



# Association *of* Minnesota Counties

**AMC Update *for*  
MACA & MCHRMA**



# County Government Organization



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## ■ **Cooley Doctrine**

*Counties can do anything that is not prohibited by state/federal government.*

## ■ **Dillion Rule**

*Counties can only do things that are expressly granted by the state.*

***Minnesota is a Dillon Rule state***





# Association *of* Minnesota Counties

## Opioid Settlements



# High-Level Overview of the National Settlements



- Settlements have been reached with the 3 largest pharmaceutical distributors - McKesson, Cardinal Health, and AmerisourceBergen – and with the manufacturer Johnson & Johnson.
  - Distributors to pay out a maximum of \$21 billion over 18 years
  - J&J to pay out a maximum of \$5 billion over 9 years
- Settlement money must be used for the purposes of Opioid Abatement.
- To maximize funds, “global peace” must be reached; a.k.a., the more states and local governments that sign on and forfeit current and future lawsuits, the more money that is released via a bonus structure.

# High-Level Overview of the National Settlements



- The state of Minnesota signed onto the settlement on August 21, 2021, which initiated a 120-day window for local governments to sign onto the settlement. January 2, 2022 is the deadline for local governments to sign onto the settlement.
- Unless an alternative, intra-state allocation agreement is reached, the “default” intra-state allocation formula is 15% to local governments, 15% to the state, and 70% to an abatement fund.
- If Minnesota maximizes funding available through the settlement, the state will see approximately \$300 million over the course of 18 years.

# Opioid Settlement: Minnesota Considerations



- Over 30 Minnesota counties and about 6 cities initiated direct lawsuits (litigating counties and cities).
- Other states, including county administered systems like Minnesota, have agreed upon terms that allocate the settlement dollars to build and support infrastructure that recognizes the importance of prevention-based initiatives and the interconnectedness of public health, public safety and human services across their state.
- This is an opportunity for Minnesota to vision how we might better support the children, individuals and families across our state who face mental health, substance use and addiction issues.

# Opioid Settlement: Minnesota Considerations



- In 2019, Minnesota established the Opioid Epidemic Response Advisory Council (OERAC), funded through licensing fees from distributors and manufacturers of opioids.
- The current funding dedicates 50% of funds to counties for child protection services (based on out of home placement rates), with the remaining 50% being granted out by OERAC.
- While a requirement of the settlement is to establish a statewide entity to manage and report on use of the dollars, OERAC's role regarding the settlement dollars is complicated and will require statute changes to comply with the settlement terms. The changes needed for OERAC to comply will need to occur in the 2022 legislative session – *after the deadline.*

# Opioid Settlements: Decision-making and Timelines



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- All political subdivisions must sign off on the global agreement with their state Attorney General by January 2, 2022.
- The litigating counties in Minnesota put together a small team of county attorneys to negotiate a deal with the AG.
- The AMC board put together a small group of commissioners to join this group.
- The AG has also convened a public health and human services panel.
- We also need input from cities.
- Decisions will need to occur quickly and will likely be based on the national templates and other states.

# Opioid Settlements: Decision-making and Timelines



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**Counties should be prepared to review the  
agreements and take board action in  
December!**



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**Updates on Strategic Initiatives**

# Workforce Recruitment and Retention



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- Number one issue of discussion at spring district meetings
- Has been a top issue for at least the past 6 years
- Intensifying

Open Chrome, Edge, Safari, or any other internet browser on your phone, tablet, or computer

Go to [www.menti.com](https://www.menti.com)

Enter the code **33 02 47 0**



# Workforce Recruitment and Retention



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**We need to start thinking about  
new service delivery models now.**

# Bridging Divides

- How to disagree well
- “Stay in your lane” resolutions
- Online resources
- What are new and emerging issues?





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## **Tools and Training**

# Upcoming Training Opportunities



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- **Practical Supervision and Leading Teams Training**  
Winter dates available | Virtual
- **Negotiation 101 – Mitchell Hamline School of Law**  
Friday, November 12th | 9-4pm | Virtual
- **Leading Economic Transformation Cohort – UMN Extension**  
Mondays & Wednesdays | Virtual | November
- **Virtual Coffees & Roundtables – All AMC members welcome**  
Every Monday @ 10am and First Wednesday @ 8am
- **Bridging Divides Toolkit, featuring Dave Bartholomay**  
Videos, handbooks, and resources available

# HR Technical Assistance



- Currently 48 county and JPA members participating
- Rate will remain \$4,900 for 2022
- Over 200 questions related to the HR implications of CARES, ARPA, FFCRA and the Governor's Executive Orders
- Other issues along a wide range of items: Juneteenth, Hatch Act, hitting the salary cap, exempt positions turning into non-exempt, terminating an employee who might be a veteran, etc
- Breaking News: OSHA requirements



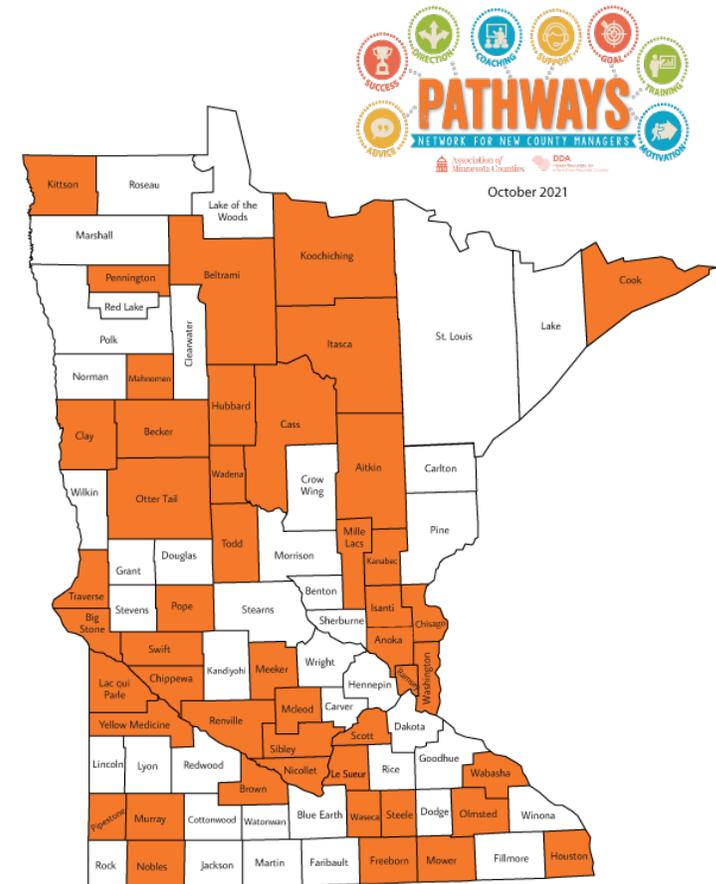
**DDA**  
Human Resources, Inc.  
*a David Drown Associates Company*

# Pathways



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- Pathways is an onboarding program and peer network for new county managers, administrators, and coordinators.
- 52 new leaders have participated since the program began in 2016.



# Upcoming Conferences



**2021 AMC Annual Conference**  
December 6-8, 2021  
DoubleTree Hotel, Bloomington

**2022 AMC Fall Policy Conference**  
September 15 -16, 2022  
Arrowwood, Alexandria (Tentative)

**2022 AMC Legislative Conference**  
March 2 -3, 2022  
InterContinental Hotel,  
St. Paul Riverfront

**2022 AMC Annual Conference**  
December 5-7, 2022  
DoubleTree Hotel, Bloomington

**2022 AMC Leadership Summit**  
March 30 - April 1, 2022  
Grand View Lodge, Nisswa