NACo meth survey spurs national media, Capitol Hill attention

By Beverly Schlotterbeck

The release of NACo’s survey on the impact of methamphetamine (meth) use in the nation’s counties, July 5, provoked a storm of media attention, heightened Congressional interest in meth abuse and began moving administration officials to reconsider their position on the nation’s top drug priority.


Nearly a week later, stories and editorials continue to appear in major newspapers and on local TV and radio stations.

“Counties across the country have been facing the appalling effects of meth abuse on their communities. That’s why NACo’s leadership decided to step forward and let Congress, the administration and the nation know how widespread and dangerous this drug is. We can’t be more pleased about the attention this story has received,” said NACo Executive Director Larry Naake.

The fierce media attention also caught the eye of congressional members. As reported in The Seattle Post-Intelligencer, Rep. Dave Reichert (R-Wash.), former King County, Wash. sheriff, has promised to introduce a bill that would provide local communities with consistent federal funding to combat meth manufacturing and

State, federal lawmakers take aim at eminent domain ruling

By Dan Miller

Following the Supreme Court’s June 27 decision in the case of Kelo v. New London, state and federal lawmakers have introduced legislation intended to curb the use of eminent domain for private economic development.

The two pieces of federal legislation, H.R. 3135 and S. 1313, both aim to ban the use of federal funds in eminent domain cases where private economic development is the justification.

House Judiciary Committee Chairman F. James Sensenbrenner (R-Wis.) introduced the Private Property Rights Protection Act of 2005 June 30. The legislation would not only prevent the federal government from using eminent domain authority for economic development, but it would also bar state and local governments from using federal funds for such projects.

“I ask members to join me in sponsoring H.R. 3135, to assure the American people that we will not allow churches, homes, farms and other private property to be bulldozed in abusive land grabs that solely benefit private individuals whose only claim to that land is that their greater wealth will increase tax revenues,” Sensenbrenner said on the floor of the House.

The Senate legislation, introduced by Sen. John Cornyn (R-Texas), would also prohibit the use of federal funds for such eminent domain cases. Furthermore, the legislation is intended to clarify the term “public use” to not include economic development.

“The legislation would declare Congress’s view that the power of
I am sure most commissioners and judges across the United States are aware of the recent Supreme Court decision maintaining that a local government has the ability to take private property and uphold the City of New London’s use of eminent domain to promote economic development. They supported the idea that “the city has formulated a development plan that it believes will provide appreciable benefits to the community, including, but not limited to, new jobs and increased tax revenue.” They rejected the landowners’ argument that for takings of this kind, the Court should require a “reasonable certainty” that the expected public benefits will actually accrue.

In Douglas County, Ore., we listened in shock to the news reports on the radio and the subsequent stream of coverage all over the media and pondered what the impact of this new ruling would be if put into effect. Consider the following hypothetical example: Mr. and Mrs. Smith, who planned ahead, worked hard, purchased their home and paid it off years ago when Mr. Smith had a good paying job. Their reasonable expectation was that they would live there the rest of their life.

Like many homes in Douglas County, theirs is a 1920s model, in good order, built on rock cornerstones without a foundation. Their Fisher wood stove keeps them warm throughout the winter — even without centralized heating. The view from the front porch swing has changed over the past 30 years and now overlooks a new housing development on previously vacant land.

This comfy little house with no foundation, no centralized heating and surrounded by expensive new homes has a low appraisal value. Now imagine a “visionary” comes to the local governing body and presents the case that if that body will just condemn the Smith home and pay the owners the appraised value he will build a large new apartment complex which will create jobs and generate much higher tax revenue for that body and even improve the view shed of the area.

Under the new ruling by the Supreme Court this governing body would be fully justified in their condemnation. Don’t worry about Mr. and Mrs. Smith, they will find a nice rental where they can stay until the money runs out as they cannot afford payments on a new home with a fixed income. Or consider the Jones family, a young couple; working hard to get ahead, they purchase a vacant lot in town. Their plan is to save for the next five years and then build a saleable home or business on the lot. Two years into their plan, property values decrease, and a speculator approaches the governing body with a proposal. While the current owner has plans in the future to improve on the lot, this speculator can build now and increase tax revenues today.

The Columbian

Commissioners Stand Firm on Property Rights

By COMMISSIONER MARILYN KITTELMAN
DOUGLAS COUNTY, Ore.

Commissioner Marilyn Kittelman
Douglas County, Ore.

Commissioners Stand Firm on Property Rights

WHEREAS, the United States Constitution, in Article 5 of the Bill of Rights, and the Oregon Constitution in Article 1, Section 18, expressly provide for the protection of the private property rights of its citizens; and

WHEREAS, the power of eminent domain has been reserved to the local, state and federal governments for the sole purpose of acquiring private property through the use of condemnation proceedings when said privately held properties are needed for public purposes; and

WHEREAS, the United States Supreme Court recently handed down a decision upholding what they maintain is a local government’s ability to take private property for a vaguely defined “public good” such as economic development, or increased tax revenues to the local government itself; and

WHEREAS, this Supreme Court decision put at risk the very right of private individuals to be free from government interference in their right to keep and enjoy their private property; and

WHEREAS, this action by the Supreme Court is contrary to and contravenes the aforementioned constitutional protections against such capricious and willful attacks by any governmental body upon the rights of the citizens.

NOW, THEREFORE, we the Douglas County Board of Commissioners recognize and support the original concept of the framers of the constitution wherein the power of the eminent domain shall be used only as a last resort to acquire private property for a public project.

This United States Supreme Court may have created out of thin air, by a vote of five to four, what they are calling a new legal right for government to deprive citizens of their property but the Douglas County Commissioners aren’t going to participate in this assault on the very cornerstone of our freedom — the right of private property ownership! We would encourage each of you to take the same stand in your county to protect the rights of individuals to own property and make plans for the future throughout the United States.

BOARD OF COUNTY COMMISSIONERS
OF DOUGLAS COUNTY, OREGON

Resolution: In the matter of protecting the private property rights of Douglas County residents ...

WASHINGTON, the United States Constitution, Article 5 of the Bill of Rights, and the Oregon Constitution Article 1, Section 18, expressly provide for the protection of the private property rights of its citizens; and

WHEREAS, the power of eminent domain has been reserved to the local, state and federal governments for the sole purpose of acquiring private property through the use of condemnation proceedings when said privately held properties are needed for public purposes; and

WHEREAS, the United States Supreme Court recently handed down a decision upholding what they maintain is a local government’s ability to take private property for a vaguely defined ‘public good’ such as economic development, or increased tax revenues to the local government itself; and

WHEREAS, this Supreme Court decision put at risk the very right of private individuals to be free from government interference in their right to keep and enjoy their private property; and

WHEREAS, this action by the Supreme Court is contrary to and contravenes the aforementioned constitutional protections against such capricious and willful attacks by any governmental body upon the rights of the citizens.

NOW, THEREFORE, we the Douglas County Board of Commissioners recognize and support the original concept of the framers of the constitution wherein the power of the eminent domain shall be used only as a last resort to acquire private property for a public project, and that any such public project can be demonstrated to be necessary to accomplish the general welfare of the citizens of that jurisdiction.

FURTHER, this board deems any departure from the original principles of eminent domain to be an assault on our basic foundations of liberty and a threat to the rights of private property ownership; and again strongly urge all municipal jurisdictions within the State of Oregon to encourage the Oregon State Legislature to use all means necessary to strengthen the original purpose of the Rights of Eminent Domain within the State Constitution.

Dated this 29th day of June, 2005
Hawaii gets serious about building business relationships

By G. KIKI HORAMA
Chair Maui County Council
And Member, NACO Board of Directors

Many will agree that Hawaii is a leader in resort destinations, world renowned for sun, sand and leisure. But how does Hawaii rate as a business destination? What some may not realize is that Hawaii is more than just a “pretty face.” According to the Hawaii Visitors and Convention Bureau Web site, for the past 15 consecutive years, Hawaii has been awarded the coveted Pinnacle Award by corporate and association planners for catering to businesses and business professionals. The Hawaii Convention Center, boasting over 149,000 square feet of total meeting space, is a modern-age, technologically advanced facility dedicated to that very purpose.

Hawaii is serious about doing business. In fact, Hawaii has been steadily gaining attention in the business world as a place to conduct business. The County of Maui, in particular, has made great strides to promote business relationships both nationally and internationally.

In June 2005, Maui hosted its first Sister Cities Festival as part of the Sister Cities International program, where long-term global partnerships are formed to promote cultural ties and stimulate economic development. Maui, with sister-city ties to municipalities, provinces and territories worldwide, hosted delegations from Chile, China, Japan, the Commonwealth of the Northern Mariana Islands the Philippines and representatives from Taiwan, Korea and the Czech Republic, for the four-day festival.

The festival was held in conjunction with the 100th anniversary of the County of Maui and spearheaded by the County of Maui’s Office of Economic Development and the Maui County Sister Cities Festival Committee. The event proved to be a perfect venue to showcase the cultural, educational and economic diversity across the globe.

The County of Maui is also home-base for Pacific Bio-Diesel, Inc., a company dedicated to converting recycled cooking oil into biodiesel fuel. Owners Robert King, and his wife, Kelly, received national recognition from President George W. Bush as noted in a May 2005 article by the Honolulu Star Bulletin.

In a business venture that started nine years ago, the Kings have helped build biodiesel plants in Honolulu, Japan and Virginia, with plants to develop two additional plants in the U.S.

After visiting the Virginia site, Bush claimed the biodiesel plant to be a step forward towards “making this country less dependent on foreign sources of oil,” while protecting our environment. The U.S. Small Business Association also awarded the Kings the 2005 Small Business Award for their entrepreneurial efforts.

In 1998, Hawaii bid on and was selected by NACO to host the 2005 annual conference. Hawaii is honored to have been granted the privilege of hosting a NACO conference for the first time.

As with other conferences, the Hawaii conference offers various educational workshops providing a wealth of knowledge, opportunities to meet with companies that supply products and services to counties, and nationally recognized speakers who will conduct training workshops and informational forums. While these

Video franchising bills introduced

By JOEY ARNOLD
Deputy Legislative Director

As suggested in a previous issue of County News, Sens. Gordon Smith (R-Ore.) and Jay Rockefeller (D-W.Va.), and Reps. Marsala Blackburn (R-Tenn.) and Al Wynn (D-Md.) introduced legislation (S. 1349 and H.R. 3146) that would allow new video providers to use local right of way without first obtaining a franchise from the local franchising authority. The bills represent the first salvo in what is likely to be a barrage of anti-local authority bills that will be introduced in the next few weeks.

The two measures are similar, but not identical. Companies that already have a right to be in the right of way read this to mean primarily telephone companies can begin providing new video service without signing a contract with the local community. While unacceptable, the bills do take into account many, but not all, of the concerns NACo and other local government associations have been stressing: the need for public, educational and governmental channels; retransmission of local stations; no economic redlining; privacy protection; and consumer protections. Both bills also authorize the collection of a fee equal to the existing cable franchise fee, or if in the case there is no incumbent cable company, a fee equal to what could be charged in a cable franchise agreement.

However, there are also items of importance not specifically referenced such as the EEO provisions of Sec. 634 of the Telecommunications Act and a ban on transmitting obscene materials found in Sec. 639 of the Act.

Neither bill provides a mechanism to enforce these important requirements. And while on the first reading, the bills seem to be local government “friendly,” the facts remain they take away a great deal of control and leverage from local governments to assure their citizens receive the best service possible, that community standards are maintained, and that the video provider is using the public rights of way in a safe and proper manner.

Children of inmates usually overlooked by public

By ANN ADALSTE-ESTREN
And ARLINE F. LEE

At the end of June, local jails held 784,538 inmates — up 3.3 percent from the previous year. Over the course of the entire year, 7 million people, on average, are admitted to county jails. These inmates, more often than not, are parents, and their children stand at grave risk of becoming incarcerated themselves at some point in their lives. The Chad Welfare League estimates that children of incarcerated parents are three to six times more likely to exhibit violent or serious delinquent behavior.

Children are deeply wounded from the very beginning of a parent’s incarceration and that is where county facilities come in because that is where a parent first enters the system. But jail-time also prompts indifference in families or corrections officers who dismiss incarceration as too insignificant for visits. So at that time children are mostly deeply wounded, the scaffolding is not there to support them.

Over the years, many myths have developed that help the average person protect his notion that criminals do not have families and that children are either unaffected or beyond help.

Over the years, many myths have developed that help the average person protect his notion that criminals do not have families and that children are either unaffected or beyond help.

- Only between 2 percent and 10 percent of the children of prisoners are in a foster home or institution.
- 90 percent of children with an incarcerated father live with their mothers.
- 50 percent of the children with an incarcerated mother live with their grandmothers.

Children of incarcerated parents may exhibit low self-esteem, depression and emotional withdrawal from friends and families. They may begin to act out inappropriately, become disruptive in the classroom or engage in other antisocial behavior. Often, their academic performance deteriorates, and they develop other school-related difficulties.

Children of incarcerated parents express a broad range of emotions, including fear, anxiety, anger, sadness loneliness and guilt. They are afraid of being abandoned, of never seeing their incarcerated parents again and of being taken away from the caregiver. The worry for the well-being of the incarcerated parent.

Often children are not told the truth about their parent’s whereabouts, which leads to questions that children are afraid to ask, and confusion around what it true and what is not.

Children often feel responsible for their parent’s behavior and suffer the guilt of not being “enough” of a motivation for changing parental behavior.

Finally, anger usually comes in the wake of other feelings such as disappointment, resentment, frustration, fear or loss. Unlike other children with issues like death or divorce, who also have many of these feelings, the children of prisoners experience tremendous guilt, shame and stigma.

How old are they? Most people believe that children of prisoners are infants. But the reality is: Only 2 percent of the children with a parent in a prison or jail are
**Profiles In Service...**

Ronald Houseman

County Administrator

Stone County, Mo.

NACo Board of Directors

Number of years active in NACo: 25

Years in Public Service: 26

Occupation: County administrator

Education: Business administration at the University of Maryland

The hardest thing I’ve ever done: Bury my son.

Three people (living or dead) I’d invite to dinner: Jesus, Will Rogers and Mark Twain.

A dream I have is to: Build a successful national consulting company.

You’d be surprised to learn that: During summer school of my junior year in college, two friends and I ate two meals a week by going to wedding receptions of strangers.

My favorite way to relax is: Fishing or hunting.

I’m most proud of: My family.

Every morning I read: The Bible, e-mails and the local paper.

My favorite meal is: Fried fish and cornbread.

My pet peeve is: Individuals talking while others have the paper.

My favorite movie is: I love movies, but have no favorite.

My favorite music is: Classic rock.

My favorite president is: Harry S. Truman and Ronald Reagan.

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**Prison incarceration poses unique problems**

- **INMATES from page 3**

  under a year old. Most, 64 percent, are between 5 and 14.

  **Jail vs. prison parents**

  What makes children of jailed parents different from children with parents in prison? While there are many similarities there are some important differences between children with a parent in jail and children with a parent in prison.

  Children with a jailed parent have the poverty issues in their lives highlighted because parents are often in jail for extended periods when they are unable to make bail. Jail is the first place parents go, so the children are dealing with the immediate impact and trauma. Jailed parents often have high rates of recidivism, also called “churning,” which means the children are repeatedly traumatized. Because jails are close to home, the children may know many of the officers and their families. So the stigma is immediate.

  Finally, the jail system feels arbitrary to families because they are often unified when things will happen in the court system. Thus, they are living with tremendous uncertainty.

  What can counties do to reach out to the children and families of inmates?

  - Collect data from inmates to get information about the family aspects of their lives. That information can be disseminated to staff so they can know and have an understanding of what the family issues might be.
  - Staff training about gender responsive issues-how are moms and dads different? How are custodial parents different from non-custodial parents?
  - Provide information to families, to help them feel informed and connected.

  ** variety of speakers highlight conference**

  During the closing general session, Judge Glenda A. Hatchett gave the delegates a dose of what it may be like to be in her courtroom. Hatchett is renowned for her innovative courtroom style and the work she has done with at-risk youth. In addition to writing a national bestseller, Hatchett also has her own nationally syndicated television series which just completed its fifth season.

  **Quick Fact:** Kool-Aid was invented by Edward Perkins in Hastings, Nebraska (Adams County). Originally spelled Kool-Ade, the name was changed to Kool-Aid and trademarked in 1934. For more about this quick fact, go to www.adamshistory.org/adamshist.html.

**County News**

"The wisdom to know and the courage to define the public interest"

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Supreme Court review: Term ends with landmark decisions

The Supreme Court term ended recently with a flurry of important decisions, many of which will have a lasting effect on local governments. The most relevant dealt with the First Amendment Establishment Clause, which prevents the government from making a law establishing a religion, and the Fifth Amendment, which prevents the government from taking private property without just compensation.

In addition to the Kelo case, where the Court rule deferred to local governments for their determination of the proper uses of eminent domain (see County News, July 4), there were two other important decisions regarding the Fifth Amendment.

The high court unanimously sent back to the lower courts a case involving regulatory takings. In Lingle v. Chevron USA Inc., the state of Hawaii placed limits on the rent oil companies could charge dealers leasing company-owned service stations. Chevron sued the state, claiming that the rent cap amounted to an unconstitutional regulatory taking, arguing that it does not “substantially advance” any legitimate government interest.

The lower courts agreed with Chevron, striking down Hawaii’s rent cap. However, the Supreme Court ruled that the “substantially advances” test is not an appropriate test for plaintiffs “seeking to challenge a government regulation as an uncompensated taking of private property.” Therefore, the lower court will have to proceed with this case using a separate test than the one so far applied.

The court also tackled a procedural issue relating to the Fifth Amendment. In San Remo Hotel v. City and County of San Francisco, San Francisco applied an ordinance which required the hotel, originally classified as residential, to pay a fee of $567,000 to convert the residential rooms into tourist rooms. The hotel filed suit in state court, making state-law takings claims, then brought Fifth Amendment claims to federal court.

After the state court ruled that hotel’s claim was “unique” until just compensation is denied, the hotel attempted to pursue its federal claims. The federal courts ruled that since the hotel’s claims were already resolved in state court, the federal courts could not adjudicate those same claims. The Supreme Court affirmed, stating that “state courts are fully competent to adjudicate constitutional challenges to local land-use decisions.” Therefore, claims brought in state court and ruled upon there regarding the Fifth Amendment are barred from also being brought again in federal court.

The First Amendment was another topic covered by the court this term. The most famous of these decisions were the Ten Commandments cases, Van Orden v. McCreary County, in which the court declared that displays of the Ten Commandments were legal in public facilities if they integrate both a religious and secular purpose, and are not singularly religious displays (see County News, July 4).

The court also addressed Section 3 of the Religious Land Use and Institutionalized Persons Act of 2000 (RLUIPA), which restricts a government from imposing burdens on the exercise of religion on institutionalized persons unless the burden furthers a compelling government interest, and does not violate the Establishment Clause.

In Cutter v. Wilkinson, however, the Supreme Court upholds Section 3 of the Religious Land Use and Institutionalized Persons Act of 2000 (RLUIPA), as constitutional, saying that “It alleviates exceptional government-created burdens on private religious exercise,” and that the accommodations provided for in the act will need to be balanced against the other significant interests of the institution, namely order and safety.

Smart cards help keep track of foster youth information

When a foster child is shuttled from home to home and school to school, the child’s history is often lost. Medical records, educational records and other information can be tied up in bureaucracy and unavailable to care providers and foster parents. To streamline the exchange of foster youth information, two Ohio counties are participating in a national demonstration pilot that aims to collect all of a child’s relevant data and make it accessible through the use of a “smart card.”

Franklin and Hamilton counties are in the middle of planning the e-Passport program, which they hope to be fully implemented within a year, according to Kevin Rinn, Hamilton County project manager. The Community College Foundation (CCF), a nonprofit public benefit organization, runs the program.

About the size of a credit card, the smart card is embedded with an integrated circuit chip that provides memory capacity and computational capability. Care providers, including educators, medical professionals and social workers, will be equipped with card readers and computer software that will allow them to read and enter information as that data is updated.

Since all of the information is archived onto a server, there is no risk of data loss if the smart card is lost or damaged.

“I believe it will be very valuable to the children and youth we serve in a variety of ways including school placements, medical and mental health treatment services, foster care placements and other child protection services,” said John Saros, executive director of Franklin County Children Services.

“The advantages of having information readily available yet secure and protected are remarkable,” Kahley said. “In addition to easing the transition of foster youth, the e-Passport system helps prevent the performing of duplicate services or giving of medication to which the youth is allergic. E-Passport Program Manager Tanya Kahley cited the case of one foster child who received three complete sets of immunizations in the span of 18 months because his doctors didn’t have access to his medical records.

“It was definitely addressing a pressing issue in both counties,” Kahley said. “As soon as the directors heard about it, they said that it was what they needed for their kids.”

While the smart card will allow easy access to a foster youth’s information, each provider won’t necessarily get to see every detail.

“Each agency can only see what they’re allowed to see,” said Silvia Molina, program coordinator for CCF. “The medical doctor doesn’t necessarily need to see what kind of grades the kid is getting.”

According to Rinn, while Hamilton County is interested in the possible savings caused by e-Passport, it is also interested in facilitating communication with foster parents.

“There’s a lot of cost savings, but we’re primarily doing it to improve communication with foster parents and the schools,” he said. “If we can keep foster parents happy, we can keep this a positive experience.”

Kahley is currently working with the counties to complete the databases of foster youth information. Some records are paper-based and need to be entered into the e-Passport databases. In addition, already-existing databases must be coordinated with the e-Passport system.

“There’s been a lot of leg-work behind the scenes to get it up and going,” Kahley said.

The pilot program is funded by federal and private corporate support. CCF secured $2 million in federal funds in 2004, due in part to the efforts of Rep. Ralph Regula (R-Ohio), who took an interest in the program after being approached by the CCF.

Further expansion beyond Franklin and Hamilton counties will depend on funding, although Kahley said that the program is easily replicable.

“The Community College Foundation has been great to work with,” Rinn said. “They’ve been very flexible and easy to work with. They really understand the system, so the learning curve is small.”

(To learn more about the e-Passport program, contact Tanya Kahley at 614/438-2654.)
By Erik C. Johnston Community Services Assistant

NACo recently announced the recipients of the 2005 Five Star Restoration Challenge Grant Program. This year, as a part of the Five Star Partnership, NACo will award $30,000 in grants that will fund 13 projects in 17 counties across the country to help implement wetland and watershed restoration projects. Several 2005 grantees are multiple county partnerships, which, when combined with an increase number of overall funding, nearly doubled the counties involved in the program.

2005 NACo Five Star grantees
• The New York Restoration Project — New York City/Brionx County, N.Y.
• Tioga County Soil and Water Conservation District — Tioga County/Schuyler County/Chemung County, N.Y.
• Allegheny County Parks Department and the Legal Center
• Montgomery County Extension District Board, Ky.
• Wake County Environmental Services, N.C.
• Butler County Soil and Water Conservation District — Butler County, Ohio.
• Calhoun Conservation District — Calhoun County, Mich.
• Forest Preserve District of Cook County, Ill.
• Buffalo County Weed District — Buffalo County/Dawson County, Neb.
• Delta County, Colo.
• Sun River Watershed Group — Cascade County, Mont.
• Teton Regional Land Trust — Teton County, Idaho
• Umatilla-Morrow Education Service District — Umatilla County/Morrow County, Ore.

Five Star Restoration projects involve a high degree of cooperation with local government agencies, elected officials, community groups, businesses, schools and environmental organizations all working together to improve local water quality and restore important fish and wildlife habitats.

Together, the Five Star Restoration Grant Program Partnership (which includes NACo, the National Fish and Wildlife Foundation, and the Wildlife Habitat Council) will provide grants ranging from $4,700-$15,000 to 53 county and community-based partnerships, totaling more than $510,000 for support of wetland and streamside restoration projects.

Major funding for this program comes from federal partners, including EPA’s Office of Wetlands, Oceans and Watersheds. Additional funding also comes from the EPA’s Gulf of Mexico and Chesapeake Bay program offices. In addition to federal funds provided through the program, communities have committed more than $2.68 million to these programs.

NACo President Angelo D. Kyle praised the winners for their leadership in this important ecological area. “A growing number of counties across the nation are taking the lead to restore America’s wetlands through their participation in the Five Star Restoration Challenge Grant Program. I’ve witnessed the ecological and economic benefits of this program in my own county and many others. The establishment of diverse community-based wetland restoration partnerships and the inclusion of youth and adult volunteers in this program foster the type of environmental stewardship that is vital to our country.”

See 5-STAR on page 7

Variety of Supreme Court cases with local impact decided in 2005

By Allison Mall

On July 1, residents of Pinellas County, Fla. had one more opportunity to see their tax dollars at work. As of this month, the county’s Medical Mobile Unit has extended its hours and accessibility so the county’s 92,000 uninsured residents will have greater access to medical care.

The service is offered to county residents who have no private medical insurance and are not eligible for Medicaid, Medicare or medical benefits through the Veterans Administration.

The Medical Mobile Unit has been available to uninsured residents and the homeless since 1988, offering free health screenings and physicals. However, the service was only available several days a week, mostly at homeless shelters. In FY04, the county spent $850,000 on the unit, now with the added hours and locations it will cost an extra $232,000 per year to operate.

The addition of evening and weekend shifts, as well as the presence of the unit at the 11 neighborhood centers in Pinellas County, will allow greater opportunity for residents to receive health care.

The neighborhood centers also offer classes, food pantries and other services for those who may be uninsured. The unit will rotate among the centers, going at least twice a month to each one. Fliers are posted at each center with the unit’s schedule, as well as on the county’s Web site.

“We act as a gatekeeper for any body who has a problem we cannot solve... depending on their income we refer them to local clinics or community health centers,” said Lisa Freeman, supervisor of the Medical Mobile Unit. “The expanded service now allows us to do more for more people.”

The unit is operated and staffed by social workers from the Pinellas County Human Services Department, and medical personnel are from the county Health Department.

Smith v. City of Jackson

When the city attempted to raise the salaries of police officers and dispatchers to meet the regional average, those employees with fewer than five years service received proportionally greater raises than those with more experience.

A group of those officers filed suit against the city under Title VII of the Civil Rights Act of 1968 (ADEA). The District Court granted summary judgment to the city, and the Appeals Court upheld that ruling. The Supreme Court reversed, holding that of its ADEA. The District Court granted summary judgment to the city, and the Appeals Court upheld that ruling. The High Court followed suit, reversing, claiming the police were not entitled to the executive protection of the Fourteenth Amendment. The suit against the city under the Age Discrimination in Employment Act was dismissed.

Devenpeck v. Alford

An officer and his supervisor pulled over the car driven by Alford, believing he was impersonating an officer. During the stop, Devenpeck, the supervisor, realized that Alford was notation concerning the arrest and charged him with violation of the state’s privacy act. Alford sued under the Fourth and Fourteenth Amendments. After a jury trial found for the officer, the Ninth Circuit reversed in part because the offense for which Alford was arrested was not “closely related” to the offense for which he was pulled over. The Supreme Court flatly reversed the Ninth Circuit’s interpretation of that rule, even and reversed and returned the case.

American Trucking Associations v. Michigan Public Service Commission

The state of Michigan imposes a $100 annual fee for trucks engaged in intrastate commercial hauling. American Trucking asked that the courts invalidate the fee, saying that it imposes a greater burden on trucks carrying both interstate and intrastate commerce by having them pay the same fee as intrastate-only trucks. The lower courts upheld the fee, stating that it was an appropriate use of the state’s police power and that it doesn’t implicate the Commerce Clause of the Constitution because it only addresses intrastate commerce. The high court agreed, saying the fee does not offend the Commerce Clause, which prevents a state from “jeopardizing the welfare of the Nation as a whole” by “placing burdens on the flow of commerce across its borders that commerce wholly within those borders would bear.” Because the fee applies to intrastate commerce only, the Commerce Clause is not violated.

With the retirement of Justice Sandra Day O’Connor and the possible retirement of the chief justice, the court could have a drastically different makeup next term, which could have a huge impact on the decisions which effect local government.

Of particular interest next term: Georgia v. Randolph, a case which addresses police warrant-less searches when one party gives consent and the other does not; and U.S. v. Georgia/Goodman, Georgia, a case that was filed by a disabled prisoner against the state of Georgia under the Americans With Disabilities Act, charging discrimination under that act with regard to his treatment and confinement in prison.
Grants leverage more funds

The Five Star funds act as seed money that leverage a much larger amount of funds and services already in place and coordinated by the grantee. On average, for each dollar of Five Star-sponsored funds, the grantee is able to make their homes and cars smoke-free by refraining from smoking, or allowing others to smoke, indoors. Congratulations to the following winners and participants of the 2005 NACo Smoke-Free County Challenge.

First Place: Livingston Parish, La.
Livingston Parish collected 1,085 pledges from citizens of its community. The parish sponsored a number of activities and events teaming up with local law enforcement, schools, municipalities, faith-based groups and youth organizations to collect smoke-free pledges and spread information on the dangers of environmental tobacco smoke.

Second Place: Rockland County, N.Y.
Rockland County collected 1,000 pledges from its community. Pledges were collected at local churches, parent-teacher conferences at local middle schools, middle school sporting events and talent shows, at the Haverstraw Community Center and at a local health fair, the Healthy Haverstraw Festival. A total of 142 citizens of Rockland County signed online to make their smoke-free pledge — the largest number of online pledges submitted during the challenge.

Third Place: Cape May County, N.J.
A total of 511 pledges were collected in Cape May County. Cape Assist, a local group dedicated to preventing substance abuse, offered a number of events and activities to notify residents about the health effects of environmental tobacco smoke.

Cape Assist made a presentation entitled “What Happens When You Quit” and also sponsored a “Kick Butts Day” designed to get people in the county to quit smoking. Cape Assist also collected pledges at various events for children and seniors, the local Cancer Coalition, a community health fair and at an Earth Day function.

For more information on what your county can do to reduce exposure to secondhand smoke and the NACo Indoor Air Quality program, contact Kelly Zonderwijk at 202/942-4246 or kzonderwijk@naco.org.

Umatilla County/Morrow County, Ore.
The Umatilla-Morrow Education Service District will receive $10,000 to organize more than 800 fifth grade students and approximately 100 high school students to restore three riparian zones within the Umatilla River Basin as part of the Watershed Field Days Project.

Students will receive on-site natural science lessons and engage in stream bank stabilization and restoration projects at all three sites. Project partners include the Umatilla and Morrow County Soil and Water Conservation Districts, the Oregon Department of Fish and Wildlife, the National Weather Service, local educators and the Confederated Tribes of the Umatilla Indian Reservation.

Fifth grade students from Morrow County, Ore. begin restoration work at Willow Creek. This is one of three sites targeted for restoration as a part of the Umatilla-Morrow Education Service District’s 2005 Five Star grant.
San Juan County, N.M. road surmounts former Superfund site

BY DOROTHY NOBIS
SAN JUAN COUNTY, N.M.

When the extension of County Road 3500 in San Juan County, N.M., is completed this fall, it will culminate an effort between governmental agencies that has existed for some 15 years.

While it doesn’t take San Juan County’s Public Works Department 15 years for other road projects, the County Road 3500 extension offered challenges and opportunities most roads don’t provide. The road is being constructed over a former county landfill site — a site that was once on the EPA’s Superfund list.

Landfill tales

In 1962, the Bureau of Land Management leased 60 acres to San Juan County to be used as a solid waste landfill, which eventually led to liquid dumping. In 1985, a liquid lagoon broke and released highly toxic hydrogen sulfide gas, which resulted in the hospitalization of several people. San Juan County Commissioners promptly closed the site to liquid dumping and, in 1986, closed the landfill to all dumping.

Testing was done at the landfill, which showed volatile organic compounds and synthetic compounds related to oil field work. A plume of contaminants was eventually identified under the landfill, and the site was placed on the EPA’s list of candidates for its Superfund status in 1990.

In the years since, countless investigations, studies, monitoring and tests, at a cost of more than $10 million, have been done. The final determination was that the plume had stopped moving, and the remaining contaminants were expected to degrade over time if left undisturbed.

To that end, San Juan County has worked with the BLM to provide a landfill capillary barrier, which will ensure the contaminants will remain where they are and will no longer be a danger or concern.

For Dave Keck, Public Works administrator for San Juan County, the process has been slow and, at times, tedious. “There was a lot of paperwork that had to be done, a lot of testing that was required and a lot of effort put forth, not just by the county, but by BLM,” Keck said recently.

In addition to the paperwork and testing, creating a capillary barrier that would prevent the contaminants from spreading and encourage their degradation was another challenge, Keck said.

Once the cap was complete, Public Works crews, in conjunction with the Bureau of Land Management, re-vegetated the area with a seed mix that was designed for the dry, and climate of New Mexico.

“When this all started in the early 80’s,” Keck said of the project, “San Juan County already had the new road alignment figured out. The EPA spent a lot of money trying to determine if there would be contamination problems in the area.”

Because of the cooperation between the BLM and the county, the realignment of the road will be complete later this year. “The county has been able to do the remediation effectively within the 3500 road construction budget,” Keck said proudly. Upon completion of the project, Keck said the cost will be about $13 million. About $750,000 of that was spent on the barrier.

The new road will cross a portion of the cap, which is another positive result of the construction. That portion of the road, Keck explained, will

Heavy equipment works on County Road 3500 atop a former landfill.

State lawmakers challenge Supreme Court domain ruling

eminent domain should be exercised only “for public use,” as guaranteed by the Fifth Amendment, and that this power to seize homes, small businesses and other private property should be reserved only for true public uses,” Cornyn said. “Most importantly, the power of eminent domain should not be used simply to further private economic development.”

While there is no specific timeline for either bill, they will next move to committees.

State lawmakers are also moving to limit the use of eminent domain.

In New Jersey, Assemblymen Michael J. Panter and Robert L. Morgan asked the General Assembly to join them in sponsoring a measure that would strictly limit the use of eminent domain. Not only would their legislation ban eminent domain for economic development objectives, such as the construction of non-public office buildings and shopping centers, the laws would also ban seizing residential properties for the purpose of constructing new residential units.

“The practice of eminent domain has traditionally been confined to instances when a local government has no choice but to take private property for strictly public purposes, such as the construction of schools, government buildings, roads and bridges,” Panter said. “The application of this draconian mechanism has widened in recent years to the point where citizens are having their properties taken simply to turn them over to private developers.”

In Texas, a House committee unanimously adopted a proposed constitutional amendment that would ban eminent domain authority exercised for economic development.

“The power of eminent domain was never intended to be used to line the pockets of private companies,” said Texas State Rep. Frank Corte, author of the legislation.

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Smart energy planning in a turbulent market begins now

By Chris Watts

It used to be that if your county government wanted to plan for its yearly energy costs there were some simple rules to follow. Gas and oil prices went up in the winter when demand was high and dropped in the summer when demand was low.

Smart officials pre-purchased oil and gas in the summer so they could enjoy the lower prices to heat county buildings, libraries, courthouses and the like during the winter. But in the past year, these rules have changed and at least one expert says not to expect things to return to normal for a long time, if ever again.

“To say that natural gas and oil prices are sky-high is an understatement. In the last 12 months, the price of oil has broken through the $60 a barrel price. While natural gas supplies are at record levels, the price has mirrored the rise in oil. This has left many companies and people with little option but to pay increased prices,” said Rachel Baugher, president of Utility Analysts, a company in Canton, Conn. that helps companies and government organizations procure their energy needs.

“To make matters worse, many energy experts are predicting the price is going to continue to go up. In fact, I saw one analyst at Goldman Sachs predict a price approaching $105 a barrel. While this may be only wild speculation, the fact is that county officials are going to have to change their approach to how they budget for their energy needs.”

What’s driving the costs of energy so high? Some of it is speculation by investors. Any time a commodity is traded on the open market it is open to price fluctuations. While OPEC and oil-producing countries have pledged to continue to supply enough oil to meet demand, the main problem lies in the fact that demand continues to increase, while the supply is limited.

Natural gas, meanwhile, remains an oddity. “Supplies are more than adequate, but natural gas prices continue to be high. It’s a case of similar commodities rising together. So as long as oil remains high, I can’t see the price of natural gas falling,” Baugher said.

So with such an uncertain energy market, what options does a county government have if it’s looking to plan its energy needs? Baugher said if you have traditionally purchased energy during the summer you should still do so, but you will have to change tactics to get the best deals. And, even then, you may have to change overall goals.

“Summer will still be the best time to pre-purchase energy, but I would advise to start looking as early as possible. I think the prices may start to creep back up earlier than usual,” Baugher says. “If you are a county official trying to save your taxpayers money, don’t approach the energy buying with the mindset of enjoying a huge cost savings like you may have in the past. Instead realize the benefit of locking into a fair price and not having to ride the energy price roller coaster. There is significant savings in that approach as well.”

For example, while your county government may have been able to lock into a price of $1.19 per gallon for #2 oil over the past winter, those types of prices probably won’t be around again soon. So even if you are able to lock in a price of $1.69 per gallon, your county will still be able to avoid delivery prices of over $2 a gallon this coming winter.

Additionally, by locking in a price, your county will be better able to budget for its energy costs by identifying the typical winter usage and then doing the math. It’s always good to avoid draining the county coffers with some advanced planning.

The same holds true for natural gas. If you can lock in a price, you county government can at least avoid the sticker shock of fluctuating monthly bills.

If your county has never locked in a price, there are essentially three simple ways to do it. One option requires you to pre-pay for the energy at the time of purchase. These types of programs usually offer the best deal but require money spent up front at the time of purchase. If your county has the funds available, this is the best option.

The second option is to negotiate a fixed price for the winter season. This is the price your county government will pay for the entire time of the agreement, regardless of increases or decreases in the market. Considering most county governments are large users of oil or gas, they can many times use their size to negotiate a better price with the local suppliers.

While both options one and two protect you from price increases, they do not allow you to take advantage of any drops in the market (should there be any). The third option is to negotiate a “cap price” which is nothing more than a ceiling on what your county will pay for its oil or gas for the winter. “While this sounds like a no-lose situation,” said Baugher, “it is important to note that the capped price will generally be higher than a fixed price by several cents per gallon to cover the provider’s ‘hedge’ or risk that they may have to pay the higher prices during the winter with no recovery from the customer.”

So no matter what your county decides to do, Baugher cautions you do your homework and read the fine print before committing to any program or contract. “Because most people have little experience in the energy and fuel industries, they may find that they are faced with a lot of confusing terminology in the contracts provided by the oil and gas vendors,” she says. “Don’t hesitate to question any jargon that is not understandable, and don’t accept that these contracts are set in stone. Many third-party vendors are flexible with the removal of certain language or extending the payment periods if asked.”

Most importantly, Baugher warned to make sure that the fixed contract is really fixed. Make sure that there is no language included in the agreement that allows the provider to increase the price of the commodity if any underlying market conditions or distribution company charges increase over the period of the contract. If there are minimum volume commitments, make sure they are in line with your previous winter’s monthly oil or gas use.

“There has been a significant change in the mindset for those of us looking to broker the best price for energy use,” said Baugher. “We’re now in damage control mode. Your county government’s goal should be to limit the amount of damage done to your taxpayers by ever increasing energy costs. You can still realize a major advantage by locking in a price for oil or natural gas, even if the initial benefits don’t seem as clear anymore.”

(Chris Watts is a freelance writer living in Bloomfield, Colo. For more information, contact Rachel Baugher at 860/693-8550 or e-mail utilityanalysts.com@comcast.net.)
Public Entity Risk Institute releases new resources on CD-ROMs, DVDs

The Public Entity Risk Institute (PERI) recently announced the release of four new risk management training resources for local governments. The new products include a CD training tool for small communities and a DVD to help public sector attorneys prepare their communities for natural disasters and other emergencies.

Two of the products are available from PERI, and the other two are available from the PERI partners that developed the product with grant funding from PERI. The new resources are:

- **Community Leadership in a Risky World — CD-ROM Training Tool**
  PERI and the National Center for Small Communities, developed Community Leadership in a Risky World: Resources for Training Small Community Leaders about Risk Management to help build risk management skills among elected officials from small communities. This CD-based tool can be used to train officials and staff.

- **Are You Ready? — DVD for Public Sector Attorneys**
  This documentary-style program brings together attorneys and experts in responding to catastrophic events. They describe simple but effective ways that public sector attorneys can help prepare their communities for the effects and aftermaths of both natural disasters and human-caused disasters.

- **New Book on Land Use Development and Risk**
  The American Planning Association (APA), has released a new book on risk management in the land-use planning process. Planning for the Unexpected: Land-Use Development and Risk discusses the tools that local planners can use to identify and manage risks related to land use. The publication focuses on city- and county-level review of land development applications and how risk assessment, risk mitigation and risk transfer can be integrated into the planning function.

- **CD Resource on Electronic Security Issues, Reverse Auctions**
  The Public Technology Institute (PTI), has published a new resource CD that addresses electronic security and online reverse auctions. PTI provided grant funding for the project.

Among the resources on the CD are “An Introduction to the Policy and Management Aspects of Electronic Security: A Guide for Local Officials.” This white paper contains an overview of e-security practices, and a questionnaire that elected officials can use to understand their organization’s current security measures. Local government technology/electronic systems policies are also included on the CD.

Another white paper on the CD, “Going, Going, Bought: Online Reverse Auctions in Local Government,” gives an overview of how online reverse auctions work and how governments are using this process. The paper is accompanied by presentations that detail how a reverse auction works.

The CD can be purchased for $25 through the PTI online bookstore at www.pti.org.

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Officials pleased with progress on road

■ LANDFILL

Keep water from the former landfill, by diverting drainage into a culvert, which further protects the land and the citizens.

In spite of the years of research, testing and paperwork, Keck said it’s all been worthwhile. “The project has gone really well. It’s gone more smoothly than I expected and it went just like we’d planned,” he said.

The county used county inmates to help with much of the work, saving taxpayers thousands of dollars. The local engineering firm of Cheney, Walters and Echols designed the cap, and a huge book kept in Keck’s office provides all the documentation of all the testing and work.

For the Bureau of Land Management, being able to provide a Record of Decision, a formal document published on the Federal Register, on the Lee Acres landfill, was the result of two governmental agencies working together for the good of the citizens.

“I’m happy to have the opportunity to end what has been a very long process for the BLM, San Juan County, the Environmental Protection Agency and the New Mexico Environment Department,” said BLM Director Kathleen Clark at special ceremonies at the site last year.

“But sometimes it takes a very long time to do the right thing,” Clark continued. “This was a complex issue involv- ing multiple parties. The BLM had to ensure that everything was investigated and evaluated thoroughly.”

“This is a positive example of agencies working together to protect the health and safety of the public,” Clark added.

San Juan County Commissioner Tony Atkinson was the county manager during the testing, evaluation and start of construction of the new road.

“The Record of Decision was a long time coming,” Atkinson said. “But it shows the cooperative effort of the BLM to ensure the safety of the citizens and provide necessary services.”

“The roadway being built across the former landfill will greatly enhance the traffic system in San Juan County and also allow us to eliminate the safety hazards which created unnecessary delays for those traveling across that part of the county,” he added.

Clarke said part of the reason it took so long to authorize extending County Road 3500 over the landfill is because it is not everyday the BLM authorizes a road over an area the EPA designated as a National Priority List site for potential Superfund sites.

While the governmental agencies can take pride in their cooperative efforts, it is the citizens of San Juan County who will benefit most.

“This is a project that we hope will save lives and limit serious injuries on a road that has been a danger to our citizens for a long time,” said San Juan County Commission Chairman Dr. James Henderson. “While we’re proud of what our Public Works Department did and of the way all the agencies worked together, it is, and always has been, the safety of our residents that concerned us most. The fact that we built a road that will be a model for others across the country is just an added bonus.”

(Nobis is the media communications manager for San Juan County, N.M.)
Gloucester County, N.J. Youth Learn Seeds to Success

By M. Mindy Moretti
Senior Staff Writer

When reached at her office on an early July morning, Linda Strieter is in the midst of a media frenzy. Television stations are calling and the local newspaper is taking photographs.

Unlike most media frenzies though, the one Strieter, a Gloucester County 4-H agent, is in the middle of, is all good news. July 5th marked the start of the third season for the county’s Seeds to Success Youth Farmstand Project and everyone wants to be in on the excitement.

The Seeds to Success program is an entrepreneurial and life skills training program that takes at-risk youth and prepares them for the workforce through classroom education and on-the-job training. The purpose of the project is to teach special-needs youth in Gloucester County how to select and prepare agricultural products for use in meal preparation, and to provide them opportunities to acquire workforce readiness skills in selling these products at a youth-run farmstand during the summer months.

“I think what makes this program such a success is that we’re targeting students that do not typically get this type of opportunity.”

— Linda Strieter, Gloucester County 4-H agent

Since the program began in 2003, almost 200 Gloucester County special-needs youth have enrolled in the program with nearly 90 percent of those youth completing the program. Each year, only a small handful of students have had to leave the program and that was largely due to family situations.

The youth partners are assigned various workplace responsibilities including student manager, cashier, cash drawer handler, customer service representative and survey takers. Most of the students work three to four hour shifts weekly. The youth are responsible for accepting, checking and displaying the produce delivered by the farmers. They also take daily inventory and keep records of produce sold and replenished. At the end of each shift, one youth partner is recognized for their workplace accomplishments.

The program initially began with five farmers supplying the farmstand and has been able to add a few more each year. Right now, the stands are stocked with locally grown blueberries, cucumbers and some zucchini, but because there is a demand for other vegetables as well, the farmstands do “import” vegetables from more southern states.

“Some of the kids when they started, didn’t know the difference between a cucumber and a zucchini,” Strieter said.

But, through a pre-season training session and on-the-job learning, Strieter notes that program evaluations show a marked improvement in the knowledge and ability of the youth involved. Before each farmstand season begins, the students participate in a “skill-a-thon” to test their abilities. The same skill-a-thon is held the week after the stand shuts down for the season, and Strieter says the tangible improvement in the students is very gratifying.

In addition to the farmstand, the program also works with the students during the school year. During the school year, the students work on primary life skills such as budgeting, how to write a check and make a bank deposit and most importantly, knowing the difference between needs and wants.

The program is funded through a five-year renewable grant from the state and with supplemental money from the U.S. Department of Agriculture. Each farmstand costs about $20,000 to set up. Although the grants provided the county with an opportunity to open two farmstands, there was interest in opening a third stand almost from the beginning and in 2005, the county was able to open that stand with a grant found through the United Way and with matching money from a local school district and town.

“The great thing about this third stand is that it was totally community supported,” Strieter explained.

For more information about Gloucester County’s Seeds to Success Youth Farmstand Project, contact Linda Strieter, county 4-H Agent/Project Co-Director at 856/307-6450, ext. 3 or via e-mail at strieter@aesop.rutgers.edu.

(Focus on Achievement highlights NACo’s 2005 Achievement Award Winners. To learn more about other winners, the program or how to submit your county program for an award visit the NACo Web site at www.naco.org/awards or contact Jackie Byers, research director at jbyers@naco.org or 202/942-4285.)

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HAWAI'I

Officials in HAWA'I COUNTY are considering a plan to truck more than 200 tons of trash 80 miles each day from Hilo to a dump near the Kohala Coast resorts, according to the Associated Press.

The impending closure of the South Hilo Sanitary Landfill leaves only one dump in west HAWA'I. The landfill has grown to nearly 200 feet tall.

The county plans to emphasize more recycling efforts and recommended the construction of a new waste reduction facility in east HAWA'I. These facilities could include waste-to-energy combustion, thermal gasification or anaerobic digestion technology.

NEVADA

Another county may come under financial control of a state due to deficit issues.

Officials from the Nevada Department of Taxation were due to arrive in WHITE PINE COUNTY at press time to begin a certified audit of county finances and a series of public meetings.

According to the Las Vegas Sun, the action comes after state tax commissioners declared a severe financial emergency in the county. Authorities believe White Pine was about $250,000 in the red when FY05 ended on June 30. Chuck Chinnock, executive director of the Department of Taxation told the paper that other rural counties in Nevada face similar financial issues, and state administrators want to help White Pine get itself out of the hole.

“This is a very serious situation,” John Chachas, chairman of the commission told the paper. “Eighty-five percent of the general fund is going out to wages and benefits, and we’re broke now.”

Chachas said some county officials are embarrassed, but he called the state oversight necessary. “This needs to happen,” he told the paper. “We just don’t have the money to operate the way we are.”

OHIO

They are back on the chain gang in BUTLER COUNTY.

In early May, Sheriff Rick Jones starting using chain gangs again to help clean up sides of the road. When female inmates complained that they were not included, Jones added two crews of all female chain gangs at the end of June.

“The men are glad to be outside, but the women are glad to be working,” Jones told the Associated Press. “They seem to be more fit ... (the women) are more productive. They aren’t whining and complaining. The men are.”

The female chain-gang members wear the same black-and-white-striped clothes that their male counterparts do, they eat the same lunches, use the same portable bathrooms and cover the same distances five miles.

Jones said interest in the gangs is picking up. He is considering adding crews to give women a chance to work more than once a week.

OKLAHOMA

The OKLAHOMA COUNTY Assessor’s Office has earned a top award for outstanding use of technology to create a user-friendly Web site.

The Web site earned the Environmental Systems Research Institute (ESRI) Special Achievement in Geographic Information Systems (GIS) Award. The Oklahoma County Assessor’s Web site was one of only 100 chosen from among more than 100,000 ESRI user sites worldwide.

“We are all very proud of this incredible achievement,” said Leonard Sullivan, county assessor. “Everyone involved in the Oklahoma County Assessor’s office played a part in achieving this award.”

SOUTH DAKOTA

Commissioners in MINNEHAHA COUNTY recently voted to opt out of the state property tax freeze.

According to local broadcast reports, the county is looking for ways to fund renovations for much needed office space and pay for the county’s share of the new city-county community health center.

Unless residents are able to collect 5,000 signatures to call for a public vote, property taxes for homeowners will go up about $2.80 for every $100,000 of property.

TEXAS

In a state where face-offs between government officials have sent some legislators overt state lines, there is a new fight brewing in LAMAR COUNTY between the county commission and the Texas Historical Commission.

The county is in the process of restoring the circa-1917 county courthouse and at least two types of benches to use in the courthouse. According to The Paris News, new benches are estimated at $160,000 with the cost to restore existing benches priced at $34,000. Problem is, the existing benches are of design common in the 1960s, while a slatted-backed bench is more in keeping with the styles used when the courthouse was built.

The Historical Commission, which provided the county with a grant to assist with restoration, contends the county must replace the 1960s-era benches with correct historical benches. The county contends that it does not have enough money in the renovation budget to purchase new benches, but that it does have enough to restore the ones it already has.

A Sept. 1 deadline is looming.

(News From the Nation’s Counties is written by Dan Miller, staff writer, and M. Mindy Moretti, senior staff writer. If you have news about your county, please e-mail them at dnmiller@naco.org or mmoretti@naco.org.)
NACo Retirement and Financial Services Programs

NACo’s Enterprise Services Department offers retirement and financial services programs to support effective and efficient county government operations. NACo delivers value-added programs and services to counties and county employees through joining product offerings with public and private sector partners and state associations of counties.

Retirement Programs

This year NACo celebrates the 25th anniversary of its partnership with Nationwide Retirement Solutions and the state associations of counties that endorse the 457 deferred compensation program. Through this partnership, NACo has provided a comprehensive offering of quality retirement programs to counties, county employees and their families. In addition to the 457 deferred compensation program, NACo offers a defined contribution retirement program and a post employment health program. Contact Lisa Cole at 202/942-4270 or lcole@naco.org about this program.

U.S. Communities

U.S. Communities is a nationwide program designed by public purchasing professionals for use by government agencies and public-benefit nonprofits throughout the country. This NACo co-sponsored program has saved local governments more than $400 million since 2000.

Products available include:
- office/school supplies
- office/school furniture
- technology products
- electrical/telecomm
- janitorial supplies
- carpet and flooring
- office machines
- park and playground equipment, and
- P.E. supplies.

Products being solicited in 2005 include:
- homeland security equipment
- maintenance, repair and operations material, and
- roofing material.

Contact Lisa Cole at lcole@naco.org or 942-4282 for more information about this program.

Debt Collection

Collecting delinquent receivables can be very difficult for local governments when constituents refuse to pay what they owe. Many county agencies are more focused on providing services to the community rather than tracking down folks who relocate to another area or simply won’t pay. NACo has partnered with MAXIMUS to offer a contingency fee-based Debt Collection Program designed to help counties recover monies they cannot collect on their own. Contact Nancy Irish at 202/661-8824 or nirish@naco.org for more information on the Debt Collection Program.

Pre-Employment Background Checks and Employee Hotline Services

One out of every three job applications and two out of every three resumes contain inaccuracies that could affect the hiring decision. Verifying that the employees your county hires have the education and credentials they say they have is a simple way to ensure that you don’t end up with costly human resources lawsuits.

Providing your employees with a mechanism to report concerns early on is another way to protect your county. Employees are often not comfortable reporting workplace harassment, discrimination or wrongful acts directly to their supervisors or management. An employee hotline acts as an early warning device to allow employees to report concerns early on, before problems become disasters! Contact Nancy Irish at 202/661-8824 or nirish@naco.org.

Corporate Relations

NACo is committed to strengthening its public/private partnerships. NACo’s Corporate Relations Programs provided counties and corporations with a forum to exchange information and collaborate on issues of mutual understanding and benefit. Membership affords businesses a unique opportunity to share products and services that address the needs of counties across America. Businesses may participate in the Corporate Member Program or the Premier Technology Member Program designed specifically for technology companies. Contact Tom Sweet at 916/327-7500 x556 or tsweet@naco.org or Renata Hart Lipscomb at 202/942-4233 or rlipscomb@naco.org about NACo Corporate Relations.

The H.R. Doctor Is In

A Bunch of Hui

The National Association of Counties Annual Conference for 2005 will be held in Hawai‘i. The HR Doctor has never been there, but I am aware that it is very beautiful, has a rich cultural heritage of its own, was an independent kingdom until taken over by the United States and goes out of its way to welcome visitors.

Despite never having been there, there is one cultural legacy of the indigenous people of Hawai‘i, among many no doubt, from which every manager could benefit — the Hui. In our lives, we can never have too much Hui. Hui, according to my friend and colleague Mark Nerenhausen, who lived in Maui for many years, is a “gathering for inspiration.” It is a meeting of an extended family, village, community or group. It is an opportunity for “grounding” and reviewing common values. In short, a Hui is a blend of a staff strategic retreat, a meeting with people you know and have worked or lived with for a long time and a chance for a rebirth of ideas and collegiality. Mark is president of the Broward Center for the Performing Arts, a wonderful inter-governmental agency born out of an agreement between a city, a county, a school board and private partners. His periodic all-staff gatherings are called Hui’s and embody the best of that tradition — minu the dancin. The staff gathers to celebrate the successes of the past quarter, to look ahead at the challenges and the opportunities they will face in the next three months, and to hear reports about the long-term prospects for the organization and the strategic direction set by the city, county, school and private industry colleagues who come together to form a unique consortium which is the Broward Center.

Part of the Hui is a one-sided communication or knowledge transfer described above. However, another part is a caring opportunity for staff members to provide input, ideas and innovations that can shape the strategic future of the organization. In that sense, the communication is definitely two-way and it provides mutual feedback. The final component of the Hui is celebration. It is recognition that the staff has worked hard and accomplished much. It is an appreciation for the part played by the organization in the life of the community and of how the staff brings the organization to life in the first place.

The concept of the Hui as a gathering for inspiration is a very powerful model that can be transplanted to every public or private business. It is a mix of inspiration, perspiration and dedication which can help make an organization and an individual successful.

The Hui concept can work very well in a family as well as in a workplace setting. When was the last time that you arranged a family gathering to look ahead to celebrate and to appreciate? It need not be formal — especially with a small group — but the importance of the concept of a gathering for inspiration is universal! Don’t miss out. Life should really be a bunch of Hui!

All the best from the HR Doctor!

Phil Rosenberg
www.hrdr.net

Web Watch

Online Resource Provides Information for People with Disabilities

DisabilityInfo.gov is an online resource designed to provide people with disabilities the information they need to know quickly and easily. The site provides access to disability-related information and programs available across the government on subjects such as civil rights, employment, housing, income support, technology and transportation. In addition, the site also features a list of emergency preparedness tips for disabled people.

Google Offers Simplified Search Engine

Google makes searching for government Web sites easy with its Uncle Sam feature. Just type in your search terms at www.google.com/unclesam, and the site will restrict its search to Web sites ending in .mil or .gov.

Web Site Gives Answers to Scientific Questions

Science.gov allows visitors to answer their scientific queries by searching pages traditional search engines can’t access. Science.gov is an interagency initiative of 17 U.S. government science agencies including the National Library of Education, the United States Forest Service and the United States Geological Survey. The site currently has access to more than 47 million pages of government information and searches across 1,700 Web sites and 30 databases. The information is free, and no registration is necessary.

(Web Watch is compiled by Dan Miller, staff writer. If you have an item you would like featured, please e-mail it to him at dmueller@naco.org.)
The view many Americans have of beach communities can be distorted from reality. On their vacations, they see the resort life and easy-going manners which cause them to dream of one day living on or near the beach. The fact that many of these areas rely on tourism dollars leaves them vulnerable when natural occurrences or accidents force the tourists to stay home. We have recently seen the devastating effects of some of these problems in coastal counties.

Recently, the shark attacks in Florida left the local counties worried that the fear of more attacks would affect tourism, especially during the Fourth of July holiday. With AAA estimating that 40 million Americans were expected to travel on the holiday weekend, those counties wanted to make sure that those originally planning on going to the beach were still vacationing there, in spite of the recent events. The counties acted quickly in response to the attacks. A public outreach campaign was launched to educate beachgoers on safety in the water. Tourists at Panhandle beaches were given sheets of information on how to avoid sharks. Officials in Indian River County, Fla. patrol the waters in helicopter on an almost daily basis, looking for schools of fish or sharks and are quick to react upon sight.

In Walton County, Fla., officials closed the beaches immediately after the attack, but reopened the following day with a large increase in officers on beach patrol. These attacks came on the heels of last year’s devastating hurricane season. Those storms cost the local governments millions in local aid and redevelopment. Counties in Florida lost hotel rooms, which not only affects tourism but also puts people out of work. Some estimates that the local tourism industry in the Panhandle will not completely recover until 2006.

The storms also affected beaches themselves. Counties in North Carolina had to work with the state and federal government to replace thousands of cubic feet of sand after hurricanes two years ago. Local governments also face the prospect of continuing payments as a result of erosion and environmental damage after storms. Local aid for victims of the hurricanes can also affect other projects, cutting off funding and postponing the project until those funds become available again.

After surviving last year’s hurricane season and leading into another one, the residents in some Florida counties received a notice in early July from FEMA asking thousands of citizens to repay aid money as a result of the hurricane damage. FEMA claims there were overpayments totaling $27 million due to the fact that much of the aid granted by the agency was covered by insurance.

The current budget crisis has also forced counties to cut back on beach services. In Nassau County, Fla., the Board of Commissioners kept lifeguard staffing intact, but were forced to cut funding for maintenance, equipment and a junior lifeguard program. In Erie County, N.Y., officials had to close certain beaches for the summer because the tight budget did not allow them to hire enough lifeguards. It was estimated that this decision would save the county $120,000.

As we can see, for regions relying on tourism as a main part of their industry, these counties face many problems throughout the year. As the hurricane season approaches, these counties will be faced with even more rebuilding and redevelopment, and while some of that is funded by the state and federal governments, the counties and local communities are also responsible for the cleanup and maintenance after the storms.

While some may consider living near the beach as paradise, many in these local communities also face dangers and responsibilities not faced throughout the rest of the country. Living on a beach does not mean life is any easier.

NACo Board of Directors

President: Nancy Weeks, Haskell County, Kan.
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Immediate Past President: Ray Valdes, Seminole County, Fla.

The National Association of County Treasurers and Finance Officers (NACTFO) is a national association for county treasurers, tax collectors, county trustees and finance officials. This is a national organization similar to your state associations for county treasurers, tax collectors, trustees or finance officials. The association was formed in 1954 and celebrated its 50th anniversary in Phoenix last summer.

NACTFO has an excellent education program through the University of Missouri at St. Louis. NACTFO offers members a national financial certification program to maintain a continuing education format for county elected and appointed officials. There are four levels in the certification program.

NACTFO’s objectives are to promote professional growth of its members. It also encourages a high level of customer service to the general public and sound efficiency in county government. NACTFO takes a proactive approach in federal legislation and regulations that affect county government, tax collection and treasury management. NACTFO was a significant player in getting bankruptcy reform passed through Congress. It has taken a number of years to get it passed but it is very beneficial for county government. There had been no legislation passed in this area since 1978.

NACTFO provides the opportunity to acquire greater job proficiency, broaden knowledge, explore innovative ideas by networking with peers, sharing experiences and best practices, a way to achieve national education certification recognition and maintain very high educational standards.

NACTFO offers the education opportunities in Washington, D.C. and at the annual conference in conjunction with NACo.

NACTFO has an email list of all its members and sends its newsletter and important information out that way and via its Web site, www.nactfo.org.

Please consider joining and being a part of NACTFO. For more information, go to www.nactfo.org.

NACo Staff

• Stephanie Osborn has been promoted to deputy director of the County Services Department. While she will assume additional departmental responsibilities in her new capacity, she will also retain responsibility for program development and management of most of NACo’s grants and contracts with the federal government and private foundations.

• Congratulations are in order for Mindy Moretti, senior staff writer, whose story, “Counties help day laborers find work, ease tension” in the Jan. 19, 2004 edition of County News, won an APEX Award of Excellence for News Writing. The APEX Award contest is sponsored by Communications Concepts. The annual contest attracts 2,000–3,000 entries in all categories. This is the second Award of Excellence for Mindy and the 5th Award of Excellence for County News staff over the past five years.

On the move is compiled by Allison Mall, editorial assistant.)
**DEPARTMENT DIRECTOR OF HUMAN RESOURCES — LEE COUNTY PORT AUTHORITY, FLA.**
Salary: $72,995 – $96,989.
The Lee County Port Authority at the Southwest Florida International Airport is seeking a Human Resources professional to manage the areas of organizational development, employment, compensation, benefits, performance management, employee relations, recruiting and retention and compliance with applicable federal, state and local laws and to administer a full service human resources program to its 300+/- employees, including police and fire. This is a department head position. The work performed is under the general supervision of the Assistant Airport Division Director. Responsibilities include management of the Human Resources Department (5-member staff), establishing human resources goals and objectives, development and administration of human resources policies and procedures, serving as the senior human resources advisor to management and employees, assisting with organizational strategic and tactical management planning and assisting with union negotiations. The ideal candidate will have at least six years of governmental HR management level experience. Requires graduation from an accredited 4-year college/university with a degree in business administration, human resources management or closely related field. Master’s degree and airport experience a plus. Salary $72,995 to $96,989. For more information, visit swfaa.com. This recruitment will remain open until the position is filled. Please submit resume and salary history immediately to Slavin Management Consultants, 3040 Holcomb Bridge Road, Suite B-1, Norcross, GA 30071; 770/449-4656; slavin@bellsouth.net; 770/416-0848 (fax). Equal opportunity employer and recruiter.

**DEPUTY DIRECTOR, OFFICE OF BUDGET AND FINANCE — BALTIMORE COUNTY, MD.**
Salary: $75,000 – $105,601.
Plans, directs, coordinates and administers the programs and activities of the Financial Operations Division. Administers centralized accounting operations, payroll, purchasing, retire- ment, taxpayer services, cashiering, parking fines, red light tickets and collections, disbursements and false alarms. Directs divisional managers in the execution of Financial Operational programs, policies and procedures. Requires undergraduate degree in finance, accounting, business administration, economics, public administration closely related field plus 10 years experience; preferably in a local government environment.

Send cover letter, resume and Baltimore County application (available from www.co.md.us/employment, jobs), to Baltimore County, Office of Human Resources, 301 A Allegheny Avenue, Towson, MD 21204 by July 29.

**INVESTIGATIVE CONSULTANT — CLAY COUNTY, FLA.**
Salary: DOQ
Clay County ("the county") is seeking the services of an investigative consultant. A series of events have transpired in the county, arising largely out of activities of the Public Works Department, which have called into question the policies, procedures and management of the county. The County desires that an investigation be conducted to analyze the Public Works Department (both internally and in its position within the structure of the county) and its practices, technical assistance and environmental problem solving. To register a response to this proposal is August 1. For more specific information regarding this request for a proposal and for the technical requirements for responding to this RFP, log onto www.claycountygov.com and click on "current bids." To find out more about the governmental structure of Clay County and the county’s adopted administrative code and its referenced policies, log onto www.claycountygov.com, click on A to Z links. Questions should be addressed to Acting County Manager Richard J. O’Connell at 904/284-6313. Under the Florida Public Records Act, all proposals received are subject to public disclosure.

**SENIOR MANAGER, FINANCE — LEE COUNTY PORT AUTHORITY, FLA.**
Lee County Port Authority at the Southwest Florida International Airport is seeking a finance professional to manage the areas of receivables, payables, budget and general ledger. Ideal candidate will have experience in airport finance including knowledge of FAA regulations, single audit and financial audit preparation, cash flow analysis, capital project funding, accounting and bookkeeping, return on investment calculations, passenger facility charge applications and airline bankruptcies or closely related experience. Work performed is under the general supervision of the Finance Director. Requires graduation from an accredited 4-year college/university with a degree in business administration, major coursework in finance or accounting and four years of professional experience. CPA and airport experience a plus. Salary $65,729 to $82,379. For more information, visit swfaa.com. This recruitment will remain open until the position is filled. Please submit resume and salary history immediately to Slavin Management Consultants, 3040 Holcomb Bridge Road, Suite B-1, Norcross, GA 30071; 770/449-4656; slavin@bellsouth.net; 770/416-0848 (fax). Equal opportunity employer and recruiter.

**Job Market - Classified Rate Schedule**
- **Line Rates:** $7 per line, NACo member counties; $10 per line, others.
- **Display Classified:** $50 per column inch, NACo member counties; $70 per column inch, others.
- **Billing:** Invoices will be sent after publication.
- **Mail advertising copy to:** Job Market, County News, 440 First St., N.W., Washington, DC 20001.
- **FAX advertising copy to:** Job Market, County News, (202)933-2630.
- **E-mail advertising copy to:** edacis@naco.org.
- **Be sure to include billing information along with copy.**
- **Estimates given prior to publication are approximations only and do not necessarily reflect final cost.**

For more information, contact the Job Market representative at (202) 942-4256.

**Word Search**

NACo 5-Star Counties

**Job Market/Classifieds**

**Notices**

**Degree Program**
The Community Development Online degree program is for community leaders, practitioners and for those committed to people and places. It provides the skills, information and networks needed to facilitate sustainable development, technical assistance and environmental problem solving. To register for this degree program, visit www.ncrcd.iastate.edu/online.

**Web casts**
ICMA (International City/County Management Association) is planning two upcoming Webcasts designed to help communities who may be affected by the BRAC decisions. The Webcasts are: BRAC 05: What You Don’t Know CAN Hurt You — The Basics of Cleanup and Reuse, 2–3:30 p.m., and BRAC 05: The Good, the Bad, and the Expedited — Trends, Tools, and Challenges will take place Sept. 13, 2005, 2–3:30 p.m.

ICMA’s Military Programs assist communities with closed bases and support those with active installations by working to strengthen the relationship and promote information sharing between federal and local entities. The programs provide local governments, military installations and other stakeholders information and networking about resources, land-use planning, best practices, technical assistance and environmental problem solving. To register for either or both Webcasts, visit www.icma.org/html/training.

*(If you have an event or publication or conference that you would like to be featured in Notices, please e-mail amall@naco.org.)*
NACo and Nationwide Celebrating

25TH Anniversary

This year we celebrate 25 years of success in delivering retirement programs to county employees. Together with the participating state associations of counties, NACo and Nationwide Retirement Solutions have provided over 670,000 county employees with a competitive, high quality 457 deferred compensation program to help supplement their retirement income.

We are proud to offer counties, county employees and their families an excellent and competitive deferred compensation program.

www.naco.org