NACo National Association of Counties

County News

The Voice of America's Counties

NATIONAL ASSOCIATION OF COUNTIES ■ WASHINGTON, D.C. VOL. 44, NO. 24 ■ December 17, 2012

Board OKs budget, legislative priorities, conference sites

By Tom Goodman
PUBLIC AFFAIRS DIRECTOR

NACo's Board of Directors adopted a $15.8 million budget for 2013, seven key legislative priorities and approved three future sites for the Annual Conference at their fall meeting, held this year in Shelby County (Memphis), Tenn. Dec. 7–8.

NACo Executive Director Matt Chase also gave a presentation on the state of the association and outlined the "One NACo Strategic Blueprint." Chase said the blueprint is being crafted with consideration for all three levels of government. At the federal level, 70 percent of the cuts recommended by the Simpson-Bowles panel have been enacted. "We've already felt the pain," Chase said.

At the state level, NACo needs to be aware of trends, he said, especially unfunded and underfunded mandates. It is also vitally important that NACo understands the factors facing counties, he said.

Chase, who became executive director on Sept. 17, maintained that NACo has to work with a

See **BOARD** *page 10*

Photo by Tom Goodman

During the fall Board of Directors meeting in Memphis, Tenn., NACo's female leadership, joined by NACo President Chris Rodgers, gathers round the Christmas tree for a holiday belles portrait.

Colo. counties face decisions, uncertainty after pot vote

By Charlie Ban
STAFF WRITER

Amendment 64's passage in Colorado may have legalized marijuana possession, use and cultivation, but some counties aren't inhaling. Under the new law, counties can regulate commercial sales and cultivation. They may in fact, prohibit licensing for retail operations.

Douglas County, south of Denver, got out of the gate quickly following Election Day, having its first reading of an ordinance banning marijuana cultivation and retail sale.

"It's become one of the models for counties exercising local control," said county spokeswoman Wendy Holmes, who added that Colorado Counties, Inc., the state's association of counties, distributed the ordinance to counties statewide. "We like to help other counties, and there are others who aren't on board with this (legalization)."

The Board of Commissioners'

See **POT VOTE** *page 12*

NACo joins Supreme Court brief in Medicaid preemption case

By Lisa Soronen
SLLC EXECUTIVE DIRECTOR

NACo signed onto an *amicus curiae* brief filed by State and Local Legal Center (SLLC) in a U.S. Supreme Court case involving the question of whether Medicaid preempts a state statute.

The specific issue the court will decide in *Delia v. E.M.A.* is whether a North Carolina statute allowing the state to recover one-third of a Medicaid recipient's settlement from a personal injury lawsuit is preempted by Medicaid's anti-lien provision.

This case matters to counties because in some states in some instances counties will pay for at least part of the Medicaid costs of someone injured by the fault of another person. As the facts of *Delia v. E.M.A* illustrate, those costs can be substantial.

North Carolina's statute allows the state to recoup a set amount of money from a Medicaid recipient's tort settlement that doesn't fully reimburse the state for its Medicaid costs and still leaves the Medicaid recipient with a significant portion of his or her tort settlement

"E.M.A." is an unidentified minor who was injured at birth.

See **MEDICAID** *page 8*

Quick Takes

Reindeer Towns

Blitzen, Ore.
Comet, Mont.
Cupid, Neb.
Dasher, Ga.
Donner, Fla.
Rudolph, S.D.
Vixen, La.

accuracyproject.org

NACo extends its best wishes for a Happy Holiday Season and a New Year filled with peace, joy and success!

Affordable Care Act implementation moves to states

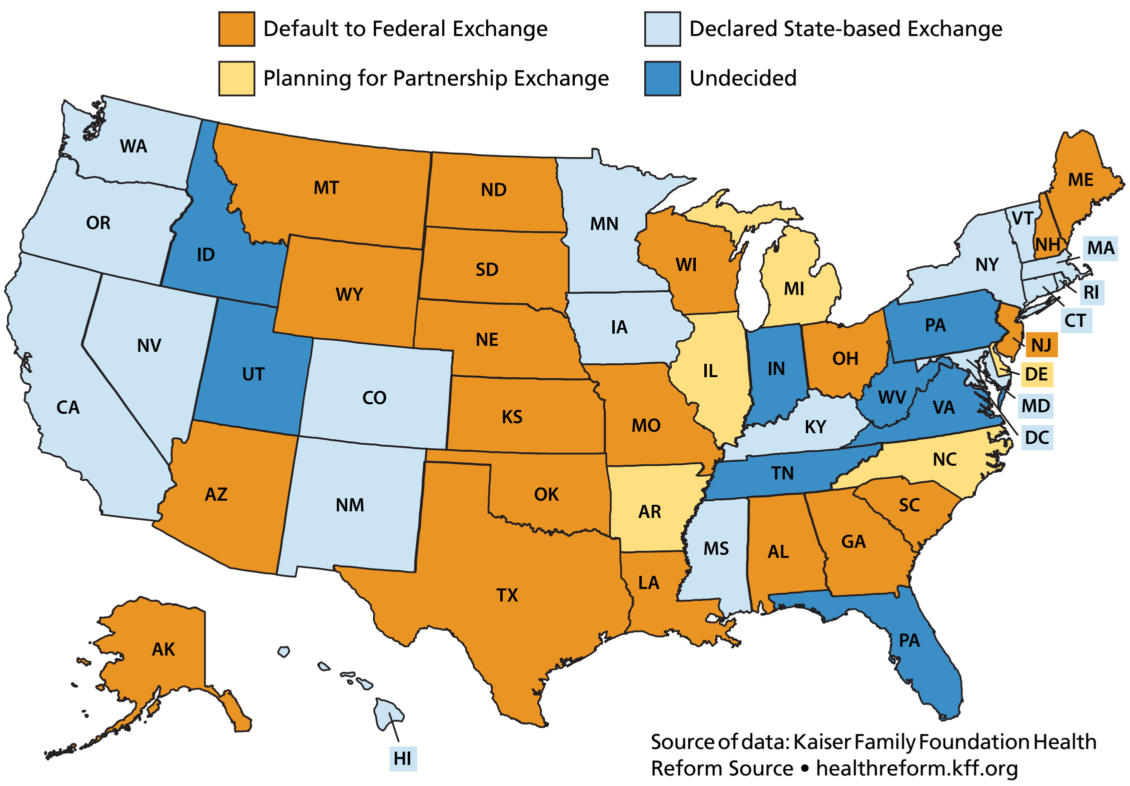
By Anita Cardwell
Program Manager

WEB* CONTENT

While some portions of the Affordable Care Act (ACA) may change President Obama's re-election means the health reform law does not face a full repeal in the coming years.

However, there are a number of important decisions at the state level that will significantly affect the ACA's implementation and have important implications for counties in terms of their local health care delivery systems.

State Decisions For Creating Health Insurance Exchanges in 2014 (as of Dec.)



Source of data: Kaiser Family Foundation Health Reform Source • healthreform.kff.org

Medicaid Expansion

As originally outlined in the ACA, Medicaid would be expanded in 2014 to cover all individuals up to 133 percent of the federal poverty level (FPL). To cover the costs associated with the expansion, for the first three years the federal government would provide 100 percent of the funding, phasing down to 90 percent in 2020 and all subsequent years.

However, earlier this year the U.S. Supreme Court ruled that the expansion was unconstitutionally coercive because the ACA stipulated that if a state chose not to expand Medicaid, the federal government could withhold all existing federal Medicaid funds.

With the ruling effectively meaning that the federal government cannot require states to expand Medicaid, states are now in the process of determining whether they will implement the expansion.

While the high federal match rate is intended to serve as an incentive for states to expand Medicaid, and as of now 13 states and the District of Columbia plan to do so, currently eight states — Alabama, Georgia, Louisiana, Maine, Mississippi, Oklahoma, South Carolina and Texas — have indicated that they do not intend to implement the expansion, and six others are leaning toward not expanding.

Many states — 23 at the time of publication — had not yet made a decision, and there is no deadline for them to do so. The U.S. Department of Health and Human Services (HHS) has indicated that states that decide to expand Medicaid would be able to change course and opt out of the expansion at a later date.

A number of governors have expressed concern about the costs associated with implementing the Medicaid expansion. These costs are predicted to vary across states depending on the number of uninsured individuals and current levels of coverage. A recent analysis by the Kaiser Family Foundation and the Urban Institute found that as a whole, state costs associated with implementing the expansion would be moderate and some states could even experience net savings by doing so because of the high federal match rate and fewer costs associated with providing uncompensated care for uninsured individuals.

Some states are also concerned that the federal match rate for the expansion population may be reduced at some point, either because the federal government may require states to pay more of the cost in the future or because the rate may be cut as part of an entitlement-reform package in a larger deficit-reduction deal.

On Dec. 10, HHS issued guidance that some states had indicated they were waiting for: specifically, whether they might be able to gradually phase in the Medicaid expansion or implement a partial expansion such as expanding the program to cover individuals only up to 100 percent instead of 133 percent of the federal poverty level and still receive the enhanced federal match rate.

The guidance stipulates that states will not be able to receive the 100 percent match rate for a partial expansion, although HHS will consider and provide the regular match rate for demonstration project proposals from states that include a partial expansion of the program.

Another factor at play in state decision-making involves Medicaid disproportionate share hospital (DSH) payments. Between 2014 and 2019, the ACA will cut $14 billion from DSH payments that help hospitals offset the costs associated with providing care to uninsured individuals. These cuts were expected to be offset to some degree by expanded Medicaid coverage for previously uninsured people. But now that some states may choose not to expand Medicaid, the DSH cuts will have an even greater impact in these states because there will be

See **ACA** *page 7*

2013 Achievement Award applications available online

Applications for the 2013 Achievement Award program are now available online. The awards recognize innovative and state-of-the-art county government programs. Last year, the program honored more than 400 county programs from 99 counties in 30 states.

Also last year, the Achievement Award application process moved to an all-electronic format. The online format will continue this year. Applicants should submit each program narrative and any supplemental materials through the online application system on the NACo website. This process eliminates the time and costs associated with mailing application materials.

To guide applicants through the process, the 2013 Achievement Award Application Overview, Frequently Asked Questions, video tutorial, and electronic applications are available on the NACo website at *http://www.naco.org/achievementawards*.

All application materials, including application fees, must be submitted by Feb. 21, 2013, 11:59 p.m. EST. Questions about the program can be directed to Katie Bess, *kbess@naco.org*, 202.942.4215.

The annual Achievement Awards program is non-competitive with each submission judged on its own merits, based on the criteria outlined in the 2013 application overview. The program provides a way for counties to recognize not only innovative programs, but also the dedicated employees who make these programs successful.

In Case You Missed It

News to use from past County News

» 'Smart Justice' theme announced for 2013 NCGM

NACo President Chris Rodgers recently announced that the April 2013 theme for National County Government Month (NCGM) will be "Smart Justice: Creating Safer Communities."

The NCGM planning booklet and media resources kit will be available by the end of January.

For more information, contact Jim Philipps at *jphilipps@naco.org* or 202.942.4220.

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The Voice of America's Counties

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EPA readies proposed regulations for release

By Julie Ufner
Associate Legislative Director

Prior to the election, the Environmental Protection Agency drafted a number of regulations that could change the regulatory landscape for counties. Among these are several air and water quality regulations. Following are select highlights of the pending regulations.

Particulate Matter (PM) Standards

On June 29, the EPA proposed revising the PM-2.5 standard from 15 micrograms per cubic meter to 12 – 13 micrograms per cubic meter. However, EPA also announced it would not change air quality standards for PM-10.

EPA designates two types of regulated PM — inhalable coarse particles (aka PM-10) and fine particles (PM-2.5). PM-10 particles are larger than 2.5 micrometers but smaller than 10 micrometers in diameter. They can be found near roadways (paved and unpaved) and construction sites.

PM-2.5 particles are 2.5 micrometers or smaller in diameter. They can be found in smoke and haze from forest fires, automobiles, power plants and certain industries. Particles larger than 10 micrometers are not regulated.

NACo was especially concerned about tighter regulation of particulate matter standards because regulating PM-10 would include farm dust. Coarse dust particles are smaller than a human hair and typically come from crushing or grinding operations or dust from paved and unpaved roads. NACo supports EPA's decision because increased regulation would have been burdensome to many counties, especially those in rural areas.

EPA states that PM particles, especially those smaller than 10 micrometers, can cause health problems. Many studies have linked particle pollution to premature death, nonfatal heart attacks, irregular heartbeat, asthma and decreased lung function.

NACo and its members expressed concerns to EPA and Congress over the past several years about the potential for increased regulation to negatively affect regular activities such as cars driving down dirt roads and agricultural practices that sustain local economies. Even natural events such as wildfires or wind storms can contribute to PM levels.

On Dec. 4, EPA sent the final rule to the White House's Office of Management and Budget (OMB) for a final rule. While EPA was expected to finalize the standards by Dec. 14, an OMB review can take up to 90 days.

Boiler MACT

On Dec. 2, 2011, the EPA proposed reconsidering emissions standards for new boilers and commercial and industrial solid waste incinerators, and submitted the final rule to the OMB on May 17, 2012. While OMB's review process generally is capped at 90 days, reviews can take longer. The rule is still pending.

The Boiler Maximum Achievable Control Technology (MACT) rule, as originally proposed in early 2011, set up a tight timetable to reduce emissions such as mercury, particulate matter and carbon monoxide (CO) from boilers. The boiler rule had a significant impact on local governments that use boilers or process heaters to produce

See EPA REGS page 9

Large Urban County Caucus selects 2013 priorities

By Dalen A. Harris
Associate Legislative Director

NACo's Large Urban County Caucus (LUCC) leaders recently met in Fulton County, Ga. for the caucus' annual planning meeting where they deliberated about the emerging legislative issues that will impact metropolitan counties in 2013.

Hosted by Fulton County Chairman John Eaves, the LUCC leadership convened for three days and selected four key themes as legislative priorities for 2013.

The theme areas are:

Protect the Federal-State-Local Partnership for Health

• Oppose cuts, caps, block grants or any other measure that would further shift federal and state Medicaid costs to counties

• Ensure parity between federally qualified health centers and county health centers, and

• Support efforts to promote wellness, and prevent chronic disease.

Support Key Federal Investments in Programs that Promote Local Job Creation and Economic Growth

• Increase planning funds for Metropolitan Planning Organizations (MPO) and invest in programs that reduce congestion in metropolitan regions

• Reduce poverty, revitalize communities and empower families by investing in the Department of Housing and Urban Developments' (HUD) Community Development Block Grant (CDBG) Program and HOME Investment Partnerships Program (HOME) and the Department of Health and Human Services' (HHS) Community Services Block Grant (CSBG) and Temporary Assistance for Needy Families (TANF) program

• Ensure adequate and equitable funding for water infrastructure and local election systems

• Support green government and alternative energy initiatives

• Mitigate the negative impacts of the nation's foreclosure and unemployment crisis

• Support efforts to combat the sexual exploitation of children, child abuse and neglect, and

• Support programs that enhance job creation, and economic development in our communities.

Invest In Evidence-based Practices and Initiatives to Enhance Local Justice and Public Safety Systems and Improve Accountability

• Invest in strategies to enhance public safety, reduce recidivism, support innovation and evidence-based initiatives, technical assistance, training, personnel, equipment, and reforms to federal, state and local criminal justice systems by providing sustained funding to the Department of Justice's Edward Byrne Memorial Justice Assistance Grant (JAG) Program, Mentally Ill Offender and Crime Reduction Act, Second Chance Act, Drug Court and Problem Solving Court Initiatives

• Restore federal entitlement health benefits and VA benefits before conviction

• Enact comprehensive immigration reform

• Provide support for returning veterans

• Improve resilience to cyber incidents and reduce the cyber threat, and

• Strengthen emergency preparedness, prevention, response and recovery.

Improve Government Operations and Support Efforts to Protect County Revenue

• Support the preservation of the federal deductibility of local property and income taxes and the tax-exempt status of municipal bonds that provide critical funding for infrastructure and development

• Support legislative initiatives that permit the collection of sales and use taxes from remote sellers

• Oppose any efforts that would preferentially treat any industry seeking to create its own special immunity from state and local taxation, and

• Repeal unfunded mandates and oppose efforts to preempt the authority of local governments.

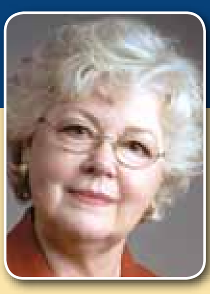
LUCC members will monitor legislative and regulatory activities in each of these focus areas, facilitate discussions with relevant stakeholders and advocate on these pressing urban focus areas. Joining LUCC members in their advocacy efforts will be key strategic partners such as the U.S. Conference of Mayors, the White House, the U.S. House of Representatives' Congressional Urban Caucus and others.

Twenty-seven elected county officials representing metropolitan centers from 16 states met Nov. 28–30. In conjunction with their meeting, they toured DeKalb County's Renewable Energy Facility and Compressed Natural Gas (CNG) Fueling Station. Situated at the county's Seminole Road Landfill, the Renewable Energy Facility and CNG Fueling Station began operations this year and are a model for green projects that can be replicated in other urban counties across the United States.

At the site, CNG is created from landfill gas and is dispensed to consumers on site. Any excess is piped back into the natural gas pipeline. The project is the environmental equivalent of taking 30,000 cars off the road every year and will reduce carbon dioxide emissions by 17,000 tons, or what is released into the atmosphere from 17 million gallons of gasoline.

All NACo members are encouraged to visit the LUCC website, *www.naco.org/urbancounties*, where regular updates on metropolitan legislative priorities, initiatives, events and other activities will be posted throughout the year.

Profiles in Service



» Katie S. "Kay" Cashion

NACo Board Member
Commissioner
Guilford County, N.C.

Years affiliated with NACo: eight

Years in public service: nine

Occupation: business owner, interior decorator

Education: University of North Carolina at Greensboro

Three people (living or dead) I'd invite to dinner: Hillary Clinton, Thomas Jefferson and Elizabeth Cady Stanton

A dream I have is to: make a difference at every opportunity and develop a Guilford County Family Crisis Center.

You'd be surprised to learn that I: have owned and operated a furniture and decorating business since 1970.

The most adventurous thing I've ever done is: explored uninhabited cays (small islands) in the Bahamas via a dinghy realizing my swimming skills were limited to a small pool.

My favorite way to relax is: hot chocolate, roaring fire and easy music.

I'm most proud of: as a commissioner: 1) initiating and chairing a yearlong study of adolescent substance abuse in Guilford County resulting in a Juvenile Drug Court, and 2) initiating and chairing a Guilford County Citizen Academy in 2011 and 2012 "opening the doors of County Government"

Every morning I read: the local newspaper.

My favorite meal is: my pot roast.

My pet peeve is: procrastination.

My motto is: a "Can-do Attitude."

The last book I read was: "Does the Noise in My Head Bother You?" by Steven Tyler.

My favorite movie is: *Gone with the Wind.*

My favorite music is: beach and anything danceable.

My favorite president is: Bill Clinton.

HUD expands assistance for displaced Sandy victims

By Daria Daniel
Associate Legislative Director

To expand housing options for families displaced by Superstorm Sandy, the U.S. Department Housing and Urban Development (HUD) is giving public housing agencies greater flexibility in calculating rent payments in areas experiencing increased demand for rental housing.

HUD is allowing local housing agencies to increase a payment standard up to 120 percent of the published Fair Market Rent (FMR), giving low-income families more options to find available housing in tight rental markets.

"We understand that in the wake of a disaster like Sandy, available rental housing becomes increasingly difficult to find, especially for lower-income families," said HUD Secretary Shaun Donovan, who President Obama recently appointed to oversee long-term redevelopment in the disaster region.

Local housing agencies use HUD's annual FMR to determine how much rental subsidy low-income families are eligible for through HUD's Housing Choice Voucher Program. Currently, housing agencies are allowed to set this payment standard up to 110 percent of an area's FMR. However, in presidentially declared disaster areas, housing agencies can request a waiver to temporarily establish a payment standard up to 120 percent of the current FMR.

Families would continue to pay their required portion of the rent, typically 30 percent of adjusted monthly income, but because of the increase in the maximum subsidy available, the measure would allow displaced families to afford housing they would not normally be able to under the regular payment standard, thereby increasing the available supply of housing that these families could afford.

The measure also prevents the displacement of HUD-assisted families where rents may be increasing significantly as the result of the loss of rental housing stock in the disaster areas.

HUD and other federal agencies are helping displaced families find alternative housing while their homes are repaired. FEMA's Housing Portal consolidates rental resources from HUD, the Department of Agriculture, the Department of Veterans Affairs, private organizations and the public to help families and individuals locate rental units in their area.

For more information, contact Daria Daniel at 202.942.4212 or *ddaniel@naco.org*.

Applications now open for 2013 5-Star grants

By Coleman Davis
COUNTY SOLUTIONS AND INNOVATION INTERN

Applications are now available for the 2013 round of Five Star-Urban Waters Restoration grants. The Five Star Program provides modest financial assistance on a competitive basis to support community-based wetland, riparian and coastal habitat restoration projects.

These projects rely on diverse partnerships to foster local natural resource stewardship through education, outreach and training activities. Grant awards range from $20,000 to $50,000, with an average grant ranging from $25,000 to $35,000.

New for 2013 is dedicated funding for urban areas. Approximately $540,000 is available from a number of federal agencies through the Federal Urban Waters Partnership to improve water quality, increase access, and restore riparian and forest habitat in urban watersheds throughout the United States.

Photo courtesy of Dave Butler

DeKalb County, Ga., a 2008 Five Star grantee, restored wetlands and stream banks at the Evans Mill historic site. The project supported new signage and educational activities for park visitors.

Additional funds will be available for Five Star-Urban Waters projects via FedEx and Southern Company. FedEx will provide funding for projects in 19 metropolitan areas including Boston, Los Angeles, San Francisco-Oakland, Chicago, Memphis, Seattle, Dallas, Newark, Washington, D.C., Indianapolis, Pittsburgh, Miami, Colorado Springs, Philadelphia, Harrison, Ark., Phoenix, Cleveland, Atlanta and Portland, Ore.

Though these are listed by city, funds are also available for county projects serving these metropolitan areas. Southern Company will provide additional funding for projects located within the company's service area, which includes Georgia, Alabama, the Florida Panhandle and southeast Mississippi.

Approximately $160,000 is available from the U.S. Environmental Protection Agency (EPA) and corporate partners to fund projects that meet Five Star program elements. Five Star-Urban Waters projects must include on-the-ground wetland, riparian, in-stream or coastal habitat restoration. Projects must also integrate meaningful education into the restoration project either through community outreach, participation or integration with K-12 environmental curriculum. Because public participation in restoration projects is paramount in community-based restoration, project sites should be accessible to the community.

For competitive applications, project partners should represent

See **5 STAR** *page 11*

Healthy Shelby transforms health care in county

By Mayor Mark H. Luttrell Jr.
SHELBY COUNTY, TENN.
SPECIAL TO COUNTY NEWS

As Shelby County mayor, one of my primary duties is to address public health issues. That's done daily through the good work of our Shelby County Health Department. That work is vital, but we also need a more strategic approach.

We recently announced the "Healthy Shelby" initiative, which is a new alliance to improve the health of citizens in our community and, at the same time, lower health care costs. Healthy Shelby is part of "Memphis Fast Forward," an ongoing alliance of business and community agencies here in Shelby County. It has adopted a model used across the nation by the renowned Institute of Healthcare Improvement called the Triple Aim. That focuses on three objectives:

• improve the health of our population — including keeping people healthy in the first place

• transform how people access and experience health care, and

• allow our health care dollars to be better spent, actually decreasing the cost of care

We have a challenging task before us. However, it is certainly worthy of our efforts to improve not only the quality of life for our citizens but also the efficiency of our health care facilities and social agencies.

To effectively bring about change, it takes collaboration. I've always been a proponent of involving others, especially those who have expertise in specific fields.

We've done just that with the Healthy Shelby initiative. The chief executive officers of our four major hospitals and the Church Health Center, a nationally known clinic to assist our citizens without insurance, are the foundation of the initiative.

They, and a broad, multi-sector group of executives, are working side-by-side with my county public health leadership team to accomplish three primary things:

• better management of chronic diseases — such as hypertension and diabetes

• better coordination of care — focusing initially on improved planning for those at the end of life, and

• better birth outcomes — to help prevent infant mortality.

These three domains of our initial efforts point to the interrelationship of what people think, how they live, and whether — and at what cost — they need health care. For example, we are exploring how to effectively use trusted intermediaries to get hard-to-reach persons into care for hypertension knowing that without proper treatment, their quality of life and cost of care from end-stage heart disease will be tremendously impacted.

We are testing approaches to help persons develop and follow Advanced Care Plans, which will help family members avoid struggling through difficult and often costly decisions involving prolonged hospitalization and embrace more comfortable and appropriate care alternatives. Finally, we are learning how to apply lessons from women who have tragically lost babies to promote good health for women of childbearing age and to overcome barriers to prenatal care for pregnant women.

This initiative, which is intended to generate regional, system-changing improvements, will cost $250,000 over the next two years. That money will come from hospitals, private businesses and government. Shelby County is contributing $25,000 each year.

What's unique about Healthy Shelby and makes Shelby County a model for how to improve health and health care in the United States, is that we are implementing these innovative approaches with the collaboration of not one, but four large, otherwise competing, hospital systems and the other public health and social service assets of Shelby County.

Equally unique is the active endorsement and advocacy of the business community for this health initiative. Notably, because other CEOs have been so involved, Healthy Shelby has provided me with an opportunity to give leadership to the county's peer employers in implementing health-promoting initiatives in the workplace, such as the healthy vending policies which I recently implemented in all county buildings.

Kenneth S. Robinson, M.D., my public health policy advisor, is chairing the Healthy Shelby initiative. He's a former commissioner of health for the state of Tennessee and a pastor, which keeps him connected personally to the health needs of citizens.

Healthy Shelby is being administered and managed by The Healthy Memphis Common Table, the Regional Health and Healthcare Improvement Collaborative in Shelby County. CEO Renee Frazier is providing oversight and will assist us with monitoring our progress.

We're confident Healthy Shelby will advance the quality of life for citizens in our community.

NACo Forum to examine health care policy and delivery

NACo's 2012 Healthy Counties Forum, "County Challenges and Opportunities in a Changing Health System," held in Georgia's DeKalb and Fulton counties examined a broad range of health care policy and delivery system changes. Attendees heard firsthand about how Grady Memorial Hospital has dealt with its dual role as both a safety net provider and a leader in high-quality care. Through a tour and a panel discussion with hospital leaders, attendees learned how the hospital is implementing new planning measures to address potential future care delivery and financing challenges.

This year's forum, Nov. 27–28, was the second one held in conjunction with NACo's Healthy Counties Initiative, which focuses on promoting public-private partnerships to help counties address local health issues and challenges. Commissioner Roy Brooks, Tarrant County, Texas, chairs the initiative's advisory board.

In addition to presentations from the Centers for Disease Control and Prevention, and discussion concerning broad health policy changes such as the county-level implications of the Affordable Care Act's Medicaid expansion, forum attendees also rotated through many small group roundtable discussions led by a number of the Healthy Counties Initiative corporate partners.

The roundtable discussions and demonstrations covered a wide range of health topics, such as how counties can increase access to high-quality care, provide cost-effective and comprehensive senior health care services, make better use of health data, and coordinate and enhance local wellness initiatives.

Approximately 50 county officials and staff from 20 counties, as well as representatives from three state associations of counties and the private sector, attended the forum.

**See this story at www.naco.org/countynews for more information on the Healthy Counties Forum.*

20 states opt for federally run health insurance exchanges

ACA *from page 2*

more individuals without coverage and so more costs associated with uncompensated care.

Pressure from hospital groups and other health providers that have concerns regarding the DSH reductions has the potential to affect state decision-making regarding the Medicaid expansion. Also, some policy analysts are predicting that some states that initially choose to not implement the expansion will opt to do so at a later date.

Health Insurance Exchanges

States are also in varying stages of decision making in terms of the health insurance exchanges scheduled to be implemented in 2014 through the ACA, which will perform eligibility determinations for health coverage and allow individuals to enroll in qualified health plans or Medicaid. ACA requires most Americans to carry health insurance.

Federal subsidies based on a sliding income scale will be provided to individuals with incomes between 100 percent to 400 percent of the federal poverty level (FPL) to help them purchase qualified health plan coverage. Currently, the FPL range for a family of four would be a household income of $23,050 – $92,150 per year.

In those states that choose not to operate their exchange it will be federally run, but in states opting to run their exchange they can do so fully on their own or operate their exchange in partnership with the federal government. In the partnership model, states will perform certain functions of the exchange—for example a state may choose to operate functions related to health plan management or consumer assistance or both, while the federal government would operate the remaining functions associated with the exchange such as website maintenance or data collection. States that elect to implement the federal-state partnership exchange model will have the option to transition to a fully state-based exchange at a later date.

As of Dec. 10, 20 states had indicated they are opting to have the federal government run the exchange in their state, and another 17 and the District of Columbia plan to operate their own exchanges. Five states are currently planning for a federal-state partnership exchange, and the remaining eight states were undecided at the time of publication.

SpeedRead » » »

- In 2014, Medicaid would expand to cover all individuals up to 133 percent of the federal poverty level
- Governors express concern about the costs associated with implementing Medicaid expansion

For those states opting for the federally run exchange, HHS has indicated they are on track to having them ready, although so far they have released few details about how they would operate. While the federal government will retain primary responsibility for operating these exchanges, it will aim to coordinate with states on issues such as plan certification, oversight functions, and consumer assistance and outreach.

For states choosing to run their own exchanges, the Obama administration set an original deadline of Nov. 16 for them to submit a blueprint plan of their exchange to HHS. But recently, because a number of states indicated they would like more time to decide whether they will run their own exchanges, the administration delayed the deadline to Dec. 14, and until Feb. 15, 2013 for states opting to implement a federal-state partnership exchange.

Regardless of the additional time given to states, deadlines for making the exchanges ready to enroll individuals in coverage are quickly approaching.

The ACA requires them to be prepared to begin enrollment on Oct. 1, 2013 and to be fully operational on Jan. 1, 2014. Even states that plan to operate a state-based exchange and have already made a number of policy and operational decisions face challenges to meet these requirements.

Also, similar to the federal match rate for the Medicaid expansion population, the premium credit subsidies that will be available to individuals to assist them with the purchase of coverage may be viewed by federal policymakers as another place for spending reductions as part of a comprehensive deficit-reduction agreement.

In October, the National Governors Association developed a new website that outlines potential solutions to state health policy challenges. To view the site, visit *http://statepolicyoptions.nga.org.*

Other Selected Provisions for 2014

- Requirement for all U.S. citizens and legal residents to have qualifying health insurance coverage or face a tax penalty, with a few exceptions for certain individuals;
- employers with 50 or more employees that do not offer minimum essential coverage to their employees will be penalized if one of their full-time employees receives a premium tax credit through the exchange; and
- reductions in Medicaid Disproportionate Share Hospital payments begin in FY14 with a $500 million reduction.

For additional information and resources, visit *www.naco.org/healthreformimplement*.

**See this story at www.naco.org/countynews for more online content.*

Cuyahoga County to seed college savings accounts

By Charles Taylor
SENIOR STAFF WRITER

WEB* CONTENT

Cuyahoga County, Ohio is making a bold move to ensure that more Cleveland-area kids can continue their education after high school.

County Executive Ed FitzGerald recently launched the Cuyahoga County College Savings Account Program. It will deposit $100 for every child entering kindergarten starting in fall 2013. Open to 15,000 public, private and parochial school students, it will be the largest program of its kind in the nation.

"It's a lot to take on, but we think that it's a proven methodology. It's not experimental, so we decided that weren't going to do some tiny pilot project," he said. "There've been a lot of these projects across the country. This is just taking it to a greater scale than it ever has been before."

When fully implemented, Cuyahoga's program is expected to cost about $2 million annually and will be paid for by a county higher education fund required by the county's charter. It will be an opt-out program; parents who do not want their kids to participate can sign a waiver.

The fund will only make disbursements to qualified educational institutions on a student's behalf, not make payments directly to the student. FitzGerald said it is open to all kindergartners because "we didn't want any stigma associated with it — that it was just for certain parts of town or certain people, or it was a poverty program."

The savings accounts can be used for any post-secondary education, including vocational training, and two- and four-year colleges. If not claimed by an age deadline yet to be established, the money will revert to the fund pool. The county is also considering additional deposits at key educational milestones, such as graduation from elementary and middle school. FitzGerald said the county has been in "very serious negotiations" with some of the larger financial institutions in the Cleveland area who might pick up the program's administrative costs and contribute to the accounts.

"Cuyahoga County is positioning itself as a national leader in the rapidly growing field of asset building for children," said Andrea Levere, president of the Corporation for Enterprise Development (CFED), which helped the county develop its program and one in San Francisco. CFED's mission includes aiding families — through savings and asset building — to achieve goals such as buying a home, pursuing higher education or starting a business.

Students with savings accounts are four times more likely to attend college than those without, and six times more likely if the savings account is in the student's name, according to recent research by the Center for Social Development at Washington University in St. Louis.

The County Council passed the measure on first reading; FitzGerald expects final approval by March or earlier.

The college savings program addresses a growing need in the Cleveland area and across the country, county officials said. For the first time, students today are less likely to complete college than their parents; less than one in 10 low-income students graduate from college by their mid-20s.

"We're big believers in early investment and this is the earliest investment you can really make for higher education," FitzGerald said. "We could have taken $2 million a year and focused on kids that are seniors in high school. ... You're dealing at that point with a population that is college bound. The question was could we do something that was going to get more kids on a college trajectory in the first place?"

The initiative is similar the City and County of San Francisco's Kindergarten to College program, which launched in 2010 and has a current enrollment of nearly 8,000 students. It deposits $50 in a college savings account for every child entering kindergarten in a public school; children who receive free or reduced-price lunches get an additional $50. Incentive funds to encourage families to make contributions to the accounts have been raised from the private sector. "They've done a terrific job of carrying the work forward and have become leaders in the field in their own right," said Leigh Tivol, CFED's director of savings and financial security.

Anee Brar is program manager for San Francisco's Kindergarten to College (KtoC) program. "If you have college aspirations from the first day of kindergarten, by the time you get to high school, it could be pretty transformational," she said.

KtoC program officials have been advising Cuyahoga County, Brar said — providing technical assistance.

"Ultimately, our goal is to help other municipalities," she said. "We were the first ones to do this universally, and whatever we've learned we want to share our best practices with those who want to replicate this." Several states and municipalities across the U.S. have developed similar programs.

Tivol said CFED's phones are "ringing off the hook" with requests for advice and assistance. "We are seeing major breakthroughs at the federal, state and local levels from policymakers who are making pioneering investments in this area.

"I think that government leaders with vision see children's savings as a way to fill in what has largely been a missing piece of the higher education puzzle," she said, "and to build savings early to help fill the gaps that financial aid just doesn't reach."

**For more information from CFED on asset building for children, see this story online at www.naco.org/countynews.*

Eight states cap Medicaid recovery from lawsuits

MEDICAID *from page 1*

Her parents settled a medical malpractice claim for $2.8 million that didn't allocate separate amounts for medical expenses and other damages. North Carolina, which had paid more than $1.9 million in medical expenses on E.M.A.'s behalf, sought to recover one-third of the settlement. A state statute allows North Carolina to recover the lesser of actual medical expenses or one-third of a Medicaid recipient's total tort settlement.

Medicaid prohibits states from asserting liens against Medicaid recipients except for medical expenses recovered from settlements. In 2006, in *Arkansas Department of Health and Human Services v. Ahlborn*, the U.S. Supreme Court struck down an Arkansas statute that allowed the state to recover all of the costs it paid on behalf of a Medicaid recipient regardless of whether that amount exceeded the medical expenses portion of a settlement.

In *Ahlborn*, unlike this case, the parties had allocated the settlement between medical expenses and other damages. So in this case the Supreme Court must decide whether and how *Ahlborn* applies to unallocated settlements.

The SLLC's brief argues that Medicaid is a huge expense for states and that Medicaid grants states substantial discretion in how they pursue recovery from those held liable for damages.

The brief points out that North Carolina's statute encourages parties to allocate settlements and avoids the state's having to participate in burdensome settlement discussions or post-settlement allocation hearings. The brief also argues that allowing Medicaid recipients to keep two-thirds of their tort settlement is reasonable and fair. NACo, along with the other so-called Big Seven state and local government associations, signed onto the SLLC's brief along with the Government Finance Officers Association and the City of New York.

At least eight states have statutory caps on Medicaid recovery from lawsuits: Connecticut, Florida, Georgia, Hawaii, Michigan, Minnesota, Ohio and Iowa.

Oral argument will be heard Jan. 8, 2013. The Supreme Court will issue an opinion in this case by June 30, 2013.

For more information, contact Deseree Gardner, NACo SLLC Advisory Council representative: *dgardner@naco.org*; 202.942.4204.

New EPA stormwater rule update expected June 2013

EPA REGS *from page 3*

electricity or heat. It would affect boilers used in county buildings that use natural gas, fuel oil, coal or biomass.

However, under the reconsideration, EPA has said a majority of boilers would not fall under the rules. Nearly 98 percent of area-source boilers would rely on routine maintenance and tune-ups, while two percent of those would need to meet emissions limits. On major source boilers, 88 percent would require periodic tune-ups and 12 percent would be required to meet emission standards.

Ozone

On Jan. 6, 2010, the EPA proposed to tighten the national ambient air quality standards (NAAQS) for ground-level ozone to change the current primary ozone standard of 75 parts per billion (ppb) to a range of 60 ppb–70 ppb. The EPA estimated the rule will cost $19 billion to $90 billion annually. But in September 2011, after concerns over costs, the president told the EPA to withdraw the rule until 2013. In 2013, the current standard is slated for review per the requirements of the Clean Air Act.

Approximately 650 rural and urban counties would have been considered in non-attainment under the proposed standards. Most of the responsibility for implementing the new standards would fall on state and local governments who are responsible for developing air quality plans and implementing strategies to meet the new federally set goals.

Additionally, when an area is classified as in "non-attainment," EPA imposes a number of restrictions that impact economic development.

Ozone, a key component of smog, is blamed for increased health care costs for bronchitis, acute asthma, hospital and emergency room visits, nonfatal heart attacks and premature deaths. Ozone is primarily created through emissions from cars, power plants, industrial facilities and electric utilities. Since both sunlight and hot weather precipitate its formation, ozone is primarily a summer pollutant. Both urban and rural areas can have high levels of ozone due to airborne transport of pollutants from hundreds of miles away.

Stormwater Regulations

The EPA is working on crafting an updated version of its existing stormwater rule by June 2013 with final action by December 2014. This rule is tied to a settlement agreement with the Chesapeake Bay Foundation on pollution in the Chesapeake Bay. The proposed rule may impact all Phase I, Phase II and non-regulated Municipal Separate Storm Sewer Systems (MS4).

Currently, medium and large local governments with populations of more than 100,000 hold MS4 permits, as do small MS4s in urbanized areas. Under the most recent proposal, performance standards for discharges from new development and redeveloped sites will be established.

For new and redevelopment sites, which include residential, commercial, industrial and institutional, EPA is considering a retention-based standard that takes into account regional conditions. EPA says the standard could be applied strictly to development sites nationwide (outside of existing MS4s) or only those sites that discharge to an MS4.

SpeedRead »»»

- » Ozone quality standards could drop to 60 ppb–70 ppb
- » Stormwater regulations tied to Chesapeake Bay settlement

If the EPA goes with the first option, the permit requirements rest with the developer during construction. After construction, the property would be required to maintain the standards as laid out under the permit.

Construction enforcement rests with the permit authority, which is generally the EPA or the state. However, since some states have transferred oversight authority to local governments, this may mean additional responsibilities for local authorities.

Additionally, EPA is considering other options: extend the oversight of the current MS4 program; require large regulated local governments to manage discharges from existing sites, and designated government-owned maintenance yards as industrial sources.

Waters of the U.S.

On Feb. 21, EPA and the Army Corp of Engineers sent the final "waters of the U.S." guidance to the OMB for review. The guidance has yet to be finalized.

The waters of the U.S. guidance stems from an April 21, 2011, proposal to expand federal jurisdiction over U.S. waters by modifying the existing waters of the U.S. definition in the Clean Water Act (CWA).

This guidance has implications for counties with public infrastructure such as roads, ditches, flood control channels and culverts. It also has implications for other Clean Water Act (CWA) programs beyond the Section 404 permit program, the dredge and fill permit program, to programs such as the National Pollution Discharge Elimination System (NPDES), Total Maximum Daily Load (TMDL), state water quality standards and constructed wetlands.

In response to the draft guidance, NACo submitted a letter requesting the EPA and Army Corp of Engineers withdraw the Draft Guidance and instead move forward through a formalized rule-making process.

NACo also requested a more detailed analysis on how the proposed changes will impact all CWA programs, beyond Section 404, for federal, state and local governments, and private parties, as well as an analysis of the time needed and associated costs.

Stormwater Runoff from Logging Roads

On Nov. 30, the EPA released its final rule on Revisions to Stormwater Regulations to clarify that a NPDES permit is not required for Stormwater Discharges from Logging Roads.

For the purpose of assessing whether stormwater discharges are "associated with industrial activity," the only facilities considered "industrial" are rock crushing, gravel washing, log sorting and log storage. The EPA goes on to say that "immediate access roads" that are used exclusively or are primarily dedicated to the above activities are regulated. However, "immediate access roads" do not include public access roads that are federal, state or county management roads.

This rule is in response to *Decker v. Northwest Environmental Defense Center (NEDC)*, which is currently being considered in the U.S. Supreme Court for stormwater runoff from logging roads. In the final rule, the EPA clarifies that logging roads do not require stormwater permits and essentially overturns the 9th Circuit decision in *Decker*.

It is likely this rule will be challenged in court over whether the EPA has the authority under the Clean Water Act to exempt stormwater runoff from logging roads as an industrial activity.

EPA sets new beach clean-up standards

On Nov. 26, the EPA released new recreational water quality criteria (RWQC) for coastal and noncoastal waters used for swimming, surfing and diving. The limits were last updated in 1986.

The new RWQC sets new limits for *E. coli* and *Enterococci* bacteria. States will use the new standards to set criteria for when beach clean-ups are needed and when public notifications must be issued.

Two sets of numerical standards are part of the RWQC, both of which protect the designated public use of the water, and thus protect the public from exposure. Within the RWQC, magnitude, duration and frequency are measured.

According to the EPA, these "recommendations are intended as a guidance to states, territories and authorized tribes in developing water quality standards to protect swimmers from exposure to water that contains organisms that indicated the presence of fecal contamination."

L.A. County to host NACo Annual Conference in 2016

BOARD *from page 1*

sense of urgency, stay relevant, strengthen its research and be pro-active. "The status quo isn't an option," he said. "We have to lead change."

He added NACo must know politics and understand the process, but to be successful it cannot just focus on the White House and Capitol Hill. It must engage the business community, the media and the public in telling the county story, he said.

The building blocks for the future are advocacy, education, networking and research, he said, adding that NACo's mission is "to assist America's counties in pursuing excellence in public service."

NACo President Chris Rodgers, in his President's Report, provided Board members with copies of the book, "Who Moved My Cheese?" Rodgers encouraged Board members to read the book because it offers ideas for dealing with what the country and counties are facing now.

Photos by Tom Goodman

NACo President Chris Rodgers (second, right) discusses Board responses to a question about county corrections programs. Several panels discussed the results of a poll of the Board members, taken at their meeting, about the critical issues facing county governments nationwide. Other panelists included (l-r): Larry Long, County Commissioners Association of Ohio; Commissioner Roy Brooks, Tarrant County, Texas; Carole Moehrle, Nez Perce County, Idaho; Rodgers; and Eugene Smith, Dunn County, Wis. county manager.

2013 Legislative Priorities

The seven key legislative priorities chosen by the Board for 2013 are:

- protect the federal-state-local partnership for Medicaid
- support key federal investments in programs that promote local job creation and economic growth
- oppose unfunded mandates
- promote county priorities within immigration reform
- protect county revenue and investment strategies
- support revenue-sharing and payment in lieu of taxes programs, and
- support rural development initiatives and the Farm Bill.

Annual Conference Sites

The board also voted on future sites for NACo's annual conference, held during the summer each year. The approved future conference sites include Los Angeles (Long Beach), Calif. in 2016; Franklin County (Columbus), Ohio in 2017; and Davidson County (Nashville), Tenn. in 2018.

Dave Keen, NACo chief financial officer, said the budget reflects overall savings with modest adjustments to reflect new and shifting priorities. Three staff positions have been eliminated, he said. At the same time, there will be increased focus in research, grant development, education and training, corporate member support, and Internet and social media.

Keen said the association is ending 2012 with a projected surplus of $214,000. The reasons he gave for this "healthy balance sheet" are:

- membership revenue up $167,000
- deferred compensation program revenue up $121,000
- higher attendance at the Western Interstate Region (WIR) Conference
- Healthy Counties sponsorships up $40,000
- LUCC and RAC sponsorships up $33,000, and
- savings from vacancies.

In addition, investments gained nearly 8 percent, he said.

The Board also voted to give the staff three more months to develop a proposal to offer discount medical services to county residents. The proposal would either add the medical services and the Dental Discount Program to the existing Prescription Discount Card Program or combine the medical services with the dental program. The possible services include vision (eyeglasses), diabetic services, hearing aids, lab imaging and others.

The Board heard a presentation by Paul Stebbins, executive chairman, World Fuel Services Corporation, a Fortune 75 company and a member of the CEO Council of the Campaign to Fix the Debt. Stebbins spoke about the problems if the nation's debt is not brought under control and the methods that could be used to achieve debt control.

Polling Session

On the final day of the meeting, Board members participated in an electronic polling session and discussed national issues critical to counties and the country. The issues included the fiscal cliff, jobs and economic development, health care, immigration, transportation and the election process.

Concerning the fiscal cliff, 62 percent of the Board members said they felt President Obama and the Republicans in Congress will reach an agreement to avert going over the cliff, while 30 percent said they did not think an agreement would be reached.

Sixty-eight percent of the members said that if the automatic cuts and tax increases go into effect it will have a major effect on their counties. In a panel discussion,

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Federal debt ceiling also a fiscal cliff issue

The nation's debt ceiling once again looms as the spark to congressional brinkmanship that could threaten the slowly recovering economy.

The U.S. Department of Treasury has announced that the U.S. will probably hit its $16.4 trillion borrowing limit by the end of the year at the same time that Congress will be dealing with the automatic tax hikes and large government spending cuts scheduled to kick in Jan. 1, 2013. According to the Bipartisan Policy Center, the government could hit the limit as early as the final week this month.

The Congressional Budget Office and most economists predict another recession in 2013 if the confluence of tax increases and spending cuts take place. Adding to the fiscal anxiety is the possibility that skirting close to the debt limit could lead to a second downgrade of the U.S. credit rating.

In mid-2011, a bitter standoff over the issue led to the first credit revision, which, according to the Government Accountability Office, cost taxpayers nearly $1.3 billion. The Treasury Department said that it could take "extraordinary measures" to juggle the nation's finances to give Congress and the White House additional time to work on a debt-limit increase. But even with those steps, the government could face a possible default in early 2013. As of Dec. 14, the U.S. debt was $16.4 trillion.

Supervisor Liz Kniss, Santa Clara County, Calif., makes a point during discussions about poll results.

Board poll says entitlement reform a key issue for 'Grand Bargain'

BOARD *from page 10*

Board members cited infrastructure, community development, and health and human services as major concerns associated with the fiscal cliff. Thirty-two percent said it will have a minor effect.

The top three items that Board members felt should be included in a "Grand Bargain" are entitlement reform (25 percent), reduction in federal tax deductions and closing loopholes (25 percent), and tax rate increases (21 percent). Board members did not support reducing the mortgage interest deduction, the deductibility of local property taxes, or the tax-exempt status of municipal bonds.

There were break-out sessions following the polling discussions to assess NACo programs and services and the issues facing counties.

Catching up with one another during a break at the Board of Directors meeting: (l-r) NACo Immediate Past President Lenny Eliason, NACo Past President Glen Whitley and NACo Second Vice President Riki Hokama.

Partner contributions amplify project outcomes

5 STAR *from page 6*

diverse groups, including at least five participants from local governments, corporations and businesses, schools and youth groups, environmental and citizen organizations, as well as representatives of federal and state government agencies.

Partners can contribute cash or in-kind donations and should match the grant funds at a ratio of approximately one-to-one.

Partner contributions amplify the effect of these grants on local economy, spurring economic activity often three or four times as much as the grant. They show measurable benefits to the community including ecological, educational and economic benefits.

To apply for a Five Star-Urban Waters grant, go to *www.nfwf.org/fivestar*. In addition to the application, this site also has information about the grants, past projects and partnerships. Applications are open until Feb. 7, 2013.

If you have any questions, please contact James Davenport at *jdavenport@naco.org* or 202.661-8807.

NACo and its partners: the National Fish and Wildlife Foundation and the Wildlife Habitat Council, and in cooperation with the Environmental Protection Agency, USDA Forest Service, National Oceanic and Atmospheric Administration (NOAA), Southern Company, FedEx, Wells Fargo, and others have made these grants available through the Five Star-Urban Waters partnership.

Since its beginning in 1999, Five Star-Urban Waters has provided more than $7.6 million for local restoration projects across the U.S. These projects have invested more than $24.2 million in matching funds and contributions from community partnerships. They continue to create benefits for counties in water-and air-quality improvement. The program has funded 585 projects so far, and new program partners ensure many more will come.

2013 NACo Legislative Priorities

Photo by Tom Goodman

Members of the executive committee and staff review NACo 2013 policy priorities. Pictured are (l-r) Commissioner Joe Giles, Erie County, Pa.; Commissioner Joe Bryan, Wake County, N.C.; Commissioner Robert Cope, Lemhi County, Idaho; Immediate Past President Lenny Eliason; Second Vice President Riki Hokama; First Vice President Linda Langston; and (standing) Ed Rosado, NACo legislative affairs director.

At its fall meeting, NACo's Board of Directors adopted seven key legislative priorities that will guide NACo's overall advocacy efforts in the new 113th Congress.

Protect Federal-State-Local Partnership for Medicaid

NACo members support maintaining the federal-state-local partnership structure for financing and delivering Medicaid services. We also oppose cuts, caps, block grants or any other measures that would further shift federal and state Medicaid costs to counties.

Support Key Federal Investments in Programs that Promote Local Job Creation and Economic Growth

NACo members support fully funding key federal programs and investments that support the nation's future economic growth, including the Community Development Block Grant (CDBG) and HOME programs, the Economic Development Administration (EDA), investments in local workforce development programs, and investments in highway, transit, aviation, port and water infrastructure development.

Equally important, we support investments in programs that support the federal safety net, including Medicaid, social services, justice and public safety programs, and other domestic programs that are essential to creating and maintaining jobs in healthy, safe and vibrant communities.

Oppose Unfunded Mandates

NACo members are constantly vigilant against legislative or regulatory initiatives that undermine local government decision-making authority and contribute to reductions to our economic prosperity and workforce. We oppose any new unfunded or underfunded mandates or federal initiatives that fail to protect county investments, including efforts which seek to undermine the authority of state and local governments with respect to public pension and retirement benefits reform, as well as efforts to use federal environmental and other statutes to overregulate county projects and programs.

Promote County Priorities within Immigration Reform

NACo members oppose federal efforts that would place the financial burden of immigration on the backs of counties without sufficient funds for health, public safety and education services. We support comprehensive immigration reform that includes a modernized legal immigration system, establishes a temporary worker program, provides an earned path to citizenship and enhances border security.

Protect County Revenue and Investment Strategies

NACo members support the preservation of the federal deductibility of local property and income taxes and the tax-exempt status of municipal bonds that provide critical funding for infrastructure and development. Furthermore, we support legislative initiatives that permit the collection of sales and use taxes from remote sellers. However, we oppose any efforts that would preferentially treat any industry seeking to create its own special immunity from state and local taxation.

Support Revenue Sharing and Payment in Lieu of Taxes Programs

NACo members support extending full mandatory funding for the Payment in Lieu of Taxes (PILT) Program as well as legislative efforts to reform and fund the expired Secure Rural Schools (SRS) program. PILT compensates counties for tax-exempt federal land within their boundaries.

Support Rural Development Initiatives and the Farm Bill

NACo members support federal investments in rural development and will work to prioritize and increase the flexibility of these investments through a Farm Bill reauthorization and funding for USDA Rural Development programs. These programs assist rural counties in their efforts to partner with all sectors to develop water-wastewater infrastructure, community facilities, broadband, electric, housing, renewable energy and capital for businesses.

California carbon market could benefit counties

By Cara Martinson
CSAC Senior Legislative Analyst

As Superstorm Sandy swept through the Northeast, spreading destruction in densely populated areas, some pointed to the storm as a warning sign of future climate change impacts. Whether the warnings prove to be accurate, Sandy has brought a renewed focus on climate change and the potential consequences of global warming.

While the global debate about how to forestall climate change continues, progress is being made at the state and local level. California has been at the forefront of climate change regulation with its Global Warming Solutions Act of 2006, which established regulatory and market mechanisms to achieve real, quantifiable and cost-effective greenhouse gas (GHG) emissions reductions in the U.S.

In November, California took the next big step towards achieving its climate goals with its first cap-and-trade allowance auction. Much like the emissions trading programs of the European Union, and the U.S. market to reduce acid rain, California's cap-and-trade program works by setting a statewide cap or limit on GHG emissions from the state's largest polluters.

Entities that fall under the cap, such as oil refineries and large industrial facilities, have the flexibility to decide how to meet their overall reduction requirement by either reducing their own GHG emissions or purchasing "allowances" that allow them to emit a specific amount of GHG.

While not covered under the cap, local governments in California are following the progress of the cap-and-trade program with a keen eye on the amount of revenue the program is intended to generate. Although the California Air Resources Board describes monetary proceeds from the cap-and-trade program as a secondary benefit and not the program's main goal, the state is expected to generate a significant amount of revenue.

Much like an initial public offering or IPO of stock in the financial world, the price of carbon is the subject of some price speculation, with some experts predicting upwards of $1 billion generated in the first year. The first auction held on Nov. 14 generated approximately $289 million — much less than expected — but more auctions are scheduled for the coming year.

Nevertheless, with the potential for state revenue — large or small — for GHG-reduction activities as a result of the auctions, the California State Association of Counties (CSAC) is making a hard case for investing locally in climate projects, allowing local governments to be the delivery agent for the state's GHG-reduction goals and providing them the opportunity to reap the benefits locally.

Counties across California are already making significant investments that will advance clean and efficient energy, protect natural resources, promote sustainable infrastructure development and create local jobs.

For example in Northern California, Sonoma County's Energy Independence PACE (Property Assessed Clean Energy)Program has already financed nearly 1,800 renewable energy projects, with an estimated annual GHG reduction of 4,944 metric tons per year. In coastal Santa Cruz County, the county's methane-capture and cogeneration system captures more than 90 percent of landfill-generated methane and converts it to electricity, producing roughly three megawatts of power, which is fed back into the grid, enough to power about 3,000 homes in the community. In Southern California, Los Angeles County is using a sustainable road treatment that will markedly reduce GHG emissions while reducing the cost of road rehabilitation by recycling existing asphalt concrete pavements in place, eliminating the need to produce new material or transport it to the worksite.

CSAC is working to promote and secure funding for local programs like these.

Meanwhile, the infusion of cap-and-trade dollars for local projects will not only help counties to continue work in their own communities, it will also help California meet its overall GHG-reduction goals. With the right amount of enlightened cooperation, the state and counties can be valuable partners in this historic endeavor.

Douglas County marijuana sales ban to serve as model

POT VOTE *from page 1*

swift action was motivated by marijuana's unpopularity at the polls in Douglas County. Over the past 12 years, four popular votes have failed to legalize either medical or recreational marijuana use.

"It was a no-brainer," Holmes said. "The county needed to act quickly to send a message that we would respect the voters' wishes. The voters told us precisely what to do, and that's what we did."

Meanwhile, on the state's western border, Amendment 64 passed with a 79 percent vote in San Miguel County. Plans are already in place to adapt zoning regulations.

Planning Director Mike Rozycki said the county is following the blueprint from medical marijuana implementation and will adapt those licensing provisions.

He is not sure how long the state will maintain two similar sets of regulations, one for medical marijuana use and one for recreational.

The County Board has identified an industrial park where four or five medical marijuana dispensaries have operated without incident.

County officials are waiting for a governor's task force and state Department of Revenue to write new regulations concerning retail sales, though.

"We have a number of local businesses there, close to the sheriff's office and jail, removed from residential areas and schools," Rozycki said. "We expect we'll see growers make use of natural light for their grow operations, and possibly move into larger warehouse space. It will be good for property taxes and reduce electricity costs."

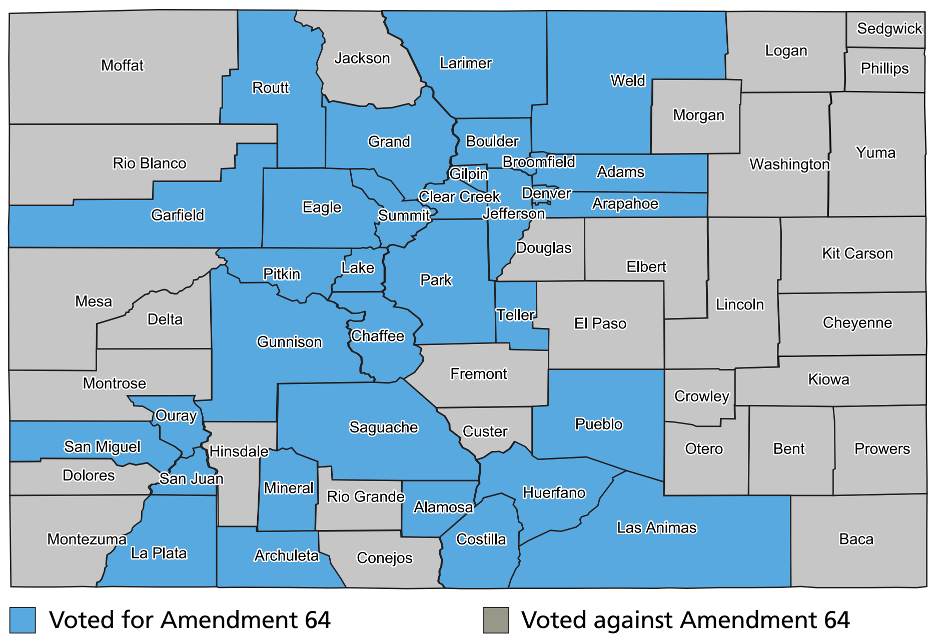
The amendment passed with 55 percent of the vote statewide in Colorado, with 31 of the state's 64 counties voting to approve the measure. In the end, more people voted on the Amendment 64 question then on the presidential ticket: 1,382,991 vs. 1,322,998.

Gov. John Hickenlooper (D) issued an executive order Dec. 6 immediately codifying the amendment, a month ahead of schedule, though the federal government position on marijuana is still an issue, since it remains illegal. The Centennial State has had legal medical marijuana laws for 12 years.

"The Department (of Justice's) responsibility to enforce the Controlled Substances Act remains unchanged," said U.S. Attorney John Walsh. "Members of the public are also advised to remember that it remains against federal law to bring any amount of marijuana onto federal property, including all federal buildings, national parks and forests, military installations and courthouses."

Much like with alcohol regulations, the amendment makes it legal for anyone over the age of 21 to possess or transport up to one ounce of marijuana and grow up to six plants. It may not, however, be consumed — smoked or otherwise — in public. The state department of revenue must adopt regulations for the implementation of a licensing program by July 1, 2013. The Legislature has to set an excise tax, which voters would have to approve.

Counties voting 'for' and 'against' Ammendment 64



The Colorado Center on Law and Policy projects that Amendment 64 will add $14.5 million annually in new local sales tax revenue.

"Ultimately, regulating marijuana like alcohol in Colorado would result in immediate savings, and it will quickly grow into a major new revenue stream for our state and localities," said Mason Tvert, communications director for the Marijuana Policy Project. "It will also create jobs, generate millions of dollars for our state's struggling school construction program, and provide business to a number of ancillary industries (real estate, construction, legal, marketing, etc.)."

Hickenlooper created a task force to manage implementation, which will include Eric Bergman, CCI policy and research supervisor.

"As you might imagine, there are a million questions around it," Bergman said. "The phrase 'public use' is a problem. What is public? In your car? There's a lot to clarify."

Counties have until Oct. 1, 2013 to have licensing regulations in place. Bergman said CCI is recommending counties that are unsure about how to proceed enact a temporary ban. Banning commercial activity, however, may create a black market in those counties, he said.

"Some counties that aren't morally against it may ban it just because it's so uncertain," he said. "They can always revise the ban, that's the advice we've been giving — if in doubt, snuff it out."

**See this story online at www.naco.org/countynews to view a presentation by Colorado Counties, Inc. about Amendment 64 and Douglas County's ordinance.*

Research News

Emergency Services Look to the Future

When an emergency strikes a county resident, timely and adequate emergency care is critical. With many areas experiencing an increase in emergency calls, counties are implementing new and innovative ways to provide lifesaving services to their residents.

Orange County, N.C. saw a 68 percent increase in calls for emergency services between 2000 and 2010. A work group, including stakeholders and residents, was established by the county commission to recommend ways to respond to the increase in demand, especially in rural areas.

As part of the solution, GPS units were installed in all ambulances to determine and dispatch the closest vehicle. In addition, the department moved from a 24-hour shift schedule, during which employees were allowed to sleep, to a 12-hour shift schedule so that no responders must be awakened in order to respond. Ongoing improvements include the hiring of more staff, installation of new communications software and additional ambulances stationed throughout the county.

Counties have also noted that some of the increase in call volume to 911 was for non-emergency situations. The joint EMS for Lake and Sumter counties, Fla. estimated about 10 percent of all calls are for non-emergencies. To combat this increasing number, a public education program was launched called *WhentoCall911.com*.

The campaign goal was to not only reduce calls in non-emergency situations but also to provide the public with strategies to use in case of a medical emergency, such as what to do while waiting for an ambulance and what information to provide to first responders.

The campaign included the website as well as billboards, newspaper advertisements, presentations at local community groups and other outreach efforts directing residents to the website. This reduction has the effect of saving tens of thousands of dollars by lowering the cost of providing ambulance service, as well as reducing write-offs.

> **... the area that previously had the worst response time improved dramatically, seconds near the best response time in the county**

Gaston County, N.C. experienced an increasing emergency call volume and high turnover among paramedics. To address these issues, a plan was implemented that included pay adjustments for employees as well as additional deployments to reduce response time and reduce workloads for responding units.

The county created a quick-response vehicles program to supplement ambulances in the corners of the county. Staffed by one paramedic, these vehicles are dispatched to calls where the paramedic assesses the type of emergency situation.

If basic or advanced life support is needed, the paramedic provides care until either a local rescue squad or a paramedic ambulance arrives for transport. If the patient needs to be transported immediately, the paramedic provides care while being transported by a rescue squad EMT or volunteer firefighter.

With this new strategy, the area that previously had the worst response time improved dramatically, to within seconds of the best response time in the county.

Population growth and an expansion of the suburbs of Lexington County, S.C. created challenges in addressing the increase in call volume and the increased response time for emergency services. While GPS devices were installed in all emergency vehicles and GIS data was utilized by the county, there was no system to give real-time information to each vehicle as well as to dispatch.

To address this need, the county and local vendors collaborated to create a solution that involved installing mobile data terminals in each ambulance. These terminals connect to the central GIS database and other location information. When a call is dispatched to a unit, the mobile data terminal determines the best route for the ambulance from the current location by including factors such as time of day and current traffic conditions. This smart-routing technology assists drivers in finding new routes and provides the quickest response to residents.

For rural communities, response time an important factor in serving, as is the ability of first responders to provide care en route to distant hospitals. By using advanced technology and communication, the Fire Rescue squad in rural Camden County, Ga. can now help identify the most serious heart conditions and the most dangerous type of heart attacks while in an ambulance.

By having an EKG machine and other equipment on board, the STEMI program (ST-Segment Elevation Myocardial Infarction) provides first responders with the tools necessary to diagnose the condition and bypass the local hospital that is not equipped to handle these cardiac events.

While in transit to the cardiac hospital, care is provided to the patient as a team at the hospital is provided with critical reports in order to begin treatment as soon as the patient arrives. This program provides the best chance for survival for advanced cardiac victims and is improving health care for residents.

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

Word Search

Douglas County, Neb. Facts

Learn more about this featured county in 'What's in a Seal?'

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

ANTELOPE (hunted by Indians in 1800s)
BENNINGTON (city in county)
BUFFALO (hunted by Indians in 1800s)
LEWIS AND CLARK (famous explorers passed through on their expedition)
LINCOLN (opponent of Douglas, elected president in 1860)
MISSOURIS (Indian tribe forced out in 1854)
OMAHA (city)
OTOES (Indian tribe forced out in 1854)
RALSTON (city)
SARPY (surrounding county)
SAUNDERS (surrounding county)
STEPHEN DOUGLAS (famous U.S. Senator county is named after)
VALLEY (city)
WASHINGTON (surrounding county)

Created by Christopher Johnson

The H.R. Doctor Is In

An HR Doctor Holiday Card

'Twas the night before Christmas
And throughout County Hall
Not a bureaucrat was stirring
No sounds heard at all

The janitor's night off, the alarm systems set
The beacons for security and decorations met
The ambient light kept the stars out of sight
No Bethlehem star could be seen on that night

Those bringing gifts were turned back at the door
No gifts could be given, auditors hired galore
No risk of polluting the ethics machine
Even frankincense and myrrh would have to be screened

While Christmas and Chanukah meet in December
We seem to forget what we all should remember
Of friendship and family, of futures so bright
Of civil behavior and doing what's right

The holidays tell us of great lessons learned
A safer and better world to be earned
Give gratitude and joy — the greatest gifts, we believe
It's better to give than it is to receive

With Love and Best Wishes
for a "Service to Others" Holiday Season…

Phil Rosenberg, HR Doctor
Charlotte Rosenberg, HR Spouse
Elyse Rosenberg, HR Daughter
Rachel Brown, HR Doctor Daughter
Toby Brown, HR Son-in-Law
Evie Brown, HR Grand-toddler

www.hrdr.net

News From the Nation's Counties

Photo courtesy of Draganfly Innovations Inc.

▶NORTH DAKOTA

The **GRAND FORKS COUNTY SHERIFF**'s Department has received a federal license to use a small helicopter drone in law enforcement across 16 counties in northeast North Dakota, WDAY-TV news reported.

The 2-pound Draganflyer X6 is outfitted with a camera and can be easily carried around in the back of a squad car. Grand Forks Sheriff Bob Rost said the device could be used in requests for mutual aid such as the search for a lost child or escaped prisoner, or to monitor hazardous incidents.

The county is working in partnership with the University of North Dakota (UND), which will provide remote pilots from its aviation program. Alan Frazier, UND aviation professor said the aircraft will also be used for crime scene accident scene photography.

"It's important that we take baby steps in this," Rost said, "because this is new technology and we want to make sure we do everything right."

The Sheriff's Office is leasing the aircraft for $1 a year, thanks to UND grants.

▶CALIFORNIA

Paleontologists from the **SAN BERNARDINO COUNTY** Museum found fossils of the elusive **saber-toothed cat** in the Nevada desert north of Las Vegas.

The team from the museum has spent more than a decade combing through the Las Vegas Wash area in Tule Springs looking for fossils from the Ice Age, according to the *Los Angeles Times*.

Despite uncovering thousands of fossils at more than 400 sites, the scientists found little evidence of the saber-tooth until June, when two broken limb bones were discovered. The museum won a grant from the Bureau of Land Management in 2008 to begin the excavation.

▶COLORADO

• When the final votes were tallied in last month's elections, Colorado saw **68 new county commissioners**, nearly a third of their total contingent of 219, and six all-female county boards.

Continuing the distaff demographic, 40 of the 68 new commissioners are also female. And drilling even further into the data, come January 2013, three of the five commissioners on the **ARAPAHOE COUNTY** Board will be named "Nancy."

• The **BOULDER COUNTY** commissioners announced a **new security plan** for future meetings on hydraulic fracturing.

It calls for the removal of individuals who "elect not to participate in civil discourse," and the prosecution of people who threaten the safety of others at meetings. The statement condemns the "bullying atmosphere" the board says was created by anti-fracking activists at a hearing at the Boulder County Courthouse.

The meeting, held to discuss proposed oil and gas regulations, was delayed for more than half an hour when protesters began chanting their opposition and demanding the commissioners resign if they refused to ban fracking. Boulder police were called to the scene after the meeting and took a report regarding the harassment, according to the city's online police blotter, the *Denver Post* reported.

▶FLORIDA

• A report by Integrity Florida and the Leroy Collins Institute found that a majority of 45 Florida counties surveyed **now require ethics training** for elected officials, restrict gifts to officials from lobbyists and regulate contracting practices. The groups found most have designated a county point person for ethics issues.

The report, "Tough Choices: Florida Counties Bridge the Ethics Policy Gap," highlights exemplary policies in **BROWARD**, **DUVAL**, **LEON**, **MIAMI-DADE**, **ORANGE**, **PALM BEACH** and **SARASOTA counties**.

Twelve of the 45 counties surveyed had adopted ethics codes stronger than state law. Palm Beach, Miami-Dade and Duval have their own ethics commissions, and five counties have their own inspectors general.

• **PALM BEACH COUNTY** plans to **drop its ban on new Internet cafes** that allow casino-style gaming without facing state gambling regulations.

In March, the county imposed a yearlong ban on allowing more of the fast-spreading, arcade-style establishments that have been springing up in shopping centers across south Florida. The temporary moratorium was intended to allow time to consider whether more local rules were needed about where and if the popular gaming sites should be allowed, the *Sun Sentinel* reported.

The County Commission chose to leave it to the Florida Legislature to take up the matter of potential future regulations for the gaming sites, contending that it's a statewide issue.

▶INDIANA

Officials from **LAKE**, **PORTER** and **LAPORTE counties** are considering participating in the state's $4.6 million **global information systems mapping program**.

The mapping will be conducted using aerial photography that will help provide three-dimensional topographical images. The last time the state was mapped was in 2005 with a laser radar.

If the three counties commit their portion of the dollars to the project, the National Parks Service will pay for mapping its land within the three counties thereby reducing each county's individual cost, the *Post-Tribune* reported.

▶ILLINOIS

To address long-brewing curiosity about other victims of condemned murderers, like John Wayne Gacy, claimed, the **COOK COUNTY** Sheriff's Department created DNA profiles of the killers to **help solve cold cases**.

It's hoping to prompt authorities in other states to submit the DNA of their own executed inmates or from decades-old crime scenes, the Associated Press reported.

The Illinois testing, which began during the summer, is the latest chapter in a story that began when Sheriff Tom Dart had the remains of Gacy's unknown victims exhumed to create DNA profiles that could be compared with the DNA of people whose loved ones went missing in the 1970s, when Gacy was killing young men.

That effort led to the identification of one Gacy victim. Last year, authorities in Florida created a DNA profile from the blood of executed serial killer Ted Bundy in an attempt to link him to other murders.

Plans are underway to exhume the bodies of Richard Hickock and Perry Edward Smith, convicted of the murders written about by Truman Capote in his best-seller, "In Cold Blood."

▶NEVADA

The state will provide **CLARK COUNTY** with $35 million in federal transportation funding for an airport connector project to **settle a lawsuit** over money the state took from the county to balance the state budget, the Associated Press reported.

Clark County sued the state to recover $103 million in property taxes the state took in 2009. Washoe County settled a similar dispute with the state for $7.2 million.

▶PENNSYLVANIA

The Pastafarians will have to string their spaghetti on someone else's tree this year. A motion before the **CHESTER COUNTY** Commission on the group's request to place a satirical holiday display on the historic county courthouse lawn died for lack of a second.

The group worships the spaghetti monster as their god, according to *Examiner.com*.

Current county policy on displays, in place since November 2010, permits only county owned figures — a holiday tree, a crèche, a Menorah, holiday banners, a tribute to veterans and toy soldiers — on the courthouse lawn.

During discussion at the meeting, Commissioner Ryan Costello said, "I don't stand in judgment of people's beliefs no matter what they are, God, multiple gods, spaghetti or lasagna. Whatever you want to worship, this is nothing the government can do to stop you. I just don't think that this is where our focus should be now. We have something in place and I think we should follow it."

See **NEWS FROM** *page 15*

What's in a Seal?

» Douglas County, Neb.

www.douglascounty-ne.gov

Douglas County, Neb. was founded in 1855. Named after former U.S. Senator Stephen A. Douglas, the county is one of the most populous in the state with 463,565 people.

About a year ago, Commissioners Pam Tusa and Mary Ann Borgeson discovered there were five county seals, but no one could verify that any of them had officially been adopted.

A committee of county employees, dubbed the County Government Awareness Committee, was formed to find a new county seal in a contest that would be similar to Nebraska's competition to design the state's new license plates.

More than 20 entries were submitted with lifelong Douglas County resident Michael Angel Chavez selected as the winner.

The triangles around the seal's outer circumference were inspired by Chavez's visit with an architect who told him that geometric shape provides the strongest foundation. The two flying eagles represent the freedom Douglas County provides to everyone. The buildings are part of the skyline observed from his South Omaha home.

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

Financial Services News

The Role of Defined Contribution Pension Plans

On an almost daily basis, public sector pension plans make media headlines: they are too generous, underfunded, create additional fiscal stress on public sector employers.

These headlines refer to traditional or defined benefit pension plans. A recent report explores how defined contribution plans can contribute to an employee's base of retirement support from their defined benefit and Social Security accounts.

The report, issued by the Arthur N. Caple Foundation, the National Association of Government Defined Contribution Administrators, and the Center for State and Local Excellence, notes that pension reforms at state and local levels increase the importance of defined contribution plans to supplement employees' retirement income.

The report notes that a defined contribution plan "does not promise a specific amount of benefits at retirement. In these plans, the employee or the employer (or both) contribute. The employee will ultimately receive the balance based on contributions and investment earnings."

Key report findings include:

- Between 2009 and 2011, 43 states enacted pension reforms — ranging from lowering levels of income for new employees, current workers and, in some cases, retirees.
- Experts predict a continuing trend toward reliance on defined contribution plans.
- A predicted increase in hybrid plans — a combination of defined benefit and defined contribution plans.
- The definition of what constitutes an adequate retirement varies — with revenue benchmarks ranging from 70 percent to 100 percent of pre-retirement income.
- State and local pension administrators are using tools to make saving and investing easier and more structured.
- Automatic enrollment is an effective way to encourage participation in voluntary defined contribution plans.
- Employers need to assess what tools they need and keep in mind that the primary goal is income security.
- Core defined contribution plans require the same fiduciary and management focus as defined benefit plans.
- A best practice recommended in the study is that participants in a defined contribution plan have access to lifetime income options that will protect them against longevity risk, and
- Financial literacy and counseling can help employees improve their investment and retirement planning choices.

The 30-page report, "The Evolving Role of Defined Contribution Plans in the Public Sector," was written by Paula Sanford and Joshua M. Franzel, and is available on the Center for State of Local Government and Excellence website at *www.slge.org*.

(Financial Services News was written by Lisa Cole, director, NACo Financial Services Corporation.)

County police cruiser heralds choice of rides

NEWS FROM *from page 14*

▶TENNESSEE

Counties now can decide whether to require "**wheel tax**" **decals** on vehicle license plates, thanks to a new state law prompted by the a county clerk's suggestion. The tax is a vehicle registration fee.

RUTHERFORD COUNTY will save about $13,000 by not issuing separate wheel tax stickers. Clerk Lisa Duke Crowell said there also will be a savings in staff time by not having to keep track of inventory and handle the stickers, according to the Associated Press.

She approached a State Legislator about the change and the County Commission asked the State Legislature to do away with the requirement. "They realized the county could save money and do away with an outdated requirement," she said

State Sen. Bill Ketron said the idea was "just something that made sense," and when county officials proposed it, "We whipped up a bill quickly to make it happen."

▶VIRGINIA

Anti-drunken driving advocates recently unveiled the "**Chooser Cruiser**" in **ARLINGTON COUNTY**.

The two-faced vehicle is painted as a hybrid taxicab and police cruiser — county police car front, yellow cab rear with the message "choose your ride." The car is a joint initiative with the Arlington County Police Department, Arlington's Red Top Cab and the nonprofit Washington Regional Alcohol Program.

"Every drunk-driving incident is 100 percent preventable," Arlington Police Chief Doug Scott said. "People have a choice in how they're transported at the end of an evening."

The vehicle will make appearances throughout the holiday season at public sites to remind drivers of the dangers of drunken driving. According to the National Highway Traffic Safety Administration, 25 percent of all drunk-driving deaths in the U.S. occur in December.

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

NACo on the Move

» NACo Officers and Officials

- NACo President **Chris Rodgers** spoke about his presidential initiatives and NACo legislative priorities at the Nebraska Association of County Officials Annual Conference in Buffalo County Dec. 14.
- **Rodgers**, along with NACo Executive Director **Matt Chase**, also addressed members of the California State Association of Counties at their Annual Meeting in Los Angeles County Nov. 26–27.
- NACo Immediate Past President **Lenny Eliason** spoke about NACo at the Ohio Association of Counties annual conference in Franklin County (Columbus) Dec. 9.

» NACo Staff

- **Julie Ufner**, associate legislative director, spoke before the National Conference of State Legislatures (NCSL) Environment Committee during NCSL's 2012 Fall Forum in Washington, D.C. Dec. 5–7. Ufner was also a panelist for a session on Clean Water Act Jurisdiction – Defining "Waters of the U.S." Dec. 6.
- **Anita Cardwell**, program manager, spoke about the Affordable Care Act at the Iowa State Association of Counties' Fall School of Instruction in Polk County Nov. 29.
- **James Davenport**, program director, and **Stephanie Osborn**, deputy director, participated in the Digital Coast Partnership meeting in Charleston County, S.C. Nov. 28–29. The focus of the meeting was to continue to identify, develop and share the resources coastal managers need via the Digital Coast.

On the Move is compiled by Christopher Johnson.

Model Programs From the Nation's Counties

York County, Va.

Simple List Makes Storm-surge Prep Easy

By Charlie Ban
STAFF WRITER

Not all storms are created equal, which leads to some homeowners' surprise when a storm surge reaches a house that had otherwise been safe when the water rose before.

These problems came to a head in York County, Va. after a series of storm surges over a decade. The county measures its storm surges against a 1933 hurricane, which was nearly matched by Hurricane Isabel in 2003, Hurricane Ernesto in 2006, and very high tides with the remnants of Hurricane Ida in 2009.

Luckily, 2011's Hurricane Irene did not bring the storm surge the county feared, but the run up to the storm saw a lot of confusion among residents and questions that emergency managers thought were answered by county resources. Chief among them, "Is my home in a storm surge zone?"

With mandatory evacuation orders varying on the peninsula that includes Yorktown and Jamestown — the first permanent English settlement in North America — many residents' preparations were complicated by being unable to read technical maps made available by county Geographic Information Systems (GIS) technicians to follow the contours of storm surge maps.

The answer, Paul Long, said, was stripping away the bells and whistles from the information and giving it to users in a basic form. A searchable list of addresses and their corresponding storm surge zones. Long is the county's deputy coordinator of emergency management.

"The old maps were leading a lot of our residents, who are not familiar or comfortable with computers, into an area they weren't ready for," he said. "That meant, during a storm, we were getting dozens of calls asking to clarify information. We had to make the information clearer and easier to access."

The GIS mapping option remains, but now a simple, text-only file contains every address in the county and its corresponding storm surge zone. Using a Web browser's "find" function, a user can plug in an address and be taken to its listing. Information on how to use the "find" function is included in the introduction to the system.

Long has already seen a reduction in the number of phone calls asking to about storm surge zones, particularly when Superstorm Sandy approached in October and November. Because the county already had the necessary information, there was no cost to producing the document, aside from staff time.

"It's another tool for our residents to use," Long said. "We repackaged what we already had in a way that's easier for a lot of people to handle."

An added benefit, Long said, was that now the storm surge information could be accessed via smartphone, which was not feasible for most people using the mapping system.

Photo courtesy of York County, Va.

Hurricane Isabel in 2003 caused flooding throughout York County, Va.

Model Programs from the Nation's Counties highlights award-winning programs.

Use a smartphone scanner app to read the QR code in this story to access York County's automated storm surge look-up tool.

New name, same service tradition

The new name on the street is County Solutions and Innovation (CSI) Department. It's the successor to NACo's County Services Department.

CSI's portfolio of services include: research; education services and professional development; events and meetings; grants; special projects; program areas such as Justice and Public Safety, Healthy Counties, Green Government; and business development and corporate relations — a new addition to the department's portfolio.

CSI will continue to focus on high service standards, while ramping up support for NACo's legislative objectives, special projects, technical assistance to counties and outreach to the corporate community.

Tony Jamison, business development associate, a new addition to CSI, will help boost corporate outreach and Katie Bess, former intern with the County Intelligence Center project, joins the Research Division, which is expected to play a significant role in NACo's legislative advocacy efforts.

In the technical assistance arena, CSI scored a new grant that will help the association promote "County Leadership for Flood Preparedness and Community Resilience." Motorola Solutions Foundation awarded NACo the $80,000 public safety grant.

If you would like more information about any of CSI's services, contact Dan Gillison, CSI director, at *dgillison@naco.org*.