

## On Tap at SCOTUS: Can a WOTUS designation be challenged?

By Lisa Soronen  
SLLC executive director

The State and Local Legal Center (SLLC) has filed an *amicus* brief in a critical environmental legal battle to determine whether courts can review an Army Corps of Engineers' "jurisdictional determination" (JD) that property contains "waters of the United States" (WOTUS) per the Clean Water Act.

The issue is at the center of *U.S. Army Corps of Engineers v. Hawkes*. The Hawkes Company wanted to mine peat from its wetland property in Minnesota. The Corps issued a JD that the property contained

See WOTUS page 2



Miss the Cherry Blossom Festival in Washington, D.C.? Don't worry, there's an even better one coming up later this month, and it just happens to be in the country's first county park — Branch Brook Park in Essex County, N.J. Founded in 1895, the park hosts an annual Cherry Blossom Festival at the end of April to show off its collection of cherry trees — the largest in the nation at 4,300 trees of more than 14 different varieties, some of which are seen here.

## Employee-run charity helps fund nonprofits in San Diego County

By Charles Taylor  
senior staff writer

San Diego County's homeless families will sleep more comfortably, and women refugees from Somalia can learn a skill amid the whirl of new sewing machines.

Thanks to the San Diego County Employees Charitable Organization (CECO), 66 nonprofits in the county can worry a little less about fundraising this year.

CECO — itself a nonprofit — marks its 60th anniversary this year. The organization is run by county employees and funded



San Diego County kids enjoy Indian drums bought with a grant from the county's employees charitable organization in 2013.

Photo courtesy of San Diego County, Calif.

through payroll and pension deductions, and one-time contributions.

Since 1956, county employees and retirees have made

grants of more than \$5 million to local charities and supported fellow employees

See SAN DIEGO page 13

## Texas counties continue to lead in population growth

By Daniel Handy  
research assistant

Every March, the U.S. Census Bureau releases the county population estimates for the previous year and updates the annual population figures up to the latest census year.

The new data reveal a pattern of concentrated population expansion across counties last year. Overall, slightly over half of all 3,069 counties saw population growth from 2014 to 2015.

See POPULATION page 2

# Lower court: 'jurisdictional determination' can be disputed

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"waters of the United States" because it was connected by culverts and unnamed streams to a traditional navigable water way, the Red River, about 120 miles away.

To start mining, Hawkes would have had to obtain a costly and time-consuming permit unless a court would review and possibly overturn the JD. So Hawkes sought court review.

According to the Administrative Procedures Act, a judicial review may be sought only for final agency actions. The 8th U.S. Circuit Court of Appeals ruled that Hawkes could challenge the JD in court immediately and not wait until the permit was denied to sue.

The court concluded that "rights or obligations have been determined" and "legal conse-

quences flow" from a JD because Hawkes' two choices after a determination are cost prohibitive. The company could complete the permitting process, which would be costly, time-consuming and according to the Corps, futile. Or it could proceed without a permit and risk an enforcement action that could include criminal monetary penalties or imprisonment for knowingly violating the Clean Water Act.

The SLLC *amicus* brief claims that states and local governments would be negatively affected in their various roles if judicial review of JDs were not possible. As landowners, they face timing and cost burdens. If they choose to proceed with a project without a permit, they could lose the federal grant funding necessary to complete the project.

As a partner with the business community responsible for economic development and capital infrastructure planning, states and local governments need the

certainty provided by prompt judicial review of JDs.

NACo, the Council of State Governments, National League of Cities, United States Confer-

ence of Mayors, International City/County Management Association, and the International Municipal Lawyers Association joined SLLC brief. **CN**

## 'FAIR SHARE' REMAINS OK IN PUBLIC SECTOR UNIONS CASE

Public sector unions and "fair share" dues are safe — for now. In a 4-4 decision, the U.S. Supreme Court issued an opinion affirming a appeals court's ruling in the case *Friedrichs v. California Teachers Association*.

In *Friedrichs*, the court was contemplating overruling a nearly 40-year-old precedent, established in *Abood v. Detroit Board of Education* in 1977, requiring public sector employees who don't join the union to pay their "fair share" of collective bargaining costs. More than 20

states have enacted statutes authorizing fair share.

The Supreme Court heard oral argument in this case in January and the then-five more conservative justices seemed poised to overrule *Abood*. In two recent cases *Knox v. SEIU* (2012) and *Harris v. Quinn* (2014), in 5-4 opinions written by Justice Samuel Alito and joined by the other conservative justices, including Justices Antonin Scalia and Anthony Kennedy, the court was very critical of *Abood*.

However, after Scalia's death,

the court had two choices: wait for a ninth justice to join the court and rehear the case or do what it did — affirm the lower court's decision. The 9th U.S. Circuit Court of Appeals, in a very brief opinion, had refused to overrule *Abood*.

Given the uncertainty of when a new justice will be confirmed and the lack of a circuit split on this issue, the Supreme Court's decision was expected. If a more liberal justice joins the court it is unlikely this issue will be brought before the court again anytime soon.



# Harris County leads Lone Star State

From POPULATION page 1

In contrast, 87 percent of the 127 large counties — those with more than half a million residents — experienced population increases, which totaled nearly 1.5 million more residents in 2015 than 2014.

Of the 800-plus medium-sized counties — with populations between 50,000 and 500,000 — 69 percent saw increases in their population. Only 41 percent of small counties — with populations less than 50,000 people — added residents last year.

Several geographical trends in population growth emerge as well. About a quarter of counties added population faster than the nation as a whole, but in the West the proportion rises to 38 percent.

Overall the nation grew at less than 1 percent, at 0.79 percent.

The South also was a strong place of growth with nearly 30 percent of counties expanding more rapidly than the national rate. Many counties in the Northeast and Midwest added population (34 and 39 percent, respectively), but not necessarily as fast as the nation.

One big player in the Southern region's growth is Texas. The state alone accounts for more than 100 of the high-growth counties, but these counties are not the only reason why the Lone Star State is shining bright.

In 2015, Williamson County, Texas passed the 500,000 residents threshold to become a large county. Harris County, home to Houston, maintained the lead for the fourth year in a row in terms of the number of

new residents added annually — more than 90,000.

Texas was not the only state with high-growth counties; Colorado, Delaware, Florida, Oregon, Utah and Washington each had more than half of their counties' populations growing faster than the nation.

At an individual county level, three three North Dakota counties take home the population growth-rate laurels, boasting growth rates between 16 and 5.5 percent.

Not every corner of the country, however, observed population increases in 2015. Sixty-six percent of Northeastern counties and 60 percent of Midwestern counties saw populations decline this past year.

In over two-thirds of counties in Kansas, Illinois, Maine, Michigan, Mississippi, New York and West Virginia populations dropped. **CN**

Name	% Increase
McKenzie County, N.D.	16.7
Williams County, N.D.	9.9
Stark County, N.D.	5.5
Hays County, Texas	5.2
Broomfield County, Colo.	5.2

Source: U.S. Census American Fact Finder

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**PRESIDENT'S PERSPECTIVE** By Sallie Clark

# NCGM celebrates silver anniversary



In this April 1, 1991 *County News* photo, President George H.W. Bush prepares to sign the proclamation establishing National County Government Week, the predecessor to National County Government Month. Ready to witness the event are: (l-r) Then NACo Executive Director John Thomas; Immediate Past President Ann Klinger; President Mike Stewart; First Vice President Kaye Braaten; Sen. Conrad Burns (R-Mont.) and Rep. Ben Erdreich (R-Ala.), who sponsored the measure in Congress; Third Vice President Barbara Sheen Todd; and Second Vice President John Stroger. Photo by David Hathcox

April is National County Government Month. What began in 1991 as National County Government Week has evolved into a month-long recognition of the vital role counties play in residents' lives across the country.

Twenty-five years ago, President George H.W. Bush signed a proclamation establishing the first-ever National County Government Week. The proclamation stated that April "... is a fitting time to reaffirm the continued partnership between City, County, State and Federal Government...the answer to many of the problems before us can be found, not in bigger Federal Government, but in effective local leadership and cooperation between citizens and public officials at

all levels. Indeed, we know that government closest to the people is truly government 'of the people, by the people, and for the people.'"

As I travel to state association conferences and counties of all sizes — rural, suburban and urban — this sentiment still rings true today. We are the boots on the ground, administering many state and federal programs and often dealing with the impacts of many unfunded mandates. We provide the human services safety net, maintain roads and bridges, protect public safety, support public health, foster resilient local economies and so much more.

All counties, parishes and boroughs aim to keep our communities safe and secure, and that is the theme of this year's National County Government

Month (NCGM). NCGM provides an opportunity to showcase how you keep your communities and residents safe and secure, not only in April, but every day of the year.

While this year marks 25 years of raising awareness during April, counties have a long and rich history of public service, beginning with the counties or shires of Virginia in 1634. The world is very different today, but county government remains an important part of our residents' lives.

Thank you for joining NACo in this month-long celebration. For ideas about engaging your community, access NCGM resources at [www.NACo.org/NCGM](http://www.NACo.org/NCGM). Be sure to join the conversation on social media by using the hashtag #NCGM and tweeting @NACoTweets.

We look forward to seeing all county government and our great ways you recognize residents this month! **CN**

## CN SPOTLIGHT



### 25 YEARS LATER

County Judge Jerry Holmes signs the resolution proclaiming April as National County Government Month in Cleburne County, Ark. Cleburne County officials pictured from l-r are Circuit Clerk Karen Giles; Tax Collector Kathy White; Tax Assessor Judy Land; Treasurer Pam Gray; Sheriff Alan Roberson; and County Clerk Paul Muse. Photo by James Jackson, The Sun-Times

# Older Americans Act moves closer to reauthorization

If your county provides services to the elderly, there's actually some good news coming out of Congress. On March 21, the House passed a three-year reauthorization of the Older Americans Act, which had been without reauthorization since 2006.

The bipartisan House bill, in the form of an amendment to the Senate's OAA reauthorization in 2015 (S. 192), increases overall authorization levels by 6.7 percent over three years, with the following annual growth factors: FY17, 2.49 percent; FY18, 2.09 percent; and FY19, 2.04 percent, according to the National Association of Area Agencies on Aging (n4a).

The House bill deviates slightly from its Senate companion legislation, n4a analysis shows. It level-funds the Administration on Aging's program administration for all three years in order to boost — to 7 percent over three years — the authorization level of some Title III programs that suffered during the 2013 sequester. Other noteworthy provisions in both House and Senate bills include:

**Elder Abuse:** The bill requires the Administration on Aging (AOA) to provide, as appropriate, training on elder abuse prevention and screening for states, area agencies on aging and service providers.

**Long-Term Care Ombudsman Program:** The legislation strengthens the program by clarifying that the ombudsman's role includes advocating for residents unable to communicate their wishes. The measure would also:

- ensure that residents receive private and unimpeded access to an ombudsman

- require ombudsmen to participate in training provided by the National Ombudsman Resource Center



- clarify that ombudsmen may continue to serve residents who are transitioning from a long-term care facility to a home care setting

- allow ombudsmen to assist all residents of care facilities, regardless of age; and

- clarifying the ombudsman office is a "health oversight agency" for purposes of federal law governing health information privacy, known as "HIPAA."

**Health and Economic Welfare:** The bill clarifies the role of the assistant secretary for aging to include supporting state and local efforts that promote the health and economic welfare of older individuals through a number of activities, including the dissemination of education materials and best practices.

**Aging and Disability Resource Centers (ADRC):** Aging and Disability Resource Centers are "one-stop shop" single entry points for information about long-term services available to older Americans. The bill improves ADRC coop-

eration and coordination with area agencies on aging and other community-based entities in providing information and referrals regarding available home- and community-based services for individuals who are at risk of residing, or currently reside, in institutional settings. It also updates the definition of Aging and Disability Resource Center to be consistent with current practice and current law, by emphasizing independent living and home- and community-based services.

**Senior Centers:** The bill requires the assistant secretary to identify model programs and provide information and technical assistance to states, area agencies on aging and service providers to support the modernization of multipurpose senior centers.

**Home Care:** The bill requires the assistant secretary, in coordination with states and national organizations, to develop a consumer-friendly tool to assist older individuals

and their families in choosing the best home and community-based services for them.

**Promotes Evidence-Based Support:** Consistent with current practice, the bill requires "evidence-based" disease prevention and health promotion services. It also encourages states to provide falls prevention and chronic condition self-management programs. Furthermore, under the legislation, grant funding may be used to deliver oral health screenings among other disease prevention and health promotion services. Finally, the bill directs the assistant secretary to provide technical assistance to, and share best practices on how to collaborate with health care entities. This collaboration includes Federally Qualified Health Centers, in order to improve care coordination for individuals with multiple chronic illnesses.

**Program Alignment:** The bill aligns the employment services provided under the Senior

Community Service Employment Program (SCSEP) with the employment services carried out under the Workforce Innovation and Opportunity Act (WIOA) and other related jobs programs.

First passed in 1965 at the relative end of the baby boom, the OAA directs funding to the states according to a formula based on their proportional share of the nation's population of individuals 60 and older. States are required to pass those funds on to area agencies on aging (AAA). AAAs coordinate programs and services for senior citizens at the local level, with nearly 30 percent of the 622 AAAs nationwide operating within a county government.

The Senate is expected to approve and the president to sign the OAA reauthorization. **CN**

*(Autumn Campbell, National Association of Area Agencies on Aging, and Jack Peterson, NACO legislative assistant, contributed to this report.)*

# NACo announces new director of strategic relations

*Linda Langston, former NACo president, to fill role*

Former NACo President Linda Langston will join NACo as its director of strategic relations, the association announced March 31. After serving as a Linn County, Iowa supervisor for more than 13 years, Langston plans to resign and will begin her new role at NACo on April 18.

“We are excited that Linda will leverage her vast experience in county government to strengthen NACo’s membership development and strategic outreach,” said Matt Chase, NACo executive director. “As a former NACo president, she brings unique perspectives on NACo’s value to counties across the country and our leadership position at the na-

“As a former NACo president, she brings unique perspectives on NACo’s value to counties across the country.” — M. Chase

tional level. We look forward to continuing to work with Linda in this new capacity.”

As director of strategic relations, Langston will focus on membership development, external partnerships and other outreach activities. She will help to build on NACo’s successful membership recruitment and retention efforts. Seventy-five percent of the nation’s counties are NACo members, with a 98-percent membership retention rate.

Langston has held many leadership positions in NACo, including serving as its president from 2013–2014, when she created NACo’s Resilient Counties Initiative. She played a key role in enhancing counties’ capacity to anticipate and



Langston

adapt to change — from natural and man-made disasters to social and economic uncertainties.

She has served as NACo’s Health Steering Committee chair, Healthy Counties Advisory Board chair, Finance Standing Committee chair and Arts and Culture Commission chair. She is a member of the Resilient America Roundtable for the National Academy of Sciences and the Federal Emergency Management Agency National Advisory Council.

Langston serves as a supervisor in Linn County, Iowa, where she was first elected in 2002. Prior to entering public service, she was a museum director, psychotherapist and small business owner. She is a 2007 graduate of Harvard Kennedy School’s Senior Executives in State and Local Government program and holds a bachelor’s degree in history from Knox College in Galesburg, Ill.

“As I leave service as an elected official in Linn County,” Langston said, “I am happy that, in my role at the National Association of Counties, I will continue to be of service to counties across America.” **CN**

# With FirstNet, local needs connect on national scale

The federal agency responsible for building a nationwide broadband network for public safety use, FirstNet, recently issued RFPs to build out and deploy the network. FirstNet’s goal is to select a winning bidder by the fourth quarter this year.

The network would provide for critical data communications over a dedicated, reliable and hardened connection as well as standard cellular voice at launch.

That’s a much-anticipated goal for Niagara County, N.Y. Sheriff Jim Voutour, whose department, which has ground, marine and aerial capabilities, recently completed a technological upgrade that will allow law enforcement officers to quickly analyze and receive data.

One of the immediate benefits Voutour sees with the FirstNet network is the ability to use smartphone apps connected to a secure, public-safety-grade network.

For example, the Niagara County Sheriff’s Office has launched several apps to help officers be more effective at their jobs. One app, called NYNiagaraSO, provides access to real-time detention center information with mug shots, charges and other offender information. The app can push information right to a user’s smartphone, including Amber Alerts (with photos of missing persons), news about escapees and searches, weather warnings and other local emergencies.

“In Niagara County we take technology very seriously. We are always looking forward,” Voutour told FirstNet. “The cops we are hiring today grew up with technology; they’ve had smartphones since they were 10 years old.”

In Texas, Brazos County is seeing the benefits that public safety broadband can provide. “This has made the laptop in

a patrol car the equivalent of a network PC,” Brazos County Lt. Thomas Randall said when talking about the capabilities now available to his office. “We have gone from dial-up to a smartphone overnight.”

The state of Texas entered into a Spectrum Manager Lease Agreement (SMLA)

“This has made the laptop in a patrol car the equivalent of a network PC.”

— Lt. Thomas Randall

with FirstNet in August 2014 for the operation of a public safety network in nearby Harris County utilizing the FirstNet licensed “Band 14” frequencies. The Brazos County Sheriff’s Office is testing the

Harris County LTE network.

FirstNet has established on-the-ground working relationships with Harris County and Texas, along with four other “early builder” public safety Long Term Evolution (LTE) network projects — the states of New Jersey and New Mexico; Adams County, Colo.; and the Los Angeles Regional Interoperable Communications System Authority — to understand the key lessons learned in building, deploying and operating LTE data networks for public-safety-specific use. **CN**

For more information, visit [www.FirstNet.gov](http://www.FirstNet.gov).

(Kyle Richardson, FirstNet, and Jacob Terrell, associate legislative director, contributed to this report.)

## WHAT HAPPENS AFTER THE FIRSTNET BIDDER IS SELECTED?

Following the selection of a winning bidder of the RFP, FirstNet and its partner or partners will deliver individual state plans to the governors. The plans will detail the deployment of the National Public Safety Broadband Network and the Radio Access Network (RAN) within each state. The governor will have 90 days to decide to either accept the FirstNet State Plan (opt-in) or decide to create an Alternative Plan to build the state’s RAN (opt-out).

### OPT-OUT

This decision requires the state to issue an RFP and develop an alternative plan within 180 days to build and pay for the RAN in the state. However, before deployment can begin, the act requires that the FCC, National Telecommunications and Information Administration and, ultimately FirstNet, approve the alternative plan to ensure interoperability, cost-ef-

fectiveness, sustainability and nationwide deployment.

### HOW CAN COUNTIES GET INVOLVED?

There are a number of opportunities and steps to do so, including:

- Contacting your state’s Single Point of Contact (SPOC) on FirstNet. To identify your state’s SPOC, go to <http://www.firstnet.gov/consultation>

- Participating in upcoming FirstNet discussions held in your state, including consultation activities, key governance body meetings and discussions about the FirstNet State Plan

- Understanding that upon launch the FirstNet LTE network will not replace first responders’ Land Mobile Radios (LMR). For more information, go to <http://www.firstnet.gov/network/lmr>.

More information can be found on the FirstNet YouTube Channel: <https://www.youtube.com/user/firstnetgov>

# NACo Past President Lynch dies in Douglas County, Neb.

By **Charlie Ban**  
senior staff writer

Daniel Lynch, a former Douglas County, Neb. commissioner who served as NACo president from 1976-1977, died March 17 at the age of 86.

He served on the Douglas County Board of Commissioners between 1960 and 1981, then won four terms in the state Senate, where his enduring legislative achievement was the state's mandatory helmet law for motorcyclists. The *Omaha World-Herald* reported that an effort to repeal that law failed the same day that Lynch died.

Lynch also spent a year as president of the Nebraska Association of County Officials in 1969.



In this undated photo, NACo President Daniel Lynch greets President Jimmy Carter. County News archives

"He really got involved, nationally with NACo, but he also put NACo on the map in Nebraska," said Jerry Leahy, director of Douglas County's public properties.

Lynch was an Omaha native who left only to attend Loras College in Dubuque, Iowa, then came back to start his career, initially as a plumber. He was later vice president of consumer affairs for Blue Cross Blue Shield of Nebraska.

"He was always very jovial, kind person," Leahy said. "He was trustworthy, and in a very conservative state, supported leadership opportunities for women and minorities."

Douglas County Commis-

See **LYNCH** page 7

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**QUESTIONS?**  
Contact Brittany Raymond  
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**IMPORTANT DATES:**  
Submissions Close:  
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Notifications of Decisions:  
First week in June 2016

NATIONAL ASSOCIATION of COUNTIES **NACo**

**From LYNCH page 6**

sioner Mary Ann Boregson also remembered him as a champion for the elderly, and people with developmental disabilities and behavioral health issues.

State association Executive Director Larry Dix worked with Lynch when the latter was in

the state Senate.

“He was quite a character,” Dix said. “He was engaged in legislative business, but made sure debate wrapped up so they could adjourn in time for his tee time. He loved playing golf.

“He just led a happy life. He was just happy all the time, it was contagious.”

“He was trustworthy, and in a very conservative state, supported leadership opportunities for women and minorities.”

– J. Leahy

Lynch was active in local theater, and that enthusiasm for performing bled into other parts of his life.

“He was an entertainer, that was part of his personality,” Leahy said, “That wasn’t just him being Irish.”

Since former Davis County, Utah Commissioner Stanley

Smoot’s 2012 death, Lynch had been the earliest-tenured surviving NACo past president.

He is survived by his son, Daniel Lynch, Jr., and daughters Debra LeMay, Julie Freeman, Marianne Mathena and Maureen Burkiser, and many grandchildren and great-grandchildren. **CN**

**LETTER TO THE EDITOR**

**The Wages of Statistics**

In an article by Joel Griffith published in the March 21, 2016 County News, Mr. Griffith cites statistics from the BLS that “3.9 percent of hourly paid workers earned at or below the federal minimum wage in 2014” and argues the merits of an increase in relation to its impact on that group of workers.

The 3.9 percent figure fails to take into consideration a larger group impacted from an increase: those workers making between the current minimum wage and the proposed increased minimum wage.

For example, not including a worker making \$7.50 per hour in the analysis just because that worker is above the \$7.25 federal minimum distorts the picture: an increase from \$7.50 to \$10 still has a significant impact both on that worker and on his or her employer.

Regardless of how one feels about an increase, a fairer analysis of the impact should include the total percentage of workers making below the proposed higher minimum wage: all members of that group would realize at least some benefit from an increase, and employers likewise would see at least some higher labor costs for all members of that group.

Regards,

Craig LaHote  
County Commissioner  
Wood County, Ohio

Legal Notice

**If You Purchased Municipal Derivative Transactions from January 1, 1992, to August 18, 2011**

**You Could Get a Payment for a Class Action Settlement.**

Proposed Settlements have been reached in a class action lawsuit that alleges price-fixing in the sale of municipal derivatives transactions by UBS AG, Société Générale S.A., Natixis Funding Corp., Piper Jaffray & Co., National Westminster Bank Plc, George K. Baum & Co. (the “Settling Defendants”) and other companies. The case, *In re Municipal Derivatives Antitrust Litigation*, MDL No. 1950, No. 08-02516, is pending in the United States District Court for the Southern District of New York. Defendants deny all allegations of wrongdoing and liability.

**Who Is Included in the Settlements?**

These Settlements include all state, local and municipal government entities, independent government agencies, quasi-government, and private entities that purchased municipal derivative transactions through negotiation, competitive bidding or auction:

- (1) From any Alleged Provider Defendant or Alleged Co-Conspirator or brokered by any Alleged Broker Defendant or Alleged Co-Conspirator,
- (2) Any time from January 1, 1992, through August 18, 2011, in the United States and its territories or for delivery in the United States and its territories.

These Alleged Provider and Broker Defendants and Alleged Co-Conspirators are listed in full on the Settlement website (at [www.MunicipalDerivativesSettlement.com](http://www.MunicipalDerivativesSettlement.com)).

**What Do the Settlements Provide?**

The Defendants agreed to settlement amounts totaling over \$100 million. Certain Defendants will also provide reasonable cooperation, including discovery cooperation, to Class Plaintiffs’ Counsel to the extent necessary if any of the Settlements are not finally approved.

**What Do I Do Now?**

- **Remain in the Settlements.** To remain in the Settlement Class, you do not have to do anything now. To be considered for payment, your Claim must be submitted online (at [www.MunicipalDerivativesSettlement.com](http://www.MunicipalDerivativesSettlement.com)), **OR** mail it by **July 28, 2016**. If you previously submitted a Claim Form, and you do not have any changes to make to it, you do not need to do anything – your previous Claim Form will be used for these settlements. If the Court approves the Settlements, you give up the right to sue the Settling Defendants for the claims and issues in this case. The Settlement Agreements, which are available at [www.MunicipalDerivativesSettlement.com](http://www.MunicipalDerivativesSettlement.com), describe in more detail the legal claims that you give up if you stay in the Class.

- **Exclude yourself from the Settlements.** If you do not want to remain in any of the Settlement Classes, you must exclude yourself. You must send a written request for exclusion by first-class mail, **postmarked no later than May 17, 2016**, to the Settlement Administrator. The detailed notice available on the Settlement website describes the information you are required to include in your request for exclusion. You can exclude yourself from some but not all Settlements. If you exclude yourself, you cannot participate in the Settlements from which you exclude yourself, but you retain your right to sue the Settling Defendants involved in the Settlements from which you exclude yourself on your own for the claims in this lawsuit.
- **Object or Comment on the Settlements.** If you remain in the Settlement Class and want to object to or comment on the Settlements or any part of them, you must file an objection with the Court and deliver a copy to the Settlement Administrator **no later than June 20, 2016**.

**When Will the Court Decide Whether to Approve the Settlements?**

The Court has scheduled a hearing on **July 8, 2016, at 2:00 p.m.** at the United States District Court for the Southern District of New York, United States Courthouse, 500 Pearl Street, New York, NY 10007, to consider whether to finally approve the Settlements as fair, reasonable and adequate, whether to approve the plan of allocation and Class Counsel’s request for fees and reimbursement of litigation expenses, and to consider any objections.

The Court has appointed the law firms of Hausfeld LLP; Boies, Schiller & Flexner LLP; and Susman Godfrey L.L.P. to serve as Class Counsel and represent all Class Members. If you want to be represented by your own lawyer, you may hire one at your own expense. You or your lawyer may ask to appear and speak at the hearing but are not required to. If you want to be heard by the Court, you must file a written notice of your intention to appear with the Court and deliver a copy to the Settlement Administrator and Defendants’ Counsel **no later than June 20, 2016**. The Court may change the time and date of the hearing. Any change will be posted on the Settlement website.

**Get More Information**

For more information on this lawsuit, your rights, or to obtain a list of Defendants, call or visit the Settlement website listed below or write to Municipal Derivatives Settlement, c/o Rust Consulting, Inc., P.O. Box 2500, Faribault, MN 55021-9500.

**For more information: 1-877-310-0512 [www.MunicipalDerivativesSettlement.com](http://www.MunicipalDerivativesSettlement.com)**



**BRIGHT IDEAS** | BOULDER COUNTY, COLO.

# Commuters' Bikes Have a Safe Place to Stay

**PROBLEM:** Biking to work or home from the end of bus lines was unattractive to Boulder County workers.

**SOLUTION:** The Roads and Transportation Department built bike shelters with key-card access for cyclists to leave their bikes near local bus stations overnight.

**By Charlie Ban**  
senior staff writer



Interior and exterior views of the bus-to-bike shelters in Boulder County, Colo. Photo courtesy of Boulder County, Colo.

Part of Boulder County, Colo.'s allure is also part of a problem for workers.

The same open space programs that protect land from development have also put miles between where the county's bus system stretches and where many offices are located, putting transit riders in a frustrating place in their commutes. And for many who work in Denver and take a regional bus, getting to the bus stop from home can be a lot easier on a bike.

Surveys conducted by the Roads and Transportation Department showed that half of the people bringing bikes on the buses, which can carry roughly six bikes at most, did so because their destination was too far from the last bus stop to walk.

Bringing a bike on the bus once, to use to get to work from the bus to the office, was no picnic, either. The options for locking their bikes near the bus stops did not inspire much confidence, with the specter of theft, vandalism or weather damage threatening the bikes overnight.

The county responded by building a series of shelters near some major bus stops. They are basically locked cages with roofs in which commuters can lock their bikes for hours at a time. After formally applying for the Bus Then Bike program, users get electronic keycards that

give them access to the shelters.

"People can use them as a last-mile solution or a first-mile solution," said Alex Hyde-Wright, a county bicycle planner. "They can take them from home to the bus or from the bus to the office. And some do both."

The first three shelters built can hold 31 bikes each, costing \$70,000 apiece. A \$115,000 grant from the Denver Regional Council of Governments helped to defray those costs. The City of Boulder paid for a \$405,000 custom shelter with a 140-bike capacity.

The city and county are considering building a bike hub with a 200-bike capacity, showers, lockers and a bike repair shop that could top \$2 million for construction.

Annual maintenance costs for the four shelters totals \$3,000, plus roughly six hours of staff time weekly.

Through March 2015, the program had distributed 565 access cards, with more than half signing up in the prior three months. A year later, that number had almost doubled.

But despite more than 1,000 users and 233 spots, the shelters aren't bursting at the seams, and the key card system, which can record usage, explains why.

"We were expecting people to

sign and use it five days a week, but that's not happening as much," Hyde-Wright said. "People are signing up and using the shelters every now and then. Many people are using them socially," for incidental trips, not part of a regular commute.

The 140-spot downtown Boulder shelter averages about half full, and so far, the county isn't talking about new policies to manage use.

"We're probably still a few years away from that," Hyde-Wright said. "We might look at charging for participation or going first-come-first-served in the shelters."

Hyde-Wright uses the shelters when he travels to Denver.

The drawbacks, he said, come from being part of a system over which the county doesn't have more control.

"Our shelters succeed or fail based on the bike network, which is part of the overall transportation system," he said. "Our urban fabric was built for cars, so bringing multimodal options into the picture will be slow going, and the drop in gas prices has made it easier for people to continue driving."

But he's optimistic that the shelters will see even more use when economics prompt commuters to look into bicycling.

"We're laying the ground-

work for when there's a financial incentive to ride your bike," he said. **CN**

*Bright Ideas features noteworthy and award-winning programs.*



**MORRIS COUNTY, N.J.**  
Introduced in: 1956

The Coat of Arms of the County of Morris, adopted by the Board of Chosen Freeholders in 1956, was developed from elements present in the coat of arms of the family

of Gov. Lewis Morris, the first governor of the state of New Jersey, and the person after whom the county is named. The county formed in 1739.

*(Charlie Ban, senior staff writer, compiled this feature.)*

The flaming castle turret at the top of the coat of arms, resting on a horizontal length of rope, is reminiscent of a Morris family castle in England, which was destroyed by fire. Below that is the knight's armored headgear, visor down.

The top of the armored breastplate overlaps a shield divided into four equal quadrants.

The two series of three circles each represent coins.

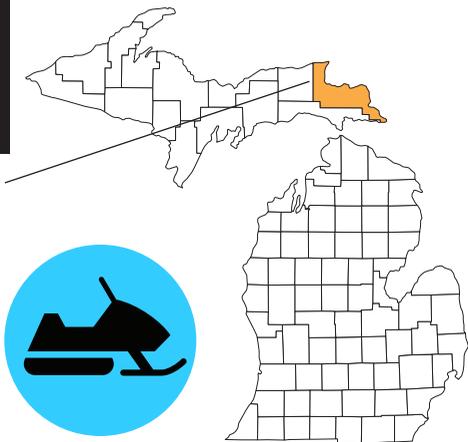


The lions facing left denote courage.

Across the bottom is the adopted Morris County motto, *Tandem Vincitur*, Latin for "at last it is conquered."

## GET TO KNOW...

## Chippewa County, Mich.



## Welcome, Chippewa County, Mich.

Perched on the U.S. border with Canada, Chippewa County (pop. 38,520) is **home to the oldest European settlement in the state, Sault Sainte Marie, the county seat.** The St. Mary's River separates Sault Sainte Marie from the same-named community in Canada. The river is also the gateway between the two countries through the American Soo Locks, which provides safe passage to Great Lakes ships.

**Chippewa County is also the site for the International 500 Snowmobile Race.**

## ON THE MOVE

## NACo STAFF

## Zach George

has joined NACo as a membership associate. A December 2015 graduate of the University of Kansas, George holds a bachelor's degree in political science and public administration. He completed internships with Rep. Lynn Jenkins (R-Kan.) and at the National League of Cities. Active in the student community, he most recently was the student body vice president and had served as the student body's policy, development and government relations director. He also founded a nonprofit to provide emergency relief for students in financial trouble at KU called Hawks Helping Hands.

■ **Brian Bowden**, associate legislative director;



George



Price



Bowden

**Matt Chase**, executive director; and **Michelle Price**, health program manager, represented NACo at the National Prescription Drug Abuse Summit in Fulton County, Ga., March 28–31.

**Emilia Istrate**, research director, attended the launch of the Ford-OECD (Organization for Economic Co-operation and Development) Inclusive Growth in Cities Campaign in New York City, March 29.

**Natalie Ortiz**, senior research analyst, presented the findings of

the *Second Chances, Safer Counties* report on a panel, Rehabilitation and Reentry Resources, at the Academy of Criminal Justice Sciences Conference, March 29–April 1, Denver, Colo.

# Miami-Dade Peer Exchange provides glimpse of timely local criminal justice reforms

By Hadi Sedigh  
associate legislative director

The Northeast Dade Driver's License Reinstatement Day took place March 18 in Miami, Fla. and coincided with a peer exchange hosted by Miami-Dade County Commissioner Sally Heyman, who chairs NACo's Justice and Public Safety Steering Committee.

The peer exchange gave county leaders from across the country an opportunity to see Miami-Dade's justice programs and initiatives, including the reinstatement event, which gave more than 600 Miami-Dade

ate a person for nonpayment of fines or fees without first conducting an indigency determination and establishing that the failure to pay was willful.

■ Courts must consider alternatives to incarceration for indigent defendants unable to pay fines and fees.

■ Courts must not condition access to a judicial hearing on the prepayment of fines or fees.

■ Courts must provide meaningful notice and, in appropriate cases, counsel, when enforcing fines and fees.

■ Courts must not use arrest warrants or license suspensions as a means of coercing the pay-

incarceration rates increased by 61 percent; meanwhile, between 1993 and 2012, local expenditures on criminal justice also increased by 61 percent.

Given that local fees and fines practices seem to have stemmed in large part from budgetary pressures and strains, counties wishing to reform their practices may find their reforms to be fiscally problematic or even impractical, at least in the short term.

In Miami-Dade, Slom addressed this tension between reducing fees and fines and funding county criminal justice systems; according to him, the

Many of the Miami-Dade residents present at the reinstatement event had accumulated a number of these fines, resulting in outstanding debts often exceeding \$2,000.

residents a chance to regain driving privileges that had been revoked, usually due to outstanding fines stemming from traffic citations.

In welcoming remarks at the peer exchange, Judge Samuel Slom, administrative judge of the County Criminal Division of the 11th Judicial District of Florida, described the reinstatement event as an opportunity for Miami-Dade County to revisit and adjust fines that may have been unreasonable — for example, a \$210 fine assessed for non-payment of a \$1 toll.

Many of the Miami-Dade residents present at the reinstatement event had accumulated a number of these fines, resulting in outstanding debts often exceeding \$2,000.

The reinstatement event seemed aptly timed, given that earlier that same week, the U.S. Department of Justice (DOJ) had published a letter discussing how excessive fines can run afoul of the U.S. Constitution or other federal laws.

In the letter, DOJ put forth the following principles applicable to the enforcement of fines and fees:

■ Courts must not incarcer-

ment of court debt with individuals who have not been afforded constitutionally adequate procedural protections.

■ Courts must not employ bail or bond practices that cause indigent defendants to remain incarcerated solely because they cannot afford to pay for their release; and

■ Courts must safeguard unconstitutional practices by court staff and private contractors.

It is not clear how many jurisdictions across the country currently employ fines-and-fees practices that might violate these principles, but a recent White House report states that “tens of millions of individuals in the United States have been assessed fines or fees as part of the punishment for a criminal offense.”

That said, the report also makes clear that the use of fines and fees by local jurisdictions is a result of budget pressure stemming in large part from increased criminal justice expenditures driven by the dramatic expansion of the U.S. criminal justice system in the last several decades.

According to the report, between 1990 and 2014, nationwide

individuals participating in the reinstatement event were unable to pay their outstanding debts, and as a result, the adjustment of those fees would not significantly impact the county's revenue.

Miami-Dade County Clerk Harvey Ruvin — a former Dade County commissioner who served as NACo president in 1987–1988 and whose office is currently charged with overseeing and auditing all county funds — was on hand to lend Slom the clerk's office's support.

For all involved, the Miami-Dade reinstatement event seemed to serve as an example of effective and rational criminal justice reform that could serve as a model to localities that are reassessing their justice practices — especially in light of the DOJ letter.

Yet, given the budgetary pressures that led to the establishment of some of the practices now under scrutiny, and the varying rates of economic recovery across the country following the recent recession, it will remain to be seen whether localities can replicate the recipe that seems to be working so well in Miami. **CN**

# MONEY MATTERS

## Investing in a volatile market: It takes a plan

The ups and downs of the investment markets make some investors nervous, but consider this: Most investors through the NACo Deferred Compensation Plan are retirement plan investors. They're in it for the long term. And retirement plan investors who stay the course often capitalize on market movements that create the buy-at-low-price opportunities necessary for long-term portfolio growth.

History shows that investment markets have grown over time, despite short-term ups and downs. Actually, these fluctuations are important. They create buying opportunities that may lead to profit over time. In fact, Wilshire Funds Management recently noted that while past performance is never a guarantee, "we should expect and welcome this type of volatility because it's healthy and it is often followed by periods of strong returns."

Yet, when the markets get volatile, many investors flee to what they perceive to be safer investments, often sacrificing the opportunity for long-term gains. But options that appear to be less risky also tend to offer lower returns — returns that may not keep pace with other risks, such as inflation. The Department of Labor calculates that what cost \$10,000 in 1995 likely costs more than \$15,637.53 today. Think about what that could mean to your money 20 years from now.

Many experts say you'll need 70 percent to 90 percent of your current income to maintain your standard of living in retirement. But when you consider additional factors, such as rising health care, long-term care costs and longevity, financial experts say today's workers may need considerably more assets at their disposal when

they retire.

The most relevant health care costs to retirees are those they must pay themselves. A 65-year-old couple retiring today can expect to spend about \$220,000 over the next 20 years on out-of-pocket health care expenses. According to the National Clearinghouse for Long-Term Care Information, at least 70 percent of people over the age of 65 will require some form of long-term care in their lifetime. Based on a national average of \$6,235 per month for a semi-private room, the cost of long-term care can be expensive.

What are we getting for our health care money? We're living longer.

The Census Bureau projects that the population age 85 and over could grow from 5.5 million in 2010 to 19 million by 2050. Some researchers predict death rates will decline even more rapidly, leading to faster growth of this population. Living past 100 is becoming more and more probable. Although it seems odd to say, living longer is a real risk. Especially to your money.

So, rather than trying to avoid market swings altogether, recognize that they happen and prepare for them. The NACo Deferred Compensation Plan helps county workers be more confident about their preparations. Participants have automatic access to My Interactive Retirement Planner, a tool that allows them to input all their potential retirement assets to formulate a potential retirement income plan. The planner can also incorporate projected health care costs, to help participants get a more realistic picture of their retirement budget — allowing them to understand their needs better, so they can build an investment strategy through the NACo plan to ad-

dress those needs.

Investing for retirement is all about striking a balance between market risk and return. The NACo Deferred Compensation Plan offers a broad mix of investment types that may help each county worker find the balance that fits his or her risk tolerance.

Nationwide has developed a series of topical workshops and videos to help county workers understand general principles of retirement planning and long-term investing. County leaders wanting to learn more about educating employees about weathering market volatility or to learn more about the NACo Deferred Compensation Program can contact their Nationwide representative toll-free at 877.4961630 or visit [nrsforu.com](http://nrsforu.com). 

*Investing involves market risk, including possible loss of principal. No investment strategy — including asset allocation and diversification — can guarantee a profit or avoid loss. Actual results will vary depending on your investment and market experience.*

*Retirement Specialists are registered representatives of Nationwide Investment Services Corporation: Member FINRA. Nationwide representatives cannot offer investment, tax or legal advice. Consult your own counsel before making retirement plan decisions.*

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NRW-4629AO-NX (04/2016)

## PROFILES IN SERVICE

### TIMOTHY P. ROUSSEL

Board of Directors  
parish president  
St. James Parish, La.



**Number of years active in NACo:** 20

**Years in public service:** 25

**Occupation:** retired maintenance supervisor, Mosaic Fertilizer, 40 years

**Education:** international correspondence studies and Louisiana State University continuing education courses on business and supervision

**The hardest thing I've ever done:** bury my father, mother and daughter-in-law

**Three people (living or dead) I'd invite to dinner:** Abraham Lincoln, Ronald Reagan and Jane Seymour

**A dream I have is to:** retire and go fishing and crabbing when I so please.

**You'd be surprised to learn that I:** used to trap nutria and raccoon at night in the swamps of Louisiana while holding a full-time day job.

**My favorite way to relax is:** catching, boiling and eating blue crabs.

**I'm most proud of:** my immediate family and my seven sisters and two brothers.

**Every morning I read:** a Bible scripture and a positive quote.

**My favorite meal is:** raw or charbroiled oysters.

**My pet peeve is:** why can't people tell the truth?

**My motto is:** All things are possible through Jesus Christ.

**The last book I read was:** *Rumsfeld's Rules* by Donald Rumsfeld.

**My favorite movie is:** *Top Gun*.

**My favorite music is:** '70s lite rock.

**My favorite president is:** Ronald Reagan.

**My county is a NACo member because:** of the top-notch staff making multiple resources and research capability available, coupled along with the influential lobbying on Capitol Hill.

**The most adventurous thing I've ever done is: catch a 12' 2" alligator.**



## the HR DOCTOR

With Phil Rosenberg



# A Week of Great Joy

**T**his has been an amazing past week for the Rosenberg family. The HR Daughter, Elyse, is now officially engaged to the wonderful, not to mention handsome and very much in love, Matt.

As readers of The HR Doctor articles know, Elyse is, like dad, a career public administrator. She surpasses dad, as all children should do, in being smart, caring, flexible and very passionate about the work she does and the lives she improves. Besides a career in public service, she is a great fiddler and singer. Did I mention that she is also, as the British would say (in her case, they have said), a “stunner?”

While the HR Daddy is thoroughly nonobjective in describing her wonder, there are many who agree that she is indeed extraordinary in the way she is able to convert challenges and problems into solutions. At the same time, she is often able to mentor colleagues so that their own skills and sense of accomplishment can flourish.

In thinking about her ideal wedding, Elyse decided early on that literally hundreds of friends and colleagues should not bear the expense and hassle of travel from wherever they live, especially in South Florida, to far-off Portland,

Ore. where Elyse lives. Therefore, she has planned a tiny little wedding, but four great celebrations in different parts of the country. Have wedding, will travel.

The first of these was in South Florida last week. Forty friends gathered at the home of a very dear friend and an honorary daughter.

Many were colleagues from Broward County government where both The HR Doctor and the HR daughter worked for years. Many were friends from the time we both lived in South Florida. All were full of excitement and joy to greet Elyse and meet the wonderful soon-to-be hubby Matt. Hugs and laughter were inspiring as

well as exhausting.

Next stop will be New Jersey, home of many of Matt's friends and family members. There will be a celebration in the Los Angeles area and then the tiny wedding, and likely, the biggest of the celebrations in Oregon.

Not only do Elyse and her amazing HR Sister, Doctor Rachel, live lives of service and passion, but they attract people who feel the same way. These are the people at work who will be successful. These are the people in life who will be happy, healthier and be able to look back at legacies of adventure, fun and making a difference in public service, private business and charitable work.

Elyse's decisions about the uniqueness of a tiny wedding and celebrations around the country were also reflected in her choice of gifts. She and Matt asked any potential givers to consider a special gift indeed.

Of course, there was the possibility of registering at a bunch of different stores or online gift certificates, even online crowd funding to make a honeymoon possible — so many choices. However, dear Elyse said to friends that what she would like to suggest is that people who want

to give a gift, donate to charities she and Matt want to help — specifically, the micro loan charity [www.kiva.com](http://www.kiva.com) or the Leukemia-Lymphoma Foundation. I have no doubt but that there will be many such donations in honor of their wedding.

The happy couple's choice about their wedding reflects principles of innovation of thought, caring about others and creating unique ways to solve problems, have fun and make great memories. Imagine how great it would be to apply these principles every day to the service of others through

public administration and philanthropy.

What a difference would result in the successful completion of projects, in helping advance the careers of people you work with and supervise, and, rather ironically, in making the work life of your own supervisor or colleagues in elected service more successful.

Elyse, you continue to amaze and continue to be a role model for civility and success. Have you ever considered running for an office which desperately needs those characteristics? Like president of the United States? **CN**



# Charity begins at work for these county employees

**From SAN DIEGO page 1**

through CECO's Employee Crisis Fund. CECO's board of directors comprises representatives from county departments. About 1,400 employees contribute directly from their paychecks; they still have an option of donating to the United Way, according to Nadia Binerup, CECO's vice president. She works in the county's office of strategy and government affairs.

"CECO has made a significant difference in the lives of many in our community facing health, recreation and human care needs," said Board of Supervisors Chairman Ron Roberts.

"One hundred percent of the contributions to the organization are distributed through grants to local nonprofit organizations."

CECO made more than \$177,000 in grants at its awards breakfast last month. The largest, approximately \$7,000, will help an organization that provides free dental services to purchase an x-ray machine, according to Binerup.

One of the smallest awards this year, \$272.99, went to a "social enterprise" program that trains immigrant and refugee women in floral design, she said.

Nonprofits can submit up to two \$10,000 grant applications per year, and if at first they don't succeed, they can try again.

That's what the Interfaith Shelter Network of San Diego did. A previous request wasn't funded, but this year, the organization received about \$4,000 to purchase air mattresses and cots for temporarily — as opposed to chronically — homeless individuals and families, according to

Trisha Brereton, the shelter network's executive director.

"It makes a world of difference to small organizations, which is primarily what they support," she said of CECO. "Four-thousand dollars may not be a lot of money to some of the big nonprofits, but to us, it means that ... people can have comfortable places that are safe and secure to sleep. So it's very meaningful."

For the Somali Bantu Association of America (SBAOA), it wouldn't be able to start its refugee women's Sewing Leadership Circle this month without the \$2,200 grant it received. The money will pay for sewing machines to be used to teach sewing skills that could lead to employment, according to Said Abiyow, SBAOA's executive director. San Diego has a Somali population of about

13,000, mainly refugees.

## The Noblest Motive

"The Noblest Motive is the Public Good" is the motto emblazoned on the San Diego County seal. For Vickie Velasco, a retired county employee who led CECO for 20 years, the organization shows a different face of local government workers to the public.

"Too many people look at civil servants as 'big long breaks, long lunch hours, leaving early,'" she said. "I wanted people to know who we are and how much we do beyond what we are paid to do — just because we care."

During her 32 years with the county, Velasco managed health promotion and disease prevention services. She continues to support CECO today with deductions from her

county pension and was honored by CECO with its President's Award last month for her past and ongoing commitment to the organization.

"When I went to that meeting to get the award, I saw they took what we had done and made it better," she said.

Velasco was so psyched about connecting with other retirees at the event that she's eager to get more people like her involved.

"Now I'm going to get revved up and get the other retired people to chip in too, because there are so many people out there that need help," she said — "so many agencies that are small, independent agencies that just a small amount can buy them a piece of equipment, can help them do a better job of what they're doing." **CN**

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Adapted  
Communities*

*Strengthening  
Local Road Safety*

# NEWS FROM ACROSS THE NATION

## ALABAMA

Nine counties have flipped the switch on a new \$1.8 million, **next-generation 911 system** that will digitally connect the counties.

Participating in the project are: **COFFEE, DALE, HOUSTON, HENRY, GENEVA, CRENSHAW, COVINGTON, CHILTON** and **BUTLER counties**, *The Southeast Sun* reported.

The system, whose implementation began in 2012, is now operational in all nine counties.

## CALIFORNIA

■ First responders in **LOS ANGELES COUNTY** will have an alternative to jail or the hospital for dangerously intoxicated people now that the Board of Supervisors has approved a “**sobering center**.”

County officials said it will cost \$2 million to open the center in a “skid row” area and another \$3.4 million a year to maintain it, according to the *Los Angeles Times*.

“Serial inebriates” are often transported to emergency rooms several times a day,” according to Marc Eckstein, the county fire department’s medical director.

“We’re spending a lot of money, tying up scarce resources, and it’s really not benefiting anybody very much,” he said. “There’s no good alternative right now, so this sobering center fills a huge void.”

The center will be run by the county’s department of health services and will be able to handle about 8,000 visits each year.

■ **MONO COUNTY** has been named **Conservation Leadership Partner of the Year** by the U.S. Bureau of Land Man-

agement for its efforts to preserve the bi-state sage grouse, a population of the birds found in an area straddling the California-Nevada border.

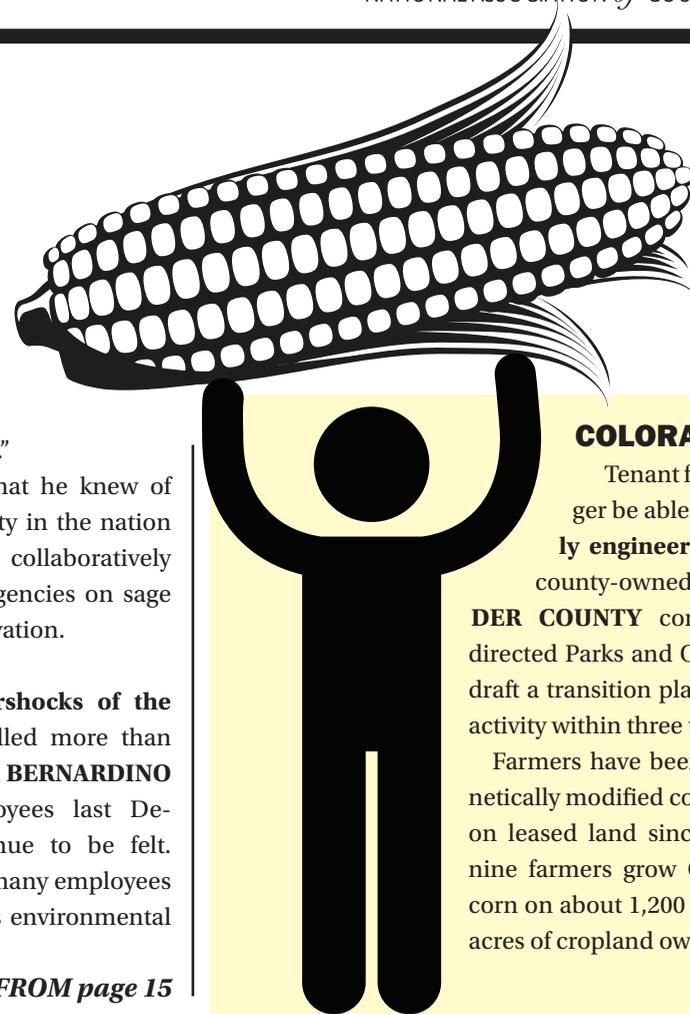
“This is a big deal — only one award is given a year, and typically it’s given to large, well-funded organizations whose sole mission is conservation,” said Steve Nelson, field manager for the BLM’s office in the county. “For a county to receive it is unusual, and Mono County should be very proud to have received this distin-

guished award.”

He added that he knew of no other county in the nation that works so collaboratively with federal agencies on sage grouse conservation.

■ **The aftershocks of the attack** that killed more than a dozen **SAN BERNARDINO** County employees last December continue to be felt. Months later, many employees of the county’s environmental

*See NEWS FROM page 15*



## COLORADO

Tenant farmers will no longer be able to grow **genetically engineered (GE) crops** on county-owned farmland. **BOULDER COUNTY** commissioners have directed Parks and Open Space staff to draft a transition plan to phase out the activity within three to seven years.

Farmers have been able to grow genetically modified corn and sugar beets on leased land since 2011. Currently, nine farmers grow GE sugar beets or corn on about 1,200 acres of the 25,000 acres of cropland owned by the county.



## OREGON

A **CLACKAMAS COUNTY** high school student shows fourth and fifth graders “what not to flush” at the 2016 **Celebrating Water event** at Clackamas County Community College. Cotton balls and Q-tips are a no-no. “Toilets are not trash cans,” the kids learn from the county’s Water Environment Services Department.

The department’s Watershed Health Education Program is a part of the county’s award-winning RiverHealth project. More than 600 children participated in the March 15 event. Photo courtesy of Clackamas County, Ore.

From NEWS FROM page 14

health division are still on extended leaves of absence.

To fill temporary vacancies, the Board of Supervisors approved an agreement of up to \$1.5 million with the California Association of Environmental Health Administrators to provide a maximum of 30 fill-in employees, the *Press Enterprise* reported.

The contract will give the county access to the association's membership of active and retired environmental health professionals. They'll be available on a longer-term basis than employees from neighboring counties who have lent temporary aide, a county spokesman said.

**FLORIDA**

■ The **UNION COUNTY** Commission is considering a one-year **ban on mining applications**. Residents are worried about how a proposed phosphate mine would affect rivers, groundwater and property values, according to *The Gainesville Sun*.

Commissioners say the moratorium would give them time to review and possibly revise the rules on mining in the county's comprehensive plan.

■ Thirty **Uber and Lyft drivers** were caught in a sting by **HILLSBOROUGH COUNTY's** Public Transportation Commission (PTC) resulting in fines of \$700 per violator, the *Tampa Bay Tribune* reported. Of those cited, PTC officials said about a third of the drivers or cars that arrived to pick up passengers weren't the same as the companies' smartphone apps indicated they would be.

**ILLINOIS**

The steam used to heat a Kellogg's fruit snack plant across from the **COOK COUNTY** Jail comes at a price. The problem is, according to the county, that the cereal maker hasn't been paying it.

So the county has filed a fed-



**NEW JERSEY**

A \$3 surcharge on filing documents in the **CUMBERLAND COUNTY** Clerk's Office is expected to generate \$75,000 a year to support a **homeless trust fund**.

The *New Jersey Advance* reported the money is expected to be primarily channeled to housing and counseling for the homeless, with a focus on frequent users of hospital emergency rooms.

eral **lawsuit seeking \$2.1 million**, alleging that the Kellogg's has been getting free steam for more than a decade, the *Chicago Tribune* reported.

The dispute stems from a 1973 agreement between the county and the city of Chicago giving the county control of a municipal heating plant. In return, the county was to provide heat to several nearby buildings.

About a year ago, the county warned Kellogg's that it would stop supplying steam unless the company signed a contract and paid what the county claims it's owed.

**KANSAS**

Two **SEDGWICK COUNTY** commissioners have asked state lawmakers to pass a bill that would restrict **counties' ability to raise property tax-**

es. Senate Bill 316 places a cap on how much property taxes could go up without voter approval.

Commission Chairman Jim Howell testified before the Senate Assessment and Taxation Committee that the measure would "empower citizens." Commissioner Karl Peterjohn also spoke in favor of the bill.

Sedgwick is the only county in the state actively advocating for the legislation, *The Wichita Eagle* reported.

**NORTH CAROLINA**

Counties and cities may no longer pass their own **anti-discrimination rules**, per recent legislation signed by Gov. Pat McCrory (R). It bars local governments statewide from prohibiting discrimination in public places based on sexual orientation and gender identity.

The law doesn't contain those protections and directs all public schools, government agencies and public college campuses to require bathrooms or locker rooms be designated for use only by people based on their biological sex. They can offer single-occupancy facilities, the Associated Press reported.

Transgender people who have transitioned to the opposite sex wouldn't be affected if they get their birth certificate changed.

**NORTH DAKOTA**

With wait times for **SWAT teams** from Minot or Dickenson reaching up to five hours, **WILLIAMS COUNTY** is going to form its own. Person-

nel from the Sheriff's Office, Williston Police Department, Northwest Narcotics Task Force and possibly the State Bureau of Criminal Investigation will staff a 20-member team.

It will respond to dangerous law enforcement situations, provide help during natural disasters and offer extra security, KFGO News reported

**PENNSYLVANIA**

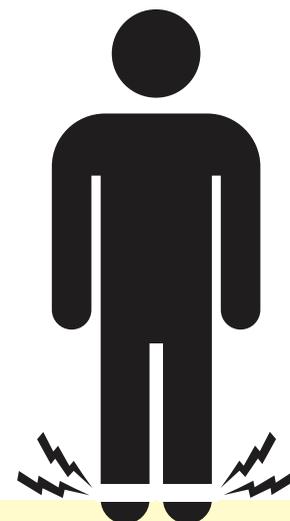
■ It took nearly nine months, but **Pennsylvania will have a budget** after Gov. Tom Wolf (D) decided to let the Republican-dominated Legislature's budget bill become law without his signature. This leaves Illinois as the only state to have not passed a FY16 budget.

■ Online booking agents can now collect **ALLEGHENY COUNTY's** 7 percent **hotel tax** on behalf of homeowners who rent out their properties on services like Airbnb.

The hotel tax already applied to these services, but this amendment created a new way of collecting it, the *Pittsburgh Post-Gazette* reported. Similar legislation is on the books in Philadelphia.

■ **CENTRE COUNTY** residents are much **more likely to pay their tickets** and fines than other counties' residents are.

The county Court of Common Pleas collected almost \$4.05 million, of the 2015 statewide total \$464.5 million collected in 2015, about 50 percent of what the county assessed. In second place was



**SOUTH DAKOTA**

Defendants judged to be dangerous enough to wear leg shackles in the **MINNEHAHA COUNTY** Courthouse will instead wear "**stun cuffs**."

Defense lawyers argue that the appearance of shackles causes a prejudice in jurors who are supposed to presume innocence.

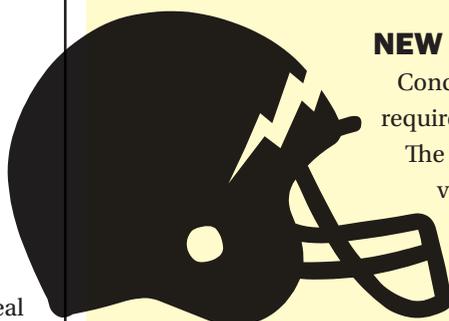
The *Argus Leader* describes the cuffs as attaching to both ankles and allowing an officer with a remote control to deliver an incapacitating, Taser-like jolt to the wearer.

**CARBON COUNTY**, which received 37.4 percent of fines assessed, the *Centre Daily Times* reported.

**TENNESSEE**

**TORRANCE COUNTY** may soon offer an incentive to its **emergency response volunteers**. Under a new proposal, volunteers would receive at least \$10 for every eight-hour block of approved training including EMT training and emergency vehicle operation. The fees are \$10 per call per response for fire calls and \$5 for emergency medical service calls, according to the *Mountain View Telegraph*. **CN**

(News From the Across the Nation is compiled by Charles Taylor and Charlie Ban, senior staff writers. If you have an item for News From, please email ctaylor@naco.org or cban@naco.org.)



**NEW YORK**

Concern over traumatic brain injury has prompted **ERIE COUNTY** to require **concussion training** for sports officials.

The law would require referees, coaches, teachers and others involved with organized sports go through concussion training. The training would teach those officials to identify the symptoms of a concussion early to prevent long-term brain injury for athletes.

Organizations that already require the training would be exempt from the law, WKBW News reported.

A large, 3D-rendered red megaphone is the central focus of the page. It is angled from the bottom left towards the top right. The text "LIGHTS, LEADERSHIP, ACTION!" is written across the white interior of the megaphone's mouthpiece in a bold, black, sans-serif font.

**LIGHTS,  
LEADERSHIP,  
ACTION!**

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