

County News

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House passes land use "takings" legislation

By Diane S. Shea
associate legislative director

A bill that would give property owners easier access to federal courts for a so-called "taking" of their property through regulatory means passed the House Oct. 22 on a vote of 248-178.

Supporters of the bill argued that a local zoning or regulatory decision that limits the development of property is a "taking" by the government and deserves just compensation under the Fifth Amendment to the Constitution. (The Fifth Amendment prohibits the taking of private property for public use without just compensation.)

Proposals to make it easier for property owners to argue their cases in federal court — as opposed to county and state courts — have been under consideration for months in

See TAKINGS, page 6

MAILING LABEL SPACE

High-profile court cases test planning, patience

By Kevin Wilcox
senior staff writer

In Fairfax County, Va., officials are preparing for the Nov. 3 trial of Mir Aimal Kasi. Kasi is charged with killing two people outside the CIA's Langley headquarters on Jan. 25, 1993.

He was apprehended in Pakistan in June and returned to the United States by the FBI. His trial, expected to attract global media attention, is just one of an increasing number of high-profile court cases across the country that can bring unanticipated costs and chaos to the courthouse unless a county is well prepared.

While workers with cranes and tractors hoisted 190 concrete barriers into place outside the Fairfax County (Va.) Judicial Center to secure the perimeter of the building, officials inside the courthouse are prepared for the more than 200 reporters and media representatives expected to cover the trial.

Security will be heightened for the Kasi trial, according to Kathy Simmons, information officer for Fairfax County Government. Many of the security measures the sheriff's department wanted for years are now being installed. For instance, heavy

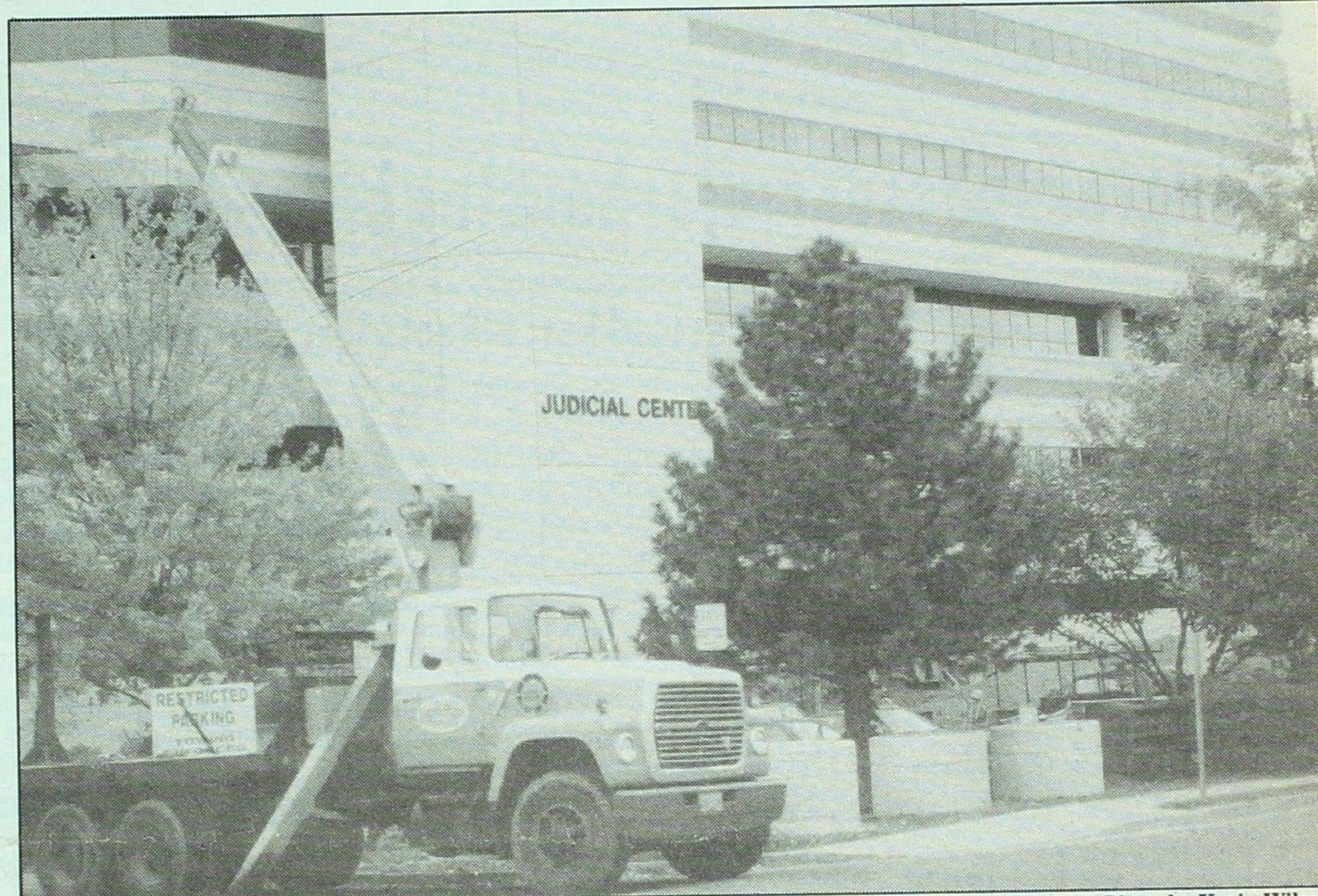


Photo by Kevin Wilcox

A crane unloads one of the 190 concrete planter barriers that will help secure the Fairfax County, Va. Judicial Center next month, when it hosts a high-profile case involving murders outside CIA headquarters in 1993.

concrete planters are being placed around entrances. Inside, security measures such as metal detectors and baggage scanning devices have been

in place for years. The adjoining Public Safety Complex had those devices installed in preparation for the trial.

For officials in Fairfax County, the first step in planning for the me-

See HIGH-PROFILE CASES, page 9

Congress may prohibit local taxes on Internet sales

By Ralph Tabor
associate legislative director

Two House subcommittees approved legislation earlier this month to place a six-year moratorium on any new state and local taxes on electronic commerce, including the Internet.

Many tax experts say that the latest version of the bill (H.R. 1054), as approved by the House subcommittees, would also prohibit a number of existing telecommunications, franchise, gross receipts, business and corporate taxes.

The full House Commerce and Judiciary Committees are expected to mark up the legislation by the end of the month. Floor action is possible before Congress recesses next month.

The Senate Commerce Commit-

tee has considered similar legislation (S.442), but has been unable to reach agreement on a bill. Senate Majority Leader Trent Lott (R-Miss.) indicated last week that the legislation would be delayed in the Senate until next year.

He urged that the legislation be re drafted to address many of the concerns raised by state, county and city officials about federal pre-emption of state and local taxes. He also voiced concern about possible inequities between "Main Street" businesses and companies operating on the Internet that would be exempted from taxation. (see sidebar on page 10 for the myths and realities about Internet taxation.)

In a press conference called last week by leaders of state and local government organizations, Michael

See INTERNET TAX, page 10



Photo by Shawn Bullard
NACo Past President Michael Hightower (l) and Ohio Governor George Voinovich meet with reporters after a news conference, Oct. 17, protesting a six-year moratorium on state and local government's authority to tax Internet commerce sales.

Senate child welfare legislation could create unfunded mandate to counties

By Marilina Sanz
associate legislative director

A recently introduced measure to promote adoptions of children in foster care, S. 1195, would limit the way that a state or county allocates administrative costs under Temporary Assistance for Needy Families (TANF) and other programs such as Medicaid and food stamps.

Regardless of whether this issue survives this year's session, it is clear that Congress has discovered administrative cost allocations among entitlement programs as a possible source of funding and that the issue will continue to come up in the future.

Under this proposal, if a family is found eligible for TANF and other means-tested programs, the administrative costs related

to the case would have to be charged to TANF. Since TANF has a 15 percent administrative cap, counties and states would have to pay the excess administrative costs. Current practice allows administrative costs to be spread among all means-tested programs.

Proponents of the adoption bill plan to use the savings generated from confining administrative costs to TANF and its 15 percent

cap to fund their measure.

NACo considers the financing mechanism a violation of the unfunded mandates act, and joined the National Governors Association, the National Conference of State Legislatures and the American Public Welfare Association in opposition to this measure.

Senate Majority Leader Trent Lott (R-Miss.) has said he wants the Senate to pass the bill before it recesses for the year. The bill is expected to be brought to the Senate floor for a vote without first going through committee mark-up. Absent a committee report, the bill does not require a Congressional Budget Office (CBO) unfunded mandates review.

In 1996, the Senate passed a bill that included a provision to require a CBO unfunded mandates review of any bill that would increase administrative costs for state and local governments. The bill was never brought to the Senate floor for a vote without first going through committee mark-up. Absent a committee report, the bill does not require a Congressional Budget Office (CBO) unfunded mandates review.

A similar provision related to food stamps was included in the Senate Agriculture Committee's Agriculture Research and Reauthorization bill. Because this bill did not go through committee mark-up, it was scored by the CBO, costing \$1.1 billion over five years, thus tripping the "pay-as-you-go" provision in the 1996 unfunded mandates reform bill. (For any mandate that is estimated to require \$50 million or more, Congress must either make provisions to pay for the new mandate or take a separate recorded vote to waive this requirement.)

The second provision allows renewals of project-based assistance. There was strong pressure to convert the assistance to tenant-based. However, NACo and other groups successfully argued that project-based assistance was essential to restructure some mortgages. As adopted, the law requires mandatory renewal of project-based assistance in three situations.

- The participating administrative entity determines that there is an inadequate supply of available and affordable housing (for example, due to low vacancy rates) or that tenants would not be able to locate suitable units or use the tenant-based assistance successfully.

- A predominant number of units in the project are occupied by elderly families, disabled families or combinations thereof.

- The project is held by a nonprofit cooperative housing trust. For projects not falling into one of these three categories, a participating administrative entity will develop an assessment plan to determine whether to restructure the mortgage with tenant-based or project-based assistance.

In deciding whether a mortgage should be restructured, the participating administrative entity will take into account an owner's compliance with applicable regulations and agreements and the condition of the property. Owners or purchasers of the property must agree to keep units affordable for low- and moderate-income tenants for at least 30 years.

Congress passes major housing bill; addresses rental subsidies

By Haron Battle
associate legislative director

Earlier this month, Congress overwhelmingly passed the first major housing bill in six years, the "Multifamily Assisted Housing Reform and Affordability Act of 1997" which renews all expiring Sec. 8 contracts while eliminating excessive rental subsidies. The subsidies are paid by the federal government to owners of FHA-insured multifamily rental units occupied by low-and moderate-income residents.

This landmark bipartisan legislation, on which Congress and the Administration have worked for several years, was contained in the FY98 appropriations bill for Veterans Affairs, HUD, and independent agencies (see *County News*, 10/13/97, page 1).

The escalating cost to renew Sec. 8 contracts was a major crisis confronting HUD and affects approximately 1.6 million units covered by Sec. 8 contracts. If Congress and the Administration had not amended the terms and conditions of these contracts, the cost to renew Sec. 8 contracts would skyrocket from \$3.6 billion in FY97 to more than \$14 billion in FY2000 with continuing increases in subsequent years. Left unchecked, this spiraling cost could have drastically cut funds for other HUD programs.

Conditions giving rise to the current dilemma date back roughly 20 years when the federal government entered into contracts with private developers to build multifamily rental housing with units reserved for low- and

Revised Sec. 8 Rents for Selected Areas

Jurisdiction	Number of Projects	Number of Units	Average Subsidized Rent	Fair Market Rent	Estimate Yearly Savings
Phoenix, Ariz.	12	1,150	\$674	\$475	\$2,740,968
Los Angeles, Calif.	71	4,231	927	750	8,989,008
Gainesville, Fla.	6	856	717	530	1,923,636
Macon, Ga.	6	548	601	464	900,552
Chicago, Ill.	78	8,959	972	706	28,542,117
Louisville, Ky.	26	1,725	573	432	2,919,996
Detroit, Mich.	8	1,001	716	499	2,605,956
St. Louis, Mo.	50	4,2302	581	412	8,574,945
Jackson, Miss.	8	612	553	425	945,840
Jersey City, N.J.	12	1,378	1,047	742	5,036,136
New York, N.Y.	253	29,960	1,178	831	124,800,710
Cleveland, Ohio	47	6,158	620	487	8,817,670
Scranton, Pa.	6	587	661	406	1,798,394
Greenville, S.C.	41	2,914	516	451	2,302,176
The Woodlands, Texas	6	752	626	471	1,390,668
Milwaukee, Wis.	48	4,129	601	511	4,468,932

moderate-income people. Known as Sec. 8 contracts, tenants paid 30 percent of their income towards rent and the federal government paid the balance. The contracts were "project-based," because the federal subsidy was directly tied to the financing of particular units. In more recent years, federal assistance has shifted to "tenant-based" Sec. 8 contracts in which the subsidies are assigned to tenants who then choose a unit.

The Sec. 8 project-based contracts provided annual increases in rents paid to landlords. Over the years, landlords in some ju-

risdictions received rents far in excess of rents charged for comparable unsubsidized units in the private market. The accompanying chart provides examples of these excessive rents.

Under the legislation that passed, rents on these units are brought in line with the "fair market rent" for the relevant area. According to HUD Secretary Andrew Cuomo, cutting excessive rental subsidies will save taxpayers \$562 million in FY98, nearly \$1.6 billion over five years, and billions of dollars more in subsequent years, while preserving affordable housing for 850,000 people.

To keep these projects financially viable, the mortgages are restructured, project by project, so that the mortgage can be sustained by the market rent.

NACo was successful in getting two critical provisions incor-

County News invites Letters to the Editor

If you have a compliment, complaint or different point of view, let us know. Please include a phone number with your letter. Mail, fax or e-mail to: County News, NACo, 440 First St., N.W., Washington, DC 20001-2080; 202/393-2630; cnews@naco.org.

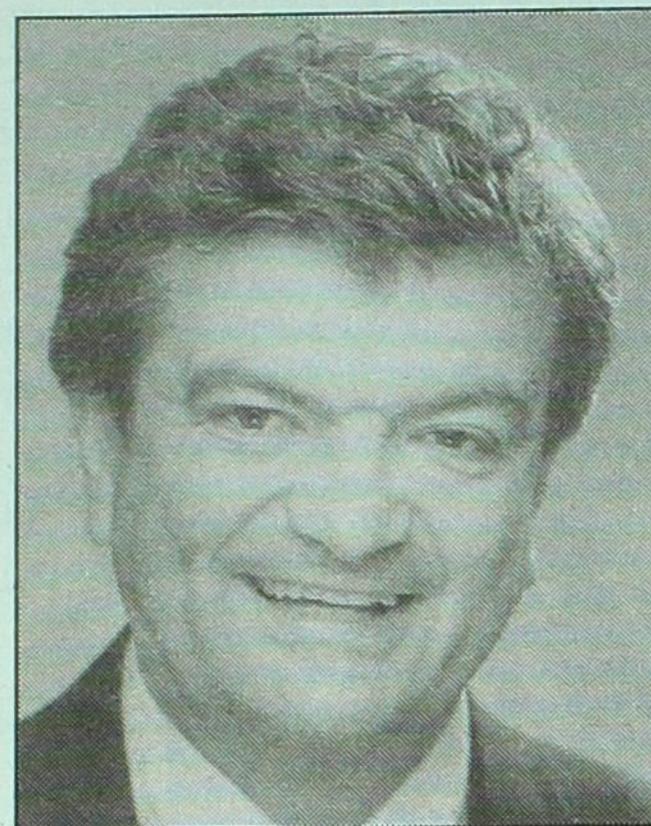
Randy Johnson Reports

PTI: Local Government's Technology Partner

In my last column, I wrote that like marathon runners, county officials continually struggle to allocate their limited resources efficiently in order to reach their welfare goals." In such an environment, technology is often the key to a successful race. Fortunately, our family of local government associations includes an organization that has proven to be a tremendous resource for counties.

In 1971, NACo was one of six national associations that had the vision to create Public Technology, Inc. (PTI), to give assistance to local governments in the technology arena. Today, NACo, together with International City/County Management Association (ICMA) and National League of Cities (NLC), serves as a PTI sponsor and provides strategic guidance and policy direction through three NACo representatives on the PTI Board: Doug Bovin, Peter King and Larry Naake.

PTI conducts its work and fulfills its mission through two programs: research and enterprise. The research program pilots and demonstrates technology advances that help local officials better serve their communities in a variety of ways — by connecting them using "intelligent" communications and transportation systems, by conserv-



Randy Johnson
NACo President

ing energy and preserving the environment, and by cutting costs, streamlining programs and generating new non-tax revenue.

PTI's enterprise program aims to improve the quality and availability of technology for local governments and reduce its cost.

Through membership in PTI, county officials have found opportunities to network with colleagues from around the country to be very useful. "We view our membership as an investment in our future — believing that access to the best practitioners throughout all local governments gives us a real advantage in developing creative solutions to public problems," says

Jean Bennett, Orange County, Fla. administrator.

While the coming of the new millennium portends promising technological breakthroughs, at the practical level for county officials the Year 2000 problem also looms. That's when the clock takes the year 1999 into the year 2000; computers that are programmed with two-digit dates will confuse many government operations because they will read the year 2000 as the year 00.

PTI's Telecommunications and Information Task Force of local officials has focused on this issue

and produced several helpful resources to help us get through it, including an easy-to-read publication and a series of workshops conducted across the country. Another offering, available to PTI members, is its ANSWER Service, which provides timely responses to inquiries on topics ranging from cellular tower siting to geographic information systems. Through these inquiries, PTI identifies "hot" technology topics and issues facing local governments.

Just this week, in cooperation with King County (Wash.) and the City of Seattle, PTI held a major conference on sustainable buildings, a project conceived by its Environmental Task Force, which

I have been pleased to chair for several years. An excellent sustainable buildings technical guide for local government officials is another product of the task force's efforts.

Other areas where PTI has played an important leadership role has been in utility deregulation, intelligent transportation systems, alternative vehicle fuels, on-line access to local government information and national models for cooperative purchasing. Current projects under way include development of electronic commerce, digital signature, public safety, and energy efficiency technologies.

I am always pleased to see the innovation and creativity that counties demonstrate through PTI's annual Solutions/Technology Achievement Awards program. Counties often do well in the competition and this year is no exception.

This year's winners have just been announced and three counties — Montgomery County, Md., Clark County, Nev., and Orange County, Fla. — have been selected to receive awards for their submissions in Health and Human Services, Public Works and General Services and Community and Economic Development, respectively. My congratulations to each of you for your deserving achievements. As is the case every year, all the entries are cata-

logued in a publication and CD-ROM and can be ordered from PTI.

Several years ago, PTI coined the term "public enterprise" and helped local governments begin to better appreciate and value their assets. Since that time, PTI's own enterprise team has developed several cooperative purchasing ventures that have created savings and revenues for counties, including its pay phone agreement with AT&T and partnerships that significantly lower the price of technology purchases.

Our colleague, Jim Ley, Sarasota County, Fla. administrator says of his experience with PTI while working in Clark County, Nev., "We benefited financially through participation in PTI's enterprise programs and joint purchase arrangements."

PTI is a rich technology resource and has much more to offer counties than I am able to share in this small space. I continue to enjoy my association with PTI, both as a member of its Board of Directors and as chair of its Environmental Task Force. Hennepin County has long benefited from PTI membership and I encourage you to take the time to learn more about how this technology organization can benefit your own county.

(For more information, call PTI at 202/626-2400 or visit its Web site at: <http://pti.nw.us>.)

Government agencies given chance to shine

Applications are now available for the 1998 Public Employees Roundtable (PER) Public Service Excellence Awards, which pay tribute to government programs whose achievements exhibit the highest standard of dedication, excellence and accomplishment.

Those eligible for the awards are programs in federal, state, city and county government; intergovernmental programs, and government programs with an international focus.

The newest award for community service recognizes outstanding community outreach work undertaken as a voluntary effort by active or retired government employees or by an organization comprised of public employees.

Programs should either demonstrate outstanding improvement over previous performance or outstanding achievement in comparison to existing programs with the same

rather than individuals, the awards demonstrate the importance of teamwork in public service. Selection factors for the awards include:

- measurable productivity or service delivery improvement;

- accomplishments that improve the quality of life of Americans; and

- programs or projects that have increased cost effectiveness of governmental services.

The winning organizations are honored at the Roundtable's Breakfast of Champions® at the Capitol in Washington, D.C. during Public Service Recognition Week, the first week in May. Vice President Al Gore presented the awards in 1996 and 1997.

NACo is an award co-sponsor.

Nomination materials can be requested by calling PER at 202/401-4344 or downloaded from the PER Web site at <http://www.patriot.net/users/permil>.

For more information, call Gretchen Hakola, Public Employees Roundtable at 202/401-4344.

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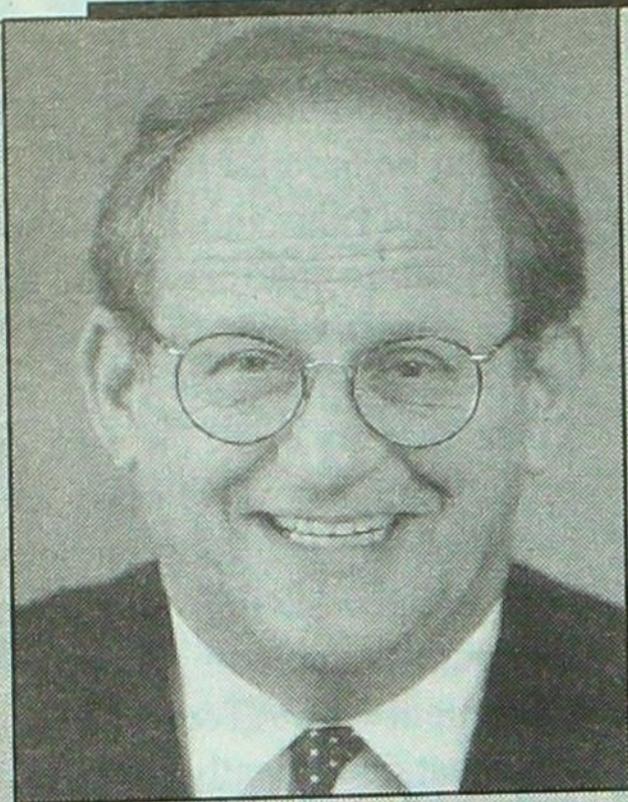
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4 Profiles in Service



Donald Murray
Associate Legislative Director
for Justice and Public Safety

Years working at NACo: 28

Areas of responsibility: Staffs Justice and Public Safety Steering Committee and the National Association of County Civil Attorneys.

The hardest thing I've ever done: 30-mile hikes in the Army.

Three people (living or dead) I'd invite to dinner: Adlai Stevenson (I did my thesis on him), Jackie Robinson from the Brooklyn Dodgers and Julia Roberts.

A dream I have is: That supporters in Brooklyn can buy the Dodgers and bring them back to Brooklyn.

The most adventurous thing I've ever done is: I hitchhiked across the country when I was in college.

My favorite sport is: Football (Washington Redskins), since the Dodgers left Brooklyn.

I'm most proud of: Lobbying to develop a new prevention title in the Juvenile Justice and Delinquency Prevention Act. And I conceptualized and helped organize one of the first broad-based coalitions in the criminal justice field, the National Coalition for Jail Reform.

Every morning I read: The New York Times and The Washington Post.

My favorite food is: A Nathan's hot dog.

My motto is: It's all in the preparation.

The last book I read was: I'm reading a biography on Adlai Stevenson.

My favorite movie is: "Goodbye Columbus."

My favorite music is: Folk music.

My favorite president: Franklin Roosevelt.



Photo by Donald Murray

(L-r) O.H. "Buddy" Sharpless, executive director of the Association of County Commissions of Alabama, and Sen. Jeff Sessions (R-Ala.), chair of the Senate Youth Violence Committee, examine formula breakdowns in local law enforcement block grants, where serious inequities exist between cities and counties.

Congress expected to increase funding for juvenile justice

NACo pushes for direct block grants to local government

By Donald Murray
associate legislative director

Although the Senate has not yet completed work on its new version of juvenile justice legislation and is not expected to do so in the current session, the appropriations committees in both houses of Congress are moving aggressively in proposing major spending increases for juvenile justice and delinquency prevention.

The proposed increases are expected to be at least twice the current appropriation level of \$170 million, which now funds the existing Juvenile Justice and Delinquency Prevention Act. Even higher increases might be possible depending on how the House-Senate conference committee divides the funds.

Meanwhile, the House Appropriations Committee has set aside \$300 million for a new juvenile justice block grant and \$226 million for programs funded under the existing act. The latter figure represents an increase of \$56 million over the FY97 appropriation.

In the Senate, the appropriations committee is recommending a total of \$380 million for juvenile justice programs in FY98. This funding level is \$206 million more than the 1997 appropriation level and includes \$75 million for an expanded prevention program at the county and municipal level. The current NACo-inspired

Title V prevention program is funded at \$20 million.

was overwhelmingly approved May, authorizes \$1.5 billion over three years. Under the bill, at

New legislation

The House bill (H.R. 3), which

See JUVENILE JUSTICE, on page

County News

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Albert N. Abgott dies

Albert N. Abgott, who served for several years as chair of NACo's Justice and Public Safety Committee in the late '70s and was also a former chair of the Erie County (N.Y.) Legislature, died Oct. 13 after a brief illness. He was 74.

Under Abgott's stewardship, the International Skating Association

NACo's Justice and Public Safety Committee took a leadership role on jail reform and delinquency prevention issues.

He was a founder of the Erie County Youth Board, past president of the Boys Club and served as a member of the U.S. International

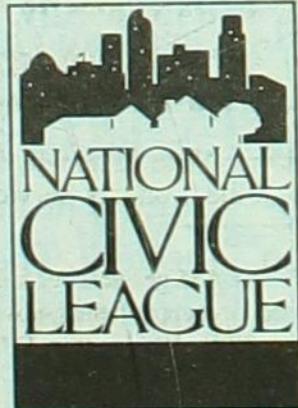
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Troy decision sheds little light on local authority under FCC

Cable company challenges local ordinance of telecommunications companies

By Robert Fogel
associate legislative director

A long-awaited decision from the Federal Communications Commission FCC about local control over public rights-of-way gives no clear signal on how the agency will interpret the Telecommunications Act of 1996 as it affects local government authority.

The FCC ruling late last month in the case of Troy, Mich. and TCI Cablevision, let the city's ordinance stand, but overturned its decision to

condition a construction permit to the cable company.

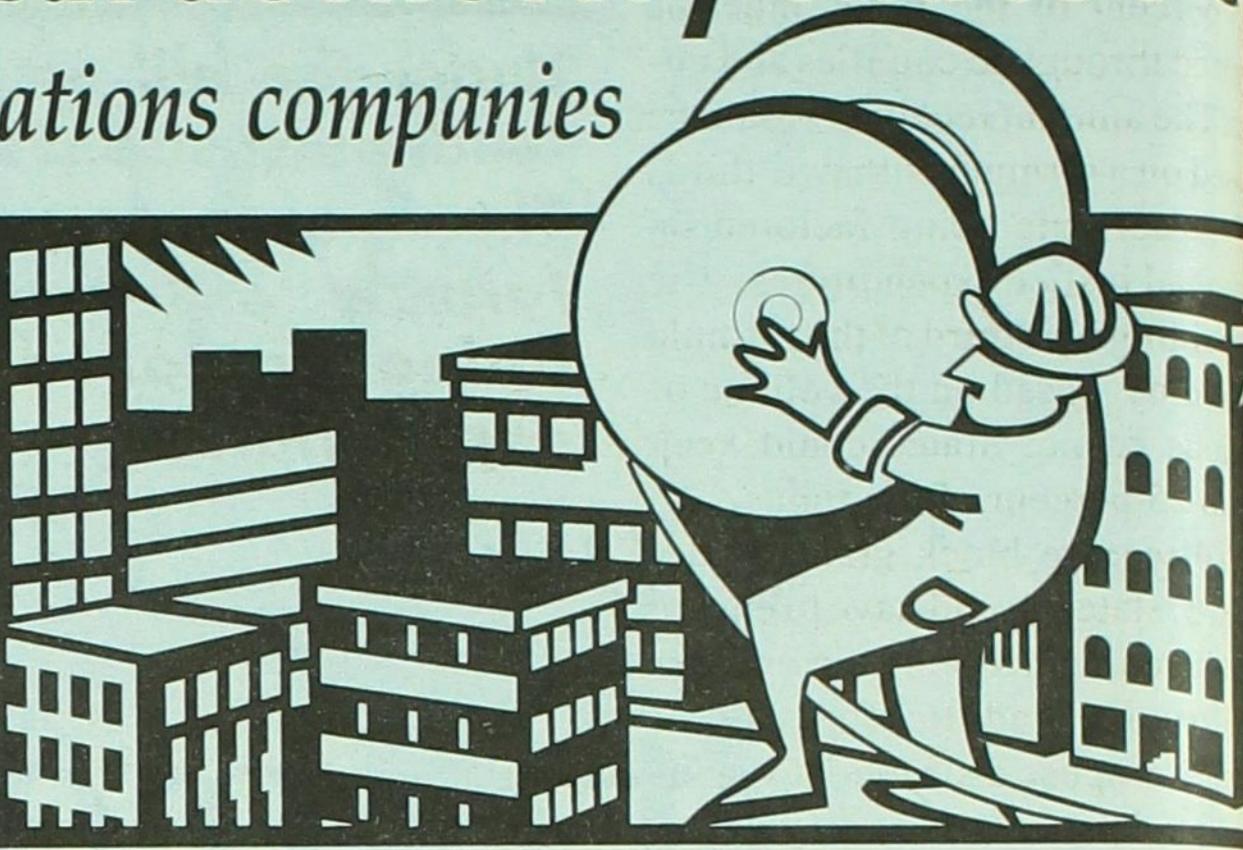
TCI had applied to the city for permits to lay fiber optic lines in public rights-of-ways. While TCI claimed these new lines would not be used for telecommunications services, the city suspected otherwise and issued permits conditioned on the fact that the new lines were not to be used for telecommunications purposes. TCI reacted by challenging Troy's entire telecommunications ordinance, not just the permit conditions. The Troy ordinance requires telecommunications providers using

the city's rights-of-way to obtain a franchise and pay an annual fee.

In the end, the FCC only ruled on the permit question, telling Troy it could not condition its permit the way it had.

Observers say that such a narrow decision sheds little light on issues.

"Although the practical outcome of the FCC's decision is primarily a victory for Troy, the decision is an extremely narrow one based on the facts of the case," said Mark Van Bergh, who represented the City of Troy. "In the end, the FCC's decision did not clarify some of the im-



portant issues as many parties had hoped it would."

NACo and other local governments were watching this case closely

to determine how the FCC would interpret the Telecommunications Act of 1996 and its impact on local government control over the public rights-of-way.

Despite the inconclusive decision in the Troy case, there will be other cases before the FCC regarding the rights-of-way issue. New telecommunications companies are expected to raise questions about local government ordinances that treat them differently from incumbent companies. There may be further challenges to the scope of local governments' right-of-way authority under the Telecommunications Act.

Other FCC activity

In the meantime, the FCC is currently engaged in rulemaking on other issues of concern to counties.

First, it is considering a petition — from the cellular telecommunications industry — to preempt local governments on the siting of cellular towers.

In its comments to the FCC, NACo argues that moratoria have been used sparingly; and that under the Telecommunications Act, the FCC does not have jurisdiction over such disputes, the courts do.

The second rulemaking concerns an FCC plan to amend the existing regulation regarding radio-frequency emissions from cellular towers. NACo's comments focused on the FCC's using public concerns about radio frequency emissions as grounds for reviewing local zoning decisions and threatening local governments' ability to monitor radio frequency emissions from cellular towers.

The third rulemaking, due the week — Oct. 30 — could preempt much of local governments' zoning authority over the siting of television and radio broadcast towers. The impetus for this rulemaking comes from the broadcast industry, which is rolling out its new digital television technology. The broadcasters claim they must build new towers, some as tall as 2,000 feet, or substantially move existing towers in order to deliver digital television. They say local governments will impede this effort.

WIR Board discusses public land, telecom issues

By Jeff Arnold
associate legislative director

The Western Interstate Region Board of Directors conducted its 1997 fall board meeting in Santa Fe, N.M., Oct. 9-10. The Board met to discuss a wide range of public land issues and telecommunications policy as it relates to the universal access fund. WIR President Dennis Brinker called the meeting, "very productive and an unqualified success."

After moving through a series of housekeeping matters and presentations from various board members and staff, the board heard from its keynote speaker, newly confirmed Bureau of Land Management (BLM) Director Patrick

Shea, who discussed his vision for the BLM and federal land policy. The board was treated to a tour by the BLM of a significant public purpose land transfer between the city and county of Santa Fe and the BLM.

The land is being used as a municipal recreation area including ball fields, a golf course, equestrian areas and soccer fields. A portion is being used as a consolidated site for the city/county solid waste disposal site. This transfer is a very good example of federal/county collaborative efforts to utilize federal public land.

On the second day, the board considered and approved recommendations to the Public Lands Steering Committee for legislative priorities for the second session of

the 105th Congress. They decided to pursue increased appropriations for the Payments In Lieu of Taxes (PILT) program and work to improve forest health and support legislative efforts in that regard. They also decided to work toward the passage of S. 1180, the Endangered Species Recovery Act introduced by Senator Dirk Kempthorne (R-Idaho), support efforts to maintain the status quo on R.S. 2477 public land rights-of-way and support moderate efforts to obtain grazing reform. The board also heard from Deputy Assistant Secretary for Land and Minerals Management Sylvia Baca, and U.S. Forest Service appeals attorney in Region III, Patrick Jackson.

The Board approved a resolution to support full funding of the

"universal access fund," intended to help subsidize companies providing telecommunications services to high cost areas like sparsely populated western counties. The resolution will be sent to the FCC and forwarded to the NACo Transportation and Telecommunications Steering Committee for its consideration at the NACo Legislative Conference in March.

The board participated in an afternoon tour of cultural sites in and around Santa Fe, including the world-famous petroglyphs, or rock drawings, from the ancient dwellers of the southwest. In the evening the group boarded a shortline railroad to travel to historic Lamy, N.M. for their final event and conclusion of the meeting.

TAKINGS

from page 1

both the House and Senate.

The House bill, H.R. 1534, sponsored by Rep. Elton Gallegly (R-Calif.), had 236 sponsors. It faced intense opposition from many local governments, state attorneys general and environmental organizations. The Senate is looking at similar legislation in S. 1204, introduced by Sen. Paul Coverdell (R-Ga.).

The bills respond to criticisms that the current standards severely limit a property owner's access to federal court. Critics — home builders, developers and property rights advocates — argue that many legitimate property rights claims never have their day in court because the procedural and legal hurdles are so time-consuming and expensive they effectively shut the door to the federal courts.

H.R. 1534 and S. 1204 claim to ameliorate these concerns by establishing specific criteria that will de-

termine when a dispute is ready for federal judicial review. Unlike other previous "takings" legislation considered by the Congress, this bill does not try to define what a taking is or how much compensation is due if a taking is found. The proposed legislation is designed only to make it easier to bring a claim to federal court. Once a claim reaches federal court, it will still have to be decided on its merits.

Through a series of cases decided in the 1980s, the U.S. Supreme Court identified two considerations that are relevant in establishing whether a regulatory takings claim is ready to be decided by a federal court:

1. The local planning commission, zoning authority, or legislative body has made a *final, definite decision* concerning how the property owner would be allowed to use the property and that the decision inflicts an actual, concrete injury upon the property owner.

2. The claimant has *exhausted all the remedies* available under state law. Such remedies include special exceptions, variances, zoning amendments or conditional use permits. An exception is allowed if pursuing those remedies would be futile (i.e., zoning staff or the elected body made it clear that a remedy would be denied).

In the case of the latter point, both H.R. 1534 and S. 1204 would require the federal courts to hear takings cases without the property owner having to initiate the case in state courts. The federal court would be mandated to accept a takings case if the property owner has received a definitive decision regarding the use of the property, and has applied for and been denied at least one appeal of that decision.

The bills would also prevent courts from using their discretion to "abstain" from hearing a zoning

case, which courts have traditionally exercised if accepting the case would interfere with the state court proceedings or force them to consider constitutional questions unnecessarily. Finally, the bills would eliminate the requirement that a property owner pursue a state court compensation process before filing a claim in federal court.

Both bills are opposed by the Clinton Administration, which has promised a presidential veto. Among the Administration's major concerns are that the bills will burden local governments and create a backlog of cases in the federal courts.

Local governments have also argued that the bills will give property owners immediate access to federal courts before state courts have acted, and interfere with the balancing of property owners' rights against the greater community good.

JUVENILE JUSTICE

from page 4

5 percent of the funds must be passed through to counties and cities. The amount received would be based on a formula with two-thirds of the formula being factored on criminal justice expenditures. The remaining one-third of the formula would be based on the volume of serious crime. States could keep up to 25 percent of the funds.

To receive block grants under H.R. 3, states would have to ensure that juveniles 15 years old or older are tried as adults for violent crimes, impose a system of graduated punishments for every delinquent or criminal act, and establish a public criminal record system for serious juvenile offenders.

On the Senate floor, Sen. Richard Durbin (D-Ill.) intends to offer an amendment that is very similar to the House (Hyde/McCollum) block grant formula as contained in H.R. 3. NACo officials are urged to support Sen. Durbin's amendment.

At present, the Senate bill, S. 10, calls for a block grant to the states, virtually giving each state the authority to pick and choose which local governments are to receive block grant funds. The most recent language, however, requires states to pass 75 percent of the funds to local governments.

The Senate measure also differs from its House counterpart in that it targets three general purpose areas for 60 percent of the block grant funds: 1) drug testing (15 percent); 2) juvenile detention facilities (35 percent); and 3) other siting requirements, such as expenses incurred in binding over juveniles to adult courts or improving record-keeping for juvenile offenders (10 percent).

NACo policy supports a strong focus on collaborative planning and authority at the local level in order to provide a full range of sanctions and early prevention initiatives. NACo policy also opposes the removal of juveniles from adult jails and a prohibition against holding status offenders in secure custody.

Meeting with Sen. Sessions

On Oct. 9, O. H. "Buddy" Sharpless, executive director of the Association of County Commissions, due to the pre-emption of Alabama and the writer met with Sen. Jeff Sessions (R-Ala.), chair of the Senate Youth Violence Committee, to discuss the Durbin amendment and the importance of direct block grant funding to county and city governments.

Sessions maintained there was a major need in Alabama for multi-county detention centers and expressed concern that funding not be dissipated to the point that his regional objectives would not be

Under the bill, at least 75 percent of the funds must be passed to counties and cities. The amount received would be based on a formula with two-thirds of the formula being factored on criminal justice expenditures.

achieved. Sessions says that state government should have the major role in funding and siting decisions for regional detention facilities.

In response to his concerns, it was suggested that the state already controlled the major source of funds devoted to correctional facilities (prisons, jails and detention centers)

under Title II of the 1994 Crime Act. Subsequently, a local block grant should pose little threat to state control over spending for juvenile detention facilities. A locally directed block grant would also be more likely to have a greater impact in helping the community both control and prevent juvenile crime.



A Partnership of the National Association of Counties and Sedgwick

Satellite conference to feature latest on urban wet weather regulation and practices

The national regulatory scheme for controlling urban stormwater run-off, also known as "urban wet weather management," is expanding at an unparalleled pace. The impact for wastewater utilities and other public works is enormous.

A seminar examining these issues will provide you with practical, up-to-date information about the Environmental Protection Agency's (EPA) Stormwater Phase II proposal for regulating storm-

water in small communities, and the agency's development of a national policy on sanitary sewer overflows. The conference is sponsored by the American Public Works Association and the Water Environment Federation.

You will learn about innovative practices in urban wet weather management in a case study format. This videoconference will provide you with the important information you need to keep your agency on top of

Strategies for Urban Wet Weather Management

Satellite Videoconference

Dec. 10

11:30 a.m. to 3:30 p.m. EST

the rapidly changing set of urban wet weather initiatives.

Find out:

- what's in the Stormwater Phase II proposed rule and how it

will affect public works management;

- the status and possible impact of a national policy on sanitary sewer overflows;

- other hot news on the urban wet weather regulatory front; and

- which innovative urban wet weather management programs are working in communities across the country.

Confirmed speakers include:

- Doug Harrison, Fresno M. Flood Control District;
- Michael Cook, U.S. EPA Office of Wastewater Management;
- L. Scott Tucker, Denver Urban Drainage & Flood Control District;
- John Promise, North Central Texas Council of Government;
- Nancy Wheatley, Orange County Sanitation Districts.

There will be three or four studies in stormwater management. For registration information, set up a downlink site, please contact Shirley Calandra, American Public Works Association, Kansas City, MO; phone: 816/472-6100; e-mail: shirley.calandra@mail.pubworks.com.

WON Outstanding Service Award

Women Officials in NACo (WON), a NACo affiliate, is seeking nominations for its Outstanding Service Award. The annual award program, sponsored by Waste Management Inc., was established to recognize outstanding achievement among elected women officials in county government, promote innovative problem-solving and encourage dedication to excellence in public service.

Candidates for the Outstanding Service Award must be nominated by an elected county official. The honoree will be announced in March at WON's meeting during NACo's Legislative Conference in Washington, D.C.

Selection criteria

- The nominee must demonstrate extraordinary leadership and service to her county in one of the following ways: 1) the enactment of significant legislation; 2) the development and implementation of an innovative program, or component thereof, replicable by other counties; 3) and /or the promotion of sound and innovative county government practices through published articles, national advocacy, or local leadership.
- WON will also take into account whether the above significantly contributed to the resolution of a local issue or problem.

Selection process

An independent panel of three judges will select the honoree. All nominees are scored on a rating system of a possible 100 points, with a 75-point minimum required for winning. A winner will not be declared if all nominees score below 75 points.

Nomination process

The nomination procedure has three parts:

1. Completed nomination form mailed with appropriate letters.
2. A letter from the nominating elected county official. The letter should not exceed four, single-spaced pages and should include the following:
 - a statement as to why the woman official deserves national recognition for her achievements on both a local and national level;
 - a summary of previous positions held by the nominee and any other information the nominating official deems relevant; and
 - a description of the legislation, innovative program and/or effort to promote sound county government practices (detailing the way in which the nominee has demonstrated outstanding leadership and service).

Supporting materials should be included on or attached to 8" x 11" paper and shall not exceed six pages, except for copies of publications authored by the candidate.

3. A one-paragraph synopsis of the nominating letter and a one-paragraph synopsis of the nominee's achievements to be used for a press release prepared by WON.

All three parts must be received by Nov. 15, 1997, and should be mailed to: WON c/o Lena Palmer, 440 First St. N.W., Washington, DC 20001, phone: 202/942-4241

WON Nomination Form

Name _____

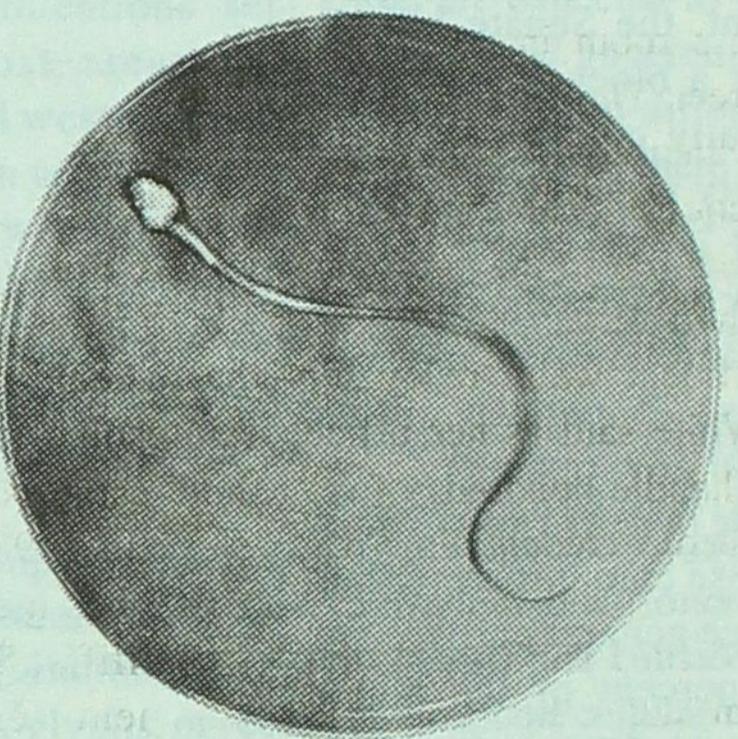
Elected Position _____ Last _____ First _____ Middle _____ Area Code/Telephone _____

Home Address _____

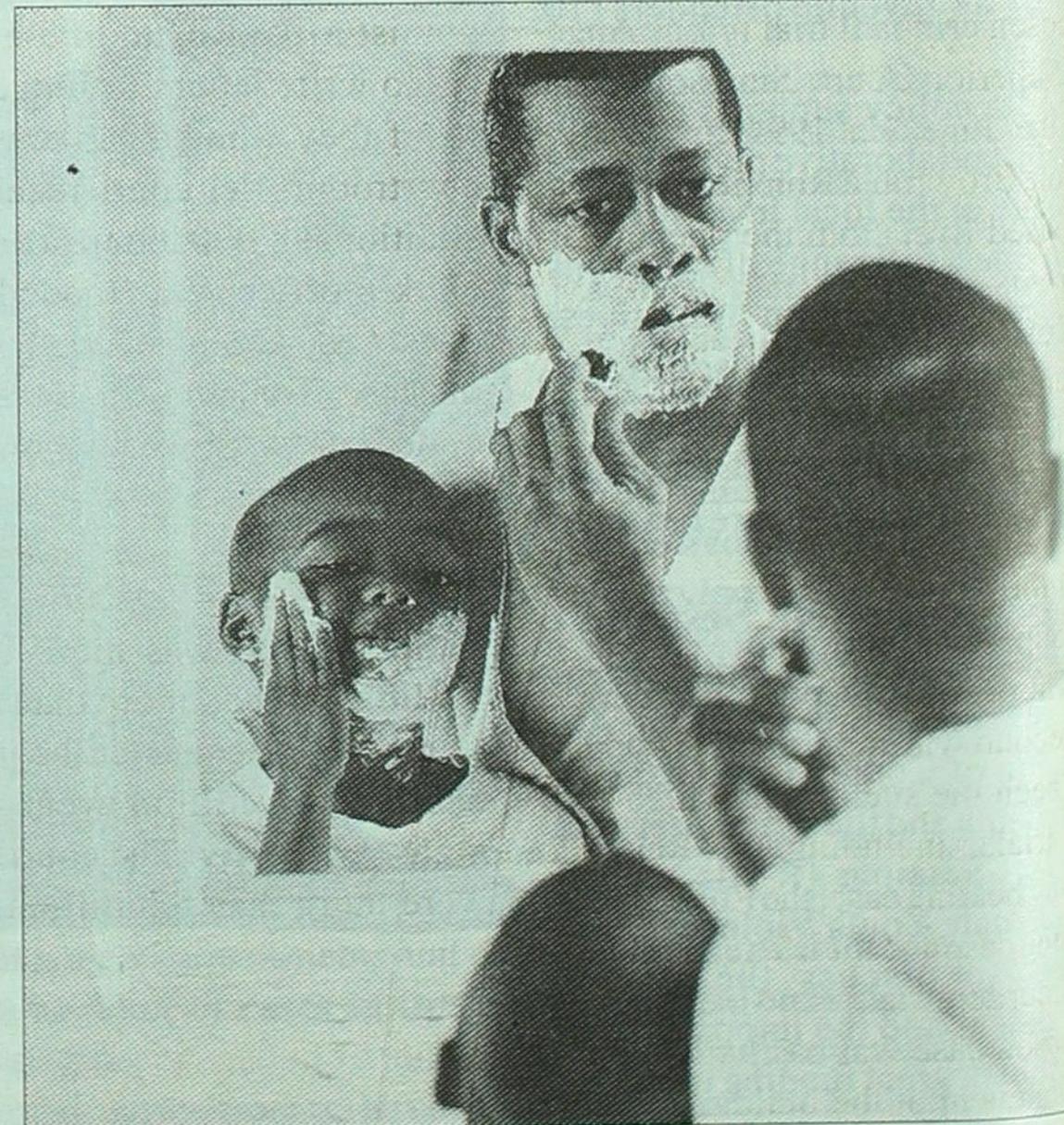
County Address _____ Street _____ City _____ State _____ Zip Code _____

Name of Nominating Official _____ Phone _____

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National Fatherhood Initiative

Ad
Council

HIGH-PROFILE CASES from page 1

Media expected at the trial was a series of phone calls, according to Jean White, director of public affairs for Fairfax County Government.

"I started the planning last July by contacting other counties where there had been high-profile trials. I asked them what three things worked, and what three things didn't work."

White said that few common themes emerged. Some of the trials involved the security issues Fairfax County will face, others didn't. Union County, S.C. and Arlington, County, Va. were among those she called.

"One theme that did emerge is to plan early and include all the players in the planning: the media, the judges, the sheriff's department, the clerk's office, both sides in the case," White said.

Fairfax County expects the number of media representatives to be in the hundreds and costs to reach \$500,000, according to White. There are only 50 seats available in the courtroom, so the county has established a press room in a building across the street. The room will have a live audio/video feed from the courtroom. The county's cable system is setting this link up so the court can maintain tight control.

"I'm confident we're ready for the trial," White said as her office prepared to handle hundreds of requests for media credentials. "It's been a team effort and we have everyone on board. I can't thank the people from the other counties enough for their help."

Los Angeles County, Calif.

Of all the recent high-profile cases, nothing compares with the O.J. Simpson criminal trial in Los Angeles Superior Court. Simpson's trial for the June 12, 1994 murders of Nicole Brown and Ron Goldman was televised live, from the opening arguments of Jan. 24, 1995 to the verdict on Oct. 3. More than 200 news organizations covered the trial and the total number of media representatives was well in excess of 1,300, according to Jerriane Hayslett, public information officer for Los Angeles Superior Court.

The Criminal Courts Building, a large court with more than 300 judges, has been the site of many high-profile trials, including the Reginald Denny beating case, the Rodney King beating case and the Menendez brothers murder trial. Hayslett said the Simpson case was easily the largest media event at the building, double in scope of the other cases.

"There was a lot of activity going on," Hayslett said. "We had members of the public trying to pass themselves off as media to get into the courtroom. Members of the media were trying to get around restric-

tions. It took constant vigilance on our part to keep containment."

Court officials worked with the media to secure a large parking lot, later dubbed "Camp O.J.," and to establish a camera platform so the media could shoot reports with the courthouse in the background. These measures helped keep the streets and sidewalks clear, Hayslett said. Court officials also established a special media entrance and worked with the Los Angeles County Sheriff's Department to control court entrances for easy access.

"One theme that did emerge is to plan early and include all the players in the planning: the media, the judges, the sheriff's department, the clerk's office, both sides in the case."

more ad hoc, before the Simpson trial. Now we have a more coordinated approach. There's more cooperation when you include everyone in the planning. We bring in the media, the police, the fire department, the sheriff's department, the clerk's department."

Union County, S.C.

A world away from Los Angeles is Union County, S.C., population 32,000. The trial of Susan Smith began in the Union County Court-

press briefings from the trial.

"Most of the media were very nice," Miller said. "I don't think any of them were left out. We even had them from overseas. We had German TV. We had media from Japan."

Two years after the trial, Miller said the county is still mending emotionally. Financially, her budget has more than doubled to \$95,000. She said the trial brought with it changes. The increased budget makes her job easier and the county has changed proce-

Unabomber suspect Theodore John Kaczynski. The consortium solved the problems associated with the site, and reimbursed Denver for the media costs of trial coverage, including construction for running cables under city streets.

The McVeigh trial has cost Denver very little, Bourgeron said. In addition to reimbursements from the media consortium, Denver has also applied for and received funds from the federal government. Their only costs have been associated with security around the courthouse.

Bourgeron said the key to handling a high-profile trial is to plan early and build flexibility into the plan. "The key is to build strong relationships with the people involved, so when the unexpected happens you can deal with it as a team," she said.

Arlington County, Va.

The trial of former NBC sports-caster Marv Albert began Sept. 22 in the Arlington County (Va.) Courthouse. Although county officials were surprised by the intense media interest in the case when Albert was charged in May, they were well prepared by September, according to David A. Bell, clerk of the Circuit Court of Arlington.

"By the time the trial came around, it was obvious that we were going to get more media attention than we'd ever had before," Bell said. "We had 15 satellite trucks, hundreds of cameras on the sidewalks and 120 reporters in the courtroom at a time, just because that's all we could accommodate."

Arlington County took advantage of the time between Albert's arraignment and his trial to plan. Bell said the planning involved the sheriff's office, the clerk's office and the police department. Although the media didn't participate in the meetings, they had informal input.

"We had to deal with the national media attention, and frankly, I think we dealt with it as well as we could," Bell said. "I think we made it clear from the beginning that we would let the press know what the ground rules were. We let them in on the planning, but we let them know that we would set the rules, not them."

Bell said security wasn't much of a problem, although there was extra crowd control when Albert arrived and left.

"You don't want to treat any defendant differently than other defendants, but when you look around and see hundreds of reporters and 15 satellite trucks, you have to acknowledge it and deal with it," Bell said.

Ed Brekke, civil and criminal court manager, said Los Angeles had a head start on security for the Simpson trial because the court had established a high-security floor in 1993. The ninth floor already has metal detectors and extra bailiffs. Still, the sheriff's department sent an additional 20 deputies for the trial.

Everyone working at the courthouse was affected by the Simpson trial. The sheer volume of people in the building made it harder to get around. When syndicated columnist Mike Royko told his readers to write letters to Judge Lance Ito if they wanted cameras in the courtroom, the court received an additional 8,000 letters a day. The clerk's office was flooded by requests for copies of records from the case. The public and the media dialed any and every phone number they could find into the courthouse.

The final price tag for the

Simpson trial was more than \$9

million. Of that, more than \$3 mil-

lion went to sequester the jury and

another \$3 million went for in-

creased security. The court's costs

were more than \$2 million. These

figures can be misleading, Hayslett

cautioned, because all the money

came from the general operating

fund and the figures include the

salaries of staff who were diverted

from other projects to manage the

case. Hayslett said the trial was a

learning experience.

"There's more coordination in

our planning now," Hayslett said.

"Planning was more fragmented,

more ad hoc, before the Simpson

trial. Now we have a more coordi-

nated approach. There's more co-

operation when you include every-

one in the planning. We bring in

the media, the police, the fire de-

partment, the sheriff's department,

the clerk's department."

Miller was surprised by the in-

tense media interest in the case, but

said that the media were very coop-

erative and patient. Miller worked

with other county officials to give

procedures based on lessons learned from the Smith case.

Denver City/County, Colo.

The City-County of Denver, Colo. is not a stranger to large events that draw intense media interest. Denver has hosted a visit from Pope John Paul II and a summit of the eight leaders of the largest industrialized countries. So, when it was announced on Feb. 20, 1996 that Timothy McVeigh would stand trial in federal court in Denver, officials moved quickly, according to Amy Bourgeron, communications director for the public works department.

Mayor Wellington Webb formed a task force of officials that identified areas of concern. First, because McVeigh would be tried in federal court, Denver wanted to develop a strong working relationship with the federal agencies involved. Other areas of concern were security outside the courthouse, security of the downtown district, maintaining traffic flow and working with the media.

The media was involved early in Denver's planning for the trial. This was fortunate because there were a lot of practical problems with the courthouse, Bourgeron said. There was no press room in the courthouse and the site made satellite uplinks difficult.

"The bottom line is we had to work together to solve the problems," she said.

The first step was to form a media consortium, which has since become a model for other high-profile cases, including the upcoming trial of

INTERNET TAX from page 1

Hightower, NACo Past President and Fulton County, Ga. commissioner, opposed the moratorium on electronic commerce taxes.

"It comes down to a question of fairness," stated Hightower. "Is it fair for one business in my county to sell watches directly to customers and collect the sales taxes while another — maybe in the building next door — sells watches through the Internet and collects no sales taxes?"

"Counties oppose this legislation," Hightower said, "because it is a clear preemption of state and local government taxing authority, it vio-

lates the long-standing constitutional principles of federalism and undermines legitimacy of the partnership among three levels of government."

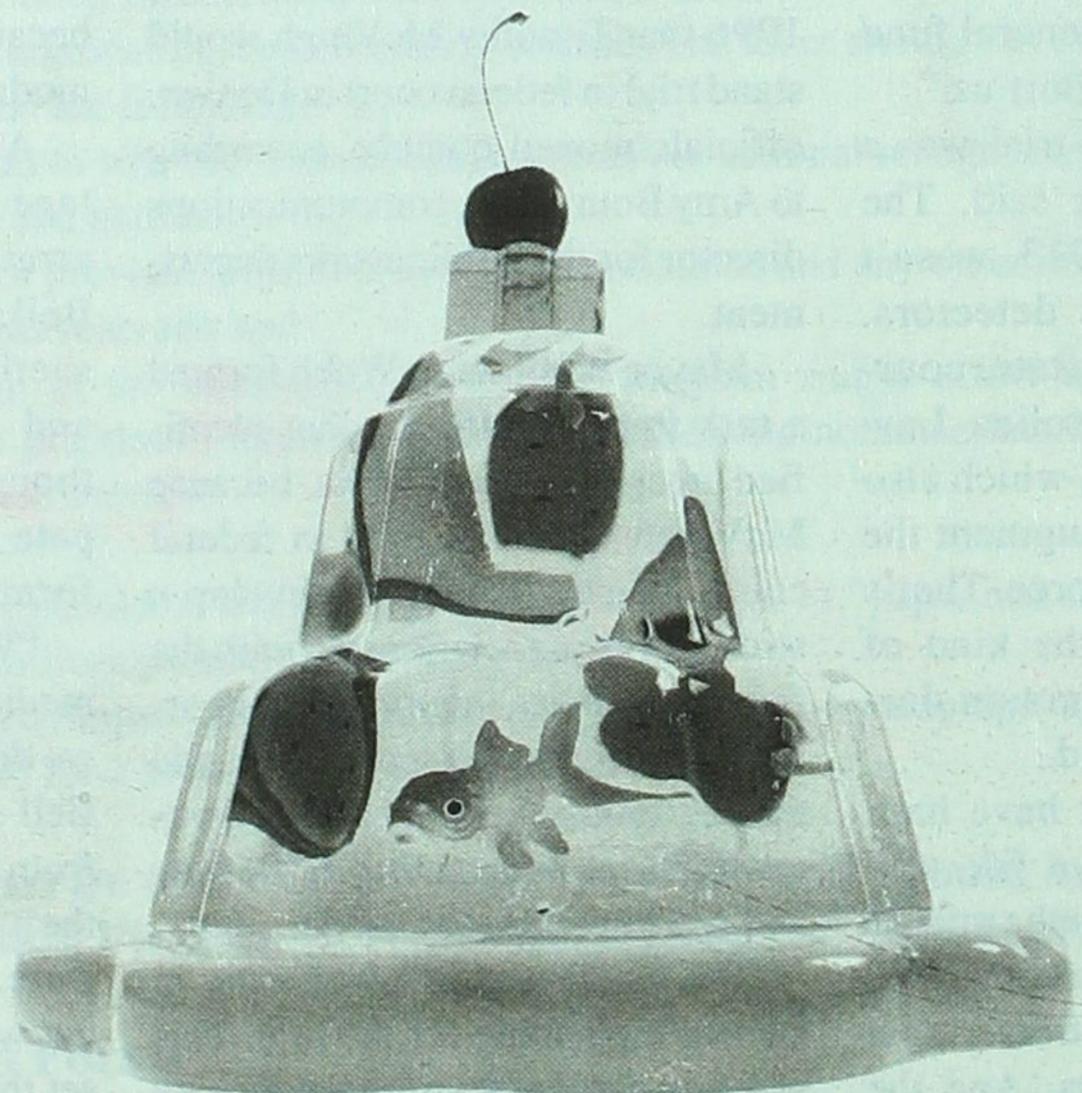
Ohio Governor George Voinovitch, chairman of the National Governors' Association, added, "We don't think this is the time for the federal Congress to rush into something that will have such a huge impact on state and local government. The bills are unnecessary because states are not targeting the Internet for increased taxation."

State and local leaders also stressed that legislation should be

delayed until a joint industry-government study by the National Tax Association is completed. The group hopes to make recommendations by next summer on uniform state tax treatment of electronic commerce.

Cook County, Ill. Commissioner Carl Hansen and Jefferson County, Ky. Commissioner Daryl Owens represent NACo on the study group. The joint study group will meet in Chicago, Ill. in early November and in December in San Jose, Calif. Further meetings and public hearings will be held around the country.

a young mind
is like gelatin.
The idea is to put in
lots of good stuff
before it sets.



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Internet Taxation: Myths and Realities

MYTH: States and localities are looking to the Internet as a "cash cow" to afford additional public expenditures.

REALITY: States have lowered their tax revenues each year for the past four years, and in 1997 alone, Connecticut, Florida, Georgia, Iowa, Massachusetts and New York have each exempted the Internet from taxation. Neither states nor localities are moving to enact new taxes on the Internet. All levels of government are attempting to do more with less.

MYTH: To ensure that state and local sales taxes are non-discriminatory, such taxes should not be imposed on Internet transactions because these sales are like mail order catalogue sales.

REALITY: The goal of a non-discriminatory sales tax would require that all sales are treated the same, including "Main Street" retail sales, mail order catalogue sales and Internet sales. Today, \$4 billion of nearly \$150 billion in state sales tax collections are lost through mail order catalogue sales. The expected explosive growth of the Internet will doom the sales tax unless a genuinely non-discriminatory, easy-to-administer sales tax can be developed with industry.

MYTH: 30,000 taxing jurisdictions will suffocate the Internet's development.

REALITY: Transactions over the Internet are nearly always taxable on the basis of the purchaser's jurisdiction, and transactions take place one at a time. Thus, if any tax is due on a transaction, it can be easily traced to a single jurisdiction.

MYTH: Small businesses hoping to use the Internet to sell their goods or services have no reliable way of knowing what sales tax is due on a particular sale.

REALITY: Small business are not liable to collect sales tax on sales made anywhere but in their home state, where they are likely to know the applicable law. Only companies with operations in more than one state must collect more taxes, and they only in states where they operate. Only one state, Texas, requires out-of-state businesses that use a server located within Texas to collect the Texas sales tax.

MYTH: States and localities can kill the Internet by seeking to tax every transaction that moves through their jurisdiction. And since the Internet moves products by packet switching, one never knows what route the material has taken from seller to buyer.

REALITY: A so-called "bit tax," taxing the flow of bits through the wires of the telecommunications companies located in a jurisdiction, has been discussed by academics in Europe, but the concept has not been adopted either in the United States or abroad. The U.S. Constitution would prohibit such a tax if a state or locality ever imposed it, as it effectively operates as a border tax, an unfair burden on interstate commerce.

MYTH: Congressional action is necessary to keep states and localities from imposing new taxes on the Internet.

REALITY: Because states aren't enacting new taxes, no moratorium is needed. In fact, states have joined a voluntary industry-government effort, led by the National Tax Association and including local government representatives, to develop mutually acceptable tax policy to ensure a consistent and administrable tax policy for the Internet.

MYTH: As soon as a company's Web site appears on a computer in another city or state, that company may be liable for taxes.

REALITY: U.S. courts have already determined that access to a Web site in a jurisdiction does not permit any long-arm jurisdiction over the company. The standard for sales tax jurisdiction is even higher. Based on such precedents, no company has any rational basis to fear that a state could assert sales tax jurisdiction merely because its Web site was accessible there.

DIRECTORY NACO LEADERSHIP, STAFF AND PROGRAMS

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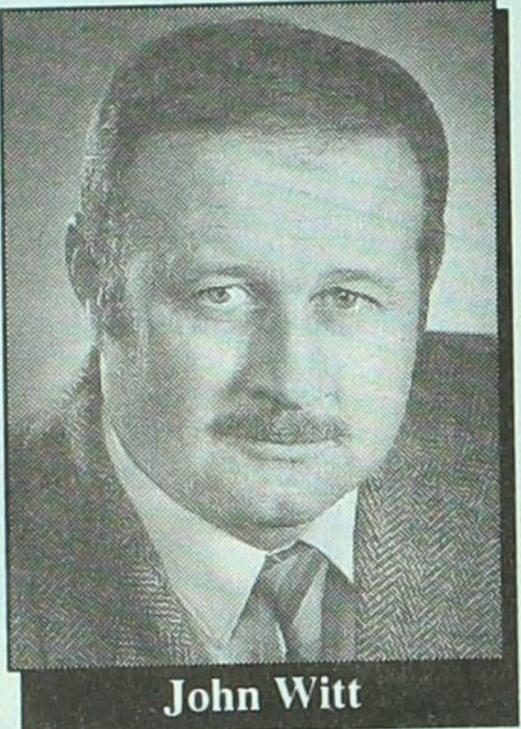
1997-1998 Steering Committees

Agriculture and Rural Affairs

This committee is responsible for legislation affecting the economy of agricultural counties; rural development programs; and conservation and environmental programs that impact agriculture. In addition, the committee is responsible for the oversight of platform amendments and resolutions from other steering committees that have a significant impact on rural counties.

Chair

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Fax: 406/622-3631



John Witt

Vice Chairs

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Wes Holt, Commissioner
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Fax: 913/457-3507

Gerald Hyland, Supervisor
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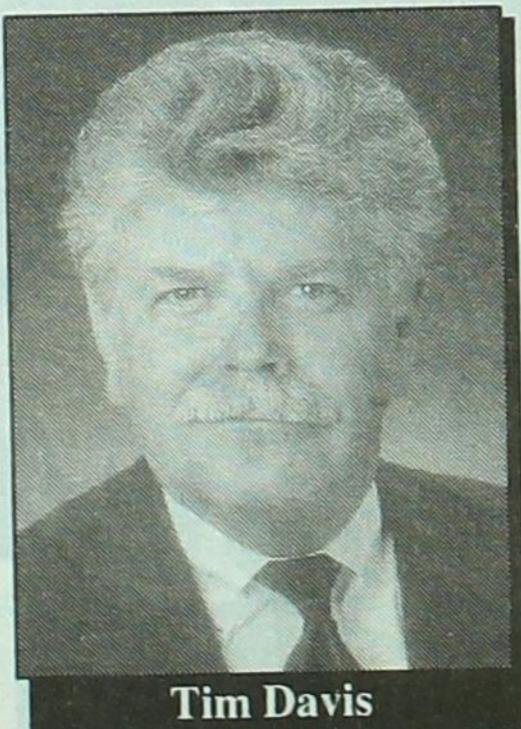
Janet S. Porter, Treasurer
Catron County, N.M.
Phone: 505/533-6384
Fax: 505/533-6334

Community and Economic Development

This committee considers issues of community development and redevelopment; housing programs; building and housing codes; subdivision regulation; public works; and residential, commercial and industrial development.

Chair

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County Executive
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Fax: 330/643-2507



Tim Davis

Vice Chairs

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Albert Eisenberg, Supervisor
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Jose Medina, Supervisor
San Francisco County, Calif.
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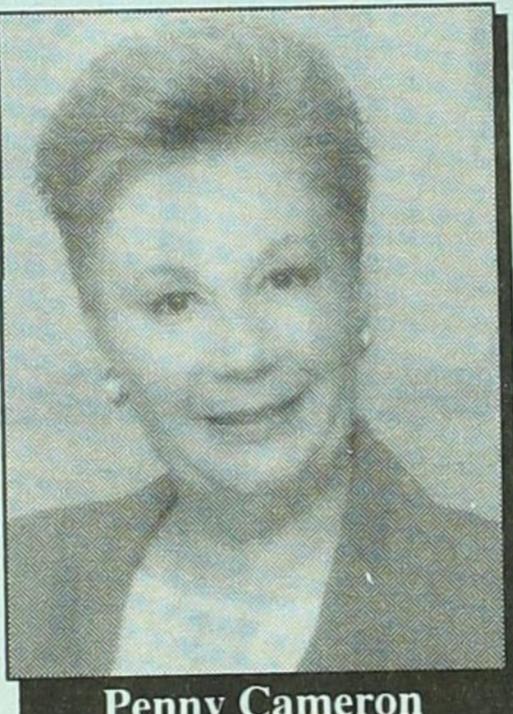
Grady Prestage, Commissioner
Fort Bend County, Texas
Phone: 281/431-0555
Fax: 281/431-1947

Employment

This committee is responsible for issues of employment; training; and the job aspects of welfare reform, including youth employment, public service employment, vocational education, migrant and Native American programs, rural manpower, employment security and unemployment insurance.

Chair

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Aurora, IL 60506
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Fax: 630/232-9188



Penny Cameron

Vice Chairs

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Peter McLaughlin, Commissioner
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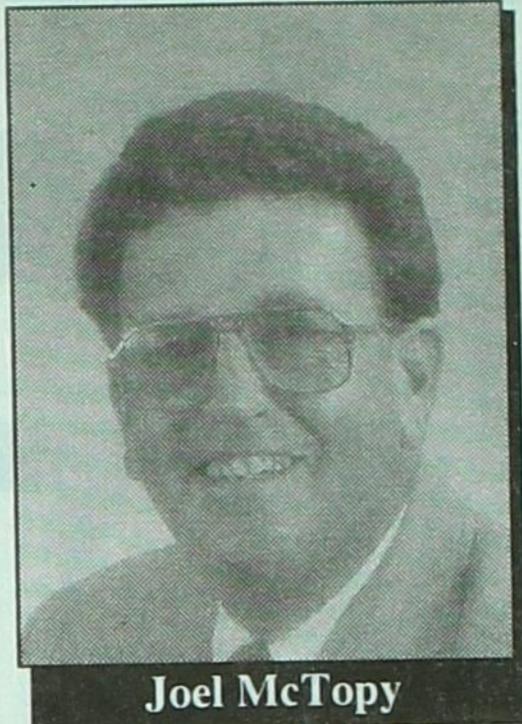
Sylvia Poitier, Commissioner
Broward County, Fla.
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Fax: 954/357-7295

Environment, Energy and Land Use

This committee's focus is air, water and noise pollution control; solid and hazardous waste management and disposal; energy issues; and the preservation and proper utilization of water resources. In addition, the committee is responsible for land resources issues, including comprehensive planning, coastal zone management, growth management, energy facilities siting and recreation.

Chair

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Jean Michaels, Commissioner
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507/285-8115 (Office)
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Health

Health care delivery and financing issues are the responsibility of the Health Steering Committee. These issues include indigent care; health care for the uninsured; Medicaid; Medicare; long term care; local public health programs; mental health; substance abuse; mental retardation; and developmental disabilities.

Chair

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Yvonne Burke

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Carolyn Meline, Commissioner
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Human Services and Education

This committee works on issues affecting immediate and long-range welfare reform; home maintenance; older Americans; community action; food stamps; rights of the disabled; deinstitutionalization; low-income energy assistance; illegal aliens; refugees; domestic violence; and the administration of county welfare programs.

Chair

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Doris Karloff

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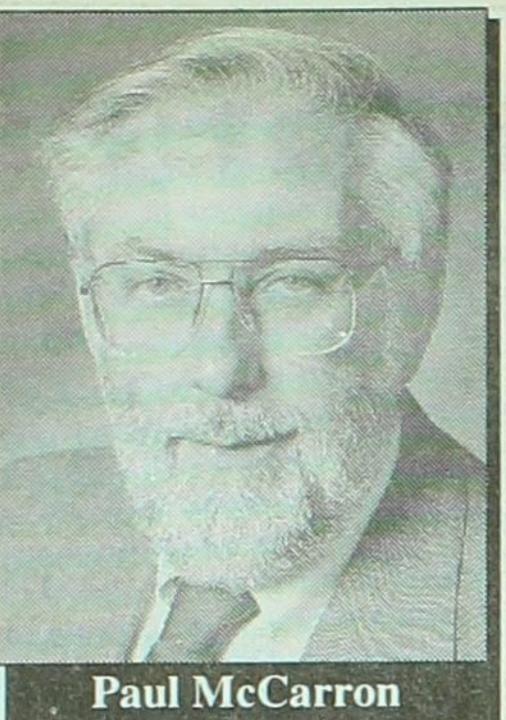
Jane Campbell, Commissioner
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Intergovernmental Relations
Home rule and regionalism are key areas for this committee. These issues include county structure; procedures and management; relations between the county, its subdivisions and state and federal governments; liability and insurance. In addition, the committee is responsible for the oversight of platform amendments and resolutions from other steering committees that may be inconsistent with home rule principles.

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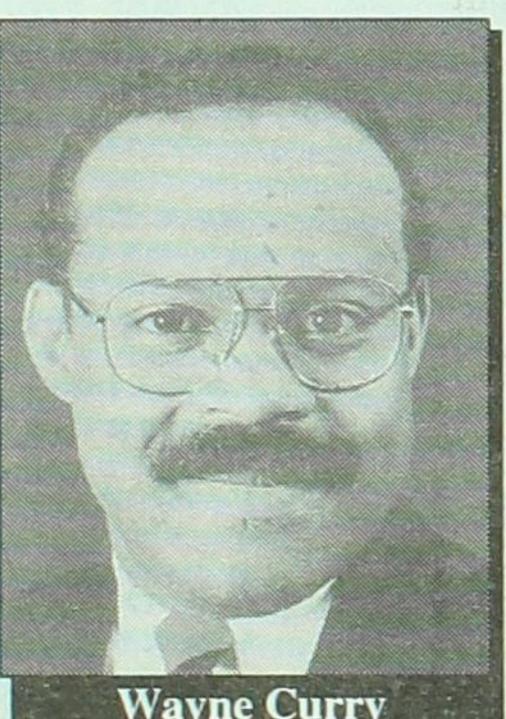
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Justice and Public Safety

This committee is responsible for issues of criminal justice and public safety, including criminal justice planning; law enforcement; courts; corrections; community crime prevention; juvenile justice and delinquency prevention; emergency management; fire prevention and control; and civil disturbances.

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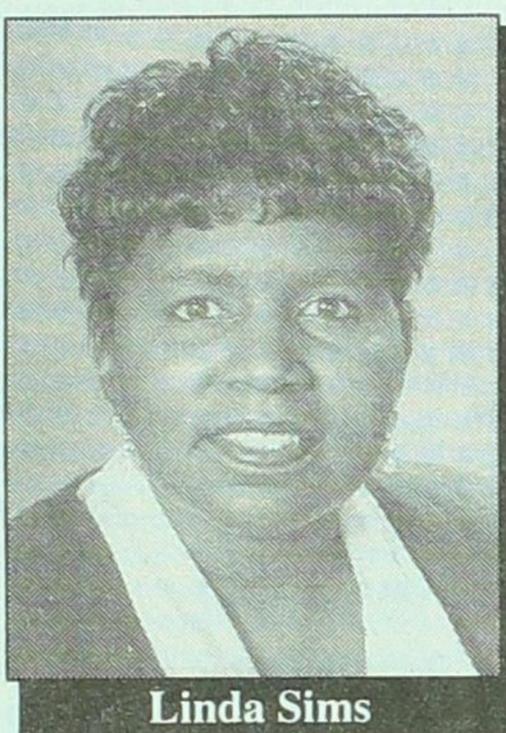
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Labor and Employee Benefits

This committee focuses on employer-employee relationship issues, including personnel policy and practice; merit systems; equal employment opportunity; collective bargaining; pensions; fringe benefits; occupational safety and health; workers' compensation; and Social Security.

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Public Lands

This committee is responsible for the public lands legislative agenda, which focuses on maintaining county involvement in critical federal public land management matters, working to assure fair compensation from the federal government for their substantial non-taxable ownership of land in counties. The committee is also dedicated to assuring the sustainability of communities heavily dependent on federal natural resources. The committee considers issues related to federally owned public lands, including tax immunity problems; shared natural resource payments; payments-in-lieu-of-taxes; and federal land management programs.

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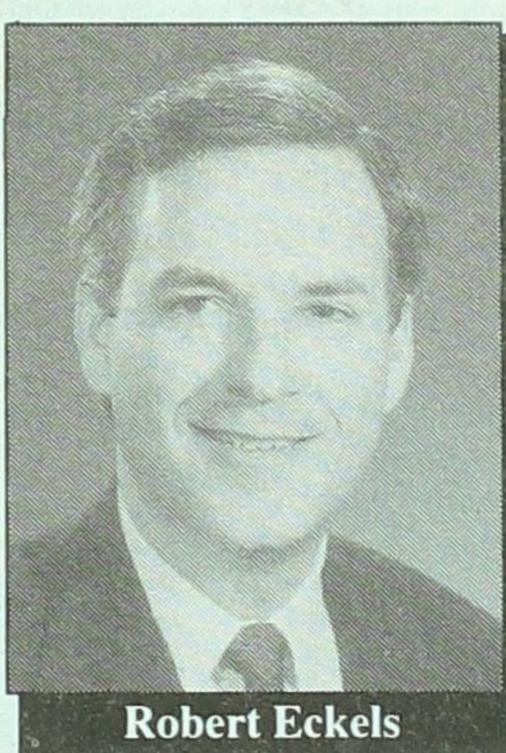
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Taxation and Finance

This committee works on all issues involving the financial resources of counties, including fiscal management; federal assistance; municipal borrowing; county revenues; the federal budget; and federal tax reform.

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Transportation and Telecommunications

This committee focuses on comprehensive transportation planning; highway finance and safety; public transit development and finance; airport development; railroads; waterways; and the research and development of new modes of transportation.

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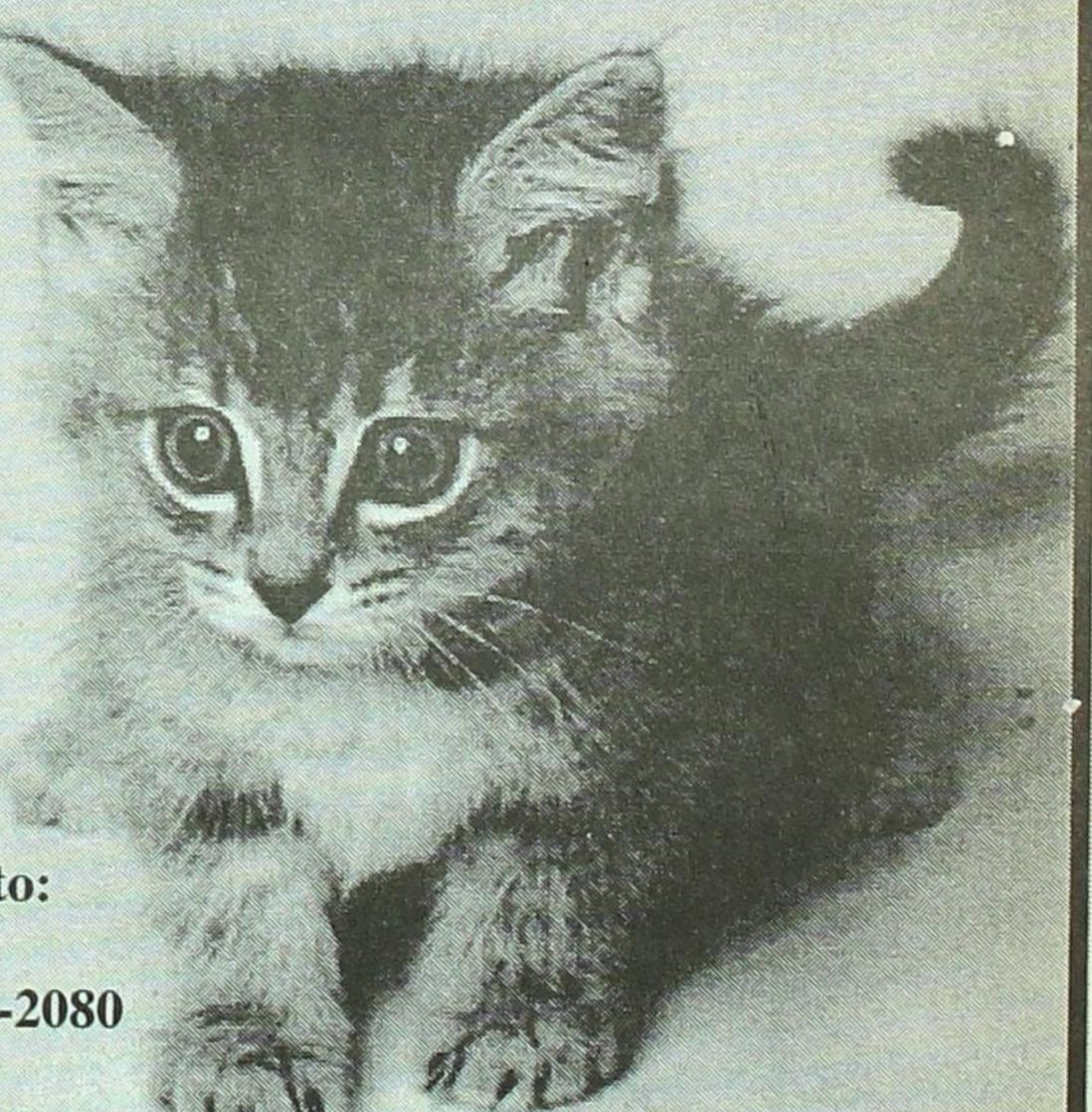
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THEY'RE READY TO STOP WALKING THE BEAT, AND START WALKING THE GREENS.

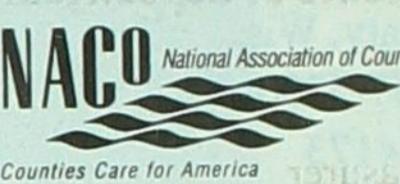
As health care costs continue to rise, many public employees are delaying retirement. They've reached retirement age, but the fear of unexpected health care expenses keeps them "job-locked." That's why NACo Financial Services Center and PEBSco introduced the Post Employment Health Plan (PEHP). A new program developed just for public employers that helps you and your employees meet the difficult challenge of funding post-employment medical expenses.

In addition to plan contributions not being subject to FICA taxation, other PEHP benefits include: ■ Employers provide employees an incentive not to postpone retirement due to concerns of meeting post-employment medical expenses. ■ Employer contributions to the plan, plan investment earnings, and benefits paid to employees and their dependents are not taxable. ■ Employers elect and control their level of financial commitment. ■ For more information on how

you can help your employees really retire, please call 1-800-372-0764.

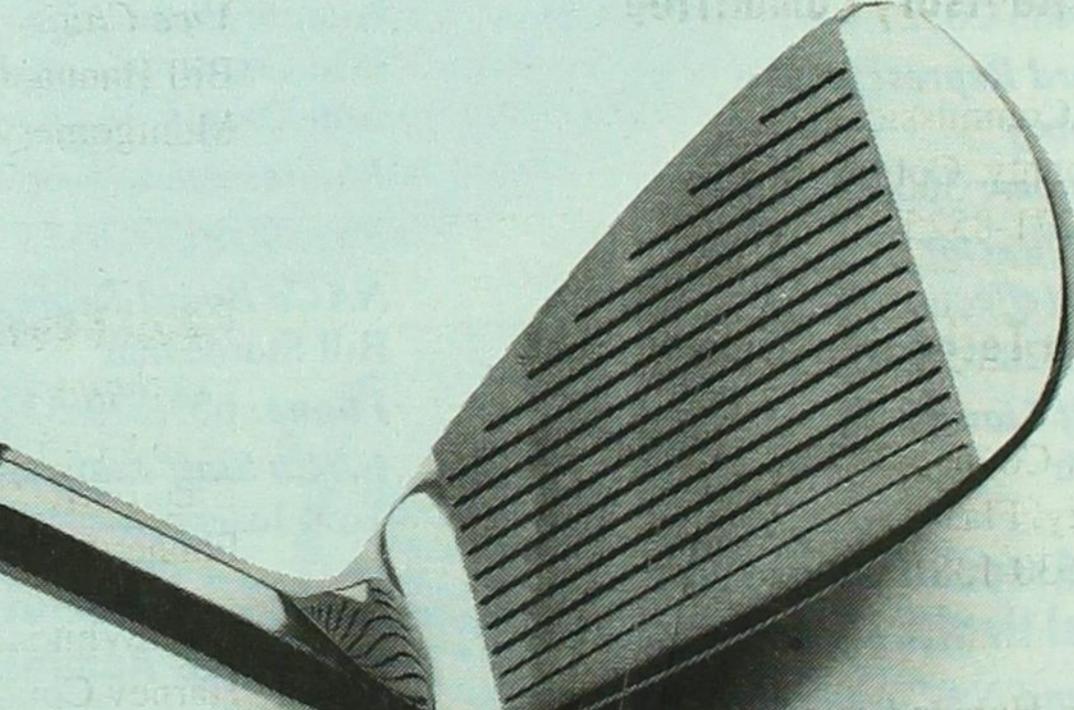


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1997-1998 Caucuses

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from page 17

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1997-1998 Ad Hoc Committees

Deferred Compensation Advisory Committee

Chair

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Duval County, Fla.

Phone: 904/630-1381

Vice Chair

Jean Bennett, County Administrator
Orange County, Fla.

Finance Committee

Chair

Betty Lou Ward, (NACo President-Elect)
Commissioner
Wake County, N.C.

Phone: 919/856-6160

Indoor Air Advisory Committee

Chair

John Stone, Commissioner
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Information Technology Committee

Chair

Terry Wood, County Council Member
Duval County, Fla.

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Vice Chair

Iono Hildner, Human Services Administrator
Clackamas, Ore.

Large Urban County Caucus

Chair

Peter McLaughlin, Commissioner
Hennepin County, Minn.

Phone: 612/348-7884

Co-Chairs

John Dowlin, Commissioner
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Rural Renaissance Task Force

Co-chairs

Colleen Landkamer, Commissioner
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Dale White, County Judge

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Sustainability Leadership Team

Chair

Randy Franke, Commissioner
Marion County, Ore.

Phone: 503/588-5212

Vice Chair

Edna Bell, Commissioner
Wayne County, Mich.

NACo Services and Publications

County Services

Ed Ferguson, director

Jerry McNeil, deputy director

The County Services Department focuses on member services and education, and consists of the following divisions: Grants and Contracts, Conferences, Research and Training.

Department staff provide ongoing training and technical assistance programs, educational programs, and publications and services designed to help busy county officials better serve their constituents.

- ADA Project Rice
- Aging Program Markwood/Schulman
- Awards Programs Byers/Beardslee/Sides
- Children and Youth Project Markwood
- Coastal Watershed Management Project Friedman, Abigail
- *The County Environmental Quarterly* Witt
- Conferences Byars
- HOME Project Keister
- Joint Center for Sustainable Communities Keller
- JTPA Service Fee Program Gortenburg
- *JTPA Directory (Service Delivery Areas)* Gortenburg
- *JTPA Update* Kenny
- Landfill Gas Recovery Project Friedman, Naomi
- Local Government Environment Assistance Network Friedman, Naomi
- Pollution Prevention Project Friedman, Naomi; Hayes
- Radon/Indoor Air Project Witt/Zarbatany
- Research/Surveys Byers
- Rural Development Shuffstall
- Satellite TV Conferences Kampinsky/Bonkowski
- Source Water Protection Project Friedman, Abby
- *Special Update on Job Training for County Elected Officials* Gortenburg
- Solid Waste Project Friedman, Naomi; Hayes
- Training and Professional Development Kampinsky
- Training and Employment Programs Gortenburg
- Volunteerism Project Lane
- Wetlands Project Friedman, Abigail

Finance and Administration

Kathy Bosak, director

The Finance and Administration Department provides a wide variety of support services to NACo departments and personnel. This department manages all financial, payroll and accounting activities, human resources, administration and mailing operations, and building facility operations.

On a daily basis, this department provides services and assistance to approximately 80 staff members and five affiliate organizations which are housed in NACo office space.

Information Technology Center

Winifred Lyday, director

The Information Technology Center provides information technology services to counties and data information services to NACo departments and personnel.

The mission of the Information Technology Center is to provide training, education and research regarding information technology, including limited, broad-based consulting and referral services. Current programs include the Information Technology Premier Program and the NACo Web site.

- Information Technology Services Lyday
- Premier Member Program Zeldow
- IT Infrastructure Timmer
- GIS Development Lyday
- LANS and PCs Lewton
- County Member Database Powell
- List Sales Fernandez
- NACo Web site Moskerintz

Legislative Affairs

Reginald Todd, director

Tom Joseph, deputy director

The Legislative Affairs Department is responsible for NACo's advocacy programs and policy development on behalf of local government. The department uses NACo's steering committees to develop policy positions on national issues and then plans legislative strategies to achieve priority goals.

- Community and Economic Development Battle
- Education Sanz
- Energy Shea
- Environment Shea
- Health issues Joseph
- Housing Battle
- Human Services Sanz
- Justice and Public Safety Murray
- Land Use Shea
- *Legislative Bulletin* Eschete
- Public Finance Tabor
- Public Lands Arnold
- Rural Development Tabor
- Transportation Fogel
- Telecommunications Fogel

Public Affairs

Tom Goodman, director

The Public Affairs Department is NACo's communications and membership department. The department's three primary responsibilities are publication of County News, membership retention and development and media relations. Other responsibilities include providing graphic design and printing assistance to other NACo departments, publication fulfillment, and other public functions such as planning and carrying out Community Countdown 2000 and National County Government Week.

- County News Schlotterbeck
- County News Job Market Vickers
- Dues Payments Parrish
- Elections/Credentials Parrish
- Leadership Letter Bullard
- Membership Parrish
- Publications Orders Vickers

Public-Private Partnerships

Tom Sweet, director

The Public-Private Partnerships Department or NACoS — the NACo Services Corporation — is a subsidiary of NACo that is organized as a for-profit company and incorporated under the laws of Delaware. Its mission is to provide development, marketing and promotion of programs that offer competitive products and services to counties and their employees.

Current programs include deferred compensation through PEBSCO for county employees, financial services for county governments through the NACo Financial Services Center (FSC) and the Corporate Membership Program, which encourages public-private collaboration.

- Corporate Relations Dove
- Deferred Compensation Palmer (PEBSCO)
- Financial Services Center Swendiman

(See NACo phone list, page 18.)

Web Watch

◆ Public Employees Roundtable and the National Center for Public Productivity at Rutgers University have formed a partnership to create *Sources of Best Practices* on the Internet. A grant from the Government Information Technology Executive Council made the site possible.

Research for this project has shown there are hundreds of examples of innovative and creative government that can be shared, replicated and improved upon.

To visit the site, go to <http://www.patriot.net/users/permaint> and then click on "What's New" and then go to "Cool Sites."

Look on the lefthand side, and you'll see examples categorized by issue, including citizen participation and outreach, crime prevention and policing, economic development, education, finance/treasury, health and much more.

◆ A nifty site for your residence Webmaster is www.ragan.com. The site is part of the homepage of Ragan Communications, publisher of corporate communications and public relations information. The site includes "report cards" on Web sites, grading in the areas of a site's strategy, content, personality, design and navigability, and intelligent use of the medium.

◆ A directory to just about everything www.infospace.com also directs cyberfolks to county listings. You can find your county by finding your state on a U.S. map. The listing includes names of county officials, phone numbers, addresses and county departments.

◆ DENTON COUNTY, Texas, is providing an election Internet site with information on early voting, election day locations and election night results. The site includes exact ballot language (in English and Spanish), including specific details about every proposed constitutional amendment.

The page includes an analysis from the Texas Legislative Council and a voter's guide from the League of Women Voters. The site also contains general voter registration information, including a form to request voter registration application.

You can see it at <http://www.co.denton.tx.us/elections/>

(Web Watch is compiled by Ann Barton, senior staff writer)

Hats Off to ... Human Services

Yuma County, Ariz.

When Yuma County Library and Meals on Wheels volunteers found their paths frequently crossing on visits to homebound residents, an idea took root that now finds both agencies providing more service with the same volunteer power to more clients in the county.

Initially, the Yuma County Library District had only one volunteer to deliver books to the homebound, while Meals on Wheels had many active volunteers in their homebound service program. Soon, the two organizations saw the potential for expanding program services and formed a partnership — "Meals on Wheels Library Partnership" — that enabled them to reach new segments of the county's disabled population at no additional cost to the library.

To get the program started, the library sent letters, including an application for home delivery service and reading interest survey, to 180 Meals on Wheels recipients. The new home delivery service offered each recipient the opportunity to receive library books once every week from their Meal on Wheels volunteers, with their meals. The library books were picked up weekly by the Meals on Wheels volunteers.

The new Meals on Wheels partnership enabled the library to serve more readers who were unaware of this helpful library program, at no added expense to the county and is a helpful model for other county libraries that have no other way to offer homebound service.

San Bernardino County, Calif.

San Bernardino County, Calif., recognized that senior citizens need nutritious, healthful meals everyday. Although traditional senior nutrition programs operate five days per week, the County Services Department decided to provide seniors the opportunity to participate in "Cold Meals for Weekends."

The weekend meals are prepared and packaged to be received "cold" and refrigerated at the seniors' homes. The meals can be eaten entirely cold or partially warmed, or eaten as a "hot sandwich" meal, if desired.

"Cold Meals for Weekends"

can be pre-ordered from the delivery person by the homebound.

There were no additional costs in developing and implementing "Cold Meals for Weekends," but personnel costs did increase slightly.

Under Title III Funding, Senior nutrition is a participatory program and accepts donations from participants who are able to donate. The nutrition provided by the generous quantity of food enhances the quality of life for seniors' lives and extends their ability to remain independent.

Yakima County, Wash.

Many women incarcerated at the Yakima County Department of Corrections facility come from dysfunctional families. This background often manifests itself in destructive chemical dependencies, which lead to other criminal behaviors and subsequent incarceration. Women in this type of environment are also more likely to become victims of domestic violence.

The YWCA-Jail Domestic Violence Intervention Program targets a specific group of women offenders in an effort to help break the abuse and crime cycle in women's lives, empower them to make better choices during incarceration and to continue with community support upon their release.

The YWCA, in partnership with the Yakima County Correctional Department, provides twice-weekly classroom sessions that deal with issues of domestic violence, behavior control, self-esteem and community resources.

The program offers additional support and partnership from the community to help women upon their release. Some of the courses include: individual and group therapy or counseling, transitional residency and referrals to additional community resources.

The collaborative effort between the YWCA and the Yakima County Department of Corrections has generated growing interest among women in custody.

(*Hats Off* was compiled by Angela M. Sides, research assistant. Programs described are selected from the winners of the 1997 NACo Achievement Awards. For more information, contact the NACo Research Department at 202/393-6226.)

GFOA debuts seminar on employee benefits Dec. 8-9 in San Antonio

The sessions will emphasize compliance issues related to the increasingly complex federal requirements.

To meet the special needs of finance and budget officials who work with the ever-changing field of employee benefits, the Government Finance Officers Association (GFOA) is offering a seminar designed with input from government finance officers.

Policy analysts, legal staff and other government officials will benefit from this course, too.

The program, Employee Benefits: Cutting-Edge Strategies for Managing One of Your Largest Expenses, will be offered Dec. 8-9 in San Antonio, Texas. The registration fee for public officials for this one-and-a-half day program is \$300 for GFOA members and \$425 for nonmembers.

Employee and retiree benefit programs such as health, dental,

disability, worker's compensation, employee assistance, tuition reimbursement, compensated absences, long-term care, prescription drugs, flex-time, child care and life insurance will be covered. Pension plan issues will not be dealt with in this seminar.

The focus of the seminar will be on best practices to equip public finance professionals and others with the tools to maximize the cost effectiveness of the employee benefits program offered by their jurisdiction.

The sessions will emphasize

compliance issues related to the increasingly complex federal requirements governing benefits programs and will offer tips for working with the personnel department.

Persons taking this course will be eligible to receive 12 CPE credits.

For information about registration and hotel reservations, call Eric Nygren, GFOA, Chicago, Ill. 312/977-9700. For information about the training seminar program, call Cathy Spain, GFOA Washington, D.C.; phone: 202/429-2750.

America Recycles Day set for Nov. 15



If you've thought about how your county can help recycle garbage, but need a little incentive, now is your chance. America Recycles Day is scheduled for Nov. 15.

Event organizers hope to replicate the success of Texas Recycles Day. Ninety-eight percent of the communities that sponsored Texas Recycles Day events increased their recycling rates, according to Andrew Neblett of the Texas Natural Resources Conservation Commission. More than 300 special events were held and 145,000 Texans pledged to increase their recycling efforts.

For the national event this year, more than 1,000 local recycling and "buy recycled" events in 33 states are slated. As part of the event, a national drawing is set for a house made of recycled products. To enter the drawing for the American Green Dream House, call 800/YES-ICAN. The Web site address is www.americarecyclesday.org. Sponsors include the Steel Recycle Institute, the Environmental Protection Agency, Union Camp Corporation, the U.S. Postal Service, Browning Ferris Industries, Safety-Kleen and Home Depot.

For more information about America Recycles Day, state con-

NACo Solid Waste and Pollution Prevention, at 202/942-4247. Hayes' e-mail address is: thayes@naco.org.

Suggested Activities for Counties:

- Start or announce a new or enhanced recycling program.
- Paint the America Recycles Day logo on garbage or recycling collection vehicles.
- Hold a "can smash" for kids at a mall or school parking lot.
- Establish a regional collection and marketing cooperative recycling program.
- Conduct a household hazardous waste collection.
- Conduct a waste audit of all government offices.
- Run a series of recycling videos on your cable TV access station.
- Promote the mulching and composting of fall leaves.

Suggested Activities for Residents:

- Reuse items, if you can, before you discard them.
- Recycle at home and at work.
- Buy recycled products when you shop.
- Tell your local retailers to stock recycled products like paper towels, toilet tissue, and plastic trash bags.
- Leave your grass clippings on the lawn as fertilizer.
- Compost leaves and food scraps.
- Recycle your used motor oil.
- Learn more about recycling.
- Contact your local recycling coordinator and support local efforts.
- Get others to recycle.

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NACo on the move

COUNTY OFFICIALS/NACo STAFF

◆ On Sept. 21-23, **Nick Keller**, NACo's co-director of the Joint Center for Sustainable Communities, traveled to Tulsa, Okla. for a meeting of the President's Council for Sustainable Development (PCSD) with council member **Randall Franke**, chairman, Marion County (Ore.) Board of Commissioners. The PCSD was invited by Mayor Susan Savage to hold the meeting in Tulsa. Savage and Franke represent local government interests on the council. One of the main focuses of the meeting was global climate change and developing possible principles on the issue to offer to President Bill Clinton.

◆ NACo Associate Legislative Director **Diane Shea** attended the 1997 annual conference of the Association of Indiana Counties on Sept. 30-Oct. 1, in Orange County, Ind., where she presented a workshop on electric utility restructuring issues for counties.

◆ **Winifred Lyday**, NACo director of Information Technology Services, gave a plenary presentation titled "State and County Partnerships: Hope for the Future" to 300 representatives of the Utah GIS Council in Provo, Utah on Oct. 7.

◆ **Lyday** represented NACo at the Third International Summit of Service to the Citizen in Denver, Colo. on Oct. 8-9, a conference she played a role in planning.

◆ NACo Associate Legislative Director **Neil Bomberg** attended a Department of Labor briefing Oct. 8 on the final planning guidance to states on welfare-to-work programs. The interim guidance, which caused many local elected officials to express concern over the lack of attention to local delivery of welfare-to-work programs, will be modified to reflect the concerns of NACo and the U.S. Conference of Mayors.

◆ **Bomberg** attended the Oct. 9 meeting of Maryland's urban counties in Howard County Md. to provide information on the Fair Labor Standards Act and its applicability to emergency medical technicians.

◆ **John Lou Witt**, NACo research associate, attended the North Dakota Association of Counties meeting in Williston, N.D. on Oct. 13. Witt presented a workshop on radon and what county officials can do to address this problem.

◆ NACo welcomed **Holly Moskerintz** to the staff on Oct. 14. Moskerintz is NACo's new Webmanager. She comes to the job from a consulting engagement with the government. She has a solid background in Web development and multimedia production, and has association experience in legislative tracking, public affairs and grant proposals.

◆ **Susan Parrish**, NACo membership coordinator, traveled to Omaha for the Nebraska Association of Counties 103rd annual convention, Oct. 14-16. Parrish was there to promote NACo.

◆ On Oct. 17, NACo Deputy Legislative Director **Tom Joseph** addressed the Minnesota Association of County Social Service Administrators in Nisswa, Minn. Joseph updated the association on federal health and human services legislation. Gary Gortenburt, NACo director of Employment and Training Programs, spoke on workforce development issues at the Partnership Ohio Fall Conference in Columbus, Ohio on Oct. 21 and at the South Carolina Job Training Conference in Columbia, S.C. on Oct. 21.

(On the Move is compiled by Kevin Wilcox, senior staff writer.)



Nick Keller



Randall Franke

Financial Services News

Some Investment Tips

Points To Remember When Deciding Where To Invest Your Pension Funds

Taking stock of your investment portfolio — your deferred compensation or 401 (k) plans? Here are some tips to keep in mind as you eye any changes.

• Invest regularly

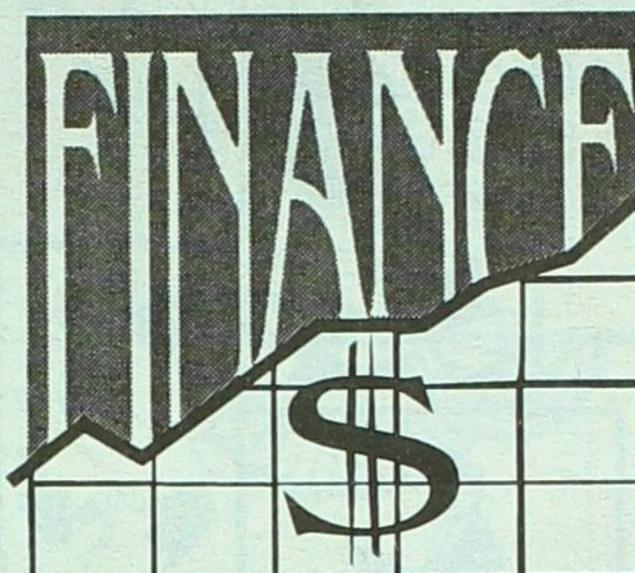
It's hard to know when the markets are going to head up or down. The best strategy is to invest a certain amount of money each pay period, regardless of market conditions. While this can't protect you from loss in a declining market, and won't guarantee a profit, it may over time help to lower the average cost of your variable investment purchases.

Most likely, you already are investing regularly through payroll deductions. Periodic investing (or dollar cost averaging) may result in participants buying more fund units when the price is low and fewer when the price is high. This method reduces the concern about when is the best time to purchase units.

• Don't try to time the market

You may not have heard of market timing, which is when someone tries to beat the stock market by selling stock fund units before they think the market is going to drop, or buying units before the market moves back up.

Manual Schiffers and Melynda



Dovel Wilcox of *Kiplinger's Personal Finance Magazine*, warn that this strategy usually doesn't work and remind investors that even the investment professionals have trouble timing markets successfully. They conclude that a simple buy and hold strategy will usually do better.

• Consider time and the long-term effect of investing

Over time, the stock market has experienced fluctuations; despite these shifts, the stock market has generally provided a better long-term rate of return than bonds and other types of fixed investments. In other words, over the long term, the positives have outweighed the negatives.

• Remember that no investment is completely risk-free

Investors who put all their

money into guaranteed, fixed-income savings accounts run very little risk of losing their principal. However, while the many fixed annuity options are competitive investments, participants invested only in the fixed annuity option may run the risk of not keeping ahead of inflation. Diversification, a mix of investments, may be something to consider.

• Increase your deferrals

The least risky way to make more money is to save more money. The sooner you start, the sooner you can put the power of compound interest to work.

• Maintain a cash reserve for emergencies

Your deferred compensation account is meant to be a long-term savings plan, and there are very restrictive guidelines regarding when money can be withdrawn (generally, only at retirement or termination of employment). Because of this, you should have money set aside elsewhere to provide you with ready cash to meet your short-term needs.

(Financial Services News was provided by PEBSO, NACo's deferred compensation program partner.)

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Contact us at 1-888-544-KIDS or www.kidscampaigns.org to learn how you can help the Coalition for America's Children.
Generous support is provided by the AT&T Foundation

Ad
Council

County Services News

Joint Center Focuses on Best Practices of Good Government

This summer, commissioners from Ada and Canyon counties, Idaho and mayors from Boise, Garden City, Meridian, Eagle, Nampa and Caldwell formed the Treasure Valley Partnership to increase regional cooperation.

The partnership is a forum for county and city officials to address regional growth issues, such as community identity, open space and recreation and transportation linkages in a holistic and sustainable manner.

The Idaho example is just the kind of regional cooperation that NACo President Randy Johnson sees increasing because of the Joint Center for Sustainable Communities. The Joint Center is a collaboration between NACo and the U.S. Conference of Mayors.

"One of the great opportunities that we have with the Joint Center is to promote the notion of approaches to regional problems," says Johnson. "This will not be an easy task since jurisdictional lines tend to shape the political and economic landscape of local government. But by showing real examples of how working with your neighboring city or county can create a win-win situation, the Joint Center will make a strong contribution."

Members of the Treasure Valley Partnership say they can "maximize the benefits of growth while protecting their region and communities from costly sprawl." They also agreed to maintain and value their individual community identities within the region.

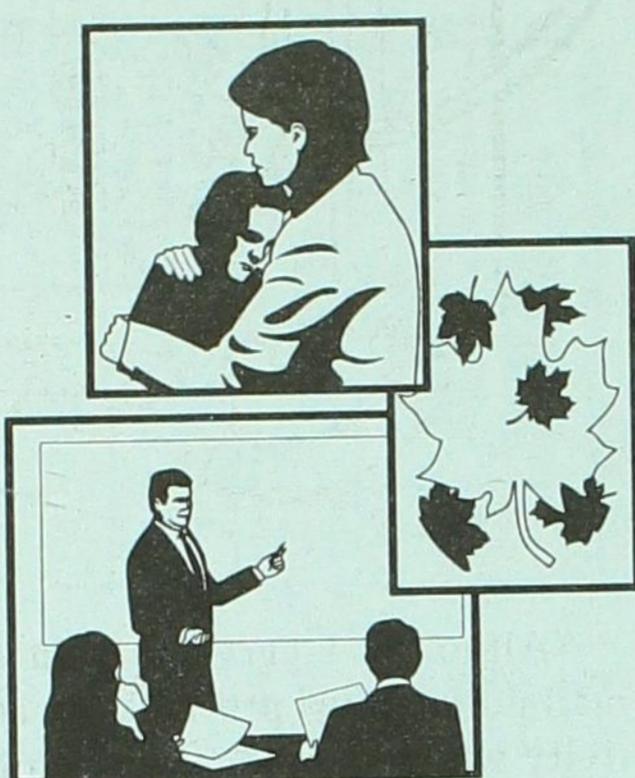
Their four major goals are to:

- create coherent regional growth and development patterns;
- link land use and transportation;
- reinforce community identities and sense of place; and
- protect and enhance open space and recreational opportunities.

Clearinghouse resources

Additional information about the Treasure Valley Partnership, along with many other sustainable communities initiatives, is available from the Joint Center's new clearinghouse. The clearinghouse provides information about model county programs; innovative public participation methods; sustainable development plans, and actual codes and ordinances adopted by county/city partnerships.

The Joint Center will use the



clearinghouse not only to provide information, but also to connect communities and officials who want to learn from each other.

For example, if a county wants to address an issue such as brownfield revitalization or job training, officials can call the Joint Center's toll-free number (800/696-1667) to receive technical assistance materials, referrals to federal assistance programs and information about other counties of similar size or background that have tackled the same issues.

Officials can also receive the latest approaches to promoting community involvement and stockholder participation. To help counties evaluate their efforts to build sustainable communities, the Joint Center's Clearinghouse offers benchmarks, sustainability indicators and other measures of success. All of these resources will help officials take the lead in creating community based solutions that will strengthen their communities.

In addition to the clearinghouse, the Joint Center offers a wide range of services to counties and cities looking for innovative solutions to the challenges they face. Services include the following:

- a peer exchange program that matches experienced elected officials who have proven solutions with jurisdictions that need to solve problems;
- technical assistance to counties and cities to help develop community-based strategies;
- leadership workshops for local elected officials who embrace creative citizen participation; and
- recognition of sustainable communities.

"Our task is to foster sustainable communities by providing local elected officials with advice, information and financial

Board spotlights sustainable communities values

At its July meeting, NACo's Board of Directors passed the following values for the development of sustainable communities:

- Economic vitality is crucial to the health of every community.
- Natural, scenic, cultural, and historic resources are important to community assets.
- Choices should be made to accommodate economic development while preserving vital natural environmental systems.
- The process of arriving at a community vision should be open and inclusive and reflect the diverse population of the community.
- Because communities and their surrounding areas are interdependent, there is a need for collaborative approaches to problem solving.
- Safe, healthy, and clean communities are necessary to ensure a high quality of life for their citizens.
- Community stability and social well-being go hand in hand.

Some counties have adopted these values by passing a resolution. Let the Joint Center know how your county plans to use these values by contacting Nick Keller at 202/942-4224.

support," says Johnson.

"But one thing I know is that the notion of 'one-size-fits-all' does not work when dealing with local government. By looking at each community's unique problems from the standpoint of the environment, economy and community welfare, local officials will be able to find common ground that will lead to more lasting change."

For more information about sustainable communities initiatives, contact the Joint Center toll free at 800/696-1667.

(County Services News was written by Nick Keller, co-director, Joint Center for Sustainable Communities.)

Research News

Employees and the Internet: Is Your County Surfing in Shallow Water?

The Internet is a global network of computers that supports the exchange of vast amounts of information. Access to this "information highway" has become more prevalent in homes, schools, businesses and in all levels of government. Although access to the Internet is becoming more commonplace, policies concerning the use of the Internet are not.



In 1996, a survey of 494 human resource and employee relations executives representing a cross-section of U.S. employers, both public and private, conducted by the Bureau of National Affairs and the Society for Human Resource Management, revealed that only 10 percent of the surveyed establishments had formal, written Internet policies. A recent survey by NACo of 167 representative counties revealed similar results. Only 24 percent of the counties have policies regarding employee use of the Internet.

Internet policies are developed for several reasons. The objective of Weld County's (Colo.) Internet policy is to "minimize the risks to business functions and government-owned assets, and to assure adherence to regulatory and legal requirements and enterprise policies when county resources are used to access public networks."

Many counties acknowledge that Internet access can provide significant business benefits for county agencies and improve customer service. At the same time, they also recognize that there are significant legal, security and productivity issues related to how the Internet is used. A sampling of these issues include:

- the potential to receive computer viruses from the Internet;
- the potential for an employee, through the content of their Internet exchanges, to impugn the reputation of local government officials and thereby invite civil liabilities; and
- the potential for employees to spend significant amounts of work time using the Internet for non-work related activities.

In an effort to address these issues, some counties have de-

veloped Internet policies, which clearly define the roles and responsibilities of employees who have access to the Internet. These policies clearly state that access to the Internet is a privilege that can be taken away for abusing or breaking the rules.

Outagamie County, Wis., has a comprehensive employee Internet policy. Policies regarding the general use of the Internet and Internet e-mail, Internet etiquette, security and personal security, and legal and network issues are clearly stated in a point by point format. The county also requires its employees to sign an "Acceptable Use Agreement Release Form." By signing this release form, employees have stated that they have read, understood and agreed to abide by the Internet policies. This release also indicates that any violation of these policies could result in not only having their Internet access revoked, but further disciplinary actions and legal actions may be taken against them.

Internet policies also cover the use of Internet e-mail. Eaton County, Mich.'s Internet use policy clearly states that all electronic mail or other types of communication over the Internet is public, not private. As such, the county reserves the right to audit employee use of the Internet, which "shall include monitoring incoming and outgoing communications, Internet sites visited, information sent, received or printed and the dates and times of use. Similarly, Weld County's policy clearly states that all county e-mail is public record and may be subject to public inspection. Although Outagamie County recognizes that e-mail is public information, the policy states that the county will not intentionally inspect or disclose the contents of e-mail unless required to do so by local, state or federal officials or by county policies.

NACo would like to share your county's Internet policy with other counties nationwide. Policies can be mailed to the Research Division, c/o NACo, 440 First St., N.W., Washington, DC, 20001, or faxed to: 202/737-0480.

(Research News was written by Peggy Beardslee, research assistant.)

News From the Nation's Counties

CALIFORNIA

• PLUMAS COUNTY supervisors were not happy to see state wildlife officials override two of their ordinances making it illegal to poison fish in the county. But the state dumped thousands of gallons of poison into Lake Davis there anyway earlier this month in hopes of killing Northern pike, a fish that could threaten the state's salmon population.

The lake supplies drinking water to 4,200 people. State officials said the amount of cancer-causing poison they planned to use was like "half a shot of whiskey in a 5,000-gallon swimming pool."

COLORADO

• Wondering how to get your county's news out? In SUMMIT COUNTY, the county's public information office approached a local, non-profit group called "Shaping Our Summit" to help get the word out about government, education and community news. The group works with the local newspaper and now publishes its own page every Saturday in the paper.

(For more information, contact Rachel Flood, public information officer, at 970/453-2561.)

GEORGIA

• DEKALB COUNTY Chief Executive Officer Liane Levetan recently served as a panelist for a session on local initiatives at the National Civic League's 103rd National Conference on Governance in Arlington, Va. The theme of the conference was the role of philanthropy in building community.

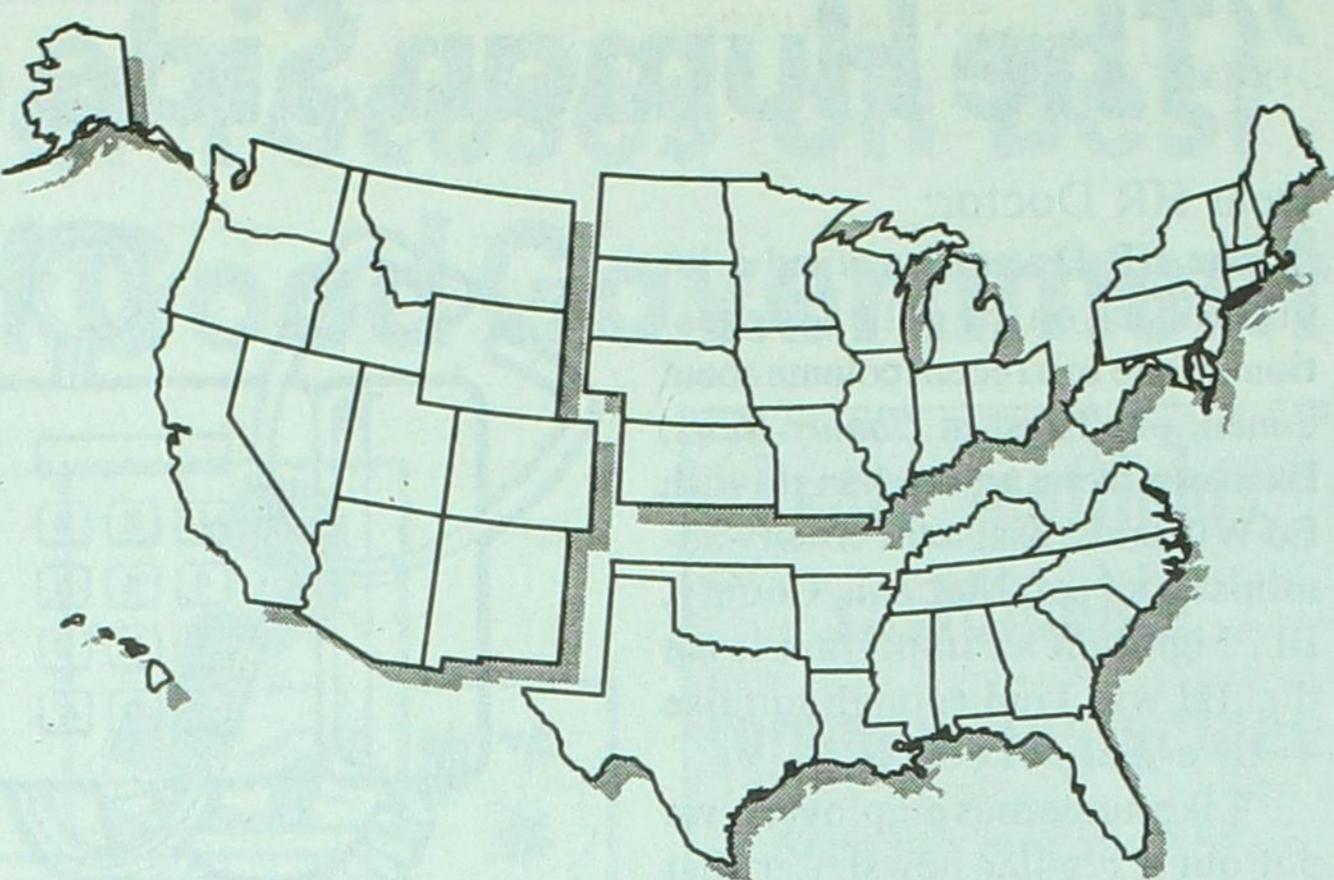
Levetan was asked to participate because of the county's innovative approaches to building community through philanthropy or public-private collaborations. DeKalb residents have benefited from state-of-the-art training for county employees, neighborhood revitalization initiatives, technological collaborations and programs for children.

MARYLAND

• Drug store baron Martin Grass' loud helicopter commute over his neighbors' peaceful pastures has triggered a fracas in BALTIMORE COUNTY. One farmer's chickens won't even lay eggs because of the noise and that's got the citizens squawking.

The county offered to allow Grass use of a county-owned helipad, but officials dropped the idea because he'd take precious police space.

Meanwhile, County Zoning Inspector Lavette Bannerman treated the tycoon like anybody else who breaks the law—she issued citations to the tune of \$800.



MINNESOTA

• DAKOTA COUNTY received more than 1,000 "votes" in a recent survey it held at the county fair. Residents were asked to share their opinions on growth, transportation, taxes and more. About 86 percent said undeveloped, natural areas should be protected from development; 77 percent said urban growth should be concentrated in existing areas, rather than using more rural land; 84 percent said not to expand county business hours to evenings and weekends if it meant a tax increase; 76 percent were in favor of linking parks with trails; and 59 percent support financing the cost of increased transit service.

MONTANA

• The Supreme Court agreed earlier this month to decide whether BIGHORN COUNTY and the state must surrender tax proceeds illegally collected from a company that mined coal on the Crow Tribe's reservation.

The 9th U.S. Circuit Court of Appeals ruled that the unlawful taxation resulted in "taking revenue that would otherwise go toward supporting the tribe and its programs."

The state says the ruling "constitutes an extraordinary and unprincipled expansion of quasi-contractual relief with potentially broad implications."

The tribe and the Clinton Administration urged the Supreme Court to reject the appeal. The case is *Montana vs. Crow Tribe*.

NEW YORK

• ULSTER COUNTY Prosecutor Michael Kavanagh has offered to defend local NAACP President McShell Moye-Clark from a federal lawsuit after the national NAACP declined, according to *USA Today*. Detective Stephen Spetalieri is suing Moye-Clark for going public with a tape recording

of a private phone call in which Spetalieri made racial slurs.

VIRGINIA

• Beginning Oct. 20, guns, knives and other weapons were banned from FAIRFAX COUNTY buildings. Metal detectors will be used to enforce the ban. Five residents are suing the county over the policy, saying it violates state law.

...And From the World's Counties

GREAT BRITAIN

• Like their American counterparts, officials in tiny KENT COUNTY, England (population 30,000), have their hands full these days with immigration problems.

About 800 Eastern European Gypsies (or Roma as they are also known) from the Czech and Slovak republics, were prompted to make the move to the county after a Czech TV documentary featured a Gypsy family living on welfare benefits in England.

Local authorities are bound by British law to house and feed people who claim political asylum. Applicants can also claim about \$70 a week in welfare payments. Officials estimate the county could spend up to one million pounds (about \$1.63 million) on food and shelter. The immigrants began arriving three months ago.

The Gypsies are making their way to the port city of Dover in Kent County via ferryboats from Calais, France. "We can do nothing but sit tight and wait for the ferries to come in," said Keith Serrin, deputy leader of the Kent County Council. "There is a crisis here."

(*News From the Nation's Counties* is compiled by Mary Ann Barton, senior staff writer.)

Neal Peirce Commentary

Development Democratized: Utah's New Promised Land?

By Neal R. Peirce

(Neal Peirce is a syndicated columnist who writes about local government issues. His columns do not reflect the opinions of County News or NACo.)

Can a right-leaning, property-rights-conscious Western state come to grips with limited land for development? Can it find ways to get people out of their cars more often, to preserve its dwindling open space?

Utah is about to try. But not by choice. It's because the state's principal growth corridor, the Salt Lake City-Wasatch Mountains Front Region, is coming under such fierce growth pressure.

An ominous "baseline scenario" — what appears to lie ahead to 2020 and 2050 if population growth continues and nothing's done to alleviate traffic growth, deteriorated air quality, lost open space — has just been issued by the Utah Quality Growth Partnership.

A combination of heavy immigration and high birth rates will push population, the report says, from 1.6 million today to 2.7 million in 2020 and a staggering 5 million in 2050.

If the region's 10 counties and 76 cities stick with their current low-density growth plans, its urbanized area will balloon by the mid-21st century by more than four times over — from 320 square miles to 1,350 square miles. More than half the irrigated farmland, in a region that's an oasis in a desert-like state, will be lost.

Fueled by the spread out development, a massive \$9.7 billion would be spent on new roads and other transportation improvements by 2020 — \$10,121 per household. But even so, the average number of miles each person drives will zoom up from 40 to 75 miles a day. Minutes in stalled traffic will double. Air pollution will worsen appreciably.

In most states, politicos dismiss disturbing projections. But not in this instance. The popular Republican governor, Mike Leavitt, calls the projections "sobering." Indeed, Leavitt is honorary co-chair of the Quality Growth Partnership. He asked his office of Planning and Budget to take the lead in assembling data for the baseline report, and got the Legis-

lature to fund \$350,000 in new computer capacity to do the job.

The partnership, led by General Steel president Robert Grow, encompasses a sterling cross section of Utah's business, religious and political establishment. Even realtors and home builders seem to have bought in on the process.

The partnership will develop computer-generated alternative scenarios that promise less congestion, better air, and more open space, based on such options as denser development at transit stops or building satellite cities.

Then the citizenry will be told. These are the trade-offs, the pluses and minuses of each scenario. So which do you favor? Massive television and newspaper coverage is planned. Surveys will be sent to hundreds of thousands of households. School children will get briefings on the choices — and then be asked to talk to their parents about them.

There'll also be a massive effort to make sure local officials and state legislators know the issues and choices.

One could argue Utah has no alternative. The Wasatch Mountains and the Great Salt Lake function as de facto urban growth boundaries around the exploding urban core. The livable oasis is only so large.

But more seems to be at work here — the first stirrings of a 21st century politics of democratized development in which citizens are asked to choose for themselves instead of just accepting what developers of cul-de-sac homes or strip commercial blocks want to throw their way.

Their appetite to have a say on growth whetted, one can even envision citizens pressuring state recycling old industrial areas or cheap commercial strips into more compact, efficient use — both business and residential. Or demanding computer simulations that let them express their wishes, make suggestions on development in their neighborhoods before it happens.

A politics of land use choice may produce some bitter arguments.

But the bright hope here is that the right wing's old nemesis — the bureaucrat — will be out of the line of fire. Instead, the advocates for sounder, smart development could be one's fellow citizens.

(c) 1997, Washington Post Writers Group

Notices

CONFERENCES

■ **American Water Works Association's (AWWA) Water Quality Technology Conference** Nov. 9-12 will offer technical programs and workshops with several presentations on Cryptosporidium a parasite that is a significant public health concern and the latest findings on how to provide safe and affordable water to the public.

For more information, contact AWWA, 6666 West Quincy Ave., Denver, CO 80235; phone: 303/794-7711; fax: 303/795-1440.

■ **Attendees of the National Association of Government Communicator's 21st Annual Information Communicators School** Nov. 12-14 in Alexandria, Va., will sharpen their communication skills and grasp new techniques for communicating. Classes that will be offered include: Public Affairs in a Crisis Situation, Media with a Message, Making TV Work for You, Resources for Multi-media, Editing for Impact and Readable Writing.

For more information, contact C. Adele Dodson at the National Association of Government Communicators, 669 S. Washington St., Alexandria, VA 22314; phone: 703/519-3902; fax: 703/519-7732; Web: <http://www.nagc.com>.

■ **The Government Finance Officers Association (GFOA)** is sponsoring the following seminars in Atlanta, Ga.: Evaluating Internal Controls — Nov. 17; Effective Budget Presentation — Nov. 18; Budgeting for Budget and Finance Directors: Best Practices in Public Budgeting — Nov. 19-20.

Advance registration by mail is required for all seminars. For more information, contact the GFOA, Attention: LaSandra Herron; 180 N. Michigan Ave., Suite 800, Chicago, IL 60601; phone: 312/977-9700.

■ **Join the Council of Industrial Boiler Owners** Nov. 17-19, in Lake Charles, La. for "Fluid Bed XIII." The conference will focus on performance optimization, utilization of alternative fuels, looking at the effects of environmental initiatives, and an analysis of where the technology may be going. Petroleum coke, biomass, RCRA ash reclassification, performance benchmarking and environmental constraints are some of the topics that will be discussed.

For more information, contact Registrar/Council of Industrial Boiler Owners, 6035 Burke Centre Parkway, Suite 360, Burke, VA 22015; phone: 703/250-9042; fax: 703/239-9042.

■ The Safe America Fourth National Injury Control Conference will be held Nov. 19-21, in Washington, D.C. The conference will feature interactive breakout sessions on: safety in the home, on the move, at school, at work and in the community. Attendees will share information on effective programs and identify resources that will support injury prevention and control research and programs.

The registration fee is \$80 and the deadline is Oct. 31. For more information, contact Donna Xander Burke, Prospect Associates, 1801 Rockville Pike, Suite 500, Rockville, MD 20852; phone: 301/468-6555; fax: 301/770-5164; Web address: <http://www.cdc.gov/ncipc/safeamer>.

PUBLICATIONS

■ **The National Association of Water Companies** has just published "Sourcebook of Regulatory Techniques for Water Utilities." The sourcebook is intended for professionals involved or interested in current trends in fiscal regulation. It covers a wide variety of subjects including: acquisition treatment and incentives, accounting practices, cost recovery and revenue stability, state agency coordination techniques and other general policies.

To order, contact Jan Bolin at the National Association of Water Companies, 1725 K St., N.W., Suite 1212, Washington, DC 20006-1401; phone: 202/833-8383; fax: 202/331-7442.

■ "Voices from Chicago: Lessons for the Nation from the 'City that Works'" reports on the debate among seasoned practitioners on topics that range from whether the community development movement can continue to cover the gap between falling incomes and shrinking public funding, to the question of competition among Community Development Corporations. The report is based on two meetings in Chicago in September and November 1996.

The cost is \$7. To order, contact the Community Information Exchange, 1029 Vermont Ave., N.W., Suite 710, Washington, DC 20005; phone: 202/628-2981; fax: 202/783-1485.

FREE SUPPLIES

■ **Join the National Association for the Exchange of Industrial Resources** and gain access to more than \$100 million worth of new office products, computer software and accessories that will be donated to nonprofits, government agencies and schools in the coming year. The merchandise is free, for members paying dues that range from \$275 to \$575, plus shipping and handling of the catalog.

For a free information kit, call the nonprofit National Association for the Exchange of Industrial Resources: 800/562-0955.

(*Notices is compiled by Victoria Vickers, special correspondent.*)

Job Market

ADMINISTRATIVE SERVICES DIRECTOR — TETON COUNTY, WYO.: Teton County, population 11,172, is seeking an Administrative Services Director. Teton County is governed by a five-member Board of County Commissioners and this position will manage the day-to-day operations of the Commissioner's office. The Administrative Services Director will oversee the County's Human Resources and Risk Management programs, along with county facilities and construction projects. The position will also coordinate the County's strategic planning process, including the development of systems which tie budgeting and job performance to the County's mission, goals, and objectives. The salary for this position is \$65,000 to \$75,000. If you are interested in the outstanding opportunity, please submit your resume along with current salary and the names and phone numbers of five work-related references to Bob Murray, David M. Griffith & Associates, Ltd. 4320 Auburn Boulevard, Suite 2000, Sacramento, CA 95841. Brochures are available, call (916) 485-8102 or e-mail: recruit@dmgriffith.com. Filing deadline: December 5, 1997.

COUNTY ADMINISTRATOR — CHESHIRE COUNTY, N.H.: Cheshire County, New Hampshire (population 71,500), is seeking applications for an experienced administrator to serve as the chief administrative officer for County operations. The Administrator will be responsible for implementation and management of County-wide policies established by the three (3) member, elected Board of Commissioners. The Administrator shall provide the day-to-day support to the Board of Commissioners and facilitate the needs of the County Delegation of Legislators.

Fiscal control, budget preparation, personnel administration and information management related to the activities of 9 (5 appointed and 4 elected) Department Heads within the County government are the major areas of responsibility.

Applicants should possess a Bachelor's (Master's preferred) degree in public administration, business administration or related field, plus administrative experience in a local or county government.

The salary range is \$44,845-\$61,714, negotiable depending on qualifications and experience, along with our excellent benefits package.

Submit resumes in confidence by November 15, 1997 to: Municipal Resources Inc., 193 North Main Street, Concord, N.H. 03301-5063.

COUNTY PUBLIC WORKS SPECIAL PROJECTS MANAGER — WHATCOM COUNTY, WASH.: \$41,832-\$52,548 DOQ. Bachelor's degree-Civil Engineering. 5 yrs. engineering exp., emphasis on hydrology, water resources, fishery & wildlife resources, or related field, incl. 1 yr. exp. as licensed Prof. Engineer OR equiv. Also, 3 yrs. capital project mgmt. & project admin. requiring regulatory agency approval and permits. Initial focus on Flood

Hazard Mgmt. Plan, diking, drainage & flood control projects, coord. for regulatory compliance, & deployment of tech. expertise to lead PW tasks/projects where needed. Involves admin. & staff supervision. Submit required application materials by November 16, 1997. Contact: Whatcom County Human Resources, 316 Lottie Street, Bellingham, WA 98225. 360-676-6802. Equal Opportunity Employer.

EXECUTIVE DIRECTOR, CORNELL COOPERATIVE EXTENSION OF — OSWEGO COUNTY, N.Y.: Chief executive officer for leadership/management serving a rural and suburban county. MS; 5 yrs. relevant exp.; 3 yrs. in Cooperative Extension or related employment. **Salary: \$48-50,000, comm. w/qual.** Send letter of intent, resume, transcript(s) to: Box 26, Kennedy Hall, Cornell U., Ithaca, NY 14853 by 11/7/97. EOE.

HEALTH DIRECTOR — CITY OF LINCOLN/LANCASTER COUNTY, NEB.: City of Lincoln/Lancaster County (pop. 230,000) seeks public health professional to administer, plan, coordinate, supervise and evaluate all activities and programs of a county-wide Health Department with a budget of \$8-9 million and a staff of 200+. Innovative programs include Healthy Homes, Pollution Prevention Program, Medicaid Managed Care, and Epidemiology/Community Assessment utilizing geographic information systems (GIS) in addition to Public Health Nursing, Environmental Health, Health Promotion and Outreach, Public Health Laboratory, Animal Control and Dental Health. Qualifications: Masters degree in Public Health Administration or related field and 4-6 yrs experience in the supervision and administration of a public health program, or equiv. Prefer Medical Degree with an emphasis in public health.

Salary: \$48,129 - \$99,840 DOQ. Must complete an application and a supplemental questionnaire returned or postmarked on or before: Friday, December 12, 1997. Apply at: City-County Employment Office, 555 S 10th Street, Room 114, Lincoln, NE 68508; (402) 441-7596 (Voice Mail Box).

INFORMATION TECHNOLOGY DIRECTOR — CITY OF AURORA, COLO. POPULATION: 248,000. \$67,280.36 - \$97,562.33 annually plus exceptional benefits. Beginning salary is negotiable — The

city of Aurora is located east of and adjacent to the City of Denver. It is south of and adjacent to the new Denver International Airport. Aurora has a 280 sq. mi. planning area which is the largest in Colorado. The City is seeking an experienced manager to direct its Information Technology Department (IT). Reporting to a Deputy City Manager, the Director leads the City's state-of-the-art Information Technology program. Functional areas include Systems and Operations, Software Applications and Client Services (including telecommunications and 2-way radio systems). IT is comprised of 39 employees and has an aggressive 5-year plan in place.

Qualifications: Requires the equivalent of 5-years recent "cutting edge" information systems experience in an organization of comparable size and complexity. Experience must include both line and management responsibilities with demonstrated success in managing both people and projects. Bachelor's degree in a information technology or closely related field is desired. Must have a strong "customer service" orientation, be a visionary with a sense of realism, be vendor objective, be an effective communicator and must demonstrate leadership skill/ability needed to motivate subordinates and to develop them into an effective client focused team.

To apply: Please submit your resume along with current salary to Robert E. Slavin, Slavin Management Consultants, Incorporated, 3040 Holcomb Bridge Road, Suite B-1, Norcross, Georgia 30071. Phone (770) 449-4656; Fax: (770) 416-0848.

Filing Deadline: November 21, 1997. Aurora is an Equal Opportunity Employer.

PERSONNEL DIRECTOR — ST. LOUIS COUNTY, MO.: St. Louis County is seeking an innovative individual to lead a personnel staff of 26 through a variety of challenges such as developing a new salary structure for 3,000 employees, a performance management system, a HRIS database, and expanding our service role and responsiveness to our customers. The successful candidate will have a demonstrated record of successfully managing change, progressive HR ideas and a desire to contribute to quality local government. Related degree and substantial experience at the director level in a similar size organization. To apply call (314) 889-2429 immediately for an application or fax your resume to (314) 889-7703 by November 14, 1997. EOE-M/F/D.

Job Market - Classified Rate Schedule

- **Line Rates:** \$7 per line, NACo member counties; \$10 per line, others.
- **Display Classified:** \$40 per column inch, NACo member counties; \$60 per column inch, others.
- **Billing:** Invoices will be sent after publication.
- **Mail advertising copy to:** Job Market, County News, 440 First St., N.W., Washington, DC 20001.
- **FAX advertising copy to:** Job Market, County News, 202/393-2630.
- Be sure to include billing information along with copy.
- Estimates given prior to publication are approximations only, and do not necessarily reflect final cost.

For more information, call Victoria Vickers, County News, National Association of Counties, 202/942-4256.

The Countdown Begins ... Deadline: Dec. 31, 1997 Postmark

NACo... in search of

County Fairs and Festivals photos

Contest Deadline: January 15, 1998

Hardly anything is as American as the county fair or its contemporary offspring, the county festival. That's why *County News* and NACo want to showcase your county's best Americana in our third annual photo contest.

Categories are:

1. Midways
2. Kids and/or animals at the fair
3. Seasonal Festivals
4. Displays

Winning entries will be published in *County News* and featured in NACo's 1999 County Government Calendar.

Contest Rules:

Photographs (either color or black and white) must be printed in an 8 x 10 format, and labeled on the back with:

1. Name of event and date
2. Name of county and state
3. Entry category
4. Photographer's name and phone number or e-mail address
5. Name, phone number (or e-mail address) and address of county contact

Entries will be judged on quality, creativity and visual interest.

All photographs become the property of the National Association of Counties. Winners may be asked to provide negative or color slide.

There is no entry fee and you may enter as many categories as you wish.

There will be one grand prize and two distinguished prize winners in each category.

Prizes:

Each grand prize-winning county will receive **two complimentary registrations** to the NACo conference of its choice in 1998. Distinguished prize-winning counties will receive **one complimentary registration** for the NACo conference of their choice in 1998.

Also - **new this contest - all entrants**, who are NACo members-in-good-standing, will be entered in a super prize drawing for a multi-media, PC/Mac compatible computer. The drawing will take place during NACo's 1998 Legislative Conference.

Entries should be mailed to:

NACo In Search Of, 440 First St., NW, Washington, DC 20001-2080.

Questions? E-mail to cnews@naco.org; or phone 202/942-4249.

