

NACo National Association of Counties

CountyNews

The Voice of America's Counties

NATIONAL ASSOCIATION OF COUNTIES ■ WASHINGTON, D.C.

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Analysis

Airport, aviation legislation leaving on schedule?

By ROBERT J. FOGEL
SENIOR LEGISLATIVE DIRECTOR

Congress started working on legislation to reauthorize the federal airport and aviation programs, also known as the FAA bill, in 2007. Reflecting the state of air travel, the bill has faced one delay after the other.

In February 2011, what seemed doable in 2007 has morphed into a legislative quagmire that has required 17 short-term extensions of the FAA programs. As they say in the aviation world, "The plane is still at the gate."

A new Congress with Republicans in control of the House and a Senate with Democrat-Republican

margins narrowed leaves the outcome of FAA legislation up in the air. The only thing one can safely say is that if the legislation had been enacted in 2010, the final product would have likely been better for counties and their airports than is likely to occur in the 112th Congress. Why is that?

NACo policy and lobbying efforts have focused on increasing the Airport Improvement Program (AIP) that funds capital improvements at publicly owned commercial, freight and general aviation airports; on increasing the passenger facility charge (PFC)



Regional airports such as North Carolina's Piedmont Triad International where this FedEx facility is located help move America's goods and play a vital economic role for many communities.

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QuickTakes

5 States with the Best Financial Health*

1. Wyoming
2. Nebraska
3. Vermont
4. North Dakota
5. New Hampshire

* Determined by unemployment rate, foreclosure rate and the per capita non-mortgage debt.
Source: Mainstreet, Dec. 2010

New legislation would invite federal intrusion into local public pension plans

By DESEREE L. GARDNER
AND MIKE BELARMINO
ASSOCIATE LEGISLATIVE DIRECTORS

Rep. Devin Nunes (R-Calif.) and Sen. Richard Burr (R-N.C.) announced the introduction of the Public Employee Pension Transparency Act, H.R. 567, which seeks federal regulation of state and local government pension plans.

It would amend the Internal Revenue Code by requiring state and local governments to report two sets of financial data to the Treasury Department using federally prescribed methodologies and valuations, including, among other things, a "market value of liabilities."

State and local government plan sponsors who do not comply with the costly new requirements would risk losing the tax-exempt status for any new bonds they issue, as well as direct subsidies under the Build America Bonds program and other direct subsidy bond programs. Importantly, losing the tax-exempt status applies both to the jurisdiction of the governmental pension plan sponsor, as well as to all jurisdic-

tions whose employees are covered by the plan that are found to be out of compliance with the legislation's reporting requirements.

Losing tax-exempt status for bonds is particularly worrisome given the fragile state of local econo-

mies. It would increase the cost for counties to undertake much-needed projects such as infrastructure improvement that benefit the local community in the long term. Also without those local projects to create jobs, unemployment will remain as

a prominent challenge for county governments in the short term.

Nunes first introduced the bill in December.

In a joint press release issued

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NACo voices federal budget deficit concerns

NACo has sent letters to President Barack Obama and congressional leaders voicing deep concern that federal budget deficit reduction talks will focus too much on cuts to domestic, discretionary spending programs that will affect the American people.

The letters, dated Feb. 3, outline four key points counties are urging the president and Congress to consider while addressing the deficit:

- The budget deficit cannot be resolved by only cutting domestic, non-military discretionary programs.

- Federal assistance to state and local governments will help mitigate further layoffs.

- Federal investment in state and local infrastructure produces private-sector jobs; and

- Deficit reduction should not be accomplished by shifting costs to counties, imposing unfunded mandates, or pre-empting county programs or taxing authority.

"When a recession occurs or the economy falters and there is high unemployment, services at

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Methane gas adds up to some serious cash for counties » **Page 7**

Counties pursue ADA compliance, balance conflicts

By CHARLES TAYLOR
SENIOR STAFF WRITER

Having a defibrillator in a county building can be a good thing. Unless it protrudes from the wall and a visually-impaired person walks into it. Tapping a cane at floor level won't detect a potential hazard — and Americans with Disabilities Act (ADA) violation — sticking out above.

Identifying such problems and having counties and cities address them is the goal of the U.S. Department of Justice's Project Civic Access. Under the program, DOJ signed its 186th ADA compliance settlement agreement with a local government last month, with Fairfax County, Va.

The agreements with counties outline steps and timetables to remediate ADA violations discovered during DOJ audits of county programs and facilities.

"At times, people don't know that they aren't in compliance," said Xochitl Hinohosa, a DOJ spokeswoman. "Reminding them or letting them know, at times, that's what we need to do."

Since last April, six other counties across the country signed similar agreements: Pearl River County, Miss., Wilson County, N.C., Smyth County, Va., Lancaster County, Pa., St. Clair County, Ill. and the Wyandotte County-Kansas City, Kan. unified government.

Although counties must comply with the agreements, it's a balancing act — especially when their budgets are already stressed and stretched. The DOJ settlements create added responsibilities, and costs, for counties. Some are cop-

ing by borrowing money, delaying other projects or reallocating staff and capital resources.

"We have to fund essential services and then also have to set aside money to work on the ADA compliance issues, and it is a challenge right now, because there's just not a lot of extra (money) anywhere," said Pearl River County Administrator Adrain Lumpkin. He's working with an architect to determine the cost to bring the county's historic courthouse, built in 1918, into full ADA compliance. His best estimate is "several hundred thousand dollars just on that one building." DOJ signed an agreement with his county last July.

The county was hit hard by Hurricane Katrina in 2005, but that curse also brought a hidden blessing that has helped.

"We are building two new buildings as a result of Katrina, (because of) a building that was destroyed," Lumpkin said, "and that has helped us be able to have those buildings designed to ADA compliance, but we still have several more buildings that we have issues with."

Lancaster County is looking at costs in the "million-dollar range" to make its courthouse fully compliant with the ADA, according to Charles Douts, the county's director of facilities management. The county signed an agreement with DOJ last June, and its issues range from the pitch of wheelchair ramps to the width of restroom stalls.

"Some of the items, we were within a quarter-inch of complying... We were so close, but close doesn't count," he said. "The county is using bond funds to make those improvements."

DOJ has chosen compliance review sites in every state, Puerto Rico and Washington, D.C. For some, like Fairfax, it was a roll of the dice. Lancaster County however, among other localities, was selected because of a specific complaint — in its case, a military veteran who needed, but was not provided, an assistive listening device at the courthouse.

'Roaches and restaurants'

Despite a county's best efforts at compliance, some violations simply escape notice until closely scrutinized, said Ed Rose, Fairfax County's deputy assistant county attorney. "It's like roaches and restaurants," he said. "If you look hard enough, you're going to find them."

He said the most common violations for which Fairfax was cited include things such as parking lots, curb cuts, the size of accessible

ADA Best Practices Tool Kit

The U.S. Department of Justice offers several online resources on ADA compliance, most of which can be accessed through the main ADA website, www.ada.gov.

These include an ADA Best Practices Tool Kit for State and Local Governments at www.ada.gov/pcatoolkit/toolkitmain.htm.

Also available is a list of the common problems cities and counties face at www.ada.gov/civiccommonprobs.htm.

The ADA compliance settlement agreements that 186 cities, counties and towns have signed with DOJ are at www.ada.gov/civcac.htm.

restroom stalls and uninsulated hot water pipes under washroom sinks. The county had addressed "probably 80 percent" of the violations when the agreement was signed, he added.

The county is taking a team approach to addressing violations, bringing multiple departments and disciplines to the table—including facilities management, the county attorney's office, parks and recreation, the County Board and others, said Kenneth L. Saunders, director of the county's Office of Human Rights and Equity Programs, which monitors ADA compliance.

"What a lot of people don't understand — it's not just physical facilities," he said. "It's also

programs and services. So you have to look at it in total."

It took more than two years from review-to-results before the county heard back from the Justice Department, Rose said. Armed with DOJ's report, the county's team began, first, to assess its accuracy. Was a problem included that already had been fixed? "We found for the most part that Justice's measurements were correct, but it's worth checking," Rose added.

His advice for counties if DOJ comes knocking? "When you're first notified, you want to get involved. You want a list of the buildings they're going to go to, and you want someone to go with them." He said someone unfamiliar with a

county's facilities could find a non-compliant restroom, for example, and not realize that there is a fully compliant one nearby.

If your county is reviewed, when the report comes back make sure you're not being dinged for something not under your control. He said the county was cited for a responsibility of the sheriff, a constitutional officer. DOJ subsequently removed the violation from its report.

Rose also advised that structural fixes don't have to mean breaking drywall. That wall-mounted defibrillator? It was in a Fairfax County building. The fix involved installing a box structure at floor level that sticks out just as much as the device. A blind person's cane would strike it first, leading them to maneuver away from the wall. It was fix that proved acceptable to DOJ.

Pearl River County's Lumpkin summed it up for counties who've been audited: "As long as we're putting in a good faith effort, we feel like they're going to work with us. Because there's just no reasonable way to do every single thing all at once."

April 29 deadline set for County Courthouse Award applications

NACo is now accepting applications for the 2011 County Courthouse Awards. Established in 2001, the awards are sponsored by Siemens and recognize elected county officials from NACo-member counties who demonstrate innovative and effective leadership to improve their residents' quality of life. One County Courthouse Award is presented each year in three categories: rural, suburban and urban.

The awards program provides recognition for innovative county leaders and helps publicize their efforts so that others can build upon the good governance practices they have initiated in their communities.

"As we move forward in these testing times, good governance is very important as we attempt to meet the public safety, economic, environmental and technological challenges facing America's counties," said NACo president Glen Whitley. "I encourage NACo

members to participate and tell their story about the effectiveness of individual county government officials, and how county government works every day for Americans in many innovative ways"

Award winners receive an engraved hand-crafted plaque that they can display in their county, recognition at the 2011 NACo Annual Conference in to be held this year in Multnomah County (Portland), Ore. and a \$5,000 college scholarship to present to a graduating high school senior.

Applications and information about the 2011 NACo County Courthouse Awards are now available on the NACo website at www.naco.org/programs/recognition.

Applications must be received by Friday, April 29 to be considered. If you have questions, please contact NACo associate legislative directors Dalen Harris or Erik Johnston at 202.393.6226 or by e-mail at dharris@naco.org or ejohnston@naco.org.

CountyNews

The Voice of America's Counties

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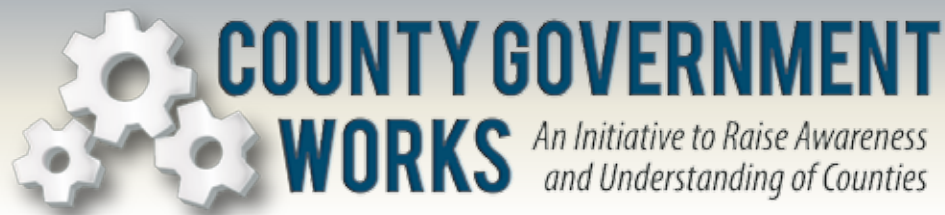


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of view ...

Letters to the Editor

Please include a phone number with
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Any County Can Adapt Do-It-Yourself Brochure Tool

Tom Green County, Texas Judge Mike Brown makes sure his community learns about county government for at least one week each year during NACo's County Government Month observance in April.

For the past nine years, the county has invited school students to the courthouse in San Angelo to hear about the importance of county services and take part in mock trials while the local chamber of commerce arranges for future leaders to learn about county issues through adult leadership classes. At the end of the week, county employees are fed a celebratory lunch where they're

given goodie bags of coupons and gifts — donated by local merchants.

"Most people have an idea about what their city does for them and what the federal government does for them but there doesn't seem to be a lot of knowledge about what the county does," Brown said. "The taxpayers are out there getting their tax bills and paying taxes for services, and I think we ought to educate them however we can about what we do."

Until now, the county didn't have an inexpensive, year-round way to provide its citizens with basic information. But recently,

it produced a simple, printed brochure that includes the major phone numbers, explanation of services, budget data and commissioner district maps.

The new county brochure was prepared using a do-it-yourself tool that can be downloaded from the County Government Works section of NACo's website at www.naco.org. The online documents can be converted to local use by anyone using basic Microsoft Word or Adobe InDesign software.

"If I can do it on a computer, anybody can do it," said Anne Bramble, Tom Green County's executive director of administrative services. "It probably took me a day to pull together all the information and put it in the template. It probably would have taken me weeks to do it if I had to start from scratch."

For years, the county had published a 56-page booklet that included at least a page explaining each county department. Printed in batches of 500, the relatively expensive publication was prepared

every other year.

The problem is, over a two-year period, things change. Department heads take other jobs, people die and office-holders resign. As soon as that happens, the carefully prepared book is out-of-date.

By contrast, the NACo-template brochure can be reproduced on a photocopier, in color or black-and-white. Because the template can be customized according to local needs, Bramble changed the publication's red color scheme to green, as in "Tom Green County," and converted its fonts to a western-style typeface to reflect the county's West Texas character.

Bramble said the smaller brochures are easily carried in purses or coat pockets for officials to distribute to the public and she expects many county departments to display them on service countertops.

"I really like the format because it provides not only phone numbers for the most frequently contacted departments, but also brief descriptions of each office,"

Bramble said. "And the citizens like to know about our local tax rate so that's very handy information for them to have."

The county prepared the current version at the end of 2010, after the November elections but before new officials were sworn in, she said. "The timing was just right so that when new officials took office on New Year's Day, we could hand them a professional-looking brochure with their own names in it. They were impressed."

The brochure template was prepared as part of the County Government Works campaign initiated by Tarrant County (Texas) Judge Glen Whitley, current NACo president. Whitley is encouraging county officials across the country to speak to local civic clubs and schools, as well as prepare materials that explain the functions and importance of county government.

For more tools to help explain county government, go to www.naco.org/programs/countiesdo/Pages/default.aspx.

Obama administration proposes 7.5 percent cut to CDBG in FY12

By DARIA DANIEL
ASSOCIATE LEGISLATIVE DIRECTOR

The Obama administration has signaled its intention to propose a 7.5 percent funding cut — \$300 million — for the Community Development Block Grant (CDBG) program for FY12, in a recent *New York Times* op-ed piece entitled "The Easy Cuts are Behind Us." The administration's FY12 budget is to be released Feb. 14.

NACo responded in a joint letter with the U.S. Conference of Mayors, National League of Cities, National Association for County Community and Economic Development, National Association of Local Housing Agencies, National Community Development Association and Council of State Community Development Agencies, asking the White House to maintain \$3.9 billion for CDBG.

The groups also urged county officials, mayors and city council members to contact the White House and Office of Management and Budget staff. While it appears this may have helped, the administration's funding level could be the high-water mark for CDBG in the

House and even overall. Even now, in FY11, CDBG is funded at FY10 levels — \$3.94 billion for entitlement communities through March 4, under a continuing resolution.

Last month, the Republican Study Committee proposed a return to FY08 discretionary spending levels for current FY11 appropriations (that would mean \$3.55 billion for CDBG). However, the committee also proposed eliminating several programs for the current fiscal year, including CDBG.

Meanwhile, the House Republican leadership has asked the House Appropriations Transportation, Housing and Urban Development Subcommittee (T-HUD) to reduce spending by \$11.5 billion for FY11, a 17 percent cut. This would support their goal to reduce non-defense discretionary spending to FY08 levels. It is unclear how these cuts will be decided.

However, with the Obama administration cutting one of its most successful programs, and CDBG being signaled for elimination by the Republican Study Committee, it is vital that county officials contact their House and Senate members to oppose CDBG cuts.

Counties want budget say as partners

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the county level are needed most," wrote NACo President Glen Whitley and Executive Director Larry Naake. "Historically, there is a greater need for social services, health care, counseling, job training and local economic development during times like

we are facing now. Domestic, discretionary programs are critical to the ability of counties to carry out their responsibilities as service providers for both the federal and state governments."

In the letters, NACo reiterated its bedrock position that county governments are partners with the Congress, states and the federal

government in providing important programs and services to the American people. The association supports maintaining federal financial assistance for county programs at the 2010 fiscal year levels.

"We are working hard, making significant cuts, instituting reforms, and being creative in facing the worst fiscal crisis since the Great Depression," Whitley and Naake wrote. "Counties will participate in addressing the challenges our nation is facing and expect the federal government and Congress to do the same without drastically hurting the people we all serve."

Whitley, county judge, Tarrant County, Texas, said he will bring forward a NACo policy resolution calling for Congress to consider "alternatives to control the rising budget deficit" during NACo's Legislative Conference, March 5-9 in Washington, D.C. NACo's Board of Directors is expected to adopt the policy resolution on March 7.

In Case You Missed It ...

News to Use from Past County News

► Health Center Planning grants now available

Through the Affordable Care Act, Health Center Planning Grants (HCPGs) are available from the Health Resources and Services Administration to support the development of comprehensive primary care health centers. Eligible applicants include public or nonprofit private entities, including tribal, faith-based and community-based organizations. Up to \$10 million may be available to support approximately 125 HCPGs in FY11 in specific areas of unmet need. Applications are due March 18.

For more information, visit www.grants.gov or contact Anita Cardwell at 202.942.4267 or acardwell@naco.org.

Counties adjust impact fees during economic downturn

By CHARLES TAYLOR
SENIOR STAFF WRITER

During the economic downturn, more than half the Florida counties that use impact fees to offset the costs of new development have reduced or suspended their fees.

Local governments nationwide use the fees to help pay for schools, roads and other infrastructure. Thirty-seven of Florida's 67 counties have impact fees. Nineteen counties have frozen or cut their fees, according to James Nicholas, an expert on Florida impact fees.

For some, the hope is that keeping the fees low will create a competitive advantage to attract businesses and spur economic development.

"When we're out there with our job-creation program, one of the things a business looks to is what's it going to cost me to go to one community versus another or to expand in one community versus another, and we want to be on the good side of that discussion, not the

wrong side," said Manatee County Administrator Ed Hunzeker.

The Board of County Commissioners suspended school-related impact fees last May and half of all transportation-related impact fees for two years. Recently, they outlined a proposal to extend the fees suspension for two more years, until July 2013.

In addition to schools and transportation, impact fees in Florida pay for fire and rescue protection, parks, public buildings and law enforcement. State law requires the fees to be re-evaluated and adjusted every five years based on the actual costs of services and facilities.

If the board approves the extension, it would continue to reduce the impact fees collected on a three-bedroom home from \$15,576 to about \$5,500.

Nicholas is a University of Florida professor who has written widely on impact fees. He's worked with several counties — including Manatee — to calculate their five-year resets. Nicholas is skeptical of any benefit from lowering the



Photo courtesy of St. Johns County, Fla.

A fire station nearing completion in St. Johns County, Fla. is one example of the types of improvements that impact fees help to fund. As the once-rural northern part of the county began to develop, its fire protection needs increased.

fees to spark development; he said none of the 19 counties that cut or froze fees have "increased the pace of construction or develop." But he thinks it can't hurt.

"I think many of them went ahead and did it not so much that they thought that they were going to stimulate construction, but that they wanted to do *something*; they felt frustrated," he said. "It's certainly going to do no harm, and I think many went ahead on that basis."

Manatee County has seen a slight uptick in economic activity since

the fee reduction has been in place, according to Hunzeker, but he's not sure about cause and effect.

"No one thing is responsible, but the development activity and the job creation in Manatee County as compared to surrounding counties is better," he explained. "In part that could be because of the impact fee. In part it could be because we've redesigned our workforce to be more business-friendly and customer service oriented."

The county, with a population of 318,000, is on Florida's Gulf Coast,

near Tampa. Two hundred-twenty highway miles to the northeast sits St. Johns County, home to St. Augustine, the nation's oldest city, where the story is different.

St. Johns hasn't suspended any impact fees based on the economy. But as part of its required review, it's in the process of reducing non-residential fees by an average of 49 percent. It remains one of the fastest-growing places in Florida, if not the nation. Over the past de-

See **IMPACT FEES** page 6

Profiles in Service



» Tim Josi

NACo Board Member
Commissioner
Tillamook County, Ore.

Number of years active in NACo: 12

Years in public service: 28

Occupation: County Commissioner

Education: B.A., Oregon State University

The hardest thing I've ever done: run for public office

People (living or dead) I'd invite to dinner: Cary Josi, (my wife, who passed away last October), Barack Obama, Nelson Mandela and Jesus Christ.

A dream I have is to: finally resolve the legal gridlock, resulting in very little harvest on our federal forest lands.

You'd be surprised to learn that I: am a twin; I have two younger brothers that are twins and my deceased wife Cary was a twin.

The most adventurous thing I've ever done is: hunted Elk in the Eagle Cap Wilderness Area.

My favorite way to relax is: build furniture in my woodworking shop.

I'm most proud of: my daughter Cecilia and my son Christopher.

Every morning I read: *The Oregonian*.

My favorite meal is: a dinner of fried clams. I dig, clean and fry them for my friends.

My pet peeve is: people responding to a meeting request with "reply all."

My motto is: "Do work that is meaningful and fulfilling."

The last book I read was: *Man Eating Tigers of India*.

My favorite music is: '70s and '80s light rock.

My favorite president is: Abraham Lincoln.

WIR Conference preparations underway

Registration is now open for the 2011 Western Interstate Region Convention May 18–20 in Chelan County (Wenatchee), Wash.

NACo's WIR Conference focuses on public lands and other issues critical to the western United States. It provides county officials with the opportunity to hear speakers, discuss legislation and network with other officials to exchange information on those issues.

Here is a quick glance at some of this year's educational topics:

- Pacific Northwest transportation systems benefiting from clean, renewable, hydro-electric power
- collaborative efforts to recover species to create positive impacts on local economies
- stimulating local economies, creating jobs, and building rural wealth through increased use of public lands
- maintaining vibrant "ag-economies" while balancing the demands for municipal water, irrigation, and upstream uses
- a look at immigration, and
- state and local government strategies to provide affordable



Photo by Andy Dappen

Balsamroot blooms in the foothills of the Wenatchee Valley, looking north up the mighty Columbia River.

housing for seasonal and full-time farm workers.

Be sure to arrive early and attend the optional tours being held on May 17. The focus will be on

agriculture-natural resources and on alternative energy-green industries. Call 202.942.4292 with questions or register online today at www.naco.org.

Program helps those who can't speak find a voice

By CHRISTOPHER JOHNSON
EDITORIAL ASSISTANT

As the mother of two young sons with autism, Johnson County, Kan. Sheriff's Deputy Alison Anderson knows how important the Take Me Home program is.

"I started thinking about all the time and resources that are spent helping people, and about the stress and worry their families feel," Anderson said. "I wanted to find a way to avoid that if possible."

The program identifies people, using a confidential database, maintained by the Sheriff's Office, that includes descriptions of individuals, their disability, photos and emergency contact information as provided by their legal guardian.

Anderson spearheaded the Take Me Home campaign for the Johnson County Sheriff's Office to better establish the identity of people who are unable to communicate with the police.

Data for the program is com-



Photo courtesy of Johnson County, Kan. Sheriff's Office

Master Deputy Ruthann Fisher and 5-year-old Nicholas Anderson demonstrate the Take Me Home program.

piled from registration forms — available online — and submitted along with a photo to the Sheriff's Office either by mail, e-mail or in person.

Take Me Home was originally established in Pensacola, Fla. by Officer Jimmy Donohoe. The program targets the elderly and those with disabilities such as autism or Alzheimer's that prevent someone from communicating where they live or who is responsible for them. Anderson got the idea for the program after her oldest son Nick, 5, figured out how to unlock the deadbolt on the front door and let himself and his brother Max, 2, outside to play.

"I was taking a shower and they just slipped out," Anderson said. "Luckily a neighbor saw them and brought them home."

Situations like these used to make things difficult and time consuming for some officers. When they would find a person, they would have to go door-to-door, call family members or neighbors of the person or take the person to the station with them and wait for them to be picked up.

With the Take Me Home program, things are a little easier. When someone is found, the officer can ask dispatch to look up addresses on file closest to the area and see if the photo matches the person. If they are not matched, officers can look them up using characteristics like age and disability.

This program is free and open to all Johnson County residents.

For more information on this program and a sample registration form, visit www.jocosherriff.org.

Turbulence ahead for next airport bill?

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that allows commercial airports at their local option to impose a charge on passengers traveling from or through an airport that goes toward infrastructure improvements; and increasing and reforming the Essential Air Service program that provides subsidies to air carriers serving small and rural communities.

In the last Congress, both the House and Senate passed bills increasing AIP to about \$4.1 billion annually, almost \$500 million more than current spending levels. Both the House and Senate funded the Essential Air Service Program at about \$175 million and made important reforms that would have strengthened the program. The Passenger Facility Charge was increased from \$4.50 to \$7 in the House bill, with no increase in the Senate bill, and the final bill likely would have included at least some increase to the PFC.

Efforts to pass a final bill in 2010 stalled for months for a number of reasons, including several labor issues unrelated to airports and a disagreement over how many new long-distance flights would be allowed from Reagan National Airport in Washington, D.C., which would allow western members of Congress to more easily travel home.

That being said, it appears as if Congress is taking an aggressive stance to pass an FAA bill this year. The first major piece of legislation being currently debated by the Senate is S. 223, the FAA bill.

Under the leadership of Senate Commerce Committee Chairman Jay Rockefeller (D-W.Va.), the Senate bill would authorize the airport and aviation programs through 2013 and is essentially the same bill as was passed by the Senate last year. It includes an increase in the AIP program to \$4.1 billion annually and an increase in the EAS program to \$175 million with significant reforms. However, there is no increase in the PFC.

The major amendment to the bill that NACo opposes is one offered by Sen. John McCain (R-Ariz.), which would eliminate the EAS program.

In the House, Rep. John Mica (R-Fla.) has made it clear that his first priority as the new chair of the Transportation and Infrastructure Committee is to pass an FAA bill. Legislation may be considered by the committee as early as late February. Committee members must contend with a new reality and a new House majority that wants to reduce federal spending and is opposed to revenue increases.

That means a House FAA bill is likely to freeze the AIP program at the \$3.55 billion level. The PFC, increased from \$4.50 to \$7 in last year's bill, is not likely to have any increase. The EAS program becomes once again an endangered program with many House members arguing for a smaller program if not its outright elimination.

The good news is that the labor provisions in last Congress' House FAA bill will not likely appear again. Another piece of good news is that this year's House bill is unlikely to include a provision that would have required changes to the current aircraft rescue and fire fighting standards, which could have resulted in requiring airports of all sizes to dramatically increase the number of fire fighters and facilities.

Assuming the Senate and House pass their respective bills this year, can a conference committee produce a final bill that will be approved by both bodies and be signed by President Obama? These final steps proved difficult in 2010, and the hurdles this year are just as high.

If the will exists to enact this important transportation legislation, if there is a willingness to compromise and if Congress feels at least a little bit chagrined about enacting a further extension of this important program that was supposed to have been enacted in 2007, there is a good chance the FAA bill will be passed in the 112th Congress and signed by the president.

Keep your seat belts fastened.

Word Search

Counties Established in February

P N Y U B O D M J B D J E F F E R S O N
G E L R M P A Y R L A C Y M J A K Q I O
D J M H N N H A W L L C S E D Q O L D T
O M C I T E D H C F L D Q D X K A U A L
L Y L U S L H F R Z A F J O Z Z U J I U
G C P Z E C V X D I S V A O N E N M T F
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T S C Y T X H T O U M W E Y X A S T O G
W D J E A U A N N O S I D A M O W A D B
P J Q B N H A G U U D Q O T V K Y Q F G
N W Z V R G R N J V K R A L C O H B W K
J K O H A A X H Y U W A B I Q Q M N U G
N T D V N L O O T D G H D M F J W W R J
V D R T J H O U D Z N I S V U P D Y Q X
V D Q P D I T S F S T U L I K V P K K B
G S V C P N I T B M Y E R M R R L J B Y
S O N H N A X O O C P P H G E O M O V S
R A P F B Q S N N P V S R T R R U A D K
B D P X A C J X O D K Q Z F H U H F A R
S C H M R J Z Z V C R O G O X B H W C N

CLARK (Nev. - 1908)
DALLAS (Ala. - 1818)
FULTON (Ga. - 1856)
GILMER (Ga. - 1832)
GRANT (Wash. - 1909)
GREENE (Pa. - 1796)
GRUNDY (Tenn. - 1844)

HENRY (Va. - 1777)
HOUSTON (Ala. - 1903)
JEFFERSON (Texas - 1836)
MADISON (Idaho - 1810)
PEMISCOT (Mo. - 1851)
PUTNAM (Tenn. - 1854)
WOOD (Wis. - 1856)

Created by Christopher Johnson

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www.naco.org



Obama names Brown to health promo panel



Valerie Brown

NACo Immediate Past President Valerie Brown has been appointed by President Barack Obama to serve on a new national advisory group on the development and implementation of a national strategy for disease prevention and health promotion.

Brown, supervisor, Sonoma County, Calif., was appointed to the Advisory Group on Prevention, Health Promotion, and Integrative and Public Health, which will provide recommendations and advice to the National Prevention, Health Promotion, and Public Health

Council. The council, chaired by the U.S. surgeon general, provides federal leadership on American wellness and the U.S. health care system.

Specifically, the advisory group, created by the U.S. Department of Health and Human Services under a provision of the Patient Protection and Affordable Care Act, will develop policy and program recommendations on lifestyle-based chronic disease prevention and management, integrative health care practices, and health promotion. The advisory group will be composed

of up to 25 non-federal members appointed by the president.

"I am deeply honored to receive this appointment by President Obama to the advisory group," said Brown, who as NACo president, ensured that the voice of the nation's counties was heard in Washington during debate on what national health reform should look like. "It's a tremendous opportunity and daunting challenge. I am looking forward to getting to work."

Brown, a former California state legislator, was the driving force behind the launch of the Network of Care for Healthy Communities Project. The project is a comprehensive local delivery Web portal that provides the public, health care providers, local government leaders, and community organizations with easy-to-find resources and understandable key data.

Also representing county governments' interests on the advisory group is Jonathan Fielding, M.D., director of the Los Angeles County Department of Public Health and county health officer.

Bill would require too much reporting

PENSIONS from page 1

on Dec. 8., NACo, along with a number of state and local government associations, and unions argued the bill would "challenge the validity of current state and local government accounting rules and practices, and would mandate inappropriate federal reporting requirements on state and local governments regarding their pension costs."

State and local government accounting practices comply with the standards set forth by the Governmental Accounting Standards Board (GASB), which permits the use of long-term investment rates of return when valuing pension assets and liabilities.

The groups also argued the bill would "set a precedent for federal intervention into areas that are the financial responsibility of, and have thus been historically regulated by, the state and/or localities."

Counties address their 'short runs'

IMPACT FEES from page 4

cade, its population increased from roughly 123,000 residents in 2000 to 190,000 in 2010, an increase of 54 percent. With the recession, the pace of growth slowed but it continues, due in part to the county's best-in-the-state school system, according to Karen Pan, the county's communications manager.

Michael Wanchick is the administrator there. "As the county administrator, I know that once

people move into these homes or businesses, they're going to expect us to provide services. If we've eliminated our impact fees — and our ability to pay for those programs and services — we really haven't advanced the community's interests very much, if at all," he said.

As county budgets shrink, he said impact fees fund a larger percentage of their capital programs, and impact fees are needed to keep scheduled projects on track — "even

if on a scaled-back schedule."

Nicholas, who also studied St. Johns' fees and is an economist, assessed the counties situations by quoting a great economist: "John Maynard Keynes is famous for saying, in the long run, we'll all be dead; all we have a series of short runs.

"And that's what they're doing, they're dealing with their short term" — their present reality — "and as events unfold, they'll take different steps."

National Association of Counties

County Courthouse Awards 2011

Effective ... Innovative County Government!

As a leader in innovative problem solving, you deserve to be recognized for your outstanding efforts. The purpose of the award is to profile elected county officials who have improved the lives of citizens through outstanding governance and strong leadership.

Applications must be received by April 29, 2011

Questions? Visit ... www.NACo.org

Methane production pays off for counties

By CHARLIE BAN
STAFF WRITER

Digging deep into landfills is paying off for some counties that are finding gas that is valuable in more than one way.

Decomposition in oxygen-free environments such as under piles of garbage produces methane, a greenhouse gas that traps heat in the atmosphere 20 times more effectively than carbon dioxide. Methane emissions can be traded for carbon offset credits, but it is also a valuable source of energy.

King County, Wash. is making a killing selling methane from its landfill to Puget Sound Energy (PSE) for an estimated \$500,000 per year. And because King County is no longer releasing that methane into the atmosphere, it can sell its unused emissions credits to the company for another \$500,000. The contract's initial term is 11 years, with provisions to extend it another nine years.

"King County is taking advantage of the emerging renewable energy market to turn landfill gases into energy to power people's homes and revenue for the county," Councilman Larry Phillips said. "As one of the first and largest projects of this kind in the nation,



Photo courtesy of CTI and Associates

Septic tanks store sewage that is later injected into St. Clair County, Mich.'s bioreactor to accelerate methane production.

we are demonstrating that reducing greenhouse gas emissions through innovation pays off."

In Michigan, St. Clair County's methane capture plan will not only net \$200,000 a year, but will also help the county to delay buying more landfill space until the tail end of the century. The county recently signed a contract to provide methane gas produced at its landfill to DTE Energy, the main energy supplier for the Detroit metropolitan area.

St. Clair County's three-acre landfill, which serves 170,000 people, is much too small for most energy companies to bother building converters to turn methane into energy, according to Morgan Subbarayan, the county's consultant. The county's septic bioreactor, however, speeds the decomposition process that produces methane seven fold.

The bioreactor injects sewage into decomposing materials, accelerating the release of methane,

Kentucky county methane burn also yields rewards

Pike County, Ky. may not yet be marketing its methane to power companies, but in a NACo Achievement Award-winning program, it is collecting methane through 11 wells at its landfill. That methane is then burned off, producing carbon dioxide (a much less potent greenhouse gas) and water. That process should earn the county roughly \$270,000 a year in carbon offsets, said Brandon Roberts, Pike County spokesman.

"We figure the EPA was going to make it mandatory in the future anyway, so we're just ahead of the curve," he said. "If we can sell it instead, it will be that much better for the county. We're still strongly pro-coal and pro-natural gas, but this furthers our commitment to being a 'green' county."

Subbarayan said. The procedure, which required a change in Michigan law, "expedites the decomposition, creating as much methane as a much larger landfill would naturally, using the land more efficiently."

County Commissioner Howard Heidemann, who has watched the project develop over the past three years, expects the methane converter to be completed by the end of the year. In addition to creating valuable methane, the bioreactor will allow the county to use the landfill much longer than anticipated. Opened in the 1960s, it

should now last until at least 2075, 40 years past its original lifespan, Heidemann said.

"We're coming as close as possible to developing what can be considered a perpetual landfill," he said. "Landfills are one of the original not-in-my-backyard hot buttons, and we've managed to make it productive and limit the need to expand ours in the future."

For St. Clair County, necessity was indeed the mother of invention. The septic bioreactor came off the drawing board because waste from the landfill was leaking into the groundwater.

NACo forum highlights energy-management best practices

By TERRI GRAHAM
COOK COUNTY, ILL.

The NACo 2011 County Forum on Energy Efficiency and Renewable Energy recently brought together 75 county officials and staff from across the country. Participants represented counties that are developing comprehensive energy plans, engaging residents in community-wide energy management, and are using and promoting the use of renewable energy technologies.

Forum sessions explored innovation in using Energy Efficiency and Conservation Block Grant (EECBG) funds from the American Recovery and Reinvestment Act (ARRA) and best practices in county energy management, as well as the models, technology and financing opportunities available to create sustainable future communities.

The forum, held Jan. 20–21 in Los Angeles County to share best practices and explore emerging technology and financing options, featured a variety of speakers—in-

cluding county elected officials and sustainability staff, Department of Energy representatives, and industry leaders. Keynote speakers were Howard Choy, director, Energy Management Division, L.A. County; Dan Onorato, county executive, Allegheny County, Pa. and Hilari Varnadore, director, Office of Environmental Sustainability, Frederick County, Md.

Choy reported on L.A. County's comprehensive programming which includes policies and projects for energy efficiency and water conservation, renewable resources, recycling and waste management, vehicle fuel efficiency, and environmentally sensitive planning for land use.

"It is clear that Los Angeles County is a strong leader in establishing environmental policies in the areas of energy efficiency and sustainable operations," said Gregg Goslin, chair of NACo's Green Government Initiative and commissioner, Cook County.

The spotlight was on innovation and partnerships as Onorato, shared details of how Allegheny County is

exploring energy and water conservation technologies and sharing its expertise with private businesses and municipalities to increase sustainability throughout the Pittsburgh region. Particularly, Onorato highlighted retrofits at the county jail and the recent construction of the Consol Energy Center, the first LEED gold-certified NHL arena.

Varnadore offered strategies for public engagement and education learned through implementation of the Frederick County residential Green Homes Challenge.

LeeAnn Oliver, program manager Weatherization and Intergovernmental Programs, DOE shared her insights on the future of federal energy grant programs.

A session on Increasing Economic Competitiveness through County-wide Energy Management highlighted best practices in countywide energy management planning from Loudoun and Arlington counties, Va.

During a panel discussion on state and local collaboration, Valerie Brown, NACo immediate past president and Sonoma County,

Calif supervisor, shared instances when Sonoma had to contest state policies to move forward with sustainability goals.

Other forum sessions focused on developing technologies and financing options for county energy projects.

During a series of high-energy roundtables, participants profiled successful programs and reported back to the entire group, increasing the variety of projects reviewed in a fast-paced session.

At the event, 11 counties worked with NACo Green Government partner, EcoMedia CBS, to create "video success stories" about their innovative energy work that will

be used by the counties in media campaigns.

These videos will be available at NACo's website in March.

The forum was made possible by support from the U.S. Department of Energy and NACo's Green Government Initiative sponsors, and hosted by EcoMedia CBS at the CBS Studios.

For more information about the Green Government Initiative and resources related to county energy management, visit www.naco.org.

(Graham serves as chief of staff for Commissioner Gregg Goslin. Also contributing to this report was Cindy Wasser, community services assistant.)

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Model Programs FROM THE NATION'S COUNTIES

Maricopa County, Ariz.

Dog Puts Victims at Ease in Courtroom

By CHARLIE BAN
STAFF WRITER

The difference maker in a recent criminal trial in Maricopa County, Ariz. wasn't a prosecutor.

When an eight-year-old victim's reticence to enter a courtroom to face a perpetrator led to a mistrial, personnel in the county attorney's office looked for a way to bolster her confidence and sense of security.

They found it — two feet from the ground, standing on four legs — and with the aid of Sam, a Golden Retriever-Irish Setter mix, the victim was able to take the stand during the retrial, which resulted in a conviction.

This courthouse dog program, which its creators say helped a young girl maintain the composure necessary to answer attorneys' questions and point directly at her tormentor, has been lauded by the county attorney's office as a major step toward meeting the emotional needs of young victims.

After reading an article about courthouse dogs helping victims of sexual assault in a trade journal, Victim's Division Chief Jamie Maybery pursued further research about the dogs' possible use. Besides helping children in the courtroom, dogs could also help adults, families of victims,



Photo courtesy of Rhonda Stewart

Sam, the Maricopa County District Attorney's courthouse dog, relaxes in the office. He serves as an aid to help victims, young and old alike, feel at ease during court proceedings.

attorneys and judicial staff members involved in particularly traumatic cases, and people at crime scenes.

Ellen O'Neill-Stephens, King County, Wash. senior deputy prosecutor and founder of Courthouse Dogs said the presence of a dog can benefit both sides in a courtroom.

"It's an adversarial system, it can be emotionally draining for everybody," she said. "It can do a great deal to relieve stress so we can do our job and seek justice."

She said although the dogs are primarily known for their work with children, defendants are allowed to

make use of the dogs, and veterans have taken a shine to them, too.

"The presence of dogs has been amazing for kids," she said. "Sometimes it can make the difference between conviction or acquittal."

In one situation, a defense attorney and child victim both petted the dog during cross examination, which O'Neill-Stephens thought influenced the jury to see the defense attorney as more than a mouthpiece for the accused.

"As prosecutors, it's our job to seek justice, and if the dog helps, in that situation, the jury sees the

defendant as a human being, too, that goes a long way."

The nonprofit Foundation for Service Dog Support (FSDS) in Arizona helped train, evaluate and certify the dogs for service. That program support and volunteer donations have eliminated the cost of training and veterinary care to the attorney's office.

Courthouse Dogs refers to a training program in which 8-week-old dogs live in volunteers' homes for 14 to 18 months. The volunteers and their dogs attend training class each week where the young dogs are exposed to a wide variety of people, animals, noises, and experiences, to temper their sensibilities for the courtroom and office. At two years, and following a two-week handler training period, the dogs are ready for service.

FSDS works with several local high schools to identify at-risk teens to take the dogs through the training program, and care for them as they grow. Sam, the Golden-Irish mix, reported to the attorney's office almost every day throughout his training.

He now lives with Rhonda Stewart, a victim's advocate, who says when Sam gets home and his work vest comes off, he is just as scrappy as her other, stay-at-home dog. Sam's bed is right near Stewart's desk.

Victims meet Sam during their

meet-and-greet with the prosecutor.

"A lot of victims will lie down on Sam, the motion of his breathing puts them at ease," she said. "They brush him, stroke his fur, interact with him, and it seems like they respond well to having him available."

For children forced to relive disturbing times on their lives, Sam seems to make the ordeal less stressful.

"We think this will reduce secondary trauma to the victims coming through the process," Stewart said. "They can look back on the experience and make it not one of horror and negativity."

"It's so contrary to the court environment, where people are formal. You have this loving, gentle creature who makes the whole situation much more relaxing, and court is no longer such a hostile place."

For more information on courthouse dogs, visit www.courhousedogs.com.

(Model Programs from the Nation's Counties highlights Achievement Award-winning programs. For more information on this and other NACo Achievement Award winners, visit NACo's Web site, www.naco.org ► Resource Library ► Model County Programs.)

Financial Services News

U.S. Communities Saves \$250 million for Participants in 2010

Participants at U.S. Communities' 12th annual conference learned that the program provided more than \$250 million in savings to public agencies in 2010 and has more than 44,000 public agencies and nonprofits registered to use the program.

During the meeting in San Diego, Calif. earlier this month, U.S. Communities staff shared the results of third-party supplier pricing audits, as well as the newly launched electronic marketplace that allows all public agencies to access U.S. Communities contracts through a Web-based interface.

The marketplace allows buyers to access many contracts through a single login, separates purchases by supplier and provides back-room billing and delivery through the use of a purchase card.

NACo co-founded the U.S. Communities Government Purchasing Alliance in 1999, joining with the National Institute of Governmental Purchasing, the National League of Cities, the U.S. Conference of Mayors and the Association of School Business Officials in creating the largest national cooperative purchasing program for local, state and school

public agencies and nonprofit organizations.

Each year the 22 advisory board members, representatives of the suppliers for the program, U.S. Communities staff and the national co-founders meet to review program results, share information about procurement best practices, discuss opportunities for new products and services and offer program improvements.

This year's attendees also reviewed new contracts with the lead public agencies. Included in these updates were the new office supply contract with Independent

Stationers Group and the new food distribution contract with Premier.

These contracts are particularly notable since they were awarded to two groups that are cooperatives. The office supply contract provides for national pricing using local service and delivery by an Independent Stationers cooperative member. Pricing is fixed on over 28,000 items, including 1,300 core items. Premier is the preeminent cooperative for food contracts, and offers over 190 food contracts to public agencies.

During the meeting, attendees

and suppliers also discussed enhancements to the contracts, new offerings and best practices. Suppliers were given feedback by public agency procurement professionals about their contract pricing, delivery and service.

For more information on the U.S. Communities program offerings, visit www.uscommunities.org or contact Nancy Parrish at nparrish@naco.org.

(Financial Services News was written by Steve Swendiman, managing director/CEO Financial Services Corporation.)



News From the Nation's Counties

► ALABAMA

Sonny Brasfield, executive director of the **Association of County Commissions of Alabama**, asked the Alabama Ethics Commission to clarify what county officials can and can't do at training conferences that often are sponsored by companies seeking county business.

The state passed a new ethics law that commission members themselves called "vague and confusing," the *Birmingham News* reported.

The ethics commission voted 5-0 that the county officials can go to meals, golf tournaments and fishing trips sponsored by participating companies or held in conjunction with the association's conference. County officials also can go to dinner at night with company officials, but the company officials wouldn't be allowed to make a sales pitch at the dinner.

► ARKANSAS

CLAY COUNTY has begun the process of **adopting a signature seal**, designed by local art students, the *Clay County Times-Democrat* reported.

The Quorum Court (county board) decided upon a design from the Rector High School art department, which includes some of the highlights of the county, including a cotton boll for agriculture, and a mallard duck and catfish sur-

rounding two large crossed blue and grey swords, which represent the Civil War's presence in the county's history.

The schools had been contacted by County Judge Gary Howell's office, requesting that students submit their designs. The winning department was offered \$100 for its efforts, but with each school providing several worthy choices, the county decided to provide \$100 to the art programs in each of the county's three schools.

► FLORIDA

PALM BEACH COUNTY Commissioner Burt Aaronson is calling for a statewide ban on the sale of **high-capacity gun magazines** like the one used in the shooting that wounded U.S. Rep. Gabrielle Giffords (D-Ariz.) and killed six people in Arizona.

He wanted to push for a local ban that would apply only to Palm Beach County, but state law prevents counties, cities and towns from enacting local regulations on guns and ammunition.

Aaronson urged the county's legislative delegation to support a law that would block the sale of 31-round magazines, saying that law enforcement officials are the only people who need to carry that much ammunition, the *Palm Beach Post* reported.



Photo courtesy of St. Lucie County, Fla.

Cristin Ryan, education specialist with the Smithsonian Marine Station in Fort Pierce, Fla., discusses the creatures housed in a "touch tank" at the St. Lucie County Marine Center Feb. 5.

► FLORIDA

This year, the Smithsonian Marine Ecosystems Exhibit is celebrating its 10-year partnership with the St. Lucie County Marine Center. Hands-on activities during kickoff events included seining demonstrations in Indian River Lagoon, where participants used nets (seines) to collect crabs, pipefish, sea slugs and more.

The Marine Station has been a fixture in St. Lucie County for more than 40 years and is dedicated to understanding the character and diversity of Florida's marine and estuarine habitats.

► GEORGIA

CHEROKEE COUNTY commissioners have voted to ban the **booting of cars and trucks**. The clamps had been placed on cars that were illegally parked on private property.

One commissioner says car owners were being charged up to \$500 to have the boots removed. But the owner of a company that uses the boots defends the practice. He told the *Cherokee Tribune* the clamps were mostly used to prevent overnight parking of tractor trailers.

► INDIANA

VIGO COUNTY introduced a set of **emergency weather travel warnings** during an early-February ice storm.

The warnings are a result of regulations established through the Indiana Department of Homeland Security. Commissioners, as elected officials, make the final determination to issue the warnings "based on input from public safety," J.D. Kesler, the county's deputy Emergency Management Agency director, told the *Tribune-Star*.

"People are still allowed to drive, depending on what they are doing and what they have to do," Kesler said, such as emergency personnel or utility workers. "People just need to use good judgment."

► KANSAS

County department staffers are **dumping their own office trash** following a decision by the **LEAVENWORTH COUNTY** Commission to cut janitorial services.

Employee's custodial efforts at the courthouse are expected to save the county about \$50,000 a year, the *Leavenworth Times* reported.

County Treasurer Janice Young said her staff does not mind a little extra work. "Whatever it'll do to save tax dollars," she said. "We're all for it."

► NEW YORK

NASSAU COUNTY has filed a lawsuit to block a state **takeover of its finances**, the Associated Press reported.

The Nassau County Interim Finance Authority (NIFA), a state fiscal watchdog, alleged recently that the county's 2011 budget was seriously unbalanced. The county begs to differ.

County Executive Ed Mangano said: "Although the county comptroller and county legislature concluded that the 2011 budget was balanced, NIFA took the unprecedented step to impose a control period not even one month into the budget year. Simply put, NIFA's action is unfounded, unfair and wrong."

• A panel studying **WESTCHESTER COUNTY**'s property assessment system is recommending changes that will help to standardize the system among its localities.

The Westchester Collaborative Assessment Commission's biggest proposed reform would bring **mandatory property revaluation** every four years to every municipality in the county.

Under the current system, the county uses an equalization rate set by the state to figure tax bills for homeowners in municipalities with varying assessments. The system has resulted in unpredictable variations in county tax bills from year to year among municipalities.

"The debate is no longer whether or not there is a problem, or what caused the problem," said Chairman Ken Jenkins, Westchester County Board of Legislators. "The debate is instead over how to ease the burden on homeowners."

► OREGON

MULTNOMAH COUNTY's Department of County Management is **on the chopping block** in a move to save \$24.3 million over the next five years. Axing the department is one of several money-saving recommendations of a study commissioned by County Board Chairman Jeff Cogen, according to *oregonlive.com*.

He said change will be hard, but is unavoidable if the county is to maintain services while facing budget shortfalls.

"We have to get our house in order," Cogen said. "Cuts are never easy; I will get pushback on everything. Either we cut internal costs or (cut) stuff to the community."

The report also recommended selling some county buildings and leasing them back to lower the county's debt, and eliminate maintenance and operating costs.

► PENNSYLVANIA

The home-rule transition committee in **LUZERNE COUNTY** is grappling with whether to make public the names of **applicants for county manager**.

In January 2012, the county's current form of government will be replaced by a voter-approved home-rule system. Instead of three county commissioners, there will be an 11-member County Council, who will hire a county manager.

Current commission Chairwoman Maryanne Petrilla, a transition committee member, is worried

NACo on the Move

» NACo Officers and Elected Officials

Glen Whitley, NACo president, spoke on what NACo can offer counties through membership and the latest on NACo and Congress at the Idaho Association of Counties conference in Ada County Feb. 8.

» NACo Staff

• **Ed Rosado**, legislative director, hosted the second in a series of meetings with Washington, D.C. private sector lobbyists who represent counties at NACo headquarters Jan. 31. They discussed the U.S. House of Representatives leadership's priorities for the 112th Congress and efforts to repeal the 3 percent withholding requirement on federal, state and local government purchases for goods and services.

• **Erik Johnston**, associate legislative director, spoke about NACo's rural policy priorities at the National Academy of Sciences' Forum on Place-based Policy Solutions for Rural Regions on Feb. 10 in Washington, D.C.

• **Jacqueline Byers**, director of research and outreach, was quoted in a Reuters article "'Stormageddon' latest pain for city and state budgets" Feb. 3.

» Coming Up

Ilene Manster, membership coordinator, will speak and exhibit on behalf of NACo membership recruitment and retention at the Police Jury Association of Louisiana Annual Conference Feb. 16-19 in Caddo Parish, La.

On the Move is compiled by Christopher Johnson, editorial assistant.

Research News

Smoking in the Hot Seat

On Jan. 1, St. Louis County, Mo. put its new smoking ban into effect. It was voted on by the residents of the county and approved in a recent election. The new law joins the long list of states and local jurisdictions that have implemented smoking bans in various locations. Some laws ban smoking in government buildings and others ban smoking nearly everywhere. So far, no state has enacted a ban that covers all public outdoor areas.

The latest data from the American Nonsmokers' Rights Foundation shows that nearly 80 percent of the nation's residents live in an area with some limitations on smoking in workplaces, restaurants or bars. Not quite 50 percent live in areas where smoking is banned in workplaces, restaurants and bars. In January 2011, 29 states have smoking bans in place that include all enclosed public places, bars and restaurants. Two of the most common places exempted from statewide smoking bans are casinos and places that sell tobacco.

Florida, Pennsylvania and Tennessee by law prohibit local

governments from enacting local bans that are stricter than the state laws. Oklahoma, which has no statewide laws affecting smoking, also prohibits local governments from passing laws that are stricter than the state. As a result there are no smoking bans in the state.

Alabama does not have a statewide smoking ban but the Alabama Clean Indoor Air Act prohibits smoking in public places and at public meetings. Numerous local governments in the state have enacted their own bans.

Indiana, another state with no statewide smoking ban, also uses a clean indoor air law to prohibit smoking in its state government buildings, schools, health care facilities and numerous other venues.

Kentucky, with no statewide smoking ban, recently saw legislation introduced that would mandate smoking bans in many places. Many politicians believe this bill is going nowhere, so Ellen Hahn, a University of Kentucky professor who directs the Tobacco Policy Research Program, believes local governments must continue their efforts to curb smoking in

their jurisdictions. "Local laws are really the backbone of good state laws," she said.

Advocates for smoke-free environments also believe that taxing tobacco, in addition to raising revenue as one of the "sin taxes," is another way of decreasing smoking. Several states have passed significant cigarette taxes and allow their local governments to tax cigarettes also.

The federal cigarette tax currently stands at \$1.01 per pack. According to the Campaign for Tobacco-Free Kids, 47 states and several territories have increased their cigarette taxes since 2002. Only California, Missouri and North Dakota have not increased their taxes in the last 12 years. Currently New York State has the highest cigarette tax, charging more than \$4 per pack. After adding the local rate, state and local tax on a pack of cigarettes is \$5.83 in New York City. Currently, 19 states, Washington, D.C. and Guam have cigarette tax rates of more than \$2 per pack.

Among the local governments with local cigarette taxes, Cook County is one of the highest at \$2 per pack, followed by New York

City at \$1.50 per pack, Anchorage, Alaska at \$1.45 per pack and a tie between four boroughs in Alaska at \$1 per pack. Cuyahoga County, Ohio has a tax of \$0.35 per pack.

The lowest cigarette taxes are found in the so-called "cigarette states," some of which have economies that depend heavily on tobacco.

Several lawsuits have been filed

against jurisdictions, but a recent suit filed in Harrison County, Miss. challenging a ban's applicability to private clubs, was thrown out by a county judge. Other lawsuits have challenged the scope of both state and local bans on smoking.

(Research news was written by Jacqueline Byers, director of research and outreach.)

Top Ten Cigarette Tax Rates by State

State	State Tax per Pack
New York	\$4.35
Rhode Island	\$3.46
Washington	\$3.25
Connecticut; Hawaii	\$3.00
New Jersey	\$2.70
Wisconsin	\$2.52
Massachusetts	\$2.51
District of Columbia	\$2.50
Vermont	\$2.24

States with the Lowest Cigarette Tax Rates

State	State Tax per Pack
North Carolina	\$0.45
North Dakota	\$0.44
Alabama	\$0.43
Georgia	\$0.37
Louisiana	\$0.36
Virginia	\$0.30

What's in a Seal?



» Cuyahoga County, Ohio
www.cuyahogacounty.us

Cuyahoga County was established on Jan. 16, 1810. Residents took the county's name from the Indian word "Cuyahoga" or "crooked river." The county was originally part of the Connecticut Western Reserve, and Moses Cleveland brought the first white settlers to the area in 1796. He established the city of Cleveland that same year. Cleveland prospered as a trade center because of completion of the Ohio and Erie Canal and its location on Lake Erie. The city also became a major industrial site in the late 1800s.

Manufacturing and sales combine for almost half of the county's employment opportunities. Some residents work in the shipping industry, transferring coal, iron ore and steel across the Great Lakes. Tourism in the county flourishes with the Rock and Roll Hall of Fame Museum and three professional sports franchises, the Cleveland Browns, the Cleveland Cavaliers and the Cleveland Indians, helping the economy of Cuyahoga County flourish.

The seal shows two Cs criss-crossing to represent the Cuyahoga (crooked) River.

(If you would like your county's seal featured, please contact Christopher Johnson at 202.942.4256 or cjohnson@naco.org.)

Horry County, S.C. council eyes iPads

NEWS FROM from page 9

people won't apply for the position. "It's a violation of a person's privacy," she said. "Someone may be very well-qualified and may not apply because it will put his current job at risk."

Proponents of making the names public say it will encourage openness and transparency, and discourage decisions based on favoritism or nepotism.

► **SOUTH CAROLINA**

Tablet computers could be in HORRY COUNTY Council members' futures, if they decide to purchase iPads to cut down on paperwork.

"It's a very efficient way of doing business; you have easy access; you can file things a lot quicker; you can look them up a lot quicker; you don't have to ask staff for a piece of paper...it's in your iPad," said Councilman Gary Loftus.

Currently, it costs around \$566 per meeting to produce paper informational packets —

which can run up to 300 pages each — for the council members. County officials estimate the tablet computers would pay for themselves within the first year, and save approximately \$20,000 annually after that.

Council members were scheduled to have a demonstration at their Feb. 8 meeting

► **VIRGINIA**

ARLINGTON COUNTY has won its fight to keep high-occupancy toll (HOT) lanes off an interstate highway that runs through it. The state has decided to abandon the project.

Arlington had sued Virginia's Department of Transportation over its proposal to build the lanes on I-395, alleging, in part, that environmental impacts were not fully considered. It is now dropping the lawsuit.

"The county's goals have always been to protect transit and High Occupancy Vehicle (HOV) travel in the corridor and to preserve Arlington neighborhoods," said Christopher

Zimmerman, Arlington County Board chairman.

► **WASHINGTON**

YAKIMA COUNTY commissioners are taking steps to get out of the jail-bed-rental business. They voted recently to sell a minimum-security jail building — one of two jails the county wants to unload.

"We are proposing to seek bids to see if we can sell the property for an appropriate amount," Commissioner Rand Elliott told the Yakima Herald-Republic, "and take a first step further back from the larger rental business."

The jails have caused headaches for the county's Department of Corrections, which took a big hit when cities in King County withdrew nearly 300 inmates. That left Yakima County corrections with \$9.3 million deficit.

(News From the Nation's Counties is compiled by Charles Taylor and Charlie Ban, staff writers. If you have an item for News From, please e-mail ctaylor@naco.org or cban@naco.org.)

The H.R. Doctor Is In

The First and the Last

The first part of a new year is a great time to think about the last part of your career. It is a time of making resolutions and of looking ahead to hopes, dreams and expectations for the future. For people eligible for retirement, it is an especially important opportunity to create, at least in your mind, the kind of retirement vision that you have.

Very sadly, and often tragically in America, the 20 or more years of retirement on average are overwhelmingly not matched by thoughtful and committed planning and acting. Retirement preparation is generally lacking. We are loath to think about the consequences of having about two decades of retirement life ahead without proper preparation.

In fact, the average American spends more time researching and selecting a car than in planning for retirement. Yet we will own a car for an average of six years but spend an average of about 20 years in retirement.

The huge baby boomer group will find out that an overreliance on Social Security crashing into a lack of personal planning will lead to retirement dreams unfulfilled. In some cases it may lead to daily fights with the cat over who gets the canned food. Most of the readers of the HR Doctor articles are public employees with entitlements to defined benefit pension plans. That is, retirement crown jewels for public employee retirees will be a government pension plus Social Security.

Most of the world lacks any ability to use the word entitlement. Most of the world has a lower standard of living and life expectancy. That means fewer years in retirement. In fact, in most of the world the concept of stopping work and receiving an adequate pension for life is akin to Don Quixote's "impossible dream." We are amazingly lucky.

As a nation, however, our luck may be running out in terms of the way these entitlements are structured. They are simply not sustainable in the long term. Yet we seem to do everything we can to avoid facing the great work ahead to provide a retirement for scores of millions of citizens in the future who deserve the same dignity we have.

Already in the European Union, it is clear that the entitlements to pensions, early retirement and health care guarantees have to be replaced with more conservative approaches. The paring back of entitlements to a more sustainable level has already led to protests, riots and likely future changes in government. More of the same is going to occur elsewhere as the realities of sustainability amidst an aging population comes banging into a lack of revenue stability.

In a family budget or in a worldwide economy, habitually spending more than you have over the long term is not healthy. Hotly debated amongst economists is the view that long-term deficits are acceptable because we have a strong view in America, and always have had, about a future of growth and optimism. We don't ever think that this growth will stop. Surely government revenue growth will always be there for us. We can even reduce taxes without reducing entitlements.

This "have it all" idea is more and more difficult to realize even though it sounds great at tea parties and on a campaign trail. It is no longer possible for America to completely create its own future independent of the world around us.

Fortress America, protected by two broad oceans, is nostalgia not reality. America relies more than

ever before on a world exchange of goods and services. A wall of steel or a wall of American electrons will not prevent the Internet of today, let alone the wonders of information technology to come, from being in every living room, office, bedroom and even bathroom. America is very much a part of something bigger than our forefathers could have ever conceived.

Events in China or Iran can-

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not but have a huge effect on the United States. An environmental catastrophe over there will have a direct effect on how people act or breathe over here. Some lunatic with push-button control of nuclear armed missiles in North Korea can tragically change the world forever.

With retirees facing hugely increasing costs for health care, living out dreams without proper planning can become a dignity nightmare. Over a longer lifespan chronic diseases including heart problems, cancer and diabetes — the disease of the 21st century — will take a much larger and more expensive toll on the next generation of us. We need primary care physicians more than ever before, yet we propose cuts in already low Medicare reimbursement that will hurt access and increase costs even further.


The inevitable bottom line is that personal retirement planning is too serious to be left to any of the levels of government. The captain of your personal yacht — the *SS Retirement* — is you and no one else. We must be accountable and responsible to plan and act to create a great future for ourselves. However, how can a person expect a yacht instead of a dingy when 43 percent of Americans have less

than \$10,000 saved for retirement?

About 27 percent have less than \$1,000 put aside. Most people don't even have a will. If they have a will, perhaps it hasn't been updated in many years and still reflects the situation two marriages ago. Putting that in the context of the average cost of a year in a long-term care facility of about \$70,000 is very frightening. A lack of planning means that minor details such as the futures of our children and the resources built up over a career and a lifetime may be decided by lawyers and probate court battles.

The time for us to act to create a great retirement and leave a great legacy is now. It should not be left to others in the days and weeks following our funeral service. Today would be a great day to make sure that you have a retirement dream and that you are acting on that dream with sacrifice, personal accountability and self-reliance.

Those words "sacrifice, personal accountability, self-reliance, and creating a dream" are the words and philosophies around which our nation was founded in the first place. They are the foundations of the "American Dream."


Phil Rosenberg
The HR Doctor • www.hrdtr.net

Job Market & Classifieds

► HUMAN RESOURCES DIRECTOR – GENESEE COUNTY, MICH.

Salary: DOQ.

Genesee County is recruiting for a Human Resources Director. To review the job announcement and related information, please visit Genesee County's website at www.co.genesee.mi.us.

► COUNTY ADMINISTRATOR – SUSSEX COUNTY, DEL.

Salary: DOQ.

Sussex County seeks qualified applicants for the position of County Administrator to lead a staff of approximately 485 employees in Delaware's fastest growing county.

Situated along the mid-Atlantic coast, Sussex County is Delaware's southernmost and geographically largest county, home to nearly 200,000 residents. Founded in 1683 by William Penn, Sussex County is proud of its natural beauty, rich history, and popular attractions that can be found from its beaches in the east to the wide open farms of the west. Rural and urban lifestyles intersect in Sussex County. Sandy beaches and fine dining draw millions of visitors to our resorts each year, while homespun country festivals and all-you-can-eat chicken and dumpling dinners are staples in our traditional farming communities. It's no surprise that agriculture and tourism are the prominent industries in Sussex County. Yet, the retail, manufacturing and health care sectors all have an important place in our diversifying economy. Low taxes and our proximity to major metropolitan areas, including Washington, D.C., Baltimore and Philadelphia, make Sussex County an attractive tourist and retirement destination. County government provides a variety of local services to the residents of southern Delaware, including land

use, building permits, paramedic and 911 service, assessment, tax collection, public sewer, dog licensing, libraries and more.

The County Administrator reports directly to the elected five-member County Council, and acts as the chief administrative officer of the County government. Among the principal duties, the County Administrator directs and supervises the administration of all departments; sets policy; prepares reports and makes recommendations to County Council; ensures all laws, ordinances and policies set forth by the County Council are executed; and prepares, submits and executes an annual budget and capital program. Sussex County has an annual budget of approximately \$140 million.

The successful candidate must have the ability to establish and maintain an effective working relationship with department heads, employees, the general public, and County Council; ability to communicate effectively, both verbally and in writing; ability to prepare written reports and give presentations; ability to maintain a high degree of confidentiality; have a comprehensive knowledge of local, county, state and federal government activities; ability to present a professional image; and ability to maintain a high level of accuracy and organizational skills. Qualified applicants must hold a master's degree from an accredited college or university, or have any equivalent combination of education and experience that provides the required knowledge, skills, and abilities to be an effective public manager. Salary: DOQ.

Submit resumes to: Sussex County Personnel Office, PO Box 589, Georgetown, DE 19947. For more information about Sussex County, Del., visit www.sussexcountype.gov.



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Celebrate National County Government Month

Serving Our Veterans, Armed Forces and Their Families

This year's NCGM theme is "Serving Our Veterans, Armed Forces and Their Families." It is an important and timely theme as more veterans, military service members and their families turn to their county government for services and help.

Counties should try to link activities to this theme by recognizing, honoring and thanking veterans and military personnel for their service.

A new feature this year of NCGM is the National County Government Month Award. The purpose of the award program is to encourage counties to participate in NCGM and to recognize those counties that sponsor outstanding programs to educate residents about county government during the month of April.

Check the NACo website for more information about specific judging criteria. Applications must be received by May 31 to be eligible for the competition.



www.naco.org/NCGM

Sponsored by the National Association of Counties to raise public awareness about the roles and responsibilities of counties.



National County Government Month
April • 2011

