NACo National Association of Counties
County News
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NACo releases study on county economic recovery patterns

By Emilia Istrate Ph.D.
RESEARCH DIRECTOR

As the president prepares to deliver the State of the Union and talk about the state of the U.S. economy and national priorities, NACo released *County Tracker 2013: On the Path to Recovery*, an analysis of the recovery patterns across the 3,069 county economies in 2013. The dynamics within county economies affect the capacity of counties to deliver services and meet their financial obligations.

The County Tracker analyzes the annual changes of four economic performance indicators — economic output (GDP), employment, unemployment rates and home prices — during the recession, recovery and 2012–2013 period across the 3,069 county economies.

The focus of the report is on the county economy and not on the county government. County economies are the building blocks of regional economies (metropolitan areas and micropolitan areas), states and the nation. County governments ensure the functioning of these fundamental units of the U.S. economy by building and maintaining basic infrastructure assets, keeping communities healthy and safe and providing the social safety net for those in need.

Looking back, 2013 was a year of growth, but the recovery remains fragile. By 2013, the economic output (GDP) in about half of all county economies recovered or did not decline over the last decade. Home prices were in the same situation. But this is only part of the story. Jobs recovered in one quarter of county economies, and unemployment is back to pre-recession levels in only 54 county economies. The low unemployment recovery rates show the fragility of the recovery.

The recovery has also been uneven. All counties—large, midsized or small—have been affected by the recession but the patterns of recovery vary significantly.

Large county economies — in counties with more than 500,000 residents — were at the core of

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Photo by Charlie Ban

NACo President Linda Langston (right) and Sen. Mary Landrieu (D-La.) discuss urging passage of the Homeowner Flood Insurance Affordability Act following a Capitol Hill news conference Jan. 7.

Flood insurance bill nears Senate vote

By Charlie Ban
STAFF WRITER

NACo President Linda Langston and Second Vice President Sallie Clark joined four Louisiana parish presidents and several U.S. senators to encourage Senate passage of the Homeowner Flood Insurance Affordability Act (S. 1846), at a Capitol Hill news conference Jan. 7.

It is scheduled for a vote the week of Jan. 12.

The bill, sponsored by Sen. Robert Menendez (D-N.J.) would delay, for four years, residential rate increases in the National Flood Insurance Program — a result of 2012's Biggert-Waters Act — until the Federal Emergency Management Agency can complete an affordability study. Supporters point

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County News Features

NCCAE presidents, executives get low-down on budget dealings

By Charles Taylor
SENIOR STAFF WRITER

Short-term budget issues are being addressed in Washington, but don't expect much movement on meatier issues such as entitlement spending and structural deficits before a new U.S. president takes office in 2017, a federal budget expert—now with the National Governors Association—told state association of counties' officials meeting in Washington, D.C.

Barry Anderson, deputy director of NGA, addressed members of the National Council of County Association Executives' (NCCAE) during their presidents and executive directors meeting Jan. 9. He formerly worked at the White House Office of Management and Budget, the Government Accountability Office, the Congressional Budget Office and the International Monetary Fund.

"We see the probability of president Obama working with Majority Leader (Harry) Reid and Speaker (John) Boehner over the next three years and coming out with some real solutions on this as about nil," said Anderson, echoing a conclusion reached by the bipartisan Committee for a Responsible Federal Budget, of which he is a member.

On the plus side, don't expect more government shutdowns or budget sequesters in the next few years, he added. Congressional appropriators, facing a Jan. 15 deadline, might overshoot the mark by a little, but he doesn't foresee an-

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LATE BREAKING NEWS

As County News went to press, The U.S. Department of the Treasury announced that final regulations, to be issued shortly, on the Affordable Care Act's employer mandate will exempt the hours of volunteer fire fighters and other local government and non-profit emergency responders from triggering the insurance coverage mandate. County News first reported on the issue Oct. 21, 2013.

Pa. high court upholds local control over fracking

By Charles Taylor
SENIOR STAFF WRITER

It's a victory for local oversight of hydraulic fracturing — at least temporarily. The Pennsylvania Supreme Court struck down part of a state law that barred localities from using their zoning powers to guide where fracking is allowed. But early this month, Gov. Tom Corbett (R) asked that the state Supreme Court reconsider its decision before sending the case back to a lower court.

The high court ruled 4–2 in mid-December that a section of Act 13, the state's oil and gas law, is unconstitutional. Notably, it invalidated a provision that requires "statewide uniformity among local zoning ordinances with respect to the development of oil and gas resources," according to the court's majority opinion. This sends the case back to the lower Commonwealth Court that originally heard the case.

"This is clearly a very important case in Pennsylvania and one that I think significantly changes the balance between state and local government in favor of local government," said Chuck Thompson, executive director of the International Municipal Lawyers Association.

Thomas Linzey, chief counsel for the Community Environmental Defense Center, called it the most important decision on local control to come out of the Pennsylvania Supreme Court "in 150 years," in that it said "municipalities have lives above and beyond what's given to them by the state, and there are certain things the state can't interfere with."

Cities, townships and boroughs in Allegheny, Bucks and Washington counties were among the plaintiffs.

"We were extremely pleased with the Supreme Court's ruling that the drill-everywhere provision was unconstitutional," said John M. Smith, an attorney who represented several of the municipalities.

Photo by Jane Phillips/The New Mexican

After Pennsylvania, Mora County, N.M. is another battleground over local regulation of fracking. Mora County last year became the first U.S. county to enact a ban on oil and gas extraction. That ban is now being challenged in federal court.

Unaffected by the court's ruling are the impact fees the gas industry pays the state — which are allocated to qualifying counties — for extracting gas from the Marcellus Shale. Act 13 empowered counties with "unconventional gas wells" within their borders to collect this fee to offset drilling impacts. Thirty-six of Pennsylvania's 67 counties receive shale gas impact fees.

Doug Hill, executive director of the County Commissioners Association of Pennsylvania, said the lower court will look at whether the zoning provisions' having been found unconstitutional has any negative effect on the other provisions of the law, such as the impact fees.

"We don't see that there's a great threat that that's going to happen," he said. "We think the law is written to be severable, with the Legislature's anticipation being that if one piece went down, the remainder of the law still stands by and large. But it's in front of the courts; it will need to be argued."

While the Pennsylvania ruling is not binding in other states, Linzey said it "has a good bit of persuasive authority in other places, and I can see it being leveraged in those other places to protect these local municipal bans."

Mora County, N.M. is one such place, where the county passed a ban on extraction of oil and gas last year. It's being challenged in federal court by the Independent Petroleum Association of New Mexico and three Mora County landowners, and Linzey is on the county's defense team. Elsewhere in the West, municipalities in Colorado — Fort Collins and Lafayette — are also being sued for fracking bans their voters passed last November.

Linzey said Mora County's ban is a "bill-of-rights ordinance" that attempts to expand county residents' civil, political and environmental rights, and holds that fracking and oil and gas extraction violate those rights.

County Commissioner John Olivas said opposition to oil and gas drilling in the county was a part of the platform he ran on in 2010, and he voted for the ban. The sprawling but largely rural 1,933-square-miles county, near Santa Fe and Taos, has about 4,900 residents.

"The rights-based ordinance that we passed is the rights to clean air, clean water and clean environments," he said. "We don't have a lot of financial resources in our community, but we definitely have clean air and clean water. When an industry would come in and compromise that, I don't think we want to do that."

Linzey said the case against Mora County could be long-lived. He predicted that after the U.S. District Court in Albuquerque rules — perhaps by the end of this year — either side could appeal, and the case could make its way to the U.S. Supreme Court.

"It's probably going to be with us for the next three to five years," he said. "So it's going to be more of a slow burn than a quick fire."

SpeedRead » » »

- » Pa. law took away local zoning authority over fracking sites
- » Mora County, N.M. faces suit over fracking ban
- » Two Colorado cities also face litigation

In Case You Missed It

News to Use From Past County News

» Save the Date: NACo National Cyber Symposium

The NACo National Cyber Symposium will be held April 9–11 in Douglas County (Omaha), Neb. Take this opportunity to collaborate with your peers on best practices, build policies and foster awareness about cybersecurity and the threats that counties face.

For registration and lodging information, visit *www.naco.org/cybersymposium.*

Questions about the symposium? Contact Karon Harden at *kharden@naco.org* or 202.942.4277.

» County News Mini-Topics: Volunteers and Counties

Missed the Mini-Topic on Volunteers and Counties in the December 16 edition of *County News*?

For informative stories along with links on volunteer information, visit *www.countynews.org* and click on County News Archives > 2013 County News Issues > December 16.

LETTERS to the EDITOR

Hydraulic Fracturing Not a Boom for Environment

This is in response to the pro hydraulic fracturing article in the November NACo County News (*Hydraulic Fracturing Brings Economic Boom to North Dakota Counties*, Research News, Nov. 18. 2013). The article detailed the number of jobs and tax revenue created by the hydraulic fracturing industry in North Dakota.

Due to an exemption received by this industry, hydraulic fracturing is exempt from the Clean Air Act and the Clean Water Act. Industry studies show that 5 percent of the concrete linings around the well casings leak initially and 30 percent to 40 percent may eventually leak.

I believe this industry may offer short-term benefits but is a real danger to not only our atmosphere with the release of methane gas but also our precious water resources. The large volumes of water needed for fracking and the risk of contamination to the aquifers are significant issues.

These water resources cannot be replaced and the costs shouldn't be undervalued as two-thirds of our lower 48 states suffer from drought. There is ample history of environmental damage by this industry in Pennsylvania, Texas and Wyoming. Long after the gas and oil has been extracted, our citizens should be able to expect clean air, clean water and a livable atmosphere.

— Stephen Reid
Dekalb (Illinois) County Board Member

Farm bill, approps take stage in second session of 113th Congress

By Marilina Sanz
ASSOCIATE LEGISLATIVE DIRECTOR

As the second session of the 113th Congress began Jan. 6, leadership in both chambers outlined what they hope to accomplish in the coming weeks, including issues of great interest to counties such as appropriations, the farm bill and water resources.

The most pressing issue concerns appropriations because the current Continuing Resolution expires Jan. 15 and leaders want to avoid a repeat government shutdown.

The chairs of the appropriations committees, Rep. Harold Rogers (R-Ky.) and Sen. Barbara Mikulski (D-Md.), have been working on an Omnibus Appropriations bill that would fund the federal government through the rest of the fiscal year. The advantage of an omnibus bill is that it gives the appropriators more flexibility in allocating funding priorities. They hoped to produce a $1 trillion bill draft as early as Jan. 8, but while Transportation, HUD, Commerce, Justice, Science and Military Construction and Veterans appropriation bills are reportedly ready, negotiations were not complete in some of the most contentious bills, particularly Labor, HHS, Education, and Interior and Environment.

The differences stalling Labor and HHS appropriations involve not only funding levels but also policy riders on the Affordable Care Act. For Interior and Environment, disagreement centers on language to curtail Environmental Protection Agency rules. Mikulski has not ruled out a short-term CR if negotiations linger.

In a letter to the Republican Caucus Jan. 3, House Majority Leader Eric Cantor (R-Va.) included two other measures of interest to counties as priorities for January: completion and passage of the farm bill (S. 954/H.R. 2642) and the Water Resources Development Act (WRDA) (S.601/H.R. 3080). The nutrition and commodities titles continue to be the topics of contention in the farm bill negotiations, but progress has been made on NACo's rural development priorities.

The main difference in WRDA negotiations continues to be the process for selecting U.S. Army Corps of Engineers projects, but the bills also contain language regarding the role of state and local governments in decision-making processes, and pilot programs that allow local governments the lead role in implementing projects and studies, dealing with levee safety and invasive species.

While the congressional agenda for the remainder of the session is in flux, given the fact that it is an election year, there are three NACo priorities that may see floor action: transportation, workforce and immigration reform. The House Transportation and Infrastructure Committee will begin its hearings on reauthorizing MAP-21 (the Moving Ahead for Progress in the 21st Century Act, Jan. 14. Committee Chair Bill Shuster (R-Penn.) has said that MAP-21 is his priority after passage of a water resources bill. Senate Majority Leader Harry Reid (D-Nev.) is reportedly ready to proceed with the Workforce Investment Act (WIA) reauthorization bill (S. 1536). The House has already passed its version of the WIA legislation (H.R. 803), which undermines the role that county elected officials currently play in the workforce development system.

Cantor's list for the year also mentions potential action on immigration reform. There is no mention of a timetable, but the closer they get to the elections the more difficult it will be to pass.

Finally, the announcement that Sen. Max Baucus (D-Mont.) will be nominated to be ambassador to China has added uncertainty to the prospects for major tax reform. Sen. Jay Rockefeller (D-W.Va.) is next in seniority on the Finance Committee, but he is retiring. Sen. Ron Wyden (D-Ore.) is therefore expected to be the next chairman. Wyden has long been a proponent of tax reform but he has not been involved in discussions with House Ways and Means Committee Chairman Dave Camp (R-Mich.).

Letter to Congress urges FY14 PILT funding

More than 750 counties and 15 state associations have signed a letter urging Senate and House appropriators to provide PILT funding for FY14.

The letter, which was also sent to House and Senate leaders, was one in a series of steps NACo has undertaken to secure critical PILT funding for the nation's public lands counties. It was sent to Capitol Hill, Jan. 7 and follows on the heels of a joint letter from NACo and the Western Governors' Association also urging payment in lieu of taxes (PILT) funding.

The federal budget resolution adopted late last year includes a deficit-neutral reserve fund placeholder for PILT. "With this bipartisan acknowledgment to fund the program, we respectfully request that the program be fully funded and appropriately offset in the upcoming appropriations bill," NACo said in the letter.

"We urge you to consider the economic hardship that counties across the nation will face if the PILT program is not given consistent funding."

The PILT program provides payments to counties and other local governments to offset losses in tax revenues due to the presence of tax-exempt federal land in their jurisdictions. Counties with federal land in their jurisdictions often provide vital services on those lands, such as solid waste management, search and rescue and emergency medical services. Delay or reduction of PILT dollars would disrupt county operations.

The failure of Congress to approve funding has sparked media attention across the country from the *Washington Post* to the *Albuquerque Journal.*

House and Senate negotiators are quickly trying to finalize an omnibus appropriations measure as current government funding runs out on Jan. 15. Without congressional action, the country would face the possibility of another government shutdown.

(Beverly Schlotterbeck, executive editor, and Ryan Yates, associate legislative director, contributed to this report.)

NACo joins 'rails-to-trails' Supreme Court brief

By Lisa Soronen
STATE AND LOCAL LEGAL CENTER

NACo has signed onto the State and Local Legal Center's (SLLC) *amicus curiae* brief in *Marvin M. Brandt Revocable Trust v. United States* involving the question of who owns abandoned federally granted railroad rights of way. The SLLC's brief argues that the court should rule in favor of the United States instead of the landowner whose property the right of way runs through. Such a ruling will preserve the ability of counties to establish "public highways" on abandoned railroad rights of way. Counties typically convert them into "Rails-to-Trails."

In 1908, the United States granted the Laramie, Hahn's Peak and Pacific Railroad Company a right of way to build a railroad over public land pursuant to the General Railroad Right of Way Act of 1875. In 1976, the predecessor to the Marvin M. Brandt Revocable Trust bought land in Wyoming surrounding part of this railroad right of way. In 2004, the railroad abandoned the right of way. The trust argued that it owns the abandoned right of way. The 10th Circuit disagreed concluding that a number of federal statutes provide that the United States retains a "reversionary interest" in General Railroad Right of Way Act of 1875 rights of way.

If the Supreme Court agrees with the lower court, counties will benefit. A federal statute, if found applicable by the court, grants the United States title to abandoned railroad rights of way unless a "public highway" is established on the right of way within one year of abandonment. Public highways include recreational trails.

The Supreme Court usually accepts cases where at least two federal circuit courts of appeals have ruled differently on the same issue. In a similar case, *Samuel C. Johnson 1988 Trust v. Bayfield County, Wisconsin*, the 7th Circuit ruled against Bayfield County, Wis., who intended to build a snowmobile trail on an abandoned railroad right of way.

The SLLC *amicus* brief argues that state and local governments have long relied on the federal statutes relevant to this case to build public highways in abandoned railroad rights of way. The SLLC's brief also argues that legislative history indicates that the United States retained an interest in rights of way granted under the General Railroad Right of Way Act of 1875.

The National Conference of State Legislatures, the National League of Cities, the International City/County Management Association, U.S. Conference of Mayors, the International Municipal Lawyers Association and the American Planning Association also signed onto the SLLC's brief.

Oral argument has been scheduled for Jan. 14. The Supreme Court will issue an opinion in this case by June 30, 2014.

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Start planning for 'ready and resilient' NCGM

By Jim Philipps
MEDIA RELATIONS MANAGER

How many times have you heard a resident say, "Wow, I didn't know that the county did *that*." A most effective way to help educate your residents about *Why Counties Matter* is to celebrate National County Government Month (NCGM) in April.

The key to organizing a successful program is to assemble a team and start planning today. The National Association of Counties (NACo) has free resources available on its website to get you started.

This year's theme is Ready and Resilient Counties: Prepare. Respond. Thrive. The theme complements NACo President Linda Langston's focus on how counties prepare and respond to natural disasters and emergencies or any tough situation that counties may face such as economic recovery or public health and safety challenges.

"Counties really do matter," Langston said. "During my travels around the country it is clear that we still have much work to do in educating folks about why counties matter, and so I ask that you consider joining your colleagues around the nation this year to participate in National County Government Month."

Since 1991, NACo has encouraged counties across the country to actively promote county government programs and services. Counties participate in NCGM by hosting a variety community outreach events and activities. These include tours of county facilities, recognition ceremonies for county employees and volunteers, distributing of information about county programs and services, sponsoring student essay or art contests, meetings with business and community leaders and adoption of resolutions.

Many counties go big with their program, such as Pontotoc County, Okla., which last year under the Smart Justice theme held a Smart Justice, Health and Safety Fair. The event, held on the plaza of the county courthouse, featured booths from the sheriff's department, district attorney's office, judge's office, Oklahoma Highway Patrol, United Way, Legal Aid, county elected officials, 4-H, emergency management, Cooperative Extension Service and Pontotoc County Literacy Group among others. Visitors were treated to free hot dogs and drinks provided by a local bank.

Hidalgo County, Texas promoted several of its programs including the Justice and Mental Health Collaboration Program, Veterans Treatment Court and the county drug court program. Also, students were able to "shadow" court and district clerk staff performing their daily responsibilities and activities, and a district clerk open house was held.

Many counties execute news media and social media campaigns to promote talk about county innovations, programs and services. In Sierra County, N.M. the local radio station broadcast 30 days of county related "Questions of the Day" to educate the public about the county's services and programs. The North Carolina Association of County Commissioners encouraged its counties to celebrate NCGM and featured a segment on its monthly television show.

Another good way to celebrate NCGM is to promote the NACo programs that benefit your residents. Last year, the Board of Commissioners in Franklin County, Ohio recognized NCGM and announced that the county was participating in

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NACo members invited to submit resolutions

WEB* CONTENT

NACo members are invited to submit interim policy resolutions in preparation for NACo's 2014 Legislative Conference, March 1–5 in Washington, D.C. The NACo resolution process provides members with the ability to participate in national policy decisions affecting county governments.

During the Legislative Conference, NACo's 10 policy committees and Board of Directors consider legislative and policy resolutions that will be active until the NACo Annual Conference in July 2014.

How to Submit and Format Resolutions

All resolutions and platform changes must be submitted electronically (preferably in a Word document) via email to *resolutions@naco.org* by Jan. 29. Submissions must identify the title and issue area in the email subject line (i.e. CDBG Appropriations, Community and Economic Development).

Resolutions should be concise and no more than one page in length. The standard format includes:

- **Issue:** Short sentence stating the purpose of the resolution
- **Proposed Policy:** Concise statement specifying a position or action by NACo and/or other entities
- **Background:** 1–2 paragraph statement clearly outlining the county interest in the particular issue
- **Fiscal-Urban-Rural Impact:** Short statement addressing the potential impact(s) for counties in the specific issue area and
- **Sponsor:** Name and contact information of NACo member sponsoring the resolution. It is important to include contact information so that the NACo staff can follow up if there are any questions or additional information required.

It's important to note that if you plan to submit a resolution, you (or a designated representative) must appear in person at the steering committee meeting at the 2014 Legislative Conference to introduce and explain the resolution.

Platform Changes and Existing Resolutions

Platform changes are considered only at the Annual Conference. Interim resolutions, such as those considered during the Legislative Conference, cannot be used to overturn or modify existing resolutions or language in the platform.

Emergency Resolutions

Steering committees may also consider other resolutions that were not submitted by the bylaws-stipulated deadline, which is 30 days before the conference begins. However, the federal legislative or regulatory matters with which emergency resolutions may deal should be urgent in nature, meaning that they could not have been foreseen 30 days prior to the conference.

Steering committees receiving emergency resolutions may consider them only if two-thirds of the steering committee members who are present vote to review them. This vote, and the vote resulting in the adoption or defeat of the actual resolution, must be tallied and reported at the conclusion of all steering committee meetings.

Please contact NACo's Legislative Director Deborah Cox at dcox@naco.org or the appropriate steering committee liaison with additional questions or concerns. To view the Legislative Department contact list, go to www.naco.org > Advocacy > Legislative Staff.

**To access the County Platform, view a sample resolution, review the resolution process or register for the Legislative Conference, see this story online at www.countynews.org.*

Profiles in Service

» Alisha R. Bell

Vice Chair, Next Generation NACo
Member, Justice & Public Safety Steering Committee
Vice Chair, County Commission
Wayne County, Mich.

Number of years active in NACo: 11 years
Years in public service: 11 years
Occupation: Vice chair, Wayne County Commission
Education: B.A., Florida A&M University; M.A. education, University of Nevada – Las Vegas
The hardest thing I've ever done: run for public office.
Three people (living or dead) I'd invite to dinner: Harriett Tubman, W.E.B. DuBois and Michelle Obama.
A dream I have is to: visit the continent of Africa.
You'd be surprised to learn that: in 2003, I was the youngest African American woman elected to a county commission board.
The most adventurous thing I've ever done is: moved to Las Vegas for four years.
My favorite way to relax is: going to the spa.
I'm most proud of: giving away hundreds of prom dresses annually to girls in need.
Every morning I read: *The Detroit Free Press* and *The Washington Post*.
My favorite meal is: my homemade lasagna.
My pet peeve is: people that complain without giving solutions.
My motto is: "To much is given, much is required."
My favorite movie is: *The Contender* starring Joan Allen and Jeff Bridges.
My favorite music is: jazz and house music.
My favorite President is: Barack Obama.

NOTICE: Coal Counties

NACo is hosting a meeting of coal-producing counties during its 2014 Legislative Conference in Washington, D.C at the Washington Hilton, March 1–5.

The meeting, tentatively scheduled for Sunday March 2, at 4:30 p.m., will explore national and global trends affecting coal production and provide an opportunity for networking and idea exchange.

TO LEARN MORE, please contact Commissioner Gordon Topham of Sevier County, Utah, *gtopham@sevier.utah.gov*.

‘Banning the box’ gains momentum in counties

More counties foregoing ‘criminal conviction’ question for job applicants

By Charlie Ban
STAFF WRITER

For a job applicant with a criminal record, it’s a stumble right out of the gate.

“Have you ever been convicted of a crime?”

It’s a question 10 counties, 10 states, the District of Columbia and more than 45 cities, including five independent cities, have removed from initial applications for public jobs in hopes of widening their search for applicants. By virtue of the states passing such bills, 379 counties will not ask a similar question to applicants for their jobs, once California counties fall in line with their Legislature.

Such a policy does not prevent an employer from asking about an applicant’s criminal record or conducting a background check, but delays it until the applicant has advanced through the initial recruiting stages.

Genesee County, Mich.’s Board of Commissioners is debating such a measure, and was deadlocked on the issue during its December meeting, though proponent Commissioner Omar Sims said he expected the policy to pass when it was reintroduced.

“A lot of our department heads have an unwritten rule that they’ll consider people regardless of their criminal history,” he said. “That’s great, but the people who would be affected don’t know that. Hopefully a change in our official policy will let these job applicants know what we already practice, for the most part.”

Sims said some resistance to the change had come out of concern for the safety of children, so the question may be changed to asking if the applicant had been convicted of a crime against children.

“We’re willing to compromise to make this happen; there are a lot of people I’ve worked with who have paid their debt to society and should not feel intimidated to reenter the workforce for the county. We’ll take all the precautions, but we have to look out for our disenfranchised residents. That could have been me.”

Cumberland County, N.C. changed its hiring policy in September 2011.

“We wanted to make sure we’re diligent in considering applicants and that their qualifications are considered first and foremost,” said James Lawson, the assistant county manager for human resources. “With this process, they get to the interview and they have the opportunity to explain any issues they’ve had in their past.”

Lawson added that the county was concerned if the question could violate the Equal Employment Opportunity Commission’s guidelines because it would have a disparate effect on minorities.

At the same time that Cumberland’s commissioners removed the question, they also approved a more in-depth background check when candidates reach the interview stage.

“We didn’t have any resistance from our departments when we were working the policy out,” Lawson said. “They knew it could bring in qualified applicants who would have been scared away the question. It’s part of due diligence in recruiting.”

After its introduction in Hawaii in 1997, the “ban the box” trend has picked up with the City and County of San Francisco adopting its policy in 2005.

“There’s absolutely a deep stigma attached to having a criminal record, and when someone thinks of a criminal record, they probably assume it’s for a violent conviction,” said Michelle Natividad Rodriguez, a staff attorney for the National Employment Law Project “A record could mean any number of things, including minor arrests, convictions that are decades old, or other reasons that applicant wouldn’t be a risk on the job.”

The California Legislature recently passed a statewide ban the box law, which will compel counties to change their policies to match.

In testimony to the state’s Senate Labor and Industrial Relations Committee in 2013 about the statewide bill, then-Alameda County Labor Relations Analyst Jody Pollak said the county has not seen any negative or adverse consequences from its 2007 policy change and the county’s screening standards had not been compromised.

“Requiring criminal background screening only after applicants have been determined to be qualified for the job has actually been a much more effective use of County resources,” she told the committee. For a position with more than 1,000 applicants, “rather than having to screen over 1,000 applicants for criminal background information, we ended up only having to screen 50,” she. “For that reason again we found it to be a far more efficient use of our time to conduct our process in this way.”

Alameda County also provides notice to applicants when there is such a disqualifying conviction.

“In fact what we hear from members of the community is that they are far more likely to apply for a position with Alameda County based on this change that we made,” she said.

More than four times as many cities have removed the question than counties, and most counties that changed their policies have been urban, though Rodriguez said the support of rural areas in California helped the statewide bill pass.

“It benefits communities to see that as many people are working as can,” she said.

Rhode Island and Minnesota’s statewide policies also extended to private employers.

“Governments can leverage their contractors to adopt similar policies, if they aren’t ready to expand the policies to cover all private employers in their jurisdictions,” Rodriguez said.

States, counties and independent cities that have ‘banned the box’

California	Baltimore City, Md.
Colorado	Saginaw County, Mich.
Connecticut	Muskegon County, Mich.
District of Columbia	Cumberland County, N.C.
Illinois	Durham County, N.C.
Maryland	Lucas County, Ohio
Masschusetts	Multnomah County, Ore.
Minnesota	Travis County, Texas
New Mexico	Newport News, Va.
Rhode Island	Norfolk, Va.
Alameda County, Calif.	Portsmouth, Va.
San Francisco County, Calif.	Richmond, Va.
Santa Clara County, Calif.	

NACo resources available to help counties plan

NCGM 2014 *from page 4*

the new NACo Dental Discount Program. If your county participates in the NACo Prescription/Health Discount Program, announce the total savings as a result of the program and how many families it helped save money.

Involving students is a popular way to not only educate the public about your county but also to expose young people to careers in public service. For example, Cape May County, N.J. freeholders welcomed student representatives to a meeting as part of county government month. Fifteen students representing eight high schools participated in the event that concluded with the students conducting both the caucus and regular meetings of the freeholders after spending the day learning about the role of county government.

A booklet full of ideas to celebrate NCGM will be available Jan. 17 on the NACo website under the Learn About Counties section. The booklet contains suggested community activities, a draft proclamation, a sample news release and media outreach strategies. Also on the NCGM web page, you will find free downloads for logos, banners and posters with the 2014 theme and blank space for your county to localize and “make it your own.”

NACo wants to know about the activities and programs you have planned so they can be shared with other counties. Please use the online form on the NACo website or contact Jim Philipps at 202.942.4220 or *jphilipps@naco.org*. Be sure to send your proclamations, photos and videos of your county’s celebrations. Those files can be uploaded via the online form as well or sent directly to Philipps.

Interoperability planning grants awarded to 49 states

By Yejin Jang
ASSOCIATE LEGISLATIVE DIRECTOR

WEB* CONTENT

Grants to help states and local governments prepare for building out interoperable communications networks for public safety personnel have been awarded to 49 states. The grants, awarded by the State and Local Implementation Grant Program (SLIGP) through “FirstNet,” or the First Responder Network Authority, were mandated by Congress to assist in creating a nationwide interoperable wireless broadband network.

On Jan. 16, NACo will hold a webinar on FirstNet with FirstNet board members and a representative from the National Telecommunications and Information Administration (NTIA). They will discuss FirstNet’s congressional mandate and how the SLIGP is intended to collect and channel state and local input in the build-out of the network.

Congress created FirstNet — an independent authority within the U.S. Department of Commerce’s NTIA — and mandated that it build, deploy and operate an interoperable public safety network in consultation with federal, state, tribal and local jurisdictions. To facilitate the consultation process between federal, state, tribal and local jurisdictions, the authorizing legislation created the SLIGP and required that each state designate a single point of contact to coordinate planning and consultation. Each state’s SLIGP amount and point of contact is listed on the NTIA website.

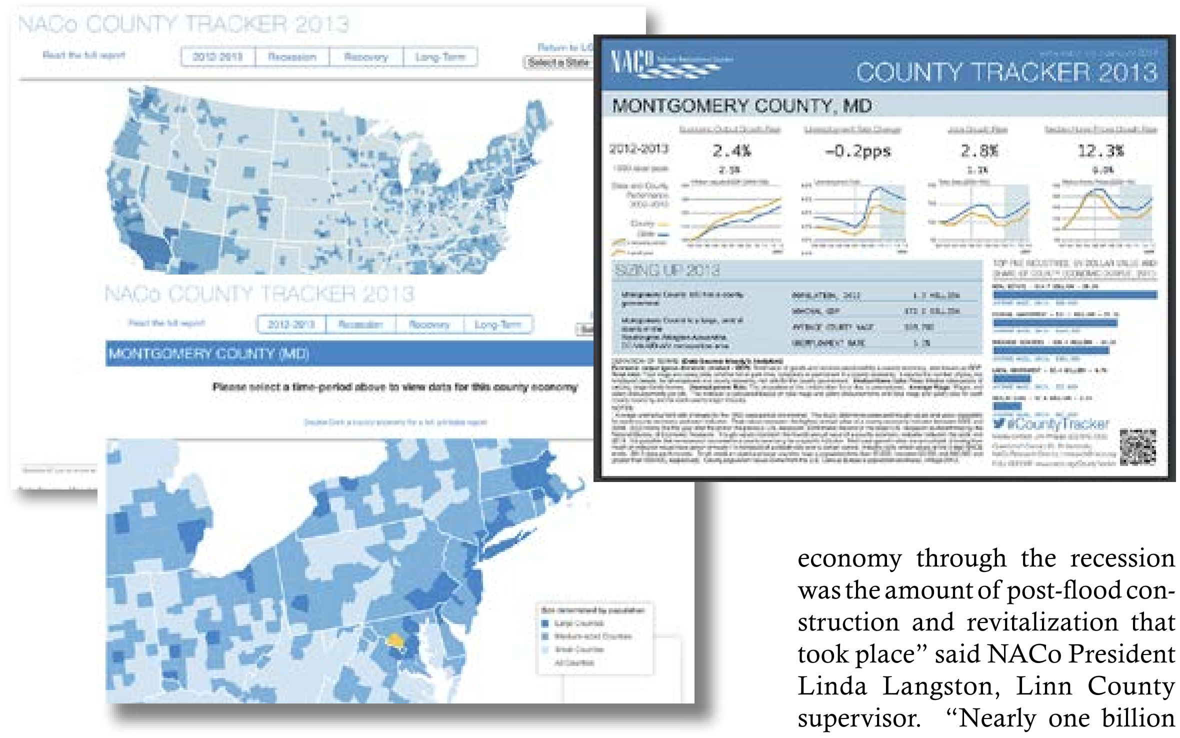
Counties are encouraged to reach out to their state point of contact and contribute to the planning process.

For more information, contact Yejin Jang at 202.942.4239 or *yjang@naco.org*.

**To view award amounts, contact lists, NACo’s fact sheet on FirstNet and to register for the free webinar, see this story at www.countynews.org.*

Large counties in the South bounced back quicker

TRACKER *from page 1*



the recession and recovery. Looking at the jobs gains and losses over the last decade, more than half of the jobs lost during the recession between 2007 and 2010 were in large county economies, but also the majority of the jobs gained during the recovery were found in large county economies.

Large county economies in the South such as in Tarrant County, Texas bounced back quickly.

"While blessed with an economic diversity that enabled us to withstand the national recession better than other areas of the country, we were most impressed with the resilience of Tarrant County's manufacturing and housing sectors, which allowed them to respond quicker to developing opportunities," said Roy Brooks, commissioner, Tarrant County and NACo Large Urban County Caucus (LUCC) chair.

Employment in medium-sized county economies was more stable during the recession, but had a mixed record in 2013. About half of medium-sized county economies — in counties with populations between 50,000 and 500,000 residents — had shorter or shallower job recessions than the national average, more than any other group of county economies. Linn County, Iowa has one of these mid-sized county economies. "One of the factors that helped stabilize Linn County's economy through the recession was the amount of post-flood construction and revitalization that took place" said NACo President Linda Langston, Linn County supervisor. "Nearly one billion dollars was reinvested throughout our community from federal, state, local and private sources in the five years since the flood. Linn County also has the benefit of the value-added Ag industry and expanding new start-up businesses that helped to fully restore us to pre-recession levels."

Small county economies — in counties with fewer than 50,000 residents — evidenced the entire range of recovery outcomes. The only county economy in the country that had no recession based on all four indicators analyzed in the study was Mountrail County, a small county in North Dakota. The oil industry powered the growth in this small county economy.

Another 26 small county economies experienced no declines on some economic indicators or fully recovered across all four indicators by 2013. However, most small county economies recovered on only one indicator out of the four analyzed, usually home prices. The housing boom and bust affected small county economies to a lesser extent than the rest of the country.

This fragile and uneven recovery across county economies adds to the challenges that counties face currently. Most counties survived

See **TRACKER** *page 7*

Federal appropriations should be more settled the next two years

NCCAE *from page 1*

other long-term continuing budget resolution to temporarily fund the government.

"They could pass another short-term CR for another couple of days," he said. "But my message this afternoon to you is that in the near-term, the appropriations world is going to be much more settled and certain, for the next two fiscal years I think," he said. "Beyond that, I don't think we're going to have a default, but we'll go back and forth on the debt limit sometime in March probably, and then pass the new debt limit."

While there may be some budget stability in the near term, is that a win for state and local government? "I don't think so," he said. "State and local governments are generally at the very bottom of the priority list. They only thing I can say is at least the amount of funding is not being cut relative to 2013."

Still, there remains uncertainty about how President Obama's goals of expanding unemployment benefits and raising the minimum wage will play out.

The NCCAE executives and their presidents also heard from Brian Worth, coalitions director for House Majority Whip Kevin McCarthy (R-Calif.) and Wes Kunzel from Sen. Mary Landrieu's (D-La.) office.

While in Washington, Jan. 8–10, NCCAE officials also participated in a White House briefing with the following Administration officials: David Agnew, President Obama's intergovernmental affairs director; Denise O'Donnell, director, Bureau of Justice Assistance; and Victor Mendez, acting deputy secretary of transportation.

Photo by Charles Taylor

Barry Anderson, deputy director of the National Governors Association, speaks to National Council of County Association Executives (NCCAE) officials about federal budgeting and long- and short-term fiscal policy Jan. 9. Previously, he worked for the Government Accountability Office, Office of Management and Budget and Congressional Budget Office.

Photo by Tom Goodman

Commissioner Jeffrey Haste, Dauphin County, Pa., asks a question of Victor Mendez, acting deputy secretary, U.S. Department of Transportation, during a White House briefing for NCCAE officials Jan. 10.

Flood insurance affordability bill would delay rate hikes for four years

FLOOD *from page 1*

to incomplete flood maps and incorrect actuarial tables as contributing to crippling rate hikes that are due to kick in as a result of Biggert-Waters.

"There isn't a state in the country isn't going to be affected," Menendez said. "It's not (just) a coastal issue. We feel it's only right that an affordability study be completed."

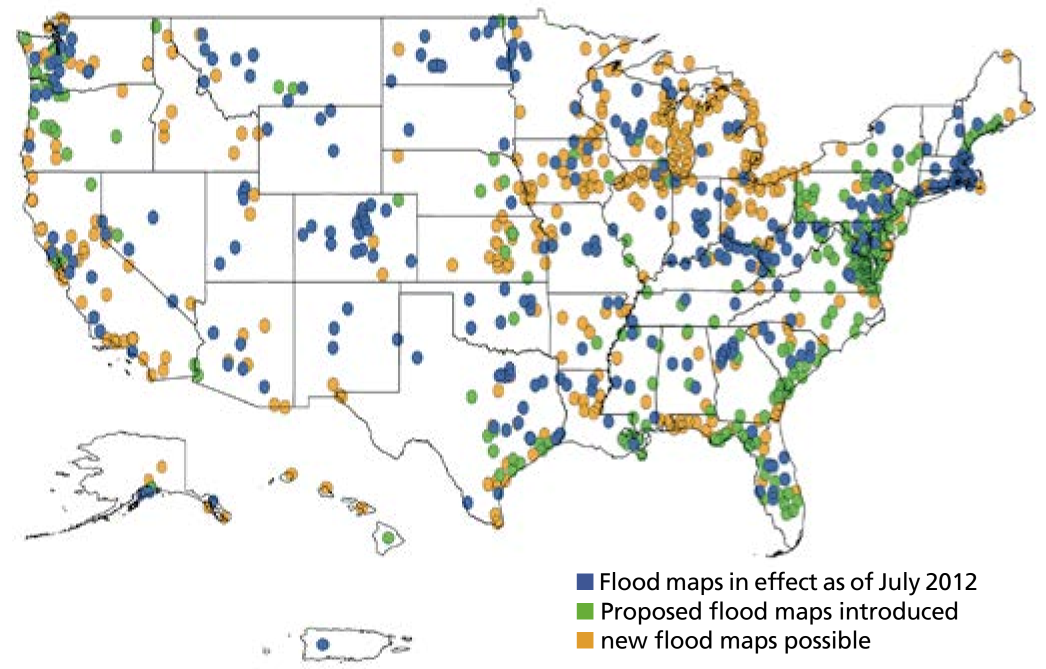
Louisiana Democrat Sen. Mary Landrieu agreed, though prefaced it with her concern for her home state.

"This is probably the most important issue to Louisiana right now, but this is a national issue," she said.

Her opponent in the upcoming Senate race, Republican Rep. Bill Cassidy, has introduced a similar bill in the House (H.R. 3693), which delays premium increases until March 1, 2015.

"This affects every county along a river, any manufacturing community," said Langston, whose Linn County was flooded by the Cedar River in 2008. "The law in place does its job, it gets people to think twice about where they want to build, but the numbers that went into developing the new insurance rates aren't credible. That's why we need an affordability study, to cut out the unanticipated problems."

Flood maps in the U.S.



The Biggert-Waters Act was designed to make the federal government's National Flood Insurance Program solvent, after eight years of debt. The program provides the majority of flood insurance held by U.S. landowners.

Eight months ago, following revised flood plain mapping in Louisiana, Greater New Orleans (GNO), Inc. formed the Coalition for Sustainable Flood Insurance to organize opposition to the Biggert-Waters changes, which the group termed a mass of unintended consequences.

"Fixing flood insurance is both morally right and economically essential," said Michael Hecht, GNO's CEO. "Biggert-Waters could have devastated the economy across the U.S. The fact is that 55 percent of America lives within 15 miles of the coast."

The new flood maps don't accurately assess flood risk because they omit flood mitigation efforts that were not put in place by the Army Corps of Engineers such as pumps.

"Getting these maps right and using the best science and technology available is critically important to getting the opportunity for homeowners to keep the most significant asset of their life together," Menendez said. "If nothing changes, [homeowners] will find [their properties] virtually worthless as prospective buyers balk at onerous premiums."

St. John the Baptist Parish, La. was flooded by Hurricane Isaac in August 2012, affecting approximately 6,000 homes.

Parish President Natalie Robottom said residents received startling news when they returned to their homes — major jumps in their premiums.

"To go through recovering and rebuilding, and on top of that, start to receive flood insurance bills that go from $300 to maybe $5,000, it just doesn't work," she said. "That leaves a lot of people not thinking they can afford to live in their homes, or even sell them."

She extrapolated a wider-spread result of higher insurance premiums.

"That creates a ripple effect that's detrimental to the community, to the tax base, to the school systems, or police department," she said. "We do need to increase the rates for flood insurance, but what [is happening] is unacceptable, it will diminish our communities and the program will eventually dissolve. We understand the need for it to be sustainable, but we can't do it with the mechanism they have in place."

Service delivery hampered in fast-growing counties

TRACKER *from page 6*

through the recession because of their fiscally prudent approaches.

"Los Angeles County would not have weathered the recession as strongly as we did without our focus on fiscal prudency, as well as the partnerships we have with our labor unions, who have foregone cost-of-living increases to avoid furloughs and layoffs," said Los Angeles County Board of Supervisors Chairman Don Knabe, a member of the NACo Large Urban County Caucus (LUCC).

"Our frugality has paid off through the rough economic times. Nevertheless, as we see improvements, we must remain disciplined and continue to operate within our means."

Counties with fast-growing economies, such as Mountrail County have had a hard time keeping up with the necessary service delivery. "The fast growth that Mountrail County experienced for the last several years has been great with jobs, but tough on the county's infrastructure and on the county's residents on fixed incomes," said Commissioner Greg Boschee.

Other counties, with challenged economies are finding new ways to maintain services and prepare their counties for the future, said Matthew McConnell, commissioner, Mercer County, Pa.

"Trying to run county government in a contracting economy and declining population base has its challenges," he explained. But similar to running a business, if you are successful at making your organization as efficient as possible in delivering quality goods or services in trying times, you prepare your organization for greater success during more favorable times."

In addition to their economy situations, all counties face a triple threat from the uncertainty around major federal policy changes, from tax reform, entitlement reform and appropriation cuts that are not accompanied by cuts in unfunded mandates and federal regulations.

"The national economic numbers mask the growth patterns on the ground," said Matt Chase, NACo executive director. "The County Tracker offers a reminder that the U.S. economy happens on the ground, in the 3,069 county economies that provide the basis for county governments.

"As fiscal tightening continues to limit the scope of state and federal investment, it is becoming imperative for states and the federal government to work with counties to maintain the fundamentals of the U.S. economy — county economies."

Webinar spotlights counties' efforts to tackle human trafficking

By Kathy Rowings
JUSTICE ASSOCIATE

WEB* CONTENT

Children as young as 10 years old were being coerced and sold into prostitution in Los Angeles County. Records showed that 80 percent of them were foster children and most had regular contact with both the child welfare system and the juvenile justice system. Yet, neither agency talked to the other: Law enforcement officers were arresting minors for prostitution, while child welfare workers were treating runaways as "regular" foster children.

But that changed in 2012, when the two agencies began working together and engaging other agencies such as the district attorney's office in recognizing the victims of human trafficking. As a result, the county was able to identify 171 young girls as being victims of sex trafficking and provided them with specialized treatment.

Human trafficking — a modern-day form of slavery in which victims are forced into labor or commercial sexual exploitation — may seem like a crime that only happens in foreign nations, but it exists all across the United States, in counties large and small. While the hidden nature of human trafficking makes collecting statistics difficult, estimates suggest that tens of thousands of people are trafficked into the United States each year, and as many as 300,000 children per year are at risk of becoming victims of commercial sexual exploitation in the United States.

Human trafficking victims rarely seek help. They fear their traffickers or law enforcement officials. There are language barriers. Potential witnesses, too, often miss the signs of trafficking. This is beginning to change, though, as jurisdictions across the country work to prevent trafficking and educate citizens on how to identify signs of trafficking.

Officials in Pitt County, N.C., for example, created a Human Trafficking Task Force in partnership with various local, state and federal law enforcement partners including the Dept. of Homeland Security's Immigration and Customs Enforcement. The task force consists of law enforcement, with two investigators in the sheriff's office trained in handling human trafficking cases, community advocates and service providers. The task force has conducted numerous investigations and uses an approach intended to make victims feel as comfortable as possible by not handcuffing them, for example, or allowing them adequate time to remove their belongings from the home they are removed from.

The federal government is also working to increase awareness of this issue: President Barack Obama declared January to be National Slavery and Human Trafficking Prevention Month, and the Department of Homeland Security created the Blue Campaign, which engages in human-trafficking training and outreach efforts to raise awareness about the indicators of human trafficking — and encourages people to report suspected instances of human trafficking to the appropriate authorities.

**To learn more about the Blue Campaign and how you can get involved, see this story online at www.countynews.org.*

WORD SEARCH

Park County, Colo. Facts

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

S	E	V	E	N	T	E	E	N	V	Y	Z	H	Y	L	E	B	X	R	Y
S	L	E	E	H	R	E	V	L	I	S	T	N	U	O	M	K	S	E	P
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CENTER (the geographical center of Colorado)
CLEAR CREEK (adjacent county to the north)
COURTHOUSE (historic building built in 1874)
FAIRPLAY (county seat)
FREMONT (adjacent county to the south)
JEFFERSON (adjacent county to the east)
LAKE (adjacent county to the west)
MOUNT SILVERHEELS (named after a dance hall girl who wore shoes of silver)
PIKE (national forest)
SAN ISABEL (national forest that includes Mt. Elbert, the highest point in Colo.)
SEVENTEEN (number of original territorial counties in Colo. created in 1861)
SOUTH PARK (alpine valley center, also a popular show on Comedy Central)
TELLER (adjacent county to the east)
UTE (Indians who hunted in the area long before it was established)

Created by Christopher Johnson

STATE TO STATE

★ CALIFORNIA ★ NEBRASKA ★

California

The Affordable Care Act dominated the first year of the California State Legislature's 2013–2014 session.

"In 1991, the state realigned many health care functions to the counties — including caring for the medically indigent — and provided funds to make sure we could pay for those services," said Gregg Fishman, communications coordinator for the California State Association of Counties (CSAC). "Many of those people are now eligible for insurance or for federally subsidized care, so with his initial state budget proposal a year ago, Gov. Jerry Brown sought to recover all of that 1991 health care funding from counties."

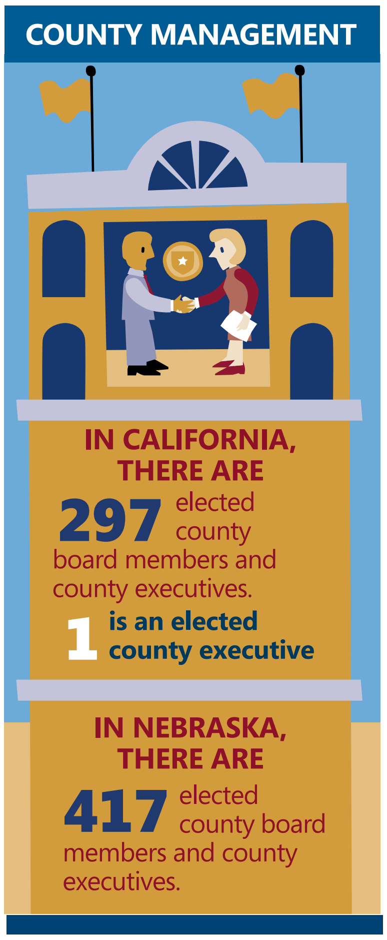
Some of those dollars, however, pay for other services in the state's 58 countiesthat are not covered by the Affordable Care Act — including public health programs.

"We know that not everyone who is eligible will sign up for insurance or federally subsidized care," Fishman said.

CSAC formed a coalition of organizations and counties that was successful in protecting that segment of the state funding.

"We continue to work with the state on implementing both the Affordable Care Act and also Public Safety Realignment of 2011—which transferred control of thousands of state prison inmates to the counties," Fishman said.

Beyond that, many counties are struggling with the impending staff turnover — the loss of hundreds, or in some cases thousands, of employees who are reaching retirement age. This poses difficulties in retaining institutional memory, hiring a well-qualified workforce, and in managing the implications for pensions and health care obligations.



On the hopeful side — California has its first apparent budget surplus after almost a decade of deficits. Although many voices are clamoring for their piece of the pie, CSAC remains hopeful that some of the programs that have been drastically cut during the lean years can be restored at least to some degree, Fishman said. "We also see some hope in the general consensus that California needs to build a reserve account that can help even out some of the peaks and valleys in state revenue that can make budgeting so difficult here."

On the ominous front, a drought is currently affecting 95 percent of the state, according to the U.S. Drought Monitor, which has shown significant portions of the state in various degrees of drought since January 2012.

Nebraska

The Nebraska State Legislature wasted no time in 2014 with the state legislative session reconvening Jan. 8.

The issues driving this session's agenda for Nebraska's 93 counties-include Medicaid expansion, prison overpopulation, property taxes for agricultural land and water resources across the state.

"Without a doubt, budgetary items and unfunded mandates are becoming huge challenges for counties in Nebraska," said Larry Dix, executive director, Nebraska Association of Counties. "Counties and the state legislature need to work closely together to push through any adversity."

Nebraska is seeing the last year of current Gov. Dave Heineman (R) as well as 16 out of 49 state senators in the nation's only unicameral State Legislature. Dix adds it can be a very uneasy time for counties when there is that much turnover and the legislature is in session. But at the same time, counties build positive relationships with the legislature as both are usually on the same page about many issues by the end of the session.

"I am always proud of how resilient our 93 counties are," Dix added. "We stick together and find good solutions. I'm looking forward to a very productive session that will benefit counties and the tax payers."

(Charlie Ban and Christopher Johnson, County News staff, contributed to this report.)

The H.R. Doctor Is In

We Here Highly Resolve…

The holiday season is a time of increased risk of neck injury. We turn around to look behind at the year gone by and then quickly turn in the opposite direction to try to look ahead as we make New Year's resolutions.

All of us had much to appreciate in 2013. Hopefully between the chunks of succulent turkey and cranberry sauce, mashed potatoes, stuffing and pumpkin pie we found the time to look back with awe and inspiration at living in the U.S. Hopefully we also had time to think of others who are not as fortunate and to do something to help their situation by volunteering and donating to charities.

What will the New Year be like for us? We can all think of that as we wish for basic stuff like good health and companionship from family and friends. We imagine what we might be able to accomplish in the coming year in our own lives and how we might help in the lives of others. We also hope for the safety and success of our country and especially our troops and their families, with special gratitude and good wishes.

Here are a few ideas which might find their way into your own resolutions for 2014, as they do with mine:

Commit to being healthier. That doesn't only mean making friends with a family physician, such as the amazing Dr. Daughter Rachel. It also means increasing your own level of knowledge, perhaps through reading and talking with friends about practical steps you can take to stop smoking, lose weight, wear seatbelts and walk more. One of the HR Doc's favorite approaches to more movement is very simple. Head straight to the nearest Humane Society and rescue a canine friend. Dog owners walk more and are more active and healthier than non-dog owners. Our new puppy Bindi specifically asked that I include this thought.

> "… there is so much to be done in public service that every person can become involved."

Being healthy means far more than physical well-being. It means the health of the spirit and more resilience in the face of challenges and problems. This author's favorite approach to resilience is engagement. That means developing a network of friends, colleagues and family members. Sharing holidays, meals, hopes and dreams, fun and service to others are the prime ingredients to a more active life. In turn, that means more focus on joy rather than just on the personal misery of the week.

Make a difference at work. No matter what your position might be, you can invest in more fun and success at the office this year. Perhaps you are deeply in love with your job and are still excited even decades after you first entered your profession. Perhaps you are merely existing and bemoaning your fate at work. You are doing an imitation of a beehive drone, simply going through the motions and recalculating for the 97th time your anticipated pension amount when you actually retire.

In either case, there is so much to be done in public service that every person can become involved. Come up with some new and perhaps innovative way of doing a task at work. Offer it as a gift to the supervisor. Be sure that you are behaving and performing in a way that makes you an admired role model for others at work, instead of the person who annoys or perhaps bullies and is avoided by others.

Make a difference in the community. No one on the planet is able to live on a remote island away from being affected by other people, organizations or nations. Even venerable monks on mountain tops may now have Internet connections or may be affected by health, political or economic activities of other people. We are all living in a world of interdependence, whether or not we wish to be. We might as well make the most of it every day.

There are so many opportunities and needs for civic engagement to make the lives of others better and more joyful that nobody should have the slightest problem figuring out how to get involved. This is especially true of professionals and public servants who have a perspective sharper than most in seeing needs which can be met by your own action.

Charities are struggling more than ever before with the growth of problems and the lack of resources. For example, many don't have the administrative skills or funding to maintain a full-time human resources function. Every HR professional reading this article has no excuse for not becoming a

See **HR DOC** page 12

County Innovations and Solutions

Mohave County, Ariz.

Relaxed RFP Process Paves Way for Cheaper Road Maintenance

By Charlie Ban
STAFF WRITER

With more than 800 miles of county-owned roads to maintain, Mohave County, Ariz.'s public works department was used to hearing from some squeaky wheels along certain stretches.

After evaluating its road system, however, and learning some cutting-edge rehabilitation techniques, the county was able to repair its roads in a more affordable way that substitutes effectively for full reconstruction.

"We realized over the last couple of decades, we hadn't seen a major reconstruction or rehabilitation of our roadways," said Steve Latoski, the county's public works director. "We needed a comprehensive engineering study to quantify the 'health' of the road system."

Using location-specific data, the public works department did an in-depth analysis of the road environment, including the pavement composition, subsurface characteristics and structural stability.

Four months later, 300 of the heaviest-used miles were checked out and the county had an idea how much life was left in each and had a priority list for fixing them. And that list was long.

Of those 300 miles, 80 percent were due for some type of replacement. With a $12-million-and-dropping annual budget for road repairs, though, it wasn't going to be happening soon.

"We're the fifth-largest county, land-area-wise, in the lower 48 states, but our population and traffic doesn't match that," Latoski said. "That put a little less wear and tear on the roads, but the truth was, some needed help. But we knew how much 'life' we had in our roads and the pecking order."

So the county put out a request for proposals for treating those road problems, but loosened requirements for the proposals.

"We set boundaries for performance level and type of treatment but not a hard specification of how something must be done," he said. "That gives the contractors the chance to show us how something works and introduces us to new techniques."

That process opened the door for innovative proposals, one of which has paid off for the county.

Called "Fibermat," the process adds crushed fiberglass and oil to the road and then seals it, adding roughly 15 years to a road's lifetime, based on Mohave County-level traffic. The first application, over a 10-mile stretch of road, cost $500,000. Total reconstruction of the road, Latoski said, would have cost approximately $2.5 million.

"It's an easy choice — be able to rehabilitate a lot of the county's roads for a fifth of the price and getting three-quarters of the lifetime out of it," Latoski said. "It was exactly the kind of efficiency and innovation we were hoping to get out of this. And we have a blueprint for where to go from here."

Most of the work was done within the public works department, though an engineering consultant did some work on the road evaluation for $20,000.

County Innovations and Solutions highlights award-winning programs.

NACo on the Move

» NACo Staff

• **Kavita Mak** has been named the new senior research associate in the research department. Mak has been with NACo since Sept. 2013 as a research intern and previously worked six years as a civil engineer for Los Angeles County Department of Public Works. She is currently working on her master's in public policy at American University and has an undergraduate degree in civil engineering from Cornell University.

Kavita Mak

• **Michael Belarmino**, associate legislative director, moderated the panel Government Accountability Office: Completed and Coming Studies during the two-day annual meeting of the Joint Election Officials Liaison Committee in Washington, D.C. Jan. 10. The panel discussed recent and planned studies on voter ID laws and voting wait times.

• **Alyssum Pohl**, NOAA Digital Coast fellow, gave a presentation and tour of the Digital Coast website, highlighting tools that include the sea-level-rise viewer, coastal county snapshots and Hawaii case studies, to the Hawaii U.S. Senate staff in Washington, D.C. Jan 7.

» Coming Up

• **Andrew Goldschmidt**, director, membership marketing, will be exhibiting on behalf of membership recruitment and retention at the Texas Association of Counties' District Clerks Conference in Brazos County Jan. 13–16.

On the Move is compiled by Christopher Johnson

News From the Nation's Counties

▶CALIFORNIA

The **ORANGE COUNTY** Board of Supervisors approved an ordinance changing how **vicious canines** will be defined and dealt with.

The ordinance defines "provocation" in an incident involving a dog and allows Orange County Animal Care officials to designate vicious pets as level 1, 2 or 3, according to *Orange County Patch*.

A Level 1 dog is one that on two occasions during a 36-month period does anything that puts a person or animal in a "defensive, protective or fleeing" position to avoid bodily injury. Continued behavior would graduate the dog to Level 2.

A Level 2 dog is one that makes an unprovoked attack on four separate occasions, forcing someone or another animal to avoid injury. Dogs used for fighting or trained to fight also will be given the Level 2 designation.

A Level 3 canine kills or maims someone and could be euthanized, pending an appeal to an Orange County Superior Court judge. Police or military dogs on the job are exempt.

▶COLORADO

Three months after September's devastating flood, crews are still working to clear water-strewn **debris from creeks**, private land and other parts of **BOULDER COUNTY** before spring snowmelt brings a threat of new flooding.

Though workers have made progress clearing dirt, sticks, tree branches and other detritus, county transportation director George Gerstle said there's still much to be done. Boulder County has hired a contractor to help with some debris clean-up, but Gerstle said the county doesn't have enough money to fully clear debris.

"It'll never be complete," he said. "We'll try to get the most risky areas addressed by spring, but it's going to be a long-term process."

Right now, county officials are most focused on identifying and clearing debris that could block culverts and bridges or could drift onto roads during spring runoff. The debris is making creeks shallower than before, so localized flooding could increase, the *Daily Camera* reported. The county is leasing land to treat and stage debris after it is picked up from private properties.

▶ILLINOIS

In memory of the lives lost on country roads, **PERORIA COUNTY** may soon feature signs featuring the saying "Don't Drink and Drive" with a **memorial plaque** underneath listing the name of a person who was killed in such an accident.

Each pairing would cost about $200; a fee that mirrors what the state charges for such signs, the *Journal Star* reported. The process by which Peoria County gathers information on the signs from a family is the same used by the Illinois Department of Transportation.

▶INDIANA

Images of **county courthouses** and their surrounding buildings have been compiled into a Ball State University project.

Indiana's Courthouse Squares (*www.indianacourthousesquare.org*) is a project of several Ball State departments based on the notion that the built environment informs people's sense of community.

The project focused on courthouses because they "serve as iconic fixtures for a community's identity that symbolically asserts the rule of law at the center of American society; exhibits a unique architecture that captures the era in which the structure was built; serves as the iconic edifice for many of the county seats; and provides centralized places for economic and social activities," the project's description said.

A Ball State University telecommunications instructor spent the summer cruising all 92 Indiana counties photographing courthouses and the buildings around them, according to the *Indianapolis Star*.

▶KANSAS

The **LEAVENWORTH COUNTY** Commission is seeking an exemption that will allow the county to **continue to prohibit concealed firearms** in public buildings.

Commissioners voted to obtain the four-year exemption from a state law that requires cities and counties to allow concealed firearms in public buildings unless adequate security measures are in place.

The law applies only in cases in which people have valid permits to carry concealed firearms.

All 13 county buildings would be included in the new exemption, according to the *Leavenworth Times*.

The county ultimately may allow the concealed carry of firearms in at least some of the buildings, but the exemption would give officials more time to "better study these buildings."

▶KENTUCKY

Four counties in western Kentucky are joining together to create the **Kentucky Network for Development, Leadership and Engagement**.

Two organizations, Northwest Kentucky Forward and the Henderson-Henderson County Chamber of Commerce, will merge and represent **MCLEAN**, **HENDERSON**, **WEBSTER** and **UNION counties**. The leader of the merging organizations told the *Messenger-Inquirer* the network will give a unified voice to four counties, which will get more attention from and be more effective with state and national government leaders.

▶MISSISSIPPI

HINDS COUNTY supervisors have long been faced with the county's **911 system not bringing in enough money** to pay monthly expenses, including a $723,000 annual payment for equipment. Then they found out why the fund kept running dry.

Telephone companies that are supposed to be collecting a $1 surcharge per land line payable to the county for E911 maintenance aren't turning it all over, the board's financial advisor said. The county now receives about $230,000 monthly for 230,000 land lines at $1 per line, the *Clarion Ledger* reported. But a partial audit of the number of land lines that exist in Hinds County, based on Federal Communications Commission records, shows the county isn't getting paid for about 200,000 additional lines.

If that additional $200,000 per month reached county coffers, it would mean an extra $2.4 million annually. And if the county collected on the lost fees for the past two years, that would bring in another $4.8 million. The county will pursue recouping lost funds after an audit of the 911 system is completed.

▶NEW YORK

At a recent public hearing, **ERIE COUNTY** Executive Mark Poloncarz was urged to sign legislation to ban **hydraulic fracturing on county-owned land**. Last month, the County Legislature voted 9–2 in favor of the ban, *The Buffalo News* reported.

It would also prevent county-owned sewage treatment plants from treating any liquid waste from the fracking process — and outlaw the use of fracking byproducts to deice county roads.

There currently is a statewide moratorium on fracking, and Poloncarz said the real issue is what Gov. Andrew Cuomo (D) decides to do. "If I sign this bill and Gov. Cuomo lifts the moratorium, there could still be fracking in Erie County, just on private land," Poloncarz said.

The state has been studying hydraulic fracturing for six years, and it's unclear when the study will be completed.

▶OHIO

CUYAHOGA COUNTY has announced that it's first "pay for success" project will target **keeping homeless families together**. Once implemented, the program, would provide therapy, housing and other services to homeless mothers with the goal of reducing the number of kids in foster care, *The Plain Dealer* reported.

Private investors and foundations will pay for the cost of providing services (see "Counties eye social impact bonds to fund human services needs," *County News*, Oct. 7, 2013). If the program is successful, the county repays the investors — possibly with interest — out of future savings.

FrontLine, a local mental health organization, and Case Western Reserve University will work with the county's Division of Children and Family Services, Cuyahoga Metropolitan Housing Authority and Third Sector Capital Partners to implement the program.

▶SOUTH CAROLINA

ORANGEBURG COUNTY has been recognized with a "**project of the year**" award by the Lower Savannah Council of Governments (LSCOG). The county's Paving the Way project uses debris from torn-down buildings that is

See **NEWS FROM** *page 11*

What's in a Seal?

» Park County, Colo.

www.parkco.us

Named for South Park, the alpine valley at the center of Colorado, Park County is one of 17 original territorial counties created in 1861. By the time the first fur trappers, explorers and adventurers arrived in the early 1800s, Ute Indians had long visited the area to hunt the mountain valleys and fish the trout-filled streams found throughout the county.

Ranchers soon followed the prospectors, taking advantage of the county's nutritious native grasses and raising cattle to feed hungry miners. The population grew steadily, and in 1874 work began on a new territorial courthouse. Constructed from native red sandstone, the impressive Italianate-style building has housed county functions for 139 years.

Listed on the National Register of Historic Places, the courthouse is a symbol of the strength and spirit of Park County's residents and is the central feature of the county seal. The small building depicted to the left of the courthouse is the historic Park County Jail constructed six years after completion of the courthouse from the same native red sandstone. The jail served the needs of county law enforcement until the 1940s.

In the background stands snow-topped Mt. Silverheels, which many believe is named after a dance hall girl in the town of Buckskin Joe who wore shoes of silver. According to legend, the popular dancer courageously nursed the sick during a smallpox epidemic but was horribly scarred when she fell victim to the disease. Her beauty ruined, Silverheels disappeared never to be seen again. Grateful for her generosity and service, local miners reportedly named the towering 13,822-foot mountain near Fairplay in her honor.

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

Pierce County, Wash. devotes more resources to fight elder fraud, abuse

NEWS FROM *from page 10*

recycled into aggregate and used to pave roads.

Orangeburg County Administrator Harold Young calls the project a "holistic approach to community development."

He said blocks, bricks and other materials from demolished rundown buildings are being ground into aggregate that a contractor sells back to the county at a discounted rate. "In essence, we've been saving money through the cost of paving roads, cleaning up eyesores in the community and working with local businesses," Young said.

▶TENNESSEE

Faced with burgeoning jail populations, **RHEA**, **SEQUATCHIE** and **BLEDSOE counties** are among the latest in the state to adopt a **drug court** model for dealing with minor drug offenders.

Rhea County Executive George Thacker said a regional judge has shown proof that such courts reduce recidivism. The county's jail has a rated capacity of 92 but usually houses about 170 inmates, WDEF TV reported.

So far, about 20 offenders have participated in the program, according to Jeff Knight, a Rhea County sheriff's deputy — saving the county at least $33,000. It costs counties $52 a day to house a single inmate.

▶TEXAS

DENTON COUNTY commissioners voted unanimously to designate a special taxing zone to make the county eligible for more than $1 million in state grants to fix **roads damaged by gas-well traffic**.

The County Energy Transportation Reinvestment Zone (CETRZ) is necessary to qualify for funds authorized by the state Legislature.

"It's such a new thing and we wanted to be sure to create the district so we could check it out," County Judge Mary Horn said of the CETRZ. "If it proves productive and beneficial to the county, fine. If not, we will eliminate it. But I didn't want to miss an opportunity."

▶WASHINGTON

PIERCE COUNTY is expanding a special **Elder Fraud and Abuse team** in the county prosecutor's office to deal with abuse — financial, physical or other — against senior citizens.

The office will receive an extra $200,000 in the 2014 county budget to investigate and prosecute cases of elder abuse and fraud.

"We were finding an overlap between financial fraud and physical abuse cases," Prosecutor Mark Lindquist told *The News Tribune*.

In 2011, a deputy prosecutor was assigned to Lindquist's office to handle elder fraud cases, some including physical abuse. Eighteen cases were handled that year; there were 38 in 2012. Lindquist expected the 2013 year-end total to approach 50. He said the increase isn't necessarily due to more abuse occurring but to better reporting.

Nationally, 9.5 percent of elderly people were mistreated in some way in 2010, according to the National Center on Elder Abuse's most recent data. The median age of victims was about 78, and most (67.3 percent) were women.

▶ WISCONSIN

A **DANE COUNTY** official is calling a foul on the state's designation of the county's chain of lakes as "**impaired waters**"— due to farm runoff that has caused excessive weed growth and smelly algae blooms, the Associated Press reported.

Melissa Malott, a spokeswoman for County Executive Joe Parisi, said it will bring unwarranted negative attention to the county at a time when it's trying to address the issue. "We are working with the farmers as never before," she said. "I don't understand exactly why (the state) would be doing this now."

Four lakes contain levels of phosphorus that exceed state standards set in 2010, according to the *Wisconsin State Journal*.

The county is already taking steps to limit increases in pollution, including planting vegetation on stream banks to reduce erosion, restoring wetlands that slow runoff and imposing measures to reduce improper spreading of manure on agricultural land.

(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.)

Financial Services News

Retirement Savers May Qualify for a Little-known Tax Credit

In 2001, Congress recognized that America's workers needed help in preparing financially for retirement. Lawmakers incorporated in the Economic Growth and Tax Relief Reconciliation Act of 2001 (EGTRRA) an incentive for middle- and lower-income taxpayers — the majority of workers in the United States — to save for retirement through 457(b) deferred compensation plans as well as 403(b) and 401(k) plans, and IRAs.

It's called the Saver's Credit, and it enables county employees who make eligible contributions to a supplemental retirement plan such as the NACo Deferred Compensation Program to take a tax credit when they file their federal income tax return. As with other tax credits, it can increase a refund or reduce the tax owed.

The amount of the credit that a taxpayer can claim is based on the contribution amount and the credit rate, but can amount to as much as $1,000 for single filers or $2,000 for married couples. The lower the income, the higher the credit rate.

The table details Saver's Credit income ranges in effect for 2013, which may assist those who qualify to prepare their federal income tax filing due April 15. To apply for the credit, filers must include Form 8880, which includes instructions to help taxpayers file for the correct credit amount.

The bottom half of the table details the income ranges in effect for 2014, to help individuals decide whether and how they may qualify for the credit, so they can increase contributions accordingly.

Some workers may be concerned that participating in a supplemental retirement program involves investing and investing involves market risk — that they could lose some or all of what they contribute. It's important to balance that fact with the fact that not investing — or not investing enough — for retirement is a risk as well. While past performance is no guarantee of future results, investing over the long term, such as for retirement, has tended to reduce market risk.

County workers who want to put the risks into perspective may contact a Nationwide Retirement specialist. As representatives of the NACo Deferred Compensation Program, the retirement specialists can help workers understand the risks they may face and strategies that may help deal with them. In addition, workers can learn more about the benefits of 457(b) plan participation, including:

- payroll-deducted contributions
- pre-tax investing for the long term
- lower costs than they might find elsewhere
- no tax penalty, regardless of age, for withdrawals after leaving employment, and
- personal service from non-commissioned Nationwide Retirement specialists.

In addition, Nationwide Retirement Solutions, the administrator of the NACo Deferred Compensation Program, recently introduced an enhanced website that allows participants to easily find the information they're looking for as they manage their retirement accounts online. The content fluidly adjusts to fit whatever device the user prefers: PC, smartphone, tablet or smart TV.

Public employees who are interested in getting more information about the opportunities available through participation in the NACo Deferred Compensation Program should contact the Nationwide Retirement specialist serving their county, or call Nationwide at 877.677.3678.

For public employers, perhaps the most challenging aspect of the Saver's Credit is getting the word out — that is, helping employees recognize that it is available. Nationwide provides promotional tools counties can use to help employees become more aware of the benefits of deferred compensation participation, including the Saver's Credit. Contact Lisa Cole by email at *lcole@nacorma.org* or by phone at 202.942.4270.

Nationwide Retirement Solutions (Nationwide) makes payments to the National Association of Counties (NACo), NACo RMA LLC and the NACo Financial Services Center Partnership (FSC) for services and endorsements that NACo provides for all its members generally related to Nationwide's products and services sold exclusively in public sector retirement markets. More detail about these payments is available at *www.nrsforu.com*.

NACo RMA and NACo RMA LLC are each a Registered Municipal Advisor and do not recommend the purchase or sale of securities and do not hold or maintain funds or securities. NACo RMA and NACo RMA LLC act as third-party marketers/solicitors. NACo RMA receives fees from NRS for such services. Thirty-seven state associations of counties are members of NACo RMA LLC and as such receive quarterly distributions from it. NACo RMA and NACo RMA LLC are NOT affiliates of Nationwide Investment Services Corp. or Nationwide Retirement Solutions.

Retirement Specialists are registered representatives of Nationwide Investment Services Corporation: Member FINRA. In Michigan only, Nationwide Investment Svcs. Corporation. Nationwide Retirement Specialists cannot offer investment, tax or legal advice. You should consult your own counsel before making retirement plan decisions.

SAVER'S CREDIT TABLE

For tax year 2013*	Filing Status / Adjusted Gross Income		
Amount of Credit	**Joint**	**Head of Household**	**Single/Others**
50% of first $2,000 deferred	$0 to $ 35,500	$0 to $26,625	$0 to $17,750
20% of first $2,000 deferred	$35,501 to $38,500	$26,626 to $28,875	$17,751 to $19,250
10% of first $2,000 deferred	$38,501 to $59,000	$28,876 to $44,250	$19,251 to $29,500
For tax year 2014**	**Filing Status / Adjusted Gross Income**		
Amount of Credit	**Joint**	**Head of Household**	**Single/Others**
50% of first $2,000 deferred	$0 to $ 36,000	$0 to $27,000	$0 to $18,000
20% of first $2,000 deferred	$36,001 to $39,000	$27,001 to $29,250	$18,001 to $19,500
10% of first $2,000 deferred	$39,001 to $60,000	$29,251 to $45,000	$19,501 to $30,000

*Sources: *IRS Announces 2013 Pension Plan Limitations, IR-2012-77, Oct. 18, 2012; **IRS Announces Pension Plan Limitations for 2014, IR-2013-86, Oct. 31, 2013.*

Turn off the TV, put down that smartphone and experience life in 2014

HR DOC *from page 9*

volunteer to offer help with ideas like training, recruiting and liability reduction. The same can be said of everyone. All of us have the capability to contribute more than we do now. Convert those well-intended resolutions into the reality of action.

Have more fun and more appreciation. Without fun and laughter, particularly when it is shared with others, our species would have died out millennia ago. Cultivate your recognition of the value of humor and learn to see it and find it in the behavior of other human beings and other animals.

The HR Doctor's new puppy Bindi makes us laugh regularly as do the antics of our amazing granddaughter Evie. Funny things happen at work all the time. Humor may even be found in the actions of Congress, although that is also a source of headshaking and frustration as well.

Find opportunities to let other people know how much you appreciate them. Recognition and appreciation go hand-in-hand with celebration. It might be a surprise birthday present, recognition at a staff meeting or an unexpected pleasure such as taking your family members out for ice cream or to a movie. Giving of your own time, especially to those about whom you care deeply, is the greatest gift you can give.

Unfortunately, in a world of smartphones, tablets, laptops and video games, we are witnessing, very ironically, a reduction in our communication rather than an enhancement of it. If you doubt that, just watch family members at that next table in the restaurant where each child appears to be engaged on a smartphone with someone else, rather than learning and contributing to the joy of their own family members.

Resolutions can go on and on. The more of them we make, the less we are likely to keep them. However the HR Doctor wants to offer one more. Reduce the amount of TV watching. As I've stated in prior articles, the average American now watches more than 4 1/2 hours of television a day. What a great resolution to make and to act on to reduce that amount in your own life, perhaps by an hour a day. Then we could substitute personal development or joy in the form of a hobby or some other much more productive activity than watching most of what's offered on television.

Take that new hour a day added to your life and invest it in learning a musical instrument, practicing another language, or that charity work you resolved to do. Watching television can be addictive and, at least in this author's rather warped opinion, destructive to our ability to be creative, developing human beings. Don't let that happen to you and your family members.

May I wish for you the same thing I offer to my own family members and to myself for the coming year: make 2014 a year of adventure, sharper perception of the world around you, contribution, learning and fun.

Phil Rosenberg
The HR Doctor • *www.hrdr.net*

Job Market & Classifieds

■ JUVENILE DETENTION CENTER DIRECTOR – MINNEHAHA COUNTY, S.D.

Salary: $70,741–$76,170 annually; DOQ.

Provide leadership and direction to the JDC and community partners to enhance programming and services for juveniles. Lead the implementation of policies and procedures, budget records and proposals, and negotiate contracts. Advise the county commission, staff and stakeholders on relevant laws, rules, and issues affecting the department. Oversee staff operations including hiring, training, providing work direction, and evaluating staff performance. Bachelor's degree in criminal justice, social science, or related field, with 5+ years of progressively responsible professional work in corrections, juvenile services, or a closely related area. Considerable knowledge of budget, personnel, and policy administration.

The 2014 hiring range for this position is $2,721–$2,930 biweekly. Maximum earning potential for position is up to $4,139 biweekly.

Minnehaha County offers a competitive benefits package including health, dental, and life insurance, a generous paid time off program, extended sick leave, retirement, and an employee assistance program. For a full list of qualifications and the application process visit: *http://jobs.minnehahacounty.org*. EO/AA Employer. Contact HR with questions at 605.367.4337.