NATIONAL ASSOCIATION OF COUNTIES WASHINGTON, D.C.

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# Counties at 'epicenter' of H1N1 flu response

By ROBERT M. PESTRONK

EXECUTIVE DIRECTOR, NATIONAL ASSOCIATION OF COUNTY AND CITY HEALTH OFFICIALS

County governments will soon face a complex, demanding situation if the new H1N1 virus ("swine flu") erupts again in the United States as expected.

Local health departments will be at the epicenter of the response. Major activities will include vaccinating persons at greatest risk when vaccine becomes available, tracking the spread of the disease, and

See H1N1 page 7





Photo by George Burke

Rep. Gerry Connolly (D-Va.), former chair of the Fairfax County Board of Supervisors, recently introduced the Restore the Partnership Act of 2009, H.R. 3332, a NACo legislative priority. It would establish a National Commission on Intergovernmental Relations. NACo members can help it become a reality (see story on page 3). Here, Connolly hosts a health care town hall meeting at the Greenspring retirement community in Fairfax County Aug. 25.

# ProPublica: Watching the watchers of stimulus spending ... and you

By Mike Belarmino

SPECIAL PROJECTS COORDINATOR

The American Recovery and Reinvestment Act places a high priority on transparency. It has, in fact, invited close scrutiny. As such, several federal, state and local government Web sites are tracking stimulus spending.

County officials, however, should be aware of other sources of reporting on Recovery Act spending. One in particular, *ProPublica.org*, has turned an investigative journalist's eye on stimulus spending and recordkeeping. ProPublica is an independent, nonprofit newsroom that produces investigative journalism in the public interest.

"We're tracking the stimulus

from bill to building, and we're organizing citizens nationwide to watchdog local stimulus projects,"

ProPublica's Web site (www. recovery). A search on Minnesota, for example, produces a template

To help achieve the goal of transparency, counties should be familiar with the information presented by such sources, which could lead to inquiries from the general public. Questions will likely focus on matters relating to ProPublica's tracking process: determining whether Recovery Act funding is going to communities that need it most. ProPublica also provides extensive "eye on" stimulus spending news coverage at www.propublica.org/ion/stimulus.

To sample what ProPublica's site offers to counties — or anyone

with Internet access — one can click through its Recovery Tracker tool (http://projects.propublica.org/recovery). A search on Minnesota, for example, produces a template that organizes specific recovery-related data for every county in the state. For instance, a user can see that Hennepin County's current per capita amount of Recovery Act funding is \$232.

Users can view a table that details the amount of Recovery Act funding received by the county from the various federal agencies. Additionally, there is demographic data for the county such as the current population estimate, unemployment rate,

See PROPUBLICA page 2

# Recess over, budget clock ticking for Congress

By NACo Legislative Staff

Congress accomplished a great deal before its month-long summer recess, especially considering all of the initiatives the Obama administration has proposed on health care reform, climate change, energy independence and efforts to right the economy — including the enactment of the American Recovery and Reinvestment Act.

But as lawmakers return to the Capitol this week, much more work remains to be done to ensure that funding flows from federal to state to local governments.

Congress has taken action on almost all appropriations bills so far, and must finish before the Sept. 30 end of federal fiscal year. Some appropriations bills may not make the deadline, and there is already talk of a short omnibus appropriations bill. The legislative plate is still full

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# House measure would fund FDA to fight food-borne illnesses

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and with no general elections, fall will be a busy session.

The following report is intended to give counties an idea of the accomplishments so far in the first session of the 111th Congress and the work that lies ahead.

#### **Agriculture and Rural Affairs**

#### Appropriations

The Senate passed an approximately \$125 billion FY10 Agriculture, FDA and Rural Development Appropriations Bill, S. 1406, on Aug. 4. The legislation provides \$23.7 billion in discretionary funding, \$2.3 billion more than FY09. NACo's Farm Bill implementation efforts focused on fully funding rural development efforts which did well under the legislation overall. USDA Rural Development Programs are funded at \$3 billion, a \$309 million increase above FY09, \$26 million above the president's request and nearly \$200 million above H.R.

2997, the House-passed Agriculture Appropriations bill.

The legislation passed by a vote of 80-17 after the Senate rejected several amendments that would have cut programs or earmarks. In a surprising development, the Senate barely accepted an amendment by a vote of 60-37 to add \$350 million to lift milk price supports which should increase milk prices that are at their lowest level in four decades. The amendment, by Sen. Bernie Sanders (I-VT) required 60 votes because it broke budget rules.

By unanimous consent, senators also agreed to slash funding for the voluntary National Animal Identification System (NAIS), from \$14.6 million to \$7.3 million in an effort the make the program mandatory. NACo supports NAIS, but does not have policy as to whether or not the program should be mandatory.

The legislation will ultimately be reconciled in a conference with the House, which passed its FY10 Agriculture Appropriations bill, H.R. 2997, by a vote of 260-161 on July 9. The Senate

named Appropriations Chairman 29 by a vote of 283-142. The \$3.8 to also pass a comprehensive Daniel Inouye (D-Hawaii), Sen. Richard Shelby (R-Ala.) and the Senate Agriculture Appropriations Subcommittee members as conferees. The House has not yet named conferees

Both bills increase funding above FY09 levels for USDA Rural Development programs, yet the Senate funding levels are higher for NACo-supported programs. NACo will advocate for the additional \$200 million in rural development funding provided in the Senate language. In addition, both bills failed to include funding for the NACosupported and newly authorized Rural Collaborative Investment

#### • Comprehensive Food Safety Overhaul Passes in the House

A comprehensive food safety reform bill H.R. 2749, the Food Safety Enhancement Act, which gives the Food and Drug Administration (FDA) broad new authorities to take preventative steps to stop food-borne illnesses, passed the House on July

billion measure would direct the FDA to write new regulations to safeguard the food supply, require more frequent inspections of processing plants and force companies to keep better records to help regulators trace outbreaks. The plan would be partly financed by a \$500 annual fee on food producers.

The bill includes several concessions sought by grain and livestock farmers and small farms that sell food direct to farmers markets, restaurants or grocery stores.

Meat and egg facilities already regulated by the U.S. Department of Agriculture (USDA) would be exempt from the FDA's extended powers. Food, livestock, poultry, facilities and farms are exempt from the requirements of this legislation if they are regulated by the Secretary of Agriculture under the Federal Meat Inspection Act, the Poultry Products Inspection Act or the Egg Products Inspection Act.

NACo does not have policy on the comprehensive reforms that are proposed in the legislation and will remain neutral. However NACo does have strong policy in support of an important provision that requires imported food to meet the same production standards that will be required of U.S. farmers and processors.

FDA would also be directed to develop a "Dedicated Foreign Inspectorate" that would conduct inspections of foreign food facilities. The legislation also strengthens Country of Origin Labeling (COOL) requirements supported by NACo. FDA would be required to ensure that consumers are informed of the country of origin of food under its jurisdiction in accordance with the labeling requirements of USDA.

President Obama supports H.R. 2749 and has asked the Senate

food safety reform bill. The Food Safety Modernization Act. S. 510. introduced by Sen. Richard Durbin (D-Ill.) is the most likely vehicle for a similar comprehensive reform effort in the Senate. The bill has attracted cosponsors from both sides of the aisle but will compete for very limited floor time in the fall with health care reform and climate change.

#### • Horse Management

The House of Representatives passed the Restore our American Mustangs Act (H.R. 1018) July 17 by a vote of 239-185. It would comprehensively overhaul the management of wild horses and includes language that repeals provisions which permit the sale of certain excess wild horses or their remains. No companion legislation has been introduced in the Senate.

Two other bills, S. 727 and its House companion H.R. 503, propose to "amend the Horse Protection Act to prohibit the shipping, transporting, moving, delivering, receiving, possessing, purchasing, selling or donation of horses and other equines to be slaughtered for human consumption, and for other purposes." Both bills remain in the House and Senate judiciary committees, with the House to move first on H.R. 503 in the fall.

NACo opposes the bills. NACo policy calls for the humane treatment of horses in the ownership. raising, transporting and processing that is carried out under the supervision of USDA, and urges support for the Bureau of Land Management (BLM) in its management of wild horses and burros to include sale of the animals and destroying the animals in as humane a manner as possible.

See CONGRESS page 8

# ProPublica reports may differ from other online watchdog sources

**PROPUBLICA** from page 1

median household income and poverty statistics.

Completing ProPublica's recovery snapshot for Hennepin is a list detailing the recipients within the county, the amount of money they received and which federal agency provided the funds.

Viewers should note that discrepancies may exist between what ProPublica reports on Recovery Act funding received by counties and what can be found through other online sources. For one thing, all of the sites currently tracking Recovery Act funds are not as coordinated as might be desired. Among the sites maintained

by federal, state or independent entities, there can be slight variations in the totals for different recipients. One reason for this is that some sites are reporting funds that have been allocated while others are only reporting what has actually been received.

Secondly, ProPublica includes items such as increases in Pell Grant funding received by institutions located within a county as part of their total. Therefore, some of what ProPublica is tracking includes funding that does not go to the county directly, but nonetheless is being spent within the county.

There is enough information in the Recovery Tracker's per capita analysis that could warrant a phone call or two from interested parties — including your local media. At a minimum, counties should know what is being reported on for their county in addition to their internal tracking of funds.

Given the role that counties are playing in the recovery process, reviewing all available information could help in achieving transparency and serve as the gauge of how close the national economy is to recovery.

When a citizen calls, will you know what ProPublica is saying about you?

#### **CORRECTIONS**

#### County News Vol. 41, NO. 16 • August 17, 2009

- In the article "Executive Committee Expansion Draws Heated Debate," which ran on page 2, Robert Cope, Lemhi County, Idaho commissioner representing the West region, was incorrectly referred
- In the workshop summary titled "Who's Listening In?" which ran on page 8, the staff contact of Anita Cardwell was incorrect. It should have been Sarah Sunderman at 202/661-8806 and ssunder-
- In the photo caption on the lower right of page 8, Drug Czar Gil Kerlikowske was speaking at NACo's Justice and Public Safety Steering Committee not the Transportation Steering Committee.
- In the workshop summary titled "Let THEM Tell You Where to Cut," which ran on page 10, the last paragraph incorrectly identified Brenda Hayes as Harry Hayes' sister. She is his wife.

# LEADING in

#### **NACo to host webinar on Recovery Act** reporting

Oct. 10 is the deadline for spending reports for all recipients of Recovery Act funding. Initial submission reports will be available for public view at Recovery.gov beginning Oct. 11, according to www. FederalReporting.gov.

On Sept. 17, NACo will host an "Essentials of Recovery Act Reporting" webinar to provide updated information for recipient counties to help meet reporting requirements. Among the topics that will be discussed is the White House Office of Management and Budget's anticipated deployment of the federal government liaison network. These experienced federal employees will serve as field representatives to assist Recovery Act funding recipients through the reporting process.

To register for the webinar, please go to www.naco.org/webinars. For questions, contact Mike Belarmino at mbelarmino@naco.org or 202/661-8840.

# **GPS** mapping expedites car accident investigations

BY DAN MILLER STAFF WRITER

Anyone who has been in an accident-caused traffic jam knows how frustrating it can be to sit in a hot car, waiting to squeeze through a single lane of traffic. In Jefferson County, W.Va., officials have begun using mapping technology to dramatically cut crash investigation times, all the while achieving more accurate measurements.

"We've always had complaints about our roadways being tied up for long periods of time," Harpers Ferry Police Chief Donald Buracker said. "This is a bedroom community. A

D.C. and to Baltimore, so these roads are heavily congested. For the officers who work it at night, they're often [saying] it's like nonstop rush hour."

By measuring road and intersection distances and angles, the GPS technology can provide accurate measurements of items relevant to the investigation of a fatal crash, including debris, skid marks, vehicles and damaged signs.

The device that the officers use is called a "total station," an electronic surveying instrument that combines angle- and distancemeasuring capabilities in a single

distances, vertical height differences and three-dimensional coordinates. among other data. It requires several weeks of training to learn to use in an investigation setting.

The move to incorporate GPS mapping in car accident investigation and reconstruction is a joint effort driven by Buracker and Jefferson County Sheriff Bobby Shirley. As a response to five to 10 mile-long road delays cause by traffic accidents, Buracker began to explore the application of GPS technology to the forensic investigations to shorten the amount of time roads would be closed.

Currently, the two police agencies

lot of people go back and forth to unit that can also measure slope are in the process of mapping 20 local intersections deemed the most dangerous by the state. Whereas new scenes may require the establishment of reference points, by keeping these 'templates" on hand, much of the measurement has already been done allowing for an even faster investigation.

According to Buracker, a recent investigation was completed in short order due to the templates.

"We went out and took probably about 30 to 35 shots in less than 15 to 20 minutes. Less than that," he said. "We closed up before the guy was loaded on the ambulance and we were done. The roads were open."

He estimates that a four- to fivehour backup could be reduced to a half hour for a typical accident.

Furthermore, the accuracy of the equipment provides a huge benefit in lending credibility to the investigations

"I have no problem admitting when I do the old standard tape measure, there's always going to be a little bit of human error," said Sgt. Robert Sell of the Jefferson County Sheriff's Department. "Is that truly a straight line that you're walking? Are you truly square across the roadway? [GPS] just takes it out of the equation."

Mick Chapman, a Michiganbased forensic investigation trainer and a retired law enforcement official, says that the benefits of reducing traffic backups go beyond headaches for drivers.

"On the green side, it helps the environment because any time you can prevent stalled vehicles from sitting in traffic and putting carbon into the air that's always good," he said. "It's also good for the economy because you don't have tractor trailers waiting for a long time, [delaying the deliveries]."

In addition to car accident reconstructions, the versatility of the GPS equipment allows it to be used for a variety of other uses including crime scene investigations and mapping public places (like schools) for emergency response purposes.



the Restore the Partnership Act of 2009, H.R. 3332, by contacting members of their congressional delegations and encouraging them to cosponsor this legislation. They can be reached by calling the Capitol switchboard at 202/224-3121.

U.S. Rep. Gerry Connolly (D-Va.)

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by Rep. Leonard Lance (R-N.J.), which would establish a National Commission on Intergovernmental Relations, a key legislative priority for NACo. Its aim is to facilitate the fullest cooperation and coordination between all levels of government. NACo's Finance and Intergovernmental Affairs Steering Committee passed a resolution in support of H.R. 3332 at the association's recent annual conference. Connolly is the former chair of the Fairfax County. Va. Board of Supervisors.

As a part of NACo's Restore the Partnership Campaign, the association's leadership has been working to establish a National Commission on Intergovernmental Relations (NCIR). NCIR would establish a permanent, independent, bipartisan group to study and consider the federal government's intergovernmental relationships and the nation's intergovernmental machination.

The 30-member commission would represent the interests of the federal system's intergovernmental partners. The body would be the only established, freestanding part of the federal system in which the views of the federal government's intergovernmental partners could be openly aired, and in which difficulties and inefficiencies in the federal system's intergovernmental relationships could be examined.

To read the full text of the bill, visit NACo's homepage at www.naco.org ► "Restore the Partnership" ► "HR 3332 Legislation."

If you have questions about these briefings please contact Kasia Witkowski at 202/942-4225 or by e-mail at kwitkowski@naco.org, or Steve Traylor at 202/942-4254 or straylor@naco.org.



Photo courtesy of Mick Chapman

Law enforcement officials use a "total station" to measure out the scene of an automobile crash. The GPS tools provide accurate measurements in a fraction of the time.



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# Innovative program targets childhood obesity

BY ANITA CARDWELL

SENIOR ASSOCIATE. COMMUNITY SERVICES

More than one-third of the nation's children ages 10 to 17 are overweight or obese. And as providers of health care, county officials have a stake in seeing those numbers drop.

Obese youth are more likely to develop chronic illnesses later in life and may even have premature mortality rates. According to Fas in Fat 2009, a report recently released by the Trust for America's Health and the Robert Wood Johnson Foundation, more than one-quarter of health care costs in the U.S. are associated with obesity.

One Nashville-Davidson County, Tenn. program is addressing the problem directly.

The Nashville Collaborative develops and assesses promising interventions to reduce pediatric

obesity. It also provides services about ways the two entities could such as medical student-run health fair days and educational activities. including a "teaching kitchen" to build skills that improve daily nutrition for children and families.

Several NACo-member county leaders with concerns about childhood obesity recently visited the Collaborative, an innovative partnership between the Department of Pediatrics at Vanderbilt University School of Medicine, the Monroe Carell Jr. Children's Hospital at Vanderbilt and the Metro Nashville Parks and Recreation Department.

The partnership began when Shari Barkin, M.D., chief of the Division of General Pediatrics at Vanderbilt's medical school, approached the parks and recreation board and Paul Widman, the parks department's assistant director of cultural and wellness programs,

collaborate around the issue of childhood obesity.

Through her work with children at the hospital, Dr. Barkin has observed the obesity problem on a daily basis, sometimes treating four-year-olds who weighed as much as adults. And although the community offered a wide array of physical activity programs, most were not focused on achieving specific and measureable health goals, and many residents did not view public recreation facilities as places for physical activity.

Dr. Barkin and Widman wanted there to be a true collaboration between the medical center and the parks and recreation department, as well as a strong focus on measuring health outcomes. By obtaining quantifiable results from the program, not only would this type of practical research be useful to academic researchers, but the community would also benefit from an evidence-based approach to address childhood obesity.

The parks and recreation board was very receptive to the idea, and the program was launched in June 2008 with funding from the metropolitan government's general fund. The Nashville Collaborative has also received grant funding from the state of Tennessee and the Robert Wood Johnson Foundation to test the innovative programs generated by this partnership.

The program is based at the Coleman Community Center, which offers participants use of the newly renovated recreational facilities. Efforts have focused primarily on Latino families. There have been positive preliminary results from the recently concluded Salud Con La Familia project to prevent the onset of obesity in young Latino children by encouraging healthy habits, positive parenting and goal-setting.

"The goal is to focus on familybased changes that will last. For example, the teaching kitchens focus on building sustainable skills to prepare nutritious meals." Dr. Barkin said. The initial assessment of the teaching kitchen showed that 83 percent of the participants reported that the snack or meal presented during the demonstration was something they later prepared at home, and 71 percent of participants said their family began eating healthier overall.

While visiting the program, during NACo's annual conference in July, county leaders had the opportunity to view one of the live demonstrations as well as enjoy the healthy snack that was prepared.

The interactive format of the site



Erika Guerrero Digby shows NACo members how to prepare healthy snacks in the teaching kitchen of the Coleman Community Center in Metro Nashville. It's part of the Nashville Collaborative, a public-private

partnership to reduce childhood obesity. visitsessionalsogave county officials they might model and implement the opportunity to ask the Nashville similar initiatives in their own coun-

Collaborative staff a number of quesand community members and how Collaborative."

ties. For more information about tions about the program. Many were the Nashville Collaborative, visit interested in learning how the pro- www.vanderbiltchildrens.org ▶ "Our gram initially engaged policymakers Services — A to Z" ▶ "Nashville

# Profiles in Service



### Mary S. Accor

Commissioner Cleveland County, N.C.

**NACo Board of Directors** 

Number of years active in NACo: 2

Years in public service: 12

Occupation: Director of OSR, Cleveland County Schools

Education: B.A. in Education, Livingstone College; M.A. in Educational Leadership, University of North Carolina-Charlotte; M.A. in Supervision and Instruction, University of North Carolina-

The hardest thing I've ever done: Watch my only child leave for

Three people (living or dead) I'd invite to dinner: Coretta Scott King, Michelle Obama and my pastor's wife, Sallie C. Thompson A dream I have is to: witness a unified world of peace.

You'd be surprised to learn that I: am multi-talented (sing, draw, dance, paint, do calligraphy and design).

The most adventurous thing I've ever done is: spend five days in the wilderness with American Leadership Forum Class 5, and climb "Table Rock."

My favorite way to relax is: Painting or drawing at the beach.

I'm most proud of: my 28 years of marriage to husband, Charles Accor Sr., and the accomplishments of our adult son, Charles Accor Jr.

Every morning I read: something inspirational.

My favorite meal is: crusted chicken and vegetables.

My pet peeve is: negative people.

My motto is: "Don't give up....you can always begin again."

The last book I read was: 90 Minutes in Heaven.

My favorite movie is: Stand and Deliver

My favorite music is: Gospel.

My favorite president is: William Jefferson Clinton.

### **NACo to Cohost Regional Meetings on Childhood Obesity**

NACo's current work on childhood obesity prevention and reduction is focused on helping county leaders form and sustain broad community partnerships. NACo, along with the International City/County Management Association (ICMA) and the American Association of School Administrators (AASA), will convene county, city and school leaders as well as other community stakeholders this fall at meetings in Alachua County, Fla. Sept. 25 and Buncombe County, N.C. Oct. 8.

Additionally, some of the counties that NACo is providing direct technical assistance to, such as Maricopa County, Ariz. and Clinton County, Mich., are also conducting community forums to develop county-wide strategies and policies to address childhood obesity. County officials are uniquely positioned to develop policies that directly affect residents' opportunities for physical activity and access to healthy and affordable foods

A recently released report from the Institute of Medicine (IOM), Local Government Actions to Prevent Childhood Obesity, provides strategies that officials at the regional and community levels can use to help prevent and reduce childhood obesity. Commissioner Peggy Beltrone, Cascade County, Mont., is a member of the IOM committee that developed the report, which notes that the most effective initiatives to build healthy communities involve a range of stakeholders — government, schools, nonprofit organizations, the private sector and families.

For more information about NACo's childhood obesity program funded by the Robert Wood Johnson Foundation's Leadership for Healthy Communities program, please contact Anita Cardwell at acardwell@naco. org or 202/942-4267.

# Howard County, Md. K-9 unit celebrates 50 years

EDITORIAL ASSISTANT

It's a hot summer day in Marriotsville, Md. Brutus, a German shepherd, shows no signs of fatigue as he climbs up and down barriers of an obstacle course. To him, it's just another day on the job.

Howard County, Md. celebrated the 50th anniversary of its K-9 unit recently, the first county in the state of Maryland to create one.

On April 21, 1959, Lt. Harry Harrison, acting chief for the Howard County Police Department (HCPD), proposed to the county commissioners that they let him get a dog for police work. Harrison indicated that the department had made an offer on one dog from a doctor at the University of Maryland, a 20-month-old police dog. The county commissioners approved the request and agreed to pay the K-9 handler an additional \$50 semiannually to care for the dog. This was the first step in the creation of the Howard County Police K-9 Unit.

"Dogs were used for tracking and crowd control back then," said Capt. John McKissick, special operations bureau, HCPD. "Now they use them more to find drugs and pursued a car at speeds of 85–90 weapons, as well as apprehending suspects."

The HCPD was one of the first agencies in the country to use dogs for patrol work. Using dogs as "police service dogs" in the U.S. was a

Photo Courtesy of Howard, Md. County Police Department Pfc. Brandon Lapp runs through an obstacle course with Brutus in Howard County, Md.

new concept in modern policing. In Europe, dogs had been used in police work as early as World War II.

Sgt. William "Bill" Kerbe, a resident of Howard County, and his close friends, officers Paul Steppe and Randy Brightwell, began training Howard County's first police dogs, Rickey and Prince, in the summer of 1959. By November, the team hit the streets.

In February of 1960, Steppe mph. The suspect was apprehended and held at bay by Rickey until backup arrived. According to the department, after being held for a few days, the suspect escaped. Brightwell and Prince

were called and successfully trailed the suspect, finding him hiding in a hollow log. In 1961, the K-9 unit became a permanent part of the HCPD

The majority of dogs used by the HCPD are German shepherds. Donated to the department early on (now pure bred from reputable breeders), they are preferred for their intelligence, strength, agility, disposition and keen sense of smell that is said to be millions times greater than that of humans

"New, inexperienced dogs and handlers take up to 12 weeks to train," said Pfc. Joe Gummo, trainer. "If they have some experience already, it takes roughly 6-8

their partner.'

The department currently has seven K-9's: German shepherds Hadson, Argo, Qwinto, Ken, Brutus and Ares are cross-trained in patrol and narcotics; and chocolate Labrador Raven is cross-trained in detecting explosives and guns. They play a critical role in the police department's day-to-day operations. In 2008, the teams were credited with 408 apprehensions and the U.S. currency while aiding HCPD and other agencies.

After many years of training their dogs elsewhere, Howard County finally has its own training facility in the James N. Robey Public Safety Training Complex in

weeks with the dogs staying with other K-9 units in surrounding counties go there for specialty training or just the basic obstacle course run.

"We used to train wherever we could find a flat piece of land," said Cpl. Tom Harding, Howard County Sheriff's Office. "Now we have this second-to-none facility that simulates conditions and helps the dogs and officers stay sharp."

In order for a unit to last this long at such a high standard, the county seizure of more than \$700,000 in and department have to show a level of commitment, officials said.

'The commitment from Howard County and the police department contribute to the success of this program," added Harding. "This is why we continue to train and keep getting better at what we do to keep

# Share best county energy practices for international recognition

NACo is supporting an important project to collect local best practices in energy efficiency and renewable energy to share with developing nations.

With funding and support from the U.S. State Department, the most innovative and successful sub-national programs will be highlighted in a Compendium of Best Practices, which the U.S. government will provide as a resource of replicable models for China, India and other developing countries. This is an opportunity for your county to be internationally recognized as a leader in energy efficiency and clean energy efforts.

The project is in conjunction with the Asia-Pacific Partnership on Clean Development and Climate, and the Renewable Energy and Energy Efficiency Partnership (REEEP). Best practices are being

Energy and the American Council on Renewable Energy (ACORE).

Counties may submit successful energy efficiency and renewable energy programs for inclusion in the compendium. The information is expected to be used as a U.S. government resource to assist developing countries by showcasing proven programs, policies or initiatives that are working in the U.S. It will be distributed to top government officials and leading private companies via the international networks of REEEP, the Alliance to Save Energy, ACORE, the Asia-Pacific Partnership on Clean

collected by the Alliance to Save Development and Climate (APP) and other channels.

> To submit a practice for consideration, please fill out a short online survey at www.surveygizmo. com/s/159012/compendium by Sept. 21.

The practice must:

· promote the use of energy efficiency or renewable energy.

- · have measurable outcomes,
- currently be in practice in the United States.

For questions please contact Kelly Zonderwyk, NACo project manager, at kzonderwyk@naco.org or 202/942-4224.



CountyNews • NACO 6 | September 7, 2009

# NACo's 2009-2010 **Committee Leadership**

Listed below are the chairs and vice chairs of NACo's steering committees, standing committees and caucuses, as well as their NACo staff liaisons. Leaders are appointed each year by the new NACo president. The association's policies and legislative positions are developed and reviewed by 11 policy steering committees and adopted by the Board of Directors and general membership. For more information about each committee's focus, visit www.naco.org/steeringcommittees.

#### **Steering Committees**

#### Agriculture

Chair Don Larson Vice Chair Michael Anaya Vice Chair Kenneth Dahlstedt Vice Chair Larry White NACo staff Erik Johnston

Brookings County, S.D. Santa Fe County, N.M. Skagit County, Wash. Escambia County, Ala.

#### Community and Economic Development

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DeKalb County, Ga. Lake County, Ill. Pondera County, Mont. Lake County, Fla.

#### • Environment, Energy and Land Use

Brian Dahle Lassen County, Calif. Chair Vice Chair Penny Gross Fairfax County, Va. John Prinkki Vice Chair Carbon County, Mont. Vice Chair Miami-Dade County, Fla. Katy Sorenson Vice Chair Shannon Staub Sarasota County, Fla. NACo staff Julie Ufner

#### • Finance and Intergovernmental Affairs

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# Different populations to be targeted for influenza vaccines

H1N1 from page 1

mitigating the impact of influenza outbreaks that could be frequent and widespread.

Health departments have been planning, training and exercising for pandemic influenza for years and are putting those lessons into practice now. So far, the H1N1 virus does not seem to cause serious illness, but counties must be prepared to deal with an even more challenging situation if the H1N1 virus changes and becomes more lethal. A severe, prolonged epidemic of new - or novel - H1N1 will strain all the resources of any county.

At the same time, the usual flu season, which will involve different, 'seasonal flu' viruses, will begin soon. Health departments also are conducting their customary annual flu shot campaigns to make sure that people are protected against seasonal flu. Seasonal flu alone causes 36,000 deaths a year that can be largely prevented by flu shots.

The potential for confusion between seasonal flu vaccine, which will become available in September, and H1N1 vaccine, which will start to become available in mid-October,



Robert M. Pestronk, executive director, National Association of County and City Health Officials (NACCHO), at a briefing of counties' Washington representatives earlier this year.

is great. Unfortunately, the seasonal flu vaccine is not expected to offer any protection against H1N1 influenza. Moreover, the populations most at risk from the two types of influenza are different. The elderly, young children, and people with chronic medical conditions such as asthma diabetes and heart disease are at highest risk for complications from seasonal flu.

By contrast, based on the global experience with H1N1 influenza thus far, the priority populations for H1N1vaccine will be pregnant women, health care workers and emergency medical responders, people caring for infants less than 6 months of age, children and young adults from 6 months to 24 years, and people aged 25 to 64 years with underlying chronic medical conditions.

Preparedness for influenza, whether it is the usual seasonal flu or an unusual strain like H1N1. is a community enterprise requiring the collaboration of all public and private sector organizations. County officials can lead by helping residents understand the facts and repeating critical messages about prevention. The simplest measures to mitigate the spread of both seasonal and H1N1 influenza — vaccination, frequent hand-washing, covering your cough, and staying a very trying time for county health home when you're sick — are also the most effective. At the same time, keep abreast of the latest advice from local health departments and the U.S. Department of Health and Human Services. The latter is easily accessible at http://flu.gov. There is much that is unknown about what course the epidemic will take or how H1N1 vaccine will be distributed as it becomes available.

During the spring H1N1 outbreak, school closures were challenging and became controversial. Local health department staffs, along with other public officials and school administrators, are working hard to prepare for how to handle such closures if they are

deemed necessary. Such decisions will be made locally and will need to balance the risk of keeping a school open with the significant impact of school closures on families and communities. Elected officials are essential partners in planning for such closures, leveraging community resources to help assure effective vaccination campaigns and speaking publicly about plans and consequences

This autumn and winter will be departments across the country. In addition to managing H1N1 influenza, the public will still expect health departments to make sure the water is pure, the food is safe to eat, and other diseases are prevented or controlled. The recession's effect on county budgets presents an additional challenge.

County officials should check in with their health departments to learn how they are doing, what progress they are making, what additional support they might require, and what gaps in their plans are still expected. Such support of their efforts will be invaluable. The knowledge gained will provide useful background information should the media call..

# The NACo Prescription Discount Card Program representatives extend congratulations to the newly appointed NACo executive committee.

President: Valerie Brown-Supervisor, Sonoma County, CA

President Elect: Teresa Altemus-Supervisor, Gloucester County, VA First Vice President: Glen Whitley-County Judge, Tarrant County, TX Second Vice President: Lenny Eliason-Commissioner, Athens County, OH Immediate Past President: Don Stapley-County Chair, Maricopa County, AZ

Northeast Region: Joseph Giles-Council Chair, Erie County, PA

South Region: Burrell Ellis-CEO, Dekalb County, GA

Central Region: Pat Conway-County Clerk, Buchanan County, MO West Region: Robert Cope-Commissioner, Lemhi County, ID

As you lead NACo in 2009-2010, we look forward to partnering with you on the continued growth of the NACo Prescription Discount Card Program.



Andrew Goldschmidt, CAE, MBA Director, Membership/Marketing

NACo-National Association of Counties

**Kirby Bessant** Vice President, Consumer Programs CVS Caremark

**Aaron King** Director, Consumer Programs CVS Caremark

Stephen Rohm Strategic Account Executive, Consumer Programs CVS Caremark

Jennifer Johnston Account Executive, Consumer Programs CVS Caremark



# Obama administration supports programs to help save homes

**CONGRESS** from page 2

#### Community and Economic Development

#### • Appropriations FY10

The Senate Appropriations Committee has approved a \$45.83 billion FY10 spending plan for the U.S. Department of Housing and Urban Development (HUD). The total amount for HUD is \$1.2 billion below the House-passed bill, H.R. 3288, but both bills provide a significant increase in funding for housing programs over FY09 levels.

The Community Development Block Grant (CDBG) program would receive \$4.45 billion, the same as requested by the Obama administration, but \$150 million below the House-passed level. The Senate committee allots \$3.99 billion in formula grants, compared to \$4.16 billion in the House version. The Senate included level funding for the HOME Investment Partnerships Program at \$1.82 billion, the same request as the administration's. This is \$175 million below the House-passed \$2 billion. The Senate bill also proposes \$1.87 billion for homeless housing programs, \$81 million more than the administration's request and \$25 million above the House amount

Neither the Senate committee report nor the House-passed bill supports a change in the CDBG formula as proposed by the administration for FY10 funding. NACo policy urges HUD to consider the existing and emerging needs of urban counties and undertake extensive consultation with NACo before changing the CDBG formula.

The Senate also included \$150 million for a new Sustainable Communities Initiative, equal to the House and Obama administration requests. The initiative would support integration of housing, transportation, energy and environmental planning at the regional level. It

pdf/E9-17600.pdf.



Photo by David Hathcox

Fred Karnas (r), special advisor to HUD Secretary Shaun Donovan, and Bernard Markstein, vice president, economic forecasting and analysis, National Association of Home Builders, address housing and community development funding at a Recovery Act forum at NACo's annual conference in Nashville.

supports interagency collaboration among HUD, the Department of Transportation and the Environmental Protection Agency. NACo supports the regional integration planning legislation.

The Senate bill included \$25 million for a Rural Innovation Fund to address concentrations of distressed rural housing and \$25 million for the University Community Fund. The Senate approved \$75 million for the Energy Innovation Fund, \$25 million less than the Obama request, and \$25 million above the House's \$50 million allotment. This funding is intended to promote local initiatives in cost-saving energy retrofits of existing housing.

The Senate bill also funds the administration's Choice Neighborhoods Initiative at \$250 million. This initiative expands the HOPE VI demolition and replacement of severely distressed public housing

to include other types of federally assisted housing. The House funds the current HOPE VI program at \$250 million.

The Senate does not include funding for a Brownfields Redevelopment program similar to the administration. The House funds the program at \$25 million, a \$15 million increase over FY09. The Senate includes \$275 million for the Section 108 Loan Guarantee Program under CDBG as does the House. The administration did not include any additional funding for this program.

### • Making Home Affordable

The Obama administration announced the Making Homes Affordable (MHA) program Feb. 18, to stem the foreclosure crisis and stabilize the U.S. housing market. The MHA program provides \$75 billion for sustainable mortgage modifications -providing incentives to servicers to refinance, pursue short sale or deed in lieu of foreclosures. Currently. 14 servicers are participating in the program. As of August, more than 400,000 modification offers had been made with at least 230,000 trial modifications in progress. According to HUD, this pace puts the administration on track to offer assistance to up to 3 to 4 million homeowners over the next three years.

#### • Mortgage Reform Legislation

President Obama signed the Help Families Save Their Homes Act into law May 20 to help homeowners prevent foreclosure and curb predatory lending practices.

Homeowners program allowing refinancing via the Federal Housing Administration, increases the Federal Deposit Insurance Corporation's borrowing authority and creates several new renters protections. It allows renters to remain in a home in foreclosure for the duration of the lease. Renters without fixed-term leases have 90 days before eviction.

The legislation also established a "sense of Congress" to provide for the establishment of a mortgage Fraud Task Force within the Department of Justice to combat fraud. The Act did not include the controversial cram-down provisions to allow bankruptcy judges to modify terms of homeowners' primary residence mortgages.

#### • Homeless Assistance Legislation

The Mortgage Reform Act also included a five-year reauthorization of the McKinney Vento Homeless Assistance Act at \$2.2 billion. The legislation consolidates and streamlines competitive homeless assistance grant programs including supportive housing, safe haven programs, shelter plus care and single-room-occupancy dwellings into the Continuum of Care program, which NACo sup-

The bill also expands eligibility for homeless assistance to include: people temporarily in institutional care who would lack homes after care; people about to lose their housing who lack resources to find a replacement home; those facing eviction within 14 days; people living in a motel; people doubled up with another family who lack the resources to stay for more than 14 days or are required to leave within 14 days; as well as those fleeing domestic violence. The bill also increases the administrative costs cap from 5 percent to 7.5 percent for those agencies administering homeless assistance programs.

#### Section 8 Reform

The House approved H.R. 3045, the Section 8 Voucher Reform Act of 2009 in July. Introduced by Rep. Maxine Waters (D-Calif.), the bill seeks to amend and undate the Section 8 Housing Choice Voucher Program, authorizing 150,000 new vouchers over the next five years. It also streamlines the application process and provides for rigorous evaluation requirements. The bill was referred to the Senate, but it has not been considered.

#### · American Recovery and Reinvestment Act of 2009 Implementation

Applications for the \$1 billion

The Act expands the Hope for in Community Development Block Grant (CDBG) from entitlement communities under ARRA were dueJune 5 to HUD to be eligible for the additional funds. Applications for the \$2 billion in additional Neighborhood Stabilization Program (NSP 1 and 2) funds were due in July 2009.

> HUD issued NSP 1 and NSP 2 update notices to comply with rule changes implemented under ARRA including the repeal of the program income rule requirements and reducing the minimum required purchase discount for properties purchased under NSP to 1 percent. HUD also released a grant application for \$50 million to be awarded for technical assistance grants.

#### **Environment, Energy and** Land Use

#### Climate Change

The House of Representatives recently passed H.R. 2454, the America's Clean Energy and Security Act of 2009. This comprehensive 1,400-plus-page bill addresses climate change and energy issues across the board. It would institute a greenhouse gas cap and trade program, set a Renewable Electricity Standard (RES) of 20 percent by 2020, address new transmission line sitings, set national energy efficient building code standards, and much more. It's been sent to the Senate

The Senate, on the other hand, plans to act on its own bill. To that end, on June 17 the Senate Energy and Natural Resources Committee had passed S. 1462, the American Clean Energy Leadership Act of 2009, a comprehensive energy policy bill. It sets a RES of 15 percent by 2021, allows federal preemption of siting of transmission lines, promotes renewable energy projects on federal lands, and sets national energy-efficiency building code standards for commercial and residential buildings. Senate leaders have indicated that this energy bill will probably be combined with broader global warming legislation. The ultimate outcome in the Senate is uncertain this year due to the crowded Senate calendar and to other potential sticking points.

#### **Clean Water Restoration Act**

The Clean Water Restoration Act (CWRA), S. 787 was reported out of the Environment and Public Works (EPW) Committee in June by a vote of 12-7. It will move to  $the Senate\, calendar for possible\, floor$ consideration.

See CONGRESS page 9

#### Development's Business and Industry (B&I) Guaranteed Loan Program. USDA staff recommends that interested applicants submit their information as soon as possible because the approval process for the funds will be significantly more time-consuming than for general B&I funds. Applications will continue through Sept. 15 of next year and all funds must be expended by Sept. 30, 2010. County economic development agencies are encouraged to help their rural businesses obtain these funds. Visit http://edocket.access.gpo.gov/2009/

**Rural Business and Industry** 

ARRA Funds Start to Flow

American Recovery and Reinvestment Act (ARRA) funds for Rural

USDA recently announced the availability of \$1.7 billion in

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# Both chambers' energy spending bills headed for reconciliation

**CONGRESS** from page 8

The CWRA redefines what a "water of the U.S." is by stating that "... all interstate and intrastate waters" and "all tributaries of any of the above waters" are under federal iurisdiction. It also would remove the term "navigable waters" each place it appears in the Clean Water Act (CWA). The word "navigable" is currently used more than 80 times in the CWA. Removing "navigable" from the Act will impact all CWA programs, not just the 404 permit program. Some of the programs affected will be the National Pollutant Discharge Elimination System (NPDES) and water quality standards programs. The focus and responsibility of these programs may change significantly, at the federal, state and local levels if "navigable" is removed. A House companion bill has not been introduced yet. NACo's policy opposes removing the term "navigable" from the Clean Water Act.

### • Water Infrastructure Funding Legislation

There are a number of things happening in the water infrastructure funding realm beyond the general appropriations cycle.

Much of America's water and

wastewater infrastructure is aging and is, or soon will be, in need of replacement to maintain reliable service and comply with federal regulatory requirements. Total clean water construction needs are estimated at \$500 billion for wastewater and \$450 billion for drinking water facilities as documented in 2000 by the Water Infrastructure Network. The U.S. EPA and the Congressional Budget Office documented such needs within similar cost ranges.

In the Senate, the Environment and Public Works Committee passed the Water Financing Infrastructure Act, S. 1005 earlier this year. S. 1005 would reauthorize both the Clean Water State Revolving Fund (CWSRF) and the Drinking Water State Revolving Fund (DWSRF) for five years. The CWSRF has not been reauthorized for 22 years, and the last time the DWSRF was authorized was in 1996. This program provides capitalization grants to states. The states, in turn, use this money to make low-interest loans to communities for wastewater treatment and drinking water facilities, S. 1005 also expands eligibility for funding of programs such as stormwater management, water conservation, efficiency, reuse and recycling programs. Latest talks have indicated that Senate leadership would like to bring S. 1005 to the Senate floor in the fall for a vote.

There is also a separate movement to establish a long-term, selfsustaining water trust fund for the CWSRF and DWSRF programs. Rep. Earl Blumenauer (D-Ore.), has introduced H.R. 3202, the Water Protection and Reinvestment Act of 2009. The bill includes revenue dedicated to the trust fund including excise taxes on flushable products. pesticides, fertilizers, water-based beverages and pharmaceuticals, and an additional increment on the corporate environmental income tax. Total revenue to be collected is estimated at \$11.28 billion annually. H.R. 3202 would provide both grants and loans through the SRFs.

Establishment of a water trust fund is starting to gain ground on Capitol Hill. The Government Accountability Office (GAO) released a report over the summer offering several national revenue options for funding a water trust fund. Additionally, the House Transportation and Infrastructure Subcommittee on Water Resources and Environment held a hearing in July. Other hearings are likely to be held as the House and Senate work to craft a workable hill

#### • Interior Appropriations Bill

The House passed its version of the 2010 Interior, Environment and Related Agencies Appropriations (H.R. 2996) bill in June.

In the House-passed bill, the EPA would be funded at \$10.46 billion, \$25 million below the president's request and \$2.83 billion above FY09. It includes \$3.9 billion for clean drinking water and wastewater improvements. That breaks down to \$2.3 billion for the CWSRF, \$1.4 billion for direct grants to communities for water infrastructure.

The bill states that 20 percent of each of the clean water and the drinking water funds must be available for green infrastructure and other environmentally innovative projects. Language was added that applies Davis-Bacon prevailing wage requirements to CWSRF and DWSRF.

For the Superfund program, \$1.5 billion was allotted. This is \$3 million more than 2009 enacted levels. The Superfund program is instrumental in cleaning up hazardous waste and toxic sites. Climate change programs were the big winners in the 2010 Interior Appropriations bill. Altogether, they would be allotted \$420 million. This includes a requirement from the Energy Independence and Security Act which states that the U.S. produce 36 billion gallons of

renewable fuels by 2022. \$21 million was assigned to this task, plus \$10 million was given for a new grant program at EPA to help local communities cut greenhouse gas emissions.

2010 Interior appropriations bill was passed out of the Senate Appropriations Committee in June by a vote of 30-0. It has yet to be voted on by the full Senate. The Senate bill would fund the EPA at \$10.19 billion, including \$3.63 billion for water and waste water infrastructure. This includes \$2.1 billion for the CWSRF and \$1.39 billion for DWSRF programs. The measure also includes \$1.31 billion for Superfund activities and \$112 million for climate-protection programs. The state and local air grant program would receive \$227 million. The Diesel Emission Reduction Act grants were funded at \$60 million, the same as 2009.

#### • Energy and Water Appropriations

Both the House and the Senate have passed their versions of the FY10 Energy and Water Appropriation bills (H.R. 3183, S. 1436). They are now headed to conference to reconcile the differences between the two bills.

The Senate version gives \$27.4 billion to the DOE (\$2.23 billion of the DOE money is slated to be used for renewable energy and efficiency programs). The Senate bill allots \$5.4 billion to the Army Corps of Engineers. It includes a condition that the money only be used on existing projects, rather than new project starts or investigations.

The House, on the other hand, allots \$26.9 billion to DOE. This is \$86 million over current spending levels. The Corps would receive \$5.5 billion.

Both bills strip funding for the Yucca Mountain nuclear waste repository project. Neither bill funds the Energy Efficiency and Conservation Block Grant (EECBG) program.

#### • Energy Efficiency and Conservation Block Grant (EECBG) Program

The Department of Energy released guidelines on ARRA funding for the EECBG formula grants earlier this year. It stated: "A county is eligible for a direct formula grant from DOE if it has a population of at least 200,000 or if it is one of the 10 highest populated counties of the state in which it is located. County populations calculated for eligibility for direct formula grants from DOE do not include the populations of

cities within them that are eligible for direct formula grants from DOE." This has resulted in many counties receiving a partial or total loss of EECBG grant funds.

Contrary to DOE's guidance, the county population figures used to determine eligibility should include the populations. Committee in June a vote of 30–0. It has yet to be ted on by the full Senate. The nate bill would fund the EPA

Contrary to DOE's guidance, the county population figures used to determine eligibility should include the population figures of the cities that are geographically located within the county boundaries. Public Law 110-140, Sec. 541 is very clear, if the nate bill would fund the EPA

See CONGRESS page 10

# Whitley touts prescription discount card at Texas town hall meeting

NACo First Vice President Glen Whitley stumped for the NACo Prescription Discount Card Program at a recent congressional field hearing on health reform in Richardson, Texas.

The forum hosted by North Texas Republican U.S. Reps. Sam Johnson, Joe Barton, Pete Sessions and Jeb Hensarling explored alternatives to the current health care reform debate and the benefit of public-private partnerships like the prescription drug discount card.

Afterpraising the deep discounts and savings available through the NACo program, Whitley stressed to the congressmen and the 2,500-member audience that counties and all local governments need a participatory seat at the table for the discussion on health care reform.

Whitley also called for protecting local safety nets supported by Medicaid and disproportionate share hospital (DSH) payments at the Aug. 31 meeting. Those important programs should not be cut or dismantled to subsidize any health care reform effort, he said. County hospitals and health systems are often teaching hospitals, and reductions in DSH payments could undermine much-needed medical education efforts to put more practitioners in the field.

As the auditorium emptied, the crowd snapped up every flyer, prescription drug discount card and shred of information that NACo provided, indicating a great deal of interest in the money-saving prescription discount card program.

### **Word Search**

# Top Counties/Parishes in Population Growth

KQTXMLNOINUBRDVDDRIC OLJJELCCXPCEODXSXRSL BOHOCASNNOLROBSRVYBA V R B K W P T W G L Y X O P A S X Q R X E B O L K O J A E D I W G S M Y P B K TMCYECXLAPOCIRAMJIBR HNBINOFNICSFORSYT BMAVBRSNTIKDRANREBHH GCKRUMALRNKSLOBPWMXI ZNKMRLZRIXETOAQQLNC GAAVI RNELNNBVDUO RAZDOHTOIUDNEYLJMUTG ULGPLLRVDDAIIPVZINXR G I S BUEBUULLCMXRHS ISF ICRASEMLLCFAQNTPU J K T E S X T P K X M O U H O W D X F W V E N I K N B V O T A C V H A Y P O Z Y LDTRAVISCNRXWRQMOOK E E X R Z Z W C K X X P O O G O N B L F EAAGZCRXMIVGPZGDTNDJ

BEXAR (Texas) CLARK (Nev.) COLLIN (Texas) FLAGLER (Fla.) FORSYTH (Ga.) HARRIS (Texas) JACKSON (Ga.) KENDALL (III.) MARICOPA (Ariz.) MECKLENBURG (N.C.) ORLEANS (La.) PAULDING (Ga.) PINAL (Ariz.) RIVERSIDE (Calif.) ROCKWALL (Texas) ST. BERNARD (La.) TARRANT (Texas) TRAVIS (Texas) UNION (N.C.) WAKE (N.C.)

Source: Census.gov • Created by: Christopher Johnson

CountyNews • NACO 10 | September 7, 2009

# House passes bill to reimburse counties for vote-tracking system

**CONGRESS** from page 9

figure, it is entitled to receive a direct grant from DOE.

A number of large urban counties have been cut from direct EECBG funding allocation levels. Or. likewise, counties that are deemed eligible are receiving a smaller share of funding, due to the subtraction of city populations from the total county population. This ignores counties in seven states — Maine,

the fact that counties provide services to all residents in the county not just in the unincorporated areas of the county. NACo will continue to lobby to include city populations in the overall county population numbers and urges the DOE to allow all eligible counties in all states to apply for the direct formula funding.

In the original grant notice,

# **County programs** receive NACo arts and culture awards

BY KATHRYN MURPHY RESEARCH ASSOCIATE

NACo's Arts and Culture Commission presented its annual arts awards to Erie County, Pa.; Linda Langston, supervisor, Linn County, Iowa; and Karl Dean, mayor of the Metropolitan Government of Nashville and Davidson County, at the commission's Awards Dinner held during NACo's Annual Conference

The NACo Arts and Culture Award went to Erie County for its Regional Assets Funding Program. Prior to the creation of this program, financial support for the arts was inconsistent and planning cultural events was challenging. Erie County Council Chairman Joe Giles, who accepted the award on behalf of the county, led a two-year project to create a plan to support regional cultural assets using gaming revenues the county receives.

The plan has provided \$1.4 million to arts and culture organizations throughout Erie County. This reliable funding stream helps to not only improve the arts and culture for residents, but also to continue to attract visitors to the county and to support Erie County's cultural identity. Recent grantees include the Erie Art Museum, the Erie Children's Museum, the Erie Philharmonic. and local dance companies, festivals and fairs

The Arts Commission recognized Dean with its Arts Advocacy Award which is presented annually to a local arts advocate in the host community of NACo's Annual Conference. He was honored for his continued support of the arts in cooperation with the Metropolitan Nashville Arts Commission to promote the benefits of arts programs in the community. His philosophy

is that the arts are a fundamental element of a county's culture and have a positive impact on the county's economy, education and community involvement.

Langston received the National Award for County Arts Leadership, one of a series of Public Leadership in the Arts Awards given by Americans for the Arts.

Each year, Americans for the Arts, a national nonprofit organization for advancing the arts - and a long-standing partner of the NACo Arts and Culture Commission recognizes county elected officials for their vision and leadership in arts advocacy. The Iowa Cultural Corridor Alliance nominated Langston for her ardent support of arts and culture throughout Linn County.

As a supervisor, Langston provided \$75,000 in funds toward recovery efforts at the Greater Cedar Rapids Community Foundation, in response to last year's major flooding that devastated Linn County and eastern Iowa. Langston is currently promoting a 1 percent public art fund for new construction and reconstruction as part of the flood rebuilding efforts.

"As I looked at recovery and even before the floods, when I look at what happens in a community - the vitality, the excitement and the energy that come from the arts cannot be minimized. It is really the heart and soul of a community," Langston said.

Robert L. Lynch, president and CEO of Americans for the Arts, praised Langston saying, "Linda Langston is a dedicated leader for the arts in Linn County and Cedar Rapids. Her support in the county has not only increased funding for the arts and cultural sector, her work has had a positive impact on the lives of local residents."

Massachusetts, Vermont, New Hampshire, Delaware, Kansas and Louisiana - were denied direct EECBG formula grants. The DOE argued that those counties did not meet the threshold of a functioning county government. Due to NACo's efforts, the DOE reversed its decision on Delaware, Kansas and Louisiana counties Additionally, the DOE agreed to set up an appeals process for counties in Maine, Massachusetts, Vermont and New Hampshire. Several counties have successfully appealed the original determinations and will be allotted direct funding. Others are still waiting for the final DOE decision.

As part of the original EECBG direct grant guidelines, the DOE stated that applications for the program were due no later than June 25. Due to a number of problems with the online registration process some counties were experiencing, NACo asked for an extension of the deadline. The DOE extended the deadline for the EECBG direct funding applications to Aug. 10.

A number of states have received their state EECBG money. Sixty percent of this money must be used for non-entitlement communities. Counties should check with their state's energy office for more details

The competitive grant guidelines for the EECBG program have not been released yet. According to the DOE, they expect to release these guidelines in the fall.

Finance and Intergovernmental **Affairs** 

#### **Voting Legislation**

#### • House Passes Ballot Tracking Legislation

The House recently passed the Absentee Ballot Track, Receive, and Confirm Act (H.R. 2510), which will reimburse states for the costs of establishing an optional system permitting voters to track and confirm the receipt of absentee ballots in elections for federal office. Counties in a number of states already have such systems in place. The legislation, sponsored by Rep. Susan Davis (D-Calif.), provides that the system can either be voter-accessible via the Internet or, in the event the jurisdiction does not have a Web site, by use of a toll-free telephone number. The bill was received in the Senate on Aug. 3 and has been referred to the Committee on Rules and Administration.

#### • Voting Bills May See Floor Action

The Universal Right to Vote by Mail Act of 2009 (H.R. 1604) and the Military and Overseas Voter Empowerment Act (S. 1415) may both see floor action now that Congress is back from its August recess. H.R. 1604, also introduced by Davis, currently has 50 cosponsors and would impose nationwide "no excuse" absentee voting. The bill would prohibit a state from imposing any restrictions on an individual's eligibility to cast a vote

in federal elections by mail, except for purposes of obtaining signature verification and the imposition of a deadline for requesting and receiving the ballot

S. 1415, introduced by Sen. Charles Schumer (D-N.Y.), has wide bipartisan support and currently has 59 cosponsors. The legislation seeks to ensure that military and overseas voters have sufficient time to vote in federal elections. Among its provisions, the bill requires states to establish procedures to send and receive voter registration applications and absentee ballot applications by mail, electronically and by facsimile.

#### **Finance Legislation**

#### Public Finance

It is anticipated that the House Financial Services Committee will take up several public financerelated bills in September, including the Municipal Bond Fairness Act (H.R. 2549). Introduced by Rep. Michael Capuano (D-Maine), the bill would require rating agencies to ensure the uniform and accurate credit rating of municipal bonds and provide for a review of the municipal bond insurance industry.

The Municipal Advisers Regulation Act (H.R. 2550), sponsored by Rep. Steve Driehaus (D-Ohio), would amend the Securities Exchange Act of 1934 to require the registration of municipal financial advisers. One of the bill's goals is

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Photo courtesy of the North Carolina Association of County Commissioners

Danny Wright (I), Vance County, N.C. commissioner and NACo board member, and Chuck McGrady, Henderson County commissioner, were co-winners of this year's Outstanding County Commissioner Award, presented at the North Carolina Association of County Commissioners' annual conference in Catawba County Aug. 29.

# Federal Trade Commission delays enforcement of Red Flags Rule

**CONGRESS** from page 10

to ensure that such advisers owe a fiduciary duty to their municipal clients and that they not engage in any behavior inconsistent with that duty

#### • Cell Phone Tax Bill

The Cell Tax Fairness Act of 2009 (H.R. 1521), which would preempt state and local taxing authority and grant preferential tax treatment to the wireless industry, continues to pick up co-sponsors currently numbering 145. To date, even though the bill did receive a hearing by the House Subcommittee on Commercial and Administrative Law in June, no further action has been scheduled. NACo testified in opposition to the legislation.

#### • Efforts Continue to Repeal the 3 Percent Withholding Requirement

Legislation has been introduced in both the House and Senate that would repeal the 3 percent withholding requirement on vendor payments for goods and services. The House bill (H.R. 275), sponsored by Rep. Kendrick Meek (D-Fla.), currently has 109 cosponsors, while the Senate bill (S. 292), has 11 cosponsors. A provision in the American Recovery and Reinvestment Act pushed back the effective date of the requirement to Jan. 1, 2012 overriding House-passed language supporting repeal. Earlier this year, NACo provided written and oral testimony to the Internal Revenue Service voicing opposition in response to its proposed regulations implementing the withholding requirement.

#### • Native American Legislation

Schumer has also introduced the Land-In-Trust Schools and Local Governments Equitable Compensation Act (S. 1456) that would reimburse local educational agencies and governments for tax revenues lost when the federal government takes land into trust for the benefit of an Indian tribe or individual. When such lands are taken into trust, they are no longer subject to local property taxes. The bill, which currently has no cosponsors, has been referred to the Senate Committee on Energy and Natural Resources

### **Regulatory Action**

#### • FTC Delays Enforcement of the **Red Flags Rule**

The Federal Trade Commission once again delayed enforcement of the Red Flags Rule in order to give creditors and financial institu-

tions more time to develop and implement a written Identify Theft Prevention Program. The rule seeks to address the problem of identity theft by requiring certain entities, including some government agencies, to establish written policies that identify, detect and respond to warning signs or "red flags" that indicate identity theft. In an increased effort to help clarify which entities (including government agencies) are subject to the rule, the FTC is providing additional guidance and resources that may be found at www. ftc.gov/redflagsrule.

#### Health

#### • SCHIP Reauthorized

President Obama signed the Children's Health Insurance Program Reauthorization Act of 2009 (H.R. 2), a NACo priority, into law early this year. It reauthorizes and expands the successful State Children's Health Insurance Program (SCHIP) to cover about 11 million children whose families earn too much for them to qualify for Medicaid

This new version of the bill also repealed the five-year waiting list for legal immigrant children and pregnant women to qualify for SCHIP or Medicaid, and gives states the option to make enrollment easier by verifying citizenship eligibility by simply using a name and Social Security number.

#### Appropriations

The House passed H.R. 3293, the FY10 Labor-HHS-Education appropriations bill, in July. The discretionary spending for the Department of Health and Human Services is \$73.7 billion, an increase of \$2.3 billion over FY09 and \$2 billion over the president's request. Key health funding levels include:

- \$2.2 billion for Community Health Centers, the same amount
- •\$530 million for the Health Resources and Services Administration (HRSA) to expand training programs in the health professions and nursing fields, a 34.9 percent increase over FY09.
- \$6.7 billion for Public Health Activities administered by the Centers for Disease Control and Prevention (CDC), such as efforts to combat HIV/AIDS and to intensify surveillance on emerging infectious diseases like MRSA and novel influenzas, an increase of \$67 million; and
- \$3.6 billion for the Substance Abuse and Mental Health Services Administration (SAMHSA), an increase of \$85 million over FY09.

The Senate Appropriations Committee reported its version of the FY10 bill in July. It included:

- \$2.19 billion for Community Health Centers: the same as the budget request:
- \$217 million for nursing education, \$46 million over last year's
- \$6.8 billion for CDC, an increase of \$158.8 million over the FY09 level:
- •\$3.56 billion for substance abuse and mental health programs, including \$2.2 billion for substance abuse treatment, \$200 million for substance abuse prevention and \$988 million for mental health programs; and
- \$354 million to prepare for and respond to an influenza pandemic including for the development and purchase of vaccine, antivirals, necessary medical supplies, diagnostics and other surveillance tools. This is in addition to the \$7.6 billion in the FY09 Supplemental Appropriations Act to address the 2009 H1N1 influenza outbreak and to provide the funds necessary to vaccinate all Americans against that virus this fall if public health determines that such vaccinations are necessary.

#### Health Reform

Four of the five congressional committees with jurisdiction over parts of the health system have drafted their respective versions of health reform legislation.

The Senate Health Education Labor and Pensions (HELP) Committee reported out The Affordable Health Choices Act on a party-line vote of 13-10. Though no Republicans voted for the bill, Democrats were quick to point out that 160 Republican amendments

The HELP Committee bill (as yet unnumbered) includes a number of provisions that would be beneficial to counties, which have been endorsed by NACo. It would improve access to health care services by authorizing significant increases in spending for Federally Qualified Health Centers (FQHCS), the National Health Service Corps and community-based mental and behavioral health. It also sets up a new national insurance program to help adults with functional impairments to remain in the Senate to authorize creation independent, employed and stay in their communities

The bill includes provisions for an enhanced national strategy to prevent disease, promote health and build the public health system. Health promotion activities will be supported and coordinated on the federal level. In addition, the most effective disease prevention strategies will be identified and promoted in a nationwide campaign. The bill supports community-based prevention, clinical prevention strategies and employer-based wellness programs. It also provides significant provisions to expand the health workforce

As part of its "shared responsibility" approach to increasing health insurance coverage, the HELP Committee bill requires individuals to have insurance, providing subsidies for low-income individuals to purchase basic coverage through a new insurance "gateway" or marketplace. It would also require employers that do not offer coverage to their

employees to pay into a fund to pay for coverage for the uninsured. This provision would not affect the 98 percent of counties that offer health insurance coverage to their county employees, according to a report recently released by NACo and the National Center for the Study of Counties at the Carl Vinson Institute of Government at the University of Georgia.

The hill must be merged with legislation being written by the Finance Committee which has jurisdiction over Medicare, Medicaid and all the tax and revenue provisions.

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# **NACCED to hold 34th** annual conference and training in Chicago



Sims, former King County, Wash. executive, will speak at the Opening General Session at the 34th Annual Conference and Training of NACo's affiliate the National Association for County Community and Economic Development (NACCED) in Chicago.

The conference, hosted by Cook and DuPage counties and the city of Oak Park, will be held Oct. 3-7 at the Doubletree Chicago Magnificent Mile.

Sims will speak to attendees Oct. 5 at 9 a.m. He will discuss the Obama administration's plans for HUD including the establishment of an Office of Sustainability, which will guide HUD's efforts to coordinate housing, transportation, and environmental and energy planning at the regional level.

Legislation has been introduced of the new office and provide \$100 million for planning and capital grants. In addition, both versions of the FY10 HUD appropriations bill provide \$100 million for the administration's proposed Sustainable Communities Initiative. Other invited speakers are Sen. Dick Durbin (D-Ill.), majority whip, and Rep. Judy Biggert (R-Ill.), the

HUD Deputy Secretary Ron ranking Republican on the House Subcommittee on Housing.

> A pre-conference training session will be held on Oct. 3 on ways that HUD grantees can detect fraud in federally funded programs by having the right monitoring systems in place. A representative of the HUD Inspector General's office will be the presenter. Briefings by the directors of HUD's Office of Block Grants and Office of Affordable Housing will discuss current issues in the CDBG and HOME programs at the welcoming brunch Oct. 4, followed by meetings of NACCED's policy committees.

> Among the conference breakout sessions will be: creating housing for special populations, using the Internet to inform and engage the public, "green" building technology, and collaborative uses of federal stimulus funds. The sessions are grouped among three tracks: administrative, planning and program delivery.

The conference will conclude Oct. 7 with a three-hour morning bus tour of innovative, affordable housing projects in Chicago and Oak Park.

For more information and to register, log on to www.nacced.org/ annualconf09.

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# HELP Committee bill includes several county-friendly provisions

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The Finance Committee has not yet released its language as senators negotiate behind closed doors. Finance Chairman Max Baucus (D-Mont.) has indicated that he hopes to produce a bill that will be able to attract at least some Republican votes and is negotiating to that end with Sen. Chuck Grassley (R-Iowa), the committee's ranking member.

The three House committees of jurisdiction reported out The America's Affordable Health Choices Act (H.R. 3200) before the House adjourned July 31. The Energy and Commerce Committee markup took the longest as a group of "Blue Dog" Democrats threatened to vote with the committee's Republicans unless Chairman Henry Waxman (D-Calif.) agreed to reduce the bill's overall price tag and to require HHS to negotiate reimbursement rates for the public insurance plan with health care providers rather than pegging its rates to Medicare as the draft bill had done

The bill originally proposed fully funding a Medicaid expansion with federal dollars, but as part of the negotiations with the Blue Dogs, the Energy and Commerce Committee decided to shift a portion of these expansion costs to states. NACo supports expanding Medicaid, but opposes the cost-shifting. Like the HELP bill, it also makes significant investments in programs that increase access to primary care, like community health centers, as well as in public health departments' prevention and wellness programs, and in expanding the health workforce.

NACo has expressed concern that the bill cuts \$10 billion in 2017–2019 from the Medicaid Disproportionate Share Hospital (DSH) payments program for county hospitals.

After the deal with the Blue Dogs was struck, NACo's allies on the committee decided not to offer an amendment which would have inserted the provisions of The Restoring the Partnership for American Health (H.R. 2209) — enabling counties to be reimbursed by Medicare, Medicaid and SCHIP for medical care provided to eligible pre-trial inmates — because of cost concerns. The stand-alone bill has 22 cosponsors, but is unlikely to move without being attached to a larger "must-pass" piece of legislation.

#### • Regulations

ARRA also extended moratoria on the Medicaid regulations for targeted case management, provider taxes, and school-based administration and transportation services—and added a new moratorium on the rule for hospital outpatient services through June 30, 2009. The conference report included a "sense of Congress" resolution that the secretary of HHS should not promulgate the rules concerning payments to public providers, graduate medical education and rehabilitative services. HHS has subsequently withdrawn the regulations under moratorium and has not promulgated the pending regulations.

## **Human Services** and Education

#### Appropriations

Key human services and education funding levels in the Labor-HHS-Education Appropriations bill include:

- •\$5.1 billion for the Low Income Home Energy Assistance Program in both bills, the same as FY09;
- \$7.2 billion for Head Start in both bills, \$122 million above FY09.
- \$15.93 billion for Title I, Elementary and Secondary Education in the House and \$15.89 billion in the Senate, compared to \$15.76 billion in FY09 prior to the increase in the economic stimulus bill;
- \$12.6 billion for Special Education, in both bills, which includes \$11.5 billion for Part B grants to states, the same as FY09 prior to the increase in the economic stimulus bill;
- \$371 million in the House and current funding of \$361 in the Senate for the Older Americans Act (OAA) Home and Community-Based Supportive Services;
- \$154 million in both bills for the OAA Family Caregiver Support Services Program, the same as FY09; and
- \$730 million in the Senate and \$715 million in the House for refugee assistance, compared to \$634 million in FY09.

The nutritional assistance components of the Agriculture Appropriations bills, which passed the House July 9 and the Senate Aug. 4, include:

- An estimated of \$61 billion for the Supplemental Nutrition Assistance Program in both bills, an increase of almost \$5 billion from FY09; and
- \$7.5 billion in both bills for the Women, Infants and Children's program, an increase of \$681 million from FY09.

#### Education

The House Education and Labor Committee passed the Student Aid and Fiscal Responsibility Act (H.R. 3221) in July by a vote of 30–17. There is no Senate companion bill at this time.

The community college initiative includes \$730 million a year in competitive grants for curriculum and service improvements. In addition to community colleges and other institutions of higher learning, Workforce Investment Boards are considered eligible applicants. Additionally, the bill would provide \$2.5 billion in FY11 to repair renovate and modernize community college facilities.

The early childhood initiative would be a new program of four-year competitive grants to states, funded at \$1 billion a year. It has a maintenance of effort (MOE) requirement that includes all FY09 state and local funding for early childhood programs. In addition to the MOE requirement, grantees would also have a matching requirement of 10 percent the first two years, 15 percent the third year and 20 percent the fourth year.

The bill includes \$2.46 billion each in FY10 and FY11 in grants to local education agencies for school modernization, renovation and repair, which could include energy conservation and "green" building upgrades. There is a 5 percent setaside for local educational agencies serving geographic areas with significant economic distress and agencies in areas recovering from natural disasters.

#### Home Visitation Programs

The House health reform bill includes two provisions on home visitation. First, it allows State Medicaid programs to cover home visits by trained nurses to families with a first-time pregnant woman or child under two eligible for Medicaid, effective Jan. 1, 2010. Second, it provides grants to states to support voluntary, evidence-based home visitation programs for pregnant women and for families with pre-school-age children in order to improve the well-being, health and development of children. The Senate Health, Education, Labor and Pensions version of the bill doesn't have home visitation provisions.

#### **Justice and Public Safety**

#### • Justice Appropriations

m FY09; and
The House passed the Com\*7.5 billion in both bills for
Women, Infants and Children's propriations bill (H.R. 2847) by a

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# NACPRO recognizes county parks and recreation programs

The National Association of County Park and Recreation Officials (NACPRO), a NACo affiliate, recently announced the recipients of its 2009 Awards for Excellence. For detailed information about the winners and projects, visit the NACPRO Web site at <a href="https://www.nacpro.org">www.nacpro.org</a>.

#### **Outstanding Public Official**

Charles D. "Danny" Stone, Newton County, Ga.

#### Fellow (Professional)

- Thomas K. McDowell, Three Rivers Park District, Minn.
- Lois Holmes, George-Scott County, Ky. Parks and Recreation

#### **Outstanding Contributor (Individual Donor)**

Jesse and Beulah Cox, Hamilton County, Ind.

#### **Outstanding Volunteer**

Flemmie Pitts, Newton County, Ga.

#### **Outstanding Support Organization**

Hallmark Cards Inc., Shawnee County, Kan. Parks and Recreation

#### Park and Recreation Program - Class I

- Water Safety Program, Indian River County, Fla.
- Legend of Sleepy Hollow, Lake County, Ind.

#### Park and Recreation Program - Class II

Play for Life, Los Angeles County, Calif. Department of Parks and Recreation

#### Park and Recreation Areas and Facilities - Class I

- Environmental Learning Center, Lake Metro Parks, Lake County, Ohio
- Lake Shawnee Trail, Shawnee County, Kan. Department of Parks and Recreation

#### Park and Recreation Areas and Facilities - Class II

- Long Key Nature Center, Broward County, Fla. Parks and Recreation Division
- Hilton Head Park Aquatic Playground, San Diego County, Calif

#### **Operational Support Facility**

BREC's Administrative Complex and Recreation Center, BREC East Baton Rouge Parish, La.

#### Historical/Cultural Facility

- Ranchos of San Diego, San Diego County, Calif.
- Historic Speedwell Rehabilitation, Morris County, N.J. Park Commission

#### Environmental/Conservation

Michigan Turfgrass Foundation Environmental Stewardship Program, Oakland County, Mich.

#### **Removing Barriers Initiative**

- Handicap Hayride, Lake County, Ind.
- Accessible Canoe and Kayak Launches, St. Clair County and Midland County, Mich.

#### Planning Initiative

Tamarak Nature Center, Ramsey County, Minn. Parks and Recreation

The deadline for the 2010 award applications will be April 10. Check the NACPRO Web site for details after Jan. 15.

# Webb's criminal justice commission given fast-track in committee

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vote of 259-157, and the Senate Appropriations Committee approved its version by a unanimous vote in June. The House approved annual funding for Byrne JAG at \$519 million while the Senate Appropriations Committee marked it at \$510 million. In FY09. Byrne JAG received a regular appropriation of \$546 million (not counting ARRA), Juvenile Justice Programs received \$385 million in the House and \$407 million from the Senate committee.

The Second Chance Act to lower recidivism in county jails and state prisons is funded at \$100 million in the House bill and \$50 million in the Senate Appropriations Committee bill. In FY09 the new program received only \$25 million.

Despite the administration's request to eliminate the State Criminal Alien Assistance Program (SCAAP), the House included level funding for it at \$400 million while the Senate appropriations committee proposed \$228 million.

Also in FY10 under the general COPS category, the House proposed \$810 million while the Senate Appropriations Committee set funding at \$659 million. This general total includes line items for meth hot spots, forensic sciences (including coroners and medical examiners), DNA analysis and Technology, and Interoperability Grants, among other categories. Finally, the Violence Against Women Programs was set by the House at \$407 million and by the Senate Appropriations Committee at \$435 million.

NACo members are encouraged to visit the Library of Congress Thomas Web site at http://thomas. loc.gov/home/approp/app10.html to review the House and Senate bills, and DHS Appropriation Bill conference reports for additional details on the legislation.

#### • Webb bill to Study America's Criminal Justice System

Sen. Jim Webb (D-Va.) introduced S. 714 earlier this year to create a blue-ribbon commission charged with conducting an 18-month, top-to-bottom review of the nation's entire criminal justice system and offering concrete recommendations for reform. The legislation has received widespread bipartisan support and has 29 cosponsors in the Senate.

Among other issues, the commission will focus on addiction and substance abuse, reforming the corrections system and the diversion of the mentally ill. NACo met with Webb and his staff to offer constructive changes in the legislation and has co-authored a staff paper with the National Governors' Association, the National League of Cities, the National Conference of State Legislators and the U.S. Conference of Mayors. The Webb bill will be marked up in September by the Senate Judiciary Committee and is on a very fast track.

#### • Youth Promise Act

Reps. Bobby Scott (D-Va.) and Michael Castle (R-Del.) and Sens. Robert Casey (D-Pa.) and Olympia Snowe(R-Maine)have re-introduced the Youth Promise Act (H.R. 1064/S. 435). The legislation had NACo's early support and is expected to be approved by the House and Senate in the current session.

The funds authorized under the Act will be given directly to units of local government or Indian tribes and subject to local control. The strategies supported by the Youth Promise Act will be targeted at young people who are at-risk of becoming involved or are involved in delinquent and criminal gang activity to redirect them toward productive and law-abiding alter-

Communities will form Promise Councils that include representatives from county government, law enforcement, court services. schools, social services, health and mental health providers, and community-based organizations. including faith-based organiza-

Promise Councils will develop a comprehensive plan (Promise Plan) for implementing evidence-based prevention and intervention strategies in their local communities, reflective of the particular opportunities and challenges confronting the community.

Finally, the Act will provide critical training and technical assistance to local law enforcement to help them more effectively and positively engage youth, and respond effectively and appropriately to risky or unlawful youth behavior.

#### • Juvenile Justice Reauthorization

The Juvenile Justice and Delinquency Prevention Reauthorization Act of 2009 (S. 678) is expected to be reauthorized in the current session with some important improvements. The most significant change in the bill is a gradual phase-out of the valid court order (VCO) exception.

NACo policy regards status offenders as neglected children, yet

with delinquent children if the VCO exception is not removed. This violates the rule that neglected children come under the health and social service system (often run by county child welfare agencies) where they are more likely to receive the social service supports that they need.

#### • Homeland Security/Public Safety

In the area of Homeland Security, both the Senate and House recently approved their respective FY10 spending bills for the Department of Homeland Security (DHS) in late June and mid-July. Both bills reject the president's proposed cuts and provide a slight increase in funding for key state and local first responders' assistance programs compared to the current year.

Additionally, the House of Representatives approved H.R. 3139 in July, which authorizes the National Flood Insurance Program (NFIP) through March 31, 2010. The Senate has not introduced companion legislation, but is expected to act before the end of the year. The flood insurance program will expire on Sept. 30, 2009 without congressional action to extend the authorization

Rep. James Oberstar (D-Minn.), chair of the House Transportation and Infrastructure Committee, introduced H.R. 3377, the Disaster Response, Recovery and Mitigation Enhancement Act of 2009 in July. Many of the provisions in the act are priorities of NACo's Justice and Public Safety Committee.

The legislation authorizes \$250 million from 2010 to 2012 for FEMA's Predisaster Mitigation Program, authorizes \$105 million from 2010 to 2012 for DHS Citizen Corps Grant Program, codifies FE-MA's National Urban Search and Rescue Program, modernizes the integrated public alert and warning system of the United States and authorizes \$16 million from 2010 to 2012 for a new FEMA Emergency Management Assistance Compact Grant Program.

#### **Labor and Employment** Issues

#### • FY10 Appropriations

The Senate's Labor-HHS-Education Appropriations bill has less funding for workforce development programs than the bill passed by the House. The Senate allocates \$2.97 billion for state grants for job training, compared to \$3.8 billion in the House. While both bills fund the adult program at \$861 million and the youth program at \$924 million, the House funds

they would be frequently comingled the dislocated workers program at \$1.4 billion and the Senate at \$1.2 billion

> The Senate provides \$105 million for YouthBuild, \$5 million more than the House. The Green Jobs Innovation Fund would receive \$40 million in the Senate and \$50 million in the House

#### • Davis Bacon

The U.S. Department of Labor Wage and Hour Division (WHD) earlier this year released written guidance to all federal agencies concerning implementation of Section 1606 of the Recovery Act. Section 1606 requires application of the Davis-Bacon Act labor standards to federal and federally assisted construction work funded in whole or in part by ARRA.

### **Employment Standards**

#### • Collective Bargaining

Rep. Dale Kildee's (D-Mich.) Public Safety Employer-Employee Cooperation Act of 2009 (H.R. 413) would mandate that all state and local governments enter into collective bargaining agreements with their public safety employees. The legislation provides minimum collective bargaining standards for state and local police, firefighters and emergency medical technicians personnel. The legislation has been referred to the House Committee on Education and Labor.

### · Occupational Safety and

The Protecting America's Workers Act (H.R. 2067) was introduced by Rep. Lynn Woolsey (D-Calif.) to amend the Occupational Safety and Health Act of 1970 (OSHA). It mandates OSHA coverage for all public employees, including those working in non-covered states. The bill has been referred to the House Committee on Education and Labor.

#### ARRA Implementation

The Department of Labor has split the \$500 million for green jobs into five separate grant competitions for strategic partnerships and other entities to prepare workers for careers in energy efficiency and renewable energy industries.

#### **Public Lands**

#### Interior Appropriations

The House's FY10 Interior, Environment and Related Agencies appropriations bill provides substantial increases to land management agencies such as the USDA Forest Service and Bureau of Land Management above the president's budget.

See table (below) for funding highlights.

NACo has urged both Congress and the administration to provide increased funding to these agencies that manage federal lands, largely because the agencies have experienced increased costs in delivering programs that are important to local communities adjacent to these public lands. As a result, lack of adequate funding has crippled the ability to effectively manage national resources.

#### · Congress and the **Administration Address Federal** Fire Suppression Budgets

Sen. Jeff Bingaman (D-N.M.) and Ren Nick Rahall (D-W Va.) introduced bipartisan companion legislation aimed at alleviating troubled federal wildfire suppression budgets. Enactment of the Federal Land Assistance, Management and Enhancement (FLAME) Act (S. 561 and H.R. 1404), would establish a new fund to pay for fighting large, complex wildland fires. The FLAME Act would provide a separate budget for fighting the largest fires, so that adequate funding is available and so that the agencies' land management functions are not shortchanged.

Federal land management agencies would continue to fund initial fire response and other anticipated and predicted wildland fire suppression activities within their annual budgets. The FLAME Fund would be available for emergency wildland fire suppression activities on federal, state, tribal and private land, consistent with existing agreements. Monies for the fund would be appropriated annually.

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### **Public Lands Funding Highlights**

Agency / Program	Funding	Increase from 2009
Bureau of Land Management US Fish and Wildlife Service	\$1.13B \$1.64B	\$87M \$195M
National Park Service USDA Forest Service (non-fire) Joint Wildland Fire Programs	\$2.72B \$2.77B \$3,553M	\$200M \$154M \$566M
Hazardous Fuels Reduction	\$611M	\$80M

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# Recovery Act funding for rural broadband 'no panacea'

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The president's FY10 budget request for the Department of the Interior and the USDA Forest Service provided additional funding for federal wildland fire budgets. Both the Forest Service and Interior fully fund the 10year average for wildland fire suppression costs. In addition, a \$282 million (Forest Service) and \$75 million (DOI) discretionary contingent reserve have been created to fund firefighting when the appropriated \$1.1 billion 10-year average is exhausted. The House Appropriations Committee passed the Interior Appropriations bill which fully funded the discretionary reserve fund.

H.R. 1404 was passed by the House in March. NACo cosponsored joint testimony in support of the FLAME Act before the Senate Energy and Natural Resources Committee in July. Further action on the legislation is pending in the Senate

#### • Renewable Fuels and **Renewable Electricity Standards** to Include Woody Biomass

The American Clean Energy and Security Act of 2009 (H.R. 2454), contains provisions that would significantly modify the definition of "renewable biomass" under the renewable fuel standard (RFS) and renewable electricity standard (RES), expanding the allowable pool of agricultural and forestry feedstocks that could be used.

Much consideration was given to definitions of biomass as it pertained to the newly created RES along with the modifications to the existing RFS. The original Waxman-Markey biomass language explicitly excluded woody biomass. This language proved to be problematic for forested communities across the nation, as different regions of the country contribute different strengths to renewable energy and fuel generation. NACo, in conjunction with a larger coalition of forestry professionals and interests, suggested to Congress that a definition of eligible biomass feedstock should put working forests on an even playing field with other renewable energy sources.

The legislation included language nearly identical to the 2008 Farm Bill definition of renewable biomass for private forest land. The definition of renewable biomass for federal lands in H.R. 2454, however will exclude some of the biomass from much-needed restoration and forest health improvement projects.

As the Senate considers renewable energy and climate change legislation. NACo requests the bill be amended to appropriately include renewable forest biomass from public lands as a qualified feedstock. Forested regions of the country with significant public ownership should be able to fully contribute to and benefit from the implementation of federal policy. The proper utilization of renewable forest biomass to meet energy and climate-change needs will provide significant economic, environmental and social benefits to the country and bring timely aid to struggling rural economies.

#### • Federal Land Management **Agencies Implement the** American Recovery and Reinvestment Act (ARRA)

To date, the USDA Forest Service has allocated \$937 million for 512 projects in 39 states and territories. The Department of Interior has obligated \$338 million in Recovery Act funding for more than 380 projects. Projects have been approved in all states but funds may not have been obligated to all of them yet.

The administration suggests that through implementation of the act, private partners join with public resources to work toward the shortterm goal of private-sector job creation as well as long-term goals of ecological benefit, economic growth and social well-being.

#### Telecommunications and **Technologies**

#### • ARRA Broadband Funding Implementation

The National Telecommunications and Information Administration (NTIA) and the Rural Utilities Service (RUS) released a Notice of Funds Availability (NOFA) in July for the use of \$7.2 billion in stimulus funds for rural broadband deployment, of which \$2.5 billion is allocated to the RUS and \$4.7 billion to the NTIA.

The funds will be allocated over three rounds of spending between now and Sept. 30, 2010. \$4 billion is to be released through this first NOFA. The first applications for funding projects were due Aug. 14.

The NTIA program is the Broadband Technologies Opportunity Program (BTOP), and the RUS program is the Broadband Initiatives Program (BIP). The BTOP will be in the form of grants and the BIP will be in loans, loan and grant combinations, and grants to projects where at least 75 percent of an RUS-funded area lacks sufficient subdivision, instrumentality or access to high-speed broadband service to facilitate rural economic development. Applicants cannot get both BTOP and BIP funding—it is one or the other based on the project. There will be a two-step application process, the first to create a pool of viable and potentially fundable projects, the second to validate the submissions in step one and identify the most highly qualified applications for funding.

Grants under BIP will exclusively serve remote, unserved rural areas. The loans and loan-grant combinations will be used to serve non-remote and underserved areas. RUS will favor funding projects that can begin construction promptly, and demonstrate technical and financial feasibility.

BTOP grants will support viable, sustainable and scalable projects in unserved areas, improve access to underserved areas, and expand access to institutions and individuals, including vulnerable populations. Priority will be given to projects that offer the potential for economic development, create jobs and provide benefits to education, health care and public safety.

There are three categories for funding by BTOP in the first round; a) broadband infrastructure, b) public computer center projects, and c) sustainable broadband adoption projects.

Broadband infrastructure includes back-haul capacity, routers and facilities necessary to provide broadband access. Public computer centers are places that provide broadband access to the general public or a specific vulnerable population, such as low-income, unemployed, aged, children, minorities and people with disabilities. These include community colleges, libraries, schools, youth centers, employment service centers, Native American chapter houses, community centers, senior centers, assistive technology centers for people with disabilities, community health centers and Neighborhood Network Centers in public housing developments. Sustainable Broadband Adoption projects are those applications that will assure continued adoption and usage of broadband capability.

States will be provided an opportunity to make recommendations concerning the allocation of funds in their states during the second step of the process. The governor's office will be given the opportunity to prioritize the recommended applications. BTOP will not necessarily be bound by such recommendations. County governments or any agency,

political subdivision thereof, are eligible for potential funding.

This NOFA is a staring place for potential broadband deployment in unserved, underserved and rural areas. It is not a panacea. While \$7.2 billion seems like a lot of money, spread over 50 states, it is merely a down payment on the long-term costs of full broadband deployment in the United States. For more information, visit www. broadbandusa.gov.

#### **Transportation**

#### Appropriations

Both the Federal Highway Program at \$41.107 billion and the Federal Transit programs at \$10.48 billion received slight funding increases over the current-year levels under the House Transportation, Treasury and HUD FY10 appropriations bill. However, both figures ignore the deficit problems facing the Highway Trust Fund and the fact that the authorization for both programs expires on Sept. 30.

The Airport Improvement Program (AIP) is funded at its current \$3.51 billion level, which is the same level that the program has been funded for the past five years. This is also a program which needs its authorizing legislation passed this year.

Essential Air Service (EAS) receives a big increase over current funding, going from \$123 million to \$175 million. EAS, which subsidizes service to rural communities has found for the first time in many years, an administration that supports increased funding.

Amtrak was funded at \$1.48 billion, about \$7 million less than the current year. However, this is entirely offset by a \$4 billion recommended level for high-speed and intercity passenger rail. Considering that current-year funding is \$90 million, the increase is huge. It should be noted, however, that high-speed rail did get serious attention in the stimulus legislation. which included \$8 billion for highspeed rail

At \$42.5 billion, the Senate version provides \$400 million more for highways than does the House. It provides \$11.06 billion in transit funding, slightly more than the House. AIP funding is \$3.51 billion and EAS gets \$177 million, both levels are the same as the House. A big difference is high-speed rail, which is \$1.2 billion in the Senate bill as opposed to \$4 billion in the House bill. Amtrak is

# What's in a Seal?

### » Humboldt County, Calif.

http://co.humboldt.ca.us

Humboldt County, Calif. is a densely forested, rural county in Northern California's rugged Coast (mountain) Range. With nearly 1.5 million acres of combined public and private forest in production, the county accounts for 20 percent of California's forest production. The county contains more than 40 percent of all remaining Coast Redwood forests, the vast majority of which are protected or conserved within dozens of national, state and local forests and parks totaling approximately 680,000 acres (1,000 square miles).

The county was formed in 1853 from parts of Trinity County, deriving its name from Humboldt Bay. The area around Humboldt Bay was once solely inhabited by the Wiyot Indian tribe. One of the largest Wiyot villages, Tolowot, was located on Gunther Island in Humboldt Bay

The seal shows a redwood forest, one of the natural treasures this county protects in conservation.

(If you would like your county's seal featured, please contact Christopher Johnson at 202/942-4256 or cjohnson@naco.org.)

See CONGRESS page 15

# Congress begins reauthorization of Federal highway, transit programs

**CONGRESS** from page 14

provided with \$1.55 billion, slightly more than the House. Finally, the Senate includes \$1.1 billion for discretionary surface transportation grants, mirroring a program created in the stimulus legislation.

#### · Highway Trust Fund

Because the Highway Trust Fund was likely to run out of money in mid-August, the Congress passed a \$7 billion bailout measure, H.R. 3357, which will keep the highway program running through Sept. 30. The funds come from a transfer of general fund revenue to the Highway Trust Fund. Both the House and Senate passed the bill by large margins. Some had supported more funding that would have taken the bailout into FY10, when the Highway Trust Fund will again be short of funds, and would have also included an extension of SAFETEA-LUbeyond its Sept. 30 expiration date.

#### • Highways and Transit

Congress has begun the process of reauthorizing the federal highway and transit programs, which expire on Sept. 30. While some progress has been made, there is a question as to whether the legislation will be completed by that date. The Obama administration and the Senate committees with jurisdiction over this legislation are supporting an 18-month extension of the legislation.

The extension would provide them with greater opportunity for their input on the legislation and more time to figure out how to fund a larger program. At this time, the House does not support such an extension. The House Highways and Transit Subcommittee approved its 775-page draft bill in June. Developed by Chairman James Oberstar (D-Minn.) and supported by the Republican leadership of the committee, the adopted measure is a complex proposal that focuses on a number of major formula programs and eliminates or consolidates about 75 of the 108 existing highway and transit programs.

The highway portion focuses on a Critical Asset Investment Program that combines the Interstate Maintenance, Bridge and National Highway System programs; a Metropolitan Mobility and Access Program; Projects of National Significance; a Freight Improvement Program; an expanded Surface Transportation Program; a Highway Safety Improvement Program; and a Transit program that is not dramatically changed but would get a greater percentage funding for transit.

The price tag for the legislation is about \$450 billion over six vears, a \$163 billion increase over SAFETEA-LU, and includes \$337 billion for highways, \$100 billion for transit and \$12.6 billion for highway safety. It also appears to increase the authority of metropolitan planning agencies and places some additional emphasis on rural planning. One major concern is that in consolidating the federal bridge program, the off-system bridge set-aside is

eliminated, which is important to counties. The bill that was passed by the subcommittee does not contain a revenue title, that if included, would have provided details about how the program will be paid for, nor does it include any distribution formulas for the programs or earmark projects.

#### Aviation

Congress is attempting to complete the process of reau-

thorizing the federal airport and for AIP, \$175 million annually for aviation programs. The programs expired on Sept. 30, 2007 and there have been several extensions. The House in May passed its reauthorization bill, H.R. 915. It provides an average of \$4 this bill will come to a vote in the billion for AIP, \$150 million for EAS and increases the passenger facility charge (PFC) from \$4.50 to \$7. The Senate Commerce Committee has approved its bill. It includes \$4.1 billion annually

EAS and \$35 million annually for the Small Community Air Service Program. It does not include any increase for the PFC.

There is a reasonable chance Senate since, unlike past years, controversy has been avoided and there is general agreement that an increase in fuel taxes is the way to fund the modernization of the air traffic control system.

# Restore the **Partnership**

# A Campaign to Reestablish the Federal - County Partnership

For decades, county and federal governments have worked together to answer the challenges facing the nation, but in recent years that partnership has diminished.

Whether it is infrastructure, health care, housing, homeland security, environment or justice programs, each level of government has a role and responsibility, but they need to be coordinated for the best use of people and resources.

To foster better coordination, NACo has launched a campaign to "Restore the Partnership" between the Federal government and America's counties.





Learn more by visiting www.naco.org

CountyNews • NACO 16 | September 7, 2009

# Model Programs from the NATION'S COUNTIES

# **Center Provides Returning Veterans** with Employment Assistance

BY DAN MILLER

STAFF WRITER

The prospect of finding gainful employment in the current economic climate can seem daunting to any jobseeker. However, the idea of coming home from a war zone and immediately trying to find work presents an entirely different challenge.

To address this, Maricopa County, Ariz. created a program that specifically helps veterans get their professional ambitions on track. According to Bill O'Brien. contract administrative supervisor for the county, the county manager and several supervisors asked county employment specialists to provide special outreach to veterans who were returning from the current conflicts in Iraq and Afghanistan.

"The county officials felt that the kids were coming back; they were homeless, they have all these issues - what were we going to do to give them some attention?" he said.

The answer lay in the Elijah Wong Veterans Services Center. which provides free services to help veterans gain viable employment and ease their transitions into the Veterans Center can refer its civilian life. The county already offers employment assistance to all its residents through Maricopa Workforce Connections, a one-stop service center that helps develop the area's workforce and match people with employment opportunities.

However, the Veterans Center, named for Arizona National Guardsman Sgt. Elijah Wong, who died while serving in Iraq, provides veterans with expedited services and one-on-one case management.

center, they are escorted to the Veterans Center where they receive personal attention. Once there the

- · assess the individual's qualifica-
- · identify transferable skills acquired in the military
- · identify possible certifications to increase an applicant's market-
- · apply for state veteran's ben-
- · find potential employment opportunities; and
- · gain access to immediate transitional services.

The Veterans Center staff consists of a career guidance specialist, who provides case management support, as well as two employment specialists from the state's Department of Veterans Outreach. The state of Arizona is a partner in the

One of the benefits provided by the Veterans Center is early access to a list of local jobs to which veterans are given a 24-hour exclusive peek.

Furthermore, the workers at clients to other county agencies as necessary, including mental health services. These matters are addressed to by a part-time vocational rehabilitation worker.

According to Trina Jenkins, special programs supervisor, the Veterans Center recorded 2,106 visits between July 2008 and June 2009. The number of visits to both the Veterans Center and the greater Maricopa Workforce Connections organization has increased dramati-

Upon entering the larger service cally with the economic downturn. degrees and Ph.D.s who don't want

The Veterans Center also caters to the spouses of veterans

In October 2008, she said, the county saw approximately 1,400 people in the center in a month. In June the county saw more than 10 000 individuals.

"It's been escalating ever since," she said. "In this economy we're seeing a lot of people with master's to get out of their field, but they need some sort of stopgap measure until the economy picks up."

In addition to on-site help, the Veterans Center has gone to the veterans themselves by holding workshops at a local veterans' hospital. To assist the individuals who may not have the mobility to go to the center, Jenkins and other staff members have held

workshops on things like resumebuilding in order to prepare them for re-entry into civilian life.

(Model Programs from the Nation's Counties highlights Achievement Awardwinning 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.)

# Research News

# **Innovative Justice Programs Save County Dollars**

developing innovative programs that promote jail diversion and re-entry resources. These programs have proven to reduce expenditures for counties and provide individuals with invaluable resources, without compromising the security of the community. From pretrial detention to re-entry, below are some innovative and cost-effective county justice programs from across the country.

#### Chesterfield County, Va.

The Bail Review Project in Chesterfield County reevaluates pretrial detainees to determine if there is a change in circumstances after 10 days. Important changes in circumstances include verification of residence, employment or being held longer than the maximum sentence for the offense for which they are being held.

If things have changed, the Pretrial Services Unit provides the updated report to defense counsel who can schedule a new bond hearing. The program helped to reduce detention costs and free jail space for more serious offenders.

#### Wayne County, Mich.

The Wayne County Course Initiative refers low-risk youthful offenders who might otherwise be placed under juvenile court supervision to community-based local diversion programs through a public-private partnership.

In addition to allowing eligible offenders to keep their records clean, Correct Course addresses the

Counties are at the forefront of reasons for the criminal behavior program involves treatment and close and helps youths to learn from monitoring to avoid relapses. their mistakes through a variety of options including family counseling, substance abuse treatment, mentoring, community service and many other services. Ninety-seven percent of participants have no new offenses within one year and the program has cut pre-program expenditures in half.

#### Carroll County, Md.

In response to a growing number of juveniles being placed in detention centers, Carroll County developed the Adventure Diversion Program as an alternative intervention that allowed the juveniles to return to their families while participating in the program.

In conjunction with county agencies and community organizations, the program provides an evening reporting center open three nights a week and a weekend recreational activity once a month.

The youths learn how to be accountable for their actions while developing skills in teamwork and conflict resolution. The program reduces the cost to the county by not requiring housing for the youth during the program and also provides a learning alternative without compromising public safety.

#### Montgomery County, Md.

The Adult Drug Court program in Montgomery County is a voluntary post-sentencing program for parole violators with substance abuse problems. The 18-month treatment

The program uses evidencebased treatment approaches, technology and the collaboration of multiple county agencies and community organizations. By solving the substance abuse problem. those who complete the program are less likely to commit future crimes, saving the county from future incarceration costs.

#### Los Angeles County, Calif.

The Women's Reintegration Services program is designed to help soon-to-be released inmates to transition back to life in Los Angeles County. To reduce the likelihood of recidivism, the county successfully urged the amending of the California Penal Code to allow Inmate Welfare Funds to be spent to assist inmates for up to 14 days after release.

After leaving jail, inmates are provided transportation to Women's Reintegration Services where they receive assistance from the Department of Mental Health and the Department of Children and Family Services, among other agencies. This collaboration between the Sheriff's Department and the various social service agencies exemplifies how social service systems and jail systems can collaborate to help discharged inmates reintegrate into the community and reduce recidivism.

(Research News was written by Kathryn Murphy, research associate.)



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## The H.R. Doctor Is In

# **Many Degrees of Separation**

National Public Radio recently featured a story about the effects of waging a war when the military is an all-volunteer group versus a draft-based army. The story's main lesson was that while there are advantages to a volunteer military, self-selecting servicemen and women present a huge strategic weakness by opening the door for increasing detachment from the society and from the greater public.

An army made primarily of draftees brought the two World Wars, the Korean War and the Vietnam War into every neighborhood and every home. It made elected officials more accountable for their stewardship of the lives of draftees and the families supporting them. It made the war's daily events top news to families across the country.

The danger of the volunteer army is that this detachment is also a separation which, in the long run, is dangerous to American democracy because not all Americans will have a connection to the conflict.

True or not, this premise made the HR Doctor realize that our society is increasingly the victim of detachment and separation anxiety. We play video games or watch movies and TV programs that portray violence so graphically and so frequently that we can easily become detached from the idea that violence is real and

there is no simple "reset" button. It should not be a basis for solving personal interaction problems with coworkers, neighbors or, for that matter, nations.

It is a particular danger for local governments if we allow silos to be created where citizens have to "crawl over broken glass" to communicate with their government or to achieve basic transactions such as applying for a job or getting a driver's license.

When a government agency and its employees lose sight of their basic roles in direct citizen service, the result can be increased legal liabilities and increased human suffering. Imagine what happens when people work in a culture that encourages covering up poor performance or behavior, making excuses or blaming others.

Imagine now that you are a person who dials 9-1-1 with symptoms of a heart attack and a crew of paramedics arrives who are the products of that "entitlement" and "I don't care" attitude. The result can be deadly for you and reflect poorly on the organization. Fortunately, these poor attitudes exist in a small minority of employees, but the effects rattle around for a very long time in the minds of those who would cut government resources substantially.

An agency that tolerates sexual

harassment or bullying behavior and doesn't teach its supervisors to intervene is not serving the public and its own employees well. Conversely, a mission-oriented organization with supervisors who support and appreciate their role in responding to 9-1-1 calls or making sure that the water or wastewater is properly and professionally managed, that the streets are kept safe from debris and that the parks are safe for children, have an everyday positive effect on the reputation and the reality of public service.

Separation and estrangement go hand in hand. Together they form an unfortunate and dangerous duo. Every elected official, every appointed official and every employee ingovernment has a duty to positively represent public service. That is only achievable when silos are smashed to bits and working together replaces working for a narrower interest.

It is harder to do that in a time of cutbacks and budget troubles. Using the subtraction key on a calculator is much more difficult than using the addition key. Nonetheless, in times of economic cutback a deliberate strategy of attacking silo-building becomes much more important.

The HR Doctor strongly urges that every county manager or county administrator ask important questions of their government, executives and subordinates. Does our organization suffer from an overdose of silos? How can we make sure employees out there on the front line are "representing" effectively? Are we communicating with residents everyday in a positive way? If not, whatspecific steps can we take—and by when — to measure the success of that communication and to learn from weaknesses to build strength?

Communication is about more than direct written or verbal interaction. Sometimes the most important types of communications are subtle or unobtrusive. That is, they are the result of observation rather than direct interaction.

The public works crew that appears to be lying down under the shade of a tree for 45 minutes or an hour provokes angry citizen response. Police officers who are rude provoke a similar response. A lifeguard who is busy chatting on a cell phone instead of observing the children in a swimming pool isn't serving the employer or the children well. Using foul language, filthy uniforms or driving agency vehicles poorly are also examples of indirect

harassmentorbullying behavior and behavior that communicates the doesn't teach its supervisors to in-

Working to prevent that from happening and, in fact, encouraging positive direct and indirect communication is very much part of the manager's job. Putting a premium on employee behavior such as smiling and pleasantly greeting citizens, answering questions, going out of your way to explain processes and procedures to citizens, or even helping them navigate through government hiking trails is equally important. This is also the behavior that the manager needs to display as a role model.

When we separate from each other we create suspicion and distrust. Local government, more than any other level of government, needs to reduce separation and isolation. Instead, our prime directive is to foster understanding and have a common sense of mission and a shared appreciation of the fundamental role we play everyday in maintaining a civil society.



Phil Rosenberg
The HR Doctor • www.hrdr.net

## NACo on the Move

#### »In the News

NACo was mentioned in an article titled "NACo adopts policies on stimulus funds, food inspection and more" posted on *Govpro.com* Aug. 26. The article addressed the new policies NACo implemented during the annual conference in July.

#### »NACo Officers and Elected Officials

- Mary Accor, NACo board member and Cleveland County, N.C. commissioner, was sworn in Aug. 29 as president of the North Carolina Association of County Commissioners.
- Patti Hamilton, executive director, West Virginia Association of Counties and president of the National Council of County Association Executives (NCCAE), wrote an article entitled "Leadership at the Local Level" that mentioned NACo's County Leadership Institute in the summer 2009 issue of Views and Visions.

#### »NACo Staff

•Ryan Yates, associate legislative director, spoke about NACo's Legislative Agenda, the Restore the Partnership campaign and the importance of Alaska Municipal League (AML) representation in NACo's grassroots advocacy efforts at the AML conference in Palmer (Matanuska-Susitna Borough), Alaska on Aug. 13.

Ryan Yates

• Stephanie Osborn, deputy director, county services, spoke about accessing and managing federal Recovery Act funds at the annual forum of the National Institute of Governmental Purchasing, in St. Louis, Mo. Aug. 26.

• Jim Sawyer, director, financial services corporation, presented the workshop "Partnering with County Government to Deliver Health and Human Services" at the Department of Defense Joint Family Readiness Conference in Chicago Sept. 1–3.

#### »Coming Up

Andrew Goldschmidt, membership/marketing director, will be exhibiting and hosting a meeting on behalf of NACo membership recruitment and retention in Saratoga County, N.Y. Sept. 16–18.

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





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### News From the Nation's Counties

#### **▶**ARKANSAS

After removing 81 tons of trash from a ravine in Waldron, **SCOTT COUNTY** has vowed to keep the site free of **illegal dumping**.

While the ravine has been used as an illegal dump for years, the county plans to impose fines on anyone caught dumping in the future. In order to clear the site, the county enlisted the help of the Arkansas State Forestry Commission and the Arkansas Department of Environmental Quality, according to 4029TV.com.

County Judge James Forbes cracked down on the dumping because it detracted from the land's natural beauty, in turn deterring tourism. In the future, he plans to step up monitoring of the area and may have surveillance cameras installed to catch the dumpers.

#### **►CALIFORNIA**

Every inmate booked in a LOS ANGELES COUNTY jail will have his or her immigration status checked, effective now, according to the Los Angeles Times.

Federal officials claim they do not have the resources to deport all of the illegal immigrants with criminal records who are identified through the policy, so Immigration and Customs Enforcement will prioritize the individuals with past convictions for violent crimes. While each case will be reviewed individually, some less serious offenders may be released into the community.

"The reality of the situation is that we don't presently have the resources to respond to every single person," ICE head John T. Morton told the paper. "We are focusing on the worst of the worst."

The Secure Communities identification program began last fall and now operates in nearly 80 counties. The federal government plans to run it in all jails and prisons by the end of 2013.

#### **▶**COLORADO

• After two years of researching its plan, Nestle Waters North America won approval from CHAFFEE COUNTY commissioners to draw 200 acre-feet of water per year from a riverside aquifer near Buena Vista.

TION OF COUNTIES has pushed for statewide legislation and county ordinances to regulate bicyclists on county roads.

According to The Des Moines Register, the fight over biking on county roads began in CRAW-

Approximately 65 million gallons of water will travel five miles by pipeline to a loading station for bottling in Denver, according to *The Denver Post*.

The decision comes after months of public input and three-day-long special meetings focused on protecting the region's water supply. Nestle's

conditions include wetland and groundwater monitoring, restoration of a fish hatchery, the hiring of local workers and firms, and wildlife- and land-management programs at the site.

• The Colorado Division of Wildlife (DOW) has asked **ASPEN** and **PITKIN** county law enforcement to **kill aggressive or dangerous** bears when it cannot respond in a timely manner.

According to *The Aspen Times*, the agencies were asked to shoot and kill black bears that break into locked homes and other buildings. The extension of this authority to a police department is a unique, if not unprecedented measure, said DOW spokesperson Randy Hampton.

The DOW has only one wildlife officer in Aspen and, Hampton says, doesn't have the manpower to handle every complaint about aggressive bears.

The DOW had killed four aggressive bears so far this year in Pitkin County.

#### **▶FLORIDA**

Under a new policy, code enforcement officials in POLK COUNTY have cited 10 residential properties for neglected pools and hot tubs. Commissioners took action after years of complaints from residents concerned that unattended children could fall into the pools.

Sherry Sheffield, code enforcement manager for the county, said this year's rise in cases could be due to the current economic crisis. Many of the properties with neglected pools were facing foreclosure, according to *The Ledger*.

#### **▶IOWA**

Bicyclists will no longer be allowed on county roads in Iowa if a new petition succeeds in the state.

A group called Citizens for Safety Coalition of Iowa is urging the legislature to support a ballot initiative that bans bicyclists from using rural "farm-to-market" roads. THE IOWA STATE ASSOCIATION OF COUNTIES has pushed for statewide legislation and county ordinances to regulate bicyclists on county roads.

According to *The Des Moines Register*, the fight over biking on county roads began in **CRAW-FORD COUNTY** when officials approved an ordinance banning a statewide bike ride from traveling through the county in 2007. Previously, the county paid approximately \$350,000 to settle a lawsuit filed by a widow of a man who died during the race in 2004.

"There are more and more bicy-



Photo by Glen Frieson

**ESSEX COUNTY**, N.J. Executive Joseph N. DiVincenzo, Jr. (c) talks with some of the young participants at the 2nd Annual Greater Newark Basketball and Enrichment Clinic. The two-week clinic, held from Aug. 17–28, is sponsored by Essex County, former NBA player Tate George, Vision of Hope Community Development Corporation, the city of Newark and the Newark Public Schools Office of Extended School Day Programs. With the county executive are Freeholder Rufus Johnson and George.

clists out there and we are trying to get something changed," said Dan Jones, a leader of the coalition. "There are too many people out here getting involved in accidents, and those people are getting hurt."

Meanwhile, Mark Wyatt, executive director of the Iowa Bicycle Coalition, opposes the ban, saying the real solution lies in education, better engineering for rural roads and enforcement of traffic laws.

#### **►MARYLAND**

In an attempt to bolster local business' productivity and improve public safety, MONTGOMERY, PRINCE GEORGE'S and HOWARD counties are seeking \$100 million in federal stimulus funds to expand their broadband networks.

Along with eight other jurisdictions, the counties want to build dedicated phone and data lines for public safety use during emergencies. Furthermore, the funds will help rural businesses more widely market themselves, according to *The Washington Post*.

"We have family farms — only half of them have Web sites," said Mitsuko Herrera, cable and broadband administrator in Montgomery County. "Once you get fiber optics, you can build a Web site... to match people who grow locally with people

who want to eat local food."

Leaders of the government coalition hope the effort will also create jobs, since the project will require the installation of 600 miles of fiber-optic lines.

#### **▶NEW YORK**

• The U.S. Justice Department has selected **CHAUTAUQUA COUNTY** to participate in its **Project Civic Access program**, *The Post-Journal* reported. The goal of the Justice Department initiative is to bring state and local governments into full compliance with the Americans with Disabilities Act.

County Executive Greg Edwards said all county buildings have been checked for ADA compliance, and some areas will need to be modified or updated.

Edwards encouraged county residents to call his office or his staff to report any problems in accessing county services, programs or facilities. Chautauqua County joins more than 150 communities that have already participated in Project Civic Access.

• Some 27,000 military veterans live in **ORANGE COUNTY**, and now they can receive **discounts of up to 25 percent** at many local businesses, thanks to a new county-supported program.

All they have to do is show a

county-issued ID card at any of the 150 or so companies that are participating. Price breaks are available on items ranging from pizzas to auto repairs, the *Times Herald-Record* reported.

"This exciting program allows us to give back to our veterans who served their country," County Executive Edward Diana said. The program was suggested by County Clerk Donna Benson after she learned of a similar discount in ROCKLAND COUNTY.

• The SUFFOLK COUNTY Legislature recently passed a law restricting the use and sale of electronic cigarettes, a.k.a. e-cigarettes. County officials believe it the first such local restriction in the nation. The measure bans the devices' public use and sales to minors.

E-cigarette "smokers" inhale vaporized liquid nicotine created by an electronic ignition system — often through kid-friendly, flavored cartridges. Inhaling even causes the device's tip to glow, although it is not burning.

The measure was introduced by county Legislator Jon Cooper, who was instrumental in getting the dietary supplement ephedra banned several years ago.

See NEWS FROM page 19

# Va. Civil War battlefield pits preservationists against Walmart

**NEWS FROM** from page 18

#### **▶**SOUTH DAKOTA

It isn't quite a plague of locusts, but hordes of grasshoppers are devouring livestock forage in southwestern South Dakota. At least seven counties have passed of them out there." disaster resolutions. They include BENNETT, CUSTER, FALL RIVER, MEADE, MELLETTE, JACKSON and BUTTE counties, according to the Associated Press.

"Grasshoppers are just about as bad as most people around here have ever seen them," said Steve Smeenk, a Butte County commissioner who is also a farmer and rancher. "There's tremendous numbers. The ground moves when you walk."

According to the USDA, the worst grasshopper infestations this year are in Nebraska, South Dakota, Wyoming, Montana and Idaho. The agency has begun a county's unincorporated area. Cen-

program to protect livestock forage sus estimates from July of this year in 17 western states.

"All of a sudden, they just exploded," Smeenk added. "I've killed millions and millions of them, but I haven't killed enough to make a dent. There's billions and billions

 UTAH COUNTY commissioners, once burned, are twice shy. They say the State Tax Commission has made tax distribution errors that have cost the county thousands of dollars. County Commissioner Steve White said discrepancies in population data are causing the county problems, according to the Deseret News.

For the past year, county officials said they were allocated money based on incorrect Census Bureau data. Last year, state tax payments were based on 5,128 people living place the number at 17,025.

The commissioners have been keeping a closer eye on things since the state tax commission billed the county more than \$450,000 last year to cover overpayments in cell phone tax revenues.

"We've already been burned once because they took back money they gave us in error," County Auditor Bryan Thompson said.

#### **▶VIRGINIA**

 ARLINGTON COUNTY is suing the U.S. Department of Transportation, the Federal Highway Administration (FHWA) and the Commonwealth of Virginia over a proposed High Occupancy Toll (HOT) lanes project for interstates 95 and 395.

The suit, filed in U.S. District Court for the District of Columbia, alleges that the FHWA and the Commonwealth failed to meet

necessary requirements under the battlefield, according to the As-National Environmental Policy Act and the Clean Air Act before a full environmental and public health analysis, and from public review required by federal law, the county alleged.

"At this point, the true impacts of the project have not been identified and a proper design cannot be completed. In fact, due to the manipulation of the process, the true impacts cannot be identified," County Board Chair Barbara Favola said.

• Gens. Ulysses S. Grant and Robert E. Lee first met in battle in ORANGE COUNTY 145 years ago at the Wilderness Battlefield. Today, the fight is preservationists versus Walmart.

The county Board of Supervisors voted 4-1 recently to approve a special-use permit for Walmart to build a store near a Civil War naco.org.)

sociated Press.

Most residents attending a FHWA exempted the project from recent public hearing supported the Board's action. "I know we've been referred to as ignorant shoppers," one woman said, "I feel bad about that but I'll live with it. Let us have our Walmart and let us stop the battle "

> Among the opponents were historians such as David McCullough and James M. McPherson. Filmmaker Ken Burns and actor Robert Duvall, who has a home in the region, are also against the plan.

> Walmart says the new supercenter store will create hundreds of jobs and generate \$800,000 in tax revenue for the county.

> (News From the Nation's Counties is compiled by Charles Taylor and Dan Miller, staff writers. If you have an item for News From, please e-mail ctaylor@

### Financial Services News

# **U.S. Communities Saves Taxpayer Dollars**

U.S. Communities Government Purchasing Alliance, the NACoendorsed cooperative purchasing program, saves public agencies  $nation wide \,more \,than \,\$200 \,million$ in taxpayer funds each year. Since its inception, the program has saved counties, cities, schools, states and nonprofit agencies over \$1 billion  $dollars.\,Currently, more than\,38,000$ units of local government are registered to use the program, and an additional 400 register to participate each month

NACo is a founding cosponsor of U.S. Communities, a nonprofit government purchasing cooperative, which offers publicly bid contracts to local and state governments for the goods and services they commonly buy. These contracts are publicly solicited by lead public agencies on behalf of all other public agencies in the United States. By aggregating the buying power of public agencies nationwide, U.S. Communities contracts offer unprecedented savings with no cost to participate and no minimum spending requirements. Currently there are 24 suppliers available through 19 contracts.

NACo sponsors U.S. Communities along with the National Institute of Governmental Purchasing (NIGP), the National League of Cities (NLC), the U.S. Conference of Mayors (USC), and the Association of School Business Officials (ASBO).

procurement officials from around the country provides leadership and professional oversight of the program. Advisory board members representing counties include members from Cobb County, Ga.; Dallas County, Texas; Fairfax County, Va.; Hennepin County, Minn.; Los Angeles County, Calif.; Denver City and County, Colo.; and Maricopa County, Ariz.

U.S. Communities has an ongoing review process in place to ensure  $that \, suppliers \, conform \, to \, all \, contract$ requirements. If any corrective action is required, it is executed in cooperation with the lead public agency that is responsible for the contract award.

Contracts are also regularly audited for compliance by an independent third-party auditing firm. Additionally, lead public agencies that solicit contracts and offer them to other public agencies through an interlocal government agreement benchmark their contracts against other similar contracts to assure competitiveness and pricing integrity.

U.S. Communities contracts are an excellent way to save taxpayer dollars during these challenging times. For more information on the program, go to www.uscommunities. org or www.clicksavings.org.

(Financial Services News was written by Nancy Parrish, director, financial services division.)

#### An advisory board of 20 public U.S. Communities Current Products, Suppliers and Lead Public Agencies

Products	Suppliers	Lead Public Agency
Office and School Supplies	Office Depot	Los Angeles County, Calif.
Print Solutions	Office Depot	Los Angeles County, Calif.
Electrical and Data Communications	Graybar	Los Angeles County, Calif.
Technology Products and Equipment	Insight, Tech Depot	Fairfax County, Va.
Technology Services and Solutions	GTSI, Insight	Fairfax County, Va.
Office Machines	Ricoh, Lanier, Savin	City of Los Angeles, Calif.
Office Furniture	Haworth, Herman Miller, Knoll	Fairfax County, Va.
Janitorial Supplies	Zep	Dallas County, Texas
Education Furniture	Virco	Wichita Public Schools, Kan.
Park and Playground	Gametime, Landscape Structures	City of Charlotte/Mecklenburg County, N.C.
Physical Education Supplies	Sportime	Harford County Public Schools, Md.
Homeland Security and Public Safety Solutions	Hagemeyer	Fairfax County, Va.
Maintenance, Repair and Operating Supplies	Home Depot, HD Supply	Maricopa County, Ariz.
Paint Solutions	Behr	Maricopa County, Ariz.
Auto Parts & Accessories	AutoZone	City of Charlotte/Mecklenburg County, N.C.
Synthetic Turf and Other Athletic Surfaces	General Sports Venue, AstroTurf	Fairfax County Public Schools, Va.
Science/Labware Supplies and Equipment	Fisher Science Education	Harford County Public Schools, Md.
Elevator Maintenance and Service	KONE	City and County of Denver, Colo.
Equipment & Tool Rental Services	Hertz Equipment Rental	North Carolina State University

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# Job Market / Classifieds

#### ► DEPUTY COUNTY ADMINISTRATOR - CHESTERFIELD COUNTY, VA.

Salary: DOQ.

Chesterfield County, Va. (Richmond-Metro Area), a recognized leader and award-winning local government, is seeking individuals with strong leadership qualities and management experience to provide strategic direction, oversee operations and policy implementation and ensure desired outcomes are achieved for the County. The Deputy County Administrators advise the County Administrator, recommend policies and set priorities for consideration by the Board concerning the provision of programs and services administered within each of their respective divisions. The Deputy County Administrators ensure compliance with federal, state and local laws and ordinances as well as maintain open communication with various sectors of the community such as legislative delegation, business community, area governments, and county residents. The three Deputy County Administrators lead the operations of the three major divisions (Human Services, Management Services, and Community Development) of county government. The Human Services division includes over 31 different services and programs and covers the areas of Health and Welfare. Recreation, Culture and Leisure and the

Criminal Justice System. The Management Services division oversees multiple and complex internal government support departments and functions to include Information Systems Technology, Accounting, Real Estate Assessment, License Inspector, Risk Management. Purchasing, Environmental and Security Management, Internal Audit and General Services (including solid waste services and county airport). The Community Development division oversees the operations of Building Inspection, Economic Development, Environmental Engineering, Planning, Community Development Block Grant Program, Office of the Ombudsman. Transportation and Utilities. Due to a potential reorganization, the county will consider applicants who have experience in any of the major divisions. Please visit www.chesterfield.gov to view the recruitment profile for the Deputy County Administrator position. This recruitment will remain open until filled with a first review of resumes beginning Sept. 14. Interested applicants should  $submit\,a\,confidential\,resume\,with\,cover$ letter and salary requirements to: Karla J. Gerner, Director, Chesterfield County Human Resources Management. P.O. Box 40. Chesterfield, VA 23832 or e-mail executivesearch@chesterfield. gov. EOE committed to workforce diversity.

#### **▶**COUNTY ADMINISTRATOR – HORRY COUNTY, S.C.

Salary: DOQ.

County Administrator - Horry County, S.C. Population 257,380. Requires an MS/MA in Public Administration or related field with 8 years' public administration/management experience or a BS/BA in Public Administration or related field with 10 years of public administration/management experience. The County Administrator carries out the policies and ordinances passed by the County Council and oversees day-to-day operations of the County government. Starting salary market competitive DOQ/E, plus benefits. Brochure at www.mercergroupinc. com. Confidential resumes immediately to James Mercer, The Mercer Group, Inc., 5579B Chamblee Dunwoody Road, #511, Atlanta, GA 30338. Phone: 770/551-0403: Fax: 770/399-9749 Email: jmercer@mercergroupinc.com; Web: www.mercergroupinc.com. EOE.

#### **▶**COUNTY ADMINISTRATOR / TREASURER - CALHOUN COUNTY,

Salary: Minimum \$95,000; DOQ. The Calhoun County Administrator/Treasurer. Calhoun County. Alabama, population 113,000, reports to the five member Board of County Commissioners and is responsible for

daily administrative oversight of county government, budget preparations/ administration, and policy implementation/administration. This person will provide overall leadership in the areas of management, strategic planning, personnel management, long-range growth, and cohesive attitude creation. This position requires an individual who is a self-starter, has excellent oral and written communication skills, and has the ability to network county government attitudes and concepts with local business leaders and organizations. Candidates should have a Bachelor's Degree from an accredited college or university in Business Administration. Public Administration, or a related field. Successful experience in a management capacity with a county or city government with an organization of similar size and complexity as Calhoun County would be considered helpful Interested candidates who meet these requirements and have a passion for serving local government and citizens are invited to submit a detailed letter of intent with salary requirements and a resume to: Mr. J. D. Hess, Chairman, Calhoun County Commission, 1702 Noble Street, Anniston, AL 36201 Email resume to: ccc@calhouncounty. org. Telephone number: 256/241-2800. Job description available upon request. Application deadline Sept. 15. All applicants will be subject to a criminal history/credit/driver's license check Applicants selected for interview may be subject to the Open Records Laws and may be open for possible media

#### **▶** DETENTION WARDEN – EDDY COUNTY, N.M.

Salary: \$69,640-\$73,166; DOO. FLSA Exempt

The Warden works under the supervision of the five-member Board of Commissioners and the County Manager, Benefits include: paid vacation, sick leave and holiday pay; PERA 20 year retirement plan; health, dental. vision and life insurance paid at 100 percent for full-time employees. Full specifications may be acquired at the Eddy County Administration Complex, 101 W. Greene Street, Carlsbad, NM 88220, or online at www.co.eddy.nm.us. Closes Thursday, Oct. 1 at 5 p.m. MDT. EOE M/F V/D.

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