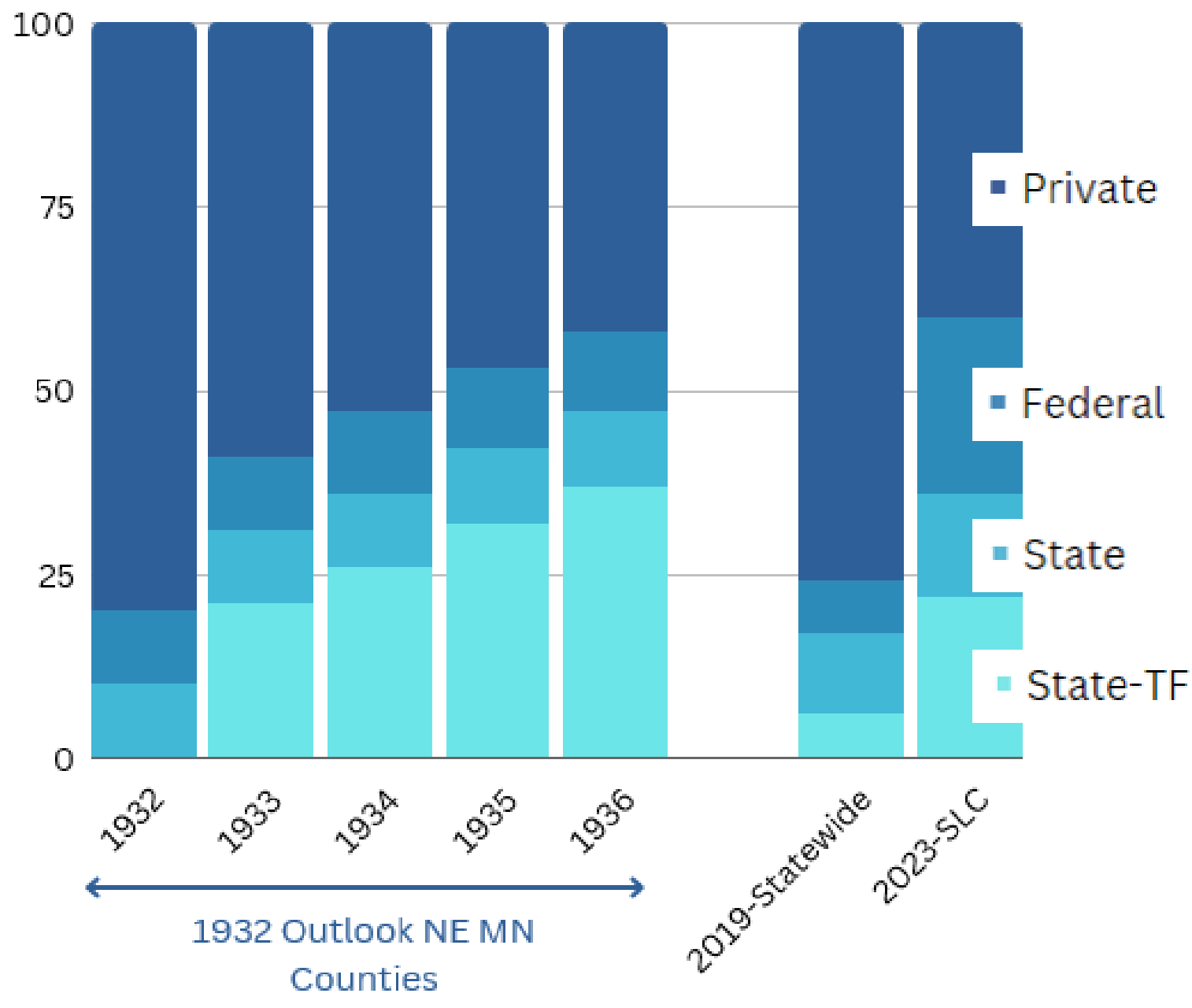
FIGURE 4.—ACREAGE TAX DELINQUENT IN SIXTEEN NORTHEASTERN COUNTIES, JANUARY 1, 1931



**Uncollected Taxes,  
1930 & before**

**16 NE Counties  
\$21,874,033**

**Remaining 71 Counties  
\$22,829,111**



# Ownership Trends in NE MN & Beyond

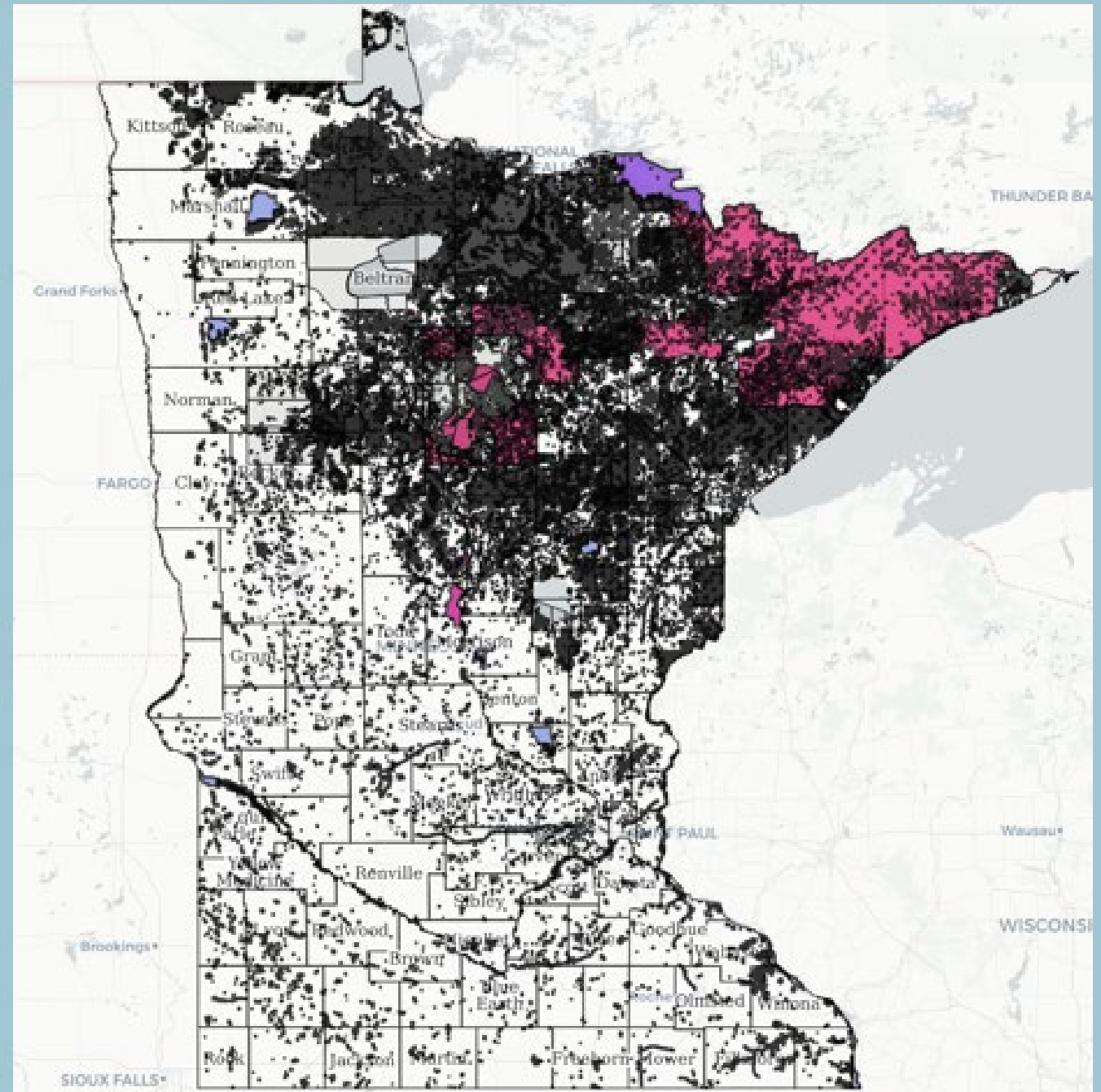
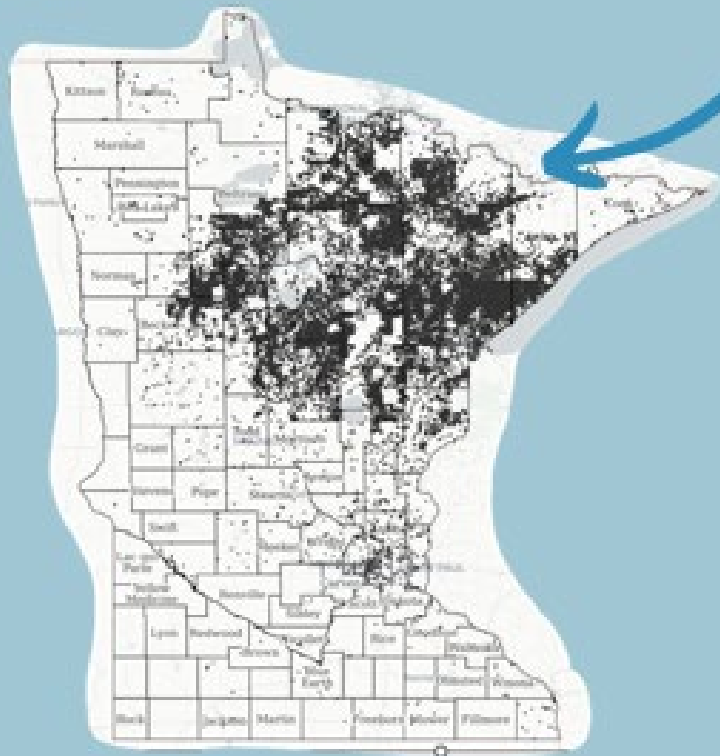
Tax Delinquency and Forfeiture remained high into the 1960's and continues today to a much lesser degree.

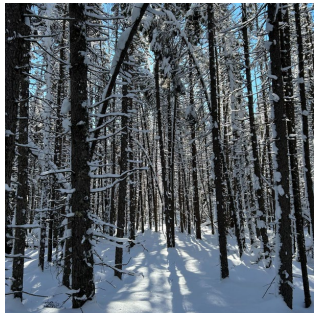
2.8 million acres of Tax-Forfeited land is managed by the 15 northern counties today



# Public Land

The concentration of Public Lands: Federal, Tribal, State and Tax Forfeited Trust lands is highly concentrated in N/NE Minnesota





## Timber

Sustainably manage the forest for economic and ecological benefit



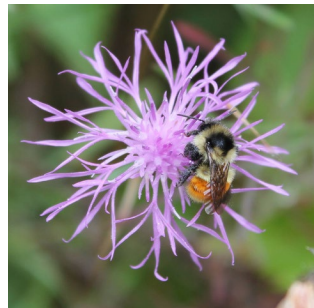
## Mineral Development

Development and protection of the state mineral interests



## Recreation

Public access to the abundant natural landscapes of NE MN



## Environmental

Protection of natural landscapes, watershed and research of the natural environments

# Value of the Trust land base in NE MN



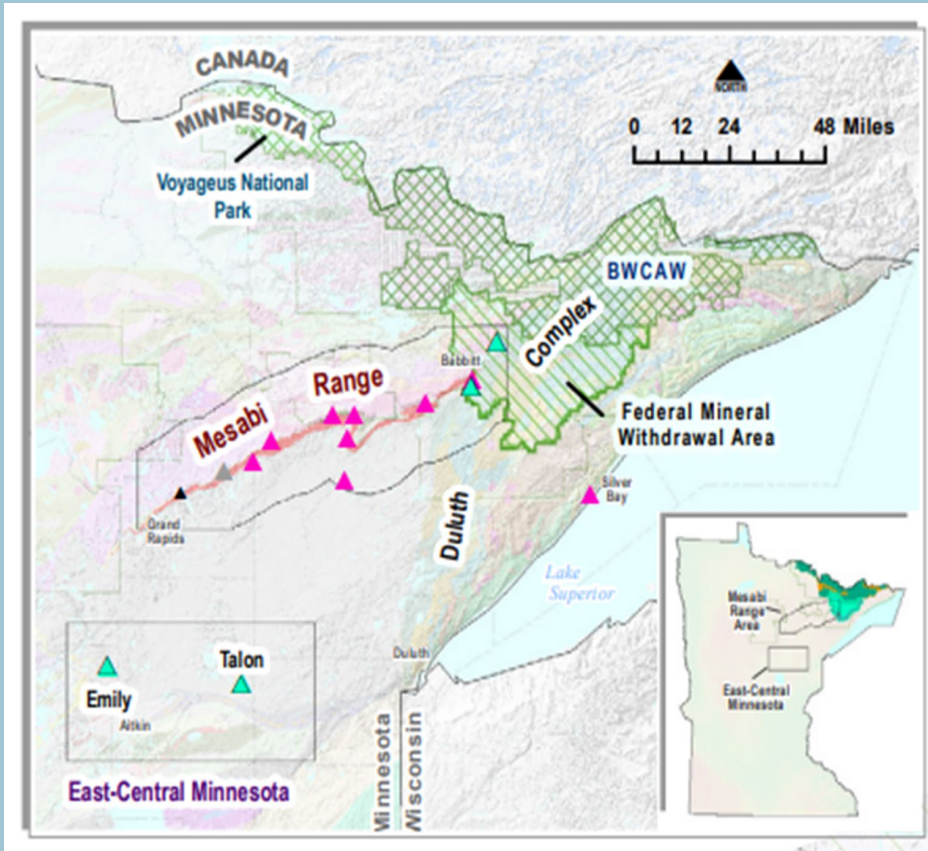
# Timber

## Sustainably Managed Forestland

- Professional Forest Staff
- 3rd Party Certified
- Follow Site Level Guidance, MFRC
- Reforestation through planting 2.3 million tree seedlings, direct seeding 4,300 acres along with natural regeneration
- 24% of annual stumpage on county lands
- 17,504 direct jobs, \$1.13 billion in labor income
- \$28 Million generated on county lands



# Mineral Development



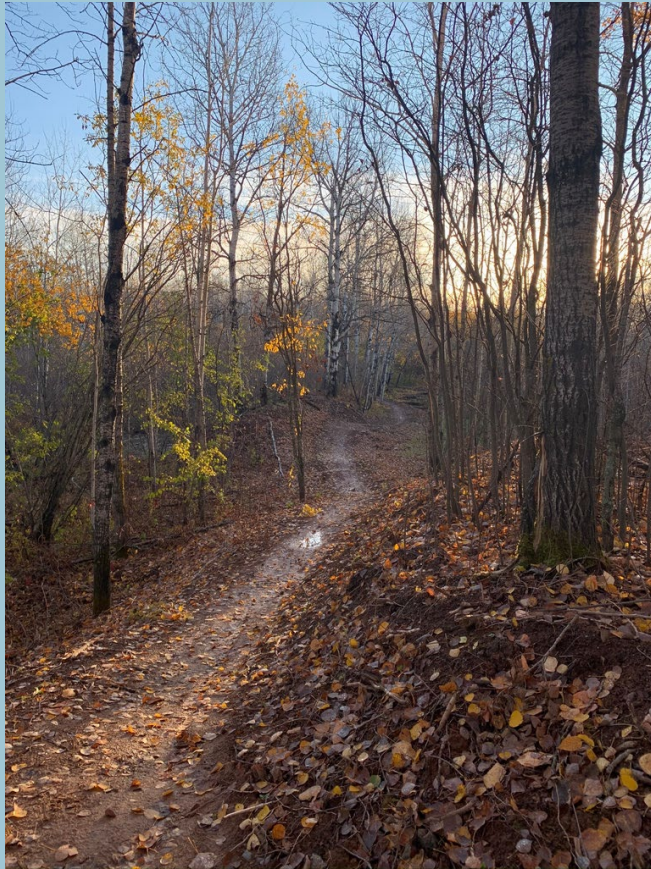
## Impact of the Surface Estate

- Land base in and around existing and future mining projects provides key access
- Surface leasing provides revenue to the Tax-Forfeited Trust
- Protected access to severed minerals

## Severed Mineral Estate

- Failure to claim and pay taxes on deeded severed minerals allows the forfeiture of the severed minerals.
- State of MN retains all forfeited mineral interests & severed minerals and the MNDNR manages these interests.
- Mineral interest have paid over \$45M over the last ten years.

# Recreation



## Access & Protection

Connected public lands provide access and protection to much of the unique beauty of NE Minnesota to be explored on foot, bike, ski or ATV.

9,186 miles of locally sponsored grant-in-aid trail systems

## Economic Driver

Outdoor recreation generates 2.4% of the state's GDP (\$9.9 billion) in 2021.





# Environmental

## Natural Habitat

Provide acres of natural habitat to benefit game & non-game wildlife, critical and sensitive habitats, wildfire mitigation

Protect watersheds through good forest management

Protect resources essential for tribal communities to exercise their treaty rights

# Management Challenges

## Blight

Significant lack of funding to address extremely blighted properties

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## Environmental Cleanup

Many sites require extensive environmental remediation

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## Complicated Ownership

Ability to determine property interest at the time of forfeiture

## Operational Funding

Ability to recoup the expenses to manage these lands.



December 2018



October 2019

# Apportionment

## Surface Estate:

**5 Year Total: \$28,985,713**

**5 Year Average: \$5,797,142**

Apportionment of Tax-Forfeited Revenue:  
30% Memorial Forest, 20% Recreation  
Remaining: 40% County  
40% School  
20% Town or City

## Mineral Estate:

**5 Year Total: \$22,435,000**

**5 Year Average: \$4,487,000**

Apportionment of Tax-Forfeited Revenue:  
20% MNDNR Mineral Management Account  
Remaining: 3/9 County  
4/9 School  
2/9 Town or City

\$25,000,000

\$20,000,000

\$15,000,000

\$10,000,000

\$5,000,000

\$-

2018

2019

2020

2021

2022

Aitkin

Cass

Koochiching

St. Louis

Beltrami

Crow Wing

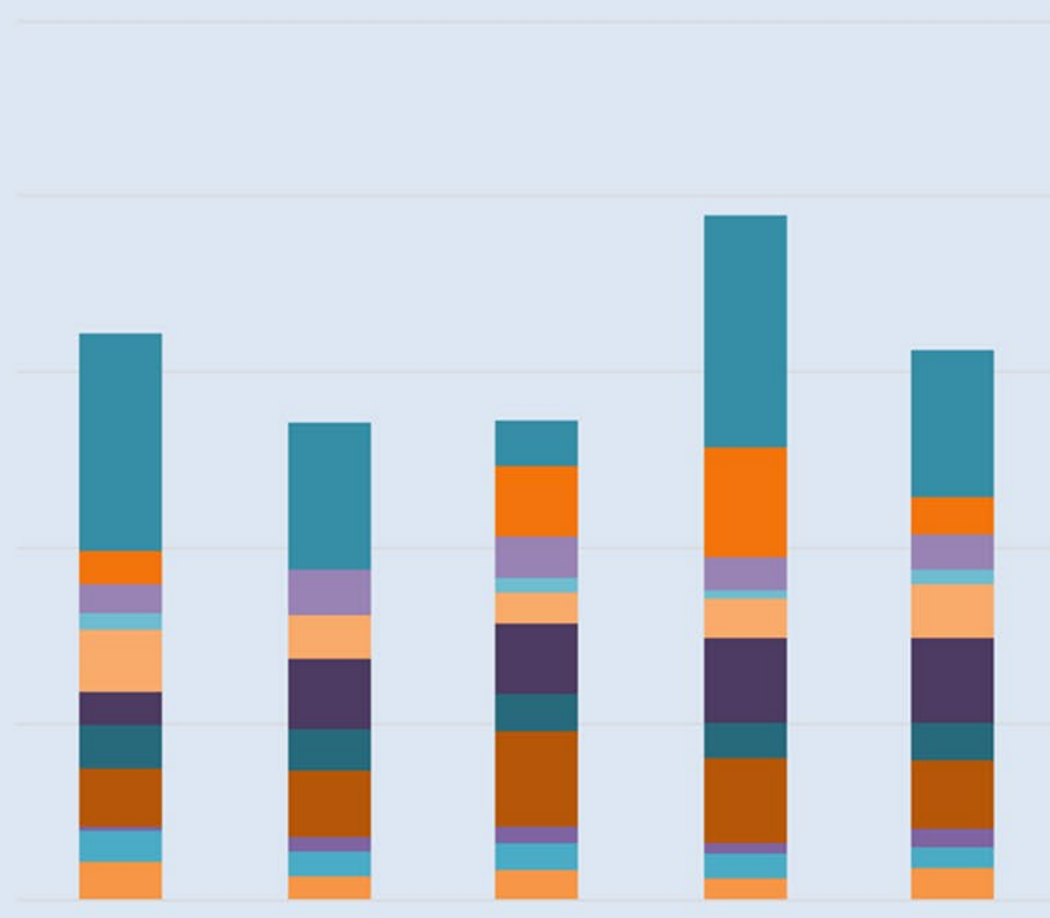
Lake

Minerals

Carlton

Itasca

Pine





# Northern Considerations

Retain historic land base for timber, mining, recreation and environment

Ability to sustainably manage our timber programs

Protection of the Mineral Estate

Sustainable funding for blight, land sale, and department as a whole



## AMC TAX FORFEITURE GROUP VALUES

- **Create a system centered on fairness. Keeping a broad sense of fairness center of any legislative solution, particularly as it relates to other property taxpayers.** For example, if we use county resources free of charge to improve a property and the excess goes back, is that fair to other property taxpayers?
- **Create a system that is administrative and budgetarily efficient, transparent, and accessible/understandable for a person going through it.**
- **Create a system that provides local governments flexibility to protect the public interest.** There is a critical need to provide certain counties that deal with large natural resources/mineral holdings the ability to manage those critical resources in a way that benefits the public at large. Furthermore, all counties have an interest in remediating and ensuring the redevelopment of distressed properties.
- **Protect and enhance landowners' ample/robust opportunities to reclaim their property.**
- **Create a process that is effective in enhancing title ownership while meeting the constitutional requirements set by the Courts.**

## POTENTIAL LEGISLATIVE BUCKETS

- Bucket 1: Retroactivity timeline, statute of limitations, class action lawsuit fund
- Bucket 2: New Surface Estate Scheme
- Bucket 3: New Minerals Estate Scheme
- Bucket 4: Protection of Memorial Lands & Minerals
- Bucket 5: Tax Foreclosure Resources—more deed/registry tax sharing for management activities
- Bucket 6: Home Ownership Preservation/Hardship Assistance Fund



# General Session Panel



## AMC Tax Forfeiture Update

Commissioner Chris LaTondresse, Hennepin County

Commissioner Paul McDonald, St. Louis County

Julie Marinucci, Land and Minerals Director, St. Louis County

Daniel Rogan, Senior Assistant Attorney, Hennepin County



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# General Session Panel



## Family and Community Resource Centers in Minnesota

Barb Weckman Brekke, Scott County Commissioner  
Terry Lovgren, Pine County Commissioner  
Becky Foss, Pine County Health and Human Services Director  
Brenda Mahoney, MACSSA Project Coordinator



# FAMILY RESOURCE CENTERS





# AGENDA

Introduction

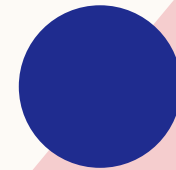
County Experience

Community Experience

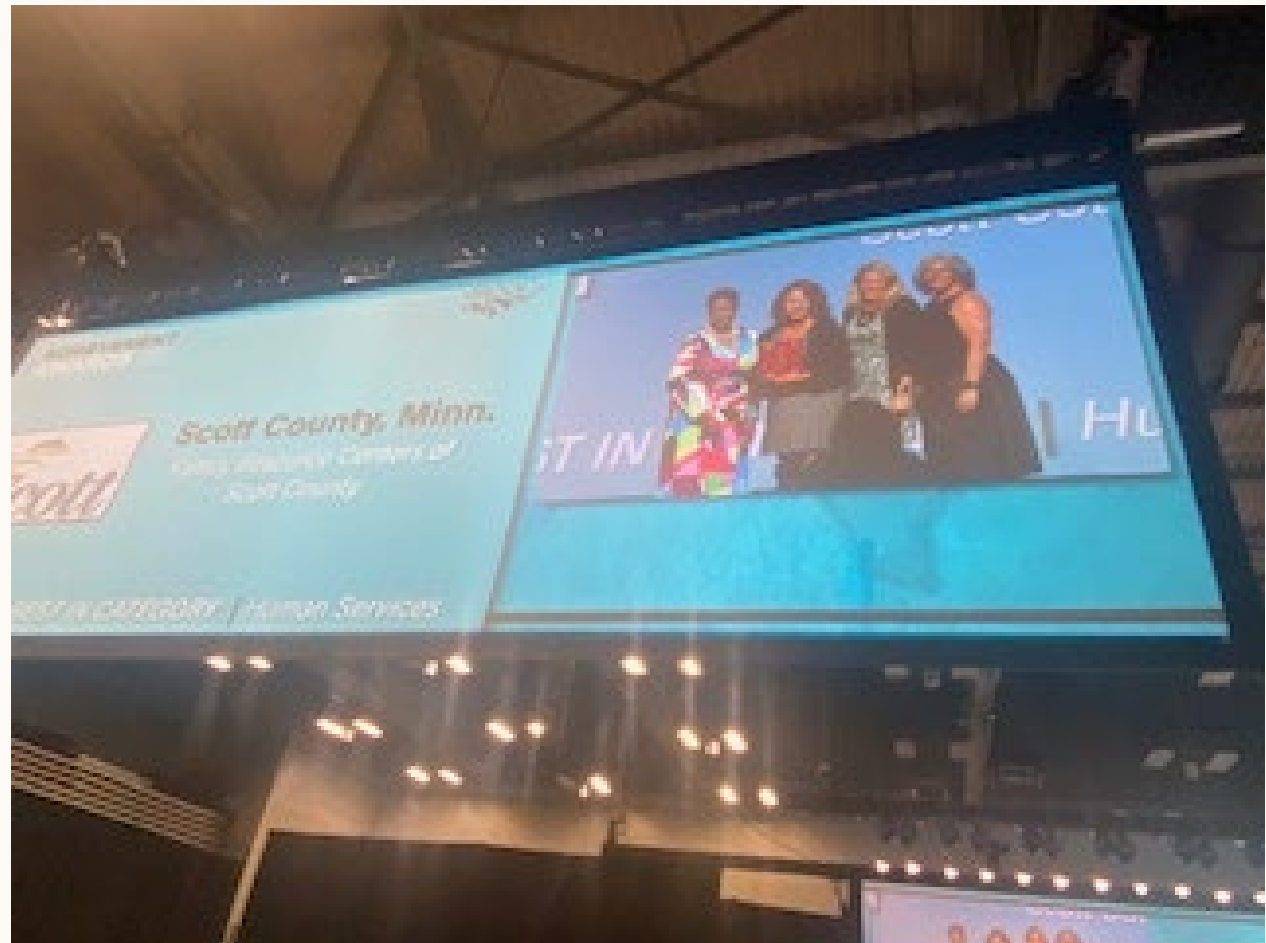
Family Resource Center Foundation

Opportunities

Question/Answer



# ***LEADING THE WAY*** **SCOTT COUNTY'S EXPERIENCE**



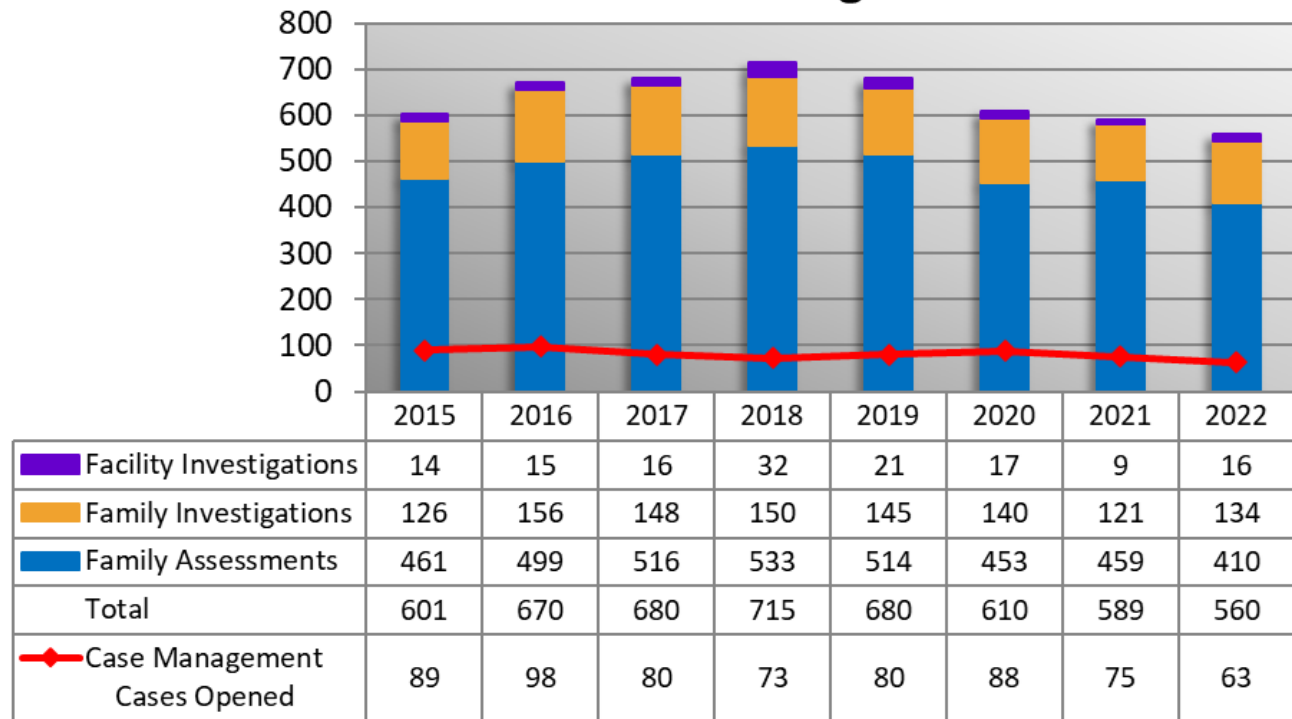


# SCOTT COUNTY'S EXPERIENCE



# SCOTT COUNTY'S EXPERIENCE

**Number of Initiated Child Maltreatment  
Assessments and Investigations**





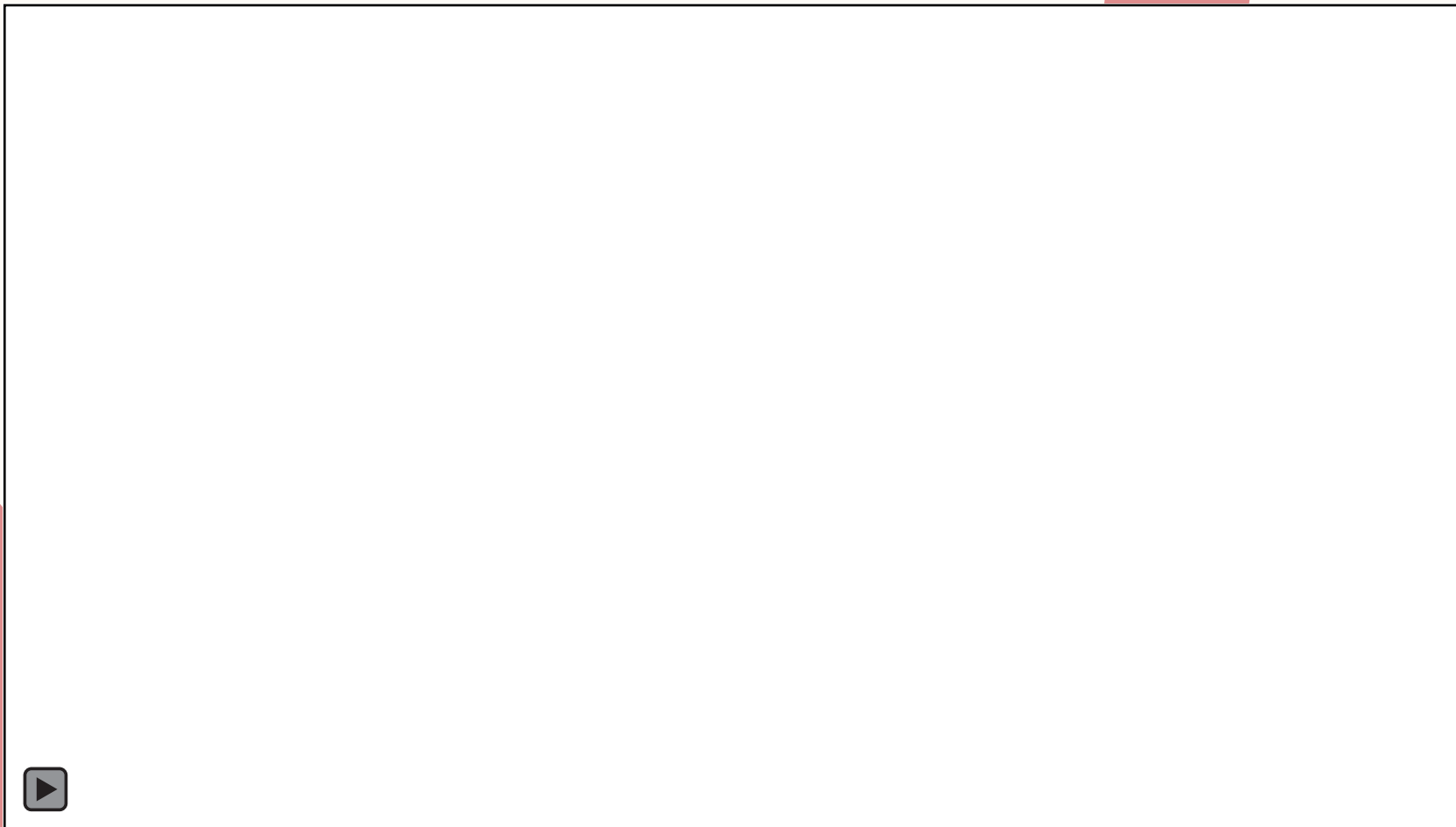
# **Parent Advisory Council Member**

Margareth Gurreonero





Margareth and family!



With Love, Mauricio!

# ***LEADING THE WAY***

## **PINE COUNTY'S**

### **EXPERIENCE**

### *Weekly* CALENDAR

September 4th - 8th

ACTIVITIES	TUESDAY	WEDNESDAY	THURSDAY	THIS WEEK'S PROVIDERS
<p><b>PARENT/CHILD ACTIVITY:</b> SCHOOL BUSESSES</p> <p>PARENT DISCUSSION GROUP</p> <p>YOUTH GAMES CREATIVE PROJECT IDEA SHARE</p>	<p><b>PINE CITY EAST CENTRAL REGIONAL LIBRARY</b></p> <p>1 - 5 PM</p> <p>300 5TH STREET SE</p>	<p><b>HINCKLEY COMMUNITY CENTER</b></p> <p>1 - 5 PM</p> <p>102 DUNN AVE N.</p>	<p><b>COMING SOON!!</b></p> <p>SANDSTONE 1 - 5PM</p> <p>EAST CENRAL REGIONAL LIBRARY NEW LOCATION</p> <p>106 MAIN STREET</p>	<p>HAVE QUESTIONS OR NEED ASSISTANCE WITH AN ISSUE? THE FOLLOWING PROVIDERS WILL BE AVAILABLE</p> <p>FAMILY PATHWAYS COMMUNITY ADVOCATES</p> <p>AANJIBIMAADIZING - HINCKLEY</p> <p>WELLNESS IN THE WOODS PEER SUPPORT - HINCKLEY</p> <p>PINE COUNTY ELIGIBILITY/MA RENEWAL</p>





“Family Resource Centers are designed to support communities and East Central is looking forward to working collaboratively to bring this opportunity to Pine County.”

Stefanie Youngerberg, East Central School Superintendent.

“Pine County is a large, very rural county which makes knowing where and how to get services very difficult for many of our residents. We were recently blessed with a grant which will allow us to serve our residents, your residents better with FRC's. I can't wait to see the benefits this will give to so many!”

Pine County Commissioner Terry Lovgren

# PINE COUNTY'S TIMELINE

43

## PINE COUNTY FRC ROADMAP

Today!!

Two sites open,  
third one to open  
soon; over 70  
participants in  
August 2023

November  
2022

Approved for SFF  
Grant to hire an  
FRC Coordinator  
and begin  
implementation

6

Summer and  
Fall 2022 -  
Reviewed  
Data and  
Community  
Health  
Assessment

4

July 2022

Commissioner  
Lovgren tours  
Colorado FRCs

2

**Late 2021/early  
2022**

FRC Convos

1

MACSSA and  
Scott County's  
work

Spring/Summer  
Early Fall 2022

3

Convos with  
community  
partners and  
internal  
workgroups

Wrote SFF  
Grant-  
September  
2022

5

February  
2023

FRC Coordinator began  
her work; continued  
with community  
partnerships and found  
family friendly locations  
to launch FRC

7



# ***FAMILY RESOURCE CENTERS***

## **Protective Factors (Center for the Study of Social Policy):**

- Parental resilience
- Social connections
- Knowledge of parenting and child development
- Concrete support in times of need
- Social and emotional competence of children



# ***FAMILY RESOURCE CENTERS***

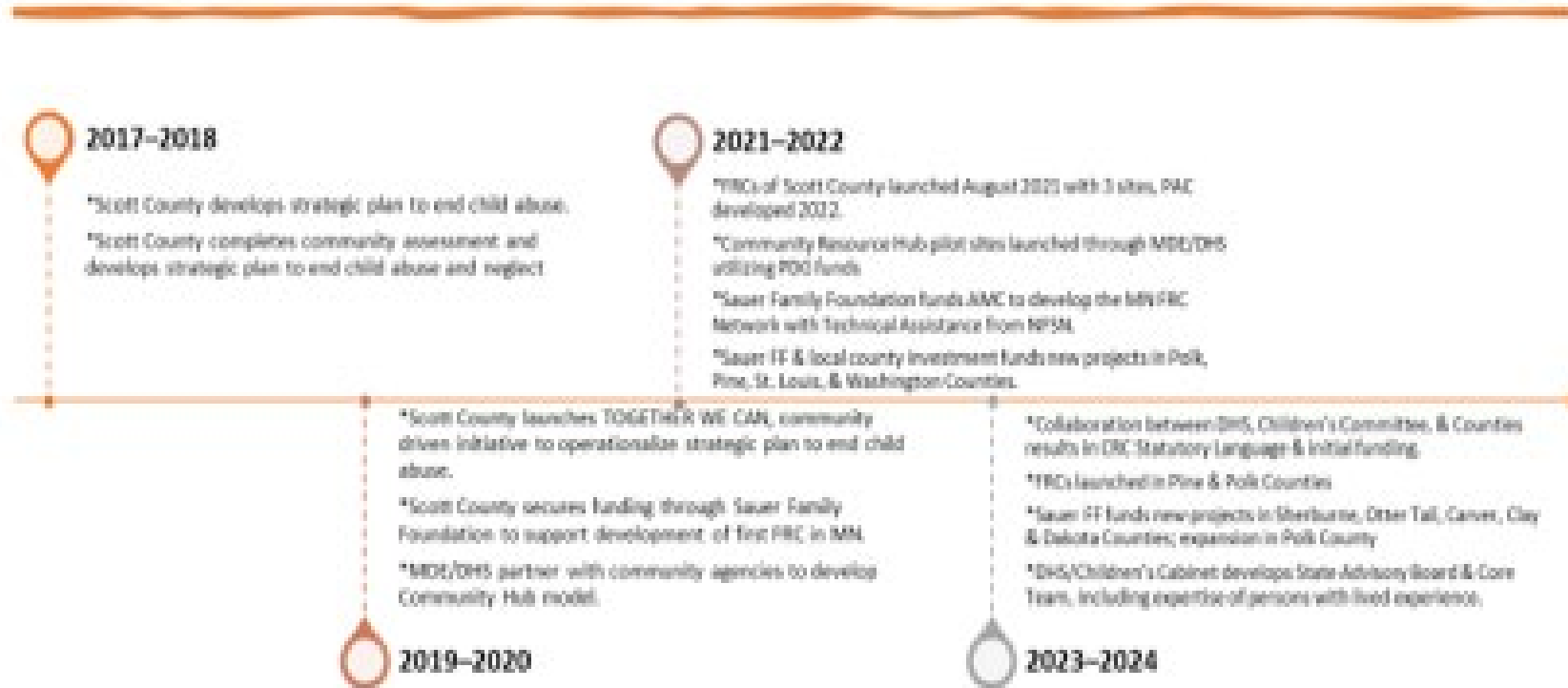
Key components:

- Geoflexible
- Adaptable
- Community and Lived Expertise Leadership
- Sustainable

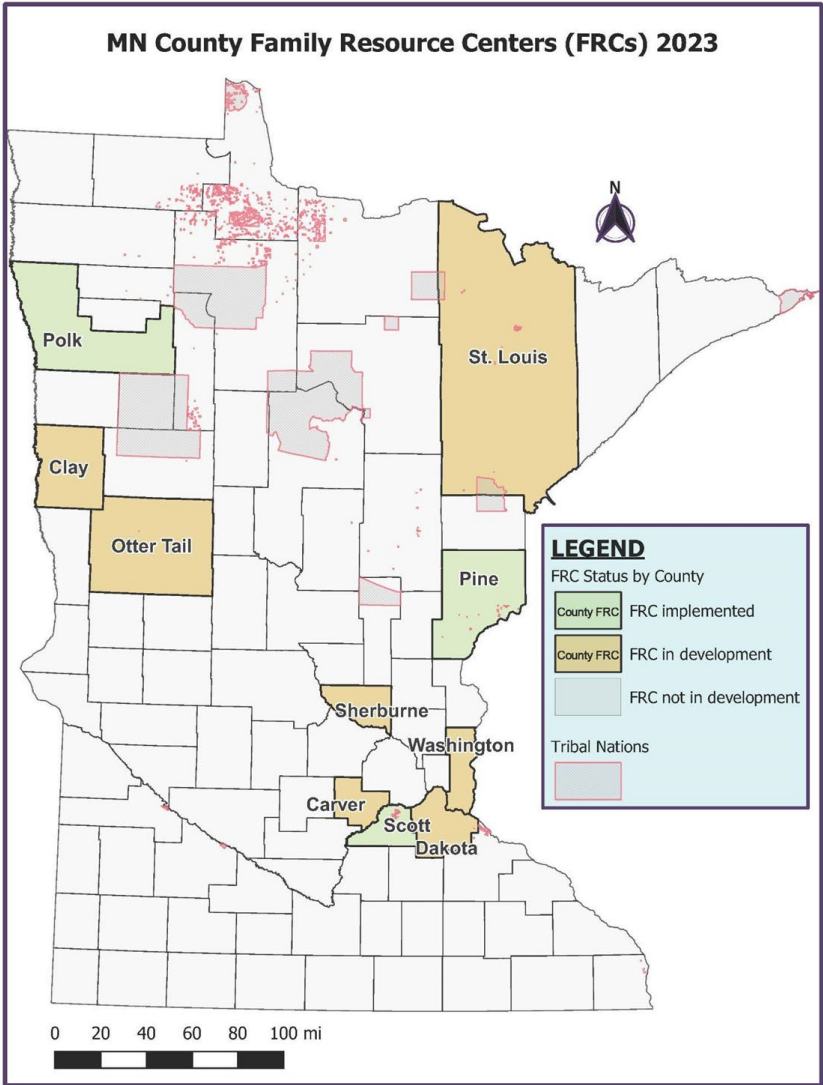
# ***FAMILY RESOURCE CENTERS***

- In 2023, over 10 counties alongside community partners sought funding through the Sauer Family Foundation to pursue Family Resource Centers.
- Secured legislation that authorizes a statewide advisory council and provides one time grant funding at \$5.7 through 2027
- Additionally, AMC sought funding to provide a central point for support, including technical assistance, training, development and a learning collaborative
- Continued Growth and Development

# Evolution of CRCs in MN



# ***FAMILY RESOURCE CENTERS***





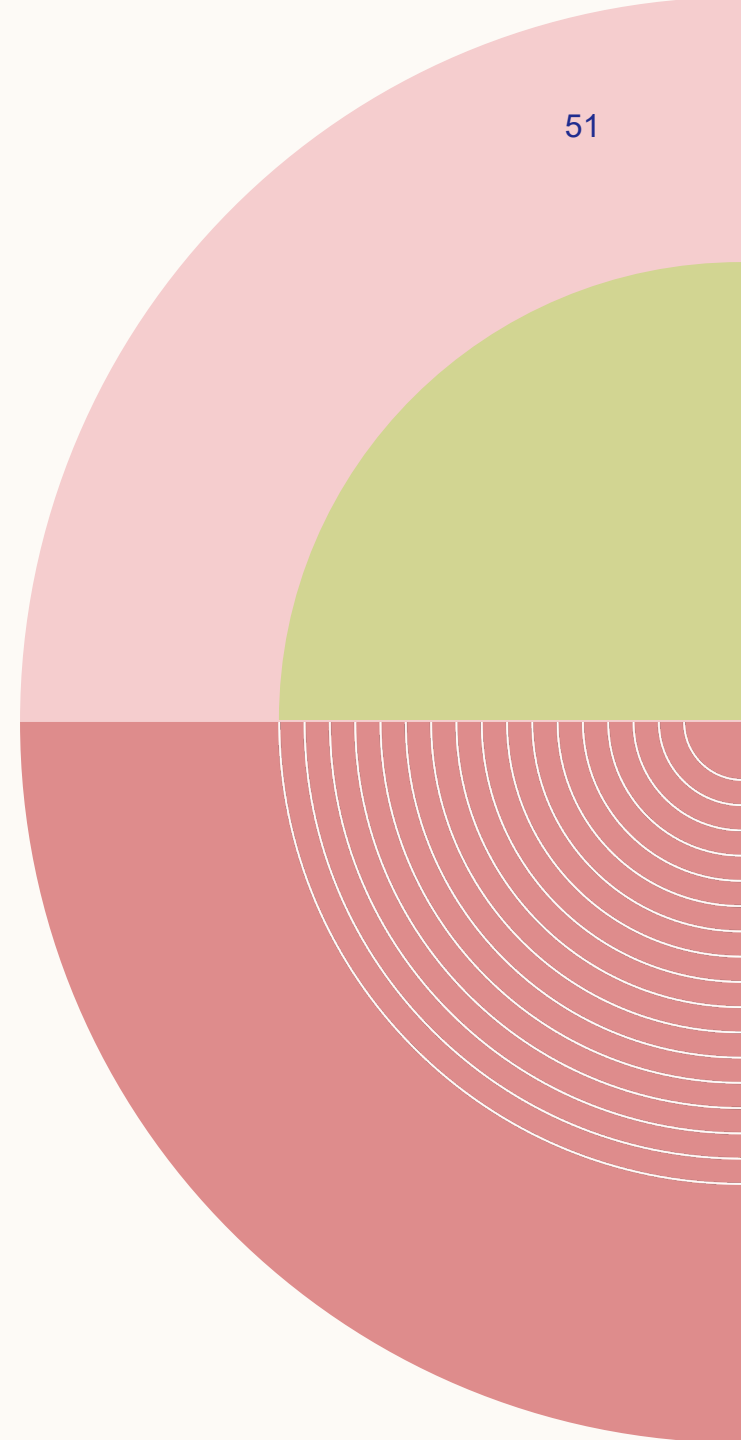
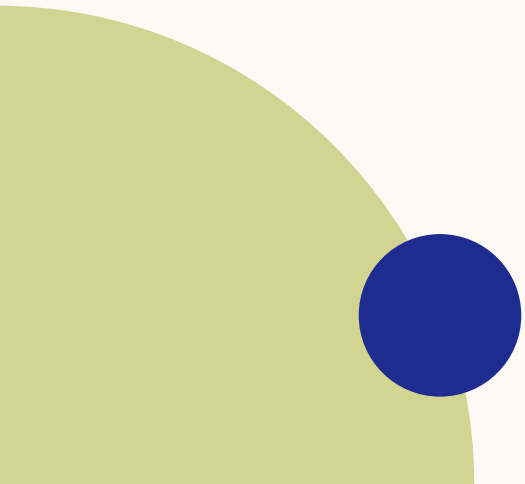
# FAMILY RESOURCE CENTERS

## ON THE HORIZON

- Networking Minnesota FRC sites
- Continued Support through AMC in partnership with Sauer Family Foundation, Casey Family Programs and the National Family Support Network (NFSN)
- Collaboration and Partnership with the Department of Human Services (DHS) to shape and implement the Community Resource Center Advisory Council and grant funding
- Continue to promote the work of FRC's and educate policy makers at the local, state and federal level
- Continue to identify and elevate the voice of community and lived expertise



# THANK YOU!!!



# THANK YOU

Angie Thies – [athies@mncounties.org](mailto:athies@mncounties.org)

Brenda Mahoney – [bmahoney@macssa.org](mailto:bmahoney@macssa.org)

Suzanne Arntson – [sarntson@co.scott.mn.us](mailto:sarntson@co.scott.mn.us)

# General Session Panel



## Family and Community Resource Centers in Minnesota

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# Today's Events



- |                  |   |
|------------------|---|
| 1:00 – 4:00 p.m. | <b>Policy Committee Meetings</b>  |
| 4:30 p.m.        | <b>Social Hour</b><br>Tennis Center   |
| 5:00 p.m.        | <b>Minnesota Counties Foundation<br/>Bean Bag Tournament &amp; Wine Pull</b><br>Tennis Center |
| 6:30 p.m.        | <b>Dinner</b><br>Tennis Center  |

**Special Thanks to the  
AMC Board of Directors and**



**their generous donations to the  
Wine Pull.**



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