

## 'Waters of the U.S.' regulation released

By JULIE UFNER  
ASSOCIATE LEGISLATIVE DIRECTOR

The U.S. Environmental Protection Agency (EPA) and Army Corps of Engineers (Corps) have released their long-awaited 371-page prepublication draft regulation for Definition of Waters of the U.S. under the Clean Water Act. Once published in the Federal Register, there is a 90-day public comment period.

This proposal will impact county-owned and maintained infrastructure such as roadside ditches and flood-control channels. The draft regulation defines a number of key terms including tributary, other waters, neighboring, riparian area, floodplain and significant nexus.

Some of the terms or definitions may be problematic for counties — for example, the term "floodplain" is not tied to

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## First-term council member faces early test with mudslide disaster

By CHARLIE BAN  
STAFF WRITER



Photo courtesy of Snohomish County, Wash.

Very difficult conditions, including heavy rains and runoff, continue to hamper rescue and recovery efforts following Snohomish County, Wash.'s mudslide March 22.

Ken Klein spent an hour-long meeting with Snohomish County, Wash.'s emergency services department — less than three months into his tenure on the County Council — eager to get an idea about how prepared the county was for a disaster. He left feeling confident.

Two days later, March 22, a massive mudslide crossed the Stillaguamish River and into a residential area near the town of Oso, right in the middle of Klein's district, that morning. The state road covered by the slide, SR 530, became the slide's namesake — the 530 slide.

That morning, Klein joined the sheriff for breakfast, then conversed with his friend running for office. When he glanced at Facebook on his phone, he saw quick mentions of a mudslide in Oso, but had no idea of the magnitude.

"Mudslides happen a lot," he said. "There was no indication when I first heard about it that it was as big as it was."

In the end, it was big enough to prompt a major disaster declaration from President Obama and a continued effort, two weeks later, to try

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## Langston: Counties at forefront of disaster preparation, response

By BEVERLY SCHLOTTERBECK  
EXECUTIVE EDITOR

NACo President Linda Langston testified April 3 before a U.S. House subcommittee examining the impact of flood mitigation efforts at the local level. Langston, whose presidential initiative focuses on county resiliency, told the Subcommittee on Economic Development, Public Buildings and Emergency Management that counties are at the forefront of disaster preparation, mitigation and recovery.

"Disasters are local. Local governments are often first to the scene with police, sheriff and firefighters. They are also there for the cleanup,



Photo by David Hathcox

Linda Langston testifies on flood-mitigation efforts before a House subcommittee.

recovery and rebuilding," she said.

Counties spend over \$30 billion annually funding first responders in police and sheriff's departments, emergency management professionals, 911 emergency call centers and even county planners who are responsible for mitigating the impact of natural disasters such as flooding.

Langston, a supervisor from Linn County, Iowa, highlighted three key efforts that counties undertake to mitigate the impact of severe flooding in their communities: proactive county planning, participation in the National Flood

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### CountyNews Features

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# Supreme Court deals setback to Rails-to-Trails movement

By LISA SORONEN

STATE AND LOCAL LEGAL CENTER DIRECTOR



The recent U.S. Supreme Court decision in *Marvin M. Brandt Revocable Trust v. United States* may have derailed a popular program used by many local governments to provide outdoor recreational opportunities.

In a March 10 decision, the court held 8–1 that a private party, rather than the federal government, owns an abandoned railroad right of way granted by the General Railroad Right of Way Act of 1875.

When the federal government owns abandoned railroad rights of way, state and local governments may convert them into “Rails-to-Trails.” The State and Local Legal Center (SLLC) filed an *amicus curiae* brief in this case, which NACo joined.

The land in question is adjacent to the Medicine Bow Rail Trail in the Medicine Bow National Forest. In 1908, the United States granted the Laramie, Hahn’s Peak and Pacific Railroad Co. a right of way to build a railroad over public land in Wyoming in accordance with the General Railroad Right of Way Act of 1875. In 1976, the federal government granted a parcel of land to the Brandts that this right of way ran through. In 2004, the successor railroad abandoned the right of way and the Brandts challenged the federal government’s claim that it owned the abandoned right of way.

The court ruled against the federal government “in large part because it won when it argued the opposite before this court more than 70 years ago in the case of *Great Northern Railway Co. v. United States*.” In that case, the United States claimed that the railroad had been given only an easement because after 1871, when Congress

stopped giving railroads parcels of land and only gave them rights of way, the United States also stopped retaining rights to the property in the event it became abandoned — known as reverter rights — and instead granted railroads mere easements.

The United States and the SLLC argued that the court should not read *Great Northern* so broadly and that a series of federal statutes apply to abandoned 1875 rights of way. These statutes grant the United States title to abandoned rights of way unless a state or local government establishes a “public highway,” including a recreational trail, within one year of abandonment.

The justices discussed the SLLC brief, which argued that state and local governments have relied on these statutes. Yet the court concluded they don’t apply to 1875 rights of way because “these statutes do not tell us whether the United States has an interest in any particular right of way; they

simply tell us how any interest the United States might have should be disposed of.”

Justice Sonia Sotomayor, the lone dissenter, summarized why this case is a loss for federal, state and local government: “[T]he Court undermines the legality of thousands of miles of former rights of way that the public now enjoys as means of transportation and recreation. And lawsuits challenging the conversion of former rails to recreational trails alone may well cost American taxpayers hundreds of millions of dollars.”

According to the Rails-to-Trails Conservancy there are currently 1,853 rail-trails in the U.S. for a total of 21,768 miles, while 685 rail-trail projects are in the works, which would add another 7,835 miles to the system when completed.

*\* To view a state-by-state breakdown of the number of trails, total miles and projects underway, see this story online at [www.countynews.org](http://www.countynews.org).*

# Oregon law requires private insurers to cover pre-trial jail inmates

By CHARLES TAYLOR

SENIOR STAFF WRITER

A recent legislative victory for Oregon counties could offer a blueprint for counties in other states seeking to reduce spending on jail inmates’ health care and repurpose those dollars.

House Bill 4110, which the Oregon Legislature unanimously approved last month, requires private insurance companies to continue to cover insured inmates being held pre-trial — those who have been “charged with” but not “convicted of” a crime. Historically, county taxpayers ultimately footed the bill for inmate medical care when insurers suspended or canceled coverage of pre-adjudicated inmates.

For counties large and small, it could mean big savings. Claudia Black, Multnomah County’s co-director of government relations, who lobbied hard for the change over two consecutive legislative sessions, said that a statewide survey estimated that, on average, 8 percent to 9 percent of pre-trial inmates have private health insurance coverage in Oregon. That figure that could rise to as high 30 percent since the Affordable Care Act’s insurance mandate took effect this year.

“It’s going to save us at least half-a-million dollars the first year,” she said. That’s money that can be used not just on jails but to meet other county human services needs to serve vulnerable populations.

In smaller Umatilla County (pop. 76,000) on the other side of the state, Commissioner Bill Elfering said jail inmate medical expenses are currently “a little bit south of \$700,000” a year, including pre-trial and convicted inmates (the county’s annual general fund budget is about \$60 million). Conservatively applying Black’s estimate of 8 percent pre-adjudicated inmates would yield savings of almost \$60,000 a year.

“It means quite a bit of savings and money that we can utilize to strengthen our sheriff’s department in another way,” Elfering said, “either the jail operation or the patrol operation of the Sheriff’s Department.” This is no small issue in Oregon, where Columbia County is on the brink of shuttering its jail over budget issues, and Curry County faces severe sheriff’s department cutbacks.

H.B. 4110 states that “an insurer offering a health benefit plan may not deny reimbursement for any service or supply covered by the plan or cancel coverage of an insured under the plan on the basis that ... the insured is in custody pending the disposition of charges....”

Lawmakers relied on an opinion from the state’s Legislative Counsel, which provides legal advice to the Legislature, that denying coverage would violate the ACA. A National Council of State Legislatures spokesman said he was unaware of any legislation similar to Oregon’s in any other states.

The opinion is based largely on the ACA’s “guaranteed issue” and “shared responsibility payment” provisions. In part, guaranteed issue requires any insurer offering coverage in a state to accept every individual that applies for coverage.

Shared responsibility payments imposes a penalties — or shared responsibility payments in ACA parlance — on individuals who do not maintain “minimum essential

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**RAIL-TRAIL SUPREME COURT DECISION**

On March 10, 2014, the U.S. Supreme Court handed down a decision in the case involving a rail corridor formerly on federal land that is now privately owned (*Marvin M. Brandt Revocable Trust et al. v. United States*). The ruling affects a specific type of rail corridor that does not meet the criteria below.

**How will the decision affect my local rail-trail?**

If you answer YES to ANY of the following questions, your local rail-trail will NOT be affected by the Supreme Court decision.

- Has the rail-trail been railbanked?\*
- Was the corridor originally acquired by the RR through federal lands before 1875?
- Was the RR corridor originally acquired from a private landowner?
- Does the trail manager own the land adjacent to the RR corridor?
- Has the trail manager acquired full title (fee simple) to the corridor?
- Does the RR corridor fall within one of the original 13 colonies?

Questions about a specific trail? Please contact the manager of that trail or contact RTC at [railtrails@railstotrails.org](mailto:railtrails@railstotrails.org).

\*Railbanking is the federal process of preserving former railway corridors for potential future railway service by converting them to multi-use trails in the interim.

**LEARN MORE:** [www.railstotrails.org/SupremeCourt](http://www.railstotrails.org/SupremeCourt)

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**Quick Takes**

**MOST LINGUISTICALLY DIVERSE COUNTIES**

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# NCGM raises awareness of counties' responsibilities

By TOM GOODMAN  
PUBLIC AFFAIRS DIRECTOR



Counties across the country are holding activities and events this month as part of National County Government Month (NCGM), which is held each year in April.

The activities include open houses at county facilities, programs with schools, recognition for veterans and employees, and issuing proclamations. Since 1991, NACo has encouraged counties across the country to actively promote county government programs and services. The focus of NCGM is to raise public awareness and understanding about the roles and responsibilities of county government.

This year's theme is "Ready and Resilient Counties: Prepare. Respond. Thrive." Following the theme, counties are showing their residents



how they prepare for and respond to natural disasters and emergencies or any situation that the counties may face, such as economic recovery or public health and safety challenges.

Here are examples of what counties are doing as part of NCGM.

Curry County, N.M. has activities planned for the local school system and the community, such as a coloring and poster contest, tours of the Juvenile Detention Center and the fifth annual County Manager for a Day contest. The county has issued

a proclamation and hopes the activities promote the county services by engaging the public and its future leaders.

Manatee County, Fla. has public events planned aimed at promoting county services and a "ready, resilient community." Manatee County Community Services Director Brenda Rogers, who organizes the events, said, "Each year we embrace county government month because it gives us an opportunity to emphasize the value and importance of so many programs, services and events that help the community."

As part of the county's activities, the Manatee Veterans Services Division will hold four workshops to explain the benefits that veterans earned for their service. The extension service will hold an event that will provide pointers on how to grow fruits and vegetables. Try Transit Day will offer free rides on the transit system to encourage its use. The

county will also work in April to sign up businesses to a Business Recovery Directory, a free emergency information network. By signing up for the directory, businesses can have their products or services considered for purchase during recovery operations after a disaster, thus keeping federal recovery dollars local.

Warren County, N.C. will honor volunteers and former commissioners as part of its activities. County Manager Linda Worth says that volunteers are critically important to the county because these engaged citizens bring their expertise and experience to the county without any cost to the county. The county will honor volunteers who have served on boards, committees, commissions and councils, as well as a number of former commissioners.

State associations are also participating in NCGM. The California State Association of Counties

(CSAC) will be spotlighting in April 12 innovative programs developed by the state's counties. The first to be featured will be Tehama County, which has created a program that helps offenders develop job skills while saving the county money. The next county to be recognized will be Tulare County, which has established a library program that brings together teens and digital media. CSAC will feature 10 other programs.

The Indiana Association of Counties (IAC) is holding an essay contest for third graders in the state focused on the theme for NCGM — "Ready and Resilient Counties." A winning essay will be chosen in each of the six regions of the state identified by IAC. Each of those winners will receive \$100.

NACo wants to hear about your activities and events for NCGM. Send them to Tom Goodman at [tgoodman@naco.org](mailto:tgoodman@naco.org).

## Pre-trial insurance coverage win for counties

INSURANCE from page 2

coverage," including plans offered through the individual market.

In its opinion, Oregon's Legislative Counsel wrote that, "There are a number of categories of taxpayers who are exempt from the shared responsibility payment.... However, an inmate who is incarcerated ... prior to conviction, is not exempt from the shared responsibility payment."

Section 1312(f)(1)(B) of the ACA, which pertains to insurance exchanges, states that "an individual shall not be treated as a qualified individual, if at the time of enrollment; the individual is incarcerated, other than incarceration pending disposition of charges."

The law also has some built-in

protections for insurers, such as preserving their ability to drop an insured person who doesn't pay premiums, and they can still do utilization review, Black said.

A similar measure failed during the Oregon Legislature's 2013 session. Ashley Horne, an AOC lobbyist, said one difference this year was the overwhelming support of urban and rural counties. "This time there was shared understanding among legislators and county commissioners around messaging and why this issue is so important; people looked at their budgets and realized that counties were using taxpayer dollars to pay for health care services that should have been covered by the private insurers."

She said Multnomah County's

Black played a pivotal role in pushing the legislation through; however, there was widespread support within AOC. "Most of the counties in Oregon are not Multnomah County (in size and clout), and all counties voted in support of this bill within our AOC legislative process of considering issues and taking a vote," she said.

"I know just from visiting with a number of legislators that commissioners did call their representatives and senators about this issue, and that did help move the dial."

Sheriff Rick Eisland of rural Wasco County (pop. 25,500) knows firsthand how problematic jail health care costs can be. He recounted the experience of having a murder suspect in his jail for several years, awaiting trial after a series of delays. The inmate needed surgery to remove a "small tumor in his head." The tumor was surgically removed, and within a week of the inmate returning to jail, he died of a heart attack in his cell. "We ended up with a bill for about \$300,000," Eisland said.

"There's other instances throughout the state where people are on dialysis and they had insurance and they're paying the premium, but when they go into jail, the insurance company says, 'no, they're incarcerated; they're your problem,' and they refused to pay."

Black said the Oregon law could certainly serve as a model for other states. "It's definitely doable; we've broken the ice," she said, "and I think other people ought to consider it, too."

## Profiles in Service



### Eugene Smith

NACo Board Member  
County Manager  
Dunn County, Wis.

**Number of years active in NACo:** 25

**Years in public service:** 43

**Occupation:** county manager

**Education:** B.A. in the administration of justice from University of Illinois at Chicago; graduate work at Northern Illinois University and Sangamon State University

**The hardest thing I've ever done:** telling people that they are fired for performance issues rather than as a disciplinary action

**Three people (living or dead) I'd invite to dinner:** Jesus Christ, King Arthur and Abraham Lincoln

**A dream I have is to:** travel extensively in Alaska.

**You'd be surprised to learn that:** I am more comfortable in the woods than in the city.

**The most adventurous thing I've ever done is:** roughed it in the Boundary Waters Canoe Area in northern Minnesota (I am not an adventurous person.)

**My favorite way to relax is:** puttering at the cabin in the north woods.

**I'm most proud of:** my wife and children and positive changes in my profession.

**Every morning I read:** local and national online news and emails.

**My favorite meal is:** barbecued ribs.

**My pet peeve is:** abuse of handicapped parking privileges.

**My motto is:** I learned the things needed to succeed in life in kindergarten.

**My favorite movie is:** *The Magnificent Seven*.

**My favorite music is:** '50s and '60s Rock & Roll.

**My favorite President is:** John Fitzgerald Kennedy.

## In Case You Missed It

### News to Use From Past County News

#### ► NACo launches NACo Podcasts

NACo Podcasts provides a new way to learn about all things counties. The podcasts tell the stories of innovative counties, cover new local government best practices, and provide updates on the issues critical to counties.

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#### ► NACo 2014 Legislative Conference Coverage

Missed a general session speaker or workshop? Check out County News coverage of the Legislative Conference by going to [www.naco.org/countynews](http://www.naco.org/countynews) and look under archives for the March 24 issue.



# County officials testify on surface transportation bill

By JESSICA MONAHAN  
ASSOCIATE LEGISLATIVE DIRECTOR

County officials from St. Landry Parish, La. and Converse County, Wyo. testified before the Senate Environment and Public Works Committee during a hearing March 27 that focused on state and local priorities for the next surface transportation bill.

Joined by mayors, state department of transportation officials and a regional planner, St. Landry Parish President Bill Fontenot and Converse County Commission Chairman Jim Wilcox highlighted their counties' transportation needs and accomplishments — and the role that all counties play in the nation's transportation system.

## SpeedRead » » »

- » Hearing focused on off-system bridges
- » Counties maintain 230,690 bridges

Counties are responsible for building and maintaining 230,690 bridges and 45 percent of all public roads (compared to the 32 percent of public roads owned by cities and townships, 19 percent by states, and 3 percent by the federal government), and are involved in a third of the nation's transit systems and airports that connect residents, communities and businesses.

In the summer of 2012, Congress passed a two-year surface transportation bill known as Moving Ahead for Progress in the 21st Century Act (MAP-21). MAP-21 essentially maintained level funding, providing a total of \$105 billion for FY13 and FY14, and supported many county surface transportation priorities, including an increase in funding for the Transportation Infrastructure Finance and Innovation Act (TIFIA) program, a continuation of the off-system bridge program, and provisions aimed at expediting project delivery and reducing project costs. Unless Congress acts, MAP-21 will expire Sept. 30.

Among the priorities discussed at the March 27 hearing was the importance of continued federal funding for off-system bridges. Under MAP-21, states are required to "set aside" a portion of their Surface Transportation Program funds for off-system bridges, or bridges that are not on the federal-aid highway system.

"The nation's counties, which we are considered one of, own a

significant amount of the nation's off-system bridges," Fontenot said. "In fact, off-system bridges represent 76.5 percent of counties' bridge inventory. Overall, off-system bridges represent 47 percent of the national bridge inventory. And this is a particular issue to us because Louisiana parishes own 33 percent of our state's public bridges," he explained.

Another county priority that was echoed by the entire panel was the need for a multi-year bill that provides long-term funding certainty. In order to provide the funding necessary to support a long-term bill, Congress will need to "[get] the Highway Trust Fund on solid ground for four or five years," said the committee's chair, Sen. Barbara Boxer (D-Calif.), a former Marin County, Calif. supervisor.

The programs authorized by MAP-21 are primarily funded through the Highway Trust Fund, which collects revenues from the federal motor fuels tax. Due to several factors, including a reduction in vehicle-miles traveled and increased fuel efficiency, the trust fund has faced growing shortfalls since 2008. In addition, the federal gas tax has not increased since 1993.

The Congressional Budget Office recently projected that the Highway Trust Fund will have insufficient revenues to meet its obligations starting in FY15, with delays in reimbursements from the highway account occurring as early as this summer.

Meanwhile, many states have diverted money from transportation to their general funds to balance their budgets in an effort to survive and recover from the recession, which has impacted the funding available to county road and bridge projects.

Although counties are doing their part to fund transportation projects at the local level, like the 2 cent sales tax that was adopted in St. Landry Parish to pay for road projects, most states limit counties' ability to raise revenue.

Forty-three states have some type of limitation on the property taxes collected by counties, including 38 states that impose statutory limitations on property tax rates, property tax assessments, or both. In addition, only 12 states authorize counties to collect their own local gas taxes.

As a result, counties need a dependable federal transportation program, Wilcox said. "While Wyomingites have stepped up to the plate to help contribute to the federal Highway Trust Fund as well as to state highway coffers, it is simply a mathematical reality that no amount



Photo by Matt Fellows

Panelists prepare for their testimony before the Senate Environment and Public Works Committee. Pictured are (l-r): Michael Lewis, Rhode Island Department of Transportation; Sue Minter, Vermont Agency of Transportation; Mayor Greg Ballard, Indianapolis, Ind.; Mayor Mick Cornett, Oklahoma City, Okla.; Parish President Bill Fontenot, St. Landry's Parish, La.; and Commission Chairman Jim Wilcox, Converse County, Wyo.

of taxation on Wyoming's residents will be able to raise enough revenue to fully offset the infrastructure needs in our state. Quite plainly, we need a federal partner," Wilcox told the committee.

Other county priorities for MAP-21 reauthorization were highlighted by the witnesses as well as the committee members, including the committee's ranking member Sen. David Vitter (R-La.) who emphasized the need to empower state and

local decision-making and foster innovative project-delivery methods that save money and speed up project completion, like the bridge-bundling that was recently deployed in Pennsylvania.

This hearing is just one of many actions the House and Senate authorizing committees have taken in their effort to reauthorize MAP-21. On March 13, NACO's Executive Director Matt Chase participated in a discussion with members of

the House Transportation and Infrastructure Committee and other transportation stakeholder groups. During that discussion, Chase highlighted NACO's priorities for the next surface transportation bill, which include increasing funding for county road and bridge projects, continuing efforts to streamline the project delivery process and supporting innovative funding and financing methods that help counties deliver projects sooner and at a lower cost.

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# FCC asks how to improve E-Rate for schools, libraries

By YEJIN JANG  
ASSOCIATE LEGISLATIVE DIRECTOR



The FCC is seeking comments on how to modernize the Schools and Libraries program, more commonly known as “E-Rate,” to insure high-speed Internet access to all students. E-Rate provides discounts to schools and libraries for telecommunications services based on a number of factors including the number of students enrolled in the free and reduced lunch program.

## Background

To obtain funding for telecommunications services, interested school and library applicants submit a request to the FCC for E-Rate funding. Eligible funding items are prioritized into two lists: Priority 1 and Priority 2. Priority 1 items focus on connections to the buildings, not the classrooms, and subsequently funds items such as leasing of fiber connections, telephone service, paging and email service.

Priority 2 funding’s eligible items focus on internal connections and

## ‘How To’ for E-Rate Comments

NACo members who wish to comment can do so online at the FCC website: <http://apps.fcc.gov/ecfs>; please reference docket number 13-184.

NACo members are encouraged to contact their county school boards to discuss and submit comments on the questions mentioned above.

Please contact Yejin Jang at [yjang@naco.org](mailto:yjang@naco.org) or 202.942.4239 for a comment template to submit to the FCC.

funds items like cabling, connectors, routers and Wi-Fi. Due to the high volume of E-Rate funding requests each year, schools and libraries requesting funding rarely have received funding for Priority 2 items.

Through the public notice, the FCC now asks how it should prioritize funding in order to ensure Internet access in the classroom and not just to the schoolhouse or library door.

In order to prioritize funding for Internet access to the classroom, the FCC is seeking to redirect funding for voice services i.e. telephone services (Priority 1 funding item) to broadband services, noting that most schools and libraries will likely transition to a Voice Over Internet Protocol (VOIP) system in the coming years.

Counties that currently receive E-Rate support for voice services should note that the FCC is seeking to phase out support for these services in order to target funds to high-capacity broadband. The FCC now seeks comment on how to implement phase-out support for voice services and whether exceptions should be made for rural counties who still rely heavily on traditional voice services.

Additionally, in recognizing that some schools and libraries continue to lack Internet access, the FCC is asking for comment on whether and how it should fund large-scale infrastructure projects in unserved and underserved areas.

*\*See this story online to access the FCC notice or a sample comment template.*

## Strong relationships aid disaster readiness, response, recovery



Photo by David Hathcox

Subcommittee on Economic Development, Public Buildings and Emergency Management Chairman Lou Barletta (R-Pa.) and NACo President Linda Langston exchange stories about local disasters after the committee’s hearing on flood mitigation.

## FLOODS from page 1

Insurance Program’s (NFIP) Community Rating System and building relationships among different stakeholders.

“Proactive county planning is the cornerstone of flood mitigation efforts,” she said and highlighted several efforts from counties spanning the country from Fairfax County, Va. to Lee County, Fla. to Black Hawk County, Iowa to McKenzie County, N.D., and King County, Wash.

Federal programs such as the Hazard Mitigation Grant Program (HMGP) have played significant roles in both pre- and post-disaster mitigation efforts.

“From providing the tools and resources needed for Black Hawk County to buy out repetitive-loss properties and enabling Coconino County, Ariz. to create water drainage conveyances, HMGP helps counties build safer communities after a disaster,” Langston said. In 2010, Coconino County experienced the largest wildfire in the state’s history, which created a new landscape prone to flash flooding.

Another program that significantly supplements county governments’ efforts to protect their communities and help them thrive is the Community Rating System (CRS), which rewards counties that undertake flood-mitigation projects with discounts for their residents’ flood national flood insurance policies.

“In my own county,” Langston said, “we participate in CRS not

only because we want our residents to receive a discount on their flood insurance premiums but also because we want to educate our residents about true flood risk — to help protect our citizens and communities from future disasters. This program captures the most effective ways of informing and preparing community residents for flood hazard.”

Effective disaster preparedness and mitigation hinges on solid lines of communications and relationships all up and down the line, Langston emphasized.

“A large part of the county mission to reduce risk can be accomplished through strong relationships among county officials and county residents, among county government personnel and our state and federal partners. Planning, coordination and collaboration among all levels of government — local, state and federal — before a disaster is key.”

Langston was one of four panelists invited to Washington, D.C. by the subcommittee to testify. Other panelists included David Miller, associate administrator for FEMA’s Federal Insurance and Flood Mitigation Administration; Bryan Koon representing the National Emergency Management Association and Chad Berginnis, executive director, Association of State Floodplain Managers.

The House Subcommittee on Economic Development, Public Buildings and Emergency Management is a subdivision of the House Committee on Transportation and Infrastructure, and is chaired by Rep. Lou Barletta (R-Pa.).

# Larimer County, Colo. debuts annual Community Report

By CHRISTOPHER JOHNSON  
EDITORIAL ASSISTANT

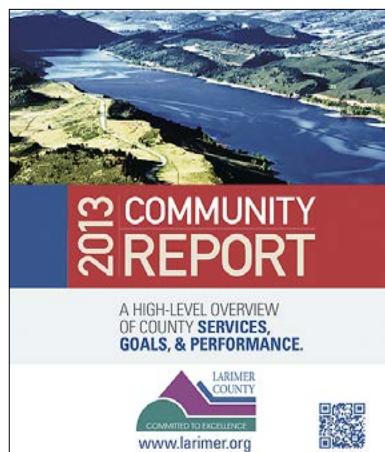
Inspired by NACo’s “Why Counties Matter?” Larimer County, Colo., recently debuted its first annual community report, summarizing how citizens benefit, directly and indirectly, from the services the county provides.

“This report is not just for the people of the county,” said Commissioner Lew Gaiter III. “It’s for everyone to access and know what we’re doing.”

Gaiter worked together with Deni La Rue, community information manager, and Bob Keister, budget director, to develop the report. The group wanted to create a report that was full of useful information and videos anyone could access.

“The NACo publication really got us thinking,” Gaiter said. “If our citizens understand what we do better, then we get more community support on future projects.”

A six-page colorful brochure — also posted on the county’s website — summarizes how the



The feedback from county officials was beneficial in getting to the final product.

“The biggest part was to show how things benefitted people in the five service categories,” La Rue added. “The officials did a great job giving us the feedback needed to get to the final product.”

In future annual reports, Larimer County hopes to have more specific performance measures and a report card to show which areas are strong and which need improvement. They become critical indicators to educate and inform local and state planning efforts and public policy decisions.

“The report is a great ‘queue card’ in showing the connection between county services and the desirable place in which we want to live, work and play,” added Keister. “It has become a very useful tool when I talk to anyone about county services.”

*To view the Larimer County Community Report along with a video on county services, visit [www.co.larimer.co.us/communityreport](http://www.co.larimer.co.us/communityreport).*

more than 300,000 residents in Larimer County benefit from county services. The brochure also shows how the county gets the most out of available revenues through innovation and efficiency.

The report includes five service categories: public safety; community resources, infrastructure and planning; public records and information services; and human and economic services. The video segments provide additional insight into services, the Larimer County budget and how that budget is used.



# EPA honors two counties for clearing the air

By CHARLES TAYLOR  
SENIOR STAFF WRITER



Washoe County, Nev. and Montgomery County, Md. were recognized by the U.S. Environmental Protection Agency (EPA) with 2014 Clean Air Excellence Awards. In all, nine projects nationwide and one individual were honored for their work on clean air and climate initiatives.

Washoe County received a “visionary” award for its Keep It Clean campaign, a multi-faceted effort to raise community awareness and engage residents in reducing air pollution. Montgomery County and its public-private partners were honored with a Clean Air Technology Award for the county waste-to-energy facility’s use of innovative technology.

“You not only are actually addressing environmental challenges and making public health better in your communities, you’re setting examples,” Janet McCabe, acting



Photo courtesy of EPA Office of Air and Radiation

Washoe County, Nev.’s Julie Hunter (second right) and Bill Davidson (center) of Montgomery County, Md. pose with EPA’s Jenny McCarthy at the agency’s 2014 Clean Air Excellence Awards April 2. Also pictured (l-r): Mark Friedman, Covanta Energy, and Steve Blake, Northeast Maryland Waste Disposal Authority, who shared in Montgomery County’s award.

assistant administrator, EPA’s Office of Air and Radiation, said at the awards ceremony April 2 in Arlington

County, Va. “You’re bringing people together; you’re educating people; you’re spreading the word; and you’re underscoring for your communities how important all of these efforts are.”

## Keep It Clean

Julie Hunter, senior air quality specialist with the Washoe County Health District’s Air Quality Management Division (AQMD), was on

hand to receive the Gregg Cooke Visionary Program Award for Keep It Clean. The award recognizes an air quality project or program that best blends aspects from two or more of five awards categories (Clean Air Technology, Community Action, Education and Outreach, Regulatory and Policy Innovations, and Transportation Efficiency).

Keep it Clean was launched in 2012 by the AQMD to increase

public awareness and to engage residents of Reno, Sparks and Washoe County on air quality issues. It has three major community action components: Know the Code, a woodburning advisory program; Rack Em Up, an alternative transportation program; and nOzone, a smog-prevention program.

“The Keep it Clean brand has greatly increased public awareness of air quality and improved access to information regarding air quality through programs with schools, social media, television, radio and other avenues,” EPA said.

For the Know the Code program, a recent Residential Wood Use Survey found that approximately 74 percent of the public reduced their burning on Yellow (encourage no burning) or Red (stop burning) days.

The Rack Em Up campaign held a contest in 2013 in which 10 schools and more than 500 students participated in biking events or riding to school.

The nOzone campaign has led to an idle-reduction campaign at six local schools, and Idle-free Zone signs will be installed this spring. For other ozone-reduction efforts, the county has installed an electric vehicle charging station, available free to the public, at the Washoe County Health District.

See **CLEAN AIR** page 12

## Study profiles local health departments



Did you know that the estimated size of the local health department workforce has decreased from 190,000 employees in 2008 to 162,000 employees in 2013? Almost half (48 percent) of local health departments are involved in policy activities addressing obesity and chronic disease.

And, 56 percent of local health departments have formal quality improvement plans, mostly in specific program areas.

The National Association of County and City Health Officials (NACCHO) has released its 2013 National Profile of Local Health Departments (Profile) report. With a response rate of 79 percent, NACCHO’s Profile study provides a comprehensive picture of local health departments in the United States. Topics covered include local health department finances, workforce,

programs and services, emergency preparedness, and other local public health infrastructure and practice topics. Profile data is useful to practitioners and policymakers at the local, state and federal levels researchers, the news media, and the public. The 2013 Profile study was made possible through the support of the Robert Wood Johnson Foundation and the Centers for Disease Control and Prevention.

In addition to the printed report, there are state reports and research briefs. For those wanting to conduct additional analyses, the 2013 Profile data set is available to researchers. The data sets from previous Profile studies, which are also available, have been among the most frequently used data sets for public health systems research.

*\*To access the questionnaire, codebook and data request form, see this story online at [www.countynews.org](http://www.countynews.org).*

### Estimated Size of Local Health Department Workforce

Profile Study Year	Total Employees	Total FTEs
2008	190,000	166,000
2010	184,000	160,000
2013	162,000	146,000
Difference (2013-2008)	-28,000	-20,000

Source: 2013 National Profile of Local Health Departments

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# Flood maps illustrate importance of mitigation, cooperation

By **KYLE COMBS**  
FEMA INTERGOVERNMENTAL AFFAIRS

FEMA's Federal Insurance and Mitigation Administration (FIMA) manages the National Flood Insurance Program (NFIP) and a range of hazard-mitigation programs designed to reduce future losses to homes, businesses, schools, public buildings and critical facilities from floods, earthquakes, tornadoes and other natural disasters.

One program of substantial national importance is Risk Mapping, Assessment and Planning (Risk MAP).

Through Risk MAP, FIMA identifies flood hazards, assesses flood risks, and partners with states, communities and tribes to provide accurate flood-hazard and risk data.

Flood-hazard mapping is a key deliverable of the Risk MAP program and plays a vital role in helping communities prepare for flooding by informing them of their local flood risk. Flood maps help communities incorporate flood risk into their planning; they also are the basis for flood insurance rates through the National Flood Insurance Program, which FEMA administers at the direction of Congress.

These maps, also known as Flood Insurance Rate Maps (FIRM), include statistical flood-risk information for mapped communities. This information includes river flows, storm tides, hydrologic-hydraulic analyses, rainfall and topographic surveys.

Developing flood maps is a team effort. FIMA works with local officials and planners, emergency management personnel and GIS professionals to continually explore ways to improve risk-evaluation methods and tools. The importance of state, tribal, local and federal cooperation cannot be understated; actively engaged entities are most effective at protecting communities. For example, Mecklenburg County, N.C. worked with FIMA to develop flood risk evaluation products, such as flood depth and analysis grids as well as velocity grids, which help show varying flood elevations and the rate of speed for flood waters in high-risk

areas called Special Flood Hazard Areas.

Osceola County, Fla. developed non-regulatory products and mitigation strategies that helped identify 44 at-risk critical facilities. The county plans to use these products to increase its Community Rating System (CRS) rating, and reduce flood insurance premiums for its residents.

In Clackamas County, Ore., a cooperative study between FIMA and the Oregon Department of Geology

and Mineral Industries produced critical data that continuously helps mitigate potential disasters.

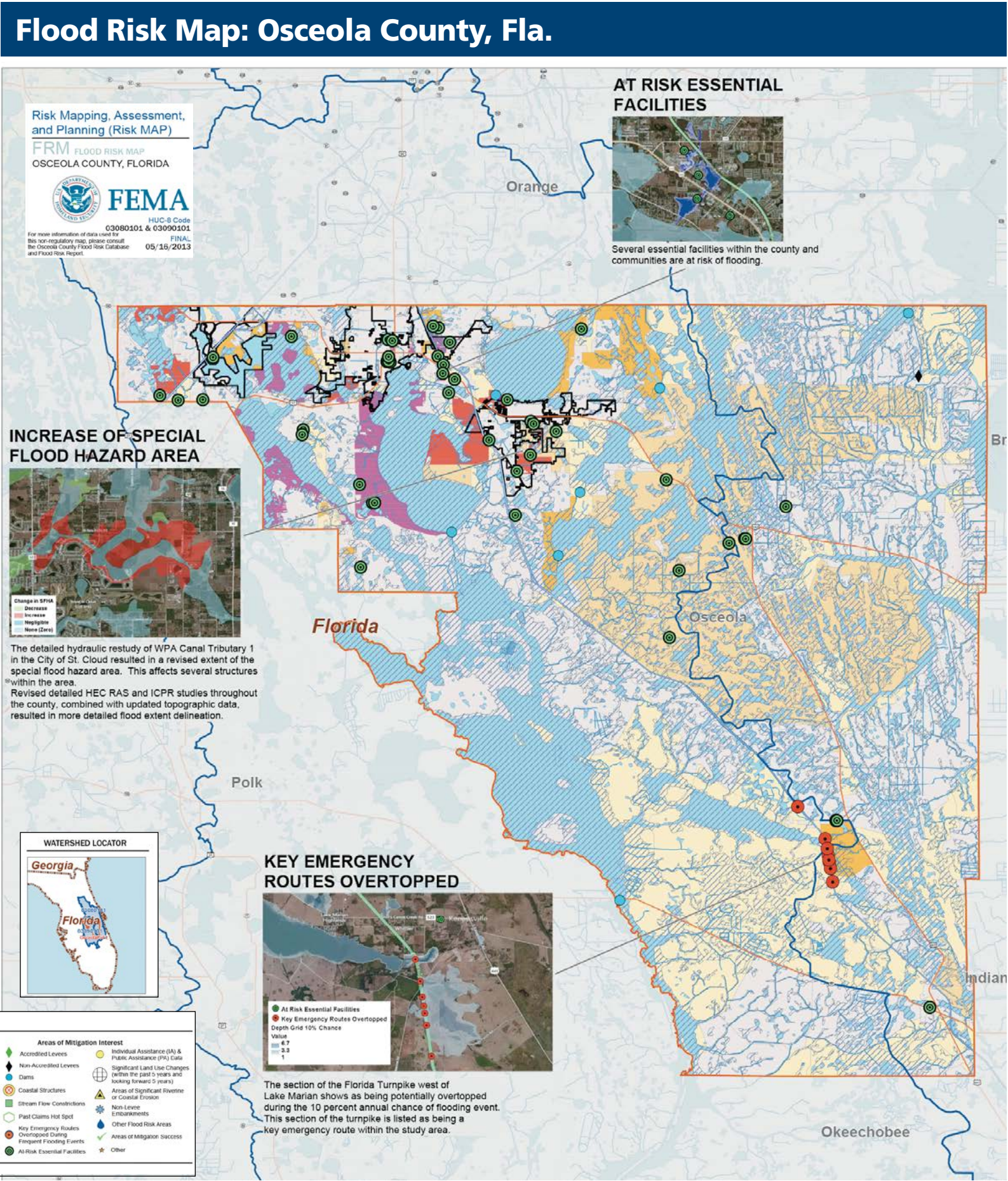
The Sandy River was the subject of many concerns, as it had a propensity for flooding and subsequent stream bank erosion, which in some cases, undermined roads and structures along the river. Using current flood-related data including hydrology, infrastructure, hydraulics and land use, FIMA and the state conducted a flood study for the reach of the Sandy River, which

would later provide the county with depth and velocity grids.

These are just a few examples of the mitigation tools and products that FIMA offers to help county governments reduce their risk to life and property when disasters strike. FIMA continues to develop strong community partnerships and collaborations with the shared goal of effectively identifying and mitigating threats, ultimately improving community resilience in times of disasters.

Dave Miller, associate administrator for FIMA, recently spoke at the NACo Resiliency Forum and said, "Ultimately, protection of infrastructure and essential services allow for communities to be more resilient, sustainable, and require less federal response and assistance during and after an event."

With shared responsibility and dedication, state, tribal, local and FEMA officials will continue to pave the way for safer, more resilient communities.





## NACo FORUM:

## Renewables can lead to environmental, economic resiliency

By ROB PRESSLY  
PROGRAM MANAGER



As energy costs and usage rise, the need for counties to develop creative and innovative solutions to become more energy efficient is more important than ever.

Helping local municipalities operate more efficiently and promote alternative energy sources within their own jurisdictions was the theme of NACo's recent forum, Powering County Resilience: Renewable Energy Solutions, which took place in Santa Barbara County, Calif. March 21–22. The event brought together more than 50 elected county officials, staff and private sector representatives to hear 19 presenters share examples, best practices and lessons learned from their counties on developing and implementing renewable energy programs.

King County, Wash. is planning now for how it will address future climate and energy situations. "We

need to be ready for change by planning backward from 2050," said David Broustis, the county's energy manager. Wastewater treatment accounts for nearly 58 percent of all energy use in King County's facilities. In the face of unforeseen spikes in future energy costs or loss of electricity, the county is using renewable energy at its wastewater treatment facilities in the following ways as one of many tools to make it more resilient:

- The South Wastewater Treatment Plant is able to generate 94 percent of its energy needs through heat recovery and on-site methane capturing, protecting it from major increases in energy costs seen during the Western U.S. energy crisis in 2001.

- At the West Point Treatment Plant, resilient design has enabled it to operate fully disconnected from the electric grid should power go out. Coupled with backup generators, this design will prevent the plant from flooding, allowing the plant



Photo by Rob Pressly

See FORUM page 11 A truck delivers waste to the Tajiguas Landfill in Santa Barbara County, Calif., which participants toured.

## Waters of the U.S. determinations to be made by EPA staff

WATERS from page 1

the generally understood Federal Emergency Management Agency (FEMA) program that oversees the National Flood Insurance Program (NFIP) in floodplain areas. EPA and the Corps define floodplain as "an area bordering inland or coastal waters that was formed by sediment deposition from such water under present climatic conditions and is inundated during periods of moderate to high water flows."

Determination of whether a floodplain falls under the jurisdiction of the proposed rule may be decided by the "best professional judgment and experience" of agency staff making the determinations.

Most significantly, it is noted that most ditches, including county-maintained roadside, floodwater and other ditches would be considered U.S. waters, unless they meet certain exemptions.

Specifically on ditches, the draft regulation proposes a definition of "tributary," which is defined as having a bed, bank and ordinary high-water mark and contributes to flow, directly or indirectly, of a water of the U.S. Tributaries can be natural and/or man-made, and include ditches (canals, channelized streams, piped, etc.). The flow may be ephemeral, intermittent or perennial,

but the tributary must drain, or be part of a network of tributaries that drain into a water of the U.S.

Under the proposed definition of a tributary, the upper limits of a tributary is established where the channel begins. A natural or man-made break in a tributary, such as bridges, pipes, culverts, dams, underground streams, does not dissolve the ditch tributary status, even in the arid West even if the banks of the tributary disappear at times. If the tributary has the bed, bank, ordinary high-water mark before the break, the ditch retains its jurisdictional status after the break.

The draft regulation excludes two types of ditches that might otherwise be considered jurisdictional: 1) ditches excavated and draining only in uplands and having less than perennial flow and 2) those ditches that do not contribute to flow, directly or indirectly, to a water of the U.S. Also excluded from the definition of tributary are rills, gullies and non-wetland swales. However, these features may be considered "point sources" and thus regulated under the CWA's Section 402 program.

NACo's policy states that local streets, gutters, and human-made ditches should be excluded from the definition of "waters of the U.S."

The draft Waters of the U.S. regu-

### How to Comment on Waters of U.S. Proposed Rule

Written comments to EPA and Corps are due 90 days after the regulation is published in the Federal Register (which should be soon). Please share a copy of the submitted comments with NACo staff: [jufner@naco.org](mailto:jufner@naco.org).

Submit your comments, identified by Docket ID No. EPA-HQ-OW-2011-0880, by one of the following methods:

- **Federal eRulemaking Portal:** <http://www.regulations.gov>. Follow the instructions for submitting comments.

- **E-mail:** [ow-docket@epa.gov](mailto:ow-docket@epa.gov). Include EPA-HQ-OW-2011-0880 in the subject line of the message.

- **Mail:** Send the original and three copies of your comments to: Water Docket, Environmental Protection Agency, Mail Code 2822T, 1200 Pennsylvania Avenue, NW, Washington, DC 20460, Attention: Docket ID No. EPA-HQ-OW-2011-0880.

lation stems from the 2001 Supreme Court decision, *Solid Waste Agency of Northern Cook County (SWANCC) v. U.S. Army Corps of Engineers*, 531 U.S. 159 (2001). The court struck down the Corps' use of the Migratory Bird Rule in determining federal jurisdiction. The Migratory Bird Rule stated that wherever a bird might land, that water was considered a "Water of the U.S." Since the SWANCC decision, confusion has existed over what waters (and their tributaries) are considered to be under federal jurisdiction. According to the EPA and the Corps, the proposed regulation is intended to clarify jurisdictional

waters.

The term "Waters of the U.S." is a key phrase used within the Clean Water Act (CWA) to determine what waters are considered "navigable waters" and fall under federal CWA oversight as opposed to state oversight. The federal responsibility for navigable waters rests in the U.S. Constitution since the federal government regulates interstate commerce. This harkens back to the days where most of commerce activity was done by boat. In recent years, the term "navigable" has been broadened to mean more than navigable-in-fact waters.

Any water not a "water of the U.S." is generally not required to follow CWA requirements.

While the regulation is primarily geared to the Clean Water Act's (CWA) Section 404, dredge and fill program, it may also impact a number of other CWA programs, since there is only one "waters of the U.S." definition in the CWA.

A report released by the EPA and Corps, *Economic Analysis of the Proposed Revised Definition of Waters of the United States*, looks at some of these other potential impacts, along with the estimated costs and benefits of the proposed rule.

The report notes that "Readers should be cautious in examining these results in light of the many data and methodological limitation, as well as the inherent assumptions in each component of the analysis." CWA programs that could be impacted include the National Pollutant Discharge Elimination System (NPDES) Section 402 program, total maximum daily load (TMDL) and other water quality standards programs, state water quality certification process, or Spill Prevention, Control and Countermeasure (SPCC) programs.

NACo is in the process of analyzing this document and will be submitting comments.



# Celebrate volunteers, recognize volunteer managers

By GREG CASTANO

ARLINGTON COUNTY, VA.

Each year during National Volunteer Week (April 6–12), communities across the nation celebrate the countless ways that volunteers make a difference.

A program of Points of Light, National Volunteer Week has grown exponentially over the years, with thousands of volunteer projects and special events during the week. This year marks the 40th anniversary of National Volunteer Week, demonstrating the enduring importance of recognizing the nation's volunteers for their vital contributions.

Each year, National Volunteer Week is held during National County Government Month. Both Volunteer Week and County Government Month provide an excellent opportunity to raise public awareness and understanding about the roles and responsibilities of county government and its volunteers. County volunteers provide companionship to the elderly, help children and new residents, clean up highways and parks, prepare for emergencies, and staff essential community organizations, just to name a few of the many ways that volunteers serve to enhance county services.

Each year, the National Association of Volunteer Programs in Local Government (NAVPLG), a NACo affiliate, recognizes exemplary government volunteer administrators, volunteer managers and volunteer programs. The NAVPLG Awards are a great way to bring recognition to volunteer programs and managers of volunteers who

work in local government.

NAVPLG members can nominate their volunteer program or volunteer managers for several awards: Outstanding Volunteer Administrator, New Volunteer Administrator and Innovative Volunteer Program. Past award recipients

include: Arlington County, Va., Decatur, Ga., Leon County, Fla., Outagamie County, Wis., Plano, Texas, Portland, Ore., Pottsville Pa., and Salt Lake County, Utah.

Not a NAVPLG member, no problem. NAVPLG's new Award of Merit recognizes an exemplary

volunteer program or administrator and doesn't require membership to apply.

The awards will be presented at the National Conference for Volunteering and Service in Atlanta, June 16–18. All winners receive a plaque and a complimentary one-

year membership to NAVPLG. The deadline for nomination is May 1 and nomination forms and other details are available at [www.navplg.org](http://www.navplg.org).

*(Castano is the Volunteer Arlington program administrator.)*



## NATIONAL COUNTY GOVERNMENT MONTH APRIL 2014

**NACO** National Association of Counties

**National County Government Month (NCGM)**, held each April, is an excellent opportunity for your county to highlight effective county programs and raise public awareness and understanding about the various services provided to the community. This year's theme is:

**Ready and Resilient Counties:  
Prepare.  
Respond.  
Thrive.**

Be sure to check out the National County Government Month Media Resources Kit on the NACo website under About Counties/What Counties Do/National County Government Month.

This is your one-stop online shop for NCGM design templates to produce your county's own posters, flyers, banners, proclamations and buttons.

Contact Tom Goodman for more information at [tgoodman@naco.org](mailto:tgoodman@naco.org) or 202.942.4222.

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# County develops uniform child exploitation response

By CHARLIE BAN  
STAFF WRITER

A sexually exploited child in Hennepin County, Minn. has many ways to encounter county services. Through corrections or law enforcement. At a clinic or hospital. Child welfare and protection. Homelessness and housing. Public health. Or the prosecutor or public defender.

Having many points of entry may seem helpful, but it's not.

"Our responses were piecemeal," Commissioner Jan Callison said. "Everyone had their own function to perform and we weren't focused on awareness. It's the kind of thing that getting people together in a room will help address."

Which is exactly what a new plan from the Board of Commissioners is intended to correct.

The No Wrong Door plan will guide how various county departments should react when coming into contact with a victim of exploitation. It follows a year of planning by a variety of departments that could interact with a trafficked minor.

The major first step in the developing plan involves immediate intervention and assessment. The county's Children and Family

Services department will assess the situation and the Child Protection department will file a report. The child will meet with a social worker who will create an individualized service plan. This will happen regardless of which department first comes in contact with the child.

"The idea is that there's no wrong entryway," said Assistant County Attorney Anne Taylor, who serves on the working group. "There's no way they won't receive the right services."

Three years ago, the Legislature passed a safe harbor law that will become effective Aug. 1, meaning counties will no longer prosecute juvenile victims of sex trafficking as perpetuating prostitution. In addition, those children will not have to be charged to receive access to county services relating to their exploitation.

Taylor credited Gail Dorfman, a former county commissioner, with picking up on the county departments' fractured responses to exploited youth. Seeing the disparity among responses prompted her to start the working group.

The county will coordinate with the Minneapolis police department and various non-government

SpeedRead » » »

» All exploited children will meet with a social worker, regardless of how they enter the county services system.

» County staff that would come in contact with an exploited child will receive gender-specific training.

organizations (NGO), including the Minnesota Indian Women's Center, to help coordinate prevention practices.

"The major step that we can take is to intervene with at-risk populations," Taylor said. "Homeless teens are targeted quickly; they're particularly vulnerable."

The issue of child exploitation and human trafficking has gained momentum across the country recently, helping Hennepin County reach the point where these reforms could be enacted.

"This wouldn't have worked 10 years ago," she said. "We didn't have the critical mass of players moving forward. Now there's a level of collaboration among governments and NGOs."

Although the specifics of implementation will be worked out in time, there are several features Taylor said will be characteristic of Hennepin County's No Wrong Door approach.

"We want to increase training for everyone who would come in contact with a child who's experienced trauma," she said. "For instance, corrections officers tend to spend more time working with males, so they need gender-specific training for working with females."

A series of incremental changes to each county employee's role may be what the effort takes, in addition to the policy changes, to help curb child trafficking and improve services the county offers to victims.

"We didn't focus enough on the

girls before," said Callison, who serves as chairwoman of the work group. "We didn't spend a lot of time thinking about how we can help them. By coordinating a response, we can improve the services we offer and how they're delivered and help these girls heal."

And there were a lot to be helped. One 2010 study found that on any weekend night, 45 girls under the age of 18 were sold for sex within Hennepin County. The FBI named the Twin Cities as one of the 13 largest child sex trafficking centers in the country. Though boys can be victims of exploitation, the majority of children the county has served have been female.

In the last two years, Hennepin County has prosecuted 57 felony sex-trafficking cases, 34 of which involved juveniles.

"We need to be more aware of who these children are and how we recognize them," Callison said. "That will help us do all of our jobs better."

## Renewable energy projects are win-win situations for counties' resiliency

FORUM from page 9

to provide clean water without disruption.

For counties, pursuing renewable energy projects is a win-win situation. Santa Barbara County Supervisor Salud Carbajal, who serves as chair of NACo's Green Government Initiative, noted that renewables "help us conserve energy, which means less costs to the taxpayers. It also means we are emitting fewer emissions into the atmosphere, which is good for the environment. And at the end of the day, it just makes us a more resilient and sustainable community."

This is certainly the case in Benton County, Ind. As Kelly Kepner, Benton County's economic development director explained, developing wind farms in the county has created major positive economic impacts. These include:

- After just one year, tax revenue from wind developers enabled the county to pay off all of its debt. Benton County has also used revenues to contribute \$2 million to local schools, upgrade equipment for county fire departments and remodel its community center.
- The county was better poised to weather the effects of the 2008 recession. Creating the wind farms brought in 760 workers who contributed to the local economy, and wind-turbine installation and

maintenance has created 97 new permanent jobs.

- Benton County has attracted tourists from all over the globe to learn from its experience in developing wind farms.

Presenters also discussed the importance of involving the private sector in creating renewable energy programs. Julie Pipple, Washington County, Md.'s environmental management director, shared how a public-private partnership with EPG Solar will allow the county to become a leader in solar energy usage.

Washington County has leased 130 acres of unused land at two of its landfills to EPG Solar to develop and maintain solar power installations. The county will rely on EPG Solar's expertise in the site's development and operations, which when completed will generate 25 megawatts — enough electricity to power all county facilities with clean, renewable energy.

As part of the lease, Washington County expects to earn \$375,000 annually in rent and save an estimated \$100,000 in energy costs. Site construction and maintenance will also create new local employment opportunities. Without this important public-private partnership, Washington County would not have the capacity to undertake such a project.

In addition to learning through

panel discussions, participants had the chance to see renewable energy programs in action through site visits to the county-owned Tajiguas Landfill, the Santa Barbara County Courthouse and the county's Air Pollution Control District building. At the Tajiguas Landfill, participants saw firsthand how renewables can be integrated into waste management plans.

Through the Resource Recovery Project, Santa Barbara County is in the process of developing facilities to enable the capture of methane to convert it to energy — reducing greenhouse gas emissions and generating a renewable source of electricity.

The creation of a geothermal heating and cooling system at the courthouse demonstrated how renewable energy projects can even be developed at historic designated sites. Efficient use of natural lighting at the county's Air Pollution Control District building allowed it reduce the amount of indoor lighting needed — thereby reducing the amount of energy used to cool excess heat emitted by light bulbs.

*\*For more information about the forum, and to view presenters' slides, visit [www.naco.org/GGI2014](http://www.naco.org/GGI2014). For more information about NACo's Green Government Initiative and how to get involved, visit [www.naco.org/greencounties](http://www.naco.org/greencounties).*

WORD SEARCH

Less Common U.S. County Names

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

CUSTER (6)	HARDIN (8)	MARTIN (7)
DEKALB (6)	JONES (6)	MASON (6)
DELAWARE (6)	LAFAYETTE (6)	NEWTON (6)
FLOYD (6)	LIVINGSTON (6)	SULLIVAN (6)
GARFIELD (6)	MACON (7)	

Wikipedia.org, 2013  
Created by Christopher Johnson



## STATE → TO → STATE

★ DELAWARE ★ NEW MEXICO ★

## DELAWARE



With just three counties and the state in control of the roads, jails and courts, Delaware's counties take a defensive approach to dealing with the Legislature.

"If they come after real estate transfer tax, we'll fight back, but we don't initiate much," said Dick Cecil, executive director of the Delaware Association of Counties. "Counties are always concerned that the state will take away our portion of the transfer tax. They haven't touched it for a couple years, but it doesn't mean that in a tough year like this one, they won't take a look at it."

Although counties have limited authority in Delaware, they may still find themselves with new state duties. Recently, the Legislature directed them to handle pet licensing, a topic Cecil worries will not resonate well in rural areas of the state.

"I'm sure people in the suburbs won't mind registering their dog, but people with 20 dogs on a big plot? If they're hunting dogs? That might be a harder sell," he said.

The General Assembly runs from January to June.

## NEW MEXICO

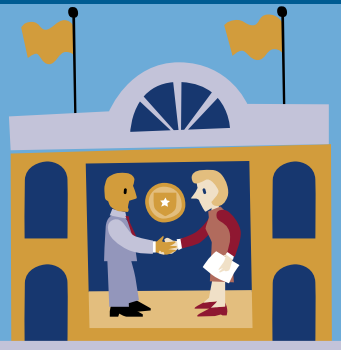


The 30-day January session of the New Mexico Legislature focused primarily on the funding of indigent care.

Senate Bill 268 is intended to create a revenue stream to pay indigent health care and help hospitals and counties bridge the gap between the costs of providing services to Medicaid patients and the amount Medicaid reimburses hospitals for those services.

"This issue took up the bulk of the session," said Steve Kopelman, executive director, New Mexico Association of Counties. "Our 33 counties are keeping a close eye on the final product."

## COUNTY MANAGEMENT



**IN DELAWARE'S 3 COUNTIES, THERE ARE**  
**25** county board members.  
**1** is an elected county executive.

**IN NEW MEXICO'S 33 COUNTIES, THERE ARE**  
**135** county board members and executives.

The bill would require counties to set aside half of a one-eighth-cent indigent claims tax to the state to be leveraged to obtain federal money to pay indigent care claims and supplement Medicaid payments. In the past, counties had discretion over how much money they contributed to the state for that purpose. The bill will be reconsidered in July.

Counties are also keeping an eye on financial issues such as taxing authority, legislative funding — that includes inmate housing — and voter ID laws. Other issues, such as PILT and unfunded mandates, give the counties an uneasy feeling but Kopleman sees great potential working with the Legislature.

"There are real opportunities to work with the state legislature on these pressing issues," added Kopleman. "We really want what's in the best interest of our counties and their residents."

## NETWORK WITH NACo

Connect with peers, resources and county residents.



## Heavy rains, runoff slow mudslide recovery

MUDSLIDE from page 1

to bring closure to the 29 dead and 17 missing, as of April 3. The slide covered roughly one square mile on both sides of the river.

A helicopter in the middle of a training exercise was able to fly to the slide area and help rescue 19 people, Klein said.

The response quickly went from rescue to one of recovery, as the accompanying flooding from the blockage of the Stillaguamish River compounded the danger to anyone who survived the slide. Heavy rains slowed the search, according to county emergency management releases, and Klein said the water running off of the hillside from which the slide originated posed even more danger.

Search teams scoured the slide area, each consisting of three technical rescuers, one hazardous materials unit, one K-9 unit, a chainsaw operator and a spotter, one medical unit, five volunteers, five members of the National Guard and an excavator. Klein has toured the slide area, accompanied by the National Guard. The mud and water composition keeps shifting the debris, making too much exploration unsafe, he said.

"Disaster movies can't prepare you for this," he said. "It's like nothing you can ever anticipate. Two days before, our public safety director told me that we were set up to handle a major disaster. We could respond, but we couldn't do everything."

As April began, dry, sunny weather has helped search conditions, and water levels have been dropping both naturally and with the aid of pumps.

Aside from emergency management, other county departments have stepped in.

The county's community transit agency began new bus service to connect the affected residents with grocery and medical services in nearby Skagit County. The county assessor's office is proactively reducing the assessed value of homes affected by the slide.

"The biggest thing for me is watching how people are talking about the tragedy now, it's our 9/11, our Oklahoma City and the largest disaster we've experienced in Snohomish County," Klein said. "It was a small logging town; it's an industry that has been going away. We need to get that town back on track and help it be sustainable. We don't want this slide to be the thing that whipped Oso from our collective memory."

"I think the community is strong, the whole valley is a tight knit, historical group of communities, everyone is banding together."

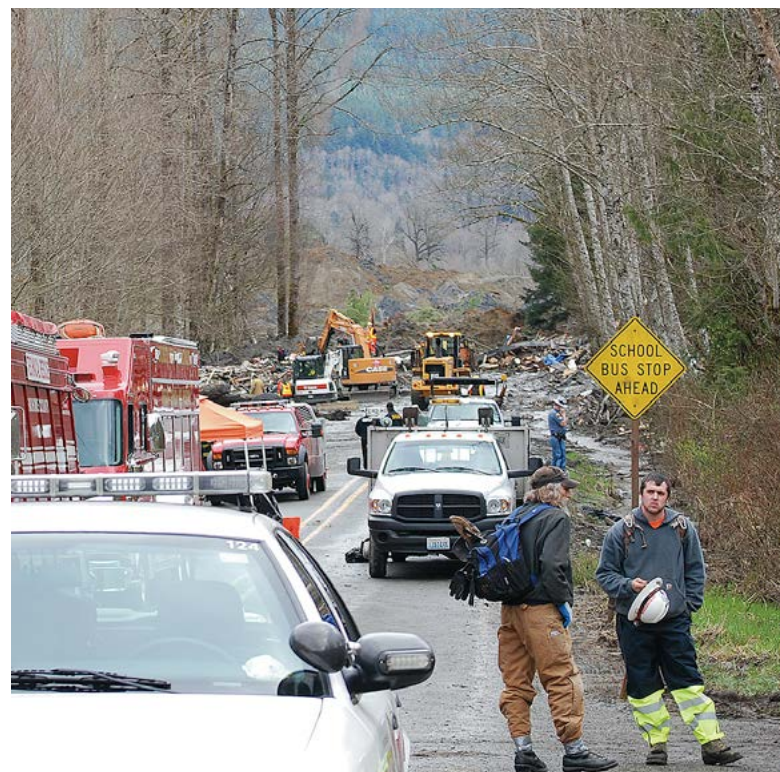


Photo courtesy of Snohomish County, Wash.

Search and rescue teams and equipment build up in Snohomish County.

## Waste-to-energy plant lowers nitrogen oxide

CLEAN AIR from page 7

In accepting the award, Hunter gave a special shout out to Phil Ulibarri, the division's "very passionate" public information officer, who "brainstormed in-house and came up with a catchy name" and did much of the branding. "It's a huge achievement for our very small division of only 18 people," Hunter said.

## Montgomery County Resource Recovery Facility

The recipients of this award were the Montgomery County Department of Environmental Protection, Northeast Maryland Waste Disposal Authority (NMWDA) and Covanta Montgomery, Inc.

The Montgomery County Resource Recovery Facility (MCRRF) is a municipal solid waste-to-energy operation owned by NMWDA on behalf of Montgomery County. Covanta designed, built and operates the facility.

In 2009 the county funded a voluntary technology upgrade to the MCRRF's nitrogen oxide (NOx) emission controls using Selective Non-Catalytic Reduction for NOx called "Low NOx" or LN. The technology was developed by Covanta to retrofit existing waste-to-energy facilities and was the first use of LN design at any publicly owned facility. It has reduced NOx emis-

sions by approximately 50 percent from pre-installation levels, EPA said—a reduction of approximately 400–500 tons per year, the equivalent of taking 50,000 passenger cars off the roads.

Bill Davidson, chief, northern operations of the county's Division of Solid Waste Services, accepted the award along with representatives of Covanta and NMWDA. In an earlier interview, he said reducing NOx emissions is good for the entire metropolitan Washington region because it's a contributor to ozone, which travels. "We could have sold those NOx emission reductions; there's a NOx credit market, and the county decided to forego that. And that ensures that nobody else can use those, so it makes it a NOx reduction forever," he said.

The awards program, established in 2000 at the recommendation of the Clean Air Act Advisory Committee, recognizes and honors both individuals and organizations that have "undertaken the risks of innovation, served as pioneers in their fields, advanced public understanding of air pollution and improved air quality." Entries are judged by EPA and the Clean Air Act Advisory Committee.

\*For more information about the EPA's Clean Air Excellence Awards program, see this story online at [www.countynews.org](http://www.countynews.org).





# County Innovations and Solutions

Polk County, Fla.

## Promotional Effort Yields More Benefits for Veterans

By CHARLIE BAN  
STAFF WRITER

Benefits are no good to intended recipients who don't access them.

With its veteran population missing out on what was rightfully theirs, Polk County, Fla.'s veterans services department sought to better publicize the kinds of benefits that were available and the county's role in helping veterans access them.



... Polk County supports its veterans and there's much more we can do for them."

"One of the first things we saw was that the population was not educated in the benefits they are eligible for," said Mike Mason, the county's supervisor of veterans services. "It came down to making

people more aware of who we are and what we do as a county service."

Mason estimates Polk County is home to almost 60,000 veterans, but further study showed that almost one-fifth weren't getting veterans' benefits to which they were entitled. Some of his staff members discovered, while at outreach events for veterans, that some didn't know the county's veterans service office existed.

The department planned a publicity campaign in 2012 focused on the Purple Heart award — among the most iconic symbols of veterans' sacrifices and an honor nearly 4,000 Polk County residents are estimated to have earned. Mason and his staff traveled to the county's 17 municipalities as they proclaimed Polk a "Purple Heart County." At the time, Polk was one of four Purple Heart counties in the country.

Even more visible was a bus, wrapped in a large photo of seven county-resident Purple Heart recipients that would serve as a mobile billboard for the department. That bus



Photo courtesy of Polk County, Fla. Transit

Polk County's Purple Heart bus advertised its veterans' services department and paid tribute to seven Purple Heart recipients.

was unveiled at the groundbreaking for a Purple Heart memorial.

"It's just gorgeous," Mason said. "It's a vessel we can use to get out there and make sure people see that Polk County supports its veterans and there's much more we can do for them."

Though the effort's initial impact was publicly honoring the county's

veterans, that soon trickled down to greater awareness of what the veterans services department could do for the population, and offered an introduction not only to the veterans but also their spouses.

"Seeing that bus and our department out there in the county got people's attention," Mason said. "Once we got some more engage-

ment, we could take part in an information exchange that could help us find people who weren't aware of what benefits they had earned."

As the department's workload increased, it yielded a staggering amount for veterans and their families. A year after the program began, increased applications and veterans claims by former service members and their families brought in an additional \$24.5 million in benefits throughout the county.

In addition to continuing to help veterans and their families register for benefits, Mason said his department is planning a homeless veterans summit, with the goal of gathering enough information to put the department on track to eliminating veteran homelessness.

"Everything is building off of these publicity efforts," he said. "The more people know what we are trying to do and that we are the place to go, the more we can do."

*County Innovations and Solutions highlights award-winning programs.*

## Financial Services News

## Nationwide Augments Plan Sponsor Fiduciary Education Series

As part of the relaunch of its website dedicated to sponsor needs, Nationwide Retirement Solutions (Nationwide) has launched two new fiduciary education video modules. As provider of the NACo Deferred Compensation Program, Nationwide has introduced this series and other resources specifically to benefit county employers and deferred compensation plan sponsors.

The two new modules build upon one launched last year, that gives a high-level overview of fiduciaries and their roles in plan operations. Modules 2 and 3 dig deeper into the specifics, providing key information on what supplemental retirement plan sponsors can do to meet their

obligations and avoid fiduciary trouble.

Module 2 identifies the roles that can be considered fiduciaries in nature, and the rules and responsibilities that apply (see graphic). Case studies help bring the material to life and specific education explains how plan sponsors and other fiduciaries can fulfill their four basic duties of:

- Plan administration
- Investment oversight management
- Prudent process, and
- Documentation.

In viewing Module 3, sponsors can learn more about what it means to use a prudent process to select service providers. This review includes plan



### Roles that can be considered Fiduciaries

Anyone who has discretionary control over management or administration of the plan or plan assets

Fiduciaries could be ...

EMPLOYERS

PLAN SPONSORS

RETIREMENT PLAN BOARDS AND COMMISSIONS

PLAN TRUSTEES

NAMED IN PLAN DOCUMENT

INVESTMENT MANAGERS

Fiduciaries are generally not ...

INVESTMENT PROVIDERS

ADMINISTRATIVE SERVICE PROVIDERS SUCH AS RECORDKEEPERS

PLAN SPONSOR ADMINISTRATIVE PERSONNEL

CERTIFIED PUBLIC ACCOUNTANTS

ATTORNEYS

sponsor actions that could lead to a fiduciary breach, the repercussions of a breach, and what steps plan sponsors can take to avoid them.

While these modules may be used as a general reference guide, employers, plan sponsors, administrators and boards should always consult their own legal counsel regarding the application of these laws and carefully review applicable laws when designing, amending and administering their plans, including governmental 457(b) deferred compensation plans.

The Fiduciary Education Series is just one of several new online resources available to county leaders via Nationwide's revitalized plan sponsor website, [www.NRSforu.com/plansponsor](http://www.NRSforu.com/plansponsor). Other tools include the J.P. Morgan Guide to the Markets quarterly webinars, quarterly *Strategic Advantage* newsletters, monthly legislative and regulatory reports, and other relevant news and information.

County leaders who want to learn more about tools and resources available specifically for

sponsors of the NACo Deferred Compensation Program can contact their Nationwide representative or call toll-free at 877.496.1630.

To learn more about the NACo Deferred Compensation Program, and how promoting deferred compensation can benefit county employees, contact Lisa Cole by email at [lcole@nacorma.org](mailto:lcole@nacorma.org) or phone at 202.942.4270.

*(Financial Services News was written by Bob Beasley, communications consultant, Nationwide Retirement Solutions.)*

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

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# News From the Nation's Counties

## ► COLORADO

Wildfire mitigation specialists will counsel **BOULDER COUNTY** homeowners on how to protect their properties as part of the new **Wildfire Partners program**.

The program offers participants an individual, on-site wildfire risk assessment of their homes and a custom report on the weaknesses of their fire defenses in advance of a follow-up inspection to ensure recommended mitigation measures have been enacted.

Enrollees also will have access to wildfire phone advisors and will be eligible for a minimum \$300 in rebates for their mitigation efforts at the conclusion of the program, according to the *Daily Camera*. The program has set aside \$250,000 for rebates. The county hopes to enroll 500 homeowners in the program.

## ► DELAWARE

As of July 1, the **minimum wage** earned by **NEW CASTLE COUNTY** employees will be raised to \$10.10, following an executive order by County Executive Tom Gordon.

This will raise the minimum hourly wage to \$10.10 for all but four county positions, which will require County Council action to amend. Until such action is taken, those positions will be raised to \$9 per hour, the top of the current pay scale.

## ► FLORIDA

• The Florida Panthers' chances of a new contract with **BROWARD COUNTY** depend on whether the public could receive a **share of profits** at the publicly owned BB&T Center, according to the *Sun Sentinel*. The hockey team has asked the county to rewrite its contract, seeking an additional \$80 million in hotel tax revenue over 14 years for costs at the BB&T Center. The team says it's losing more than \$20 million a year and needs more public funds to survive.

The arena brings in more money from concerts and other events than from its hockey games, county records show, and the Panthers make a profit from arena operations. The county auditor's analysis said the team's proposed contract would push the threshold for profit sharing with the county millions of dollars higher. The arena has only yielded a profit to the county once since opening in 1998.

The hotel tax revenue is also used for beach renourishment and tourism marketing.

• The **ST. LUCIE COUNTY** commission voted unanimously to **ban the use of fertilizers containing nitrogen or phosphorous** from June through September.

Such a ban should cut down on the source of chemicals that create massive toxic algae blooms, like one in the St. Lucie and Indian rivers in 2013 that resulted in fluorescent green slime, the *Bradenton Herald* reported.

## ► ILLINOIS

**COOK COUNTY** has filed a federal lawsuit against HSBC North American Holdings, Inc., alleging that the mortgage lender and servicer engaged in **unfair lending practices** that led to foreclosures and hit minority communities particularly hard.

In its 108-page suit, filed in U.S. District Court in Chicago, the county notes that between 2004 and 2007, HSBC and its various entities originated 15,024 mortgages in Cook County, and about 45 percent of those loans went to minority borrowers protected by the Fair Housing Act who lived in the highest foreclosure risk Census areas.

The value of all taxable property within Cook County has declined by about \$42 billion, from a high of \$177.8 billion in 2009 to \$135.9 billion in 2012, according to the county's suit.

Cook County is seeking to hold HSBC financially responsible for the harm done to communities as a result of what it alleges were HSBC's discriminatory and predatory lending practices, *Crain's Chicago Business* reported.

The suit is similar to ones filed more than a year ago against the company by several counties in the Atlanta area.

## ► IOWA

Officials may **ban firearms** in the **MADISON COUNTY** courthouse after a recent security scare. In March, a methamphetamine dealer pulled a handgun out of his pocket when a deputy attempted to handcuff him after he was sentenced to 10 years in prison.

The Madison County Courthouse is the only one in its 16-county judicial district that doesn't have a policy that prohibits visitors from having firearms in the courthouse. Since October 2012, the county's three-person board of supervisors has voted three times against enacting a policy that would make taking a firearm into the courthouse a misdemeanor offense, citing the difficulty and cost enforcing that

rule with personnel, the *Des Moines Register* reported.

Officials said any number of ideas might be considered — from restricting the courthouse to one entrance and installing a metal detector to increasing the presence of sheriff's deputies throughout the day.

## ► MARYLAND

• A federal judge in Maryland says the **CARROLL COUNTY** Board of Commissioners has to stop opening meetings with **prayers that reference Jesus Christ or any specific deity**.

Judge William Quarles Jr. of the 4th U.S. Circuit issued a preliminary injunction banning sectarian prayers pending the outcome of a lawsuit filed by the American Humanist Association.

At least one commissioner has vowed to continue to pray "in Jesus' name," risking legal penalties. However, in a statement the commission as a whole said, "As constitutional officers of this county, while we disagree with the current Fourth Circuit case law, we do respect the judge's position in our American legal system."

The U.S. Supreme Court is currently considering a similar case *Town of Greece, N.Y. v. Galloway*, for which a decision is expected before the end of June.

• **MONTGOMERY COUNTY** has settled a suit against online hotel-booking company Travelocity over allegedly **unpaid occupancy taxes**.

The *Daily Record* reports that a U.S. District Court judge approved a settlement in one of several cases filed by Maryland jurisdictions against online booking companies starting in 2008. The jurisdictions argued that the companies must pay room taxes on the rates charged to customers, not on the lower rates they pay to hotels. But the companies have argued that they are providing a booking service, not operating the hotel. Settlement terms are reportedly confidential.

## ► MINNESOTA

**WASHINGTON COUNTY** roads are a twice-annual deathtrap for frogs, turtles and snakes trying to migrate to breeding grounds. The death toll, and the threat to public safety, is enough that the county's department of public works is installing a **crossing tunnel under a road** between one of the county's large lakes and a wetland. The less-than-\$50,000 tunnel will be paid for by grants from the state department

of natural resources and the University of Minnesota.

At least one species killed by traffic is listed as "threatened," but there is also a threat to motorists, when some drivers stop suddenly to avoid hitting crossing animals, the *St. Paul Pioneer Press* reported.

## ► NEBRASKA

**LANCASTER COUNTY** Attorney Joe Kelly said his office will open its files to outside scrutiny to assess for **racial equity in the prosecutors' decisions**, the *Star Journal* reported. The files are normally closed to the public.

He got the idea from a similar 2012 project in Milwaukee. As in that project, the Vera Institute of Justice will partner with the county to analyze the data. "I am convinced that only good can come from it," Kelly said.

He had also heard of the institute's work with the Nebraska Community Corrections Council on issues such as prison reform and drug courts. Kelly said he's unaware of any problem areas and is approaching the project with an open mind.

A Vera Institute official said most existing research focuses on police, judges and jury decision-making, with little attention paid to prosecutorial discretion.

## ► NEW JERSEY

• Freeholders in **BERGEN**

**COUNTY** have endorsed a "host community bill of rights" for counties and towns served by the Port Authority of New York and New Jersey. Freeholder James Tedesco put forward an eight-point plan that would include creation of an advisory panel of local officials, *The Record* reported.

The Port Authority has recently taken heat for, among other things, blocking ramps on the Jersey side of the George Washington Bridge into New York City.

Among other points in Tedesco's proposal, the Port Authority would be required to notify towns or counties affected by a change in traffic patterns one week before the changes, unless it was an emergency situation.

Joan Voss, a freeholder who voted for the resolution, remained skeptical it would do much good, based on her past her experience with the agency. "They basically said you should feel lucky our bridge or tunnel is in your community," she said.

• **CAPE MAY COUNTY** tourism officials are bringing their A game to help French Canadians "Explorez le Jersey Cape!" They're offering a new, free course to teach Cape May County hospitality industry workers how to **make "les Canadiens" feel welcome**.

See NEWS FROM page 15

## What's in a Seal?



► **Richland County, S.C.**  
[www.richlandonline.com](http://www.richlandonline.com)

Richland county was formed in 1785 as part of the large Camden District. The county seat is Columbia, which is also the state capital.

In 1786 the State Legislature decided to move the capital from Charleston to a more central location. A site was chosen in Richland County, which is in the geographic center of the state, and a new town was laid out. Columbia subsequently became not only the center of government but an important trade and manufacturing center.

Cotton from the surrounding plantations was shipped through Columbia and later manufactured into textiles there. Columbia is also known for its educational institutions, particularly the University of South Carolina, which was founded in 1802. General William T. Sherman captured Columbia during the Civil War, and his troops burned the town on February 17, 1865.

The seal shows the Richland County Capital Building and the scale of justice balanced.

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



## Research News

# Burdens on County Jails Rise as California Prison Population Falls

California jail population increased in 2012 as the implementation of the public safety realignment process forced reductions in prison population.

Recently, a three-judge panel approved California's proposal to extend its deadline for the reduction of prison populations to 2016. This is the final deadline extension from an original court order in 2009 that sought to improve health and mental health care services for California's prison population by reducing it to 137.5 percent of statewide capacity. This public safety realignment that began in 2011 in California, and similar decisions to reduce prison population across the United States means more inmates in county jails.

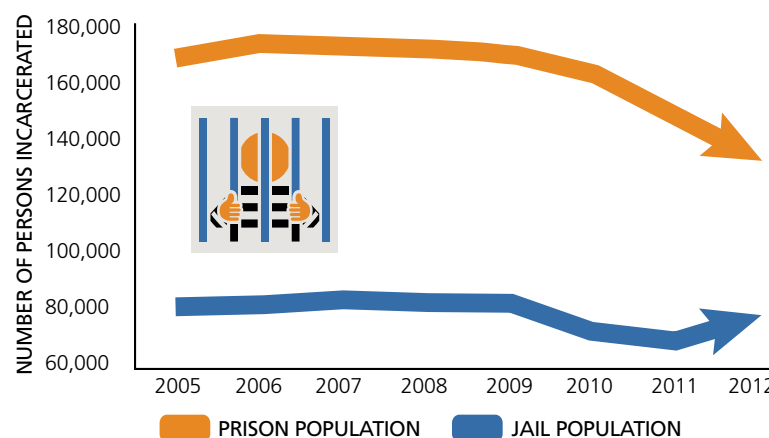
Local jails represent an important component of the correctional

system in any state. According to the 2012 Bureau of Justice Statistics (BJS) data, California jails house over 78,000 individuals, almost four in 10 incarcerated individuals in the state. This is more than 10 percent of all the local jails' inmates in the United States.

In 2007, according to the latest available Census of Governments data, counties spent \$23.3 billion on correctional facilities, including jails. The recent public safety realignment process changes the state of affairs.

The 2011 California public safety realignment policy places low-level, nonviolent offenders currently serving time in prison in county jails. As a result, while the prison population declined by nearly 10 percent in 2012, the number of people in jail increased

**Jail and Prison Populations in California (2005-2012)**



Source: U.S. Bureau of Justice Statistics, Census of Jails, 1999 and 2005; Annual Survey of Jails, midyear 2006–2012; Deaths in Custody Reporting Program, yearend 2005–2011.

seven California jails had average daily inmate populations above capacity in 2010. As Santa Cruz County Sheriff's Lt. Shea Johnson explained in a *Santa Cruz Sentinel* op-ed in October 2014, "County jails were never intended to house people for a longer period of time, so we need to come up with solutions."

Across the United States, there have been proposals for alternatives to increasing jail capacity, from alternative custody arrangements to bail reform and sentencing reform. To help counties fund their solutions, the states will look to provide realignment funding to local jails to ease supervision costs and to expand jails where needed.

(Research News was written by Nick Lyell, research associate.)

## Williams County, N.D. grows almost 11 percent in a single year

NEWS FROM *from page 14*

Atlantic Cape Community College supplied the grant funding and expertise to make it happen, the *Press of Atlantic City* reported.

County Tourism Director Diane

Wieland said Canadians made 665,900 overnight visits to New Jersey last year. Half of them were from Quebec, and 70 percent of the visits were in Cape May County.

Some basic conversational French will be taught and the course

will also delve into French Canadian culture. For example, workers might benefit from learning that French Canadians aren't being cheap when they tip 10 percent to 15 percent—as is their custom—not the 15 percent to 20 percent that is expected in the United States.

### ► NEW YORK

Representatives of YATES and SCHUYLER counties' Legislatures met recently to start planning for a shared-services study. They're working together as the Ad Hoc Steering Committee for Exploration and Oversight of Collaboration Opportunities.

This comes after the counties received a \$50,000 grant to study how they can share and consolidate services, while preserving the option of merging counties, according to the *Observer-Review*.

"The purpose is to seek whatever efficiencies are achievable and mutually beneficial in both counties and maintain quality," said Sarah Purdy, Yates County administrator.

### ► NORTH DAKOTA

...And the fastest growing county in the nation is WILLIAMS COUNTY. Its population grew 10.7 percent from July 2012 to July 2013, according to recently released Commerce Department data. The shale oil and gas boom in the Bak-

ken shale region is driving much of that growth, *The Wall Street Journal's* MarketWatch blog reported.

North Dakota also had the fourth, 14th, 15th and 24th fastest-growing counties.

The second-fastest growing county in the country, Duchesne County, Utah, also has energy to thank. It's home to the energy-rich Uintah basin, and the population grew 5.5 percent during the same period.

### ► OREGON

A federal judge has ordered COLUMBIA COUNTY to pay more than \$800,000 in attorneys' fees and court costs to *Prison Legal News*, a monthly magazine that sued the jail over the constitutionality of its inmate mail policies.

The order came almost one year after U.S. District Judge Michael Simon ruled that jail's policy of allowing inmates to receive only postcards violated the First Amendment. In the interim, the county had tried to have the costs and fees thrown out or reduced, *The Oregonian* reported.

In his finding of facts, Simon noted that the jail already had a policy of opening inmates' mail and that a post-cards-only policy blocked inmates from receiving items such as children's report cards, medical records, bills and news articles.

The ruling comes at a par-

ticularly critical time for the jail. In May, voters will decide whether to approve a \$7 million property tax levy to pay for jail operations over the next three years. Otherwise, the lockup faces closure as soon as this June.

### ► WEST VIRGINIA

KANAWHA COUNTY commissioners have approved \$60,000 to create a program that will allow people to text emergency messages to the Kanawha County Metro 911 center. County officials have been considering adding texting to 911 calls for several years, according to *The Charleston Gazette*.

Voice calls to 911 will continue to be preferred, said Sheriff Johnny Rutherford, but there are instances where texting could have advantages—which he knows firsthand. In the 1970s, Rutherford was kidnapped and locked in a car trunk for several hours. There were no cell phones then, but if there had been, a text could have been sent without alerting the kidnapers.

Emergency officials plan to have the texting service available by summer.

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

## NACo on the Move

### ► NACo Staff

• **Kathy Nothstine**, County Solutions and Innovation program director, gave a presentation about county innovations in economic resiliency to the Interagency Network of Enterprise Assistance Providers in Washington, D.C. March 26. She also presented county economic development innovations at the annual conference of the Educational Association of University Centers in Washington, D.C. March 24.

• **Arthur Scott**, associate legislative director, spoke about the farm bill reauthorization negotiations process, key rural development provisions and expectations of implementation on the panel Implications of the New Farm Bill Development at National Association of Development Organization's 2014 Washington Policy Conference in Washington, D.C. March 24.



Arthur Scott

### ► Coming Up

• **Karina Golkova**, membership assistant, will be exhibiting on behalf of membership recruitment and retention at the Association County Commissioners of Georgia Annual Conference in Chatham County April 13–15.



Karina Golkova

On the Move is compiled by Christopher Johnson



# The H.R. Doctor Is In

## A Weighty Issue

Obesity is a growing plague hurting societies around the world. It seems that the more a society evolves, the more the layers of fatty tissue seem to develop in the bodies of the citizens of that culture. In America, perhaps 40 percent of the population is overweight. Other parts of the world seem determined to emulate America's example.

So it is that the HR Doctor declared his intention, soon after 2014 started, that it was time to do something about the 10 percent of his body weight which seems to be unnecessary. Not that an extra 20 pounds on a 6'3"-tall body is in and of itself a felony, but it would be a solid investment in my own future to do something about it.

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I had a steady stream of encouragement in that regard from the beautiful HR Spouse Charlotte, who lost 70 pounds a dozen years ago and has kept it off. This “keeping it off” has been the result of being an avid Weight Watchers participant, but also having the good sense and determination to become more in charge of her own health. Likewise, the wonderful HR Doctor daughter Rachel is a family practitioner specializing in weight reduction. It was hard to tell sometimes when we would meet, and I would get a big hug from Rachel, whether it was not only a hug of love, but also a clinical assessment. She has regularly told me and encouraged me to lose some extra weight.

It can be, she says, the key to improvements in other areas of health. These include a reduction in the risks of diabetes and coronary artery disease, and much more. The weight loss would improve the odds that I would be around and well functional at my beautiful four-year-old granddaughter Evie's high school graduation and beyond. How could I not pay careful attention to that kind of encouragement?

As if that weren't enough, further wet-nosed support came from our one-year-old puppy — a Rhodesian Ridgeback-hound mix with a seemingly insatiable desire to be

my walking partner. Finally, there are the annoyingly sore knees. Both knees will thank me too. They seem to be saying “please take off the 20-pound backpack you are wearing! Thank you.”

In the face of this encouragement, as well as running out of excuses, I began a campaign two months ago to harness this network and evolve it into weight reduction. In two months I am two-thirds of the way to my 20 pound goal and in fact I do feel better. I can actually tell. The routine medical blood work further testifies to my feeling better.

Losing a bit of weight over a couple of months hardly qualifies me to do expert witness testimony on how it should be done. Nevertheless, that won't stop me from offering some ideas to the 17 of you reading this article around the country. These are based not only upon my own extensive two-month experience, but more significantly, my interaction with tens of thousands of my fellow public employees over decades of human resources experience.

HR, after all, is the place in a county or city government that often sees issues of employee health or lack of it, benefits, sick leave and worker's compensation use and performance weakness or strength. There is often a direct tie between career success and the larger questions of health and happiness in an employee's life. So here's what has worked for me.

I chose not to count points, though that works well for many people. I simply don't choose to become a “weight-loss account clerk” staring scientifically at food labels with a calculator in one hand and my reading glasses in the other every time I set foot in a supermarket. I also didn't want to deprive myself of one of the occasional joys of living exemplified by certain chocolate recipes I'm aware of.

I did, however, begin by a simple act of mental determination. I decided that certain habits in my eating life would change. End of discussion. Time to move on. The first of those was drinking water instead of soft drinks and switching to unsweetened tea when the sweet tea tradition of the southern U.S. would have otherwise taken over.

Next came the decision that meals at restaurants would feature a more conscious look at the size of the portions served as well as a conscious decision to ask for a take-home box.

In other words, one meal has now often magically become two meals — one at the restaurant and the other as a subsequent feast on leftovers.

An additional step was to make friends with shredded wheat. I eat breakfast every morning and make sure to include fruit and protein with the shredded wheat or with Irish oatmeal. Interestingly, a piece of the shredded wheat has become a favorite treat for my dog who presides over my breakfast preparation each morning.

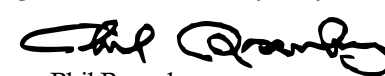
The next was a decision that every morning (not almost every morn-

ing or occasionally but rigorously every morning) would begin with stretching, sit-ups, pushups and more stretching. Along with this feeble effort at more physical exercise came the chance to walk several times a day, including early in the morning and around dark, with my strong and active four-legged walking partner. Isibindi, the dog (Bindi for short) thrives on the chance to be out with me and with Charlotte.

The final ingredient in 14 pounds success so far is the chance to admire and better appreciate Charlotte for

her determination to keep the weight off and to know that perhaps I am following in her footsteps.

The result of this reduced version of me will be a much greater chance to be around to have much more fun for a much longer time. A final note on behalf of my knees — they wanted me to tell you that they have promised to bother me less and to be kinder and gentler to the rest of my body.



Phil Rosenberg

The HR Doctor • [www.hrd.net](http://www.hrd.net)

## Job Market & Classifieds

### ■ COUNTY SOCIAL SERVICES DIRECTOR – PITT COUNTY, N.C.

Salary: \$86,115–\$136,104 annually; DOQ.

The Pitt County Board of Social Services is seeking qualified applicants for the vacant Social Services Director position. The successful candidate will manage a variety of optional and required programs in this rural and urban county with a population of 172,554. The total Department of Social Services budget for 2013–2014 is \$364,527,814 with an operational budget of \$30,403,789. There are 227 employees.

Applicants must meet the following qualifications established by the State Personnel Commission. Knowledge, Skills and Abilities: Thorough knowledge of the legal and philosophical basis for public welfare programs. Considerable knowledge of principles and practice of social work. Thorough knowledge of management principles, techniques, and practices. Knowledge of the agency's organization, operation and objectives and applicable federal and state laws, rules, and regulations. Ability to exercise sound judgment in analyzing situations and making decisions; direct employees and programs in the various areas of responsibility; and develop and maintain effective working relationships with the general public, and with federal, state, and local officials.

Minimum Training and Education: A master's degree in social work and two years of supervisory experience in the delivery of client services; or a bachelor's degree in social work and three years of supervisory experience in the delivery of client services, one of which must have been in Social Services; or graduation from a four year college or university and three years of supervisory experience in the delivery of client services, two of which must have been in Social Services; or an equivalent combination of training and experience. Preference will be given to candidates who have a MSW degree. Preference will also be given to candidates with extensive experience in the develop-

ment and administration of a variety of social services programs in a county department of social services organization. Considerable skill and experience in the supervision of social work and/or income maintenance staff is required. The actual salary will depend upon the experience, education and salary history of the candidate chosen. Interested candidates must complete and submit a Pitt County application along with a copy of college or university transcripts.

A Pitt County application is available at [www.pittcountync.gov](http://www.pittcountync.gov). Resumes may be included, but will not be accepted in lieu of a completed County application. Electronic copies, incomplete or unsigned applications will not be considered. Candidates will be required to participate in a selection process that includes a structured interview.

Applications and transcripts should be mailed to the address listed below: Dr. Johnnie Hamilton, Social Services Board Chair C/O Mr. Scott Elliott, County Manager, 1717 W. 5th Street Greenville, NC 27834. Candidate must possess a valid North Carolina Driver's License and will be subject to a background check and drug screening.

### ■ DIRECTOR OF ENGINEERING AND TECHNICAL SUPPORT – PINELLAS COUNTY, FLA.

Salary: \$110,246–\$165,369 annually plus excellent benefits; DOQ.

Pinellas County is seeking an individual who is a strong, effective leader

with good communication and team building skills. Must be able to develop & maintain strong partnership and mentor & facilitate the development of Engineering & Technical Support into a high performing organization. Engineering & Technical Support is a division of the recently formed Department of Environment & Infrastructure. DEI was created from the merger of 3 existing County departments (Public Works, Utilities and part of Environmental Management) with the purpose of providing cost effective and efficient services to our residents. The Engineering and Technical Support Division provides professional technical and regulatory support services for the three operating divisions and the nine core program areas of the Department of Environment and Infrastructure (DEI). ETS also provides support of the County Comprehensive plan for other County departments when requested, or as needed. The Division currently has a staff of 112 employees and is organized into three sections (Planning & Design, Construction Management, and Survey & Mapping).

Minimum Requirements: Professional Engineer. BS/BA and 8 years' progressively responsible experience in managing engineering teams and public works projects. Desirables: MBA/MPA. County application required. Apply by May 2. Application and additional information available at [www.pinellascounty.org](http://www.pinellascounty.org) under Jobs. AA/EOE/ADA

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