NACO National Association of Counties

County News

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W.Va. counties drive response to water crisis

By Charlie Ban
STAFF WRITER

When a chemical leak tainted the water supply for nine West Virginia counties, affecting more than 300,000 people, emergency managers relied on both systematic and novel strategies to keep water coming to residents.

For many of those counties in the Charleston area, handling their role in water supply relief involved drawing on plans made and lessons learned from the super derecho thunderstorm in 2012, whose wind gusts of 80–90 mph knocked out electricity to half of the Mountain State's residents during that June and July.

"On one hand, it was easier than the derecho because then we were distributing water, food and ice," said Boone County Commission President Eddie Hendricks. "This time we just had to get water out. Everyone had electricity and the biggest challenge was making sure people knew not to drink the tap water."

His director of emergency management, Greg Lay, saw their water distribution efforts as a point of pride.

See **WATER** *page 2*

Photo courtesy of Kanawha County, W.Va.

Empty water bottles, due for recycling, amass in the Charleston Mall. Boy Scout troops collected them in Kanawha County, W.Va. while the tap water in the area was deemed unsafe because of a chemical leak. Officials estimate that more than 12 million bottles of water were distributed throughout nine West Virginia counties.

FY14 omnibus spending package provides 2.6 percent boost overall

By Legislative Affairs Staff

With just days remaining until the expiration of the continuing resolution that funded the federal government through Jan. 15, House and Senate appropriators released a $1.01 trillion omnibus-spending package (H.R. 3547) on Jan. 13 that will fund the federal government through the remainder of FY14.

The nearly 1,600-page spending plan combines all 12 FY14 appropriations bills and provides an overall 2.6 percent increase in discretionary spending from the FY13 levels. Under the Budget Control Act (which set the sequester into motion), spending for FY14 was scheduled to fall to $967 billion, but the omnibus adopts the new cap of $1.01 trillion.

Omnibus Policy Riders

The omnibus did not address several controversial policy issues, such as the Affordable Care Act and the U.S. Environmental Protection Agency's carbon regulations that have kept appropriations action in limbo. There were, however, several policy riders that were included:

• **Flood Insurance Premiums**: The omnibus includes language that would temporarily delay flood insurance premium increases for properties that face increases due to remapping. If such properties are sold, the delay would no longer apply.

• **Military Pension "Fix"**: The omnibus amends the Ryan-Murray budget agreement to exempt disabled veterans and surviving military families from having their cost-of-living benefits temporarily reduced.

• **Reports on NSA Surveillance**: The omnibus requires the National Security Agency (NSA) to provide Congress with new details on the government's collection of domestic phone records.

• **Abortion Riders**: The measure includes several long-standing abortion riders that have been carried in previous spending bills, including the Hyde amendment — which bans Medicaid coverage for abortions, except in certain circumstances — and a provision that would continue to ban the use of public funding for abortions for federal prisoners and within the District of Columbia.

• **U.S. Department of Energy Light Blub Standards**: The omnibus blocks the U.S. Department of Energy from implementing or enforcing the phase-out of incandescent light bulbs.

• **Coal Plants Abroad**: The omnibus prohibits the U.S. Export-Import Bank and Overseas Private Investment Corporation from cutting financing for power plants that do not curb carbon emissions.

Highlights of interest to counties follow.

See **OMNIBUS** *page 4*

Fight for PILT funding isn't over

Legislation proposed; farm bill eyed

Now that money for payment in lieu of taxes (PILT) has been left out of the FY14 omnibus spending bill, focus has shifted to other legislation or the farm bill as a vehicle to continue the program.

Funding for the PILT program has expired and, without the federal payments, some counties could potentially default on their obligations or even file for bankruptcy. Since 1976, PILT has provided critical funding to counties in 49 states.

"We are deeply concerned that Congress would turn its back on more than 1,850 counties impacted by the presence of the U.S. government's extensive holdings of public land," said Matt Chase, NACo's executive director. "Since October, counties have in good faith delivered vital county services to our citizens and visitors with the expectation

See **PILT** *page 3*

BREAKING-NEWS

Rep. Bill Shuster

Seven-term Pennsylvania Rep. Bill Shuster (R), chairman of the House Transportation and Infrastructure Committee, will be a featured speaker at NACo's Legislative Conference on Monday, March 3 at the afternoon general session. As the chairman of the Transportation and Infrastructure Committee, Shuster plays a dominant role in the reauthorization of the nation's major surface transportation funding bill, MAP-21

W. Va. counties improvised to keep clean water moving to residents

WATER *from page 1*

"During the derecho, we set up a distribution site that would embarrass FedEx," he said. "We managed half-hour turnarounds unloading trucks. It worked, so we used it again."

The trouble started Jan. 9, when Kanawha County Manager Jennifer Sayre got a call from residents near an industrial plant located in her county, complaining of a sweet aroma in the air and fearing a containment leak. Initial inspection by the state Department of Environmental Protection didn't show that a particular chemical, used to clean coal, had reached the intake for the West Virginia American Water treatment plant on the Elk River. But by the afternoon, tests determined that the water supply for most of the Charleston (Kanawha County) area was tainted. Do-not-use notices for the water soon went out for counties surrounding Kanawha, because the water for more than a quarter-million people bore the sweet smell of 4-Methylcyclohexanemethanol (MCHM).

"Some of our residents used wells, but roughly 85 percent of our 175,000 residents didn't have potable water," Sayre said. "Within two hours of broadcasting the do-not-use notice for the water, you couldn't find bottled water on the shelves. They were wiped clean."

A Presidential Disaster Declaration opened the counties to relief from the Federal Emergency Management Agency (FEMA), in the form of truckloads of water, but that, too, demanded contingency plans and patience, because the water was not already in the Charleston area. Emergency managers in the affected counties received almost-immediate bottled water donations from local businesses and some aid from counties whose water was safe.

"The FEMA water supplies were in Maryland, and the trucks carrying them were hit by an ice storm on I-68 (in Western Maryland)," Lay said. "I told my staff, "just find me a truckload of water," and sure enough they found one in (Putnam County, to the northwest) at a Home Depot."

After the County Commission approved the purchase, Lay sent a tractor trailer that the county had at its commercial driving school to meet the Home Depot truck halfway.

While Boone County focused on the supply side, Lincoln County, east of Kanawha, addressed demand. The Lincoln Public Service District (PSD) water utility was able to shut off its valve from the affected West Virginia American Water and draw water from the Coal River, which was clean.

"That allowed 1,500 people to get out from under the do-not-use warning," said Francis Holton, the county's emergency management planner. "We've got to give credit to the PSD for that, they came up with the idea."

Every emergency manager credited community compassion native to West Virginians with helping both the ground-level work and some larger efforts. Neighbors checked on neighbors and offered help where it was needed. In Putnam County, where half of the residents were without potable water, volunteers showed up to cook meals for 2,300 Meals on Wheels recipients, whose food was normally prepared by people whose water was affected.

"That's just how we do things here," said Frank Chapman, Putnam's emergency manager. "When you live around here, you look out for people."

In Lincoln County, the Tri-River Transit Authority sent two buses to Mingo County to haul back 80 cases of water each and a local telephone company delivered four pallets (72 cases each).

Once they had it, by Jan. 12, the counties' water distribution was systematic, with most water available at fire departments and other county facilities. Kanawha County had 27 volunteer fire department stations and five municipal stations distributing seven million bottles of water, part of the roughly 12 million bottles Sayre estimated had been given out as of Jan. 21.

"Once we had the water, distribution was uneventful," she said. "There were plenty of help from county volunteers, the National Guard and the Red Cross."

In addition, counties have set up extra recycling collection points to gather the used plastic water bottles.

Boone County had Red Cross workers deliver water to homebound residents, which also gave Lay's department information for future disasters.

"It was a chance to do a needs assessment while we were at it," he said. "We now have a better, up-to-date idea where in the county more people would need assistance, in case we deal with something like this again."

Some counties got off lucky. Roane County used West Virginia American Water only to irrigate a golf course. With a clean supply of water, the county welcomed Kanawha residents to pick up bottles or fill up their own.

"People came with everything from gallon jugs to 500-gallon tanks," Deputy 911 Director Zach Bailey said. "We handed out more than 10 pallets of water bottles."

The last do-not-use advisory was lifted Jan. 16, but counties continued to pass out FEMA-supplied water while it lasted. The challenge now is for residents to have the confidence to drink water that they were once warned away from.

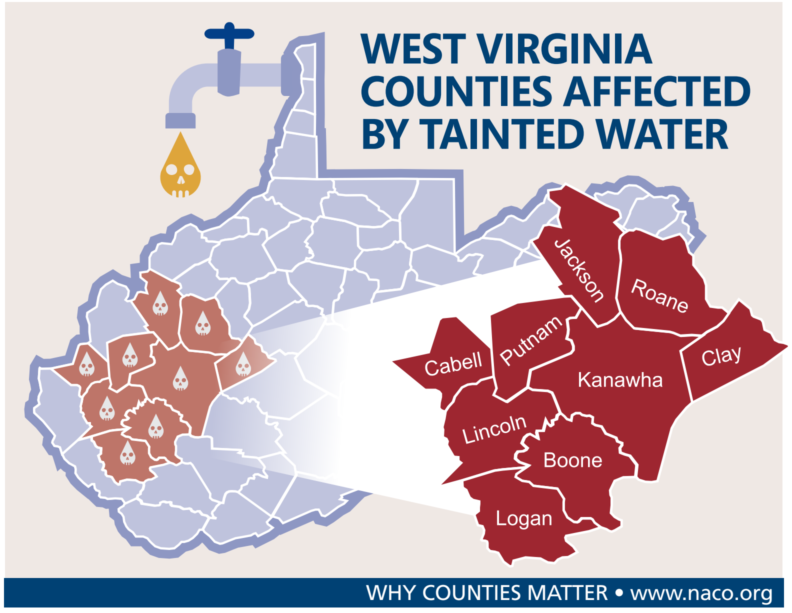
The Centers for Disease Control and Prevention has warned pregnant women to avoid drinking tap water even where the advisory has ended, until there are no detectable traces of MCHM in the water.

"People are still afraid to drink it. That's going to be a major issue going forward," Sayre said.

Lay agreed. "A lot of folks still don't trust it," he said. "They're drinking and cooking with bottled water, using tap water to clean and bathe. It will take some time for people to feel comfortable."

SpeedRead » » »

- » Approximately 300,000 people in nine West Virginia counties lost potable water, some for more than a week
- » More than 12 million bottles of water were distributed, at least 7 million in Kanawha County
- » Faith in the safety of tap water is the major concern now



Volunteer firefighters, EMTs exempt from ACA

By Paul Beddoe
Deputy Legislative Director

WEB* CONTENT

The Department of the Treasury announced Jan. 10 that final regulations to be issued soon on the Affordable Care Act (ACA) employer mandate will exempt the hours of volunteer fire fighters and other local government and nonprofit emergency responders from triggering the coverage mandate.

An announcement was posted on the Treasury Notes blog by Assistant Secretary for Tax Policy Mark J. Mazur. According to Mazur, the regulations will generally "not require volunteer hours of bona fide volunteer firefighters and volunteer emergency medical personnel at governmental or tax-exempt organizations to be counted when determining full-time employees (or full-time equivalents)."

Under the ACA, employers with 50 or more full-time workers are required to offer affordable, comprehensive health insurance to their employees or be subject to a penalty. Under the ACA full time generally means 30 or more hours per week, with the hours of part-time workers combined into full-time equivalent employees (FTE).

Treasury had not previously responded to the concerns raised by the International Association of Fire Chiefs (IAFC) and NACo about the status of volunteer emergency workers. Counties served by volunteer fire departments were very concerned that being required to offer comprehensive health coverage to their volunteers would force the departments to close.

IAFC, NACo and other organizations raised the issue with Congress, supporting the Protecting Firefighters and Emergency Responders Act introduced Dec. 10, 2013 in the Senate by Sen. Mark Warner (D-Va.) and in the House by Rep. Lou Barletta (R-Pa.). The bills would have ensured that volunteer first responders would not be required to count as FTEs for purposes of health insurance coverage.

**This article was first posted in the Jan. 13 online issue of County News. To access the post announcing the Treasury Department's intention to exempt volunteer first responders from the ACA's employer mandate, please see the Jan. 13, 2014 edition in the County News archives.*

In Case You Missed It

News to Use From Past County News

» Registration for NACo's WIR Conference

The WIR conference, May 21–23, in Anchorage Borough, Alaska, provides county officials the opportunity to hear speakers, discuss legislation and network with other officials regarding issues unique to the West as well as timely topics pertaining to all counties nationwide.

To register, visit *www.naco.org* ▸ meetings ▸ participate ▸ WIR Conference.

» NOTICE: Coal Counties Meeting

NACo is hosting a meeting of coal-producing counties during the 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*.

IN MY OPINION: Why PILT Matters


Lynn Padgett

In a letter to House Minority Whip Steny Hoyer (D-Md.), Ouray County, Colo. Commissioner Lynn Padgett describes how PILT payments (payments in lieu of taxes) affect her county and the services it provides to residents and visitors alike. PILT payments for 2014 were dropped from the Omnibus Budget bill in favor of increased funding for firefighting services on public lands. NACo is working to find another legislative vehicle to authorize PILT payments in the short term. Following are excerpts from Padgett's letter.

As a small-county commissioner, trying to provide adequate safety, welfare, emergency rescue and response to our entire county, when half of it is federal public lands, is expensive and tough with just 4,400 people.

The U.S. Forest Service (USFS) estimates a million visitors come to our county in the three short months of growing season in the high alpine areas above 9,000 feet elevation. Many stop in our two small towns and many are driving on a 70-mile loop of high country terrain crossing public lands and do not stop — unless there is an emergency, which we respond to.

We deposit much of our PILT funds directly into our Road and Bridge Fund, to cover early season plowing (estimated at $70,000 per year), which is necessary to get the high-country roads open prior to July 4. We use the funds for grading, mag-chloride and road base materials. We fund our sheriff, emergency medical service (EMS), mountain rescue, pay for porta-potties to improve sanitation conditions near trail heads, and even cost-share an alpine ranger with the financially-strapped USFS, which benefits the users of the public lands and saves lives.

As of Jan. 1, 2014, Ouray County has closed to the public one day a week due to reduced revenues. Our employees are now on a four-day workweek. This is largely due to property valuations falling during and post-recession. Over the last four years, we have had our revenues from private property mill levies decrease over 30 percent. We are still short revenues from PILT that are equivalent to funding our staff six hours per week. That's right, our 4,400-person county is served by a staff of about 60 employees — the same number that we had when we had half the population and far fewer visitors.

As our revenue from property levies headed downward, fuel, materials and insurance costs rose significantly. So the $400,000 (approximately 16 percent of our revenues) we get from PILT covers our expenses to fund our employees providing health, safety and welfare services to our citizens and visitors. We are not unique among many counties that are challenged by small populations and large percentages of public lands and visitors to provide services to.

Even if your constituents' counties aren't direct beneficiaries of PILT, chances are your citizens visit or recreate, travel through, or have local governments that share multi-jurisdictional response plans with a county that does get PILT and needs PILT to provide essential services.

Raising local taxes is not an option — half of our Ouray County school kids are on free or reduced lunch programs, according to a local nonprofit providing after school and drug use prevention programs. Colorado law requires all tax increases be voted in by our citizens. And the voters voted down a 0.75 percent sales tax increase to provide a steady and dedicated funding stream to health-safety-welfare programs (yep, three-quarters of 1 percent) this past November. Our local sales tax is already close to 9 percent. Every 1 percent of sales tax in our county only generates about $500,000 in county revenue — so simply raising taxes is not as common-sense as it might sound. In Colorado, commercial properties get taxed at four times the rate of residential properties — so levy hikes are hard on the few small businesses we have, who are trying to make it in our communities, provide local jobs and contribute numerous times a year to our local nonprofits and schools.

Many of the 1,900-plus counties that receive PILT payments get less than $500,000 — but using Ouray County as an example, these amounts are extremely significant. Especially when 28 percent of the nation is federally-owned public land concentrated in areas with significant climate and topographical challenges that increase costs of providing health, safety and welfare services, and have higher costs of living.

NACo's PILT funding efforts far from over

PILT *from page 1*

that the federal government would honor its 37-year commitment to county governments who are unable to collect property taxes on more than 600 million acres of federal land."

Identical bills were recently introduced in the House and Senate "to make permanent the Payment in Lieu of Taxes Program." H.R. 3879, introduced by Rep. Ann Kirkpatrick (D-Ariz.), has been referred to the House Committee on Natural Resources. The Senate bill, S. 1913, introduced by Sen. Mark Udall (D-Colo.), was referred to the Senate Committee on Energy and Natural Resources.

Also in the Senate, a bipartisan coalition is circulating a letter to the farm bill conference committee requesting crucial funding for public land counties. The effort, led by Sens. Michael Bennet (D-Colo.), Mike Crapo (R-Idaho), Udall, and Jim Risch (R-Idaho), makes the case for including PILT in the farm bill.

It states, "Counties across the country, particularly those containing significant federal landholdings rely on PILT funds as sizeable percentages of their budgets. Many of the same rural counties that rely on programs in the Farm Bill also depend on PILT to sustain their economies and serve their citizens.

"These dollars help fund essential services like road maintenance, fire departments and emergency medical services. Without an extension of PILT, rural counties will face drastic budget cuts in June and may struggle to fund the most basic of services," the letter said.

NACo encourages counties to urge their senators to endorse the letter. Senators who have signed on thus far include: Republicans Crapo and Risch, and Democrats Bennet, Mark Udall, Tom Udall (N.M.), Jon Tester (Mont.), Mark Begich and Mark Pryor (Ark.), Martin Heinrich (N.M.), Ron Wyden and Jeff Merkeley (Ore.), Jay Rockefeller and Joe Manchin (W.Va.), Mark Warner and Tim Kaine (Va.), Patty Murray and Maria Cantwell (Wash.), and Barbara Boxer and Dianne Feinstein (Calif.).

"This is absolutely one of NACo's top legislative priorities," Chase said.

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Highway and transit funding see increases; FAA funding cut

OMNIBUS *from page 1*

Transportation and Infrastructure Highlights

… Highway and Transit Funding Reflects MAP-21 Levels

The omnibus includes non-discretionary obligation limitation funding (the amount that can be obligated from the Highway Trust Fund for the programs authorized by MAP-21) for federal highway and transit programs that is consistent with the amounts authorized in MAP-21. Specifically, $41 billion in obligation limitation is provided for the federal highway program and $8.6 billion is included for mass transit.

• **Highway Funding**: The omnibus provides $41 billion in obligation limitation funding for the Federal Highway program, consistent with levels authorized through MAP-21. This represents an increase of $557 million from the FY13 level.

SpeedRead » » »

- » Funds the federal government for FY14
- » Combines all 12 annual appropriations bills into one bill
- » Totals $1.01 trillion
- » Provides a 2.6 percent increase in discretionary spending
- » Restores most of the funding cut by the sequester

• **Transit Funding**: The omnibus provides $8.6 billion from the Mass Transit Account of the Highway Trust Fund—the same level authorized in MAP-21—and $2.15 billion in discretionary funding for the Federal Transit Administration, which includes $1.94 billion in new funding for Capital Investment Grants. In addition, the omnibus directs $190 million in unobligated and unexpended funds from prior fiscal years for a total of $2.13 billion for FY14 Capital Investment Grant projects. This represents an overall increase of $276 million from FY13.

• **TIGER funding**: The omnibus includes $600 million for the Administration's signature TIGER grant program, which provides funding to states, local governments and transit authorities for highway, bridge, passenger and freight rail, and port infrastructure investments. This exceeds both the post-sequestration FY13 enacted level ($474 million) and the amount requested in the president's FY14 budget ($500 million).

… Federal Aviation Administration Will See $168 Million Cut

The omnibus provides $12.4 billion to the Federal Aviation Administration (FAA), a reduction of $168 million from FY13. The bill would also reject the Administration's proposal to increase Passenger Facility Charges.

• **Airport Infrastructure**: The omnibus includes $3.35 billion in obligation limitation for Grants-in-Aid for airports (Airport Improvement Program), which would include $5 million to continue the Small Community Air Service Development Program (SCASDP). The amount available for SCASDP represents a $1 million decrease from FY13. The bill would also allow small airports to continue contributing 5 percent of the total cost for unfinished phased projects that were underway prior to the passage of the most recent FAA bill (the FAA Modernization and Reform Act of 2012) increased the cost share from 5 percent to 10 percent).

• **Payments to Air Carriers:** The omnibus provides a total of $249 million for the Essential Air Service Program, which includes $149 million in appropriations and approximately $100 million in over-flight fees. The bill further provides that none of these funds shall be used for contracts with communities located less than 40 miles from the nearest small hub airport unless the locality negotiates an agreement to share costs.

… No Funding Provided for High-speed Rail

The omnibus provides $1.6 billion for the Federal Railroad Administration (FRA), a decrease of $34.6 million from the FY13 post-sequestration enacted level. This amount includes $340 million in operating grants and $1.05 billion for capital and debt service grants to Amtrak. The amount available for the FRA does not include any of the Administration's requested funding for High-speed Rail.

… Army Corps Receives Increased Funding for Water Infrastructure

Under the omnibus, the U.S. Army Corps of Engineers (Corps) receives $5.5 billion, which is an increase of $495 million from the FY13 post-sequestration enacted level (excluding Hurricane Sandy relief), in order for the agency to continue to focus on flood control and navigation projects. This includes more than $1 billion from the Harbor Maintenance Trust Fund, an increase of $300 million from previous fiscal years.

• **General Investigations**: $125 million is provided to conduct reconnaissance studies, which is an increase of $7 million from FY13 (post-sequestration). The bill also provides that there be no more than nine new study starts during FY14 and that those studies be balanced across the Corps' main mission areas (navigation, flood and storm damage reduction, and environmental restoration)—all of these studies are to be chosen by the Corps.

The omnibus includes $600 million for the Administration's signature TIGER grant program, which provides funding to states, local governments and transit authorities for highway, bridge, passenger and freight rail and port infrastructure investments. This exceeds both the post-sequestration FY13 enacted level ($474 million) and the amount requested in the president's FY14 budget ($500 million).

• **Construction Funding:** $1.65 billion is provided for the construction of river and harbor, flood and storm damage reduction, shore protection and aquatic ecosystem restoration projects, which is an increase of $69 million from FY13 (post-sequestration). The Corps is also directed to spend 25 percent of this amount on the Olmsted Lock and Dam on the Ohio River and be limited to initiating no more than four new projects in FY14.

• **Operations and Maintenance:** $2.86 billion is provided for the operation and maintenance of existing projects, which is an increase of $575 million from FY13 (post-sequestration).

• **Mississippi River and Tributaries:** $307 million would be available for flood damage reduction projects in the Mississippi River alluvial valley, an increase of $68 million from FY13 (post sequestration).

• **Flood Control and Coastal Emergencies:** $28 million would be provided to prepare for flood, hurricane and other natural disasters to support emergency operations, repairs and other activities.

… Census Bureau's American Community Survey Remains Intact

Funded within the Commerce, Justice, Science and Related Agencies Appropriations, the U.S. Census Bureau receives $945 million for operations in FY14 under the omnibus. Although less than the president's FY14 budget request, this amount is expected to be enough to continue the American Community Survey (ACS), which is conducted every year by the Census Bureau.

The ACS, sent to a small percentage of the nation's population, seeks to collect current data on local communities every year as opposed to every 10 years in the decennial census. The data collected is important to various stakeholder groups in both the business and government communities. NACo supports implementation of the ACS, as it helps determine emerging local and regional trends that assist in planning. Furthermore, the survey data is used to decide how more than $400 billion in federal and state funds are distributed each year.

See **OMNIBUS** *page 5*

Profiles in Service

Gordon Topham

NACo Board of Directors

Commissioner, Sevier County, Utah

Number of years active in NACo: Five years

Years in public service: 42 years

Occupation: Retired park ranger

Education: B.S. in biological science and master's in microcomputers

The hardest thing I've ever done: I don't think I've ever done anything hard.

Three people (living or dead) I'd invite to dinner: Theodore Roosevelt, Meriwether Lewis and Jedidiah Smith

A dream I have is to: visit the outback of Australia.

You'd be surprised to learn that: I was a river ranger on the Colorado and San Juan Rivers in Utah.

The most adventurous thing I've ever done is: twice hike through the Grand Canyon.

My favorite way to relax is: My wife says I don't know how to relax. I love to read.

I'm most proud of: my five children.

Every morning I read: KLS Web news and all my emails.

My favorite meal is: corn beef and cabbage.

My pet peeve is: people coming late to meetings.

My motto is: If I'm always honest I don't need to remember what I have said.

My favorite movie is: Anything directed by Mel Brooks as I have a sick sense of humor.

My favorite music is: '60s music.

My favorite President is: Ronald Reagan and Abraham Lincoln.

Prevention and Public Health Fund receives full funding

OMNIBUS *from page 4*

Health and Human Services

… U.S. Department of Health and Human Services (HHS) Health Program Funding is Increased

The omnibus funds the National Institutes of Health (NIH) at $29.9 billion, an increase of $1 billion over the FY13 post-sequestration level. The Centers for Disease Control and Prevention (CDC) is set to receive $6.9 billion, $368 million above the FY13 level. The negotiators avoided most of the hot-button issues that have kept Congress from completing the Labor-HHS-Education appropriations bill for the past two years, agreeing to provide roughly level funding for activities and programs under the Affordable Care Act (ACA) and avoiding new contraception or abortion riders.

• **Prevention and Public Health Fund**: For the first time since the fund's enactment as part of the ACA, the omnibus fully allocates the mandatory funding available through the Prevention and Public Health Fund (PPHF) — $1 billion in FY14. The bulk of the funding, $831million, is slated to go to CDC programs.

Absent congressional direction while operating under a series of continuing resolutions, HHS allocated the funds at its discretion. In FY13, the agency diverted more than $450 million from the PPHF to support the ACA health insurance exchanges. NACo objected to that move and strongly supports allocating PPHF resources according to its original intent, especially to those programs that support county prevention and public health work.

• **Substance Abuse and Mental Health**: County behavioral health authorities receive funding from the Substance Abuse and Mental Health Services Administration (SAMHSA), primarily through two major block grants:

The **Substance Abuse Prevention and Treatment** (SAPT) **Block Grant** is funded at over $1.8 billion under the omnibus, and appropriators also included language sought by NACo that blocks the agency from redirecting a portion of the block grant to research and evaluation.

The bill allocates $484 million for the **Mental Health Block Grant**, a $47 million increase over FY13 levels, and requires a new 5 percent set-aside for early intervention programs for persons with serious mental illness such as psychosis.

Negotiators also included more than $100 million in funding for the president's "Now is the Time" initiative, which was developed to support mental health programs in response to the Newtown school shooting tragedy.

…Human Services Funding Avoids Major Cuts

The omnibus largely spares the programs counties use to provide human services to vulnerable members of their communities. It extends the $16 billion Temporary Assistance for Needy Families (TANF) Block Grant through the end of the fiscal year. It also provides level funding for the Social Services Block Grant at $1.7 billion.

• **Head Start:** The Head Start program receives $8.6 billion, an increase of $1 billion over FY13 funding, which restores the sequester cut and adds a 1.3 percent cost-of-living increase. This funding includes $500 million for Early Head Start.

• **Child Care and Development Block Grant:** The Child Care and Development Block grant receives $2.36 billion for the discretionary portion, an increase of $37 million from pre-sequestion FY13 levels.

• **Low-Income Home Energy Assistance:** The Low-Income Home Energy Assistance Program (LIHEAP) is funded at $3.42 billion, an increase of $169 million over FY13 levels.

• **Community Services Block Grant:** The Community Services Block Grant, a NACo-supported program, which had been targeted for cuts, is funded at $710 million, the same as FY13 pre-sequestration levels.

• **Refugee Assistance:** Refugee Assistance programs are funded at almost $1.5 billion, which is an increase of $363 million from the president's FY14 request. Transitional and Medical Services continue to be funded at $391 million. The biggest increase in funding is for the Unaccompanied Refugee Minor Program (URM), which nearly doubles to $868 million. The reason for this increase is that 60,000 unaccompanied minors, many of whom end up in state and county foster care programs, are expected to cross the border this year due to conflicts around the world.

Prevention and Public Health Fund

In FY13, HHS diverted more than $450 million from the PPHF to support the ACA health insurance exchanges. NACo objected to that move and strongly supports allocating PPHF resources according to its original intent, especially to those programs that support county prevention and public health work.

… Administration for Community Living Funding Increased

The omnibus provides $1.6 billion for the U.S. Department of Health and Human Services' (HHS) Administration for Community Living (formerly the Administration on Aging), an increase of $57 million over FY13 levels. Specific programs relied on by counties to help seniors and people with disabilities stay out of institutional care and live in their communities include:

• **Congregate Meals**: Congregate Meals are funded at $438.2 million, an increase of $22.1 million from FY13 before sequestration.

• **Home-delivered Meals**: The Home-delivered Meals program receives $216.4 million, a slight increase from FY13.

• **Supportive Services and Centers**: Supportive Services and Centers are funded at $347.7 million, level with FY13.

• **Family Caregiver Support Services**: Family Caregiver Support services are slated to receive $145.6 million, level with FY13 after sequestration.

Justice and Public Safety

…FEMA State and Local Programs See Slight Increase in Funding

The omnibus provides $1.5 billion for the U.S. Department of Homeland Security's (DHS) Federal Emergency Management Administration (FEMA) state and local programs, an increase of $230 million from the FY13 enacted level but roughly $600 million less than the president's FY14 request.

Emergency Management Performance Grants and Firefighter Assistance Grants saw no change from the FY13 enacted levels; they are funded at $350 million and $680 million, respectively.

• **UASI**: The omnibus provides $587 million for the Urban Area Security Initiative (UASI). This represents a $97 million increase from FY13.

• **State Homeland Security Grant Program**: The omnibus provides $411 million for the State Homeland Security Grant Program,

See **OMNIBUS** *page 6*

Background

In recent years, as partisan battles over federal spending have intensified, Congress has been unable to enact any stand-alone appropriations bills through the regular appropriations process. In fact, no individual spending bills have been enacted through the regular process since 2009.

Instead, Congress has relied on year-end omnibus appropriations measures (that combine some or all of the 12 annual spending bills) or continuing resolutions (which fund federal government programs and agencies at prior-year spending levels) to complete the annual appropriations process.

For example, Congress did not complete the FY11 (the fiscal year that began on Oct. 1, 2010) appropriations process until April 2011 when, after an agreement was reached between Republicans and President Obama to cut spending, Congress enacted an omnibus measure (P.L. 112-10) that provided a full, detailed spending bill for Defense but a year-long continuing resolution for the other 11 spending bills.

In FY12, after Congress and President Obama reached agreement on a debt limit increase/deficit reduction measure (the 2011 Budget Control Act, or P.L. 112-25), Congress finished the appropriations process by passing two separate omnibus measures—a three-bill "minibus" enacted in Nov. 2011 (P.L. 112-55) and a nine-bill omnibus enacted in Dec. 2011 (P.L. 112-74).

In FY13, Congress enacted a year-long continuing resolution after agreement could not be reached on whether to roll back and replace the automatic spending cuts (sequestration) triggered by the 2011 Budget Control Act. Spending for FY 2013 was set in March 2013 through an omnibus (P.L. 113-6) that included appropriations for five spending bills and a year-long continuing resolution for the remaining seven bills. The $1.04 trillion discretionary total in that measure was then reduced by sequestration to $988 billion—which prompted federal departments and agencies to impose furloughs and implement other cost-saving measures.

By the beginning of FY14 (in Oct. 2013), Congress had not yet completed the annual appropriations process—primarily due to major disagreements between the House and Senate on sequestration and overall caps on discretionary spending.

House appropriators drafted their appropriations bills with a discretionary spending cap of $967 billion and kept the sequester in place. Senate appropriators, on the other hand, ignored the sequester and drafted their appropriations bills under the discretionary spending cap of $1.06 trillion.

As a result of these substantial differences, the appropriations process ground to a halt and caused a 16-day government shutdown. Congress ended the shutdown by funding the government through Jan. 15 and suspending the statutory debt limit through Feb. 7. As part of that deal (P.L. 113-46), a formal House-Senate conference committee negotiated discretionary spending caps for FY14 and FY15, partially rolling back the sequester in each of those years.

Soon after that negotiation, Congress passed a new Bipartisan Budget Act (P.L. 113-67), which increased the cap on FY14 discretionary spending by $45 billion to $1.01 trillion and increased the cap on FY15 discretionary spending by $18 billion to $1.01 trillion. Congressional leaders are hopeful that this deal will spur Congress to return to "regular order" for considering annual appropriations bills.

CDBG funding takes $211 million hit; WIA up slightly

OMNIBUS *from page 5*

an increase of roughly $65 million above FY13.

• **FEMA Mitigation Programs**: The omnibus provides $6.2 billion for Disaster Relief, a decrease of roughly $800 million from FY13. Additionally, Pre-Disaster Mitigation Grants are funded at $25 million, nearly level with FY13.

• **Flood plain management and flood mapping**: Under the National Flood Insurance Fund, the omnibus provides $154 million for flood plain management and flood mapping—which will remain available until Sept. 30, 2015. This represents nearly level funding from the FY13 enacted level.

• **Training, exercises and technical assistance**: The omnibus provides $233.7 million to sustain current operations for training, exercises, technical assistance and other programs. Of the $233.7 million, $162.9 million is reserved for training of state, local and tribal emergency response providers.

… Department of Justice Programs

The omnibus provides total resources of $27.7 billion for the U.S. Department of Justice, including the following levels of funding for individual programs:

• **Justice Reinvestment Initiative (JRI)**: The Justice Reinvestment Initiative receives $27.5 million, a significant increase of almost $22 million over the amount allocated in FY13. This is intended to accommodate additional state participation and enhance implementation in existing JRI states.

• **State Criminal Alien Assistance Program (SCAAP)**: The omnibus would fund SCAAP at $180 million, $62 million below the FY13 level of $242 million. The bill states "that no jurisdiction shall request compensation for any cost greater than the actual cost for Federal immigration and other detainees housed in State and local detention facilities." SCAAP reimburses states and local governments for the cost of incarcerating undocumented immigrants who have been convicted of felonies or at least two misdemeanor offenses and have been jailed for a minimum of four consecutive days.

• **Byrne Memorial Justice Assistance Grants (JAG):** The omnibus provides $376 million, $16 million below the FY13 level (pre-sequestration).

• **Criminal History Records and NICS**: The omnibus provides the National Criminal History Improvements Program and the National Instant Criminal Background Check System (NICS) with $58.5 million and $12 million, respectively, to help state and local governments add more records to the system—particularly mental health records. This represents a $53 million increase for the National Criminal History Improvements Program over FY13 funding. NICS funding is level with FY13.

• **COPS funding**: Funding for the Community Oriented Policing Services is set at $214 million, $2 million more than in FY13 (post-sequestration).

• **Second Chance Act grants**: Second Chance Act grants are funded at $68 million under the omnibus, basically level with FY13.

• **Drug courts**: Funding for drug courts is set at $40.5 million, a $2 million increase over FY13 post-sequestration levels.

The omnibus largely spares the programs counties use to provide human services to vulnerable members of their communities. It extends the $16 billion Temporary Assistance for Needy Families (TANF) Block Grant through the end of the fiscal year. It also provides level funding for the Social Services Block Grant at $1.7 billion.

• **Crime Victims Fund**: The cap on the Crime Victims Fund is raised to $745 million under the omnibus, a $15 million increase over FY13 levels.

• **Violence Against Women Act (VAWA) Programs**: The omnibus provides level funding for VAWA programs at $417 million, with the STOP (Sources, Training, Officers and Prosecutors) grants funded at $193 million, a $13 million increase from FY13 after sequestration.

• **Office of Juvenile Justice Delinquency Prevention (OJJDP)**: The OJJDP is funded at $255 million under the omnibus, down $11 million from FY13 after sequestration.

• **The Juvenile Accountability Block Grant (JABG)**: The omnibus terminates funding for JABG but allows up to $10 million from Part B formula funds to be used for activities that had previously been funded through JABG.

• **Residential Substance Abuse Treatment**: Residential Substance Abuse Treatment programs would receive $10 million, $2 million less than the FY13 level.

• **Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF)**: ATF would be funded at $1.18 billion, which is $49.6 million more than the FY13 level of funding.

Economic Development and Workforce Highlights

… Community Planning and Development Programs Funding Reduced

The ability of counties to carry out their work in the arena of economic development may be compromised by cuts contained in the omnibus. HUD's community planning and development programs will be cut by $145 million to $6.6 billion.

• **CDBG**: The omnibus provides $3.03 billion for the Community Development Block Grant (CDBG) program, which is $211 million less than the 2013 pre-sequestration level. Twenty percent of any awarded grant can be used for administrative costs. Counties use CDBG to fund vital community and economic development programs.

• **HOME**: The omnibus includes $1 billion for the HOME Investment Partnerships program, which is a $2 million increase from the FY13 pre-sequestration level. Counties use HOME to fund critical housing programs for extremely low-income families.

… Homeless and Housing Voucher Programs Funding Increased

Under the omnibus, Homeless Assistance Grants are funded at $2.1 billion, a slight increase from the FY13 level of more than $2 billion. Section 8 Housing Choice Vouchers are funded at $19.2 billion, an increase from $18.9 billion in FY13. This would include $75 million for HUD Veteran's Affairs Supportive Housing (VASH) grants. Section 8 project-based vouchers would increase from $8.9 billion in FY13 to $9.5 billion in FY14.

… Economic Development Administration Funding Increased

The omnibus provides $247 million in funding for the U.S. Department of Commerce's Economic Development Administration (EDA), a $26 million increase above FY13 pre-sequestration levels.

Economic Development Assistance Programs are funded at $210 million, including $10 million for the Regional Innovation Program. The bill provides $96 million for Public Works ($17 million above FY13 levels), $29 million for Planning (same level as FY13), $42 million for Economic Adjustment Assistance ($8 million below FY13), $3 million for new coal job assistance (new funding) and $37 million for salary expenses ($500,000 below FY13 levels).

These EDA funds support regional strategies for long-term growth, leverage billions in private investment and generate thousands of jobs. EDA funding is important to counties because it serves as a catalyst in helping local communities achieve long-term economic growth.

… Department of Labor's Employment and Training Administration Takes Hit – WIA Funding Increased Slightly

The omnibus provides $10.4 billion for programs and activities under the U.S. Department of Labor's Employment and Training Administration, which is $562 million below FY13 levels.

• **Veterans Employment and Training Service (VETS)**: The omnibus provides $270 million, an increase of $19 million above FY13 post-sequestration levels, to expand employment services, including $14 million for the Transition Assistance Program to help new veterans receive training for civilian employment and job search assistance.

• **Workforce Investment Act (WIA)**: The bill provides $2.59 billion, an increase of $121 million over FY13 levels, to provide job-training skills and assistance to low-skilled adults, dislocated workers and low-income youths with barriers to employment. WIA is the largest single source of federal funding for workforce development activities and a critical resource for counties.

• **Job Corps**: The omnibus provides $1.7 billion for Job Corps, down slightly from FY13 levels. Job Corps helps unemployed young Americans receive education, job training and employment assistance.

Energy, Environment and Land Use

… Environmental Programs Take Some Hits

The U.S. Environmental Protection Agency (EPA) receives $8.2 billion under the omnibus, which is $143 million below FY13 level but $47 million above the president's FY14 request.

• **Water Infrastructure Funding:** The Clean Water State Revolving Fund (CWSRF) and the Drinking Water State Revolving Fund (DWSRF) receives $2.35 billion combined in the omnibus; this is slightly higher than FY13. SRF programs help finance state and local water infrastructure projects. Specifically, the CWSRF receives $1.44 billion, an increase of $72 million over the FY13 level (post-sequestration) for Clean Water Act (CWA) municipal wastewater infrastructure construction or upgrade projects.

The DWSRF, under the omnibus, receives $906 million, an increase of $44.7 million from FY13 (post sequestration), to support Safe Drinking Water Act (SDWA) infrastructure projects.

In recent years, federal funding for compliance with CWA/SDWA mandates has been shrinking. NACo supports the State Revolving Loan Fund (SRF) programs, the Clean Water State Revolving Loan Fund (CWSRF) and the Drinking Water State Revolving Loan Fund as supplements to, not a substitute for, federal grants program.

• **Leaking Underground Storage Tank Program**: The omnibus provides $94 million for the Leaking Underground Storage Tank Trust Fund Program (LUST), $4.7 million below the FY13 level. A number of counties provide oversight and cleanup of fuel from underground storage tanks. NACo supports full funding for the LUST program, which should only be used for its intended purpose of remediating and preventing further contamination caused from underground storage tanks.

• **Brownfields:** For Brownfields Section 104(k) grants, the omnibus provides $90 million, level with funding from FY13. NACo urges

See **OMNIBUS** *page 7*

Wildland fire fighting, prevention funded at $3.9 billion

OMNIBUS *from page 6*

continued federal support for redevelopment of abandoned or under-utilized industrial and commercial sites, which are frequently contaminated due to past practices, through programs designed to allow these sites to once again be economically viable. NACo also supports federal funding for environmental clean up of these areas. Clean-up standards should be based on the level and type of contamination, and the intended reuse purpose.

• **EPA Riders:** The bill contains several riders which exempt livestock producers from greenhouse gas regulations, climate-change reporting requirements to Congress and regional haze air quality issues.

• **Not included in the bill:** A rider to prohibit EPA from moving forward on requiring permits for stormwater runoff from forest roads was not included in the omnibus, nor was a rider to prohibit the "Waters of the U.S." definitional changes from moving forward.

… Focus on Energy Security and Diversity Continues

Under the omnibus, the U.S. Department of Energy (DOE) receives $10.2 billion to support a focus on energy independence and economic competitiveness. This is $620 million more than FY13 and $916 million below the Administration's FY14 request. DOE is tasked with maintaining and promoting national energy policy in the U.S.

• **Energy Efficiency and Renewable Energy:** Under the omnibus, energy efficiency and renewable energy programs such as solar, hydrogen and fuel cell, wind, geothermal, receive approximately $1.9 billion as opposed to $1.7 billion in FY13 (post-sequestration). NACo supports increased federal resources for researching and developing renewable energy technologies, including wind, solar, geothermal, biomass, electricity from landfill gas, and other forms of waste-to-energy, which will achieve the objective of clean and safe forms of energy. The renewable and alternative energy industries have diversified the nation's energy base while providing needed jobs to local economies.

• **Weatherization**: DOE's weatherization program receives $174 million, which is up $35 million (pre-sequestration) from FY13. The Weatherization Assistance Program (WAP) helps low-income families to make their homes more energy efficient while reducing their energy bills. The federal government provides money to the states, which then fund community programs (including local governments) to oversee WAP. NACo supports WAP.

• **Fossil Fuel Research:** Fossil fuel research and development technologies, such as carbon capture and storage, national gas technologies and unconventional fuel technologies from oil and coal receive $562 million, a decrease of $28 million from the FY13 pre-sequestration level. NACo supports alternative and renewable energy, clean energy and clean coal research.

• **DOE Riders:** The omnibus includes a rider that would block the Administration from implementing the "light bulb" standard which prohibits incandescent light bulbs from being manufactured or sold. The omnibus also includes a rider that would allow federal agencies to use prior-year funding for Yucca Mountain, in order to finish the safety evaluation report on Yucca's viability to be used as a nuclear waste disposal site. NACo supports construction of a permanent nuclear waste repository and the use of an interim central storage facility until the permanent site is completed.

Public Lands

… Big Win for Wildfire Fighting and Prevention

In total, the omnibus provides $3.9 billion for wildfire fighting and prevention programs within the U.S Department of the Interior and the U.S. Department of Agriculture Forest Service. This level fully funds wildland fire operations for the Department of the Interior and the Forest Service at the 10-year average level, and fully reimburses the agencies for all fire-borrowing in FY13. In addition, the bill provides $452 million for hazardous fuels reduction activities, which is $150 million above the president's FY14 budget request.

… Bureau of Land Management (BLM) Funding Increased Slightly

The BLM is funded at $1.1 billion under the omnibus — $7 million above the FY13 enacted level. The legislation also seeks to protect ranchers in western communities from unnecessary red tape and increased costs, including riders which would block an Administration proposal to charge $6.5 million in new grazing fees on BLM and Forest Service lands and would provide a two-year extension for renewal of grazing permits administered by the BLM and the Forest Service.

…U.S. Fish and Wildlife Service (FWS)

• **Refuge Revenue Sharing Fund:** The Refuge Revenue Sharing Fund is provided $13 million under the omnibus. The FWS makes revenue sharing payments to counties for the lands they administer. Twenty-five percent of the net receipts collected from the sale of various products or privileges from refuge lands are paid to the counties in which they were located.

• **Sage Grouse Recovery:** $15 million is appropriated for conservation activities to prevent greater sage grouse from becoming listed as an endangered species.

… U.S. Forest Service Funded at $5.5 Billion

The omnibus provides $5.5 billion for the Forest Service—which includes increases in funding for wildfire fighting and management, as noted above.

• **Distance Learning, Telemedicine and Broadband Program:** The omnibus provides $10.37 million in grants (an increase of $260,000 from FY13), $4.5 million in loan subsidies (a $610,000 increase from FY13), and $34.48 million in direct loans ($7.76 million less than FY13 levels) for broadband transmission and Internet services in non-served rural areas. The omnibus also includes $24.32 million in grants for the Distance Learning and Telemedicine Program (an increase of $1.24 million from FY13).

… Under the USDA Rural Housing Service:

• **Rural Communities Facilities Program:** The omnibus provides $2.2 billion in direct loans (unchanged from FY13), $59.5 million in guaranteed loans (a $2.06 million increase from FY13), and almost $30 million in grants (an increase of $1 million from FY13) to help fund rural hospitals, schools and health clinics.

• **Housing Insurance Fund Program:** The omnibus provides $900 million for Single Family Housing Direct Loans including $24 billion in unsubsidized loan guarantees—unchanged from FY13 levels. Most notably, the program also includes $1.1 billion for Rental Assistance Program Grants (a $225.7 million increase from FY13).

For Brownfields Section 104(k) grants, the omnibus would allot $90 million, level with funding from FY13. NACo urges continued federal support for redevelopment of abandoned or under-utilized industrial and commercial sites, which are frequently contaminated due to past practices, through programs designed to allow these sites to once again be economically viable.

Agriculture and Rural Development

… U.S. Department of Agriculture Rural Development Sees Increase in Omnibus

The omnibus provides $2.4 billion for Rural Development programs, which is $180 million above the FY13 enacted level. These programs help spur economic growth by supporting basic infrastructure, providing loans to rural businesses and industries, and helping strengthen housing markets in rural areas.

Under the USDA Rural Utilities Service:

• **Water and Waste Disposal Programs:** The omnibus provides $1.2 billion in direct loans ($200 million above FY13), $50 million in guaranteed loans ($11 million below FY13) and $345 million in grants ($35.5 million above FY13). This program helps rural communities address the backlog of clean water and waste disposal projects.

… Under the USDA Business-Cooperative Service

• **Rural Cooperative Development Grant Program:** The omnibus provides $26.1 million for the Rural Cooperative Development Grant Program ($1 million less than FY13) including $5.8 million in grants and $2.25 million for a cooperative agreement for the Appropriate Technology Transfer for Rural Areas Program. The program funding also includes $15 million in grants for the Value-Added Producer Grant (VAPG) program (a $1.13 million increase from FY13). Specifically, the VAPG program helps create and expand new bio-based markets and products.

… Food Safety Takes Hit

The omnibus appropriates $1 billion for the Food Safety and Inspection Service, a $19 million reduction from FY13 levels.

• **Food and Nutrition Service (FNS)**: Child Nutrition receives $19.3 billion, a decrease of more than $1 billion from FY13 levels.

• **Supplemental Nutrition Assistance Program (SNAP)**: SNAP is funded at $82.17 billion, which is the amount that the Administration estimates is needed for the former food stamps program. This is a slight increase from FY13.

• **Women, Infants and Children (WIC) Supplemental Feeding Program**: WIC is provided $6.7 billion, which is an increase of $194 million over the FY13 post-sequestration levels.

Education

... Increases for U.S. Department of Education Programs

For the three major elementary, secondary and higher-education programs, the omnibus provides increased funding. These programs are important to counties that are involved in financing school systems. Additionally, funding for the Pell Grant program, which is critical to community college tuition payments, would remain steady.

Title I Funding for Disadvantaged Schools: The omnibus provides $14.4 billion, an increase of $625 million from the FY13 post-sequestration level.

Special Education Grants to States: The omnibus provides $11.47 billion, an increase of $498 million from the FY13 post-sequestration level.

Pell Grants: The omnibus maintains funding at $22.8 billion, which will support a slight increase to the maximum annual award of $5,530 per student.

Stay up-to-date on NACo legislative priorities and initiatives at www.naco.org.

NACo National Association of Counties

NACo Grants Clearinghouse

Grant listings updated in real time!
Nearly 1,000 opportunities to increase funding for programs!

WHAT IS IT?

- A one-stop shop for grant information
- Up-to-date, searchable database of federal, state, corporate and foundation grants for which counties, as well as community-based organizations, are able to apply
- Advanced search tools to filter results based on category, eligibility, funder type, state and search term
- Comprehensive descriptions for each grant, including funder and funder type, summary of the program, history of funding, contact information, external resources and a range of additional information

WHERE IS IT?

- To access the tool go to www.nacogrants.org.
- Alternatively, go to www.naco.org, and under "Solutions Center" tab click on "Find a Grant." Select "NACo Grants Clearinghouse," and begin searching!

Learn more about NACo membership at www.naco.org/membership.

Distressed coal counties tapped as new Promise Zone

By Charles Taylor
SENIOR STAFF WRITER

Numbers tell the story of coal-mining counties of southeastern Kentucky — high jobless rates, 16.4 percent in Leslie County during one recent month — driven largely by the decline of the coal industry, once the region's lifeblood.

SpeedRead » » »

- Eight Kentucky counties comprise only rural Promise Zone
- Benefits include priority access to federal grants
- Counties' coal-mining employment down by 50 percent since 2010

Eastern Kentucky has lost more than 8,000 coal and coal-related jobs over the past two years, according to the Eastern Kentucky Concentrated Employment Program (EKCEP).

Now comes federal help for eight Appalachian counties in the form of one of President Obama's five recently created Promise Zones. In addition to Leslie, other counties in the zone are Bell, Clay, Harlan, Knox, Letcher, Perry and Whitley. All are "persistent poverty" counties with a combined poverty rate that averages 30 percent. The number of residents employed in mining in those counties is down by more than 50 percent over the last three years, according to the Kentucky Energy Cabinet.

"With the decline of the coal industry in our area, it's very much needed," Whitley County Judge Executive Pat White Jr. said of the Promise Zone. "Any sort of efforts that we could get to spur economic development are very much needed." His county's unemployment rate was 8.8 percent in November 2013, just over half of Leslie County's but two points above the state average of 6.6 percent.

"We're in crisis mode in our region," said Jeff Whitehead, executive director of EKCEP. Kentucky coal has been losing ground to cheaper natural gas and abundant supplies of cleaner-burning, more easily mined coal from places like Wyoming, Illinois and even western Kentucky. "It's a combination of many things that's really kind of been the perfect storm for the coal industry here in the Appalachian region."

Photo courtesy of EKCEP

Displaced Kentucky coal miners queue to meet with Toyota representatives at a Hiring Our Miners Everyday (H.O.M.E.) job fair in in Perry County on Dec. 17. Two hundred-fifty miners and at least 10 companies showed up at the event hosted by Eastern Kentucky Concentrated Employment Program (EKCEP).

The 10-year Promise Zone designation, which can be extended by the federal government, affords the eight-county region competitive advantages in applying for federal grants as well as assistance from various federal agencies that oversee housing, education, economic development, agriculture and safety. Those agencies also will provide increased coordination to help the counties maximize federal and private investment.

The eight Kentucky Promise Zone counties are nestled in the southeast corner of the state, bordering Virginia and Tennessee, in the Appalachian region.

Denny Nunnelley, executive director and CEO of the Kentucky Association of Counties, said, "whether it's tax incentives or less red tape," the federal help and attention are welcomed.

The Kentucky Highlands Investment Corporation (KHIC) submitted the winning application on the counties' behalf for a rural zone with a population less than 200,000. Key strategies KHIC proposed include:

- creating jobs and growing small businesses by leveraging $1.3 million in private-sector funds in a revolving loan fund targeted within the zone
- providing leadership and entrepreneurial training for youths and industry-specific workforce retraining opportunities and
- using Berea College to conduct evidence-based, college-and career-readiness programs for high school students, while Eastern Kentucky University would expand technical education programs.

"We're going to be working closely with the county governments, the county judges," said Jerry Rickett, KHIC's president and CEO. "We're going to put a governance system together; each county judge is going to appoint a person, and the chairman of my board is going to appoint a person from each county to be the steering committee for this."

KHIC will manage and administer the zone with the participation of 12 partners, working under a memorandum of understanding — including counties, the state, the University of Kentucky, EKCEP, law enforcement, nonprofits and the private sector, among other entities. During the first 120 days, the university will create a strategic plan to guide the effort.

EKCEP will bring its existing job-skills training and placement expertise — and "some training dollars" — to the table," Whitehead said. His workforce development agency serves 23 counties in eastern Kentucky, including the Promise Zone counties, and he believes any promise zone successes could be replicated throughout the broader region.

Gov. Steven Beshear (D), in a letter supporting KHIC's application, strongly endorsed the agency based on its "45-year track record of supporting over 625 rural Kentucky businesses with over $275 million in equity and debt financing."

Many details remain to be worked out, Rickett said — he has meetings scheduled the week of Jan. 27 with the eight county judge executives and with Promise Zone partners. "Anytime you go first, it's a real opportunity to sort of set the stage for the ones that follow you," he said. "Because, in this case, it's a presidential initiative ... lends a lot of credibility with the agencies and within the communities themselves."

WORD SEARCH

Hanover County, Va. Facts

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

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ASHLAND (incorporated town)
CAROLINE (north adjacent county)
CHICKAHOMINY (one of two Indian tribes that used grounds to hunt)
HANOVER COURTHOUSE (county seat)
HENRICO (south adjacent county)
KING GEORGE I (known as Elector of Hanover, county namesake)
KINGS DOMINION (theme park opened in 1974)
LOUISA (west adjacent county)
NEW KENT (east adjacent county)
PAMUNKEY (tributary of the York River that runs through county)
PATRICK HENRY (American statesman and lawyer)
TOBACCO (main cash crop in the region)
TWENTYFIVE (number of schools in county)

Created by Christopher Johnson

Forest-health 'ATreeM' cards offset health care spending

By Charles Taylor
SENIOR STAFF WRITER

WEB* CONTENT

The spirit of rebirth is as evergreen in Columbia County, Ore. as the timber that has sustained the county's economy for centuries.

Perhaps nowhere is that more apparent than in the city of Vernonia, which endured two 500-year floods in 11 years — 1996 and 2007 — and in many ways is still recovering. The most recent flood caused $120 million in damage in rural Vernonia (pop. 49,300), according to county Commissioner Tony Hyde, the city's former mayor.

Much has been rebuilt, including a new K-12 school campus to replace three schools damaged or destroyed in 2007, with an eye towards sustainability. The campus was built to the highest, platinum, U.S. Green Building Council standard and uses local biomass to fuel its boilers. The community's can-do spirit, natural resources and survival instincts have also attracted the attention of the Pinchot Institute for Conservation.

It chose Columbia County to pilot a concept designed to preserve family-owned forest land, benefit the environment and help timber families offset their health care costs.

Under Pinchot's Forest Health-Human Health (FHHH) Initiative, family woodland owners can sell carbon credits based on the amount of carbon estimated to be sequestered by their trees. Proceeds from those sales would be split with 90 percent going into a so-called ATreeM debit card that can be used to pay health care expenses. The other 10 percent would benefit community health programs. Pinchot has partnered with PacificSource Administrators to offer the debit cards, which can be used to pay for prescriptions, wellness care, dental care, co-pays and insurance deductibles.

The revenue to landowners is highly dependent on the age, species and density of trees on their land, but many could receive a monthly benefit of $1,000 per month or more, as determined by recent modeling done with the American Carbon Registry, according to Alex Andrus, a Pinchot spokesman.

"Based on current carbon prices, landowners would need to own more than 50 acres to reach this threshold and be eligible to participate," he said. "Landowners with approximately 300 acres enrolled in the initiative would receive annual income ranging from $3,522 to $10,998, with an average annual benefit close to $8,000."

The Pinchot Institute's Brian Kittler said Hyde, a former mayor of Vernonia, has been "a great advocate for the project as a whole." He has arranged meetings with woodland owners, the health care industry and carbon traders.

"It's just really inspiring to see what they're trying to do," Kittler added. "And our hope is that very soon they'll have a very successful example that they can point to as a source of pride — and then, hopefully, we can replicate it in other communities like theirs around the country."

Pinchot Institute research found that rising health care costs are a major reason why some families sell or develop their forest land. Most of the timber land in the county is privately owned, according to Hyde.

"What we do in our county, in particular around Vernonia, is grow the finest carbon-eating machines on earth, which are trees," he said. "That's why our county is so suited for this experiment."

Ann Hanus, a former policy manager at the Association of Oregon Counties, said the county has put together a "very innovative" community and economic development approach in the aftermath of the floods (see sidebar), to which this initiative is contributing. The FHHH initiative has the potential to further boost the local economy.

Many county residents derive a big chunk of their income from active forest management, Kittler said, "so helping them manage sustainably and stay on their land, and not have to cut their timber in an unplanned manner when mom or dad get sick, that's the model."

Forest landowners 75 or older collectively own more than 46 million acres in the United States, according to the Pinchot Institute. Up to 85 percent of these landowners lack coverage for long-term health care, and 50 percent of their children (who are likely to inherit the family forests) have high-deductible insurance coverage with high out-of-pocket payments.

Kittler said FHHH is currently in negotiations with its first purchaser of carbon credits from a group of about 30 landowners.

Participation in the FHHH program would not prevent timber harvesting, Pinchot officials said. "Carbon buyers want landowners to develop long-term timber management plans that include sustainable forest management processes such as tree thinning or underbrush removal," said Catherine Mater, a senior fellow at Pinchot. "Those activities increase carbon scrubbing and the generation of oxygen."

Kittler said Columbia County was selected for the pilot because of "the sheer biophysical potential of the forest there to store carbon."

"It's pretty much one of the best places on earth to store carbon," he added. "So, if this couldn't work there, it wasn't going to work anywhere." If it's successful, there are plans to expand the program to other parts of the country.

*(*See this story at www.countynews.org for a short video about the Forest Health-Family Health Initiative.)*

Photo courtesy of WVIA Public Media

Keeping timber lands in the family, offsetting health care costs and benefiting the environment are equally important goals of the Pinchot Institute's Forest Health-Human Health Initiative, being piloted in in Columbia County (Vernonia), Ore.

Oregon county in fast lane to economic rebound

Columbia County, Ore. Commissioner Tony Hyde has a saying: "The only substantive change comes from catastrophic change."

Major changes are evident in how this largely rural county of 49,300 is bouncing back after major floods, in 1996 and 2007.

While the county is part of the Portland metropolitan area, most business expansion in has been in other counties in the region — until recently.

"This is kind of the last holdout for development …. If Portland's going to expand we're one of the few places it can," said Tony Erickson, chief operating officer of Oregon Aero, a business that recently expanded in the county.

Today, the county is being eyed for a satellite campus of Portland Community College in Scappoose, businesses are expanding in St. Helens, the county seat, and earlier this year, Portland General Electric announced plans to build a 220-megawatt, gas-fired generating station near Clatskanie, at a cost of $285 million and $310 million.

Columbia County didn't have a formal economic development arm at the time of the recent flooding, though it previously had had one. "They were always kind of specific to an issue," Hyde said, "and quite frankly, once the issue got resolved, then they went away."

Three years ago, the county launched the Columbia County Economic Team (CCET) as a public-private entity. Most of the successful models Hyde had seen around the state were more than 50 percent private, he said, "not another government agency." The county contributes $50,000 a year to CCET and will continue to provide "long-term" support.

Chuck Daughtry, CCET executive director, said one goal is to increase private sector funding. Hyde serves on its board of directors, along with representatives of cities within the county, businesses and industry.

Of CCET's role, Hyde said, "In terms of recruitment it's great; in terms of expansion and retention, it's incredible."

ORPET, a small business that recycles plastic (polyethylene terephthalate, PET for short) bottles into raw material to make other plastics opened a new factory in St. Helens in 2012. The $11 million facility processes more than 90 percent of Oregon's plastic bottles, according to CCET's 2012 annual report. It's the kind of clean, green business well suited for the Pacific Northwest, where environmental stewardship runs deep, and it "on-shores" work previously exported to China.

"The Port of St. Helens made some allowances for us, as did the county, in terms of taxes and those kinds of incentives," said Robert Sone, ORPET's sales and marketing manager.

Oregon Aero has been in Scappoose for about 20 years of its 25-year existence, according to Erickson. Its products include crash-proof seating for aircraft, and the company recently consolidated some of its operations at a new, 22,000-square-foot building at Scappoose Industrial Airpark, built by — then leased from — the Port of St. Helens, a CCET member.

Erickson said things are "on the verge of breaking loose" in Columbia County. "This latest group of people we have in office — and I'll include the ports in that as well — have been phenomenal, proactive, forward-looking, (forward)-thinking."

Marin powers 80% of county with renewable energy

By Charlie Ban
STAFF WRITER

Within its borders and beyond, Marin County, Calif. has become a player in the renewable energy market.

After fewer than four years of operation, Marin Clean Energy (MCE) supplies 80 percent of the electricity used in the county. This is thanks to the 2002 passage of California's community choice aggregation (CCA) law, which allowed jurisdictions to pool resources and purchase energy on behalf of customers, a difference from the traditional power utility which holds a monopoly on the local power supply.

It's the first county in the nation to do so and according to Leslie Alden, an aide to Supervisor Kathrin Sears, who serves on the authority's board of directors, price-consciousness was not the inspiration.

"In some places it's about cost and reliability," she said. "In California, for us, it's about reducing greenhouse gas emissions."

Marin Clean Energy cobbles together 150 megawatts of electricity from 20 sources for more than 120,000 customers. Those energy producers, MCE Executive Officer Dawn Weisz said, typically are within 200 miles of Marin County, though some, like solar panels on the roof of a private airport within the county, are much closer.

The unifying feature is that most of the energy comes from renewable sources. With vehicle emissions releasing almost two-thirds of the county's greenhouse gases, the largest impact county could have on emissions was by offering more solar-generated electricity to reduce the need for power that would otherwise be generated by burning oil. It was a goal Sears' predecessor, the late Charles McGlashan, championed.

SpeedRead » » »

» Interest in providing energy from renewable sources motivated Marin County to create the Marin Energy Authority and Marin Clean Energy

» After almost four years, Marin Clean Energy has an 80 percent market share and brokers 150 megawatts

"We could make an impact quickly with community choice aggregation," said Alden, who also worked for McGlashan. "We'd love to help people switch over to electric cars, but the infrastructure costs are prohibitive, so this allowed us to give every energy user a choice in reducing their carbon footprint."

The feasibility study took a year, followed by three years of task force preparation and peer reviews. Loans from three county residents fronted $750,000 that helped the authority get a line of credit from a bank, on top of a loan from the county.

One by one, cities signed on as their fears were assuaged. The state's public utilities commission approved the business plan and the authority was set for launch in 2010.

One of the biggest challenges, Alden said, was assuring municipalities that their general funds would not be at risk.

"There were three legal safeguards that created a firewall between the authority and the members," she said. "The joint power authority, the bylaws and clauses written into every energy contract."

All 11 cities in the county and the city of Richmond in Contra Costa County joined the Marin Energy Authority. On May 7, 2010, 6,500 small residential, small commercial and large commercial customers signed on.

As the authority found out, there was more interest in the CCA than they had expected.

"We fished around and tried to find someone who would supply us with 40 megawatts," Alden said. "We got responses that someone could give up 400 megawatts."

Early on, the authority hoped to have a solid chunk of its power supplied by renewable means, but it quickly became evident they could do much better.

"Our only rule was, 'no nuclear,'" Alden said. "People said we'd be robbing Peter to pay Paul, but pretty soon we were able to find producers to join us who were adding more aggregate renewable power to the system. That's where we were succeeding. The more green energy we can put into the system, the less frequently (oil-fired) power plants have to be turned on."

The authority found a partner in Shell Energy North America that could enter into a fixed-price five-year contract that also allowed the authority to change its demand for energy as needed.

"They were very generous with us," Alden said. "That made it possible for the authority to stand on its own, not be locked in if we could find other suppliers."

Within a year, the authority paid back its loan from the county.

Weisz said community choice aggregation has caught on because of the operative word "choice."

"I think folks really like making a choice, whether it's for economic or environmental reasons," she said. "Just like they want to choose between different kinds of milk at the grocery store."

In addition to choosing to buy MCE electricity, customers can also choose between a 50-50 mix

See ENERGY page 13

County Innovations and Solutions

Muscogee County, Ga.

After-school Program Attracts Budding Scientists

By Charlie Ban
STAFF WRITER

Venue can make a difference in whether kids enjoy learning. What can seem like drudgery in the classroom suddenly takes another life outside of school, and that's what Muscogee County, Ga. banked on with the Scientific Learning Involving Magnificent Experiments (SLIME) program.

The program was introduced in a less-structured form as a way to introduce children to careers in science, but with an eye to keeping stride with competition from abroad and making students familiar with scientific concepts when they get to school.

Because Ft. Benning is nearby and many children of service members attend Muscogee County Schools, the U.S. Army has helped the county's programs earn accreditation.

"We've had a science club that touched on a lot of topics, but when we partnered with the Army, they challenged us to do something out of the box and take our technology component further," said Shelly Stephens, the program manager who oversees SLIME. "We worked with the school district to align our programs with the curriculums students will be entering."

Photos courtesy of Columbus (Ga.) Parks and Recreation

Students participating in Muscogee County, Ga.'s after-school science club create their own bouncing balls (left) and learn how solutions separate (right).

The program aims toward children between 8 and 12 and is a component in the Muscogee County School District after-school offerings.

Topics change weekly, but touch on various subjects, including physics, fossils, astronomy, chemistry and liquids. Some students have access to a robotics lab, which Stephens said is the most popular part of the program. And her favorite.

"That's the kind of application of science that is more what you see when you think of the 21st century," she said. "That's the kind of thing that is on the cutting edge and will excite these kids."

Along the way, students learn the scientific basis behind a lot of common — and fun — marvels. Making ice cream from scratch. Preparing flan. Producing bouncing rubber balls. Mixing Mentos mints and Coca Cola to create a sugary geyser.

The program concludes with a science fair, judged by guests from the county's information technology department and the military.

"We make science fun and make them forget they could just as well be learning this in a classroom," Stephens said. "Once we draw them in, it's easy to keep their enthusiasm going, especially when they see how scientific concepts play out in a way they can see."

The staff, a full-time program coordinator and two activity leaders, rotate among four sites, leaving Fridays for planning. The total cost of the program, annually, roughly $4,200, covers the staff positions and materials to supply the 35 students who participate on average.

So far as improving on existing lessons, Stephens hopes to challenge students to design robots to do more sophisticated tasks. And she is open to new lessons.

"Older kids have been asking about video gaming and design," Stephens said. "It's something different than we've done before, but they've shown an interest in it, and if we can continue to encourage their interest in math and science, trying new things like that will be the way to do it."

She plans to seek advice from a local gaming and design high school magnet program.

The SLIME program judges its success on the grade improvements by students who participate.

County Innovations and Solutions highlights award-winning programs.

Quick Takes

Most Mobile-spammed Counties in the U.S.

1 • Miami-Dade County, Fla.
2 • Broward County, Fla.
3 • Harris County, Texas
4 • Cook County, Ill.
5 • Palm Beach County, Fla.

Dallas Business Journal, Dec. 2013

Dates for qualified immunity cases watched by counties

By Lisa Soronen
STATE AND LOCAL LEGAL CENTER

The U.S. Supreme Court has scheduled oral arguments for two qualified immunity cases of interest to county, state and local governments.

On March 4, the high court will hear arguments in *Plumhoff v. Rickard*, a case that will decide whether police officers are entitled to qualified immunity for the use of deadly force in a high-speed chase.

Oral arguments will be heard in *Wood v. Moss* on March 26. The case centers on whether U.S. Secret Service agents unconstitutionally discriminated against protesters opposed to President George W. Bush by moving them a block farther from Bush than Bush supporters during an event at a Jacksonville, Ore. restaurant in 2004 (see "Three qualified immunity cases reach high court," County News, Dec. 16, 2013).

Qualified immunity matters to counties because county employees can be sued for money damages in their individual capacities if they violate a person's constitutional or federal statutory rights. The State and Local Legal Center (SLLC) has filed amicus briefs in both cases on behalf of NACo and other government organizations.

In SLLC's *Plumhoff* brief, it argues that the high court should rule that law enforcement officers retain qualified immunity from Fourth Amendment force claims so long as it can be argued that the force was reasonable. In evaluating immunity, a court must adopt the inferences that a reasonable officer could arguably draw from the facts, regardless of whether those inferences are factual or legal.

In the *Wood* brief, SLLC encourages the court to tour downtown Jacksonville, Ore. using Google Maps Street View. What the justices will discover, SLLC argues, is that there is a parking lot adjacent to the outdoor patio of the Jacksonville Inn, the restaurant where Bush had stopped, which the anti-Bush protesters would have had direct access to had they not been moved a block away.

Pro-Bush demonstrators had no direct access to the inn where they were gathered because the side of the building they were facing was totally blocked by another building. The 9th Circuit denied the agents qualified immunity.

SLLC's brief also argues that when the safety of a U.S. president is a stake, police may consider the content of speech. In ruling against the Secret Service, the 9th Circuit focused on whether agents engaged in so-called viewpoint discrimination rather than clearly establishing that the anti-Bush protesters could not be moved farther away.

Finally, the brief argues that the lower court evaluated the qualified immunity question too generally without consideration of the facts.

The court is expected to issue opinions in both cases by June 30.

STATE TO STATE

★ MARYLAND ★ SOUTH DAKOTA ★

MARYLAND

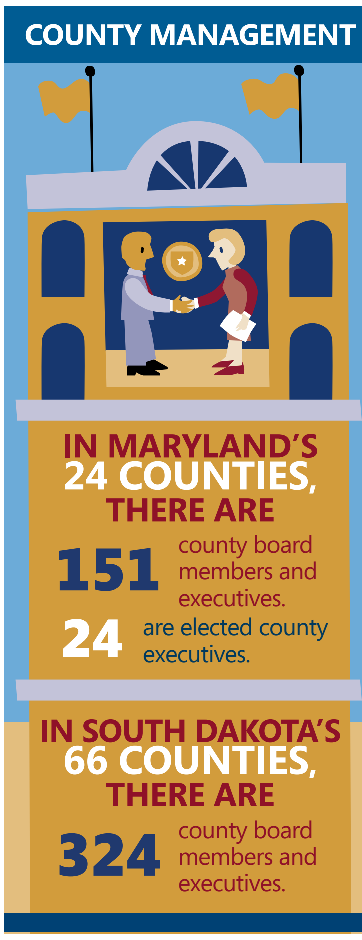
Like the Roman god Janus, Maryland county officials are looking forward and back as the 2014 session of the General Assembly recently convened in Annapolis and runs through early April.

Last year, the state's 24 counties kept a laser focus on fiscal issues, according to Michael Sanderson, executive director of the Maryland Association of Counties. The state's economy was still reeling from the national recession, and recovery was hampered by uncertainty around federal budget and spending.

"Counties suffered a range of cuts and cost shifts during the 'great recession,'" he said, "and were anxious to get state support for critical local services — law enforcement and local health departments chief among them — back from the deepest cuts from recent years."

The biggest state-county issue from the 2013 session was a "fairly sudden move" to develop and pass a major transportation funding bill, he added. After 20 years with no increase in the state's motor fuels tax rate, new construction funding for state projects dried up. Most funding shared with local governments was "redirected back to state coffers to resolve budget deficits." he said.

The General Assembly passed a far-reaching bill that provides a major restoration to the state's transportation trust fund. "Regrettably, the 2013 bill did not include a restoration of any of the local share of funding," Sanderson said — "leaving county and municipal governments some $350 million per year behind previous funding levels and without any authority to levy local transportation taxes of their own." More than 80 percent of road miles in the state are locally maintained. For county governments, there's a sense of urgency to get back into the state's funding picture, or miss the boat on to re-establishing that support.



Without shared state funding, counties will see most of their transportation needs being supported by local property and income taxes, which Sanderson said "betrays the longstanding concept of car and fuel taxes as a sort of 'user fee' for roads, bridges and transportation services."

On the plus side, there have been some encouraging developments for counties. "Organizationally, we have been hitting a note of 'partnership' with multiple stakeholders," Sanderson said. County governments have gained a seat on the state's pension board, and this year a county priority to create collaborative state-county oversight of police radio systems is a top priority for the Gov. Martin O'Malley (D).

Further, Lt. Gov. Anthony Brown (D) has re-established a working group with local government leaders to open a running dialogue on issues of mutual interest — "even those a level or two below the usual 'big picture,' which may also bear fruit," Sanderson said.

SOUTH DAKOTA

County roads and bridges in South Dakota are in grave need of repair and maintenance which is why state association executive Bob Wilcox is at the State Capitol again this legislative session attempting to get a smoother ride for his counties from the state's 105 legislators. "It's a very critical issue for us in South Dakota," he said.

All road funding, he added, comes from property taxes, and they have been capped since 1995 at either the CPI or 3 percent, whichever is lowest. "Makes budgeting a bit complicated."

The only other potential source of revenue is from something called a "wheel tax."

Forty-two of the state's 66 counties implement a wheel tax — a slim $4 per wheel with a four-wheel maximum (even for 18-wheelers, Wilcox pointed out) tax paid at registration. "Even with that the most a county gets in revenue is $16."

South Dakota counties are responsible for nearly 24,000 miles of roads, most of which (15,000 miles) are gravel. And gravel is harder to maintain than a paved surface, according to Corson County Highway Superintendent Benny Joe Schell who was interviewed for a report on the state's road system in November 2013 by South Dakota Public Broadcasting.

This is the association's second time around trying to shake loose some state funding for county roads. "It usually takes two to three years for something to register with the legislators," so Wilcox hopes his efforts are well underway.

But even if the state props up the counties shrinking transportation budgets anxiety still lurks on the horizon. "There's a great deal of uncertainty at the state and local level about the federal picture on transportation funding," Wilcox said.

Another challenge facing the Mt. Rushmore State's counties is the exodus of people leaving the state, "especially the youth," Wilcox said. "Whole families are leaving and we're becoming very sparsely populated."

So sparsely populated, in fact, that there is a county in South Dakota with one-half person per square mile.

(Charles Taylor and Beverly Schlotterbeck, County News staff, contributed to this report.)

Interest in CCA energy spreading in Midwest, N.J.

ENERGY *from page 12*

of renewable- and non-renewably-produced power; they can also opt for 100 percent renewable for approximately $5 more a month.

Marin Clean Energy's success hasn't gone unnoticed by Pacific Gas and Electric, which has lost the 120,000 customers that MCE gained. A state law passed in November 2013 allows utilities to charge $10 fees to customers to maintain the infrastructure that carries the power MCE sells.

But with further interest in Marin Clean Energy from outside of the county, Alden said the CCA model is proving sustainable and attractive for other counties.

"We were the bleeding edge for the state of California," Alden said. "It is absolutely scalable, absolutely replicable."

The proliferation of CCAs throughout the country depends on the laws (six states allow them; legislation has been introduced in New York and Utah; Colorado, Connecticut and Hawaii are looking into it) and how the energy market is structured, according to Shawn Marshall, founder and executive director of LEAN Energy U.S.

"Here in California it has been a heavier lift, the energy market here is heavily regulated and controlled by monopolies, but in Illinois they're spreading like wildfire," she said. "They already have an open energy market and people are seeing 25 percent rate savings."

Ohio has 27 counties involved in CCAs and New Jersey has one. Marshall said that environmental consciousness is driving CCA growth on the East Coast and that sensibility is spreading to the Midwest.

"It's taking ownership of the type of power you're putting on the grid," she said. "That's what makes the difference."

News From the Nation's Counties

▶CALIFORNIA

The state's counties will **lose out on close to $1 billion**, after Gov. Jerry Brown (D) paid back debts to schools.

"The state is a deadbeat," said Dianne Jacob, chairwoman of the **SAN DIEGO COUNTY** Board of Supervisors. The state owes her county approximately $60 million, *The San Diego Union-Tribune* reported. "No business or individual could get away with owing such a large amount of money."

Many of the debts come from responsibilities shifted to counties by the Legislature, including mental health programs and housing state prisoners in county jails.

Michael Cohen, the state's chief deputy finance director, said counties will start receiving reimbursements in 2015–16, according to a long-term plan by the governor and legislative leaders.

The Commission on State Mandates, a majority of which is made up of state finance officials, was established to review appeals. It has a backlog of at least 21 claims, some dating back years.

▶FLORIDA

Hundreds of **BROWARD COUNTY** volunteers **surveyed the county's homeless population**.

The Homeless "Point in Time" Count Survey is mandated by the federal government to help communities grasp the magnitude of homeless individuals in their neighborhoods. Traditionally, the count occurs in one 24-hour period and provides a snapshot into a growing problem. The 2013 Point in Time Count identified 2,810 homeless individuals and families.

Volunteers spent three days identifying and surveying homeless individuals Jan. 21–23. That information will be used to assess their health and overall needs. The Board of Commissioners and Sheriff's Office contributed $350,000 in Law Enforcement Trust Funds to invest in homeless-tracking software.

If a homeless person shows up at a shelter here and then another shelter the next day, there will be a documented history of it, and communication will be possible between agencies and those helping the homeless.

The technology will allow for quick results and turnaround. Placing the homeless in available housing will begin as early as Jan. 30. The increased precise data places Broward County in an ideal position to qualify for a variety of grants and other funding targeted at helping the homeless, county officials said.

▶ILLINOIS

Costs prompted nearly half of the state's 67 counties to **drop out of a statewide enhanced pension plan** for elected county officials, which now appears in jeopardy.

The Illinois Municipal Retirement Fund was first enacted in 1997. A spokesman for the agency that administered the plan said a design flaw in the program resulted in underfunding and now puts counties at risk of underfunding their pension liability, *The Southern Illinoisan* reported.

A candidate for the **SALINE COUNTY** Board claims the county's plan is $1.2 million underfunded and threatens the county's solvency. Saline County rescinded the plan in 2004, but not before more than a dozen officials, most of them retired now, opted into the plan.

▶MARYLAND

Executives from **BALTIMORE**, **MONTGOMERY** and **PRINCE GEORGE'S counties** appealed for **more state funding for school construction**, saying they need help coping with rising enrollments.

Speaking for all three, Baltimore Executive Kevin Kamenetz warned that whatever success Maryland has had in providing quality education to the state's students is in jeopardy unless the state's most-populous counties can expand and upgrade their aging, crowded schools.

Those three counties comprise 44 percent of Maryland's public school enrollment and nearly half of its poor students — and are projected to gain more than 22,000 more students combined in the next seven years.

Of Baltimore County's $600 million slated to go into construction of 10 new schools and renovations to six others, two-thirds of the funding came from the county and a third from the state.

None of the three executives would say how much additional state funding they wanted, or under what terms, saying they wanted to work that out with the governor and legislative leaders, *The Baltimore Sun* reported.

▶KANSAS

MIAMI COUNTY commissioners are joining forces with their counterparts across the state to tell the governor and Legislature to **keep the mortgage registration fee.**

The Kansas Bankers Association and Kansas Association of Realtors have urged the Kansas Legislature to abolish the mortgage registration fee, which they claim is unfair due to its exemption of federal programs. Counties across the state are concerned about the fee's loss.

Commissioner Rob Roberts is president of the Kansas County Commissioners Association, and he and the members of the KCCA executive committee have "determined that we should have a unified strategy to fight back against the bankers [and] Realtors associations' proposal," he wrote in a letter to the state's commissioners Jan. 2, according to the *Louisburg Herald*.

▶MONTANA

County commissioners in **LAKE** and **MISSOULA counties** have voted to support a **water rights compact** with the Confederated Salish-Kootenai Tribes. **FLATHEAD COUNTY** has also agreed to the compact.

Both counties sent letters of support for the compact — as requested by area legislators — to the Legislature's Water Policy Interim Committee. The agreement will provide crucial funding for improvements to the Flathead Indian Irrigation Project, *The Daily Inter Lake* reported.

▶NEW YORK

COLUMBIA COUNTY supervisors adopted a resolution **opposing the U.S. Environmental Protection Agency's plan** to dispose of treated groundwater from a federal Superfund site by dumping it into the Valatie Kill, a local waterway, for disposal.

According to the resolution, the Superfund site, a landfill, "is estimated to contain 46,000 tons of toxic waste which is more than two times the contamination of the infamous Love Canal." Neighboring **RENNSALAER COUNTY** is similarly on record opposing EPA's plan.

Columbia Supervisor Bill Hughes, who introduced the measure, said, "We're not sure what contaminants would be released and what's already there. Quite frankly, if there's something already there, we don't want to exacerbate it further by adding more."

▶NORTH CAROLINA

Clients and staff of Oak Ridge Animal Hospital donated **300 stuffed animals** to **GUILFORD COUNTY** Emergency Medical Services. The toys will be placed on the ambulances to be given to children encountered by EMS who are sick, injured or just in need a cuddle-buddy to ease anxiety and fears.

▶OHIO

The **SUMMIT COUNTY** Council has approved the creation of a countywide **Transportation Improvement District** (TID) that will allow the county to seek state funding for projects, according to Akron.com.

Such districts already exist in 12 of the state's other 87 counties, according to a spokesman for County Executive Russ Pry.

"In Montgomery and Butler counties, the TIDs bring in money for interchanges, to develop land or put a road in an area previously not developed or underdeveloped," he said.

Pry must now appoint five voting TID board members who must be confirmed by the County Council; one nonvoting member each will be appointed by the state's House speaker and Senate president.

▶OREGON

It wasn't due to a New Year's diet, but **MULTNOMAH COUNTY** is a little **smaller than last year**, by about 160 acres. That's the size of the area known as Bonny Slope West or Area 93 that officially became part of **WASHINGTON COUNTY** on Jan. 1, *The Oregonian* reported.

It was the largest adjustment to the counties' shared border since Multnomah was established in 1854.

Property owners requested the transfer to Washington County because it could more easily provide such services as water, sewer, parks, roads and police protection. Protected farmland in Multnomah County has been a barrier to that county's providing services.

The process required a state bill, approval by both counties and a proclamation from the governor.

▶WASHINGTON

Counties and cities can **ban or severely restrict marijuana**-related businesses within their borders, according to the state's attorney general.

Initiative 502 legalized marijuana production and sales in the state when voters passed it in November 2012; the state had until December 2013 to flesh out the regulatory framework. Attorney General Bob Ferguson's announcement came

See **NEWS FROM** *page 15*

What's in a Seal?

▶ Hanover County, Va.

www.co.hanover.va.us

Once part of New Kent County, Hanover County was formed on Nov. 26, 1720 and named for King George I of England, who was Elector of Hannover in Germany when he came to the throne.

Two early port towns on the Pamunkey River, Hanovertown and Newcastle, shipped tobacco to England, but neither exists today.

Patrick Henry, "Orator of the Revolution" and first governor of Virginia, was born in Hanover County in 1736. Henry began his law career with an impassioned plea against the king (known as the Parson's Cause case) at Hanover Courthouse, which is featured on the county seal.

The county courthouse, Georgian architecture, has been used continuously since its completion around 1735, making it the third oldest courthouse still in use in the United States and has been altered very little.

Its entry in the state's historic register notes its "beautifully-executed five-bay wide front arcade. The walls are of brick laid in Flemish bond with glazed headers and there are three interior end chimneys, one located at the end of each arm."

The courtroom occupied the entire long central arm and is flanked by a room for the judge on one side and a jury room on the other. Each of these two small 14-foot-square rooms has a corner fireplace.

On Dec. 30, 1970, it was added to the National Register of Historic Places, and on Nov. 7, 1973 it was designated a National Historic Landmark.

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

Research News

2013 in Retrospective: The Recovery of Large County Economies

WEB* CONTENT

NACo's County Tracker 2013, a study highlighted by an interactive Web-based map released earlier this month, examines the recession and recovery patterns across county economies based on the analysis of annual changes in four economic indicators — economic output (GDP), jobs, unemployment rates and home prices.

While 2013 was a relatively good year and the U.S. economy appeared to be improving, the recovery remained fragile and uneven the study showed, with high unemployment rates and employment still below pre-recession levels. Large county economies were part of this story of uneven and fragile recovery across county economies.

The 122 large county economies — counties with more than 500,000 residents — anchor the economy of their metropolitan areas and states. Only 4 percent of all the 3,069 county economies, they represent more than half of all jobs and account for 57 percent of all counties' GDP. They have been at the core of the recession and recovery, with the most jobs lost during the recession and the most gains during recovery.

All the economic indicators analyzed in the study saw significant drops, or increases in the case of unemployment, during the recession across large county economies. Job losses lasted three and a half years on average, with 2 percent annual declines. The loss of jobs combined with a growing labor force pushed the average unemployment rate for large county economies to 9.7 percent by 2010, putting more pressure on the public safety net.

Yet large county economies rebounded quickly and continued to grow into 2013. They came back faster than the rest of the county economies in terms of economic output and jobs. By 2013, GDP rebounded in two-thirds of large county economies, beating the more than 50 percent recovery rate for all county economies. Jobs recovered in a greater share of large county economies (about a third) than the average for all county economies (25 percent).

The housing market was also on the rebound, however it had a longer way to go as the housing boom and bust was most evident in large county economies. But unemployment has not recovered in any of the large county economies, showing that the labor force in these county economies is growing faster than these economies are adding jobs.

To help NACo members get a close look at the indicators for their county economy and compare with other economies in counties of the same size, the NACo research team prepared profiles for each county economy, all of which are available through the County Tracker interactive Web map available at *www.naco.org/countytracker*.

NACo members can go directly to their county location on the map and access the indicators for 2013, recovery, recession or long-term for their county economy; download and print the one-page PDF profile or proceed to use the interactive map function and compare with other county economies of the same size in their state or other states across the country.

**NACo also recently conducted a webinar explaining the value of this new tool and how members can use it in their daily work. To access a link to the webinar recording, see this story online at www.countynews.org.*

Laramie County, Wyo. snags gun accessory maker

NEWS FROM *from page 14*

after the state Liquor Control Board asked his office for an opinion on the matter, *The Daily News* reported.

In December, **COWLITZ COUNTY** commissioners approved a 60-day ban on pot production, processing and retail sales in unincorporated areas of the county.

"Under Washington law, there is a strong presumption against finding that state law preempts local ordinances," Ferguson said. "Although Initiative 502 establishes a licensing and regulatory system for marijuana producers, processors and retailers in Washington State, it includes no clear indication that it was intended to preempt local authority to regulate such."

▶WISCONSIN

The **Wisconsin Counties Association** (WCA) doesn't have to hand over records of its finances and lobbying activity to a police union that had requested them, because the association is **not subject to the state's open records law**, a Dane County judge ruled recently.

The judge said that as an unincorporated association, WCA is neither a governmental nor quasi-governmental corporation and therefore isn't covered by the statute, the *Wisconsin State Journal* reported.

The Wisconsin Professional Police Association (WPPA), which sued WCA last April for access to its records, argued that WCA is subject to the open records law because it is funded with taxpayer money through its member counties.

WPPA wanted to know how much county taxpayer money WCA had spent extending the implementation of the 2011 state rollback of public-sector collective bargaining rights.

Andrew Phillips, WCA general counsel, expressed confidence that the ruling will stand should it be appealed, based on prior legal precedent.

▶WYOMING

LARAMIE COUNTY commissioners have voted unanimously to support a $13 million loan and grant package to help Magpul Industries move its **ammunition magazine manufacturing** operations from Colorado to Wyoming. The financing comprises a $5 million loan and $8 million grant from the county's economic development corporation (EDC).

Magpul is one of the nation's largest producers of magazines; it recently announced it will move its manufacturing to Cheyenne, the county seat and state capital, because of Colorado's new restrictions on magazines.

The EDC will also pay $1.5 million to renovate the building Magpul is renting while it builds its new factory, *The Ranger* reported.

(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

▶In the News …

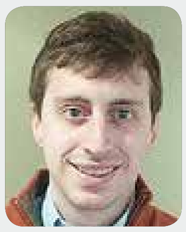
NACo has received significant coverage in the national and Capitol Hill news media on priority issues recently. Issues include PILT, Affordable Care Act-volunteer firefighters, State Criminal Alien Assistance Program (SCAAP) funding and the County Tracker economic report. Press hits include *USA Today*, *The Wall Street Journal*, Reuters news service, the *National Journal* and *The Washington Post*. Follow NACo's media coverage on the NACo News Watch blog, which can be found in the Media ▶ Check Media Coverage section of the NACo website.

▶ NACo Officials and Staff

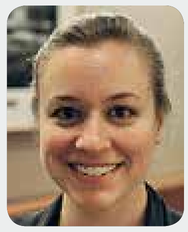
• Executive Director **Matt Chase** represented NACo during a discussion at the White House Jan. 13 regarding federal infrastructure accomplishments to date and priorities going forward with Greg Nelson, special assistant to the president and chief of staff of the National Economic Council; Brandon Belford, senior policy advisor at the National Economic Council; and other White House officials.


Lee Bonner

• NACo Telecommunications and Technology Steering Committee Chair **Lee Bonner** represented NACo at the New York University law school's invitation-only AdvancedComm Summit. Bonner, Douglas County, Nev. commission chair, discussed communications issues such as Internet protocol (IP) transition, broadband deployment, broadband adoption and reforming communications regulatory structure.


Coleman Davis

• **Coleman Davis** has been named the new innovation coordinator in the County Solutions and Innovation Department. Davis has been with NACo since October 2012 as a community and economic development intern. He previously worked as a research intern with the Miller Center of Public Affairs in Charlottesville, Va., conducting research for its Presidential Recording Program, and has an undergraduate degree in economics and in history from the University of Virginia.


Kelly Boggs

• **Kelly Boggs** has joined NACo's Financial Services team as an operations specialist. Boggs has worked as an intern with NACo since January 2013 following her graduation from Virginia Tech where she studied English, art history and sociology. She is a native of Fairfax, Va. and has a background in museum development, which includes internships at the National Archives and the National Building Museum.

▶Coming Up

• **Andrew Goldschmidt**, membership marketing director, will represent NACo Feb. 3–5 at the New York State Association of Counties Legislative Conference in Albany County.

• **Alex Koroknay-Palicz**, membership coordinator, will be exhibiting at the Idaho Association of Counties Midwinter Legislative Conference Feb. 3–5 in Ada County.

• **Karina Golkova**, membership assistant, will be exhibiting at the West Virginia Association of Counties 2014 Annual Conference Feb.9–11 in Kanawha County.

Financial Services News

NACo Financial Services sets new path for 2014

NACo Financial Services saw a busy and successful 2013. Highlights include more expansive program support for NACo's for-profit activities, effective member and program participant outreach, collaboration and overall innovation that met and exceeded expectations.

More specifically, Financial Services continued to develop the U.S. Communities Government Purchasing Alliance, fostered growth and awareness for retirement programs and reinforced a successful partnership with Nationwide Retirement Solutions.

In late 2013, NACo Financial Services released a request for information (RFI) for fixed income brokerage services for counties and other local government entities. A team of county treasurers reviewed the RFI and recommended potential respondents. The RFI is now undergoing final review. It is an exciting opportunity for FSC to head in a new direction, and reviewers will assess each response carefully before making a decision.

The new year began on a positive note, the state associations that belong to the NACo RMA LLC, in coordination with the field teams from Nationwide Retirement Solutions and NACo Financial Services, had a year-end goal — 80 percent of them were to have completed their deferred compensation marketing plans. They surpassed that goal by reaching 100 percent! This means that NACo has surpassed its contractual requirements with Nationwide but, most importantly, sets the NACo Deferred Compensation Program on the path to helping county employees save towards a financially healthy retirement. The new marketing plans identify acquisition, retention and growth targets that help focus our efforts.

In order to strengthen their success in 2014, the FSC team has set some major strategic initiatives. In the coming year, they plan to:

- achieve a new level of strategic engagement and comprehensive support for U.S. Communities to expand the services, products and cost savings that so many counties, cities, schools, and nonprofits have come to expect
- expand the new multidiscipline retirement business into a new business model with the opportunity to go after and win state cases
- strengthen relationships with key stakeholders, such as the state organizations, affiliate associations, and private partners
- enhance the communication and meetings with our committees and board based on the great feedback we have received and
- implement the proper staffing structure to achieve strategic initiatives and build on a winning culture.

For more information on NACo Financial Services' programs, contact Kelly Boggs at 202.942.4290 or *kboggs@naco.org*.

(Financial Services News was written by Kelly Boggs, NACo FSC operations specialist.)

Job Market & Classifieds

DIRECTOR OF MANAGEMENT AND BUDGET – PINELLAS COUNTY GOVERNMENT, FLA.

Salary: $110,246 – $167,023 + benefits; DOQ.

The Pinellas County Government is seeking an effective leader with excellent communication and team building skills. Must be an expert in public finance and budgeting with experience in use of analytical tools such as Six Sigma, Lean, Work Flow Improvement, etc., to improve processes and the customer experience. Will lead a large team responsible for the development and administration of the $1.8 billion County Budget and advance the strategic plan through collaboration with a diverse group of departments, agencies and independent partners.

The successful candidate will possess the following experience: Budgeting in large, complex public sector organizations, linking a strategic plan to program budgets and associated outcomes and products/services, debt management, managing organizational change, the application of analytic tools and methods to process improvement, and managing/directing in the budgeting/financial arena. The ideal candidate would have knowledge of local government operations and practices, Florida Statutes as related to the budget process; knowledge of operating and capital expense budgets; and federal, state and private grants. The candidate would have the ability to establish and maintain effective working relationships with the Board of County Commissioners, Constitutional Officers, Independent Agencies, County Departments and employees, business partners, other governmental agencies, and the public within all types of situations. Preferred qualifications include seven plus years of progressively responsible management experience in budgeting/financial/accounting positions and an advance degree (MPA/MBA/etc.)

Application and further information, located at: *http://pinellascounty.org/hr/recruitments/02398-09-13.htm*

Apply by: Feb. 14, 2014.

EOE/AA/ADA/DF

NACo National Association of Counties

NACO RELEASES NEW PRESENTATION ON FLOOD INSURANCE

To view go to *www.naco.org/flood*

The Biggert-Waters Flood Insurance Reform Act of 2012 (BW-12), signed into law in July of 2012, aimed to make FEMA's National Flood Insurance Program (NFIP) more financially stable, by reflecting true flood risks in communities. However, implementation of BW-12 resulted in some unexpected complications, including rapidly increasing flood insurance premiums in local communities.

The presentation highlights issues including:

- Why the National Flood Insurance Program (NFIP) and Biggert-Waters reforms matter to counties, and the county role in flood insurance
- Why NFIP was established, how it works and why it faces fiscal issues
- Biggert-Waters reforms to NFIP and the impact on flood insurance rates
- Information on what the U.S. Congress is doing to address Biggert-Waters and the NFIP