



Photo by David Hathcox

NACo Executive Director Matt Chase thanks U.S. Rep. Chris Stewart (R-Utah) for supporting PILT.

Members of Congress, county officials rally for PILT funding

By CHARLIE BAN
STAFF WRITER

More than two dozen county officials representing public lands counties came to Washington, D.C.

and Capitol Hill for the annual PILT Fly-in last week to press for short- and long-term funding for the Payment in Lieu of Taxes program, scheduled to expire Sept. 30.

This year, PILT provided \$437 million to approximately 1,900 counties and other local governments to compensate for revenues foregone because of federal tax-exempt public lands within their jurisdictions.

Several senators and representatives participated in a NACo-organized Capitol Hill briefing, Sept. 18, expressing their support for permanently funding the critical payments to land-rich but revenue-strapped counties.

Senate Finance Committee Chairman Ron Wyden (D-Ore.) plans to introduce legislation to fully fund PILT, the Secure Rural Schools program and the Land and Water Conservation Fund for FY15, in addition to another bill to permanently fund those programs at 150 percent of current funding.

"Not only do I feel it's right, but it builds on what has been successful for us in the past, building a

broad coalition," he said. "I want to get rural communities off this roller coaster."

Sen. Mark Udall (D-Colo.), chairman of the Committee on Energy and Natural Resources, agreed with Wyden's strategy in linking the three programs.

"That coalition will be a really powerful one," he said. "It will be a Democratic and Republican coalition, a rural and urban coalition, a western state and an eastern state coalition."

Sen. John Walsh (D-Mont.) has already introduced legislation this year, the Fair Share Act (S. 2626), which consolidates PILT and Secure Rural Schools and streamlines payment formulas. The key, he said, was outreach to members of Congress with less federally owned land.

"We have a big education process ahead of us to make sure people on the East Coast understand why this is so critical to our local governments and why it's the fair thing to do," he said.

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Iowa supervisor saves assessor from gunman

By CHARLIE BAN
STAFF WRITER

A Jackson County, Iowa supervisor tackled an armed man who brandished a gun at a recent board meeting, likely saving the life of the county assessor. It was the second gun-related incident in an Iowa County courthouse in the last six months.

The man, Francis "Gus" Glaser, was on the agenda to discuss a tax abatement, though Supervisor Larry "Buck" Koos said he did not show up at 9:30 a.m., as he was scheduled.

"We even called his house to see if he was coming," Koos said.

"That's the kind of county we are. He had brought up this issue several times before, and he was asking the wrong people — it was a city abatement — but we hear him out and give him a chance to speak."

Glaser eventually showed up and the board allowed him to speak toward the end of the meeting. After presenting his case, Assessor Deb Lane joined the discussion to explain the county's perspective on Glaser's case. After 40 minutes of back-and-forth, Koos ended the meeting, Glaser answered, "We're going to end this today."

Koos heard Supervisor Steve

See GUNMAN page 10

Congress faces big issues on fall agenda

By MARILINA SANZ
SENIOR ASSOCIATE LEGISLATIVE DIRECTOR

On Sept. 18, the U.S. Senate passed a short-term Continuing Resolution (CR) — averting a possible government shutdown at the end of this month — which will fund the government at existing program levels through Dec. 11. It's now headed to President Obama for his signature.

The Senate approved the CR for FY15, 78–22; the House had passed it the previous day 319–108. The measure, H.R. Res. 124, includes several provisions of interest to counties:

- a temporary extension of the Internet Tax Freedom Act (ITFA), a law that currently prohibits state and local governments from taxing Internet access that is set to expire Nov. 1
- an extension of Temporary Assistance for Needy Families Block Grant (TANF) through Dec. 11. The \$16 billion program is set to expire Sept. 30, and
- an extension of the Export-Import Bank authorization through June 2015.

In its request, the administration stated that without this language the Office of Refugee Resettlement (ORR) would have to either take money out of the

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House passes ‘Waters of the U.S.’ protection act

By JULIE UFNER
ASSOCIATE LEGISLATIVE DIRECTOR

WEB* CONTENT The House of Representatives passed the Waters of the U.S. Regulatory Overreach Protection Act of 2014 (H.R. 5078) Sept. 9 by a vote of 262–152. H.R. 5078, which passed with 227 Republican and 35 Democratic votes, would prevent the Administration’s proposed “Waters of the U.S.” rule from moving forward.

Additionally, the measure would require the agencies to consult and collaborate with state and local governments on the “Waters of the U.S.” rule development process.

The agencies would be required to document the interactions, including those areas where consensus was reached — or not reached — and to submit a final report to Congress.

The House-passed measure,

which was threatened with a potential veto in a statement released by the White House before the vote, now faces an uncertain future in the Senate.

NACo members should contact their U.S. senators and urge them to support H.R. 5078, or any bill that delays the rule-making process to allow for the resolution of issues with the proposed rule.

The proposed rule that prompted the introduction of H.R. 5078 — Definition of Waters of the U.S. Under the Clean Water Act — was released by the U.S. Environmental Protection Agency (EPA) and the U.S. Army Corps of Engineers (Corps) on April 21.

The rule amends the definition of Waters of the U.S. within the Clean Water Act (CWA) and expands the range of waters (and their conveyances) that would fall under federal regulatory authority.

NACo has raised concerns over the scope of the proposal, including

its potential impact on county-owned and maintained public safety infrastructure — roadside, flood-control channels, drainage conveyances and stormwater ditches — which are used to funnel water away from low-lying roads, properties and businesses to prevent accidents and flooding.

NACo’s policy calls on the federal government to clarify that local streets, gutters, and human-made ditches are excluded from the definition of “Waters of the U.S.”

Additionally, NACo believes that counties must be involved as a significant partner in the formative stages of developing standards, policies and guidance, and should have the ability to develop specific standards, where appropriate.

**For more information on the proposed rule, including information on submitting public comments (before the Oct. 20 deadline), read this story online at www.countynews.org.*

New FSC service helps counties manage investment needs

NACo’s Financial Services Center (FSC) is launching a new service to help its members manage their fixed-income investment needs through a robust online platform, eConnectDirect.

Designed by Multi-Bank Securities, Inc. (MBS), eConnectDirect is an online investment marketplace to help institutional clients search, compare, transact and manage their fixed-income portfolios. It delivers information that allows them to perform transactions across thousands of fixed-income assets.

“Counties strive to find the most effective ways to manage their investments while ensuring transparency, enhanced controls and better pricing,” said NACo Executive Director Matt Chase. “We are proud to endorse this solution for counties across the country.

This new, exclusive partnership and innovative online platform will provide tangible support to counties, county treasurers and other local government entities.”

Among the many features of eConnectDirect, clients receive the tools to purchase federally insured CDs and monitor their insurance limits, access to new issue and secondary agency bonds, treasuries, corporates and municipal securities. eConnectDirect provides transparency to the marketplace by compiling bond offerings from hundreds of broker-dealers as well as access statements and balances online and the ability to target new investment opportunities.

“eConnectDirect is particularly well-suited to help counties remain responsive to investment-related regulation and the transparency requirements our members face,” Chase said. “We are confident that this partnership will offer exceptional results and help counties be better stewards of taxpayer resources.”

NACo merges Green Government, Resilient Counties initiatives

By ROB PRESSLY
PROGRAM MANAGER

WEB* CONTENT NACo will continue providing its members with the most relevant information, best practices and strategies for sustainability-related issues by merging its Green Government Initiative (GGI) with its Resilient Counties presidential initiative. The new program will be called Resilient Counties: Strategies for Sustainable Communities.

This new initiative will ensure that counties are involved in the national conversation about long-term planning and approaches to resiliency and sustainability, while addressing more immediate economic and environmental issues counties face.

Since its launch in 2007, GGI has led the way to facilitate green government best practices, products and policies that result in significant financial and environmental savings.

Given the cross-disciplinary nature of sustainability efforts, GGI’s advisory board brought together county elected officials and experts from the private sector to guide the initiative and ensure that NACo was addressing the most important environmental issues to counties with a broad portfolio of expertise.

The Resilient Counties initiative began in 2013 as a presidential initiative by NACo Immediate Past President Linda Langston. Each NACo president selects a critical issue for the organization to address during his or her one-year term. Through Resilient Counties, NACo worked to

strengthen counties’ ability to plan for and respond to threats, natural and man-made. Of particular focus was the importance of collaborative approaches to resiliency initiatives, such as fostering public-private partnerships for developing and implementing solutions that enable counties to

is timely, innovative and meets the greatest needs of counties across the U.S.

“The merger will strengthen the great work the Green Government Initiative is already doing,” Langston said. “Counties that actively take steps to anticipate and adapt to changing physical,



thrive amid changing physical, social and economic conditions.

Like GGI, the new Resilient Counties initiative will be governed by an advisory board, which will guide NACo on the development and implementation of the association’s resilience and sustainability programs. The advisory board is made up of leaders from both county government and private organizations focused on resiliency and sustainability efforts to ensure that NACo’s resiliency programming

social and economic conditions through sustainable practices and infrastructure will be better prepared to weather unforeseen economic and natural events. This will help counties minimize the impact on local residents and businesses, while helping counties save money.”

**For more information on NACo’s new Resilient Counties initiative, visit www.naco.org/ResilientCounties or contact Rob Pressly, program manager, at rpressly@naco.org.*

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Quick Takes

TOP 5 CROPS IN SAN DIEGO COUNTY (BASED ON 2013 MONETARY SALES)

Figures in Millions

1. Ornamental trees and shrubs	\$425
2. Indoor flowers and foliage plants	\$338
3. Color bedding plants	\$204
4. Avocados	\$198
5. Tomatoes	\$92

County of San Diego Department of Agriculture

Lame duck session agenda uncertain before elections

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refugee social services account or reduce services to the children. The Administration had also requested this language for the Department of Justice to address the immigration courts' backlog, but the CR did not include it.

Senate Majority Leader Harry Reid (D-Nev.) announced that the Senate will return for the lame duck session Nov. 12. The lame duck session agenda depends on many factors, particularly the uncertainty about who will control the next Senate. If the Louisiana Senate race has to go to a run-off election, this may not be known until December.

Funding the federal government for the rest of FY14 beyond Dec. 11 is a must. The question is whether leadership decides to pass an Omnibus Appropriations bill that will give more leeway to fund congressional priorities, or whether they do another continuing resolution. Rogers is reportedly starting to draft an Omnibus bill that he hopes to negotiate with Senate Appropriations Chair Barbara Mikulski (D-Md.), but it is too early to tell whether that effort will succeed.

In addition to the appropriations process, there are three key issues of interest to counties that might come up during the lame duck or that NACo is pursuing:

- permanent extension of the mandatory authorization for the Payment in Lieu of Taxes (PILT) program and reauthorization of the Secure Rural Schools (SRS) Program are needed. The mandatory authorization for PILT expired in June.

PILT is funded as part of the Interior Appropriations bill, but if the mandatory authorization is not restored, the program will have to compete with other domestic funding priorities. SRS expired in FY14 and is not currently funded. NACo has been working with key congressional supporters of both programs to find a legislative vehicle and held a PILT fly-in and briefing Sept. 18.

- The Marketplace and Internet Tax Fairness Act (MITFA, S. 2609) currently stands ready for floor action in the Senate. MITFA combines two important issues for counties, the Marketplace Fairness Act, which grants state and local governments with the ability to enforce existing sales tax laws on remote sales and a temporary extension of the Internet Tax Freedom Act (ITFA), a

law that currently prohibits state and local governments from taxing Internet access that is set to expire Nov. 1, 2014.

NACo prefers the temporary extension of ITFA rather any permanent extension as proposed in other bills.

- Although Congress extended MAP-21 and the Highway Trust Fund through May 2015, there is a possibility that Congress will look to address long-term funding for the Highway Trust Fund during the lame duck. It is unlikely, however, that any action

will be taken to reauthorize MAP-21 before the next Congress.

In addition to the results of the elections, the lame duck session may be affected by two other issues. The first one is the effort to curb terrorism abroad, especially if the president wants to take

further military action. Finally, the Administration is reportedly planning to take executive action on immigration after the elections.

(Mike Belarmino, Daria Daniel and Jessica Monahan, associate legislative directors, contributed to this report.)



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SCOTUS petitions being considered before next term

By **LISA SORONEN**
EXECUTIVE DIRECTOR
STATE AND LOCAL LEGAL CENTER



While the U.S. Supreme Court’s next term officially begins Oct. 6, its “long conference” is Sept. 29. At this conference the court will review petitions that have been piling up over the summer.

SCOTUSblog compiles a list of petitions that it thinks have a reasonable chance of being granted. Eight of the petitions the court will consider either during the “long conference” or at a later conference directly involve or impact local governments.

Public Nuisance

A Brighton, Mich. ordinance presumes that an unsafe structure will be demolished as a public nuisance if the cost of repairing it exceeds its value. The owner has no right to repair the structure. Brighton property owners wanted to repair two unsafe structures even though Brighton estimated it would cost almost double the property value to do so. In *Bonner v. City of Brighton, Mich.*, the property owners claim the

ordinance violates substantive and procedural due process.

Employment

To bring a discrimination claim under federal employment law a plaintiff must prove that an “adverse action” occurred; and to bring a retaliation claim a plaintiff must prove a “materially adverse action” occurred. The question in *Kalamazoo County Road Commission v. DeLeon* is whether either can be proven when an employer grants an employee’s request for a job transfer (and the new position turns out to be less desirable than the old position). The International Municipal Lawyers Association (IMLA) filed an *amicus* brief in this case.

Housing Discrimination

For the third time, the court may take up the issue of whether disparate-impact (as opposed to disparate treatment) claims can be brought under the Fair Housing Act and, if they can, what burden of proof applies. If the court accepts *Texas Department of Housing and Community Affairs v. The Inclusive Communities Project*, it remains to be seen whether it will issue a ruling. In two prior cases, *Mt.*

Holly v. Mt. Holly Citizens in Action and *Magnerv. Gallagher*, the parties settled before the cases could be heard by the high court. IMLA filed *amicus* briefs in both previous cases.

Sexually Oriented Businesses (SOB)

An Indianapolis ordinance prohibits SOBs from operating from midnight to 10 a.m. and on Sundays. A city may regulate an SOB if it relies on evidence reasonably believed to be relevant to the secondary effects the city seeks to address. In *City of Indianapolis, Indiana v. Annex Books*, Indianapolis argues the U.S. 7th Circuit erred in requiring that the city’s hours of operation regulation be supported by “highly specific, statistically-significant empirical evidence.”

Police Searches of Hotel Registries

A Los Angeles city ordinance requires hotels to gather data on guests and allows police to inspect hotel registries without a warrant. The question in *City of Los Angeles v. Patel* is whether police can inspect hotel registries without a warrant where an ordinance requires hotels

to gather data on guests and allows warrantless police inspections of the registries.

Qualified Immunity Interlocutory Appeal

When a district court denies a government’s motion for summary judgment in a qualified immunity case the government may seek interlocutory (immediate) review of that decision. But what if a district court simply refuses to consider a government’s motion for summary judgment in a qualified immunity case? Is interlocutory review still available? IMLA filed an *amicus* brief in *Schultz v. Wescom*.

Pregnancy Counseling Centers

Can a local government require certain disclosures from facilities, based on their appearance? A New York City ordinance requires pregnancy counseling centers that have the appearance of being medical facilities to disclose they don’t have a medical license. In *Pregnancy Care Center of New York v. City of New York*, New York the court would decide whether requiring this disclosure violates the First Amendment and whether the “appearance” criteria is unconstitutionally vague.

Accommodating Mentally Ill Suspects

In *City and County of San Francisco, California v. Sheehan* police entered a mentally ill woman’s apartment, she threatened them with a knife, and they retreated. Upon re-entry, police shot her after she threatened them again.

The first issue is whether the Americans with Disabilities Act requires police to accommodate armed, violent and mentally ill suspects when bringing them into custody.

The second issue is whether the officers in this case should be denied qualified immunity because they could have anticipated her resistance. IMLA filed an *amicus* brief in this case.

While the “long conference” is only a few weeks away, it may be a while before the court decides whether to grant or deny any of these petitions, even those set for the “long conference.” The court frequently relists cases, or postpones deciding on petitions until later conferences during the term.

**Want to know more about what the Supreme Court’s term holds for local governments? Register for the SLLC’s FREE Supreme Court Preview webinar to be held on Oct. 16 at <http://bit.ly/1s3EPOs>.*

DATA Act implementation underway to standardize federal financial data reporting

By **MIKE BELARMINO**
ASSOCIATE LEGISLATIVE DIRECTOR

Work has begun on the implementation of the Digital Accountability and Transparency Act (DATA Act) signed into law earlier this year. The DATA Act makes changes to the Federal Funding and Transparency Act (FFATA), which was created to offer a clearer look at federal spending by posting award data online at www.USASpending.gov, by requiring the secretary of the Treasury and other top federal officials to develop government-wide financial data standards for all federal funds.

The good news for counties that receive federal funding is the DATA Act does not require additional recipient reporting. It also requires the Office of Management and Budget (OMB) director to consult with state and local governments in developing government-wide data definitions and standards for financial information.

Yet, despite this benign, even positive picture, many officials at the local level remain uneasy about how the new standards might change reporting requirements and processes.

Meanwhile, OMB’s first steps in implementing the new law are to establish a pilot program to develop recommendations for the use of common reporting elements, the elimination of unnecessary duplication in financial reporting and the reduction of compliance costs for recipients.

Under the law, a pilot program is to begin within one year of the law’s enactment and run for a 12-month period. It will cover contracts, grants and sub-awards that have a value of at least \$1 billion and will include a

diverse set of recipients who receive awards from multiple programs and agencies.

OMB is required to do two things 90 days after the pilot is completed. First, it must provide guidance to the agencies on simplifying reporting requirements for award recipients and reducing unnecessary duplication and compliance costs. Second, it must submit a report to Congress on the pilot and make recommendations for improvements in financial reporting and describe any additional legislation that may be needed.

Sept. 26 Town Hall in D.C. to Explore Federal Data Transparency



As part of the earlier stages of this effort, the U.S. Department of Treasury is planning a data transparency town hall meeting Sept. 26 in Washington, D.C. At the meeting, public and private stakeholders can make presentations on federal spending transparency and data standardization to federal employees who will be responsible for implementing the DATA Act. Federal agency representatives will present on efforts to standardize federal financial management data.

**For more information, the notice of the town hall as published in the Federal Register can be viewed at <http://1.usa.gov/1pibw2V>.*



Profiles in Service

Denise Winfrey

Vice Chair, Community, Economic and Workforce Development Steering Committee
County Board Member, Will County, Ill.

- Years in Public Service:** 11 years (5 with NACo)
- Education:** master of science from American University, Washington, D.C.
- The hardest thing I have ever done:** starting over after a forced early retirement
- Three people (living or dead) I’d invite to dinner:** Sojourner Truth, Bessie Smith and Fannie Lou Hamer
- A dream I have is to:** spend six months traveling Europe using France as a base.
- You’d be surprised to learn that I:** once tried out for a TV commercial.
- My favorite way to relax is:** reading mysteries.
- My favorite meal is:** the one someone cooks and serves.
- My pet peeve:** inconsiderate people.
- My motto is:** “Do what you need to do — always.”
- My favorite movie is:** *Casablanca*.
- My favorite music is:** soul and blues.
- My favorite President is:** Barack Obama — he represents change on so many levels.
- My county is a NACo member because:** it is important for counties to band together to have a national voice and presence.

Don't Let EPA Put Your County UNDER WATER

Earlier this year, EPA and the Corps of Engineers released a proposed rule – Definition of Waters of the U.S. Under the Clean Water Act – that could dramatically expand the range of waters that fall under federal regulation.

Types of county-maintained infrastructure potentially affected:

- Roads and Roadside ditches
- Flood control channels
- Storm water sewers
- Green infrastructure (*aka Low Impact Development*) used to manage stormwater runoff

Visit www.naco.org/wous to find:

- NACo's Analysis of the Proposed Rule & Impacts to Counties
- Policy Briefs & Comparison Charts
- Action Items for County Officials, such as
 - Extension of commenting period
 - Sample county resolutions
 - Sample comments
 - Drafting an Op-Ed
 - Contacting your Member of Congress

REMINDER:

Comments to EPA are due Oct. 20. It is critical that all counties, regardless of how the proposal might affect them, weigh in with their analysis. For information on submitting your comments, go to NACo's WOUS website at www.naco.org/wotus.



Visit www.naco.org/wotus today.

COMMENTARY

Local services sustain federal public lands

By Ron Walter

COMMISSIONER, CHELAN COUNTY, WASH.



Ron Walter

One afternoon this past July in Theodore Roosevelt National Park in Billings and McKenzie counties, N.D., the temperature was 90 degrees, the humidity was 88 percent, and there was no wind. A 21-year-old man and two others, a 23-year-old woman and a 22-year-old man, were lost and dehydrated.

After unsuccessful attempts to locate them, rescuers finally began to zero in on their location, dispatched a medical helicopter and prepared a landing zone. A county ambulance sat ready two miles away.

During the operation, one of the first responders fainted due to heat exhaustion and dehydration. Throughout the day, the helicopter and county ambulance ferried seven ailing people from the park to the local hospital. By 10 p.m., a total of 25 people participated in successful search-and-rescue operations, including the ambulance crew, visitors, National Park Service employees and volunteers.

Search-and-rescue efforts like this one don't always grab headlines but occur all the time. With more than 280 million people visiting America's national parks and other federal public lands each year, safety operations are an everyday necessity. And they are made possible by a program called Payment in Lieu of Taxes, or PILT.

For nearly 40 years, the PILT program has provided funding to counties and other local governments to offset forgone tax revenue from federal land within their boundaries. Local governments are unable to tax the property values or products derived from federal lands, yet they still pay for services related to them, like searches and rescues, emergency medical care and fire protection. These county services — along with trash collection, roads and bridges, law enforcement, sewage systems and more — allow people to enjoy public lands.

Counties provide significant support for national parks and forests, wildlife refuges, recreation areas and other land that covers roughly 640 million acres, or nearly 28 percent of the U.S. Many rural counties have more than 90 percent of their area occupied by public land. Commercial activities on this land, such as timber harvesting, oil and gas leasing, and livestock grazing generate \$14 billion annually for the federal government.

Department of the Interior paid \$437 million to approximately 1,900 counties.

For example, my home county, Chelan County, Wash., is a rural county with substantial acreage of public lands, nearly 78 percent. We share our western border with the three largest urban counties of the state. We appreciate the visitors who recreate on our public lands and enjoy our valleys filled with commercial orchards producing apples, pears and cherries, but it is not uncommon for our search-and-rescue crews to respond to several incidents on our lakes, rivers and mountains every week.

This year, Chelan County received

\$2.6 million to help fund search and rescue, public health, environmental compliance, law enforcement and other general government services. The payments are critical, representing 7.5 percent of our general fund budget and allowing us to provide a safe environment for our visitors.

The authorization for PILT is set to expire at the end of this month. Without congressional action, communities across the country could face devastating budget shortfalls affecting public safety, education, infrastructure and other local government functions.

That's why the National Association of Counties urges members of Congress to support a full

investment in the PILT program in the next fiscal year and permanent funding for the future.

County leaders are talking with lawmakers in Washington, D.C., this week about the vital services PILT supports in communities across the country. For anyone who enjoys America's vast public lands, the case is clear. Without PILT, search-and-rescue operations like the one that took place in Theodore Roosevelt National Park this past July — and many other important services — would not be possible.

This op-ed was also published in The Hill, a widely circulated newspaper on Capitol Hill, Sept. 16.

Several congressional bills address PILT funding



Photo by David Hathcox

Coconino County, Ariz. Supervisor Liz Archuleta describes the impact that losing PILT funding would have on Arizona counties' budgets.

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The support of his Republican colleague, Utah Sen. Mike Lee, demonstrated the position's bipartisan appeal.

"This is not an entitlement, this is not a handout, it is not an earmark," he said. "This is not something that the government ought to attach as an incidental benefit to something else — this is an affirmative obligation of the federal government that goes along with the fact that the federal government...owns a disproportionate share of land in some states of the union, and in particular some counties. That ownership of that land imposes some very significant burdens on you."

He felt more funding was necessary.

"If it truly is intended to be a payment in lieu of taxes, it is my view that it ought to, in some ways, roughly approximate or somehow resemble the amount of revenue a taxing jurisdiction would receive if it could, in fact, collect those taxes," he said.

Rep. Chris Stewart (R-Utah), a member of the House Appropriations Committee, said the argument for funding PILT was a moral one:

"How can you justify, when the federal government is controlling enormous swaths of Western lands, leaving those leaders so little option as to how they will fund just the basic services for the people in those counties? (To) not recognize that we're paying pennies on the dollar for PILT anyway, and realize that this shouldn't be an uncertain future?"

He said failing any other legislation, PILT funding would wind up

SpeedRead » » »

- » The last PILT reauthorization provided \$437 million to roughly 1,900 counties with federally owned land
- » NACo seeks FY15 reauthorization and a long-term permanent reauthorization

in the omnibus spending bill, but he offered other, more long term solutions.

"I think ultimately the answer to this is to return as much of the federal lands to state control anyway," Stewart said. "If we do that, and allow the people in the local communities to make some of these decisions, everyone will benefit will that."

His House colleague, Rep. Ann Kirkpatrick's (D-Ariz.), is another Western representative showing her support for PILT. Her district is 95 percent federally owned, and spreads across parts of 11 counties. She introduced a bill (H.R. 3879) in January to fund PILT permanently.

To bring the PILT story to ground, Coconino County, Ariz. Supervisor Liz Archuleta explained the consequences in store for her state's counties if PILT funding was lost: Graham County would lose 13 percent of its general fund budget, Yuma County would need to lay off 70 staffers, and Apache County would have to raise its property taxes 69 percent (which the county is statutorily forbidden to do) to make up for what it would lose.

"While PILT payments are pennies on the dollar, they provide counties like mine the ability to provide vital services to constituents and visitors," Archuleta said.

Fairfax County, Va. to host World Police and Fire Games

By CHRISTOPHER JOHNSON
EDITORIAL ASSISTANT



With the opening ceremony less than a year away, Virginia Gov. Terry McAuliffe (D) and officials from Fairfax County recently announced the countdown to the 2015 World Police and Fire Games June 25–July 5, 2015.

“The 2015 Games promise to deliver a lifetime of memories with celebrations and festivities worthy of the event’s 30th anniversary,” said 2nd Lt. Bruce Blechl, Fairfax County Police Department and executive director of Fairfax 2015. “To be able to celebrate the 4th of July alongside the 75th anniversary of the Fairfax County Police Department will be phenomenal.”

The World Police and Fire Games began in 1985 as a biennial sporting event that offers international firefighters, police, customs and corrections officers a chance to showcase their athletic skills and represent their countries in a competitive arena. The games strive to inspire, celebrate and honor public safety officials and have been hosted in a variety of locations worldwide.

In its first effort, Fairfax bid to host the 2013 games but lost out to Ireland. They were encouraged, however, to bid for the 2015 games, Blechl said. This time the county’s luck held. Fairfax beat out Canadian bids from Toronto and Winnipeg.

Outnumbering even the Summer Olympics in terms of competitors (10,568 athletes participated in the 2012 London Summer Games), the



worldwide athletic competition will play host to more than 12,000 athletes from 70 countries as they take part in 1,600 medal events across 61 sporting events over 10 days.

In addition to featuring typical competitions such as track and field events, the games also offer specialized events tailored to test the job skills of public safety and emergency service personnel.

Retired and current police personnel can compete in:

- service dog competitions – includes narcotics and explosive detection, subduing suspects
- police biathlon – shooting targets, running for three miles
- pistol events – action pistol, combat and center fire, and
- police motorcycle rodeo – shows off skills of motorcycle cops, similar to motocross.

Fire personnel can compete in:

- stair race – 26 flight race up and down a tower with full firefighting gear
- ultimate firefighter – decathlon type event with rescue, ladder climbing, agility and axe work
- firefighter muster – team event that includes the hose lay, hose roll, midnight alarm, ladder climb, tug of war, water barrel, obstacle course and
- firefighter bucket brigade – competitors race to transfer water from one container to another.

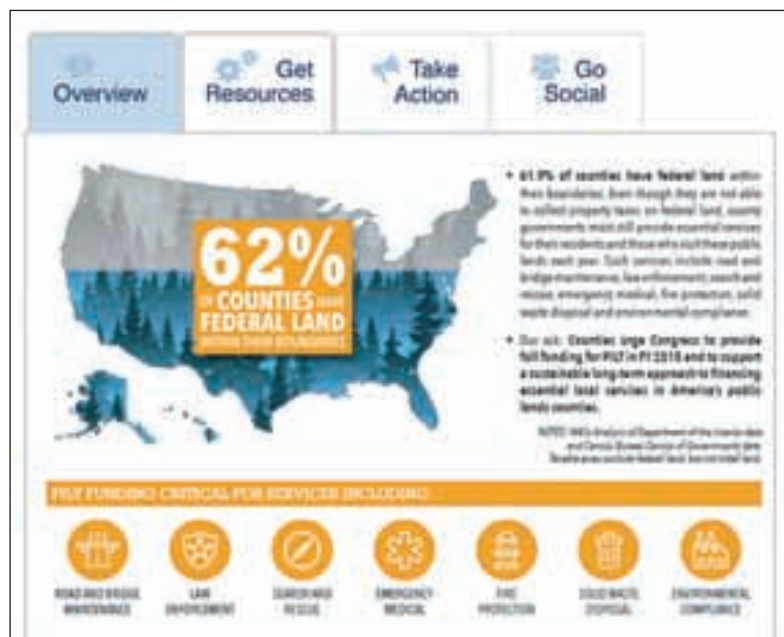
The events will take place in Fairfax County, Washington, D.C. and parts of Maryland, but officials say 80 percent of the games will take place in Fairfax County at various venues. Fairfax County will have its police and fire agencies competing across most of the events.

The benefits to hosting will be significant to the county. According to Fairfax 2015, the games are expected to have an economic impact of \$60 million–\$80 million in revenue while the cost to host this massive Olympic-style event is estimated at \$20 million. Corporate sponsors, such as INOVA Health Systems and Northrop Grumman, will help offset some of that cost while helping to promote the games.

The games are open to all active and retired police and fire personnel at any government level. A registration fee is required, and there is no overall qualifying standard.

**For more information about the games and how to apply to be an athlete or volunteer, go to www.fairfax2015.com, or call 202.480.9734.*

PILT Action Center available online



NACo has launched a comprehensive PILT Action Center at www.naco.org/PILT to assist county leaders in advocating for full funding for this priority program. In this information hub, you will find the following:

- **New Individual County PILT Profiles:** One-page profiles convey the importance of the PILT program to counties across America by providing graphics and statistics that show the amount of PILT funding for each county that receives at least \$10,000 in funding, the percentage of federal land in that county and other pertinent information.

- **Draft Letter to Congress on PILT:** NACo has prepared a draft letter that county leaders can use to stress to Congress the importance

of the PILT program and its full funding in FY15.

- **Sample Op-Ed on PILT:** An op-ed from Public Lands Steering Committee Chair Ron Walter, Chelan County, Wash., commission chair (reprinted on page 6), was published in *The Hill* on the important services counties provide on federal lands, and in turn, the importance of PILT to county governments. NACo encourages members to submit similar op-eds to their local newspapers.

- **Other NACo Resources:** NACo has also prepared a presentation that provides a comprehensive overview of the PILT program, and a policy briefing fact sheet on PILT.



Photo by Taylor Photography

NACo President Riki Hokama stresses the importance of investing in water infrastructure during a news conference Sept. 9 urging renewed investment in the nation’s aging water network. Sen. Ben Cardin (D-Md.), chair, Senate Water and Wildlife Subcommittee; Reps. Bob Gibbs (R-Ohio), chair, and Tim Bishop (D-N.Y.), ranking minority member, House Water Resources and Environment Subcommittee, also participated. The news conference was held to announce the results of a newly released study, *The National Economics and Labor Impacts of the Water Utility Sector*.

'Cadillac tax' could drive up some health care costs

By KATHRYN BAKICH

Beginning in 2018, the Affordable Care Act imposes a 40 percent excise tax, often called the “Cadillac Tax,” on high-cost health plans above certain thresholds. The base thresholds for 2018 are \$10,200 for self-only coverage and \$27,500 for all other coverage tiers, with higher thresholds available for certain participants. Plan sponsors should take steps now to understand when their plan may hit the excise tax thresholds and how to minimize the tax’s impact.

What types of plans and benefits are subject to the tax?

In general, all group health plans are subject to the tax, including plans established and maintained by local governments or their instrumentalities. Both fully insured and self-insured plans are subject to the tax, as are retiree health plans. The value of account-based plans, such as Health Reimbursement Arrangement (HRA) and Health Flexible Spending Arrangements (health FSA) will be included in the plan’s value. For Health Savings Accounts (HSA), the employer contributions appear to be included in the calculation. Dental and vision coverage that is provided under a separate insurance policy is not counted.

What entity is responsible for paying the excise tax?

The responsibility for paying the

excise tax rests with the plan’s coverage provider.

For insured coverage, the coverage provider is the insurer or HMO.

For self-insured coverage, the coverage provider is the “person that administers the plan benefits,” in other words the administrative service provider or, if self-administered, the plan sponsor.

How the Total Cost of Coverage is Calculated

The total cost of coverage under the plan is generally determined under rules similar to calculating COBRA premiums. If there are different administrators, the law requires the employer to combine the cost of different benefits, calculate the amount of the excess benefit, and determine the pro rata share of the excess attributable to each type of benefit. The employer notifies each administrator of its applicable share of the excess benefit and notifies the Treasury Department as well. Penalties are assessed on employers who do not perform these calculations.

Will the Thresholds be Adjusted in the Future?

As noted above, the two thresholds for 2018 are set in the law: \$10,200 for self-only coverage and \$27,500 for all other coverage tiers. There is no variation for high-cost regions of the country.

The thresholds can be increased in several ways:

- Medical Inflation: An increase is triggered if medical inflation in the

Federal Employees Health Benefits Plan exceeds expectations.

- Age and Gender: This would apply if the age and gender mix of the plan participants differs from certain national norms.

- High-Risk Professions: The threshold amounts are increased if the majority of participants are engaged in a high-risk profession or are employed to repair or install electrical or telecommunications lines.

The list of employees in high-risk professions includes law enforcement officers, fire protection activities, out-of-hospital emergency medical care (including emergency medical technicians, paramedics and first responders). This includes people who retired from a high-risk profession if they were engaged in a high-risk profession for at least 20 years.

- Qualified Retirees: The threshold amounts are increased for a person who is receiving coverage as a retiree, age 55 or older, and not entitled to benefits or eligible for enrollment under Medicare.

For the last two adjustments noted above, the self-only threshold is increased by \$1,650 and the threshold for all other coverage tiers is increased by \$3,450. Starting in 2019, the thresholds and the adjustment amounts will increase based on general inflation (i.e., the Consumer Price Index for All Urban Consumers), not medical inflation, which is historically higher than general inflation. In general, this means that plans will pay higher taxes, and could even pay the tax sooner than if the thresholds increased

with medical inflation. With medical trends running at about three times the rate of general inflation, the gap between actual plan costs and the general-inflation-adjusted thresholds will keep getting bigger, triggering even higher taxes over time than if the thresholds increased at a more realistic rate.

How does the tax affect retiree health valuations?

Plans that offer retiree health benefits must project the cost of the benefit to determine when a cost threshold is met, triggering the excise tax. Plans must recognize the excise tax in their retiree health valuations if the amount is deemed significant.

How can plan sponsors shield the plan from the tax?

Plan sponsors should take action now to evaluate when and under what circumstances their plans could be expected to reach the excise tax thresholds. Plan sponsors should determine in which year the plan is likely to exceed the thresholds and by how much. A plan sponsor that expects to exceed the thresholds in 2018 or a few years beyond 2018 may

want to begin considering plan design changes that would slowly bring down the total cost of the coverage.

Possible options include:

- selecting cost-effective provider networks, which might include narrow networks
- stepping up efforts to promote wellness and prevention to improve the health status and future claim-cost risk of the workforce
- self-funding to avoid certain taxes, fees and risk charges
- resetting eligibility rules, and
- migrating from fee-for-service provider reimbursement.

Conclusion

The course of action that will make the most sense will vary considerably from plan to plan. Given the extended time frames necessary to make plan and program changes, plan sponsors should begin charting the course now so that necessary changes can be rolled out gradually and communicated clearly to employees.

(Kathryn Bakich is a senior vice president and national health compliance practice leader for Segal Consulting. She can be reached at 202.833.6494 or kbakich@segalco.com.)



Franklin County, Ohio Commissioner Paula Brooks, chair, NACo International Economic Development Task Force, emphasizes the importance of international trade to the nation’s counties at a Senate roundtable discussion on the reauthorization of the Export-Import Bank of the United States. The senators who participated in the discussion included Senate Majority Leader Harry Reid (Nev.), and Sens. Chris Coons (D-Del.), Dick Durbin (D-Ill.), Amy Klobuchar (D-Minn.), Patty Murray (D-Wash.), Maria Cantwell (D-Wash.) and Debbie Stabenow (D-Mich.).

WORD SEARCH

Kootenai County, Idaho Facts

V W A X S N J E L S H B I Z C L S H Y L
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V M X I I Y V A D C B K Z K A M D Z Y F

- BENEWAH (south adjacent county)
- BONNER (north adjacent county)
- CATALDO MISSION (oldest standing building in Idaho)
- KOOTENAI (tribe county named after)
- LEAD (element mined in county)
- LEWIS AND CLARK (explorers who led expedition through central Idaho in 1805)
- NEZ PERCE (county that Kootenai was

- formed from)
- SESQUICENTENNIAL (150th anniversary)
- SHOSHONE (east adjacent county)
- SILVER (element mined in county)
- SPOKANE (west adjacent Washington county)
- STEAMBOAT (started on Lake Couer d’Alene to Spokane in 1889)
- ZINC (element mined in county)

Created by Christopher Johnson

Why counties should prioritize pipeline safety

By ROBERT HILL

BROOKINGS COUNTY, S.D.

As communities develop and expand, new businesses and housing developments encroach upon the nation's existing pipeline infrastructure, presenting implications for the more than 183,000 miles of hazardous liquid pipelines and 299,000 miles of natural gas transmission pipelines that move energy fuels throughout the U.S. every day.

There are a number of reasons why county leaders should prioritize pipeline safety. First of all, an enormous pipeline infrastructure crosses through a large portion number of county jurisdictions. Meanwhile, counties, which own 45 percent of the nation's roadways, spend \$106 billion annually to build, maintain and operate roads, bridges and other public facilities, while also owning 45 percent of the nation's roadways. A pipeline emergency could have a significant impact on county-owned bridges, roads and other infrastructure.

Nearly 2,000 incidents occurred along the nation's hazardous liquid pipeline transmission system between Jan. 1, 2010 and March 29, 2013, according to the Pipeline and Hazardous Materials Safety Administration. They accounted for 52 deaths, 235 injuries and millions of dollars in property damage.

Second, counties make local land use and development decisions that can interact with existing or planned pipeline infrastructure. Transmission pipelines were once built mainly in rural areas, but as land development expands outward, new businesses and housing developments are encroaching on pipeline rights of way. Often entities such as local school boards or hospitals have little or no knowledge of pipelines, so it is important that local government staff and officials think about and plan for the siting of such structures near pipelines.

Third, local governments are usually the first to respond to pipeline emergencies and are usually the first place citizens turn to for answers to pipeline questions. All of these responsibilities indicate why county leaders should be aware of steps they can take to maintain public safety around transmission pipeline risks.

The U.S. Department of Transportation's Pipeline and Hazardous Materials Safety Administration (PHMSA) regulates all pipeline safety. PHMSA believes

that effective pipeline safety is a responsibility shared by all levels of government — federal, state and local — as well as by pipeline operators and landowners. As a result, in 2010 PHMSA convened a group of over 130 stakeholder groups and individuals made up of comprising property developers and owners, local government officials, pipeline operators, real estate commissions and relevant national organizations, including NACo, to form the Pipelines and Informed Planning Alliance (PIPA).

PIPA was charged with generating recommended practices to guide development near transmission pipelines. The Alliance has since developed a suite of guidelines for local governments that review effective ways to apply land use and development

SpeedRead » » »

- » There were 2,000 spills and leaks along the nation's hazardous liquid pipeline between 2010–Mar. 2013
- » New development is encroaching on system built initially in rural areas

of PIPA's BL Recommended Practices for local governments, with corresponding resources and suggestions to support implementation of each practice.

• Obtain Transmission Pipeline Mapping Data

County government agencies responsible for land use and development planning can obtain

overseeing development can request pipeline data and information from local pipeline operators to establish requirements regarding land use and development around transmission pipelines. In addition, there are a couple of reports from the PHMSA that are helpful: *Building Safe Communities: Pipeline Risk and its Application to Local Development Decisions*, which can be found at <http://1.usa.gov/1iRunRt>, and *Partnering to Further Enhance Pipeline Safety in Communities Through Risk-Informed Land Use Planning* at <http://1.usa.gov/MFqfcj>.

There is also a chart available from the Pipeline Association for Public Awareness that explains pipeline marker flag colors and the type of material transmission lines they represent. You can access it at <http://bit.ly/1lis2o0>.

NACo has produced a fact sheet, *Creating Consultation Zones for Pipeline Safety*, to help you. You can download it at here: <http://bit.ly/RSKtm9>.

• Implement New Development Planning Areas around Transmission Pipelines

Counties can consider implementing a “planning area” when new land use or development is planned near transmission pipelines. Use PIPA's *Land Use and Development Near Transmission Pipelines: Checklist for Planning, Design, Communication, Permitting, and Site Plan Review* checklist here: <http://bit.ly/1bO02lp>.

• Help Improve State Excavation Damage Prevention Programs

Local government stakeholders can help make improvements to state excavation damage prevention programs by supporting the “Call Before You Dig” campaign and reducing exemptions from participation in One-Call systems. In most states, One-Call is a free service required by law that can be accessed by calling “811.” A local One-Call representative coordinates with local pipeline operators to mark the location of pipelines before any new excavation (including tree planting, fence and swimming pool installation or any activity requiring digging) takes place. Many counties support the campaign by placing “Call Before You Dig” information on county websites.

• Halt Dangerous Excavation Activities near Transmission Pipelines

Local emergency managers and enforcement agencies can work with transmission pipeline operators to thwart dangerous excavation activities that could potentially damage existing pipeline infrastructure. Visit the Pipeline Association for Public Awareness's *Tips for Safe Digging Near Pipelines* webpage at <http://bit.ly/1qMmWwW>.

For additional pipeline safety questions, contact Jen Horton at jhorton@naco.org.

(Hill is the Brookings County, S.D. county development department director. He serves on the board of the National Association of County Planners, a NACo affiliate.)

Hazardous Liquid and Gas Transmission Pipelines

(PIPELINES AS OF OCTOBER 2010)



authority to communicate and mitigate pipeline risks and promote pipeline safety. Application of these recommended practices provides a means for counties to address pipeline risks in their local communities.

PIPA describes its Baseline (BL) Recommended Practices as practices that should be implemented by stakeholders in “preparation for future land use and development,” and a number of BL Recommended Practices are specific to local governments.

Here is a quick look at each

mapping data for all transmission pipelines within their jurisdiction by accessing the National Pipeline Mapping System (NPMS) at <http://1.usa.gov/1eidfPU>. Local government officials can import the pipeline mapping information into their GIS or mapping systems by visiting <http://1.usa.gov/1iRuTyV>.

• Use Information Regarding Development around Transmission Pipelines

Local government authorities

• Adopt Transmission Pipeline Consultation Zone Ordinance and Define Pipeline Consultation Zone

Counties can adopt a consultation zone ordinance to require property developers to consult with transmission pipeline operators throughout the development process. Counties can define the parameters of a consultation zone to ensure communication when new land uses and developments are being planned.

Jackson County incident the second gun scare in Iowa courthouses in 2014

GUNMAN from page 1

Flynn yell, “he has a gun,” and Glaser pulled a revolver out of his briefcase and pointed it at Lane.

“I’ve always wondered what I’d do if we had a situation like that,” Koos said. “I always figured I’d get on my desk and jump at the gunman, but that’s a good way to get shot.”

Instead, he held the panic button under his desk for a few seconds, then moved around the supervisors’ desks and got behind Glaser. The camerawoman and Flynn pleaded with Glaser not to ruin his good name by shooting anyone, and when Glaser noticed Koos was moving, he aimed the gun at him.

“I remember making eye contact with him,” Koos said. “And we told Deb (Lane) to get out of the room, that’s who he was mad at.”

When she started to leave the room, Glaser turned and shot at her, hitting a glass door.

“I could see smoke and a flame from the gun and a hole in the glass,” Koos said. “I knew it was my time to do something.”

When Glaser chased Lane, Koos lunged at him.

“I hit him hard,” he said. “My idea was to knock him to the ground, but he was moving forward, so I was pushing him.”

Sheriff Russ Kettman said that gave Lane the opportunity to escape.

“It was huge that Buck stopped him there,” Kettman said. “He was on Deb’s heels and he was going to get her.”

Koos pushed Glaser forward into the wall and the glass door, which shattered and cut Koos’ wrist. He got Glaser to the ground, and wrapped his arms around his shoulders, then spread his legs to keep Glaser from flipping him over. Others in the room piled on top to pin Glaser.

“We would have been looking at least one fatality without Buck’s action,” Kettman said.

As it turned out, there was a fatality. While pinned under nearly a half dozen people, Glaser managed to pull the trigger.

“Immediately I smelled gunpowder,” Koos said. “I didn’t feel anything, but thought I might have been shot. I squeezed him even harder until two deputies told me to let him go.”

Glaser suffered a shot to the head, and the autopsy confirmed that it was suicide, backed up by a note found when the deputies searched Glaser’s house the next day.

“It was either dumb luck, a stupid choice I made, or somehow I did the right things, I don’t know how,” Koos said. “There were seven or eight different things that happened

that I never made a choice to do, I just did them.”

Earlier in the summer, the county formed a committee on safety, which was in the process of determining what measures could be taken immediately, at little cost or at costs that would require budgeting — to further secure the courthouse.

Kettman said with four entrances to the courthouse, his office would tighten security soon. Although his deputies had responded to disturbances in the courthouse, none had involved a gun.

“It’s usually someone upset about taxes or someone in district court, but we just handcuff them, and that’s the end of it,” he said.

In March, a man due to be sentenced in a methamphetamine possession case pulled out a gun and fled a Madison County courtroom, and was chased through the streets by the sheriff. The man did not fire.



Photo by Louis Brems/Quad-City Times/ZUMA Wire

Jackson County, Iowa Supervisor Larry “Buck” Koos wears a bandage on his right hand after cutting it in a struggle with a gunman who opened fire in a Sept. 9 Board of Supervisors meeting.

County boardroom security is everyone’s business

By CHARLES TAYLOR
SENIOR STAFF WRITER

When a man opened fire earlier this month during a Jackson County, Iowa Board of Supervisors meeting, Supervisor Larry “Buck” Koos tackled the shooter after the gunman had fired at the county assessor.

On Feb. 4, 2014, shots rang out on the fourth floor of the Clark County Center for Community Health in Vancouver, Wash.

About four years earlier, a disgruntled citizen held several county elected officials and employees hostage at gunpoint during a morning County Board meeting at the Morrison County, Minn. courthouse and government center.

“It was 21 minutes of terror,” said Commissioner Duane Johnson, who was at that 2008 meeting. Since then, the room has had panic buttons installed for the commissioners. “We know they work,” Johnson said, “because one of us accidentally hit one and the sheriff’s department responded within seconds.” In another security-related change, blinds have been removed from windows to a corridor, so the view from outside is unobstructed.

In all three cases, no county official was seriously injured, and the shooters either were shot by law enforcement or took their own lives. These incidents weren’t the first — nor, unfortunately, are they likely to be the last — direct threats to county officials while performing their official duties.

Overall, the rates of violence against local, county, state and federal government employees declined 82 percent from 1994 to 2011, according a U.S. Department of Justice special report, *Workplace Violence Against Government Employees, 1994–2011*. But in 2011,

government employees accounted for about 20 percent of workplace homicides.

State, county and municipal employees comprise 81 percent of all government workers and experienced five times the violence in 2011, compared to federal workers. Even discounting law enforcement and security-related employees, government workers experienced almost twice as much violence in that year compared to the private workforce.

In many counties across the country, a courthouse or court room may serve as the County Board’s meeting room, or the board room is located at the courthouse complex. This arrangement can be a fiscally responsible solution, but there are pluses and minuses, according to Steven K. Swensen, director of the Minnesota-based Center for Judicial and Executive Safety.

“The good news is that there is only one facility and its occupants that require protection,” he said. In the minus column, this can result in increasing the risk of danger “by placing agencies, departments and offices that conduct ‘highly charged emotional proceedings’ in the same building.”

Will Gunther, a risk management and disaster preparedness consultant, shared a number of strategies to help counties and cities keep their offices and public meeting places safe in an April 2005 article for ICMA’s *PM Magazine*.

He said increased security measures needn’t break the bank and that several commonsense measures can enhance the safety of public buildings.

For example, armed guards at building entrances should have a designated “over-watch” person, who could be another guard or other employee. “Establishing observation of the guard doesn’t necessarily mean paying another guard, too,” he wrote. “Receptionists

can be positioned to observe him or her. If the receptionist is not in a position to watch, an inexpensive camera can be installed to allow observation.” In that way, the observer can alert other security personnel when they see an interaction that seems to be escalating.

Receptionists who deal directly with the public should have a “stress word,” in case they are held captive or are forced to call someone else to the lobby. Using a predetermined name like “Gertrude” could be used to indicate there’s trouble, according to Gunther. “The conversation should sound perfectly normal to the attacker: ‘Hi, Gertrude, this is Mary in the lobby. Could you let the deputy mayor know he has a visitor?’”

While main entrances to public buildings are an obvious area to be watched, they aren’t the only access points to consider. Loading docks and delivery entrances “offer unlimited potential for the introduction of weapons or other contraband....” For that reason, delivery persons should be escorted and their vehicles randomly searched.

For counties that use metal detectors, Gunther noted that items being carried such as large cups can conceal weapons: “A medium-sized pocket knife will fit into a cigarette pack, and a small handgun will easily fit into a large coffee or soft-drink cup.”

For a rural county like Morrison County, Minn., population 33,000, resources can be hard to come by. “It’s one thing to put in a metal detector, but you’ve got to man it all the time. We just didn’t feel it was necessary at this time,” Johnson said. But everyone can be more vigilant.

“Ever since that day six years ago,” he said, “I kind of watch the door like I didn’t used to watch.”

Christopher Johnson, editorial assistant, contributed to this report.

NATIONAL ASSOCIATION OF COUNTIES

SYMPOSIUM ON AMERICA'S COUNTY TRANSPORTATION & INFRASTRUCTURE

DEC 3 - 6, 2014 | GRAND WAILEA | MAUI COUNTY, HAWAII

America's county leaders make important decisions every day about transportation, land use and economic development policies and investments that influence regional and local economic opportunities and quality of life.

At the same time, most counties are faced with the dilemma of declining federal and state funding, rising construction and maintenance costs, aging infrastructure and increasing traffic demands. Through regional collaboration, public engagement and cooperation with other public and private sector partners, counties are pursuing new and innovative approaches to delivering modern transportation solutions and services.

During NACo's Symposium on America's County Transportation & Infrastructure, county leaders will explore noteworthy practices from around the nation. The event—a signature piece of NACo President Riki Hokama's presidential initiative—will highlight trends in global freight movement, innovative transportation and infrastructure financing, multi-modal solutions and more.

WHO SHOULD ATTEND?

This forum is aimed at elected and appointed county officials, key county staff members and local stakeholders working in transportation, infrastructure, economic development, land use planning and related fields. Through keynote presentations, panel discussions and mobile workshops, county leaders will learn from national experts in the transportation industry.

REGISTER NOW!

Registration is required online at www.naco.org/transportation.

NACo has secured a group rate at the Grand Wailea in Maui. Reservations must be made by November 2. Visit www.naco.org to book this rate online.

For more information, contact NACo Program Director Kathy Nothstine at knothstine@naco.org or 202.714.8245.

STATE → TO → STATE



IOWA



What issues are driving state associations' legislative agendas? What are the latest and most persistent challenges your county colleagues in other states are facing? What looks to be looming on the horizon?

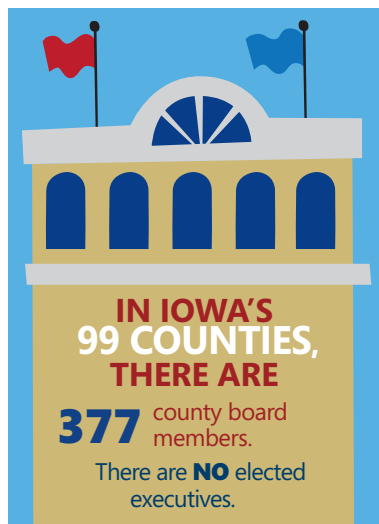
State-to-State explores these questions and helps keep you in touch with your fellow leaders across the country.

Iowa

The Iowa State Association of Counties' (ISAC) top priorities during the 2014 legislative session were road funding, mental health and disability services, and user fees.

Every road jurisdiction in Iowa is struggling to maintain infrastructure, but counties control more than 78 percent of the road miles and more than 77 percent of the bridges in the state, Executive Director Bill Peterson said.

A 2011 study group estimated the annual statewide funding shortfall to be \$215 million for the most critical infrastructure needs and a total funding shortfall of over \$1.6 billion per year.



"ISAC has worked to demonstrate the negative impact of this funding shortfall, and to encourage the Legislature to address the state's deteriorating infrastructure," Peterson said. He added that the association supports a phased-in increase in the per-gallon fuel tax or a sales tax on fuel that would index the revenue to the price per gallon.

However, legislators were unable to reach a deal, many citing election-year concerns about hiking taxes.

In addition, fees for many of

the services provided by counties have not been raised in years, which is putting increased pressure on property taxes to make up the shortfall. The need to increase user fees has taken on new urgency because of a property tax relief bill the Legislature passed in 2013, said Hanna De Groot, an ISAC public policy specialist. It will reduce county property tax revenue by an estimated \$761.9 million over the next 10 years. Discussions about raising user fees this session were met with resistance from some legislators.

"ISAC continues to make the case that the service will be provided regardless so it is simply a matter of who pays for it, and we believe the direct beneficiary should shoulder a greater share," De Groot said.

Another priority for counties has been finding sufficient funding as they transition to a new regional mental health service delivery system.

A relatively new challenge for counties is responding to records requests from out-of-state, data-mining companies. Many Iowa counties have received requests from for-profit companies seeking public records they plan to sell.

The problem is: the companies are seeking data and files in formats not used by the counties, requiring counties to expend resources to manipulate the data, assuming that's even possible. ISAC public policy specialist Lucas Beenken said several counties have been threatened with or engaged in legal action. ISAC is working on legislation that would require upfront payment to cover the cost of data manipulation either by the county or a software vendor.

Iowa counties' persistent challenges are similar to those faced by counties nationwide. "First, our counties are constantly struggling to maintain the services they provide with stagnant or decreased buying power," Peterson said. "Second, counties are trying to conduct business while dealing with an increasing amount of mandates and regulations from the state and federal governments."

"Providing high-quality service effectively and efficiently is an admirable goal, but it's progressively more difficult with tighter budgets and more obligations passed down," he said.

(Charles Taylor, County News staff, compiled this report.)

Financial Services News

Save Valuable Time, Money with Cooperative Purchasing



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GOVERNMENT PURCHASING ALLIANCE



Many counties, parishes and boroughs are challenged with doing more with less. To help streamline efficiencies and cut costs, local governments can turn to cooperative contracts as a resource.

Participating in a cooperative purchasing program is an established best practice in public procurement. Cooperative purchasing consolidates the buying power of state and local government agencies, schools and nonprofits nationally to provide benefits in pricing, product quality and contract efficiencies. Aggregating the purchasing power of these organizations can lower costs, increase services and save time.

There are a variety of regional and national cooperatives available, and as counties across the country explore this purchasing option, there will be many factors to consider beyond just product offerings. Most purchasing cooperatives offer cost- and time-savings, which are key to an effective procurement process.

Another factor to consider is the track record of the cooperative. Those with years of experience, a substantial customer base, and significant sales volume are in the best position to deliver contracts that offer the most competitive pricing. Beyond pricing, county purchasers also will need to evaluate the process in which the contract or supplier was solicited and awarded to ensure compliance with legal guidelines in your state.

The largest national cooperative, U.S. Communities, is the only purchasing cooperative founded by public agencies, for public agencies.

The five sponsors that founded and co-own U.S. Communities are: NACo, the Association of School Business Officials International, the National

Institute of Governmental Purchasing, the National League of Cities, and the U.S. Conference of Mayors. In addition, over 90 state associations show their support for the U.S. Communities program through sponsorship.

When it comes to cooperative procurements options, U.S. Communities delivers on key elements critical to the procurement process. U.S. Communities uses a lead public agency model to ensure the bid solicitation process is competitive, transparent and complies with legal guidelines in your state.

U.S. Communities supplier partners also commit to providing their most competitive government pricing to all participating agencies.

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Since its founding in 1996, U.S. Communities has generated millions of dollars in savings for participating agencies. With more than 500 purchasing professionals joining each month, the continued rapid growth of the program is testament to its record of integrity and value.

There are no fees to participate and no purchasing minimums, allowing maximum flexibility for participating counties. As you assess the programs available to your county, be sure to include U.S. Communities on your list.

(Financial Services News was written by Josef Hapli, program marketing director, NACo Financial Services Corporation.)

What's in a Seal?



► Kootenai County, Idaho
www.kcgov.us

Kootenai County was formed on Dec. 22, 1864 from the northern section of Nez Perce County. It's named after the Kootenai Indian Tribe who settled into the area prior to 1864. The area of the county contains a significant portion of the center of the Coeur d'Alene Tribal Homeland as well as the primary east-west trail system for interior Salishan people.

In honor of the county's sesquicentennial this year, commissioners adopted a new county seal designed by Jamie Kay Marble, a North Idaho College graphic design major.

The design was inspired by the most memorable aspects of Kootenai County. From the famous landmark and oldest standing building in the state of Idaho, the Cataldo Mission, lying across the backdrop of mountains with trees dotting the landscape leading the eye to one of America's most beautiful lakes in Lake Coeur d'Alene. The pickaxe and saw are evocative of the county's roots with tradition and industry. The center tree represents a county that is continually growing. The nature reflects hardy yet compassionate people in the county. The eagle embodies the freedom Kootenai County provides its citizens.

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



County Innovations and Solutions

Boulder County, Colo.

Gigantic Tree Persists after Death

By CHARLIE BAN
STAFF WRITER

It was a heck of a tree.

Measuring 112 feet tall, 36 feet around, a cottonwood tree growing out of a Boulder County, Colo. irrigation ditch held the distinction of being the largest of its species for 45 years, starting in 1967.

When it stopped growing in 2011, it marked the end of a 120-year life, though the tree is still standing and the county has tried to mark its long reign. By comparison, other “national champion trees” keep that title for an average of five years before another takes its place.

“We thought it was important to think about what we’d do with it, once it had reached the end of its life,” said Ron Stewart, Boulder County’s director of parks and open space. “It’s an enormous tree. It takes 13 people with their arms outstretched to reach around the trunk.”

The tree clearly had good lineage, and a thorough search recovered saplings connected to the tree. Those saplings would preserve the tree’s legacy, like a champion racehorse put out to stud.

“They were connected through the root system,” Stewart said. “A team of graduate students (from the University of Florida) did testing and found the saplings were identical to the champion tree.”

Saplings went to county municipalities and school districts that could offer suitable environments for the saplings to grow and other protected open spaces throughout the county, for a total of 40. Some went to help re-vegetate flood-ravaged land.

Back in the irrigation ditch, the tree wasn’t going away, and there wasn’t any legal obligation to take any action. With branches as big around as a normal cottonwood tree trunk, there was plenty of the champion to go around. In 2012, a county forestry team harvested one such branch.

Local woodworkers were given the opportunity to craft that wood into artistic works for exhibition in the Longmont Museum in late 2013 and early 2014, called “Carve!”

The resulting art — 50 different works — ranged from bowls to an entire dining room table. Those



Photo courtesy of Boulder County, Colo.

The national champion cottonwood tree (left) and a bowl carved from it (right).

pieces were sold and generated about \$5,000, with some \$3,000 going to artists’ commissions and about \$1,600 going to the parks and open space department to

defray the estimated \$8,000 it cost for the exhibition and the sapling propagation.

“My favorite was a series of Bavarian cottages and castles,”

Stewart said. “That artisan had spent time there.”

Stewart himself purchased a bowl.

“It’s ornamental — I won’t

be eating out of it,” he said. “It’s wonderful to know that a tree that was so extraordinary is living on in this artwork.”

The tree remains, roughly three-fourths of its peak size, and will continue to do so as long as it can safely stand up. In 2013, a fire caught inside the tree and burned for three days, but ultimately did not destabilize it.

“Some people travel all over the country, visiting these champion trees,” Stewart said. “We’ve had dozens of people visit expressly to see that tree.”

“It will gradually fall down, and we’ll do more of this carving as it does.”

County Innovations and Solutions highlights award-winning programs. Carve! Champion Cottonwood Art and Sapling Project was named the best in category for Arts and Historic Preservation for the 2014 NACo Achievement Awards.

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News From the Nation's Counties

► FLORIDA

In drafting a massive overhaul of **rules for future cell phone towers**, **BREVARD COUNTY** wants to add height restrictions.

It's an aesthetic issue for neighborhoods, as well as a practical issue for cellphone users wanting more dependable service from their carriers. The need is generated in part by increased use of smartphones and other devices that are heavy users of data, as well as the continuing trend of increased use of mobile phones in general.

The proposed ordinance also could result in additional revenue for the county, since the plan would allow streamlined approval for towers if they are on county-owned land. In those cases, the county would get money from leasing the land to tower developers, *Florida Today* reported.

► ILLINOIS

• The Chicago Architecture Foundation is partnering with **COOK COUNTY** and **soliciting the public for ideas** about the potential future of the Cook County Hospital building and grounds, WBEZ News reported.

Once the world's largest medical facility, it has remained vacant since 2002 amid debate on whether preserving the original building provides the best value for the site, which also includes land to the north and south of the building.

• Five counties have decided where a **medical marijuana cultivation center** should be placed.

Commissioners from **MORGAN, CASS, MENARD, MASON** and **LOGAN counties** endorsed the application for a cultivation center for a Chicago-based company.

WICS News reports Logan County organizations approved a request to rezone a commercial site for such a company in early September.

► MICHIGAN

Detroit reached a deal with three Michigan counties over **regional water and sewer services** that could drop the counties as objectors to the city's plan to adjust its debt and exit bankruptcy.

The deal between Detroit and **OAKLAND, WAYNE** and **MACOMB counties** creates a regional water and sewer authority, but allows the city to maintain control of its local system. It has the support of Michigan Gov. Rick Snyder (R) and the city's state-appointed

emergency manager Kevyn Orr, according to Reuters.

The future of Detroit's Water and Sewerage Department has been a big hole in the Motor City's plan to adjust \$18 billion of debt and exit the biggest-ever municipal bankruptcy.

The three counties objected to the city's proposal in federal bankruptcy court to drain \$428 million over nine years from the water and sewerage department for catch-up pension payments owed by the department to the city's general retirement system.

Under the new deal, Detroit would tap \$50 million a year in lease payments from the counties to back up to \$800 million of bonds to rebuild the water and sewer system. The city and county governments have until Oct. 10 to ratify the deal, which would take effect with the approval of the city and at least one of the three counties.

► MINNESOTA

• Residential facilities for troubled teenagers in **RAMSEY** and **HENNEPIN counties** could someday merge.

The facilities are treatment-based alternatives to more-restrictive state detention centers, but they are housing fewer and fewer young people, in part because of a nationwide decline in serious juvenile crime.

Both boards agreed to study the feasibility of a **joint residential treatment center**, in hopes of improving services and facilities while saving taxpayers money, the *Pioneer Press* reported.

• The **MOWER COUNTY** Board approved the county's participation in "**One Watershed, One Plan**," which aligns the Mower County Soil and Water Conservation District's watershed planning with **WINONA, FILLMORE, HOUSTON, OLMSTED** and **DODGE counties** under the Root River Watershed District.

The pilot project is the first of its kind in the state and will change how the counties address water planning. Since the 1980s, such plans have been done largely within political borders with limited overlap, the *Austin Daily Herald* reported.

The partnership will not create a new level of government, and elected officials will be involved to assist and to help with the oversight portion of the planning process.

► NEBRASKA

Joining many other counties

nationwide, **LANCASTER** and **SARPY counties** — the state's second and third most populous — have **stopped honoring federal immigration detainers** without a warrant.

Now, the American Civil Liberties Union of Nebraska and a non-profit immigrant advocacy group are trying to convince **DOUGLAS COUNTY** to follow suit, the Associated Press reported.

Amy Miller, legal director for ACLU Nebraska, said: "With the population base in Nebraska being so heavily tilted toward our urban areas, we think it's really important that Douglas County take the same step to say no to these detainer requests." Douglas, home to Omaha, is the state's most populous country.

The county's deputy director of corrections has asked the county attorney for a legal opinion on whether the jail should cease honoring detention requests from U.S. Immigration and Customs Enforcement.

► NEW JERSEY

Led by **OCEAN COUNTY**, six of the state's 21 counties are among **the most prone to natural disasters** in the nation, according to an analysis of data by *Time* magazine. Ocean ranked number one. The other five — **CAPE MAY, MONMOUTH, BURLINGTON, ATLANTIC** and **CAMDEN counties** — were also among the top 15 nationally. "Jersey Shore communities in Ocean County are vulnerable to tidal surges and storms like Sandy," the magazine wrote.

Time used data from the National Oceanic and Atmospheric Administration's storm events database to calculate a "disaster index" for each county, based on the frequency of natural disasters. NOAA's data includes information on 44 types of natural disasters, including earthquakes, hurricanes and tornadoes.

► NEW MEXICO

New Mexico's secretary of state said she won't allow **BERNALILLO** and **SANTA FE counties** to put nonbinding "advisory" questions on the November ballot about **decriminalizing marijuana use**.

Dianna Duran, the secretary of state, said it's not legal to add such questions to a general-election ballot, because they're merely opinion polls with no force of law. But that might not

be the end of it, the *Albuquerque Journal* reported.

The state's attorney general has said "a county may propose a question on the statewide general election ballot that does not carry the force of law." The counties are considering appealing Duran's decision.

► NEW YORK

Art and agriculture could work together to attract tourism to **WYOMING COUNTY**, according to the county's economic development director.

Bill Daly recently told the Wyoming County Board of Supervisors that the area has an infrastructure that is "spectacular for art." "This is rural, agricultural farm art — that's what we're calling it at this moment," he said.

If an area creates an environment that is attractive to artists, it can become a magnet for tourism, he said. As an example, he cited the other Wyoming, the state, where Jackson Hole now hosts the National Museum of Wildlife Art, the *Daily News* reported.

"Fifteen years ago, you didn't go to Jackson Hole....," he said. "Now it's one of the top tourist attractions in North America. Why wouldn't we do it here?"

► OHIO

Ohio Attorney General Mike DeWine's (R) office is working with the **LUCAS COUNTY** Sheriff's Office on a \$500,000 pilot program to combat the heroin problem in the Toledo area.

See NEWS FROM page 15

NACo on the Move

In the News

- **Deborah Cox**, director of legislative affairs, was mentioned in the article "Idaho counties eye shifting public defense to the state" in *The Iowa Statesman* Sept. 17.
- **NACo** was mentioned in *American City and County* magazine in the article "Water, highways, sales taxes top priorities for NACo" Sept. 16.

NACo Officers and Officials



Riki Hokama

• NACo President **Riki Hokama** spoke about NACo, his presidential initiative and NACo membership at the opening general assembly of the Wisconsin Association of Counties Annual Conference in Sauk County Sept. 15.

• NACo First Vice President **Sallie Clark** presented information at the plenary session on NACo, its legislative priorities and the presidential initiative at the Michigan Association of Counties

Annual Conference in Mackinac County Sept. 16.

NACo Staff

• **Tom Goodman**, public affairs director, participated in the National Council of County Association Executives' Insurance Pool Meeting in Dallas County, Texas Sept. 9–11. The meeting covered issues such as inmate monitoring, jail risks, property appraisals, cyber coverage, workers' compensation audits, trends in human resources and wellness programs.

Coming Up

- **Alex Koroknay-Palicz**, membership coordinator, will be exhibiting on behalf of NACo at the Association of Indiana Counties Annual Conference in Monroe County, Ind. Sept. 23–25.
- **Kaye Braaten**, former NACo president, will be exhibiting on behalf of NACo at the Wyoming County Commissioners Association Fall Meeting in Fremont County Sept. 23–25.



Kaye Braaten

On the Move is compiled by Christopher Johnson, editorial assistant.

The H.R. Doctor Is In

To Form a More Perfect Union

Some things change in a dozen years, others remain essentially the same. In the aftermath of Labor Day, it is worthwhile for us to look back at a couple of the issues central to labor relations in American governments, to celebrate some and to reform others.

“All of us owe the union movement a tremendous debt as one force that made the workplace more equitable, ethical and productive.”

The modern American unions are trying to figure out what they want to be when they grow up. In general, the union movement has been on a steady decline in the United States — except in the public sector. The decline is fueled by changes in the basic economic structure of

the country and by the many laws, protections and entitlements that were not in place during the height of union organizing in the 1930s or before.

The union movement grew based upon the transformation of the American economy from agriculture to manufacturing and heavy industry. It was also fueled by the mass production needs associated with wars and spurred by the great wealth which had developed in the United States. This accumulation of wealth was bypassing many workers in the American economy. Fast forwarding to the 21st century, it is clear that the economy has again been transforming, migrating from an industrial manufacturing economy to a service economy, and an information and technology one. Unions have been failing to reinvent themselves, at least in the private sector, in order to remain relevant amidst these transformations.

At the height of union organizing power, in the 1930s, union membership reached about 36 percent of the workforce. In 1983, membership



Photo by Suzanne Tucker • Shutterstock

Opponents and supporters of Gov. Scott Walker's bill to take away public worker bargaining rights chant slogans and carry signs on February 19, 2011 in Madison, Wis.

had declined to about 20 percent. Today, the percentage of the entire workforce represented by unions is about 11 percent according to the U.S. Department of Labor. In the private sector, the number is down to about 9 percent.

In a sense, unions have been a victim of their own success. The

union movement brought to workers a sense of strength, of solidarity, of power and the ability to influence the American political and economic agenda. Previously, those abilities and that power rested with industrialists and business owners. There were no protections in place that remotely resemble the situation today. “Sovereign immunity” applied to employers. Workers had little standing to challenge the decisions or abusive practices of the bosses.

Imagine entering a time warp and going back to New York in 1910. You would witness sexual abuse and the lack of protections against injury and illness on the job. Imagine the unchecked racial, gender, national origin and religious discrimination which existed. Imagine the exercise of arbitrary authority to demean and intimidate employees. It was not a time to be proud of in American history. All of us owe the union movement a tremendous debt as one force that made the workplace more equitable, ethical and productive.

As the HR Doctor has pointed out before, with success comes great risk of future trouble. The risk comes as a result of the pattern in which success leads to complacency, which, in turn,

leads to arrogance, which goes on to lead to failure.

Unions often stand for resistance to change in the modern economy rather than support for progressive improvement. The demands for “one size fits all models” in which performance excellence gives way to a focus on seniority and flat cost-of-living increases regardless of workplace behavior or performance tends to retard innovation. It also leads to acceptance of the median as the objective rather than striving to reach the top ranks of excellence. Instead of the wonderful union anthem “solidarity forever,” some unions often now struggle to sing in time and on key “mediocrity forever.”

Yet, as unions struggle to reinvent themselves, they have found success in representing about 38 percent of government employees in 2013 — down from 53 percent in 2011. Still, there is a palpable contrast between the survival mode for private sector unions in recent decades and the much larger presence found for unions in government. What accounts for the difference?

Certainly, for our private sector colleagues, the economic tectonic plate shifting over the years away from a mass production industrial base to a service and information-based economy in America is very significant. The shifting of manufacturing jobs away from the U.S. is a part of that move. The story is certainly more complex than this short article will address.

The public sector part of the story must highlight the fact that unions have become even more adept at public sector employee political action than in the past. Where better to demonstrate the connection between political involvement, donations, lobbying, etc., than in the very local government agencies themselves?

The list of top contributors to

See H.R. DOC page 16

Dallas County seeks new owner for former jail, ex-Beatles haunt

NEWS FROM *from page 14*

The program will partner sheriff's deputies and counselors with overdose patients from the emergency room to post-hospital treatment — which could include recovery housing if appropriate, according to DeWine's office.

He's urging local agencies in southwest Ohio to learn from existing programs in other counties, the *Dayton Daily News* reported.

“We have 88 counties. Everyone's doing something a little different,” DeWine said recently. “What we need to do is look to the counties that are making progress.”

CUYAHOGA COUNTY is one such county, according to Hugh Shannon of the county medical examiner's office. He said his county has had success in decreasing the number of heroin-related deaths in the greater-Cleveland area through collaboration with law enforcement, hospital officials, treatment and prevention experts, and prosecutors.

► TEXAS

Seven million dollars is what **DALLAS COUNTY** is asking for a **former county jail with a storied past**. Formerly, it was a luxury motel, and some 50 years ago, it's where the Beatles stayed during their only concert stop in Dallas. Actress Raquel Welch was once a cocktail waitress there, according to *The Dallas Morning News*, and it's where Jimi Hendrix used to stay when he came to Big D.

The building was converted into a jail that operated from 1987 to 2009, when a new detention center was opened. Now it's on sale for about \$1 million more than the \$6 million it cost to build in 1961.

The former Cabana Motor Hotel is appraised by the county at \$11 million, about \$2 million more than the county paid for the hotel in 1985. Actress Doris Day also once owned the property.

► VIRGINIA

AUGUSTA COUNTY leaders want their input heard on plans by Dominion Resources and its utility partners to build an **underground**

natural gas pipeline through the county, if federal regulators okay the project.

Members of the Board of Supervisors have been working on a resolution asking Dominion to give the county a voice in construction plans for the local portion of the proposed 550-mile Atlantic Coast Pipeline.

Augusta isn't against the project — 43 miles of which would traverse the county — unlike neighboring **NELSON COUNTY**, whose Board of Supervisors voted to oppose the \$5 billion project over environmental concerns.

Dominion, Duke Energy and other partners say the pipeline would connect the Southeast with rich supplies of natural gas being produced in Ohio, West Virginia and Pennsylvania. It would begin in **HARRISON COUNTY**, W.Va. and stretch through Virginia and North Carolina.

(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.)

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To survive, unions must stop opposing innovation

H.R. DOC from page 15

elective office campaigns regularly features unions. Another area concerns the fact that government is already the home to a substantial number of "entitlements" and a focus on process, rules and rigidity which is not found to the same extent in the private sector.

Perhaps the best example is the existence even today in many government entities of the essentially 19th century concept and practices of civil service. Around the country, HR professionals in government struggle to abide by the rules and yet still strive to become more modern, efficient and flexible. The two forces contend with each other on a daily basis.

In addition, many elected officials deliver a clear message to government managers. The opposite message is often delivered in private organizations. Namely, take no action opposing union organizing. Most union representation elections are lost by unions in the private sector. In government, without opposition and with the organizing and lobbying capability of unions, especially those representing teachers, firefighters and police officers, the result can very definitely impact a local county commission election. The margin of victory may be tipped by having union support. In an environment where opposition to organizing is stifled, and lobbying can be particularly successful, there are advantages to organizing in the public sector that extend considerably further than those present in a private organization.

Forming a more perfect union will involve action and understanding by managers, elected officials, unions themselves, and, the not to be forgotten employees represented by unions. It will take managers' understanding that poor behavior and failure to reward and recognize employee contributions constitute the union organizer's greatest ally.

Elected officials have a role in resisting the "end run" efforts of some unions to work around the organization's negotiators and appeal directly to the elected officials. That is an action which, ironically, if practiced by management, would be quickly seized upon by union attorneys as an "unfair labor practice."

The greatest obligation if a more perfect union is to be formed must rest with unions themselves. They must stop being so innovation-averse and understand that they must walk along side agency management in defining a future in which excellence is the norm and mediocrity is eliminated. It must be a future in which recognition, respect and appreciation

is the expected standard. Godzilla the union is as dangerous to government excellence as Godzilla the manager.

Finally, the employees of a public agency need more direct opportunities to demonstrate their loyalty and innovation in a safe, enriching environment free from inequity and

poor behavior by colleagues and supervisors. Personal accountability and acceptance of responsibility for behavior and performance on the job would be a wonderful thing to encourage in a society continuing to be weakened by the retreat of these qualities.

The HR Doctor very sincerely hopes that more unions will reform themselves and morph into more perfect unions. After all, there are no good management songs. They all came from the glory days of a union movement gone by.

To paraphrase Pete Seeger, "here's

to instruments that stay in tune and people, governments and unions that do likewise."



Phil Rosenberg
The HR Doctor • www.hrdtr.net



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