

Our Prayer. . . The Wisdom to Know and the Courage to Defend the Public Interest

Washington, D.C.

New ACIR Member

NEW ACIR MEMBER: Commissioner John Brewer, Kent County, Michigan (left) last week attended bis first meeting in Washington of the Advisory Commission on Intergovernmental Relations. He was greeted by other members of local governments. Judge Conrad M. Fowler, Shelby County, Alabama; Supervisor Lawrence K. Roos, St. Louis County, Missouri; and Mayor Richard G. Lugar, Inidanapolis-Marion County, Indiana. All four county officials are members of NACo's national board. Commissioner Brewer was recently appointed to the commission by President Nixon.

# New Transit Bill Ready By Coalition Rally

Legislation which would provide \$24 billion in federal assistance toward mass transit capital and operating expenses during the next six years is being prepared by the House Public Works Committee and is expected to be on the House floor by the time NACo Transit Action Coalition rallies in Washington on June 6.

The bill would authorize \$8 billion more than President Nixon has requested and the funds would be taken from new revenues rather than the Highway Trust Fund as the President has proposed. However, White House sources have indicated that the President would accept the Public Works Committee bill.

the Public Works Committee bill. NACo's Transportation Steering Committee will review a draft of the legislation to determine if it matches NACo transportation policy when the committee meets in San Bemardino, Calif., May 23-24.

The Transit Action Coalition and all county officials who are interested in getting mass transit assistance through Congress will meet in Washington D.C. June 6, to talk to their Congressmen about the bill.

Because an early June vote is anticipated, the June 6 Transit Action Rally is a must for county officials interested in federal transit assistance.

According to the Public Works Committees' draft legislation, localities wishing to obtain federal transit funds must submit proposals to their state governors. Governors would forward applications to Washington and disburse money to localities. Disbursement formulas would be based on ridership, population, the size of the mass transit deficit in the locality, and the needs of the area as viewed by local officials and the governor.

Local governments would be given the option of using funds for either capital or operating expenses. For capital expenses, the federal government would provide 80 percent of the funds, and for operating expenses the federal share would be 50 percent. In both cases, localities would provide matching funds.

provide matching funds. The Public Works Committee bill also provides \$1.4 billion a year to build highways in rural areas with abandoned fail spurs.

Representative Robert E. Jones (D.-Ala.), second ranking Democrat on the committee, noted that agreat portion of the transit assistance will go to the nation's six largest cities. "Even though this bill means very little to my constituency, it means a great deal to us all," Jones said. "It's not a choice; it's a demand up on the federal government..."

Senate hearings on mass transit legislation are expected to begin after House action is completed, probably in July.

All County officials who wish to attend the June 6 Transit Action Coalition Rally should contact Ralph Tabor or Meg Stephens at NACO (202/785-9577) as soon as possible. Collect telephone calls will be accepted. The coalition will begin their rally at the Quality Inn-Capitol Hill in Washington at 10 a.m. Thursday, June 6. The rally is scheduled to conclude by 3:30 p.m.

# OMB Policy To Restrict Tax-Exempt Bond Use

A new policy directive that could seventy restrict state and local government activities in housing, hospital construction, student loans, airport construction and other federal grant and loan programs is expected to be issued shortly by the Office of Management and Budget.

Known as Circular A-70, the policy has been under review and revision for nearly two years. The key section, 5c, would forbid direct and indirect federal guarantees, insurance or interest subsidies

## Conferees Okay Legal Service Bill

House-Senate conferees, ending a three-year congressional battle, reached unanimous agreement last week on legislation creating an independent, nonprofit corporation to furnish legal aid to the poor.

The compromise, which adopts in modified form many of the House's sharp restrictions on the activities of Legal Service lawyers, restructures the entire Legal Service program, which has been run as part of the poverty program since 1966.

Under the agreement (H.R. 7824), the new corporation would be run by an 11-member board appointed by the President subject to Senate confirmation. The compromise authorizes \$90 million for the program in fiscal 1975 (the present level is \$71.5 million), \$100 million in fiscal 1976, and "such sums" as Congress deems needed in fiscal 1977. After that, new legislation would be needed.

The conference report was signed by all Republicans and Democrats present at the final conference.

The conference toned down some but not all of the sweeping House prohibitions against Legal Service lawyers. Conseratives had complained the lawyers fostered frivolous lawsuits and strikes, protected draft dodgers and aided in abortion and desegregation suits instead of sticking to representation of the poor in civil cases involving rent, welfare rights, custody, property, housing, divorce and debt. Final provisions permit continuation until January 1, 1977 of 15 legal "backup centers" operating at universities, but only under special conditions including a one-year study of

Final provisions permit continuation until January 1, 1977 of 15 legal "backup centers" operating at universities, but only under special conditions including a one-year study of whether they should be terminated, and would bar Legal Service lawyers from bringing school desegregation suits, running for office or engaging in other (Continued on page 3) for tax-exempt state and local government bonds.

Originally scheduled to be issues in early 1973, OMB postponed it because of the unanimous opposition of NACo and other state and local government public interest groups.

other state and local government publicinterest groups. The effect of A-70 is to undermine a long-standing practice of federal financial participation in state and local government programs where the local share is financed through tax-exempt bonds. Despite the fact that federal participation has been authorized by Congress in numerous federal laws, OMB made its proposal for fiscal reasons.

Virtually all construction activities undertaken by counties — low and moderate income housing, airports, water and sever, hospitals — are financed in whole or in part by the proceeds from the sale of tax exempt bonds. The OMB' action would severely restrict or possibly eliminate these vital programs.

Considerable concern over the new OMB policy is beginning to surface in Congress. Some Congressmen are calling for the Administration to submit the language of the circular to Congress in the form of legislation for its consideration.

Additional information may be obtained from John Murphy at NACo.

## Rules Committee Reverses Land Use Position

By a vote of 8-7, the House Rules Committee last Wednesday afternoon reversed an earlier decision and gave an open rule to H.R. 10294, the "Land Use Planning Act of 1974".

The way is now clear for this legislation, sponsored by Rep. Morris Udal (D-Ariz.), to be considered by the full House, although it is not certain exactly when the bill will come to the floor.

The open rule means that amendments may be offered from the floor of the House, with the Rhodes-Steiger bill (H.R. 13790) being a possible substitute that may be adopted in whole or in part in favor of H.R. 10294. The Rhodes-Steiger bill does not contain the guarantees for local government consultation in the land use planning process which NACo and other local government public interest groups have supported so strongly in H.R. 10294.

NACo supports this bill. At the Legislative Conference in February, the Board of Directors passed a resolution urging its passage.

NACo urges county officials to contact their Congressmen and urge them to vote for it.

## Iowa Counties Join In Alcolism Program

In 1969, a citizen's council in Spencer. Iowa started a program for alcoholics with \$7,000. Today, the Northwest Iowa Alcohol and Drug Treatment Unit, operating on a \$208,000-a-year budget, offers comprehensive services to people with alcohol problems in nine counties.

"We have one central office here in Spencer," explains Director Jeff Voskans, "and three outer offices. We maintain a vigorous outreach program - in a rural area like northwest Iowa, this is probably the key to a successful program."

Another factor in the program's success, Voskans points out, is the regular meetings of all participating county agencies — health departments, public nursing, vocational rehabilitation, and agoing agencies to discuss the second and social services - to discuss how particular needs of the clients can be met. "This is important," Voskans

Voskans emphasizes, "our treatment is based on cific, individual needs. For example, our evaluation may indicate that a client is unemployed and worried about debts. Or that a client should change jobs. We have an industrial consultant to advise these clients. About 45 percent of our clients indicate they have spiritual needs, and we arrange for counseling - often marital counseling - through local ministers."

Efforts that begin with meeting specific needs are sustained by supportive therapy. Counselors conduct care-group sessions which the client can attend with sessions which the client can attend with spouse and children. "The group becomes a small therapeutic community," Voskans says, "and sometimes it replaces the group a client drank with before entering the program." Voskans estimates 15 percent of the

unit's clients are assigned to seek help by county courts. The unit recommends that

judges grant a six-month continuance to defendants accused of alcohol-related misdemeanors, contingent on their participation in the unit's program. After six months, the charges are usually dropped if the defendant completes the dropped if the detendant completes the program successfully. The unit can grant a temporary driver's permit to defendants accused of driving while intoxicated, and can also revoke the permit, according to Voskans.

The unit initiated a Court Education Program last year that sent 272 juveniles accused of alcohol-related offenses or drug possession to Saturday-morning classes rather that to a correctional facility. Of this group, only three were

re-arrested within the year. The Northwest Iowa Alcohol and Drug Treatment Unit treated 505 adult clients Itast year. "We follow up on our clients after 30, 60, 90, 180 days, and one year," Voskans states. "In December, 1973, we found we had 63 percent dry clients." Voskans explains, "Alcoholism is a far bigger problem here than drug addiction, and we always emphasiza in our creaking and we always emphasize in our speaking engagements that it is a community problem."

The community – counties and cities (with some Title IV funds from the state under the Social Security Act) – contributes \$100,000 of the unit's budget.

## GSA, OMB Plan Grant Workshop

The General Services Administration (GSA), Office of Management and Budget (GSA), Office of Management and Budget (OMB) and the General Accounting Office (GAO) are conducting a workshop on ''Federal Grant Financial Management'' on May 23-24 at the Muehlebach Hotel, in Kansas City, Mulenierach riotel, in Kansas City, Missouri. This workshop should be very valuable to federal, state and local officials involved in the administration and management of Federal grant

programs. The meeting is scheduled to open with registration Thursday, May 23 at 8 a.m. It will begin with overviews on the role of the Federal Regional Councils in grant programs; grant programs from the recipients' viewpoint; and administration of federal grants - (uniform administrative requirements, indirect costs and financial management and audit.

After lunch, three workshops will be held on Circular A-102, Circular A-87 and Federal Audits.

On Friday, May 24, the meeting will continue discussions on the subjects of A-102, case studies on the development Intergovernmental Audit Forms. Attendance will be limited. Because of

rapidly approaching conference dates, interested persons should register by telephone with J. William Gadsby at 202/343-8821.

202/343-8821. Each participant will be responsible for his own travel, lodging and food costs. The Muehlebach Hotel in Kansas City has set aside rooms for overnight accommodations. Rates are \$16.50 for single and \$23 for double. The hotel phone number is 816/471-1400.

### Aid Briefing Set In Louisiana, New York

Two more federal aid briefings will be held in the near future by the NACo Council of Intergovernmental Coordinators. The first, May 29-31 will be a the Hilton Inn near the New Orleans airport. The second will be June 6-7 in Hauppauge, Long Island, New York.

Manpower and transportation will be covered in depth at the Region IV briefing in New Orleans. Two indepth workshops covering the Comprehensive Employment and Training Act (CETA) and fodgraft and training Act (CETA) and federal aid for mass transit have been

planned for the morning. Following lunch, there will be a series of mini-workshops covering programs of the Environmental Protection Agency, Department of Health, Education, and Welfare and the Economic Development Administration.

The meeting is being arranged by NACo/CIC Region VI President Roy Wilty of Jefferson Parish, Louisiana, A registration fee of \$25 will include a reception to be held from 7 p.m. to 9 p.m. on Wednesday, May 29, the luncheon and conference materials.

A special training session will be held on Friday moming, May 30 covering OMB Circulars A-87 and A-102. To make room reservations for this meeting, mail the form below to the Hilton Inn at New Orleans Airport, 901 Airline Highway, Kenner, Louisiana 70062 (Telephone: 504/721-3471). For more information on the

conference in New Orleans, contact Roy Wilty at 504/367-8517.

#### **Region II Briefing**

Mass transit, rail reorganization, manpower and current funding of the Law Enforcement Assistance Administration will be among the topics

discussed at the NACo/CIC Region II Federal Aid Briefing scheduled for June 6-7 at the Colonie Hill Resort and Country Club at 1717 Motor Parkway in Hauppauge, Long Island, New York. Region II includes New York and New Jersey

Suffolk County Executive John Klein and Nassau County Executive Ralph Caso will co-host the meeting

Klein, Chairman of NACo's Manpower Policy Steering Committee, will preside over the workshop on "Comprehensive Manower Beform" Manpower Reform."

A panel, composed of county, state and federal representatives from New York and New Jersey will discuss several important bench marks in the development of county manpower

programs. Fiscal year 1974 supplemental programs. Fiscal year 15'4 supplemental appropriations for manpower are expected to receive Congressional approval in late May. Funds for public service employment and summer youth programs should become available at that time. Panel members will explain any terms and conditions attached to these added funds, which may total nearly \$1 billion. A \$25 per person registration fee will include a reception, luncheon and conference materials. Those planning to attend the conference can reserve a room Colonie Hill by calling the at the Colonie Hill by calling 516/234-7800. Rooms will be \$20 for a single and \$25 for a double.

For further information, contact William Morrissey of Suffolk County at 517/7274700.

The second second	NACo/CIC Regional Fe	deral Briefings
Name:	in the second second	
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For Region IV Briefing Mail To: Hilton Inn at New Orleans Airport, 901 Airline Highway, Kenner, La. 70062

### Senate Votes To Ease Clean Air Standards

The Senate has voted to ease clean air standards in order to conserve energy. The Senate bill is in the form of a substitute amendment to H.R. 14368, the Energy Supply and Environmental Coordination Act of 1974, passed by the House earlier this month.

The substitute amendment differs from the House passed bill in two significant ways. First, the Senate bill would allow the Environmental Protection Agency (EPA) to impose parking surcharges in major metropolitan areas. Last year, EPA proposed parking surcharges in eight metropolitan areas as part of transportation control plans to help clean the air. The House-passed bill specifically prohibited all parking surcharges, but the Senate Public Works Committee bill does not mention them at all

Secondly, the bill, like the House version would temporarily suspend clean air standards and allow conversion to use of coal. However, it modifies the coal conversion proposal by narrowing its application to assure that at least the primary standards of the Clean Air Act are maintained. The primary standards of the Clean Air Act ensures the protection of public health.

The Senate bill adopted the identical provision as the House bill in extending for two years the date for auto manufacturers to reach prescribed emission standards.

A joint Conference committee will meet soon to iron out the difference in the hills.

## Impact Aid Cut Eased By Vote In Senate

The Senate has voted to kill a Labor Committee proposal which would have slashed federal impact-aid education funds. During Senate debate on the Elementary and Secondary Education Act of 1974, last week, an amendment which postponed the proposed impact act cutbacks for a year was approved by a ' voice vote.

Federal impact-aid compensates local school districts for added enrollments caused by the presence of a federal military or government installation. The Senate Labor Committee has proposed substantial cutbacks in the "B aid", paid for students whose parents do not live on a government installation.

The amendment's sponsor, Sen. J. Glenn Beall (R-Md.), said his amendment allows the "reform of the impact aid program that the committee desires, but it does so in a more reasonable manner and hopefully will avoid drastic consequences to many school district."

His amendment will postpone all changes in impact aid for one year, so the changes will go into effect in Fiscal year 1976. It also provides a transitional phase-down period for heavily impact "B aid" districts by assuring schools 90 percent of their previous year's funding level. Heavily impacted "B aid" districts are defined as those with 70 percent or more "B" students.

The Senate also adopted a revenue sharing method for allocation of new funds for school books, supplies, equipment and service. States may spend those funds as they wish, instead of having half of the new funds limited to special categories.

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## Steering Committees



PLANNING FOR NACO'S ANNUAL CONFERENCE: Two NACo Steering Committee Chairmen conferred during a joint committee meeting held last week at NACo's headquarters. Commissioner Charlotte Williams, Genesee County, Michigan (Welfare and Social Services Steering Committee), and Supervisor Ernest Debs, Los Angeles County, California (Health and Education Steering Committee), called a meeting to discuss pending legislation on national health insurance. The committee will present resolutions and recommendations for changing the American County Platform to NACo's Board of Directors on Sunday, July 14 at the annual conference in Dade County, Florida. The conference runs from July 14 to July 17.



### National Association of County Recorders and Clerks American University Institute of Election Administration

The House of Representatives has temporarily slowed down the drive for a national voter registration agency and national post card voter registration, but the fight is far from over. (See County News May 13, 1974) By a 204-197 vote, the House rejected the rule governing debate on the issue, an

essential prerequisite to voting on the measure itself. As a result, the vote is not exactly indicative of the sentiments of some members toward the legislation.

Bill Frenzel, (R-Minn.) one of the strongest opponents of post card registration, as well as others who wished to permit debate and vote the issue up or down, votes for the rule. It is believed that others voted against the rule although they might have voted for the bill itself.

The roll call vote generally followed party lines. There were 177 Democrats and 20 Republicans who voted for the rule, 160 Republicans and 44 Democrats, mostly from the South who voted against

John Dent, chairman of the elections subcommittee and sponsor.of the bill, indicated that he will attempt to get this legislation passed later in the session. One possibility is as an amendment to other campaign reform legislation.

Leading the debate against the post card proposal was John Anderson of Illinois who voiced fear of fraud. Anderson said, "This is a pie that is filled with rotten apples, and we ought to look at it pretty closely before we adopt the rule and vote on legislation that is going to give us a bad case of indigestion."

Speaking for the post card proposal, was Bill Gunter of Florida said, "In my view, millions of Americans remain unregistered, not because they are

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uninterested in making the conscientious effort to do so, but because the artificial mechanical hurdles constructed for purely bureaucratic reasons in practice make it effectively impossible or extremely difficult to do so." Richard Ichord of Missouri inserted

Ruchard Ichord of Missouri inserted into the debate comments from local election officials from nine Missouri communities as well as the statements of Missouri Secretary of State James Kirkpatrick.

The House version of this legislation differs somewhat from the Senate. The House bill places the national voter registration agency in the General Accounting Office but if the Senate bill was passed, the Bureau of the Census would be the controlling agency.

The Senate version requires post cards to be mailed to every residence in the nation between 45 and 30 days prior to the close of registration before a federal the close of registration before a federal election. The House established a time period of 120 to 60 days prior to the close of voter registration in each jurisdiction.

There is no doubi that this vote was a major setback for proponents of national voter registration. Nevertheless, the vote was not necessarily fatal. This legislation has survived negative votes which would have killed ordinary bills.

Two votes in the Senate sustained a filibuster before a third was successful in closing off debate and enabled the bill to subcommittee on Elections had apparently tabled the bill, a later vote reversed that action and moved the proposal on its way to the House floor. We have not seen the last of the reversed up to the set of the

national voter registration agency legislation.

## **New Directions** by Marion Mosner

**Community Development Center** 

#### **Open Space Covenant Plan**

Open Space Covenant Plan A proposed open space covenant plan that would preserve open space is being considered in Montgomery County, Pennsylvania. The county plan would lower real estate tax assessments for acreage retained as open space, such as farm land, forest land, land designated as watershed, steep slope areas, floodplains, abutting parks, historic and future park sites. To get the lower rate, a land owner would agree not to sell or develop the land within ten years. If the covenant is broken, the owner must pay a penalty of heak taxes back taxes.

Transit Study Consultants hired by the Comprehensive Planning Organization is conducting a \$130,000 transit study to produce proposals for improving and expanding bus service in San Diego County, California over the next five years. The study will focus on operations of the San Diego Transit Corporation and the proposed North County bus system and will include a survey of riders currently using the system. Public transit currently accounts for only two percent of all trips in the county, and it is hoped that the study will determine ways to increase busridership.

#### **UMTA Grant**

The Urban Mass Transportation Administration (UMTA) has awarded two grants totaling \$5,510,288 to the Port Authority of Allegheny County, Pennsylvania to assist in the purchase of 85 new transit buses varying in size from 31-35 passenger to 49-51 passenger capacity. In addition, these funds will purchase a fringe parking lot, fare vaults, a computer and accessory equipment, other transit-related equipment, and the rehabilitation of 25 trolley cars.

#### **FAA** Grants

FAA Grants The Federal Aviation Administration (FAA) has approved Airport Development Aid Program (ADAP) funds for airport facility improvements for Knox County (Me.) Regional Airport, \$246,750; Chautauqua County (N.Y.) Airport, \$608,605; Westchester County (N.Y.) Airport, \$376,500; Cortez-Montezuma County (Colo.) Airport, \$140,719; Emmet County (Mich.) Airport, \$205,200; Rutherford County (N.C.) Airport, \$688,800; and Starke County (Ind.) Airport, \$614,910. An ADAP Allocation, assures the orderly development of a national airport system to meet future air transportation demands. In other action, the FAA has approved a \$29,000 Planning Grant for Jefferson County (Tex.) Airport for the preparation of a master plan designed to encourage development of its facilities.

#### Tri-county Waste Plan Develops

Legal groundwork for a regional solid waste rian Develops million, will facilitate a comprehensive management plan for disposing of solid waste in Multnomah, Washington and Clackamas (Ore.) Counties. The plan calls for recycling transfer stations in each county to shred solid waste and placing remaining waste materials in landfills. Directors of the Metropolitan Service District have approved maliminery stages of anching logislation preliminary stages of enabling legislation.

the fuel value of coal. Eckhoff said that the 750 tons of combustible garbage collected daily could supply a sizeable portion of the heat used by generators at Utah Power and Lights plant in Salt Lake County, which is considering the program. Additional, this would grossly reduce the need for landfills as well as provide a useful energy source in times of a potential shortage.

Smog Emergency Plan The San Diego County (Calif.) Board of Supervisors is conducting public hearings on a smog emergency plan recommended by the state Air Resource Board. Dr. J.B. Askew, county health director and air pollution control officer, said the plan is required to meet the state clean air implementation program. The plan will alert the public when dangerous levels of smog exist. An abatement program would be implemented in three stages — stage 1: a warning to citizens requesting curbing of automobile use; stage 2: closing schools, government offices and regional shopping centers; and stage 3: closing of certain industries, retail and service establishments and requesting the governor to declare a state of emergency. Last year, the air pollution exceeded stage 1 eleven times.

#### **Emergency Communications System**

The Lehigh County (Pa.) Commissioners are proceeding with a plan to create a county emergency communications system to serve both suburban and rural areas. It will assist police forces, fire companies and ambulance services, and can be used as a backup for the city's system. The plan will consolidate communications and provide for a communications center with an Allentown zone in the police department and asuburban zone in the County Civil Defense Department.

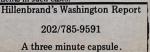
## **Conferees Agree On Legal Service**

#### (Continued from page 1)

political activities barred by the Hatch Act, taking Selective Service cases, taking part in any criminal proceedings on behalf of clients, or bringing suits for non-therapeutic abortion if an abortion would be contrary to the religious beliefs of the doctor or hospital.

The final bill also bars Legal Service lawyers from fostering strikes and from

organizing lobbying groups or soliciting clients to press for any legislation or administrative ruling in rule-making cases. But they can represent legitimate eligible clients in such cas



## County Opinion

## Rural Development Breakthrough

Last week's release of \$120 million for rural water and waste disposal system grants was good news to counties. These funds had been appropriated by Congress but impounded by the Administration, and their release represents a major change in Administration policy.

Don Cleveland, leader of the NACo Rural Development Coalition, very correctly said this was a breakthrough for the coalition in its efforts to get full funding of the Rural Development Act of 1972.

We think the release shows that a coalition of county officials working with other groups and organized around a specific issue can greatly influence Congress and the Administration.

However, a word of caution for our Rural Development Coalition. The funds released represent only a small part of the total needed. The funds Rural Development Act authorizes \$300 million annually for rural water and waste disposal grants. In addition, another \$140 million for rural industrial development, pollution control and planning assistance are still impounded. The coalition should intensify its efforts and capitalize on the breakthrough.

The coalition should also take a good look at how these grant funds will be used. The Farmers Home Administration (which will administer the funds) should use local general purpose units of government to administer water and waste disposal systems developed with these grants. The creation of special districts should be discouraged. There are too many of them already. These grants should not trigger more.

## IPA Needs More Money

The Intergovernmental Personnel Act of 1970 was passed Congress to strengthen the bv management capabilities of state and local governments. If asked to point to one federal program that has done much to aid in developing counties as full partners in "New Federalism," we would have to point to the IPA program.

Administered by the U.S. Civil Service Commission, it provides grants and technical assistance to state and local governments in personnel administration, permits temporary assignment of personnel from one level of government with another or with a university, authorizes state and local government employee attendance

#### County News

EDITOR Bernard Hillenbrand; EDITOR: Bernard Hillenbrand; EXECUTIVE EDITOR: Dorothy Sortor Stimpson; MANAGING EDITOR: Samuel M. Sullivan; OUTLOOK EDITOR: Linda Ganschinietz; ASSOCIATE EDITOR: Eileen Hirsch; COMPOSITION: Patricia Anderson,

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at federal training programs, urges development of cooperative recruiting and examination efforts, and provides for administration of merit employment standards for about 30 federal grant-in-aid programs.

The program has proven itself, but not nearly enough money has been appropriated for it. In fiscal 1974, \$10 million was authorized for IPA programs. That's \$10 million to be divided among 50 states which in turn must divide the funds among 100 to 150 grant-applicants. In California for instance, there were 110 proposals for a total of \$5 million. There was only \$1.2 million available. In New York State, with \$1.2 million also available, there were applications seeking \$4 million filed.

The House and Senate Appropriations Subcommittees on Treasury, Postal Service and General Government will be holding hearings on IPA appropriations on May 20 and May 30 respectively. NACo is urging them to approve \$30 million. If your county has had an IPA program or has been unable to secure a grant due to lack of funds, contact your Congressmen, write to the subcommittees and let NACo know. These programs have been effective but need more money.

## Letters to NACo

Editor's Note: Alstair McArthur, formerly Assistant Director of the National Association of Counties and now Intergovernmental Programs Coordinator for Montgomery County, Maryland, has suggested amending the federal laws to make countise eligible for non-profit mailing privileges for certain county mailings.

Dear sir: Under the U. S. Code, the Post Office Department can grant non-profit mailing privileges to certain groups. These include religious, philanthropic, fratemal, labor and educational organizations. They usually rely on the Internal Revenue Service for their definition as to what qualifies as a tax exempt organization and therefore is eligible for the non-profit

In addition to specifying which organizations qualify for this privilege the code also notes that state, municipal and county governments do not qualify for the non-nofit mailing nuisless the non-profit mailing privileges. This has caused us some concern in

Montgomery County because our recreation department makes a quarterly mailing to about 100,000 people of a tabloid which describes the various recreational programs that will be available during that particular season. We pay the bulk rate because we are a county government and therefore not eligible for the non-profit mailing privilege (which is about six cents less that the bulk rate). By contrast, our board of education mails to essentially a similar list a tabloid which describes their programs. Since it qualifies as an educational organization, it is entitled to mail under the special non-profit making privilege at a much reduced cost. The Montgomery County Community College also enjoys similar privileges. There are at least two answers to the

There are at least two answers to the problem: one would be to piggy-back our mailing with that of the board of education under the special mailing privilege. The Post Office frowns on this practice. In fact, they said it was downright illegal and we would all go to jail if we tried it.

The second solution is to get the law changed and that is where NACo might want to lead the fight. If you could get the code changed to allow counties to qualify as non-profit making groups, think of the thousands of dollars that we would save.

> Alastair McArthur Intergovernmental Programs Coordinator

## **Growth Management** Techniques

NACo and the International City Management Association (ICMA) will sponsor a national conference on Techniques of Growth Management hosted by Fairfax County, Virginia at the Sheraton International Hotel in Reston, Virginia on May 22,1974.

The conference will have panels on the following:

\*Moratoria and Interim Controls \*Adequate Public Facilities Ordinances \*Assessing Economic and Fiscal Impact \*Environmental Impact Statement Process

\*Land Banking \*Housing Policies \*Zoning: New Developments and Alternatives \*New Communities

Leading city and county officials who have experienced rapid growth and uroan sprawl will serve as panelists and present case histories of how problems were handled locally.

Among the scheduled special speakers at the conference are Robert Freilich, Professor of Law, University of Missouri, author of Ramapo New York State Supreme Court Decision.

The conference fee of \$75 includes extensive growth management materials, three meals and a Reston tour. County officials who have questions may direct them to Jayne Seeley or Bruce Talley at NACo, 202/785-9577. Those who wish to register may use the attached form and send it with the \$75 fee to: Claire Rubin, International City Management Association, 1140 Connecticut Avenue, N.W., Washington, D.C. 20006. Make checks payable to ICMA/NACo Growth Management Conference,

#### ICMA/NACo GROWTH MANAGEMENT CONFERENCE Sheraton International Hotel Reston, Virginia May 22-24, 1974

**REGISTRATION FORM** 

Name:	and the second second	Remittance enclosed
Title:		Bill me
Local Government:		Please send me room
Address:		reservation material at the Sheraton in Reston, Virginia
City:	State:	Zip:
Send to: Claire Rubin, ICM. 20006	A, 1140 Connecticut Ave	enue, N.W., Washington, D.C.

May 20, 1974

# Effective leadership needed for urban ills

#### by Floyd H. Hyde

The problems of any large and complex society such as ours obviously cannot have simple solutions. In fact, it is often difficult to even find agreement as to just what the major problems are, let action. Recognizing this fact, I nevertheless submit herewith my "problem list" based upon my experience of 10 years in local and federal government service.

They are familiar ills of substandard housing and slum conditions generally; of inadequate health care, education and other social services; of unreasonable restraints in human rights, dignity,

mobility and personal aspirations. These problems hold the threat of much greater longevity than Watergate or the energy crisis. They seem particularly endless and intimidating to their victims because, as Ogden Nash put it, "Life is so daily."

Yet we have accomplished no more than a series of beginnings toward solutions. We consistently reject the true magnitude of the task - social, economic, physical and human. We invariably refuse to opt for workable plans or to pledge the necessary sacrifice for adequate resources and commitment.

Even with the massive problem-solving efforts of the '60s, we find results in doubt and commitment compromised. doubt and commitment compromised. Urban areas are pock-marked, but they are no longer in flames. And so we turn not to thorough and coordinated follow-up action, but to a huge national sigh of relief, courting dangerous illusion. The responsibility for failure to deal adequately with this situation, in my ominion must be shored by our anti-

opinion, must be shared by our entire political system, particularly at the national level — the executive branch, the Congress, and our major political parties, for these are the instruments through which priorities are set and the people challenged.

Our leaders fail primarily because of the political rish of perception - of viewing with alarm before the bell goes off directly in the public's ear.

Walter Lippman once reminded us that office holders are always on trial for their political lives. They look upon the whole truth as a luxury. "It is safer to be wrong," Lippman wrote, "before it has become fashionable to be right."

When the federal government does act, it is almost always in the form of ill-conceived, reaction to crisis, rather than well thought-out, long range planning. A good example is the almost unlimited expansion of federal categorical grant programs; we now have more than a thousand of them - each aimed in theory at a social evil, each armed in theory

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against a human neglect.

against a numan neglect. Needless to say, their main growth came in the '60s, when the full and frightening bill for years of token concern finally reached us.

We should not ignore the accomplishments of many of those programs. We did indeed improve education, health and other social services. We accelerated center city reconstruction through urban renewal and approached human renewal with Model Cities efforts community estimation Model Cities efforts, community action programs, to mention a few. again

we must note But inefficiency inherent in urgency. We've now had time to observe the programs and judge them, and some of the results are disappointing, to say the least.

It is not easy, as a former mayor, to abide the federal bureaucracy - for example, to be told that a single project requires 25 copies of an application 18 inches thick; to take that incredible bulk to the federal agency in a truck, and to learn months later that no action has taken because the application has been been mislaid.

But it may be harder as a federal official — an ex-mayor with the same kind of hope and, he thinks, some effective power at last to help sort out the chaos

It is harder because optimism is finally undermined, not by the magnitude of the task but by the lack of a national will, the absence of a determination at all levels of government and among all segments of

the population to face reality. We are relegated to a situation in which the policies and priorities in the fight for a better American materialize, as I have attempted to illustrate, almost entirely by default.

My apprehension for the future is that we will do no more than we have done thus far.

#### **Subsidy Programs**

Of the other federal programs that have been tried and found wanting, some were in the second housing wave - the subsidy programs, which were suspended just over a year ago. You are well aware that we followed

the suspension with a six-month, in-depth study to discover just where our housing efforts had taken us and how we might better proceed.

Among other things, we discovered that the old programs - through calendar - had served only six percent of 1972 those eligible.

This limited help was not even going to those who needed it most. The average annual income of those receiving aid under the Section 236 rental program was \$5,450; the average annual income of the recipients of Section 235 home ownership program assistance was \$6.750.



**On Issues Affecting Counties** 

Floyd H. Hyde

Worst of all - and more pertinent to a theme of worthy efforts poorly thought through — the public housing and other subsidy programs deny their supposed beneficiaries freedom of choice as to where they live. No matter where the jobs are, no matter where the better life is, if you need government housing assistance, you will take the unit you are offered or nothing at all.

In trying to cope with all these housing and urban development deficiencies, we are hampered by various complications. We have managed, for example, to foul up the federal delivery system — the means by which money and resources go down to the local operating level and are spent. In Washington, hundreds of the

thousand-plus grant programs involve overlapping or duplication. In localities, the power to get things done is drained off through excessive diffusion of responsibility.

Add to this the confusion that comes from a multiplicity of adjoinging urban governments trying to solve thorny problems that cross borders, and you begin to wonder how urban America has survived.

We are relegated to a situation in which the policies and priorities in the fight for urban America materalize almost entirely by default.

My apprehension for the future is that we will do no more than we have done thus far. Yet I know that the last thing we can afford is to go on with this business as usual. To give in. To give up.

#### The Way to Change

How, then, do we find the way to change?

We must first insist on more effective political leadership. We must have in office men and women with the courage to tackle tough issues - to reject the old fear of perception and recover the rewards of difficult achievement. At the very least, we must raise the goal of a "decent home in a suitable living environment" to full equality with other national ambitions.

No new commitment by our leadership will be effective, of course, without the involvement of the average citizen. I said earlier that we must blame our leadership before we fault our people. That is true, it is the purpose of leaders to lead. But the public cannot escape its own share of responsibility. It would be difficult to argue, for

example, that our space program has been a questionable undertaking. I am sure it has blessed us with invaluable educational and technological by-products. It involves legitimate national defense

(Contiuned on page 7)

## The new work ethic:"work smarter not harder"

### by Angela O'Loughlin

"Work smarter not harder" is a slogan that is echoing throughout the government offices of Nassau County, N.Y. and the Towns of Hempstead, North that Hempstead and Oyster Bay. The motto sums up the basic philosophy of a joint labor-management project designed to improve productivity among the employees of the four municipalities.

The productivity project is comprised of three programs. The first has to do with productivity improvement, labor-management relations and with productivity improvement, labor-management relations and productivity bargaining. The second is a survey program which has to do with tapping the opinions and attitudes of those workers actually performing municipal services so that their full involvement in the project is assured and that wild a makene identification is that valid problem identification is obtained from all levels of the work force. The third is the personnel survey program which entails the coordination of existing job structures within the four municipalities, in order to develop a method for assessing and changing these structures where this is found to be needed for productivity increases.

The primary objective of the project is to improve the productivity in municipal through the collective bargaining service process. Support in achieving this goal has been given by the U.S. Department of Labor, the National Commission on Productivity, the Ford Foundation, and the New York State Office of Local Commence Government.

The most innovative aspect of the project is that it is a partnership between four municipalities (Towns of North Hempstead, Oyster Bay, Hempstead, and Nassau County.)

#### **Productivity Improvement Efforts**

During the past year, project staff have worked as change agents and systems analysts in determining ways to increase productivity in eight different areas of municipal government. These eight areas have been given the name of Productivity Improvement Efforts (PIE'S).

For example, early in 1973 the project was asked to study the emergency room of the Nassau County Medical Center, This area was selected by labor and management at the hospital as being a crucial area for study. During the past ten years the emergency room staff has increased by 100 percent, but its patient load had increased by 400 percent.

After observing the system at the emergency room, it was decided that the best area for study would be the patient service delivery system - from the admission of the patient to his discharge. The objective of the study would be to devise a method for decreasing the time the patient spent in the emergency room without decreasing the high standard of medical care

Observations and data collected on the system showed that only 40 percent of those persons entering the system could be classified as emergency cases. In addition, the patient demand was heaviest between 9:00 a.m., and 9:00 p.m., but the staffing pattern for the emergency room was basically the same around the clock.

The following recommendations were made to the hospital by the project and were implemented:

1. The institution of a walk-in clinic for non-emergent cases during the peak load period.

2. The appointment of a triage nurse to separate emergent from non-emergeny cases during the peak period.

3. A new staffing pattern to correspond to the peak patient demand period

After the above changes were implemented, a remeasurement was made of the patient thru-put time. It was found of the patient timu-put time. It was found that the thur-put time had decreased by 22 percent (24 minutes) per patient for the entire 24 hour cycle or 30 percent (46 minutes) for the medical patients during the hours the walk-in clinic operated for the non-emergent cases. Patients are experiencing a markedly where dweither time for corriso

reduced waiting time for service. By increasing the efficiency of the present emergency room system the project has increased the patient capacity. This increased patient capacity has occurred not by an increase in staff, but through better utilization of existing resources.

#### Stenographic Pool

In another case, the Nassau County probation department, under the direction of Louis J. Milone, invited the project staff to study the paper flow system in the stenographic pool in the adult division.

The stenographic pool is responsible for completing all reports required by the probation officers in the adult division. The observations and data collected showed this to be a high growth area with a growing backlog of untyped reports which were hampering the work of the entire division. It was found that this backlog was a result of many factors including poor equipment, illegible handwriting, and an inadequate system for handling the paperwork.

The unit of output decided upon for measurement of basline data was the number of lines typed per week. It was found that 41 typists produced 50,301 lines per week.

After analysis by project staff, it was decided that an IBM Word Processing Center would be installed. This processing center combines the use of magnetic card typewriters and on-line transcription equipment. It was thought that the magentic card typewriter would eliminate the tedious work of typing redundant forms and would increase the output of this typing section. In addition, it was felt that the dictating equipment would eliminate the need for written reports,

and therefore the problem of illegible handwriting.

On January 28-29, 1974 the first thirteen machines were installed (5 more will be installed later). In-house training began on January 30, and continued for approximately ten days. At this time an interim-after-measure-

ment has been taken. This measurement already indicates a marked change in the number of lines typed. The thirteen typists produced 27,120 lines in one week, compared to the original 50,301 lines produced by the 41 typists. The compared averages project in measurement of per-person output before and after changes, and came up with a 70 percent gain in efficiency. By introducing this new system the Multi-Municipal Productivity Project has

decreased the number of typists needed this division. These typists could be deployed to other areas within the department where increased help is needed.

The two areas presented in detail are the first two complete staff conducted PIE's, however, within the next few months similar results are expected from the Hempstead and North Hempstead building departments, the Oyster Bay sanitation department, the Nassau County purchasing division and the department of social services.

#### Second Year Plan

The productivity project is about to embark on its second year plan which involves front line employee involvement in initiating productivity improvement efforts. This grand scale operation has taken quite a bit of thought and planning, but the project has come up with a blueprint that will enable PIE's to be initiated throughout every department in the county and three towns, and at the same time engage the entire 30,000 strong work force in proposing and implementing the changes.

Liaisons were selected by the union and department heads to represent each department or major division in the four participating municipalities. In January of this year, 360 liaison persons attended workshops conducted by the project, to learn how to implement a PIE in their

The project staff act as consultants to the departments, but the actual implementation of change, data collection and measurements is handled by an employee team, headed by the departmental liaisons. Training sessions began last month, to train the liaisons in the more technical aspects

productivity improvements. Currently, 20 departments are actively engaged in developing a PIE proposal, and more are expected during this summer. From what has been observed so far, enthusiasm is high among the employees to provide input into the way they do their work.

The elected officials in Nassau County and the three Towns have also shown enthusiasm. Nassau County Executive Ralph G. Caso stated his theory on productivity. "For government, productivity should mean being able to respond to new needs without having to increase the tax burden. For government workers, it should mean greater job satisfaction and a share in the tax savings through salary gains and work benefits."

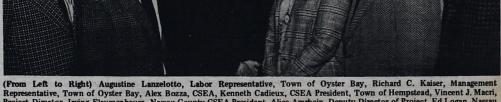
#### Survey

Not all the work of the project however, has been devoted to PIE's. Another important goal has been to ascertain the attitudes and opinions of the work force on productivity and their jobs. Their information will be used to aid the staff in the PIE's and the voting team in their negotiations. To acquire this information on the work force a Random Sample Attitudinal Survey was conducted during September and October of 1973. A sample of approximately 10 percent of the total full-time work force selected. Eighty-five percent all available employees randomly chosen completed the questionnaire. The information from the survey is in the process of being tabulated by the computer at the Cornell School of Industrial and Labor Relations. Dr. Dina Paul, the survey director has indicated that more detailed information on the survey should be ready later this Spring.

One interesting response, that has been anlayzed, is the employees' attitudes toward the concept of productivity improvement. The responses to a series of

(Continued on next page)

own area



(From Left to Right) Augustine Lanzelotto, Labor Representative, Town of Oyster Bay, Richard C. Kaiser, Management Representative, Town of Oyster Bay, Alex Bozza, CSEA, Kenneth Cadieux, CSEA President, Town of Hempstead, Vincent J. Macri, Project Director, Irving Flaumenbaum, Nassau County CSEA President, Alice Amthein, Deputy Director of Project, Ed Logan, Nassau County CSEA, Arthur G. Bingham, Management Representative, Town of North Hempstead, Harold Braun, Management Representative, Town of Hempstead, Edward Ochenkoski, CSEA President, Town of North Hempstead. Pasquale D'Alessio, CSEA President of Oyster Bay not pictured.

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# Firm committment is needed for urban priorities

#### (Continued from page 5)

considerations. It has its justifications in terms of national pride and man's eternal need for challenge.

But I'm not all that amused when I watch Skylab astronauts floating around or hear them reporting back on the difficulties of taking a shower. I am much more concerned about Americans who can't take a shower on Earth — kids who must go to school without baths or adequate food or proper clothing.

I am much more concerned about those 13.1 million Americans identified by the Joint Center for Urban Studies as being housing poor, either because the housing is substandard or because the price of it is too high.

I am bothered that lack of money stands between such conditions and a decent life when we put no price tag on reaching the Moon. We signed a blank check; by the time of the first lunar landing, we had filled it out for \$24 billion now over \$40 billion.

Figures for some new national programs are only slightly less impressive. We propose, for example, to spend 19 billion dollars for transportation assistance in the four fiscal years ahead of us, plus another 2 billion in federal loan guarantees for the railroads. Mind you, my complaint is not with the contention that we will surely profit from improved transportation facilities. The probability seems self evident.

My criticism concerns the process by which we arrived at a figure like 19 billion dollars. Where was the debate? Who evaluated the trade-offs transportation versus other pressing urban needs — in such a sizeable expenditure? Did anyone at the federal level ask whether or not it might be better to allocate some of those resources to making parts of our existing urban areas more liveable? The answer is obviously "no".

Consider as well that during the entire 25-year history of urban renewal efforts, we have spent a grand total of 7.5 billion dollars and this program is the one major federal effort to revitalize our nation's cities — to create the "suitable living environment for every American family" enunciated by the Congress back in 1949.

environment for every American family" enunciated by the Congress back in 1949. No new commitment by our leadership will be effective, of course, without the involvement of the average citizen. I said earlier that we must blame our leadership before we fault our people. That is true; it is the purpose of leaders to lead. But the public cannot excape its own share of responsibility. We in this nation spend 6 billion dollars a year for tabacco products and 12 billion a year for cosmetics. Certainly we can afford a limited further contribution to the basic health and well-being of our country. To be sure, a new resolve by our leaders and ourselves is not all we can bring to bear against urban ills. There are

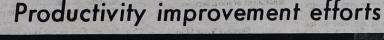
To be sure, a new resolve by our leaders and ourselves is not all we can bring to bear against urban ills. There are other important requirements. Specifically, we need new tools and more realistic operating methods. We desperately need a mechanism through which both the Congress and the

We desperately need a mechanism through which both the Congress and the Administration in power at a given time can structure themselves to deal with the entire question of priorities.

#### Establish priorities

The excutive could work toward that end through the long-proposed reorganization of the federal establishment, which would reduce the number of departments and agencies and streamline their operations. We would be able at last to slash duplication and waste and promote cooperation and efficiency

and promote cooperation and efficiency. We hear much less about the need for structural reorganization in Congress, but there is far less communication and coordination among Congressional committees than among federal agencies. Each committee does its own thing and





Employees meeting with group leader Rick Petrone of the Productivity staff to resolve questions proposed through a case study.

#### (Continued from preceding page)

In addition, the personnel program will also research comparable job specifications among the county and participating municipalities. The project appropriate civil service classification within the PIE areas to determine whether further modifications in either specifications or classifications is needed.

Michael Edwards, director of municipal training at the New York State Office of Local Government and Marlene Mauriello, productivity project monitor from that same agency, are watching this program with interest, for its' success could have a tremendous impact in terms of transferable recommendations made to other New York State municipalities.

#### **Practice Bargaining Session**

On February 28, March 1, and 2, 1974, the project voting team met in a practice bargaining session. Productivity bargaining is viewed as an ongoing process, and it occurs throughout the life of a municipal labor contract. It is a formal part of collective bargaining, in questions on productivity were analyzed and the sample showed that 40 percent were favorable toward productivity; 10 percent were unfavorable; and 50 percent were neutral. This seems to indicate that a great number of the employees have an open mind towards learning about productivity.

#### Personnel Program

Productivity improvement efforts should in some way alter the work being done by participating departments. The purpose of the third project program, the personnel program, is to assess the organizational impacts of productivity improvement efforts within departments and in particular, to evaluate methods for the alteration of job functions resulting from these efforts.

that it is parallel to the main bargain. Productivity bargaining also serves to bridge successive collective bargaining sessions. At the productivity bargaining session, the eight voting members developed methods for obtaining accurate information and cost data for the bargaining table, and with the determination of methods to put monetary values on the improvement of services.

#### Communication

Employee participation is one key to the success of the Multi-Municipal Productivity Project, and the second year plan includes an intensified communications effort with the people who are actually performing the service. In this project employees, their unions, and the local governments they serve, are demonstrating that everyone can "work smarter" to keep down the cost of effective government.

Angela O'Loughlin is information specialist with the multi-municipal productivity project in Nassau County. goes its own way, to the great detriment of more meaningful, concerted action.

If there is no other solution, possibly the House and the Senate could add to their list of joint committees a Joint Committee on National Priorities.

As the final item on our list of needed improvements, we have moved in the direction of more flexible use of federal revenues at the local level. A complete and successful transition to that approach from the old categorical method would be of incalculable benefit in our war on all those things that detract from the good life.

At the time of this writing, it appears that the Congress will enact a Housing and Community Development bill this session in response to the administration's urban special revenue sharing proposal, called the Better Communities Act. Since the version which has already

Since the version which has already passed the full Senate differs from the bill being marked up by the House sub-committee, it is impossible to say with certainty what the final bill will provide. The Senate, for example, does not include urban counties as entitlement localities, but the House sub-committee does. I am confident that reason will prevail and that full recognition will be given to the fact that urban counties should not be treated less fairly than other like urban places. Other details of the several versions have been accurately reported in *County News* and it is not my purpose to restate those facts. I would like to suggest, however, that what is happening in the Congress today will create a major change in our entire governmental system. Whether that change is for the better will largely be up to those of us at the local level who have been justifiably critical of the present system.

This will indeed be welcome news, but if such new directions in our governmental systems are to be successful, it is clear that local officials and administrators have an enormous task ahead and a great challenge. If we are indeed to use this opportunity to create a more "responsive" governmental system, local officials must become far more sensitive to the needs of their constituents, particularly those who have not been traditionally privy to the decision-making process. The building of better management capacity, including long-range policy planning capability, ongoing monitoring and evaluation processes, are essential. Most important of all, however, is the need for local officials to demonstrate the will to tackle the tough problems of their community, the courage to speak out on unpopular issues before it is fashionable to do so, and the determination to succeed. I am confident that local government is equal to the task.

Yes, I believe state and local government, given more freedom from the traditional constraints of the categorical grant programs with the ever-present federal second-guessing and nit-picking reviews, will rise to the greater responsibility placed upon them. My real concern is that the federal government and the Congress not look upon this reform as a means to withdraw the necessary commitment of additional resources needed to provide every American family "a decent home in a suitable living environment," as promised for so many, many years.

Floyd Hyde was assistant secretary for community development in the department of housing and urban development, Currently he is senior vice president for urban affairs with McManis-Associates of Washington, D.C.

# When disaster strikes-are you prepared?

## by Ron Stephenson Pennington County Commissioner Rapid City, South Dakota

June 9, 1972: a night of death and devastation when a flash flood and aevasiation when a fush fields smashed into Rapid City, South Dakota – 238 people killed, nearly 3,000 homes demolished or severely damaged, miles of highway and nearly 100 major bridges destroyed, more than \$200 million in damages in a community of less than 100,000 people.

YOU - the local elected city or county official - are responsible for the welfare and safety of the people in your jurisdiction. You probably share it with other appointed and elected officials. But eventually THE BUCK STOPS AT YOUR DESK.

If your community were to have a disaster tonight, do you - as an elected official - know what your role is?

I'll be the first to admit I did not know the night of June 9, 1972, when a flash flood hit our community, took 238 lives, left thousands homeless, and destroyed millions of dollars worth of property. I started to realize what my responsibilities were the next day when I got the job as coordinator for the Rapid City-Black Hills, South Dakota Disaster.

#### Suddenly 'It's Me'

As a county commissioner and member of the joint city-county civil defense board, I found myself assembled at around 1 a.m. on June 10 with the mayor, sheriff, chief of police, coroner, public works administrator, and other community officials in the emergency operation center (EOC) at our county court house. The police department had been flooded out. Our civil defense director was stranded some 20 miles away with no chance of getting to the EOC. Every person at the meeting was a specialist and had a particular job to perform. With one exception: ME.

Since commissioners in our county are elected to serve on a part-time basis, I also happened to be in the retail music business. I guess the others thought I wouldn't be selling any organs or pianos for awhile, so that's how I got the job as disaster-recovery coordinator.

Illa Cannon, our operations chief, should have been in bed with the flu and a bad case of laryngitis, but instead stayed on and helped for many hours before she finally got some rest. With tremendous help from the National Guard, Ellsworth Air Force Base, state and federal civil defense, and many disaster-related organizations, as well as the support and cooperation of Rapid City mayor Don Barnett and his staff, we started to work our way out of the debacle. This effort has continued these two years since the tragedy struck.

#### **Help Pours In**

We made some mistakes, but we did some things right, too. I could talk about the work of the 18 federal agencies under the coordination of the former office of emergency preparedness (now the federal disaster assistance administration), the assistance of DCPA (Department of Civil Preparedness Administration) with damage estimate reports, the outstanding support of the Rocky Mountain regional council in Denver under the chairmanship

of Robert Rosenheim, the "textbook" of the "Operation Bulldozer" plan cleanup, and the assistance from other federal agneices. I could talk about the tremendous all-out effort of our local citizens in helping themselves as well as others. Our hearts and thanks went out to the Salvation Army, Mennonites, church response, and other churches and organizations, and thousands of people from all over the world who helped us to come back.

In our rebuilding efforts, I could talk about a community constructing some 3,000 new living units, a beautiful park being built in the floodway, a huge civic center complex with an indoor football field, many new commercial buildings, and even some downtown urban renewal getting started - a massive effort to make our city and area a nicer, safer place to live

It takes guts, but it also takes money. Lots of money. Where does it come from? You - the elected official - better find out.

#### It Could Happen to You

You might say, "Sure, this sounds like another scare story told by a public official to enhance his job or department." Well, believe this: It won't make one dime of difference to me as a Pennington County Commissioner if you listen or not, but it might make the difference of millions of dollars to your city or county for you to be informed. Remember, the President has declared more than 200 major disasters since our flood.

whatever it's worth, For suggestions would be to get out and find a good Civil Defense Director and staff. Work with your state and federal DCPA agencies.

The purpose of civil preparedness is to safeguard people. Civil preparedness in action is the coordinated response of federal, state, or local government to an extraordinary emergency. Officials who believe their county needs a more effective disaster preparedness program so you will be ready to respond to any disaster, should contact their regional DCPA or state disaster office, requesting assistance in planning. Also check into the possibility of an on-site assistance (OSA) program that federal and local officials have available.

Also get involved with local regional planning groups. (We have a planning district covering 11 western counties in South Dakota that is outstanding and acts as a liaison among city, county, state and federal governments).

Make your citizens aware of a warning system, evacuation procedures, emergency housing, welfare, and other preparedness actions for disasters of all kinds. Take a good look at where you are building houses and apartments. Investigate land use as it relates to the new federal flood insurance regulations, and inform developers and others that you intend to regulate building to protect people and property in the future.

#### Spreading the Word

Since our flood I have traveled more than 60,000 miles talking to local officials in over 20 states, trying to tell them our story so that other local elected officials will have a better idea of how they should prepare for such a disaster. The thing that concerns me most, as I have traveled, is to see the developments, specifically residential developments, in disaster-prone areas.

Perhaps a poem written by one of our flood victims in Rapid City best expresses my concern. It's called "Hockwasser" (high water), and the last three stanzas sum it up:

"We couldn't stop the rainfall," so a panel said. "Heeding a warning call Could have meant less dead."

Not one soul should be blamed For Ma Nature's whim. And no man can be shamed For such chances slim.

Some answers must we seek While we plan and grieve But I hear Nature speak: "NOW - DO - YOU - BELIEVE?"







HUMAN RESOURCES STAFF: The Washington Staff of the new Human Resources Project includes (I to r) Scott Forsyth, Jo Merrill, Mary Brugger and Al Templeton.

## State Associations Picked For Human Resources Project

Editor's Note: This is the second in a series of articles on NACo's newest step in services to counties.

The Rural Human Resources Project, with a goal of helping counties improve planning and delivery of human services to the rural poor, will be operated through the following state associations counties: Association of Arkansas Counties, Iowa State Association of Counties, Association of Minnesota Counties, Montana Association of Counties, County Officers Association of the State of New York, Association of Oregon Counties, and the Pennsylvania Association of County State Commissioners.

The terms of the federally financed project's contract detailed procedures for choosing the states: they were to be spread out through the 10 federal regions, with the first opportunity to designate participants going to the directors of the office of Economic Opportunity regional offices; the directors were asked to nominate states on the basis of high populations of the rural poor and rural unemployed; other major factors were the state associations' interest in helping counties plan for the integrated delivery of human services and the key role community action agencies play in that process.

Once a state association agreed to participate, the consent of the governor of the state was obtained and a contract singed.

Next, a human resources coordinator to be responsible for the project's operation was hired. The position offered to an individual chosen by the association executive, with the approval of the NACo project staff.

The coordinators are a highly skilled, impressive group of people who will be introduced along with the state association directors through the coming weeks in this series

The staff at NACo is responsible for the overall operation of the project and for assisting all counties in developing effective systems for the delivery of human services

Al Templeton, project director, conducted NACo's Allied Services Project, which began in October 1972; he has worked extensively with community action agencies and local governments as a community action technician with the Council of the Southern Mountains, and as executive director of the DeKalb County (Ga.) Economic Opportunity Authority; was a consultant to the Department of Labor's Welfare Reform Planning Staff and to local communities in planning and developing social service programs for federal funding.

Scott Forsyth, project manager, previously a consultant to the Allied Services Project, joined the staff full-time in January; has extensive experience in community planning and coordination of children's programs through the Springfield (Mass.) Area Community Coordinated Child Care (4-C) Committee, the Day Care and Child Development Council of America, and as federal coordinator in the Region VI Office of Child Development.

Mary Brugger, research associate, before joining the staff of the Allied Services Project in July 1973, conducted independent research on standards for human service programs for the National Institute of Mental Health and was a caseworker for the Baltimore City (Md.) Department of Social Services; is responsible for research and materials development for human services program Jo Merrill, project secretary, was secretary to the projects director of the San Francisco Bay Area Council immediately prior to joining NACo in August 1973 and also worked for the Boston office of the National Center for Voluntary Action.

Next weeks article will report on the coordinator's orientation session conducted at NACo.

### NACE "Matter and Measure" National Association of County Engineers

Information of the Asphalt Shortage We have received a summary of asphalt needs based on the survey NACo and the American Association of State Highway and Transportation Officials (AASHTO) sent to their members. Of the 1,200 questionnaires we sent out to county engineers, 523 responses were returned. This is a fantastic response rate and we thank each of you.

County highway department asphalt needs exceed 14 million tons. As a matter of comparison, the state highway needs are 10 million tons, while the federal government (Bureau of Indian Affairs and Forest Service) are less than 400,000 tons. This shows rather clearly that county needs far exceed both federal and state. Cities and townships needs are not included in these figures, nor is the demand by airports, private developers, etc.

Based on your responses, here is NACo's letter to the Federal Energy Administration:

Honorable John C. Sawhill Administrator Federal Energy Administration New Post Office Building 12th & Pennsylvania Avenue, N.W. Room 3400 Washington, D.C. 20461

#### Dear Mr. Sawhill:

The National Association of Counties (NACo) is deeply concerned that asphalt was specifically excluded from the Mandatory Petroleum Allocation Regulations as published in the Federal Register. The possibility that some of the residuals previously available for asphalt production would be directed for use as fuels is also of great concern.

NACo, in conjunction with the American Association of State Highway and Transportation Officials (AASHTO). conducted a survey of state and county estimated needs for asphalt, estimated needs for asphalt, for maintenance and construction. Details of this information was forwarded to you in April by AASHTO. In summary, the results indicated that 24,700,000 tons will be needed by these agencies in 1974. This figure does not include needs for city streets, airports, private developers and the miscellaneous users.

NACo assumes that the FEO has data available supply of asphalt cement, Therefore, you can compare the needs stated above to available supply and tell us if a shortage of asphalt exists. If your figures prove that indeed a real shortage will occur in 1974, it is necessary that

you inform us of that fact so that our county officials can plan accordingly. Additionally, and perhaps more importantly, we are concerned about the long term shortages, primarily, the effect this condition will have on our bitumione bidter in the source of the source bituminous highway investment. As pointed out in the survey results, this investment totals approximately \$93 billion. As you are undoubtedly aware, highway funds are woefully inadequate to upgrade and maintain our current system. e, as a nation, can't afford our present highway system to degrade further.

We understand that refineries can't asphalt supply will be reduced - therefore, the 1974 asphalt supply will be reduced - therefore, the 1974 asphalt supply will be a function of crude availability. However, if asphalt remains excluded from your Mandatory Petroleum Allocations, we can visualize the supply situation becoming increasingly severe each year. Obviously, the needs will not decrease, since highway demands of our ever increasing population are ascending.

Additionally, local government's tax dollars are limited, and should a shortage develop, prices for asphalt will escalate dramatically. This obviously will increase cost of highway work undertaken, thereby once again penalizing the public who must pay the bill.

We believe the above clearly demonstrates that asphalt must be included on the list of petroleum products controlled by your office.

## Federal Regulations Reviewed

Proposed federal regulations have been received by NACo for review and comment. These regulations are currently being analyzed by county officials and NACo staff to determine their impact on counties. Due to the size of some of the regulations, NACo is unable to provide copies of all issues. At the end of each description it is noted whether or not copies are available. If copies are available please write to Carol Shaskan at NACo. As an added service, we will separately be listing final issuances which are available from agencies

(74-42) DOA "Special Milk Program" The proposed rule making would amend the Special Milk Program by requiring that "free lunches under guidelines set forth by the Secretary shall also be eligible for free milk." (74-44) HEW "Amendments to Skilled

(14-44) HEW Amenaments to Skulea Nursing Facilities Regulations, Federal Health Insurance for the Aged and Disabled, Social Security Administration," These proposed regulations modify the requirements of the Medicare-Medicaid common standards for skilled nursing facilities by extending the number of days for employment for a registered nurse in a skilled nursing facility on the day tour; requiring that a nursing facility must employ skilled medical director to coordinate medicaid care; and requiring that skilled nursing facilities establish procedures to ensure

that patients are afforded certain enumerated rights.

(74-45) HEW "Proposed Regulations on Discharge Planning for Skilled Nursing Facility" The regulation establishes a discharge plan for each patient receiving medical assistance under Title XIX of the Social Security Act. (74-46) HEW "Coverage and

Conditions of Eligibility in Financial Assistance Programs'' This proposed regulation discusses HEW's views as to the scope of state discretion in establishing coverage and conditions of eligibility for the public assistance programs under Titles I, IV-A, X, XIV and XVI of the

Social Security Act in light of recent actions of the U.S. Supreme Court. (74-47) HEW "Health Maintenance Organizations" (HMO) The purpose of the proposed rules is to implement the organization Act of 1973, P.L. 93-222, by enabling the Secretary to provide financial assistance to entities eligible for such assistance under prescribed sections of the Public Health Service Act Basically the rules cover the requirements needed to set up an HMO, the general provisions regarding federal financial assistance, specific provisions relating to assistance, for feasibility surveys, planning and initial development, projects, and operating costs. Copies are available.

# **Preliminary Manpower Allocations**

The CETA preliminary planning allocations for summer youth, Title II FY '74, and Title I-FY '75 were released to NACo on May 8th. These allocations are strictly tentative and may be revised as a result of appropriation action by Congress. They should be good minimum figures since these allocations were based on the President's budget while Congress is busy appropriating more money. The base figures used in these allocations are \$295 million for summer youth, \$200 million for Title II FY '74, and \$1.0448 billion for Title I FY '75. The consortia bonuses are not included in the Title I allocations. allocations.

e biss	Region I			
. galle tat		FY '74	FY '75	
	Summer	Title II	Title I	
New Hampshire Rockingham	201,800		788,850	
Csrt. Hillsborough	219,200		1,489,140	
rinsborougn			1,409,140	
New York	Region	n II		
Albany Csrt.	307,200	82,600	1,738,980	
Rensselaer	98,200	79,800	752,580	
Saratoga	130,000 76,900	88,200	528,300	
Schenectady Erie Csrt.	76,900 248,900	82,400 414,400	715,410 2,316,760	
Niagara	193,400	619,600	1,163,353	
Broome	242,400	,97,000	1,608,660	
Chemung	158,200	122,000	499,680	
Rockland Westchester	76,500	51,000 77,600	726,411 3,086,910	
Csrt,	429,900	11,600	3,086,910	
Nassau Csrt,	487,600	166,800	5,963,040	
Suffolk Csrt.	556,000 128,900	606,600	3,634,458 757,710	
Dutchess	128,900	und relative	757,710	
Monroe Csrt.	553,100	156,000	3,426,390	
Oswego Onondaga	86,600 62,000	210,800	495,294 813,600	
Oneida	348,600	383,000	1,706,940	
Chatauqua Csrt.	341,500	75,400	1,359,450	
Csrt, Orange	92 400	109 000	901 022	
St. Lawrence	83,400 89,700	108,000 239,600	573.215	
Ulster	64,500	226,600	801,922 573,215 558,299	
New Jersey Atlantic	344,700	540,600	1,329,930	
Hudson	563,200	869,400	2,508,480	
Monmouth	346,600	374,200	1,720,296	
Essex Morris	322,700 162,200	438,800	1,918,862	
Union	201,500	136,200	1,026,772 1,338,228	
Middlesex	464,400	869,400	2,468,906	
Bergen	292,200	653,800	2,603,660	
Passaic Mercer	285,100 137,600	1,190,400	1,252,931 660,725	
Cumberland	109,800	346,400	801.459	
Burlington	203,500		1,261,008	
Camden Gloucester	312,300	1,102,000	1,394,250	
Ocean	111,800 149,100	400,800 433,800	752,966 912,850	
Somerset	66,200		614,956	
Cape May		330,200		
	Region	- Transfer		
	region	m		
Virginia Penninsula Csrt.	424,500	50,600	1,481,310	
Stamps	1,119,600	101,200	4,034,520	
Ramps	713 900		2,123,280	
Henrico Csrt.	45,500		470 501	
Roanoke Csrt. Arlington	166,200		1,151,370	
Fairfax	173,000 146,700		650,192 1,154,382	
Prince William	,,90,100		334,800	
Alexandria	120,600		460,260	
West Virginia				
Cabell Csrt	283,300	260,600	805,393	
Kanawha Csrt.	430,800	329,000	1,724,940	
Maryland	and the first		- the state	
Baltimore Csrt. Montgomery	3,199,900 132,000	412,200	11,660,130 1,545,570	
Prince Georges	352,300	304,000	2,190,586	
Washington Csrt.	169,100	484,600	1,565,010	
Pennsylvania				
Lehigh Csrt,	149,500	33,000	1,476,180	
Allegheny Csrt.	492,100	631,800	2,578,860	
Erie Csrt.	362,500	29,800	1,596,690	
Susquehanna Csrt. Lancaster Csrt.	316,400 134,600	38,800	1,541,570 1,204,470	
and the second second	Collins in the second	00,000	.,,	

		FY '74	FY '75
	Summer	Title II	Title I
Bucks Chester	174,800 172,000	304,400	1,454,699 889,190
Delaware	242,000	346,400	2,113,599
Montgomery	202,600	250,800	1,879,757
Allegheny Beaver	1,169,600 166,800	727,200 139,600	3,571,247 707,135
Washington	149,500	258,800	808,595
Westmoreland Berks	196,200 206,100	788,600	1,786,043
Lackawanna	107,200	33,400	634,281
Luzerne York	481,200 73,100	137,000	2,684,700
Lycoming Csrt.	134,300	33,600 171,200	887,850 710,246
Butler Csrt.	249,200	242,200	1,191,998
Fayette Franklin	343,400 61,600		1,087,920 483,830
Lawrence	100,100	93,600	494,458
Mercer Csrt. Schuylkill Csrt.	409,600 196,600	54,800	1,545,120
Schuyrkin Csrt.	190,000	398,200	1,090,098
	Regi	on IV	
Alabama			
Birmingham Csrt.	876,700	310,200 49,200	4,340,880
Huntsville Csrt. Mobile Csrt.	214,800 490,500	155,800	1,523,250 2,439,000
Montgomery Csrt.	514,100		1,584,270
Tuscaloosa	182,300		617,490
Florida			
Volusia	195,900		685,037
Lee Alachua	39,700 119,300		379,945
Brevard	275,100	540,200	1.063,758
Orange	223,900	as all one one	1,269,630
Escambia Sarasota	,202,200 40,000		922,230 369,727
Pasco	46,100	sind when	358,050
Palm Beach Heartland Csrt.	281,100 495,900	324,000 747,000	1,662,706
Dade Csrt.		86,600	1,637,143 7,301,250 2,913,210
N.E. Fla. Csrt.	1,887,100 674,200		2,913,210
Broward Csrt. Leon/Gadsden Csrt	662,900 243,000	29,600	2,529,450
St. Petersburg Csrt.	418,600		701,370 1,927,288
Tampa Csrt.	928,200		3,426,930
Georgia			
Fulton DeKalb	107,900 239,800		517,007 1,259,550
Cobb	158,600		729,246
CSRA Csrt. Sav./Chatham Csrt.	369,200	67,400	1,503,540
Mid-Ga, Csrt.	229,200 318,000	101 a	978,480 1,308,150
Columbus Csrt.	636,800		1,590,660
Kentucky	-		
Kenton	91,800	110,200	567,180
Louisville Csrt. Lexington Csrt.	934,700 565,300	266,400	3,826,080 1,433,790
			.,,
Mississippi Jackson Csrt.	417,800	33,800	1,726,920
	111,000	00,000	1,720,520
North Carolina Buncombe	259 400		622 150
Cumberland	258,400 577,300		633,150 1,046,160
Gaston	77,000		560,430
Onslow Winston-Salem Csrt.	52,900 128,500	71,400	280,650
Raleigh Csrt.	523,500	11,400	1,502,910 1,704,780
Greensboro/	255,900		1,242,630
Guilford Durham Csrt.	354,500		1,343,880
South Carolina		. 105 000	in the second
	4,289,400	105,600	17,060,760
Tennessee Hamilton	43,800		414,532
Nashville/Davidson	582,900		2,568,870
Sullivan Knoxville Csrt.	144,700 562,400		608,580 1,944,900
Memphis Csrt.	1,140,800	206,200	3,611,880
	Regio	n V	
	. togic		
Illinois Cook	839,400	739,400	5,589,130
DuPage	98,600	100,400	457,500
Kane	81,900	95,400	717,483
Lake Macon	128,000 82,100	139,600 47,400	1,078,365 520,110
McHenry	34,000		293,850
Rock Island Tazewell	57,200	64,200	760,680
LaSalle	33,100 33,400	42,800	335,281 350,356
Rockford Csrt.	83,400	94,200	755,001
A D D D D D D D D D D D D D D D D D D D			

		FY '74	FY '75
	Summer	Title II	Title I
Champaigne Csrt.	, 73,600	The states	633.242
Will Csrt. Sangamon Csrt.	115,900 143,000	189,000 25,400	889,796 805,941
Madison Csrt,	217,000	606,600	1,372,753
St. Clair Csrt.	107,200	290,800	919,950
Peoria Csrt. Shawnee Csrt.	207,400 199,300	99,200	705,780 1,224,180
Shawnee Cart,	133,300	153,600	1,224,100
Indiana	*		
Lake Elkhart	441,200 79,700		1,378,440 308,953
St. Joseph	49,500		296,839
Tippecanoe	72,800		386,910
Madison Vigo	98,200 183,700		507,600
LaPorte	65,800		519,120 192,900
Ft. Wayne Csrt.	456,700		1,570,230
Delaware Csrt.	100,700		591,840
Evansville Csrt. Csrt.	575,000	52,000	2,000,340
Michigan	000 000	004 400	2 424 020
Wayne Monroe	662,200 88,500	664,400	3,434,830 443,700
Bay	109,300	286,400	613,800
Saginaw	169,000	318,400	1,368,000
Oakland	567,100	1,194,400	3,557,712
St. Clair Calhoun	129,300 127,500	319,600 167,400	1,023,390 728,640
Kalamazoo	149,700	185,200	975,960
Berrien	166,600	391,800	905,163
Ottawa Washtenaw Csrt.	79,500 198,500	27.800 307,000	519,325 1,010,340
			1,010,040
Kent County Csrt.	457,100	1,344,400	2,867,393
Muskegon Csrt. Genesee/Flint Csrt.	281,900 426,000	482,200	1,993,770 2,401,783
Ingham Csrt.	283,900	811,000 113,000	1,640,520
Jackson Csrt.	240,600	243,000	1,283,580
Minnanta			
Minnesota Dakota	41,900		361,305
Urb. Minn. Csrt.	743,500	558,200	5,000,398
Region III Csrt.	347,600		1 712 240
Ramsey	43,400	With Martin	1,713,240 416,472
	Hand Start		avis on particular
Ohio Butler	155 700	200 000	501 150
Clark	155,700 118,000	280,600 46,800	591,150 446,171
Hamilton	133,100	89,800	624,450
Licking/Del Csrt.	171,500		524,585
Lorain Akron Csrt.	194,700 608,600	145,400 350,000	695,347
Canton Csrt.	252,700	153,000	3,173,760 1,216,390
Cleveland Csrt.	3,793,900	1,664,200	12,316,500
Columbus Csrt.	750,000	210,400	4,237,560
Dayton Csrt. Toledo Csrt.	570,500 518,000	279,800 437,600	4,064,850 2,955,870
Youngstown Csrt.	821,000	323,600	3,189,870
Marine			
Wisconsin Outagamie	61,100		321,620
Rock	102,800	91,400	495,401
Milwaukee Csrt.	1,020,800	1,360,800	5,417,730
Madison/Dane Csrt, Wow Csrt,	223,900		1,134,540
Winne-Fond Csrt.	180,000 88,400	42,400	892,800 1,009,980
Tri Co CETA Csrt.	263,800	67,000	1,263,870
	Pagia		
	Regio	19	and a state
Arkansas			and alternation
Little Rock Csrt.	589,400		2,515,590
Texarkana Csrt.	73,300	99,800	509,580
The start we	and the second second		- 3. 2
Louisiana Rapides	221,000	E7 400	750 700
Lafayette	158,800	57,400 64,000	759,780 703,530
Calcasieu/Jefferson	297.400	438,400	1,250,100
Quachita	177,600		771,570
Jefferson Baton Rouge	422,300 490,600	232,000	1,797,480 1,753,290
New Orleans	1,269,100	490,400 1,435,000	4,540,050
		The second second	
Oklahoma Comanche	114,400	63,000	478,890
Oklahoma	265,800	00,000	747,360
Oklahoma City Csrt.	453,800	168,400	2,713,500
Tulsa Csrt.	447,500	100,200	2,820,330
Texas			
Amarillo Csrt.	339,900		1,445,850
Austin Csrt. Beaumont Csrt.	461,900 331,500	258,800	2,280,690 1,653,120
Sugarout Osit.	001,000	and and a start of the start of	on page 11)
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# Impact of Minimum Wage Law Analyzed

### by Barbara Hunting Manpower Staff

The 1974 amendments to the Fair Labor Standards Act (FLSA) went into effect May 1. These amendments, which extend minimum wage and overtime coverage to most employees of state and local governments for the first time, are a continuing concern to public employers as they seek to assess their impact and readjust personnel and payroll practices.

Beginning May 1, the minimum wage will rise in stages. For covered government employees, it will be not less that \$1.90 an hour during the period ending December 31, 1974; not less that \$2 an hour the the state of the state of the state state of the state of the state of the state of the state state of the state of the state of the state of the state state of the state of the state of the state of the state state of the state state of the stat \$2 an hour for the year beginning January 1, 1975; not less than \$2.20 an hour for the year beginning January 1, 1976; and not less than \$2.30 an hour beginning January 1, 1977 and thereafter.

#### Who Is Covered, and Who Is Exempt?

Although extending minimum wage and overtime coverage to most government employees, the 1974 amendments exempt four categories of public employees. These are employees who are not subject to the civil service laws of a state or political jurisdiction and who are elected officials, members of the personal staff of an elected official, appointees of elected officials to positions at a policy making level, and immediate advisors to elected officials on legal or constitutional matters.

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The amendments do not require the Department of Labor to issue regulations clarifying these four caterogies. Instead, the department plans to interpret these exemptions on a case by case basis. If it receives a significant number of requests for clarification, DOL will issue an interpretive bulletin (which does not have the force of a regulation) further defining the four categories.

DOL spokesmen have indicated that the department will interpret the exemptions narrowly, In general, only those jobs which are not handled through regular personnel department procedures or do not appear on the county organizational chart will be considered exempt. These would only include personnel who are brought into the county to serve an individual elected official - for example, an executive

secretary or personal assistant, or a commission appointed to study drug abuse. Employees in regular county positions will not be exempt simply because they are appointed to their job by an elected official.

Many job categories may not be clearly included or clearly exempt. Counties should send the job descriptions of any positions about which they are in doubt to Warren Landis, Acting Administration Warren Landis, Acting Administrator, Wage and Hour Division, U.S. Department of Labor, Washington, D.C. 20210. The department has the responsibility for clarifying these exemptions.

#### **Existing Exemptions**

The existing minimum wage la already exempts some employees professional, executive, an law and administrative - from minimum wage and overtime coverage. As directed by law, DOL has issued

regulations interpreting the so-called "white-collar" exemptions. These will not be altered by the 1974 amendments and should be applied to public employees. They define professional, executive and administrative employees in terms of salary and certain duties (supervision of at least two other employees, for example).

Counties should not assume that "professional" is simply everyone who is not "clerical". The "Executive, not Administrative, Professional and Outside Salesmen Exemptions under the Fair Labor Standards Act" are available at any of the 100 local Wage-Hour Offices located throughout the country (listed in White Pages of the Telephone the

the White Pages of the Telephone Directory). These regulations may also be obtained by writing the Wage and Hour Division, U.S. Department of Labor, Washington, D.C., 20210. If these regulations do not answer all questions about "white-collar" exemptions, ask for assistance at the nearest local Wage-Hour Office, or write directly to Warren Landis and ask for a ruling on any unclear iobs. ruling on any unclear jobs.

#### **Public Safety Employees**

The 1974 amendments contain special overtime provisions for employees of public agencies who are employed in fire protection and law enforcement activities

(including security personnel in correctional institutions).

These employees are exempt from overtime pay requirements until December 31, 1974. Starting on January 1, 1975, overtime wages must be paid for hours worked in excess of 60 per week. Beginning January 1, 1976, overtime must be paid for hours worked in excess must be paid for hours worked in excess of 58 per week. Beginning January 1, 1977, overtime must be paid for hours worked in excess of 54 per week. Beginning January 1, 1978, and thereafter, overtime must be paid for hours worked over 54 per week, unless a DOL study (to be conducted during calender year 1975) finds that the average duty hours are lower that 54 per week. In that case, the lower figure would prevail. The 1974 amendments direct the

Secretary of Labor to issue regulations interpreting the special overtime provisions for public safety employees,

prior to January 1, 1975. The department plans to hold a public hearing to obtain information about two major questions which have surfaced: who is considered a public safety employee and what constitutes a "tour of duty"? "Tour of duty" is a new concept included in these amendments for the purpose of reflecting the unique nature of purpose of renecting the unique nature of the firefighting service. The hearings will be held in Washington on June 3. Counties who are unable to come to Washington to testify should send their statements directly to Landis.

#### **Compensatory** Time

The FLSA permits the "payment" of compensatory time in lieu of overtime wages. However, compensatory time must be at the rate of one and a half hours for every one hour worked over 40 hours a week. The time must be given in the same period as the overtime hours worked and may not be carried over into the next pay period.

The Labor Department does not consider this kind of arrangement as "compensatory time", but as a permissable rearrangement of work hours within a pay period.

#### Effect on Existing Contracts

Some counties have contracts with certain employees which are based on regular work weeks of more that 40

hours. The amendments supercede any existing contracts which do not provide for the payment of time and a half overtime for hours worked in excess of 40 per week. Any such contracts should be-renegotiated as soon as possible, and should include back payment of any overtime wages to May 1, 1974.

#### Local Transit Employees

The amendments phase out exemptions from overtime coverage of employees of local transit companies, empioyees of local transit companies, both public and private. During calender year 1974, overtime must be paid after 48 hours a week. Beginning January 1, 1975, overtime must be paid after 44 hours a week. The exemption is completely repealed on May, 1, 1976, and overtime must then be paid to local temptic requeries a week. transit employees after 40 hours a week.

#### Seasonal Recreational Establishments

Some counties operate amusement or recreational establishments. The act wage and exempts from minimum overtime coverage employees of a musement and recreational establishments which are not open more that seven months of the year. Enforcement and Penalties

Failure to pay the statutory minimum wage, overtime pay, or equal pay results in cumulative back wage liabilities. Unpaid back wages may be restored by the Secretary of Labor or recovered through court action brought by either the secretary or the employees. Serious violations of the law may result in civil or criminal action.

Although the amendments went into effect on May 1, uncertainty over their precise application to various public employees seems likely to continue for several months or longer. As CSAC's Jack Merelman said, "The shadings and Variations will make your head spin". Counties should, however, heed DOL's advice, "When in doubt, pay", because the law provides penalties for non-compliance. variations will make your head spin"

Do not hesitate to submit any and all questions about individual or group of employees to Warren Landis at the Department of Labor. The department has the responsibility to provide quickly any information counties need to implement the new minimum wage law.

# Preliminary Manpower Allocations

	(Continued from p	page 10)	FY '74	FY '75			FY '74 Title II	FY '75 Title I		Summer	FY '74 Title II	FY '75 Title I
		Summer	Title II	Title   1,158,840	Woodbury	Summer 141,700	Title II	693,630	South Dakota	594,200		3,622,680
	Cameron Corpus Christi Csrt.	322,300 688,200	313,200 322,200	2,599,200 1,587,330	Scott	140,900		451,980	Wyoming	351,300		1,837,260
	Dallas El Paso City/	148,300 436,700	503,600	2,105,910	Kansas Kansas City Csrt. Topeka Csrt.	377,200 203,100	74,800 112,400	2,079,000 916,020	Utah	1,405,800	1,516,400	5,994,180
	Co. Csrt. Ft. Worth Csrt.	360,600	482,600	2,305,440 800,568	Wichita Csrt.	457,500	100,600	1,973,250		Region	IX	
and all	Tarrant Galveston Harris	79,000 331,700 211,100 150,100		1,185,390 1,356,450 885,690	Missouri Kansas City Csrt. Jefferson Csrt.	1,430,000 135,600	342,600	5,457,960 935,010 2,791,151	<u>California</u> Butte Contra Costa	77,200 334,700	327,000 1,011,000	641,407 1,874,949
	Bell Co. Csrt. Hidalgo Csrt. San Antonio Csrt.	509,100 2,248,300	487,800 609,200 53,400	1,621,530 7,363,440 1,536,930	St. Louis Co. Nebraska	579,300 838,200	339,200 387,200	3,121,380	Kern Los Angeles	522,800 3,850,000 131,500	37,800 4,273,200 86,400	1,743,505 15,928,124 842,066
	McLennan Csrt. Wichita Csrt. Webb	324,200 329,100 497,400	287,600	1,177,470 1,188,900	Omaha Csrt.	Region '			Marin Merced Monterey	263,100 379,500	260,600 217,600	734,051 1,218,207 612,540
	Texarkana New Mexico	93,100	148,600	870,300	Colorado Arapahoe	38,000 54,900		375,897 554,017	San Luis Obispo San Mateo Santa Barbara	169,500 326,900 322,600 149,900	102,600 136,800 412,800	2,180,922 1,235,250 752,123
	Albuquerque Csrt.	350,000 Region '			Jefferson Col. Spgs. Csrt. Denver Csrt. Pueblo Csrt.	189,400 1,220,800 181,900	90,000 341,000 117,600	961,290 4,809,420 1,084,860	Santa Cruz Solano Sonoma Stanislaus	214,300 250,300 260,700	165,000 552,600 811,400 550,400	1,255,227
	lowa		36,800	3,097,350	Montana	721,400	317,000	4,008,420	Ventura San Diego Csrt.	306,800 1,607,200	4,542,800	7,613,913
	Des Moines Csrt. Cedar Rapids Csrt. Blackhawk	402,800 58,300 69,000	30,000	730,800 608,310	North Dakota	671,400	186,600	3,465,720	Orange Csrt.	757,100	.,502,00	

### AMERICAN COUNTIES TODAY-

#### Dear County Official:

We recently expressed the opinion in this column that county governing board members are often full-time officials regardless of the wording in their charters and should be compensated accordingly.

Our friend Circuit Court Clerk Arthur H. Bickwith, Jr. of Seminole County, Florida raises an additional point. In Florida, elected county officials have their compensation controlled by Section 145 of the state code. This is the practice in most states, and Art notes that when the legislature fails to raise salaries of these officials to meet inflation, the officials in effect suffer a cut in purchasing power.

Since county government is the local government of the future, compensation for elected and appointed officials and all county employees should be competitive with salaries paid by other governments and private enterprise for similar work.

We also stick to our original theme that service on most county governing bodies is full time and should be fairly compensated.

#### Mother of the Year

Curtis Ezelle, Hardee County Florida Tax Collector, has just been named "Mother of the Year" for that county. You read right. Curtis, who is every inch a man, has been both mother and father to his two teen-age children since his wife died.

Curtis, a highly respected and much loved official in NACo and in his state association, was nominated for the award by his daughter Carmen, a sophomore at South Florida Junior College. She started her nominating letter as follows:

soum rionda Junior College. She started her nominating letter as follows: "My mother, Virginia Collins Ezelle, died when I was 14 and in the sixth grade of grammar school. He has gotten up at 5:30 a.m. daily for over 20 years, being a good mother and daddy to me and my brother."

Curtis won a dozen red roses for a prize, and he surely deserves them.

#### Asphalt

Our county engineers did it again. Over 40 percent of NACEers responded to our request for data on their asphalt needs for road construction and maintenance. We found that counties need over 14 million tons — which is greater than the combined federal and state needs. With the data from your responses, we are making a strong case to the Federal Energy Administration on the vital necessity for increasing the asphalt supply. You can read the details in my letter to

You can read the details in my letter to Administrator Sawhill, on page 9 of *County News*. We will keep working on the issue here.

#### Steering Committees

In what is a first for NACo, two steering committees met jointly to discuss an issue. The Health and the Welfare and Social Services Steering Committees last week met at the NACo offices to discuss health insurance and Medicaid proposals and to propose changes to the American County Platform and resolutions which will be presented to the Resolutions Committee and then the membership at the annual conference in Miami Beach, July 14-17. This year, for the first time, the Resolutions Committee will meet the first day, July 14, of the conference. Other steering committees will be meeting in the near future to also discuss what platform changes and resolutions will be presented. Steering committee meetings now scheduled are: Transportation on May 23-24 in San Bernardino, Calif.; Crime and Public Safety in San Francisco, Calif. on May 24; Labor-Management Relations in Denver, Colorado on May 29 and Environment and Energy in Washington on June 7. Other meetings are to be arranged.

#### **Nursing Homes**

Many counties operate nursing homes. This is a complex business filled with many problems involving national legislation, federal and local funding and a host of other difficulities. Ed Lobacki, NACo Board member and Commissioner of Hillsboro County, New Hampshire, is particularly interested in the subject and has repeatedly suggested that NACo take the lead in bringing together county officials with similar interests. So let's. Please give NACo a call or drop

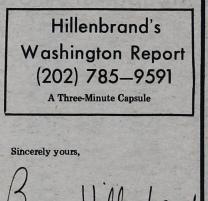
So let's. Please give NACo a call or drop a line if you would be interested in a forum or an affiliate that would give you an opportunity to exchange ideas on nursing home management with others similarly involved. We'll take it from there.

#### **New Communications Device**

The Federal Affairs Department has acquired a telecopier, and we'd like to hear from those of you who have one in your offices. The telecopier is used for transmitting and receiving short written documents anywhere in the country at the rate of about four minutes per page. It uses an ordinary telephone as the transmitter. This will be handy when a particular item is needed quickly. NACo would like to know which county offices, nave a telecopier or are thinking of getting one. Please call Meg Stephens of the NACo staff with the information.

#### **Countian for Congress**

St. Louis County Councilman Milton J. (Skip) Bischof has just filed for the 9th District Congressional seat held by U.S. Representative William Hungate (D-Mo.).



#### Bernard F. Hillenbrand Executive Director

### **Coming Events**

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7	Region II Federal Aid Briefing	Happauge, N.Y. Colonie Resort	William Morrissey 516/727-4700
12	Montana Association of Counties Annual Conference	Missoula, Montana	Dean Zinnecker 406/442-5209
- 14	NACo Disaster Management & Funding Conference	Atlanta, Georgia Royal Coach Inn	Charles Wall 202/785-9577
- 21	Association of County Commissions of Alabama Annual Conference	Birmingham, Alabama	O.H. Sharpless 205/263-7594
	New Jersey Association of Chosen Freeholders Annual Conference	Camden County, New Jersey Cherry Hill Inn	Jack Lamping 609/394-3467
- 27	Pennsylvania State Association of County Commissioners Annual Conference	Hershey, Pennsylvania	C. Robert Budd 717/232-7554
- 29	Washington State Association of Counties Annual Conference	Seattle, Washington	Jack Rogers 206/357-5536
LY			
	NACo/CIC Mid-Year Briefing	Miami Beach, Florida	Fritschler 202/785-9577
- 17	NACo National Convention	Miami Beach, Florida	Rod Kendig 202/785-9577
- 20	Mississippi Association of Supervisors Annual Conference	Biloxi, Mississippi	601/355-2211
- 27	Maryland Association of Counties Annual Conference	Ocean City, Maryland	Joseph J. Murnane 301/268-5884
GUST			
- 16	Michigan Association of Counties Annual Conference	Mackinac Island, Michigan Grand Hotel	A. Barry McGuire 517/372-5374
- 18	North Carolina Association of County Commissioners Annual Conference	Winston-Salem, North Carolina Hyatt House	John Morrisey, Sr. 919/832-2893

## **NACo Staff Contacts**

To help people reach the proper person at NACo, a list of contacts and their general areas of responsibility has been compiled. Telephone: 200/785.9577

1	Telephone: 202/785-95/7	
	Aging Services	Mary Brugger
	Bicenntenial (ARBA)	
	Child Welfare Services	
	Community Development	
	County Administration	, Rod Kendig
	County Finance	John Thomas
	Criminal Justice (LEAA)D	onald Murray
	Economic Development (EDA)	
	EducationN	
	Emergency Preparedness	. Charles Wall
	Energy (FEO) (Tel: 202/254-8550H	arry Johnson
	Environmental Quality(EPA)	
	Federal Regulations	arol Shaskan
	GrantsmanshipAucea	Inn Fritschler
	Health (HEW) N	like Gemmell
	Human Services Integration (Allied Services, OEO)	Al Templeton
	Labor-ManagementDe	
	Mailing ListGr	renda Wiggins
	Management Improvement (IPA)	Gary Mann
	Manpower (DOL)J	on Weintraub
	MembershipLinda	
	New County	
	OEO Legislation Parks and Recreation (HUD and Interior)	John Murphy
	Planning and Land Use (HUD and Interior)	Jim Evans
	Public Information	Jim Evans
	Public Works	
	PublicationsLinda	
	Record Keeping	
	Regionalism	
	Revenue Sharing	
	Rural Affairs (USDA)	lim Even
	Solid Waste (EPA)	
	States Issues	Bruce Talley
	Transportation	