

# Minnesota Counties

A quarterly publication of the Association of Minnesota Counties.

## Large Delegation Represents Minnesota at NACo Annual Conference

With more than 70 delegates in attendance (photo below), Minnesota counties were well represented at this year's National Association of Counties (NACo) annual conference in Adam's County, Colorado. Minnesota is a 100% membership state and all 87 counties are members of NACo.

Ramsey County Commissioner and AMC First Vice President Mary Jo McGuire will serve as NACo First Vice President for the next year before becoming the association's president at next summer's annual conference.

Congratulations to the following Minnesotans selected for national leadership roles by NACo President Denise Winfrey of Illinois:

- Joe Atkins, Dakota County, Vice Chair, Telecommunications and Technology Steering Committee
- Tarryl Clark, Stearns County, Chair, Telecommunications and Technology Steering Committee
- Angela Conley, Hennepin County, Vice Chair, Community, Economic and Workforce Development Steering Committee
- Mary Hamman-Roland, Dakota County, Vice Chair, Programs and Services Steering Committee
- DeAnn Malterer, Waseca County, Vice Chair Telecommunications and Technology Steering Committee
- Victoria Reinhardt, Ramsey County, Vice Chair, Environment, Energy and Land Use Steering Committee
- Richard Sanders, Polk County, Vice Chair, Transportation Steering Committee
- Vance Stuehrenberg, Blue Earth County, Vice Chair, Rural Action Caucus and Vice Chair, Transportation Steering Committee



If you'd like more information about how to get involved, please contact Julie Ring, AMC Executive Director, at [ring@mncounties.org](mailto:ring@mncounties.org). ■

**SUMMMER**  
**2022**

July

August

September

VOLUME 66, ISSUE 3

Non-Profit Org  
US Postage  
Paid  
Twin Cities, MN  
Permit # 1146

Association of Minnesota Counties  
125 Charles Avenue  
St. Paul, MN 55103-2108

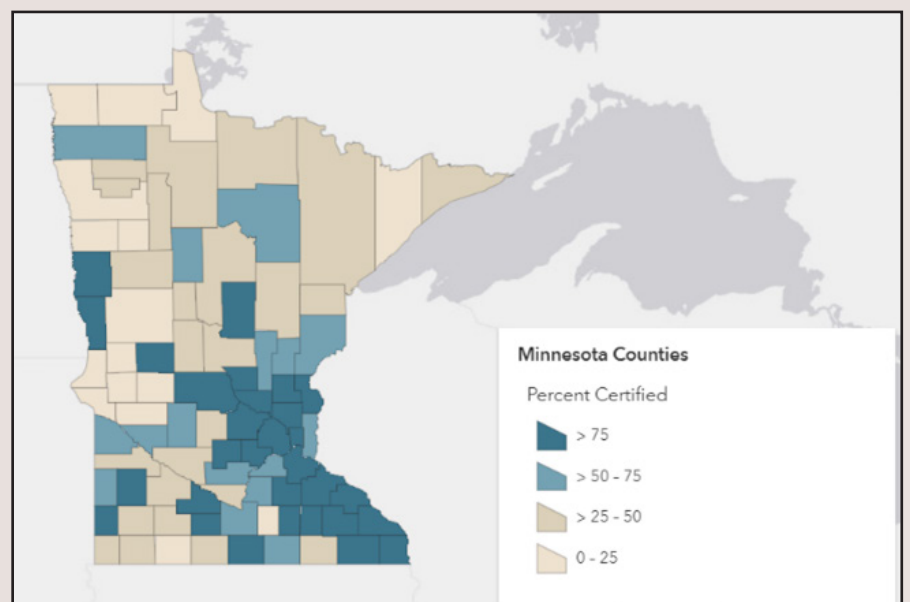
## Preservation of the Public Land Survey System in Minnesota

Submitted by Committee for Preserving the PLSS

Learn more at  
[www.mnplss-umn.hub.arcgis.com/pages/contacts](http://www.mnplss-umn.hub.arcgis.com/pages/contacts)

Public Land Survey System (PLSS) monumentation is the basis for 100% of boundary descriptions in the State and, as such, are vital in terms of the land tenure system. The PLSS also serves as the base infrastructure for accurately locating state, county, municipal, and private development projects. Additionally, the PLSS serves as the underlying framework for geospatial data. The geospatial data, in turn, supports data driven decisions, providing better outcomes for all Minnesotans.

Continues on page 10.



# Election Season's Greetings!

By Todd Patzer, Lac qui Parle Commissioner  
2022 AMC President



Minnesota has long been known to be a place where we can experience each of the four seasons in distinction. Our winters are—well, you know what they are. Spring, summer, and fall are also clearly defined from one another in the usual ways. But what about that other season? You know, the one that comes around every other year.

In these “five season” years, this unique season blesses us with its colorful displays—the first signs of which are often appear this time of year in your mailbox in the form of glossy mailers. Very soon, your radio and television airwaves (or cable lines) will also be filled with 30-second reminders that the season is here! Then the floodgates open and we are bombarded by full sensory overload with no known escape from the chaos. Yes, that’s right, we are talking about that most joyous of the seasons: ELECTION season!

Many of you are running for election right now and your teams are girding up with yard signs, door knockers, and print, radio, and maybe even TV ads (although I’m not sure I’ve seen a TV commercial for county commissioner). Ah the joy of wondering—perhaps aloud and perhaps not—why your friends Mr. and Mrs. So-and-So allowed your opponent to put a yard sign in their yard. I’ve actually had this conversation with myself, so I figure I’m not alone in that. Thankfully most (not all) county commissioner races pretty much stay out of the gutter. The same cannot be said the further up the political ladder you go.

As the fifth season ramps up, we really can’t resist dabbling in the vast array of ads and pleas to vote for this candidate or that: Did you see the funny ad for Candidate A? How about the clever slogan of Candidate B? But it does not take long for many, including me, to switch into duck-and-cover mode as the ads turn nasty and seem targeted at the lowest common denominators of hatred and manipulation.

I am nearly certain that no politician ever voted to specifically and immediately snatch life saving medicine from the grasp of your grandma while sprinkling deadly poison on your child’s school lunch plate (I am barely exaggerating here)—but you wouldn’t know it from the TV ads that begin by extolling the dastardly deeds of one candidate with the use of ominous horror movie music and grainy, scowling black-and-white photos, which are immediately followed by the sounds of children playing, birds singing, and bright colorful smiling video of the obviously better candidate christening a new playground on their way to volunteer at the community center after helping a stranded family change a flat tire. Give me a break!

It will forever be my hope that we are not collectively as stupid as these ridiculous ads suggest they think we are. Sadly, the worst of these ads are often not even the work of the candidates themselves but rather the PACs and special interest groups with a very specific agenda to push, or axe to grind.

As we have always done as the men and women of Minnesota county government, we will focus on service delivery, community improvement, and shared goals, and leave the mud slinging to others. This is the thing that makes me so very proud to be a county commissioner in this great state. I have met so many great county commissioners and leaders from across the entirety of the political spectrum in Minnesota and, to be quite honest, much of the time I have no idea if they consider themselves a D or an R, because it does not matter. We just want to get the work done. I suspect this is the biggest reason we see many talented leaders leave the red and blue world to run for county boards is because they want to get the work done for their communities.

So as this very interesting season cranks into full swing, be kind to your mail carrier. That sack they have over their shoulder every day is going to be several pounds heavier for the next few months. Also try to tune out the negative, pandering ads. Be a smart voter. Reward or punish the candidates in your community with your votes based on the job they have done or would do, and not based on a suspicious and sensational TV ad or mailer.

Buckle up, Minnesota! With election scrutiny at an all time high and tensions worn thin as we go along, it is going to be a bumpy ride! But we will get through it, just like we always do, and then we can put this most interesting of the seasons behind us once again. For, like, five minutes before you see a news report speculating on who will run next time. ■



Association of  
Minnesota Counties

125 Charles Avenue  
St. Paul, MN 55103-2108  
Main Line: 651-224-3344, Fax: 651-224-6540  
[www.mncounties.org](http://www.mncounties.org)

## Board of Directors

### OFFICERS

President ..... Todd Patzer (Lac qui Parle)  
First Vice President ..... Mary Jo McGuire (Ramsey)  
Second Vice President ..... Neal Gaalswyk (Cass)  
Secretary/Treasurer ..... Larry Lindor (Pope)  
Past President ..... Rich Sve (Lake)

### DIRECTORS

District I ..... Anne Marcotte (Aitkin)  
District II ..... Tim Sumner (Beltrami)  
District III ..... Darryl Tveitbakk (Pennington)  
District IV ..... Bob Kopitzke (Stevens)  
District V ..... Genny Reynolds (Mille Lacs)  
District VI ..... Roger Imdieke (Kandiyohi)  
District VII ..... Blair Nelson (Waseca)  
District VIII ..... Rick Anderson (Lyon)  
District IX ..... Brad Anderson (Goodhue)  
District X ..... Jeff Reinert (Anoka)  
..... Gayle Degler (Carver)  
..... Mike Slavik (Dakota)  
..... Marion Greene (Hennepin)  
..... Jim McDonough (Ramsey)  
..... Barb Weckman Brekke (Scott)  
..... Stan Karwoski (Washington)

### POLICY COMMITTEE CHAIRS

Environment & Natural Resources ..... Luke Johnson (Pipestone)  
General Government ..... Gene Metz (Nobles)  
Health & Human Services ..... Tarryl Clark (Stearns)  
Public Safety ..... Jack Swanson (Roseau)  
Transportation & Infrastructure ..... Gordy Wagner (Pope)

### NACo REPRESENTATIVES

NACo Second Vice President ..... Mary Jo McGuire (Ramsey)  
NACo Delegate ..... Toni Carter (Ramsey)  
100% Membership State ..... Bob Fox (Renville)  
Top 12 Membership State ..... Susan Morris (Isanti)

### MEMBER SERVICES COMMITTEE CHAIRS

Business & Partner Development ..... Scott Schulte (Anoka)  
Education & Training ..... Gary Hendrickx (Swift)  
Research ..... Mike Slavik (Dakota)

## AMC Office Staff

### ADMINISTRATION

Executive Director ..... Julie Ring ..... 651-789-4330  
Accountant ..... Sue Bowman ..... 651-789-4338  
Member Engagement Coordinator ..... Ryan Erdmann ..... 651-789-4345  
Research Coordinator ..... Jill Suurmeyer ..... 651-789-4357  
Administrative Assistant ..... Donna Hauert ..... 651-789-4356

### MEMBER SERVICES & COMMUNICATIONS

Deputy Director ..... Laurie Klupacs ..... 651-789-4329  
Communications Coordinator/  
Webmaster ..... Becky Pizinger ..... 651-789-4332  
Member Services Assistant ..... Suzanne LaPalm ..... 651-789-4333

### GOVERNMENT RELATIONS

Manager & General Government ..... Matt Hilgart ..... 651-789-4343  
Environment & Natural Resources ..... Brian Martinson ..... 651-789-4322  
Health & Human Services:  
Public Health ..... Kari Oldfield ..... 651-789-4354  
Human Services ..... Matt Freeman ..... 651-789-4340  
Child Wellbeing ..... Angie Thies ..... 651-789-4321  
Public Safety ..... Carli Stark ..... 651-789-4335  
Transportation & Infrastructure ..... Emily Murray ..... 651-789-4339  
Project Manager ..... Matt Cook ..... 651-789-4325

### AFFILIATE/CONTRACT SERVICES

Affiliate Project Manager ..... Becky Accettura ..... 651-789-4336  
Minnesota Association of Workforce Boards (MAWB)  
Director ..... Jeanna Fortney ..... 651-789-4323  
Minnesota Association of Community Corrections Act Counties  
(MACCAC) Director ..... Carli Stark ..... 651-789-4335  
Local Public Health Association (LPHA)  
Director ..... Kari Oldfield ..... 651-789-4354  
Project Manager ..... Alicia Rodriguez ..... 651-789-4325  
Minnesota Association of County Social Service Administrators  
(MACSSA)  
Director ..... Matt Freeman ..... 651-789-4340  
Minnesota County IT Leadership Association  
(MNCITLA) Director ..... Nathan Zacharias ..... 651-789-4342  
To Subscribe: Send \$31.95 to the Association of Minnesota Counties with  
a note requesting a subscription to the newspaper. Delivery begins upon  
receipt of payment for a one-year subscription (four issues).  
To Advertise: Companies interested in advertising in Minnesota Counties should  
e-mail [pizinger@mncounties.org](mailto:pizinger@mncounties.org).  
To Contribute: Story ideas, articles and photographs are welcome. Please e-mail  
[pizinger@mncounties.org](mailto:pizinger@mncounties.org).



# Preferred Business Partners

Helping Minnesota's Counties Do Business Better.



Visit [www.mncounties.org/pbp](http://www.mncounties.org/pbp)  
to learn more about how the products  
and services offered by these companies  
could help you serve your citizens and  
employees better!

## PREMIER PARTNERS



## ASSOCIATE PARTNERS

Abdo  
Amazon Web Services  
Baker Tilly  
BKV Group  
CenterPoint Energy  
CliftonLarsonAllen LLP  
Comcast  
Contegry Group, Inc.  
Dispute Resolution Institute - Mitchell Hamline School of Law  
Ehlers  
Enterprise Fleet Management  
Foth  
Galliard Capital Management  
Goff Public  
HealtheMed  
Hiller Commercial Floors  
Houston Engineering, Inc.  
ICS Consulting  
ISG  
Klein McCarthy Architects  
Knutson Construction  
Kraus-Anderson  
Minnesota Asphalt Pavement Association  
Minnesota Counties Computer Cooperative (MnCCC)  
Minnesota Service Cooperatives  
National Insurance Services  
PreferredOne  
Purple Wave Auction  
Ratwik, Roszak & Maloney, P.A.  
REPAY  
Revize Government Websites  
The Garland Company, Inc.  
Wold Architects and Engineers  
WSB

## Successful plans take partnership.

With 300+ field reps, proprietary tools  
and a tailored approach to education,  
we're a solid partner through every step  
of the retirement preparation process.

To find out more, call:

Levi Lathen

414-477-0269

[www.nrsforu.com](http://www.nrsforu.com)

[lathenl@nationwide.com](mailto:lathenl@nationwide.com)



Association of  
Minnesota Counties

Nationwide, through its affiliated retirement plan service and product providers, has endorsement relationships with the National Association of Counties and the International Association of Fire Fighters-Financial Corporation. More information about the endorsement relationships may be found online at [www.nrsforu.com](http://www.nrsforu.com). Nationwide, its agents and representatives, and its employees are prohibited by law and do not offer investment, legal or tax advice. Please consult with your tax or legal advisor before making any decisions about plan matters. Retirement Specialists are registered representatives of Nationwide Investment Services Corporation, member FINRA. Nationwide and the Nationwide N and Eagle are service marks of Nationwide Mutual Insurance Company. © 2018 Nationwide

NRM-12873MN (01/18)

# Multifactor Authentication Improves Cyber-security

Provided by Hartford Steam Boiler

Nationwide from 2016-2020, the average cost of a cyber-claim for small to medium enterprises was \$145,000, but some claims were more than \$100 million.\* MCIT members can take steps to reduce their exposure by adopting cyber-security best practices.

Setting up multifactor authentication on important applications, access to sensitive data and on issuing payments can drastically improve security and decrease the likelihood of the most frequent types of claims: account takeovers, system access and misdirected payment fraud.

Multifactor authentication (MFA) consists of using more than one process to verify that the end user is authorized to access the system. For example, many online banking applications require a user name and password. As a second step, answers to preselected questions or entry of a code sent via text or phone are required ultimately to access the bank account. Cyber-insurance carriers are increasingly requiring their insureds to utilize MFA.

## Employ Multifactor Authentication for Account Access

For government and business entities, securing an account and ensuring that only authorized users are allowed to access systems and data by employing multifactor authentication will greatly improve security against the types of incidents that cause the most frequent cyber claims.

Setting up two-step verification first requires that the system administrator on the site—such as the information security team, cloud storage providers or other service that holds the user’s personally-identifying or confidential information—has enabled the organization to do so. Once the administrator has enabled two-step verification, user accounts can be set up.

## Technical Solutions for Government Operations

For public entities, there are both technical solutions and administrative controls they can implement organizationally to help prevent access to their systems and protect sensitive information.

Before implementing a technical MFA solution, it is important to identify the data an organization needs to protect. That is usually personally identifying information, personal health information and other nonpublic information (refer to the Minnesota Government Data Practices Act and other laws for help determining what should be protected). Deploying MFA on that data can greatly reduce the potential for a data breach, as it is unlikely that a bad actor could acquire both the first and second methods of authentication to gain access.

The technical solution an organization chooses depends on its computing environment and how data is stored. For example, deploying MFA on remote access is an option but only one hurdle in a hacker’s quest for an organization’s data.

Adding MFA to databases or internal software that accesses data the member needs to protect provides an additional protection. If there is MFA available within the application, service or software, a simple Internet or search of the help menu should provide all the information one needs to implement MFA.



## Administrative Multifactor Authentication for Making Payments

Misdirected payment fraud occurs when victims are actively deceived into transferring money to fraudulent destinations (address or account). For example, the organization may receive an e-mail from a scammer that mimics a legitimate vendor and asks that payments be made to a new account number.

To ensure that the organization’s payments go to the right place, one way to avoid misdirected payment fraud is for staff to verify requests by vendors to change the point of contact, mailing address or their direct deposit or wiring instructions.

Verification should involve multiple contacts with the vendor seeking to change the information and should not be via the method the supposed vendor used to make the request. For instance, if the change request were made by e-mail, an employee should contact the account owner or primary point of contact by phone, through the original contact e-mail address provided or U.S. mail to confirm the request, because the e-mail could have come from a bad actor.

Similarly, if the change request comes by phone, the employee should confirm it by calling the point of contact at the number listed on the account information already on file with the member or confirm by U.S. mail.

Note that some organizations, even when they have employed multiple levels of identity verification have still been deceived by sophisticated bad actors. However, the stronger an organization’s defenses, the less likely it will be that the organization will become a victim of misdirected payment fraud.

An additional way to avoid misdirected payment fraud is to have staff verify all payment and purchase requests above an established level with the person or department requesting payment. For instance, many organizations set a threshold of \$1,000 to \$5,000.

Some misdirected payment fraud schemes rely on the fact that employees will do just about anything a senior employee or manager asks them to do. So, when an employee receives an e-mail that looks like it came from his or her manager directing the individual to change payment details on an invoice, the employee often follows through without questioning.

However, if employees are trained that before they make a payment or purchase above a certain level, or change a vendor’s payment details, they are required to confirm by phone or face to face with the unit or person making the request, fraudulent or misdirected payments and purchases can be reduced dramatically.

## Take Action

Multifactor authentication deployed in various ways across the organization can help prevent account takeovers, data breaches and misdirected payment fraud. Leaders across the organization should work together to identify areas of weakness in cyber-security measures and protocols and develop solutions, which may include MFA. ■

\*Source: NetDiligence® Cyber Claims Study 2021 Report



# It's Time to Celebrate Excellence in County Government!

AMC's Annual Awards are an excellent opportunity to celebrate the accomplishments of county staff and programs that found new ways to deliver essential services to better serve citizens and communities across the state.

*Submit nominations to honor individuals or programs in the following categories:*

Outstanding Service  
County Achievement  
County Conservation  
Economic Development



 Association of  
Minnesota Counties  
[www.mncounties.org](http://www.mncounties.org)

## Nomination Deadline: Friday, October 21, 2022.

Awards are presented at the AMC Annual Conference in December.

Visit [www.mncounties.org](http://www.mncounties.org) and submit your nomination today!

**ISG**

## Enhancing Water Quality + Improving Crop Production



Check out our recent projects!

[bit.ly/agDrainageProjects\\_ISG](http://bit.ly/agDrainageProjects_ISG)



Architecture + Engineering + Environmental + Planning | [ISGInc.com](http://ISGInc.com)





# The Great American Division?

By Bruce Messelt, Sherburne County Administrator and MACA President



At certain times when voting occurs in parliamentary democracies, legislative or assembly members literally divide into physically separate groups to cast their votes. This Division of the House or Assembly is a powerful symbol of democracy at work as, once votes are taken, the assembly regathers and returns to its business, with deference and respect afforded to the winning side, motion, or argument.

Few of us in local government thought America's current socio-political "division of the house" would be as pervasive today as it is, especially in states like Minnesota where local governments are nonpartisan. Yet here we are.

School boards, city councils, and county boardrooms are bereft of partisan rancor and anger, ranging from issues of election integrity to immigration and gun rights to critical race theory and "wokeness." And advocating groups or individuals are demanding action from locally elected officials, even when no authority to do so exists.

Such division brings with it an erosion of confidence in the very institutions and practices which are designed to be nonpartisan and intended to both support and carry out the laws, policies, and procedures of American civics once decisions by our elected leaders and appointed judiciary are made.

For example, according to a recent June 2022 Gallop Poll<sup>1</sup>, overall confidence in U.S. institutions hit an all-time low, with only 27 percent of Americans expressing "a great deal" or "quite a lot" of confidence in 14 major U.S. institutions. These findings are 3 points below the prior all-time low registered in 2014, demonstrating that trust in major American institutions has been in trouble for nearly 20 years.

According to the survey, the presidency, Supreme Court and Congress all saw all-time lows in confidence. But added to this list of waning confidence are, among others, banks, school, organized religion, technology companies, the media, and labor. Only small businesses and the military retain the confidence of most Americans.

And even before the recent Supreme Court decision overturning *Roe vs. Wade*, a separate Gallop Poll<sup>2</sup> saw confidence in the Supreme Court drop to 25%, down from 36% a year ago and five points lower than the previous record-low of 30% (also 2014). Not surprisingly, confidence in the court rose slightly among Republicans (from 37% last year to 39%), while independents and Democrats saw steep drop-offs when compared to last year (from 40% to 25% and 30% to 13% respectively).

Perhaps most disconcerting is a recent June-July 2022 survey conducted by SSRS Research<sup>3</sup> for CNN that shows about half of Americans lack confidence that the results of US elections reflect the will of the people. Specifically, 48% of Americans say they think it is at least somewhat likely that some elected officials will successfully overturn the results of a US election in the next few years because their party did not win.

Even after January 6, 2021, attack on the U.S. Capitol, 59% of Americans said they had at least some confidence that US elections reflected the will of the people. Now just 18 months later, only 42% have the same level of confidence.

The biggest shifts have come among Democrats and Independents. In 2021, 90% of Democrats were at least somewhat confident that elections reflected the will of the people; this now stands at 57%. Confidence among Independents has similarly fallen, from 54% to 38%.

By contrast, confidence among Republicans, while low already, has modestly increased from January 2021 to today - 23% then to 29% now. As then, Republicans' concerns seem rooted in doubts about the last presidential election.

What does this mean for Minnesota's local non-partisan governments? Some have already seen demands for jettisoning election tabulation equipment and electronic poll tabs for paper registration books and hand counting of all ballots. Others are experiencing surges in signups for Election Judges (normally a good thing) but seeing challenges with election training and chatter about organized plans to contest practices and perhaps even disrupt actual voting on election day.

So, what can, and should county boards do to manage what appears to be, for many of us, a likely contentious summer and fall of public discourse about election integrity and other hot button issues? Here are a few suggestions:

1. **Demonstrate and Expect Respect** – No doubt both sides of any debate bring passion and energy into the boardroom, along with expectations of action to advance their cause or address their concerns. County boards must weigh what forum and approach is best to allow for public input (open microphone, workshop or committee, scheduled discussion, etc.), as well as how best to respond to likely demands for action, requests for data and explanations, and even threats of political retribution or litigation.

However, counties must also expect these passionate citizens and groups follow appropriate processes and respect expectations for behavior and the conduct of all county business. Allowing a group or individual to hijack the board's agenda or berate county officials and employees is not a reasonable behavior or one that should be tolerated or rewarded.

2. **Trust in Fact and Realistic Approaches, not Hypotheticals or Absolutes** – As anyone using a credit card these past 50 years has learned, no system, manual or technological, is 100% secure or without potential weaknesses or flaws. Election systems are designed with multiple layers of security and checks and balances in mind. If necessary, help facilitate a public review of these systems to reinforce confidence in the people and technology that have made America's – and Minnesota's, in particular – the global standard bearer for free and fair elections. And every election of any size or complexity will generate a few ballots that tabulators reject and/or election officials may be unable to determine voter intent. While we all aspire to the view that every vote in a democracy is sacred, there will be a few ballots cast that cannot or should not be counted.
3. **Honor and Follow the Rule of Law** – While political contests are borne out at the voting box, election and election system disputes are best settled in court where facts can be presented, and interpretations of federal regulations and state statutes can be debated. Not surprisingly, many of the current election issues under scrutiny are already addressed – to a greater or lesser extent – somewhere in election law. For example:

**Equipment Certification and Audits** – Both the Federal Government and the State of Minnesota test and certify election equipment before it is approved for use. This includes both hardware and software upgrades. And Minnesota does allow for choice among tested and proven election practices and procedures, including hand counting of ballots on election night (which some small precincts still do). Finally, a Post-Election Review (PER), or hand recount of paper ballots from randomly selected precincts, is also held to both verify election day results and test election equipment or manual processes employed.

**Recounts** – Minnesota law already spells out requirements for automatic recounts, based upon the difference in elections results (usually less than 0.5%). Additionally, a candidate may request a recount of election results, at their expense. Minnesota typically sees a few such automatic or discretionary recounts for specific offices each election and has also had a few statewide recounts.

**Post-Election Challenges** - Minnesota is fortunate in that paper ballots are utilized for all voters. These ballots are also retained for 22 months, should a post-election challenge be made. According to the Secretary of State's Office, no such legal challenge to the 2020 General Election results has been initiated, despite much media and political debate and discourse.

*Continues on page 7.*



4. **Remain Neutral, On Task, and Non-Partisan** – Locally elected officials in Minnesota are officially non-partisan. While sometimes difficult, it is important that personal or partisan political views do not obviate the Oath of Office these local officials take and the duty to which they are entrusted to represent all constituents, regardless of political ideology or affiliation.

Similarly, county boards have an obligation in Minnesota to administer free and fair elections. Over time, election administration has become a complex and sometimes dizzying array of rules, regulations, and procedures. Its administration also spans the duties and responsibilities of numerous state, county, city, school district, and township officials, employees, and volunteers.

Knowing changes to election administration typically take years of study, discussion, and decision-making (with perhaps the rare exceptions for the COVID-19 pandemic), it makes sense for local governing bodies to instill a sense of trust in the election system as it has evolved and matured, demonstrate confidence in the hardworking individuals who carry out assigned tasks and responsibilities, and focus primarily on the immediate task at hand of managing well-run elections.

As a result of our current political environment, it is not difficult to see how many citizens who have trusted without scrutiny past elections are now questioning not only the outcomes of recent elections, but also the nuts and bolts of how these elections are carried out. Our challenge between now and November is to educate citizens on the security and integrity of our elections and the systems and processes we utilize.

In doing so, abiding by mutual respect, relying upon facts, experiences, and the rule of law, and remaining nonpartisan and focused on administering free and fair elections will go far to unite most Minnesotans behind this critical democratic practice. Without adherence to such guiding principles, we risk our house, community, and perhaps country even more divided and at war with itself. ■

Sources:

1. <https://www.documentcloud.org/documents/22090467-rel9d-elections46>
2. [https://news.gallup.com/poll/394103/confidence-supreme-court-sinks-historic-low.aspx#:~:text=View%20complete%20question%20responses%20and%20trends%20\(PDF%20download\).](https://news.gallup.com/poll/394103/confidence-supreme-court-sinks-historic-low.aspx#:~:text=View%20complete%20question%20responses%20and%20trends%20(PDF%20download).)
3. [https://news.gallup.com/poll/394283/confidence-institutions-down-average-new-low.aspx?utm\\_source=alert&utm\\_medium=email&utm\\_content=morelink&utm\\_campaign=syndication](https://news.gallup.com/poll/394283/confidence-institutions-down-average-new-low.aspx?utm_source=alert&utm_medium=email&utm_content=morelink&utm_campaign=syndication)



**Because of our local ties, we have a true understanding of the people, needs, and resources in the communities we serve.**

We are excited about the opportunities to serve our clients at our new location in St. Cloud, MN!

 3721 23rd Street South, Suite 102  
St. Cloud, MN 56301  
320-640-3393

 **BOLTON & MENK**  
Real People. Real Solutions.

**Bolton-Menk.com**



# A Note About the Impact of COVID-19 on Infectious Disease

By Liz Auch, Director of Countryside Public Health



As I write this article to share with governmental leaders, I ask you to pause for a moment. What comes to mind when you think of local public health? Your actual local public health organization in your county or city? I have been in local public health for 27 years and spent years trying to describe the mission of local public health organizations. Public health often shares that “if you’re doing good work and protecting the public nothing happens, you’re invisible” as it’s hard to measure people who don’t get sick. Then a worldwide pandemic hits and the masses are awakened to the mission and role of local public health organizations.

What awaits your local public health organizations across the state of Minnesota going forward? As the COVID pandemic slowly begins to wind down, local public health leaders are bringing their teams together to prepare for the aftermath of the pandemic. One of the issues escalating right to the top is the increase in infectious diseases. The Centers of Disease Control (CDC) has just declared Monkeypox a public health emergency in the United States. Local public health agencies, in partnership with the Minnesota Department of Health (MDH), stand ready to move forward with an action plan to mitigate the spread.

Countryside Public Health is currently dealing with an increase in latent and active tuberculosis in the last two years. This increase in tuberculosis must be addressed immediately to prevent an outbreak in our counties. I’m sure all local public health organizations across Minnesota are assessing their own infectious disease data and formulating plans to address their county specific issues. It is so important for government leaders to understand the need of local public health staff to work on vaccination programs and halt the spread of infectious diseases. There is a cost savings to this work as healthy children and families use less health care, have improved school attendance and work productivity.

Furthermore, the rates of childhood vaccination (against diseases such as measles, polio, and meningococcal disease) across Minnesota have dropped during the COVID pandemic. The best prevention against these infectious diseases is wellness vaccinations to keep children safe. It’s been proven over the last 25 years that 419 million illnesses have been prevented, over 24.5 million hospitalizations, and 936,000 early deaths prevented by vaccination programs. (Routine Vaccine Give Children Their Best Shot at a Healthy Future, 2022). In reviewing state and local school vaccine data for the school year 2019-20 to school year 2020-21, vaccination coverage has decreased by approximately 1% nationally for school age children. That’s a lot of children in need of wellness care.

So, what does this all mean? The work of your local public health leaders is never done. The next infectious disease is right around the corner needing our attention. Local public health staff will be in the trenches going forward collaborating with schools, our community leaders, medical providers, and businesses to work shoulder to shoulder to bolster immunization rates and tackle infectious diseases in our communities. ■



Minnesota

PLYMOUTH



**moore**  
engineering, inc.

100% Employee Owned

Improving lives by building strong communities.

**NEW OFFICE LOCATION!**  
Two Carlson Parkway North  
Suite 110  
Plymouth, MN 55447

Offices across Minnesota and North Dakota.



Scan the QR code for a full list of our office locations.

[mooreengineeringinc.com](http://mooreengineeringinc.com)



# No, You Can't Destroy a Record of Discipline



By Melanie Ault, DDA Consultant

Even good employees can have discipline. Sometimes, the employee or union requests the discipline be "removed" from the employee's personnel file after some time with good behavior (no further violations). They might, therefore, think that the history of the discipline is then destroyed, as if the discipline never happened. While it is not advised to start such a practice, sometimes counties have agreed to remove discipline, and some collective bargaining agreements (CBAs) allow disciplinary documents to be removed from the employee's file. But what exactly was the agreement – destroy? Remove? What exactly did the county do with the discipline data? Was it in compliance with Minnesota's records retention and data practices requirements? If not, then that is a problem.

## Early Destruction of Employee Disciplinary Records is Prohibited by Law

Outside of the county's Records Retention Schedule, destruction of employee disciplinary data is prohibited. There is no authority to expunge final disposition discipline from a personnel record. Neither CBA language, nor an agreement with an employee or union, can override the county's obligations under the law. It is not permissible to prematurely destroy data.

Minnesota's mandate is to keep all records in accordance with the county's adopted Records Retention Schedule. There are sanctions against the employee personally for prematurely and willfully destroying records - statutorily, the employee could be terminated. In Minnesota Statutes, Section 13.09, anyone who destroys records willingly and knowingly, is guilty of a misdemeanor which carries a criminal penalty and constitutes just cause for suspension without pay or dismissal. The improper destruction of data is a serious matter.

## Accessible Data Maintained Outside the Personnel File

The Data Practices Act discusses "personnel data," not "personnel files." Laws continue to cover personnel data even if it exists outside of the personnel file; physically removing the data from the file does not remove it from the Data Practices Act. Even if the CBA provides for removing a disciplinary document from the personnel file, the county's obligation is to maintain it under the

Records Retention Schedule and produce it in response to a relevant data request, whether it is in or out of the personnel file. Disciplinary records removed from a personnel file must still be kept "accessible" to comply with data requests.

If there is a data request for "any prior discipline" of the employee, the county is obligated to produce it, no matter where it is, no matter if the county agreed to "remove" it. A county cannot "hide" data. Data does not cease to exist because it is removed from a file and put somewhere else. The county cannot claim the discipline no longer "counts" and not produce it. It does not matter who requested the data; the discipline occurred and once it is in its "final disposition," it is an official record of public data and must be produced upon request.

## Remove from Consideration, Not the File

Ideally, CBA language would never allow for removal of disciplinary documents or limit the timeframe of their consideration. However, if the employer enters some sort of agreement, it must still clearly word the agreement to adhere to data practices requirements. With this approach, the document remains housed in the typical personnel file (easily accessible for future data requests), but it is "removed from consideration" in progressive discipline after some years of no further infractions and with satisfactory performance.

Since the final disposition of discipline document remains a public record, it is useful for it to remain in the personnel file, thus limiting the county's administrative burden of tracking and maintaining the record elsewhere. Regardless of the contract language, the final disposition of discipline continues to be public personnel data that the county is responsible to maintain and make accessible in accordance with the law.

## Data Practices Responsible Authority, Sample Schedules

The county should always look to its Data Practices Responsible Authority for guidance regarding data issues and compliance with the law. This person is ultimately responsible for the collection, storage, and dissemination of data, and should offer direction regarding proper handling of data.

If you need a Records Retention Schedule, look to the Minnesota Historical Society's website for a sample schedule and tailor it to your county.

While it is not ideal to move data out of a personnel file, it cannot escape the data practices and records retention requirements. ■

Read more about data requirements and obligations in the Data Practices & Personnel Data section of our Knowledge Base at [www.amcddahrsupport.com](http://www.amcddahrsupport.com).



## RATWIK, ROSZAK & MALONEY, P.A.

Trusted legal advisors providing straightforward solutions to Minnesota counties in uncertain times.

730 2ND AVENUE SOUTH, SUITE 300 | MINNEAPOLIS, MN 55402  
612-339-0060 | [ratwiklaw.com](http://ratwiklaw.com)

Find us on social media



## Ramsey County Board Chair Trista MatasCastillo and Blue Earth County Veterans Service Officer Michael McLaughlin attended the signing of the PACT Act at the White House on August 10.

The PACT Act expands health care benefits for veterans who developed illnesses because of their exposure to toxic substances from burn pits on U.S. military bases during their service. Commissioner Matascastillo serves as the Vice-chair of the National Association of Counties Veterans and is a veteran of the Navy, Marine Corps & Army National Guard. CVSO McLaughlin serves on the Executive Committee of the National Association of County Veteran Services Officers and is a Marine Corps veteran. ■



Ramsey County Board Chair Trista MatasCastillo and Blue Earth County Veterans Service Officer Michael McLaughlin at President Biden's signing of the PACT Act (photo below) at the White House.





*PUBLIC LANDS, continued from page 1.*

Over 315,000 original PLSS monuments were placed in MN between the 1840's and early 1900's as part of the 1785 Land Ordinance Federal program. In general terms, these monuments were placed at 1/2-mile increments and served as starting points to further subdivide land.

Like roads, bridges, and underground utilities, PLSS monuments are important infrastructure that require support and maintenance.

PLSS monuments:

- Support all activity on and under the land.
- Give everyone an assurance in the land tenure system and have a positive effect on efforts related to boundary location.
- Unify geospatial data to a well-known infrastructure which informs effective decisions and positive outcomes.

Unfortunately, the passage of time has caused the location of over half of these vital monuments to become uncertain and introduced an unnecessary risk to land ownership, economic development, and policy decisions based on spatial data. The map at right shows areas where PLSS remonumentation has taken place. In general, urban areas have been able to maintain the PLSS system, whereas rural areas have fallen behind.

Much of this disparity is due to the cost of reestablishing a PLSS monument. Rural areas typically have fewer funding sources available to support this work. However, state funds can help restore and maintain this infrastructure; positioning all of Minnesota for success.

Many Geographic Information System (GIS) maps that represent property interests (i.e. parcel maps) are based on spatially inaccurate digitization of the PLSS; often leading to confusion and adding unnecessary ambiguity to decisions.

By maintaining and reestablishing the PLSS in Minnesota, local GIS specialists can update map data to more accurately reflect local conditions and meet the expectations of taxpayers, elected officials, and decision-makers.

In 2021-2022, the Geospatial Advisory Council, Minnesota Association of County Surveyors, and other stakeholders worked together to draft legislation that would allocate financial resources to preserve the PLSS for future generations.

Starting now rather than waiting for more monuments to disappear is crucial. Experiences from other states such as Michigan, Wisconsin, and Utah demonstrate that a proactive investment is cost-effective, saving millions of dollars later. A state funded legislative approach would:

- Proactively restore monuments in priority areas
- Maintain existing monuments to reduce the possibility of future loss

In 2022, legislation was introduced to address this issue. The legislation was introduced by Senator Ann Johnson Stewart (44 DFL) (Senate File 4037) and Representative Paul Anderson (12B, R) (House File 4456). The legislation outlined a grant program managed by The Minnesota Geospatial Information Office to address the lack of PLSS monumentation.

While the legislation was unsuccessful in 2022, we hope that the continued support of AMC, its members, and affiliates can help push this important legislation through the finish line in 2023. To find out more, go to <https://mnpplss-umn.hub.arcgis.com/> and connect with a committee member.

We will also be hosting a Meet Me at the Corner! during the Minnesota GIS/LIS Consortium Annual conference on October 12 in Bemidji, Minnesota. This event will go into more detail about the importance of the PLSS and detail how it is maintained and utilized. We will also discuss the status of the legislation. ■



The image above shows an area where parcel representation was spatially inaccurate due to the lack of PLSS remonumentation. When the PLSS was remonumented in the area, the parcel map was updated to more accurately reflect conditions on the ground.

# Meet Me at the Corner!

## The Public Land Survey System in Minnesota

Free and open to the Public! – October 12th, 2022  
In conjunction with GIS/LIS Annual Conference  
Sanford Center, Bemidji, MN

**1 pm through 5 pm**

**What's an Original PLSS Corner?**  
**PLSS Corner Monumentation**  
**How GIS uses Survey Data**  
**Field Trip**  
**Question and Answer Session with Social Hour**

**We will be handing out prizes during the event!**

This event brought to you by the following organizations:

**Minnesota GIS/LIS Consortium ([www.mngisliis.org](http://www.mngisliis.org))**

**Minnesota Association of County Surveyors ([www.macsinfo.us](http://www.macsinfo.us))**

**Minnesota Society of Professional Surveyors ([www.mnsurveyor.com](http://www.mnsurveyor.com))**



# MACO Summer Update

By Troy Olsen, MACO Lobbyist, and MACO's Legislative Committee Members:

Michael Stalberger – Blue Earth County

Julie Hanson – Scott County

Amber Bougie – Hennepin County

Mary Schreiner – Brown County



Lobbying the Minnesota Legislature continued to be a challenge during the 2022 Legislative Session. However, MACO continued to be an active participant in the legislative process by frequently working closely with other local government stakeholders such as the Association of Minnesota Counties, the Minnesota Inter-County Association, League of Minnesota Cities, and others.

While progress was made on issues such as sample ballot and election notices publication requirements, allowing counties to retain proceeds from the sale of tax-forfeited properties to offset clean-up of TFL “orphaned” sites, securing increased fees and revenue sharing for online renewals for Deputy Registrars, these items and more did not ultimately become law.

Though numerous MACO priorities did not become law, neither did numerous legislative provisions of concern for MACO members. The House and Senate once again produced elections bills containing irreconcilable differences.

The Legislative Session did produce a handful of initiatives tracked and supported by MACO that did become law. These include legislation for:

- Torrens technical changes.
- Armed forces discharge certificates to be recorded at counties for no fee.
- Granting the Secretary of State's Office the authority to reject UCC lien filings if they are obviously fraudulent or harassing.
- Expanding the definition of “real property records” prohibited from disclosure for Safe at Home participants.

MACO members have been busy this summer on activities such as preparing for primary and general elections, working toward a solution for providing supplemental information for Truth in Taxation notices, participating in discussions on improving Rule 8100 (state assessed properties), etc.

As we get closer to the 2023 Legislative Session, MACO members and Legislative Committee will review and tweak MACO's Legislative Platform. ■

## PreferredOne®

### BEST DECISION WE'VE EVER MADE.

We hear this from counties all the time. **PreferredOne does a great job with our employee health benefits.** PreferredOne impresses clients everyday with excellent fundamentals and affordable rates.

Whether you're one of the largest counties in the state of Minnesota or the smallest, we understand your health care challenges. Plus, we reach further to develop solutions that harness the power of new technologies and data analytics while focusing on value and customer satisfaction.

It's time to give PreferredOne another look. Contact your broker or PreferredOne at 763.847.4007 for details.

**PreferredOne.com**

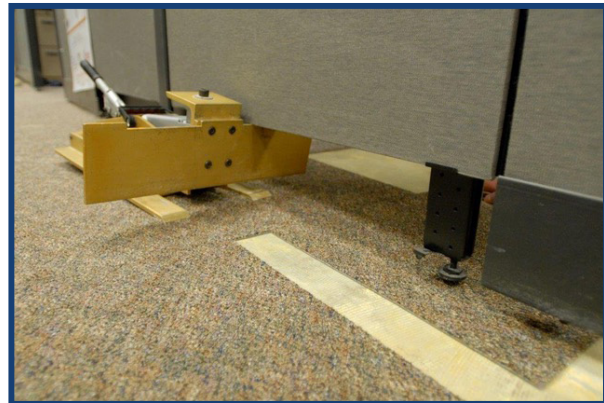


# New carpet. After hours. No furniture moving required.

Furniture lifting is a revolutionary system to enable the installation of flooring without removing furniture from your commercial space or you having to close your business. We use specialized equipment to replace your flooring quickly after hours without you having to lift a finger, let alone your desk.



We gently pry up the partitions to facilitate old carpet removal.



Mini-lift equipment is inserted under work stations, and we slide new carpet tile underneath.



The field carpet is installed.



Roll the new carpet to ensure adhesion, and we are done!

We are proud members and supporters of the Association of Minnesota Counties, State Engineers Guild, Minnesota Park and Recreation Association, Minnesota Library Association, Aging Services, Minnesota Association of School Maintenance Supervisors, Minnesota Association of School Administrators, Minnesota Association of School Business Officials, and Minnesota School Boards Association.



[hillercarpet.com/commercial](http://hillercarpet.com/commercial)

2909 South Broadway  
Rochester, MN 55904

888.724.1766

[info@hillercarpet.com](mailto:info@hillercarpet.com)