

Minnesota Counties

A quarterly publication of the Association of Minnesota Counties.

From the Association of Minnesota Counties (AMC) first Welcome Reception for New and Returning Legislators and County Government 101: Newly Elected Officials Conference in January to both the National Association of Counties (NACo) and AMC Legislative Conferences in February, the first months of 2023 have been busy ones!



AMC welcomed the Newly Elected County Officials Class of 2023 in January.

**WINTER
2023**

January
February
March

VOLUME 67, ISSUE 1



AMC President and Ramsey County Commissioner Mary Jo McGuire and Minnesota Gov. Tim Walz welcomed attendees to the 2023 AMC Legislative Conference in late February which transitioned to a virtual event in less than 36 hours because of forecasted heavy snow.



AMC Past President Todd Patzer and Sen. Gary Dahms during AMC's Welcome Reception for New and Returning Legislators in January.



Sen. Jeff Witte, AMC Second Vice President and Dakota County Commissioner Mike Slavik, Rep. Jon Koznick, with AMC District 10 Director and Scott County Commissioner Barb Weckman Brekke during AMC's Welcome Reception for New and Returning Legislators in January.



U.S. Senator Amy Klobuchar with AMC First Vice President and Cass County Commissioner Neal Gaalswyk during the NACo Legislative Conference in Washington, D.C., in early February.

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Leading Together

By Mary Jo McGuire, Ramsey County Commissioner
2023 AMC President

Greetings in 2023! I hope you are all having a great start to your new year. I was glad to spend time with many of our new commissioners at County Government 101 in January. It is great to be welcoming a new class of dedicated public servants!

Thank you for the opportunity to serve as your President this year. I'm grateful to have learned so much these past few years from our amazing past presidents. I'm excited to keep moving forward on our Association's mission, vision, and goals. AMC's mission to unite Minnesota's counties to achieve public service excellence and our vision that Minnesota counties are trusted partners in strengthening communities are both as relevant as ever. These are the cornerstones of our work together and I can't wait to work with all of you.

An important part of what we bring to this work is who we are and who we choose to be as county elected officials and staff. It's about our experience and the decisions we make each day. To help with this, AMC is going to continue to focus on leadership and bridging divides. Counties get our work done because we listen to each other and find common ground for the good of all of us.

My goal as president will be to help us continue to learn to lead together. Throughout the year, I will be bringing leadership moments to these columns and to the meetings we attend. Often in this work, we are focused so intently on day-to-day tasks that we don't have time to think about the big picture. I want to encourage you to take time to think about ways that you can be the best leader that you can be. One of my favorite books to help me with this is *The Four Agreements* by Don Miguel Ruiz. The agreements are (1) Be impeccable with your word, (2) Don't take anything personally, (3) Don't make assumptions, and (4) Always do your best. Over this year, I'll be discussing how we might use them in our work.

Be impeccable with your word. Speak with integrity and say only what you mean. Our words matter. How we say something and who we say it to counts. Words have the ability to build or break down the bridges between us. Ruiz writes, "Words are the power you have to express and communicate, to think and create the events in your life. It's the most powerful tool you have in your life as a human." Use your words wisely.

To me, being impeccable with your word also means that you should do what you say you're going to do. We want people to be able to trust what we say. Whether or not we follow through on our promises reflects on who we are as leaders.

We also want to think about our work together at AMC because we know that our collective voice is more powerful. How can we work together to ensure that our words are heard in state and federal decision-making?

The first agreement can help us think about these questions. I invite you to join me in regularly asking yourself how you might be impeccable with your word in your county, boardroom, community, and in the wider context of our state and country. I believe that county officials can lead by example in showing that finding common ground and treating each other with respect even when we disagree gets us further. This perspective is one of our greatest strengths.

We recently brought Minnesota counties to Washington, D.C.! Executive Director Julie Ring, Past President Todd Patzer, and I were well-received by the entire Minnesota Delegation whose members span the political spectrum. We had productive conversations about many county topics including jail healthcare and restoring Medicaid for county-incarcerated individuals. It was refreshing and hopeful!

In addition to our federal issues, we have important goals ahead of us at the state level. There are many voices seeking to be heard at the state capitol, and by working together with the help of AMC staff and other partners, our common priorities are amplified. Our success depends on all of us!

Thank you for everything you do to serve your communities. AMC is here to help! I'm excited to be leading together with all of you and look forward to the year ahead. ■



Meet the 2023 AMC Executive Committee! From left to right: Past President Todd Patzer (Lac qui Parle), Second Vice President Mike Slavik (Dakota), President Mary Jo McGuire (Ramsey), First Vice President Neal Gaalswyk (Cass), and Secretary/Treasurer Larry Lindor (Pope).



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NRM-12873MN (01/18)

MCIT Recognizes Three Counties for Outstanding Achievement

MCIT Board Chair Felix Schmiesing announced the recipients of MCIT's annual awards during the 2022 Minnesota Counties Intergovernmental Trust Annual Membership Meeting Dec. 5 in Bloomington. Every year MCIT recognizes three counties that excel at risk management and loss control, as preventing and mitigating losses is important to the overall success and stability of MCIT.

Douglas, Marshall, Aitkin Counties Awarded

The 2022 County of the Year award went to Douglas County. This award honors the county that has set the standard of excellence in risk management and loss control for the year. Douglas County's leaders proved to be strong in their efforts to educate and inform staff on techniques to mitigate exposures and provided superior assistance when claims arose.

The other two awards recognize improvement in the specific areas of property and casualty (liability) and workers' compensation risk management and loss control. For 2022, Marshall County received the Outstanding Performance in the Property and Casualty Division award, and Aitkin County earned the Outstanding Performance in the Workers' Compensation Division award.



These division awards are presented to counties that demonstrate consistent improvement in the areas. For property and casualty that means improvements in the county's loss ratio through commitment to implementing better loss control and risk management methods, as well as a dedication to protecting county property and citizens.

For workers' compensation, the award recognizes improvement in the county's experience modification factor and reduced claims in the areas of workplace injury and illness, as well as a commitment to reducing employee injuries and improving loss control efforts.

On behalf of the entire board, Schmiesing congratulated the winners on their accomplishments.

Criteria used to identify recipients include performance in risk management and loss control efforts, responsiveness to program initiatives, and property/casualty claims and workers' compensation claims administration. ■



Douglas County representatives receive the MCIT award for County of the Year from then MCIT Board Chair Felix Schmiesing.



Representatives from Marshall County accept the MCIT award for Outstanding Performance in the Property/Casualty Division from then Board Chair Felix Schmiesing.



Aitkin County representatives received the MCIT award for Outstanding Performance in the Workers' Compensation Division from then Board Chair Felix Schmiesing.

MCIT Annual Meeting Highlights Financial Strength, Service to Members

During the MCIT 2022 annual meeting Dec. 5 in Bloomington, delegates elected a new member to the board, members received the trust's financial report and board members were recognized for their service, among other MCIT business.

New Board Member Elected

During the MCIT annual meeting Dec. 5 in Bloomington, Otter Tail County Commissioner Kurt Mortenson and Polk County Commissioner Gary Willhite were placed into nomination by the board's Nominating Committee. The candidates were seeking election to the open seat created by then Becker County Commissioner Ben Grimsley's departure at the end of December.

Mortenson was elected by delegates attending the meeting and began a new four-year term on the MCIT Board of Directors in January.

Financial Strength Continues

Executive Director Gerd Clabaugh provided a brief review of MCIT's financial status, indicating that it remains strong and ended 2021 with a total fund balance of \$175 million.

Clabaugh made mention of the one-time distribution MCIT received in 2022 from the Workers' Compensation Reinsurance Association (WCRA) that reflected favorable risk management and investment returns. The MCIT board directed a refund of \$9.6 million to members from these WCRA proceeds.

In addition, MCIT returned to members in 2022 a \$7 million dividend from the Workers' Compensation division, continuing a many years-long practice of returning fund balance to members.

MCIT Remains Solution-focused

In his MCIT program update, Clabaugh stated that MCIT remains a steady force of support for local governments in shifting times. He highlighted the MCIT board response to the news of a forced change in direction for cyber-security coverage in 2023.

MCIT was able to develop a response to this challenge, not only continuing the cyber-security coverage on which members have come to rely, but was able to offer members improved coverage within the current contribution structure.

Clabaugh also highlighted how MCIT has responded to ongoing challenges of training and outreach to members and an enhanced use of electronic means of training and communication, which provide just-in-time, more convenient and more cost-effective access to training for members.

This adjustment in approach will continue in 2023, as MCIT continues to focus on the educational and informational needs of members and their employees.

Special Announcements, Recognitions

As the MCIT annual meeting was held in conjunction with the Association of Minnesota Counties annual conference, MCIT took the opportunity to give meeting attendees a preview of the following day's conference keynote address by Gordon Graham, which MCIT sponsored.

Graham, the founder of California-based Lexipol, spoke for a few minutes, generating excitement about his discussion of the 10 families of risk for local government operations.

Special recognition for service to MCIT was offered by MCIT Board Vice Chair Ron Antony to outgoing board members Ben Grimsley and Felix Schmiesing. Grimsley has served on the Becker County Board of Commissioners since 2012 and on the MCIT Board since 2021.

MCIT Chair Felix Schmiesing was first elected to the Sherburne County Board of Commissioners in 2003 and joined the MCIT Board in 2007. Schmiesing served in various roles on the MCIT Board including as chair since 2019.

Antony also recognized the service of Kevin Corbid, Washington County administrator, who served the board through January 2023, following nine years of service on MCIT's board.

Antony shared that MCIT appreciates the service and dedication of these board members to the mission of the trust. ■

USDA Rural Development Updates

By Colleen Landkamer, Minnesota State Director, USDA Rural Development



As we turn the corner into 2023, USDA is working to support President Biden's and Ag Secretary Vilsack's priority to reduce our climate impact. One essential way that USDA is helping to achieve this is prioritizing projects that reduce climate pollution and increase energy independence through climate-smart infrastructure.

In mid-December of 2022, USDA announced that it will be making \$300 million available under the Rural Energy for America Program (REAP) to expand renewable energy and support installing energy-efficiency measures across rural America in the coming year. This includes \$250 million provided by the Biden-Harris Administration's historic Inflation Reduction Act legislation – the largest federal investment in clean energy for the future.

Minnesota Rural Development's hard-working staff recently assisted nearly 150 rural small businesses and agriculture producers - in 56 of Minnesota's 87 counties – with implementing or improving renewable energy or energy efficient infrastructure through the Rural Energy for America Program. This investment totals \$285 million in guaranteed loans and grants, some of which wouldn't have been possible without the help of our traditional lending partnerships through our guaranteed loan programs.

For example:

- West Central Petroleum Services, a truck stop and restaurant in Otter Tail County, received nearly \$40,000 in grant funding to install energy efficient heating and cooling, lighting, kitchen refrigerators and freezer units. These infrastructure improvements are expected to save the store more than \$13,500 in annual energy costs and replace nearly 132,000 kilowatt hours of electricity per year – enough to power 12 homes.
- USS Danube LLC purchased and installed a 1.4-megawatt solar renewable energy system in Renville County with help from a nearly \$2 million guaranteed loan. Additionally, USS Rosebud Solar LLC was able to purchase and install a 1.40-megawatt solar energy system in Redwood County with help from a \$1.8 million guaranteed loan.

Between these two solar projects alone, they will create enough renewable energy to power nearly 420 homes a year. Not only do solar farms like this reduce ag production energy costs using cleaner energy practices, but they often generate enough energy to sell to local community members and help to reduce energy costs across counties.

While counties themselves may not always be eligible to apply for funding through each of our programs, I know as a former county commissioner myself, the importance that county officials can play in connecting residents, businesses, and local ag producers with affordable financing for their needs. And when we work together on these efforts, we help to ensure the continued economic growth of those who live in rural areas within every county in Minnesota.

We appreciate your partnership both directly and indirectly because both help us achieve the greater mission; building back a better rural America. For more information on the REAP program, visit www.rd.usda.gov/mn, call (651) 602-7796 to connect with our Energy Coordinator and always follow us on Twitter @RD_Minnesota.

As a reminder, counties are eligible to apply for loan and grant financing through USDA's Community Facilities and Water and Waste Disposal programs. If your area is in need of assistance with infrastructure or equipment for an essential community service, contact your local area office to speak with one of our rural experts on the ground. ■

2022 Elections Recap and Elections Administration



By Deborah Erickson, Crow Wing County Administrative Services Director, MACO President-Elect

As the political environment around elections continued to bubble across the country, many Minnesota county boards and election departments saw their 2022 election cycle begin much earlier with impassioned requests from constituents for forensic audits of election equipment and unfounded accusations of election fraud from 2020. Misinformation continued to be spread, requiring county offices to spend significant time ensuring correct information about election processes and laws was being shared. Many counties saw large increases in data requests that strained county resources; and scrutiny on all aspects of the elections process was microscopic in many areas offering an opportunity for counties to help educate the public on the elections process from start to finish. Additional complexities were faced in Congressional District 1 following the passing of Representative Hagedorn, which required a special election to fill the vacancy in conjunction with the state primary election. Election administrators managed through the ballot design and equipment programming challenges that this situation presented and provided voter education to help them understand why the same office and candidates were potentially on both sides of their ballot.

Even with the additional pressures, Minnesota election administrators professionally conducted the elections of 2022 with the standard of integrity and security that Minnesotans should always expect from their elections process. Post-election audits required by statute and several recounts across different jurisdictions once again upheld the election day results and proved that all election equipment used in Minnesota was accurate and secure. Thousands of election judges, many of whom were serving as a judge for the first time, were trained by counties and municipalities and served 2.5 million voters in 1,403 precincts throughout the state in the November General Election.

As we move into 2023, MACO is continuing to look for ways to advocate for fair and impartial stewardship of elections. Legislative priorities include changing publication mandates related to county information to provide better information to voters at a reduced cost to counties; allowing for mail ballot voters to have choice in returning their ballot by mail or casting their ballot in person on Election Day, and providing for early voting provisions to be expanded from seven to fourteen days to increase efficiencies and reduce costs associated with absentee voting.

If you have questions on the elections process, please reach out to your local election administrators.

MACO appreciates the partnership with AMC and looks forward to continued collaboration as we work to improve the services provided to our communities. ■

Effective Commissioners Focus on Four Major Areas



By Michael Williams, PhD, Stearns County Administrator, MACA Secretary and Bruce Messelt, Sherburne County Administrator, MACA Past President

Developed from a previous article published in 2019.

Across Minnesota, County Boards are beginning a new year, many with new members. It is very exciting for a new commissioner to take office, congratulations! The Minnesota Association of County Administrators (MACA) hopes that new Commissioners are getting acclimated to their new role, with many having attended AMC's New Commissioner School and planning to attend other AMC events for newly elected officials. County commissioners have a very important role in the State of Minnesota's system of government and getting off to a good start creates a solid foundation for both personal and organizational success.

County government can be quite complex. A multitude of services are provided by your county government. Counties in Minnesota construct and maintain public infrastructure and transportation assets, ensure the public's health, provide public safety to protect people and property, operate 911 and emergency communications systems, maintain a wealth of public information and historical records, coordinate elections, administer the property tax system, operate license bureaus, provide services for at-risk children and adults, supervise those released from incarceration, assist veterans with benefits, and much more. In Stearns County, for example, all of these services require a budget of \$190,000,000, quite a few buildings, lots of equipment, and over 940 employees.

MACA members have great admiration for county commissioners. County commissioners get elected because they are intelligent, good communicators, trustworthy, have passion and a sense of purpose, and can think with strategy, vision, and overall leadership. County commissioners don't necessarily get elected because of an expertise in government or county services – that's what MACA brings to county government! You will find that you can rely upon your county administrator/manager/coordinator and your other professional county staff for their expertise and aptitude in these many areas of county responsibility.

To best serve their communities, effective county boards typically focus their work in four major areas: *Vision and Direction, Analysis and Monitoring, Formal Public Input and Action, and Community Relations and Leadership.*

Establishing *vision and direction* includes working each year on your organization's mission, vision, and a strategic plan. Articulating the Board's vision and direction includes developing one of the county's most important policy documents – the annual operating budget. Commissioners will typically rely upon staff to develop the details of the budget, but they need to provide broad overall guidance, direction and final approval. Considering and approving other governing documents brought to the Board throughout the year affords the Board a similarly great opportunity to both establish and reinforce its vision and direction. Your knowledgeable and engaged staff will typically endeavor to both understand and incorporate the Board's overall philosophy before bringing issues for approval.

Analysis and monitoring by the County Board provides oversight to the organization and instills in staff an expectation of accountability. Monitoring includes requiring timely written and oral reports, asking questions, expecting performance measures, and holding staff accountable for mandates, requirements, and implementation of Board policies. Monitoring is accomplished predominantly through committee meetings, committee of the whole meetings, regular Board meetings and staff reports.

Formal actions and public input are taken at regular board meetings, affording Commissioners, staff, affected organizations and citizens, and the general public an opportunity to speak about various ordinances, proposals, or actions. In many cases, the actions proposed or under consideration have already been vetted through a citizen committee, an established staffing review process, or a partnering organization's board; so the final action might receive little additional public comment. Nevertheless, the formal Board meeting offers one last time for formal public consideration before action is taken.

Maintaining relationships with the community is, perhaps, the most important work of a county commissioner. This leadership role is accomplished through individual communications, membership on outside boards and committees, relationships with township, city, state and federal officials, and community partnerships. In particular, a county's relationship with state government officials is critical because Minnesota's 87 counties partner with the State of Minnesota in many, many ways.

Political neutrality is important to maintain relationships with the community, state government officials, and fellow commissioners. County boards have responsibilities in numerous policy areas that need not intersect with controversial, partisan issues. Establishing a position on non-county or partisan issues will only serve to create division in the community which doesn't make sense politically or for the common-good. Commissioners typically use their roles to build community trust and healthy relationships rather than contribute to disagreement and bickering.

Often, constituents will ask questions, make requests, and raise issues with commissioners first, before diving into your county's bureaucracy to find the appropriate staff contact. Many of these constituent queries can be referred or delegated to your staff, with monitoring by and feedback to the commissioner ensuring the question is answered, the request is met or the issue is addressed, if not completely resolved.

All-in-all, commissioners best represent the interests of their constituencies when performing work in all four of these focus areas. In order to maximize your effectiveness, a good relationship with your county administrator/manager/coordinator and other key county staff will prove both beneficial and valuable. Your staff is here to help empower you, as commissioner, in your Board's collective efforts to govern and lead your organization and county through - *Vision and Direction, Analysis and Monitoring, Formal Public Input and Action, and Relations with the Community.*

■

The Delta Factor: Active Vs Passive Investing

Local public entities come in all shapes and sizes. From small community colleges and water authorities all the way up to towns, villages, county governments, and cities. Budgets can range from several million dollars to more than one billion dollars annually. One thing that they all have in common? Surplus cash, over and above what is needed for current operating expenses, sitting in their bank accounts that can be put to work generating interest income.

Every municipality or public entity has an adopted investment policy that puts safety of principal at the top of the list of priorities, followed soon after by the requirement that they prudently maximize interest earnings on the funds in their care and custody. The gap, or "delta", between passively managing those funds vs using active liquidity management often averages 1.5% to 2.0%. That additional amount may not sound like a lot, but when you are dealing with tens of millions, or sometimes hundreds of millions of dollars, the delta factor can mean the difference between a tax increase, or a tax cut!

A finance office that uses passive investing basically keeps their funds in two types of accounts: their regular bank account plus a daily money-market account or a daily investment pool. They shift the funds back and forth as needed to meet expenses and earn a somewhat higher rate of interest on the day-to-day balances kept in the money-market account. The downside of passive investing is that it does not take advantage of the significantly higher interest rates that can be found in fixed-term investments such as certificates of deposit and U.S. Treasury bills. Passive investing misses out on the power of tapping into the Future Value (FV) of cash.

On the other hand, active liquidity management uses future cash-flow forecasting to predict how long those surplus funds will remain on deposit before they will be needed to pay for goods and services. That information is powerful because it can be used to confidently add secure, guaranteed, fixed-term investments to a public entity's portfolio. The result is a much stronger, balanced portfolio of short and longer-term fixed-rate CDs and T-bills, combined with those existing daily money-market and municipal pool accounts.

The delta between active cash management vs passive can be as high as 2.0%. In the case of a medium-sized county with a \$300 million annual budget and an average of \$150 million in cash on deposit, that could mean an additional \$3 million in operating revenue annually over and above what they would have earned using passive investing. The delta factor works the same way whether you are managing the finances of a \$30 million public entity or a \$300 million one - and it remains in place regardless of whether interest rates are climbing, flat, or falling.

three+one® is the nation's leader at helping public entities reap the benefits of the delta factor. Check us out at www.threeplusone.us and harness the power of cashVest® to tap into higher revenues!

William Cherry served for 24 years as a county chief financial officer responsible for managing and investing public funds, and for 20 years as a county budget officer. He can be reached by phone at 585-484-0311, ext. 709 or by email at wec@threeplusone.us



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AMC Leads Effort to Improve Minnesota's Probation System

By Carli Stark, AMC Public Safety Policy Analyst and Minnesota Association of Community Corrections Act Counties (MACCACC) Director

Minnesota is last in the nation when it comes to general fund spending on corrections – institutions and probation services. The impact is felt severely by smaller counties with fewer resources. Without proper resources, probation staff cannot do their job effectively which impacts public safety in every county regardless of delivery system.

The probation system is at a critical point for change.

The three different funding mechanisms used to fund Minnesota's probation systems are not only difficult to understand but also create inequalities in service and outcomes. Every year, the three delivery systems approach the Legislature separately for funding to provide an essential public safety service. Counties are at a disadvantage because they are not at the table as a state agency therefore, they must rely on the Department of Corrections to include county funding in the governor's proposed budget. If that does not happen, counties must bring an independent bill to ask for funding. When choosing between the state budget and county subsidies and reimbursements, legislators often cut the county funding proposals, which means that counties — who deliver more than 80% of the State's probation services — are consistently underfunded. Even when the DOC field services budget gets an increase, it has not been enough to hire additional field agents to meet the needs of Minnesota. No matter which delivery system your county uses, it is not receiving adequate state resources.

AMC has gone to the Legislature year after year for funding to support better outcomes but has been unsuccessful in obtaining any meaningful changes. Until the outdated formula and funding structure are amended, counties will be required to make up the difference between what the state provides and what public safety necessitates through increased property tax levies. Counties have the solution and are unified in their proposal to fix the probation funding formula.

The proposed funding formula will retain the three-delivery system model (CCA, CPO, DOC), preserving county choice. The simplified formula will be based on data from a workload study that was overseen by the AMC Community Supervision Workgroup. The workload study tracked the work of agents throughout the state to determine staffing requirements that ensure evidence-based practices can be provided throughout the state.

The current three funding streams will be consolidated into one fund in the agency budget. This will ensure that counties are part of the same funding stream as the DOC, so the entire system is funded as part of the state budget. Increased appropriations to accompany the new formula are necessary to ensure that all counties can maintain a base level of probation services and provide evidence-based practices that are proven to reduce the rate of reoffence.

The 2023 legislative session presents a unique opportunity to provide lasting change for Minnesota, and AMC will be a crucial part of the effort to create a better probation system through policy changes. If you would like more information about the Community Supervision Workgroup or would like to be involved in advocacy during the legislative session, please contact Carli Stark, AMC Public Safety Policy Analyst at cstark@mncounties.org. ■

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No Short-Fused Termination Notices



By Melanie Ault, DDA Consultant

Every county has probably encountered an employee involved in some wrongdoing, and the employer had a knee-jerk reaction wanting to terminate the employee on the spot. But should they immediately terminate? Although the county can take some other actions to immediately cease or mitigate the fallout from the misbehavior (e.g., using paid administrative leave to remove the employee from the worksite, especially for egregious or repeated offenses), the county should not instantly declare, “You’re fired!” To be fair to the employee and to protect the county, the better practice is to methodically follow due process procedures, even for an at-will (not represented by a union) employee.

Due Process

Following good due process practices before finalizing a decision to issue discipline or discharge is a best practice: to ensure the employee is treated fairly, to give the employee an opportunity to explain or offer more information providing a new context for the apparent misdeed, and that the basis for the county’s decision will be solid and accurate. Following a course of due process will reduce or eliminate reasons that could give rise to claims of protected class disparate treatment, unfair or unfounded accusations, grievances over improper county conduct, or other wrongful actions.

The county will initiate an employment investigation, often with the employee on paid administrative leave, to make sure they understand what happened. The investigation will check that the employee knew of the work rule and possible consequences for violating it, and then gather evidence, question witnesses, and usually question the employee. The employee can have union representation if the employee desires. The county should objectively consider whether there is substantial proof that the employee violated the rule, and that the rule was consistently applied. Finally, the county will weigh whether the discipline being considered is in line with the wrongdoing, the employee’s record, and other employees’ wrongdoings.



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If the investigation supports a discharge, the county will give the employee a notice of intent to terminate and offer a pre-termination hearing. At that meeting, the county will describe why termination is being seriously considered and give the employee (or their union representative) the opportunity to explain why there should not be a termination or that some lesser form of discipline should be issued, or that there is other information the county should consider. Giving the employee the opportunity to present their side of the story or to offer up additional mitigating points, shows the employer’s reasonableness.

After the hearing, the county will consider the totality of the circumstances and arrive at a decision. If the decision is to move forward with termination, then the county will issue a termination notice. Usually, the termination notice is delivered at a subsequent meeting.

Basic Elements of a Termination Notice

A useful termination notice will commonly have several elements, both in format and in substance. Know that the notice will likely be used by the employee when filing for unemployment benefits, perhaps to file a grievance or other complaint or challenge, or for other purposes. Therefore, always write so that a neutral, third-person decision-maker will obviously see how careful and thorough the county’s actions were, and that the county’s decision was certainly a reasonable one. Writing so will also serve as a check that the county did indeed take all of the proper procedural steps and didn’t shortcut or skip over any requirements.

The format of a termination notice will be dated, labeled “Notice of Termination,” addressed to the employee, have a body unique to this employee and this set of wrongdoings, have signature lines, and be copied to the employee’s personnel file.

The substance of the notice will contain at least a general timeline of what happened in this instance, reference the rule/policy/directive/collective bargaining agreement article that was violated, explain how the employee knew about the requirement, identify how the misbehavior did not meet the expected behavior, list the history of any prior violations or disciplines, state the due process steps that were taken here, reference how the county met each of the just cause elements, and in light of all of the circumstances, that the county has decided to terminate the employee. The notice will likely also explain how to find out about any benefit continuations and to turn in any property or keys.

Due process takes time, don’t jump to hasty decisions. ■

Check our Knowledge Base under the Discipline and Discharge heading for various discipline notices, including a termination notice and termination checklist at www.amcddahrsupport.com.

County Veteran Service Officers Provide an Invaluable Service to Veterans and Their Families

By George Fiedler, Minnesota Association of County Veteran Service Officers (MACVSO) and Benton County VSO

Ever wonder what a CVSO is? Every county in Minnesota has at least one and many counties also have Assistant County Veteran Service Officers (ACVSO). The purpose/mission of a CVSO office is: Advise, counsel, assist, and support veterans and their families in obtaining veteran benefits through the state and federal programs and to act as an advocate on their behalf or direct and refer them to other authorized agencies or providers as needed.



Minnesota Statute 197.601 defines the requirements to be appointed as a County Veterans Service Officer:

1. Resident of Minnesota
2. Citizen of United States
3. Veteran as defined by MN Statute 197.447

In addition, a person accepting appointment to the position of County Veterans Service Officer or Assistant County Veterans Service Officer or other equivalent assistant position must agree to receive, within six months of the appointment, training and education for the duties of the position, including development of an effective working knowledge of relevant laws, rules, and regulations pertaining to the United States Department of Veterans Affairs, as applicable to veterans cases before the department and the administration of those cases.

Minnesota Statute 197.60 decrees that CVSOs and ACVSOs are appointed (by County Board of Commissioners) to four (4) year terms, and before entering upon duties, shall take and subscribe the oath required of public officials.

Minnesota Statute 197.606 defines that each CVSO is under the exclusive jurisdiction and control of those counties. Additionally, each county is responsible for establishing a CVSOs compensation plan, and any county-specific requirements for the CVSOs that they employ.

Minnesota Statute 197.603 defines the duties of a CVSO as:

It shall be the duty of the county veterans service officer to aid all residents of the governmental subdivision by which the officer is employed in securing benefits provided by law on account of the service of any person in the armed forces of the United States, from which the person has a discharge other than dishonorable. The county veterans service officer shall aid all veterans who are residents of the governmental subdivision by which the officer is employed, regardless of the nature of discharge, in securing counseling or treatment concerning alcohol and drug dependency and abuse.

What does a CVSO do?

There are some major categories of work done by a CVSO Office:

Recently Discharged Veterans

- Recording of DD-214's (military separation document)
- Help with VA Medical/Dental Care applications
- SGLI (life insurance) conversion
- Benefit counseling & claims assistance information and referral

Education Benefits

- GI Bill (all types)
- Dependent & Survivor Education (Chapter 35)

Disabled Veteran Benefits

- Compensation Claims (Service-Connected Disability)
- Pension Claims (Non-Service-Connected Disability)
- Filing Appeals
- Vocational Rehabilitation

Home Loan Guarantee

- VA Certificates of Eligibility
- Release of Liability
- Property Management (Reposessed Houses)

In Time of Death

- Dependency & Indemnity Compensation (DIC)
- Death Pension
- Burial Allowance
- Burial Markers
- Survivors Benefits
- Insurance Proceeds

Health Benefits

- VA Medical Care (Inpatient & Outpatient)
- Alcohol and Drug Dependence Treatment
- TRICARE
- CHAMPVA

Financial Assistance

- Temporary Financial Assistance
- Dental Care
- Optical Care
- MDVA Educational Assistance

Other Services (Help With)

- Obtaining military awards
- Obtaining military records
- Speaking to other Veteran "Help" Organizations
- Outreach to incarcerated veterans
- Liaison among veteran groups
- Burial Flags
- Government Life Insurance
- Bronze Star Flag Holders
- VA National Cemetery
- Answering letters Veterans and family members get from the VA
- Employment, Veteran Employment, & Re-employment
- Discharge Review
- Management of debts that maybe created with the VA

What is the Minnesota Association of County Veteran Service Officers (MACVSO)?

The Minnesota Association of County Veteran Service Officers (MACVSO) is the professional, state-wide organization, existing to support all 87 County Veteran Service Offices in our state.

The Mission of MACVSO is to: Train and Educate Minnesota County Veteran Service Officers; Positively impact legislation decisions; and establish, maintain or enhance relationships with stakeholders.

The MACVSO Vision is: To be the premier support association for our 87 Minnesota County Veteran Service Offices.

MACVSO Provides:

- Statewide training for CVSOs
- Assist with County employment issues with CVSOs when asked
- Onboard and mentor new CVSOs and Assistant CVSOs (ACVSO)
- Track and Manage Certification training for all CVSOs and ACVSOs
- Influence MN legislation that benefits Veterans statewide
- Develop partnerships with Veteran stakeholders

Find your CVSO at: macvso.org

MACVSO invites all county commissioners to have a discussion with "your" CVSO and ask them to brief you on what they are doing for your veteran and veteran families in your county. ■

Two Minnesota Community Corrections Agencies Selected to Participate in National Initiative to Help Rural Communities Find Substance Abuse Solutions

The U.S. Department of Justice, Bureau of Justice Assistance (BJA) announced that both 6W (Chippewa, Lac qui Parle, Swift and Yellow Medicine Counties) Community Corrections and Polk County Community Corrections have been selected as fellows in a new rural leadership program called *Reaching Rural: Advancing Collaborative Solutions*. Program fellows will learn how to adopt bold solutions to the persistent challenge of substance use in rural communities and work closely with innovators who have established successful programs in other rural communities. The participants were selected through a competitive process.

"I am excited for the opportunity to work with other leaders both from within Polk County and throughout the country to evaluate the current response to substance abuse in our communities and think creatively about how to be even more impactful in our collective efforts," said Andrew Larson, Director of Tri-County Community Corrections.

The *Reaching Rural: Advancing Collaborative Solutions* initiative is a collaborative project providing training to a class of over 65 fellows working to adopt bold solutions to the persistent challenge of substance use and misuse in 81 rural communities across 15 states. The fellows include elected county leaders, county and tribal judges, law enforcement officers, prosecutors, public defenders, public health and behavioral health practitioners, emergency management professionals, reentry coordinators, and individuals working in community nonprofits.

"We're excited about this opportunity to receive guidance and technical assistance from national experts in the field of substance use disorder, particularly as it impacts rural America," said 6W Community Corrections Director Midge Christianson. "Our rural community is unique in its challenges, requiring innovative responses tailored to the local level."

The year-long program kicked off in December 2022 and will have a strong focus on creating engagement across rural communities and sectors. Over the course of the year, participants will benefit from virtual and in-person learning opportunities which include coaching, skill-building workshops, and local and regional asset mapping. The program will demonstrate how diverse systems with different missions can engage with one another to serve justice-involved individuals more effectively with substance use or co-occurring disorders.

The U.S. Department of Justice, Bureau of Justice Assistance (BJA), the Centers for Disease Control and Prevention (CDC), the State Justice Institute (SJI), with support from the Institute for Intergovernmental Research co-sponsor the project. The National Association of Counties (NACo) is a key partner. To learn more, visit <https://rural.cossapresources.org/reachingrural>. ■

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