

## What's next for health reform?

By ANITA CARDWELL  
SENIOR ASSOCIATE

Predicting the fate of the health care reform law in the new political climate is anybody's guess. Regardless of what may happen, however, the fact remains that some provisions of the Patient Protection and Affordable Care Act (PPACA) have already taken effect and many more will be implemented prior to 2014.

In 2014, state-based health insurance exchanges are to be established and Medicaid coverage expanded.

The following highlights some aspects of the law scheduled to

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Source: Forbes Magazine, Oct. 2010

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Photo courtesy of the Nemaha County Herald

Joyce Oakley (fourth from right), Nemaha County, Neb. clerk and register of deeds, poses with county employees displaying the trophy they won last year in a food donation contest. This year, they hoped to best the counties competing against them again.

## Nebraska counties hold holiday competition to help food banks

By CHARLES TAYLOR  
SENIOR STAFF WRITER

Look out Nemaha County; Adams County has you in its sights.

The Nebraska counties competed to see which could collect the most donations for local food pantries before Thanksgiving.

"We started about two years ago in-house just between county offices, and then last year we expanded it to the statewide challenge," said Jan Johnson, Adams County's register of deeds.

The drive began Nov. 1 and ended on the 23rd, two days before the holiday. (The winner had not been determined at *County News*' press deadline.) Last year, 19 participating counties collected about 5,600 items, Johnson said.

Nemaha County, which had been conducting its own food

drive for seven years, won in 2009. It collected more than 1,200 non-perishable food items for Southeast Nebraska Community Action, according to a county official. In addition to bragging rights, the county picked up a traveling trophy that it's not keen on relinquishing.

Eighteen of the state's 93 counties responded to the challenge this year. Johnson said it's possible that additional counties will have conducted drives and would tell her after the fact, increasing this year's take.

The winner is selected based on an average of donations per employee, so tiny (population-wise) Rock County, population 1,500, has no advantage over Douglas County, with its half-million residents.

Julie Nash, a nonprofit social services official in Adams County, said the county's help couldn't come at a better time. She said her agency, Senior Action, Inc., is seeing more clients than ever before, in part due

to a local meat-packing plant closure. Some families that had maintained separate households are "combining households to make ends meet," she added.

"I think with changing economic times here, with layoffs, the food that is generated through the county drive will ensure that everybody in Adams County is provided emergency food, not only during the holidays but year-round," Nash said.

Adams County employees are glad to lend a hand. "We have jobs," Johnson said, "and this was just one way for us to be able to help somebody else out."

In the past, the drive was open only to county employees, but this year anyone in the community could donate, she said. Nemaha County expanded its drive county-wide last year, according to Joyce

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## Midterm elections put county services at risk

By NACo LEGISLATIVE AFFAIRS STAFF

The 2010 midterm election results have introduced a sea change in congressional and committee control and membership.

Of the 60-plus new members of Congress, more than half come from state or local governments. However, this does not necessarily translate into supporters of policies aimed at helping state and local government assistance programs.

Since a major theme in the political debate was the curtailment of federal spending and the shrinking of government, NACo will need to work with the new Congress in an attempt to reduce the impact of likely proposals to reduce spending on domestic programs.

"Defending the programs that directly affect county constituents, small businesses and other partners in our nation's counties is

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# Historic county courthouses live on in pastor's postcard collection

By CHARLES TAYLOR  
SENIOR STAFF WRITER

Fire gutted Chatham County, N.C.'s historic courthouse earlier this year. In Santa Barbara, Calif., an earthquake claimed the Greek Revival county courthouse in 1925. A tornado so badly damaged the Hall County, Ga. courthouse in 1936 that it had to be razed.

Those buildings are gone, but their memories — and images — live on, thanks to a Maryland pastor's hobby.

Rev. Keith Vincent collects postcards and images of county courthouses, more than 14,000 of which are displayed on his website, [www.courthousehistory.com](http://www.courthousehistory.com).

"I've never seen anything as extensive as what this guy has," said Larry Dix, executive director of the Nebraska Association of County Officials. For the second year, the association is using Vincent's images in a courthouse calendar that it produces and sells. You can also find the images scattered across the Web on county and courts websites nationwide.

Polk County, Fla. Judge Anne Kaylor maintains a site devoted to Florida courthouse postcards, which includes images from Vincent's collection. A collector herself, she got to know the pastor several years ago "via e-mail through eBay," when they were bidding on the same postcards. They agreed not to get into a bidding war.

"He was kind enough to send me his whole collection, which I then scanned and sent back to him," she said. "I think it's a treasure that anybody goes to the trouble to save these things, and then to present them online so that other people can enjoy them."

Postcards became popular at the turn of the 20th century, according to [collectorsweekly.com](http://collectorsweekly.com), and are still collected by aficionados of photography, advertising and local history, among others. Vincent's collection is primarily of professional postcards but includes some amateur cards.

The pastor's passion for postcards began innocently enough, almost 30 years ago when he was in his mid-20s. "I used to go to postcard shows; and I just like architecture," he recalled. "And I realized that I couldn't buy every building I liked postcard-wise. I don't even know how it started, but I thought about courthouses,



Photos courtesy of [www.courthousehistory.com](http://www.courthousehistory.com)

Postcards and images from the Rev. Keith Vincent's online collection include (clockwise from top right) Tripp County (S.D.) Courthouse being moved to a new location, Pima County (Ariz.) Courthouse in Tucson and Santa Barbara County (Calif.) Courthouse after a 1925 earthquake.



Photo by Ryan Nakielny

The Rev. Keith Vincent stands in front of the former county courthouse in Frederick County, Md., which now serves as City Hall for the city of Frederick.

and it was a measurable goal, and I like measurable goals."

Starting out, he got a list of counties from the *World Almanac*, and he was off. "In those days, there were a lot of private postcard dealers across the country where you could write to them and they would send you postcards," said Vincent, 55, a history buff who once considered becoming a history teacher. He houses his physical postcard collection in old real estate file cabinets at his home in the Frederick County, Md. town of New Market.

Today, he's more likely to find the cards he wants on eBay, where they can fetch \$100 to \$150 apiece, depending on demand. He

estimates that over the years he's spent "thousands and thousands" of dollars on his hobby, including travel and 45 to 50 books about courthouses.

"I've probably spent about four or five thousand (dollars) a year when it comes down to it with just buying cards," Vincent said, adding that there's dearth of postcards currently available.

In documenting county and parish courthouses, he has visited almost 2,500 counties and their county seats. "Since a lot of these towns now have built new courthouses, and for the most part, most towns don't make postcards anymore, I go to the town to take a picture of it," he explained. He

also returns to places previously visited when a new courthouse is built. His schedule as associate pastor at Mt. Airy Baptist Church in Mt. Airy, Md. often allows him to "put two weeks together" and hit the road. The fact that he's single also helps.

He recently returned from a trip to South Dakota, Nebraska and "bits of" Montana, Wyoming and Iowa, where he "finished up" the Hawkeye State.

That leaves California, Oregon, Nevada and Arizona that he has yet to visit — "And of course, there are four counties in Hawaii that I would like to get to," Vincent said. The 50th state may be more of a challenge, since he has driven to the states he's visited thus far. As for the 49th state, he has no plans to visit Alaska because he doesn't consider its boroughs' courthouses to be county buildings in the same sense as those in the Lower 48 — many of them formerly were federal buildings, he said.

The postcard-collecting pastor put 6,800 miles on a rental car during his recent swing through the Great Plains. In his early collecting days, he would take his parents along as a vacation for them. His surviving parent, his mother, can no longer take the rigors of the road.

High on his list of courthouses to visit is the 1929 Pima County Courthouse in Tucson, Ariz., a Spanish Colonial Revival structure of pink stucco-covered brick, Moorish arches and a dome cov-

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## Counties compete, food banks are winners

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Oakley, county clerk and register of deeds.

Still, Nash said, the involvement of county employees sends an important message.

"When county offices take the lead in doing a food drive, it really kind of sets a tone for the whole county," she said. "If they're willing to step up and do that, and word gets out that even what's considered ... government... is willing to give back to the community, then I think a lot of other people follow suit and do the same."

For the counties, the friendly competition is "fun," Johnson said, but "the real winners are the participating counties' food banks."

(Visit *County News* online during the week of Nov. 29 at [www.countynews.org](http://www.countynews.org) to find out which county won.)

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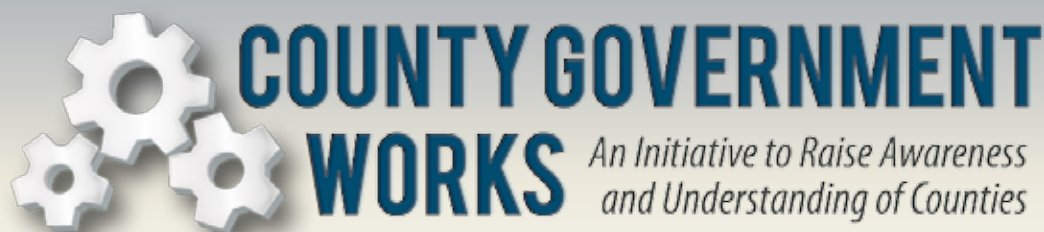
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## Essay Contest Offers Cash for County Studies

By Todd McGee

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OF COUNTY COMMISSIONERS

It is a common lament heard across the nation — students not knowing why county governments exist or what services they provide. Most high school courses of study include a civics component, but teachers spend most of their time explaining federal or state government, with little time spent discussing local governments.

NACo President Glen Whitley's County Government Works initiative is designed to elevate the profile of county governments across the nation. The North Carolina Association of County Commissioners (NCACC) has been embarking on a similar effort since 2004.

The NCACC wanted to draw more attention in the classroom to counties but knew the likelihood of changing the state's curriculum was slim. Instead, the NCACC decided to employ another strategy — cold, hard cash.

As part of the Association's Centennial Celebration in 2008, the board of directors approved an essay contest to encourage students and teachers to focus on county government. To encourage students to enter, the association puts up \$1,000 in prize money each year — \$500 to the winning student and \$500 to the student's teacher.

Students are asked, "How does my county government improve the lives of its citizens?" Essays are limited to 500 words, and the contest is open to 9th and 10th grade public school students. In 2011, the NCACC will host the essay contest for the fourth year.

"The essay contest was originally supposed to be just for 2008 — our centennial year — but board members like the idea so much that they keep funding it every year," said NCACC Executive Director David F. Thompson.

The winning essay is printed in *CountyLines*, the NCACC's monthly newspaper, and posted on the NCACC's county government

education website, [www.welcometoyourcounty.org](http://www.welcometoyourcounty.org).

The idea for the essay contest came out of the NCACC's Strategic Planning and Visioning Process that began in 2003. With the NCACC's 100th anniversary approaching in 2008, the board of directors wanted to make sure the association remained relevant and effective in its second century of service, and in 2003 embarked on a three-year strategic planning process. The initiative resulted in five strategic goals to carry the association for the next 100 years.

The No. 1 goal was "to educate the public and media about the role of county government." The board voted this goal as its top priority because many commissioners felt that citizens simply did not understand why counties existed and what services they provided, and wanted the NCACC to help remedy this problem.

As part of this goal, the NCACC has embarked on a series of initiatives over the past few years, including the essay contest, an award-winning video about county government, a county government booth at the North Carolina State Fair, and an educational website and booklet called Welcome to Your County ([www.welcometoyourcounty.org](http://www.welcometoyourcounty.org)). The association provides free copies of the booklet and video to teachers from across the state who request the materials.

The essay contest was initially marketed to civics teachers, but as it turns out, many of the entrants each year come from English teachers who are using the contest as a writing assignment for their class, said Donald P. Czysz Jr., NCACC programmer analyst, who works on the NCACC internal staff team that conducts the contest each year.

"It's good, because students are not only getting taught about local government in their civics classes, but they are getting a lesson about counties in their English classes," he said.

Staff members who are assigned to the team for Strategic Goal No. 1 (staff members nicknamed

their team "First and Goal") send information about the contest to the more than 600 public high schools in North Carolina each fall, and then judge the essays as they are submitted. Staff members from other strategic goals teams as well as members of the board of directors also serve as judges.

After the essays are whittled down to a group of about 10 finalists, the staff team meets for several hours to read and debate all the essays and settle on a winner. The winning student and teacher are recognized at a Board of County Commissioners meeting in their home county, ensuring that the local media are present to cover the event.

To learn more about the contest, visit the NCACC's county government education website at [www.welcometoyourcounty.org/content/2011\\_essay\\_contest.shtml](http://www.welcometoyourcounty.org/content/2011_essay_contest.shtml).

## Postcards record pictorial history of courthouses

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ered by ceramic tiles. One of his personal favorite postcards features a 100-year-old image from Tripp County, S.D., showing the courthouse being moved by locomotive from the town of Lamro to Winner.

Many historic courthouse buildings no longer serve a judicial function. Some have been converted to county offices, museums, even restaurants, Vincent said. And browsing through [courthousehistory.com](http://courthousehistory.com), one can witness the evolution of courthouse architecture — from late-19th- and early-20th-century grandeur, to a more utilitarian style in modern buildings.

Today's courthouses can be sterile and "ugly" places, Vincent said. "In some counties, the courthouse doesn't symbolize anything." But in others, it remains a part of "the coming together of the community at the courthouse square, and they're just gorgeous buildings." He created his website, in part, to tout their historical value and has about 500 images yet to add.

"A lot of people don't realize that such a building preceded the one that's standing now," he said, hoping that by sharing his

images he might "encourage people to keep what they have."

York County, Neb. didn't keep what it had, a fact lamented by County Commissioner Kurt Bulgrin. He happened upon Vincent's website while doing online research a few years ago. He brought it to the attention of Larry Dix, the Nebraska state association executive.

Bulgrin regrets that his home county's historic 1888 courthouse was torn down and replaced by a nondescript brick box of a building in the 1970s. According to local lore, he said, it created such a stir that voters attempted to recall the entire five-member County Board, succeeding in unseating two commissioners.

"Even though I never personally saw our old courthouse in York, I still kind of get a little upset about the fact that they tore it down — that future generations couldn't even enjoy that grand old building," Bulgrin said.

Now they can, albeit virtually, thanks to Keith Vincent's online collection.

(If collecting county courthouse postcards is your passion, or as Rev. Vincent says, "if you're just plain curious and want more info," you may e-mail him at [keith@courthousehistory.com](mailto:keith@courthousehistory.com).)

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# Health reform law brings prevention, wellness activities to forefront

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be implemented in the near term that may be of interest to county officials. In 2011, NACo will focus on many of these issues and will continue to provide county officials and staff with updated information about provisions that are critical to counties.

## Public Health, Prevention and Wellness

Many elements of the PPACA focus on disease prevention and health promotion. For example, the law established a National Prevention, Health Promotion and Public Health Council, which produced its initial report in July and is charged with developing a comprehensive national prevention and health promotion strategy by March 2011.

Also in 2011, there will be no coinsurance or deductibles charged in traditional Medicare for certain preventive services, and Medicare will offer a free comprehensive wellness visit annually as well as a personalized prevention plan for beneficiaries.

In 2013 through Medicaid, states will receive an enhanced federal medical assistance match percentage (FMAP) for preventive services offered without beneficiary cost-sharing.

The health reform law also contains funding for state, and local prevention and public health activities through the Prevention and Public Health Fund, totaling \$15 billion over 10 years, including the disbursement of \$500 million for FY10. While \$750 million is appropriated specifically for FY11, funding distributions will depend on congressional action. Also, other grant opportunities that use monies from the fund will require specific appropriations. For example, the health reform law authorizes the creation of competitive Community Transformation Grants, and funding for them will come from the Prevention and Public Health Fund or through separate congressional appropriations.

Local government agencies will be eligible to apply for these grants most likely beginning in 2011 to support efforts that reduce chronic disease, address health disparities and build the evidence-base for prevention programs. However, the availability of funding for these grants is uncertain as they are authorized but not appropriated.

By March 2011, the Food and Drug Administration will issue regulations regarding the PPACA menu-labeling requirement for



chain restaurants and food sold from vending machines.

## Maintaining a Safety Net

County and local public health officials may be particularly interested in the PPACA requirement for nonprofit hospitals to conduct a community health needs assessment every three years or face a \$50,000 annual fee for noncompliance. This provision, which takes effect for taxable years after March 23, 2012, is

designed to ensure that the safety net care burden is shared among local providers and that these hospitals are making a significant contribution in taking on uncompensated care to justify their tax exemptions.

NACo submitted comments to the Internal Revenue Service that a wide range of community stakeholders, including county officials, should be meaningfully engaged in the community health needs assessment process, and NACo will continue to address this issue as the implementation process proceeds.

## Eligibility Determination and Enrollment

In September of this year, to help states plan for the health insurance exchanges to be established in 2014, the Department of Health and Human Services (HHS) awarded nearly \$49 million in the first round of grant funding to 48 states and the District of Columbia.

The PPACA requires that states establish a coordinated eligibility determination process for both the exchanges and Medicaid, and to maintain consistent coverage

for individuals with fluctuating incomes that may cause them to move between Medicaid and the exchanges. In states (where counties determine Medicaid eligibility) with county-based Medicaid eligibility determination, it has yet to be decided what counties' specific level of continued involvement will be, but they will likely continue to serve important roles in assisting individuals with enrollment.

In October, NACo submitted comments to HHS on how the exchanges should be developed and structured, advocating that states and the federal government should work closely with counties.

HHS recently announced that to help states develop information technology (IT) systems, Medicaid eligibility systems will potentially be eligible for an enhanced federal matching rate of 90 percent for design and development of new systems, and a 75 percent match rate for maintenance and operations if they meet certain performance standards—an increase above the current match of 50 percent. Also, competitive funding is available

for up to five states to design and implement the IT infrastructure needed to operate health insurance exchanges. These systems are expected to be used as models and examples of best practices, and in 2011 all states will be eligible to apply for additional funding to support ongoing exchange implementation.

## Delivery Systems and Access

The PPACA contains a number of provisions designed to increase access to health care and improve local care delivery systems. The law calls for the creation of the Center for Medicare and Medicaid Innovation, which was officially launched recently by the Centers for Medicare and Medicaid Services (CMS). The purpose of the center is to test, evaluate, and possibly expand payment and service delivery models that could improve the coordination, quality and efficiency of health care services throughout the Medicare, Medicaid and Children's Health Insurance programs. Also within CMS, the Federal Coordinated Health Care Office was recently established to improve care coordination for individuals who are eligible for both Medicare and Medicaid.

The law supports health care safety net provider consortiums through the authorization of the Community-based Collaborative Care Network (CCN) Program. These consortiums work together to provide coordinated care to low-income and medically underserved populations and comprise community health centers, safety net hospitals and other care providers. Currently there is \$40 million included in the Senate FY11 Labor-HHS appropriations bill for the CCN program and the Medical Home Demonstration Program.

Additionally, the PPACA contains \$11 billion in new, dedicated funding for community health centers over five years, of which \$9.5 billion will be for establishing new health centers and expanding operational capacity for existing centers and \$1.5 billion will be for capital projects. While \$1 billion is appropriated for FY11, specific funding distributions will depend on congressional action.

Regarding Medicare and care delivery, from 2011 to 2015, the health reform law provides Medicare bonus payments of 10 percent to health professionals if they meet certain criteria for providing primary care services and to surgeons who work in health-professional-shortage areas. Also, in FY11 and

## Recap of Selected PPACA 2010 Provisions

- **Early Retiree Reinsurance Program:** In 2010, many counties submitted applications for reimbursement through this temporary reinsurance program created by the PPACA, which reimburses employers for a portion of the high-cost health care claims for non-Medicare-eligible retirees over age 55 as well as their spouses and dependents.

Although the program is temporary and will end in 2014 or before if the \$5 billion in available funds is exhausted, employers that provide coverage to early retirees can still submit applications. For more information, visit [www.errp.gov](http://www.errp.gov).

- **Pre-existing Condition Insurance Plan:** In June, HHS established the Pre-existing Condition Insurance Plan (PCIP) program for individuals with pre-existing medical conditions who have not had health insurance coverage for at least the past six months. States were given the option to allow the federal government to operate the PCIP or to manage it themselves.

The program will end in 2014 when insurers will not be allowed to deny coverage to any individuals based on health status. For more information, see <https://www.pcip.gov/>.

- **Health-care Workforce:** In 2010, HHS awarded a number of workforce grants through the ACA for training public health and primary care providers. Also in September, 15 members were appointed to the National Healthcare Workforce Commission, which will work with the new National Center for Health Workforce Analysis to assess whether the demand for health care workers is being met and provide related recommendations.

- **Negotiated Rulemaking Committee:** The 28-member committee began meeting in 2010 to work on revising the criteria for designating medically underserved and health-professions-shortage

areas. A variety of federal and state programs use these designations to target resources to areas of need, and Tarrant County, Texas Commissioner Roy Brooks is serving on the committee.

- **Community Health Centers:** In 2010, HHS provided \$727 million to 143 existing health centers to help them upgrade and expand their services and facilities. Also, HHS announced the availability of \$250 million in competitive funding for operational support of new service delivery sites and up to \$335 million in grants for existing health centers to expand their medical services for underserved populations.

- **Home and Community-based Long-term Care Services:** In July, the health reform law extended the Medicaid Money Follows the Person demonstration program through September 2016, and the Centers for Medicare and Medicaid Services provided \$2.25 billion in grants to states to support community-based alternatives to institutional long-term care.

Also beginning in October states were given expanded options for offering home and community-based services through a Medicaid state plan amendment instead of through a waiver.

- **Medicare Changes:** In 2010, the PPACA reduced the annual reimbursement for updates for inpatient and outpatient hospital services, long-term care hospitals, inpatient rehabilitation facilities, and psychiatric hospitals and units, and payments were adjusted for productivity. In 2010, Medicare Part D enrollees affected by the "doughnut hole" coverage gap received a \$250 rebate check.

For more information, visit [www.naco.org/healthreformimplement](http://www.naco.org/healthreformimplement), and to send health reform implementation questions or sign up for updates, e-mail [healthreforminfo@naco.org](mailto:healthreforminfo@naco.org).



# Long-term care access expanded under health reform law

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2012, qualifying hospitals in counties that are in the lowest quartile of Medicare spending per enrollee will receive additional Medicare payments.

## Health Workforce

The health reform law permanently reauthorizes the National Health Service Corps (NHSC) and provides enhanced funding for the program, which provides scholarships and student loan repayments to health professionals in exchange for serving in an underserved area.

Specifically, the law authorizes the creation of a NHSC fund that provides up to \$1.5 billion in additional funding over five years, with \$290 million allocated for FY11. In 2011, the law redistributes unused graduate medical education (GME) slots to help increase the number of GME training positions. The PPACA also creates and authorizes grant funding for Teaching Health Centers, which are community-based ambulatory care centers such as federally qualified health centers that run primary care residency programs.

## Long-term Care

The PPACA contains a number of provisions designed to increase access to home and community-based services for individuals in need of long-term care. The law creates the Community Living Assistance Services and Supports (CLASS) Act program, which is a new national, voluntary long-term care insurance program that is fully funded by beneficiary premiums.

CLASS will provide individuals who develop limitations in performing a number of basic activities of daily living with a cash benefit to help cover some of the costs of long-term care community-based services. The benefit will be available to eligible individuals after a five-year vesting period, and while the amount will vary depending on the level of an individual's disability, it cannot average less than \$50 per day.

Employers that choose to participate in CLASS will be required to automatically enroll employees for the payroll deductions, although employees can choose to opt out of the program. By October 2012, the HHS secretary is expected to establish final program rules, with enrollment to begin subsequently.

## Chronic Diseases

There are number of options within the health reform law, particularly through Medicaid, that are designed to improve care for individuals with chronic and disabling conditions.

Beginning in January 2011, the law creates a new Medicaid state plan option for individuals with multiple chronic conditions to designate a provider as a "health home." Participating states will receive a 90 percent FMAP for paying for services such as care coordination, transition assistance and assistance with linkage to community services.

In October 2011, states may implement the Community First Choice Option, which allows states to cover home and community-based attendant care as an optional Medicaid state plan benefit for individuals with disabilities who need an institutional level of care. States that elect this option will receive an enhanced FMAP.

Also in October 2011, the Balancing Incentives Payment

Program takes effect and runs through 2015. States that have not moved as many individuals into community-based services and select this option will receive an enhanced FMAP for the applicable community-based services, provided they make certain changes to their systems of long-term care services and supports.

## Counties as Employers

A number of the changes to existing employment-based group health plans mandated by the health reform law were required to be implemented by the first plan year after Sept. 23, 2010. This means that for counties operating under calendar year plans, the compliance date is Jan. 1, 2011 for the following:

- Plans are forbidden to rescind coverage except in cases of fraud or abuse; they cannot restrict coverage for children under age 19 based on health conditions; and they are not permitted to implement lifetime caps on essential health benefits.

The law also imposes restrictions on group health plans being able to place annual limits on essential health benefits.

- Plans that provide coverage to beneficiaries' dependent children are required to offer them coverage until they reach age 26. This rule applies to grandfathered plans (plans in existence on March 23, 2010) unless the adult child has another offer of employer-based coverage — until 2014, when this exception will not apply. Plans must offer a 30-day enrollment opportunity for the eligible adult children.

In 2011, the penalty for withdrawals from Health Savings Accounts for non-medical expenses increases from 10 percent to 20 percent. Also, Flexible Spending Accounts, Health Reimbursement Arrangements and Health Savings Accounts will only be permitted to reimburse for over-the-counter drugs if the participant has a prescription.

Employers will also need to begin to develop mechanisms to meet the law's requirement that they report the cost of health insurance coverage on employees' W-2 forms to demonstrate the value of the health benefits provided; it is not a taxable item. While the law originally stated that the reporting requirement would begin for W-2 forms issued for tax year 2011, in October 2010 the Internal Revenue Service announced that it will not be mandatory for forms issued for 2011 to provide employers more time to implement the necessary changes to their payroll systems.

Regarding upcoming Medicare changes relevant to employers, the health reform law contains gradual reductions in Medicare payments to Medicare Advantage plans, with the aim of aligning payments closer to the average costs of Medicare beneficiaries by county, and bonus payments will be provided to plans with high quality ratings.

Also by 2012, all health insurance plans will be required to provide a summary of benefits with uniform explanations of coverage using standardized definitions, and future regulations will offer further details about these benefit summaries.

Additionally, in the coming years employers will have the option to determine whether to participate in the CLASS program (see the Long-term Care section for more information).

For more information about the PPACA provisions that affect employers, see NACo's Health Reform Law Toolkit for Counties as Employers, available at [www.naco.org/healthreformimplement](http://www.naco.org/healthreformimplement).

## This Month in ... County News

County News celebrates NACo's 75th Anniversary with a look back at the issues and events that affected counties over the past several decades.

### ★ November ★

#### 1983

- County government scored three victories before Congress adjourned. The legislature reauthorized revenue sharing and community development block grants, and delayed House action aimed at restricting county use of industrial revenue bonds. Reauthorization of general revenue sharing was the most serious debate NACo entered in 1983, with the House voting to increase revenue sharing but the Senate holding firm at the previous funding level. House conferees eventually relented because a failure to compromise would have threatened the program and jeopardized disbursements due to localities in early January.

- Scott County, Iowa Supervisor Maggie Tinsman represented U.S. county government at a West German symposium comparing the federalist systems of both countries.

#### 1994

- Voters in Idaho, Massachusetts and Nevada placed term limits on elected officials at all levels of government, including counties. Florida voters passed a constitutional amendment limiting the amount of revenue the state may collect in any fiscal year to the revenue collected in the previous year plus a growth adjustment. That amendment did not limit local governments' ability to levy taxes, but it did affect state revenues that were currently shared with counties.

(This Month in County News is compiled by Charlie Ban, staff writer, and Christopher Johnson, editorial assistant.)

## Profiles in Service



### » Annabeth Surbaugh

Board of Directors  
Chairman of the Board  
Johnson County, Kan.

**Number of years active in NACo:** 17 years

**Years in public service:** 22 years

**Occupation:** chairman, Johnson County Commissioners

**Education:** business and retailing, University of Missouri-Columbia

**The hardest thing I've ever done:** dealt with the anguish and emotions of caring for a premature child who "might not make it"

**Three people (living or dead) I'd invite to dinner:** My dad, Coco Chanel, Thomas Jefferson

**A dream I have is to:** be featured in *Bon Appétit* for my pastries.

**You'd be surprised to learn that I:** backpacked for three weeks in the Tetons.

**The most adventurous thing I've ever done is:** started my own interior design business.

**My favorite way to relax is:** gardening and painting.

**I'm most proud of:** my daughter, Page, and the woman she has become.

**Every morning I read:** *The Kansas City Star*.

**My favorite meal is:** salmon and a great salad.

**My pet peeve is:** people who say they will do something and they don't.

**My motto is:** "Wherever you go, go with all your heart."

**The last book I read was:** *A Whole New Mind: Why Right-Brainers Will Rule the Future* by Daniel H. Pink.

**My favorite movie is:** *Patch Adams*.

**My favorite music is:** anything except rap.

**My favorite president is:** Thomas Jefferson.



# County partners with school districts to replace diesel buses

By CINDY WASSER

COMMUNITY SERVICES ASSISTANT

Hamilton County, Ohio, is working closely with area schools to secure grant funding for “clean-diesel” school buses. Most noteworthy, the county used ARRA funding to assist its local school districts in purchasing 60 new clean-diesel buses, protecting the school children’s health and moving the county closer to meeting air quality standards.

Hamilton County received \$1.08 million in American Recovery and Reinvestment Act funding to help replace 60 pre-1993 school buses with newer, cleaner-emission buses at seven school districts. The county issued \$18,000 rebates to the districts — approximately 20 percent of the purchase price of each bus — as they purchased new vehicles. The grant project was completed August 2010.

The idea for the project’s structure was developed through conversations between Hamilton County and the school transportation supervisors.

This isn’t the first foray into



Photo courtesy of Hamilton County, Ohio

A new clean-diesel school bus sits ready to go thanks to Hamilton County, Ohio’s efforts.

clean-diesel technology that the county has taken. In 2003, the Hamilton County Department of Environmental Services, which serves as the local air agency for the Greater Cincinnati Area, developed the Southwest Ohio Clean Diesel Campaign (SWOCDC) as a model to promote diesel emission-reduction projects in southwest

Ohio. After Environmental Services staff saw a demonstration of a diesel particulate filter installed on a school bus, they felt that installing the technology within Hamilton County was an easy way to help the region achieve compliance with national particulate standards.

“Through these projects, tens of thousands of school children

ride lower emissions buses on a daily basis. If we’ve avoided one potential asthma attack or respiratory distress, we’ve succeeded in our mission,” said Ken Edgell, environmental administrative coordinator, with the county and SWOCDC coordinator.

Over the past seven years, the county has served as a conduit for \$1.46 million in grant funds to retrofit 522 school buses and replace 63 buses. After the ARRA project, all school buses that are owned and operated by the county’s school districts will have been retrofitted or replaced.

Bob Engel, transportation supervisor for Northwest Local School District of Cincinnati singled out the partnership with the County Environmental Services Department as filling a crucial need.

He explained that transportation is traditionally a lower priority for school leadership, when compared to other educational needs. By partnering with Environmental Services, the school transportation supervisors received funding that they might not have received

otherwise, and funding for teacher salaries and books was maintained. Engel said, “We’ve been able to receive at least one grant every other year and sometimes one per year.”

Engel encourages other transportation supervisors to contact their local environmental agencies and ask them about writing grants for the school districts.

The Northwest Local School District where Engel works purchased six new clean diesel buses, using \$108,000 of the county’s ARRA funding.

Since 2003, the district has purchased two other buses and retrofitted about 60 older buses with particulate filters with grant funds. Engel said that the retrofit equipment cost between \$500 and \$5,000 apiece.

EPA Administrator Lisa Jackson visited Hamilton County June 3, 2009 to present the ARRA-EPA funding, since it was one of the first recipients in that cycle to be awarded. During the press conference, a handkerchief test was performed on a new clean-diesel

See **BUSES** page 10

# Disaster simulations stoke students’ creativity

By CHARLIE BAN

STAFF WRITER

Throughout school, children learn socialization and the importance of teamwork, though their grade is usually the only thing that hangs in the balance.

In Broward County and other Florida counties, middle school and high school students are learning how effective teamwork may save lives.

The school-based-nonprofit StormZone curriculum offers a science curriculum based around disasters. It rose from the ashes of Miami public relations man Bay Proby’s involvement with the now-defunct Weather Channel program SafeSide.

“SafeSide’s cost was prohibitive because we printed out brochures for every disaster, but StormZone is available online, so teachers can download lessons,” he said.

What engages students are the exercises they can do in the counties’ emergency operations centers. The three-hour program includes several drills in which students act out roles as emergency responders. They are presented with situations such as flooding, overturned tanker trucks carrying toxic chemicals, a home fire with injuries, or animals escaping

from the zoo.

Broward’s Emergency Management Agency recently brought in 40 middle school science students to participate in a series of simulations. They played several roles, including the mayor, emergency management personnel and the media.

Penni Long, the department’s outreach coordinator, said aside from teaching teamwork, StormZone gave recognition to the county’s emergency management staff

“If you like weather, there are other options besides being a meteorologist,” Long said. “I don’t think a lot of the kids were aware we do more than deal with hurricanes.”

She said the rise in college-level emergency operations programs is making the field more visible for students, as opposed to people who, in earlier years, studied something else and eventually wound up in emergency management.

She thinks the exercises give students a good taste of the field.

“Students get to experience an environment in which out-of-the-box thinking is the norm,” she said. “By exposing them to the intellectual challenges they could tackle in a situation that could give them a chance to protect people, it keeps that specialty on their minds



Photo courtesy of Bay Proby

StormZone Director Bay Proby prepares student reporters for the press conference that concludes the exercise at the Miami-Dade County, Fla. Emergency Operations Center. The students ask questions of the mayor at the press conference.

as they start looking at potential careers.”

Proby wants to take the program national, once his nonprofit organization can find consistent funding. He would like to partner with the Federal Emergency Management Agency and adapt the curriculum

for other regions and their meteorological hazards.

All counties must do is provide facilities for students.

“Most kids are shocked the emergency management centers even exist,” Proby said. “There’s an enormous amount of awareness

that comes with finding out how the government reacts to disasters.

“It raises volunteerism, increases awareness of the importance of mitigating the effects of disasters ahead of time, and it motivates kids to go home and initiate disaster planning in their families.”



# Discretionary spending target of government-shrinking efforts

MIDTERMS from page 1

essential,” said Ed Rosado, NACo legislative Affairs director.

“To make that case, it is important to inform the incoming Congress of the effects any reductions would have on the people who are served by the programs counties run, and alert them to tax increases counties will need to implement in order to continue providing the services their residents require,” he added.

Counties must also meet costly, legislatively-imposed directives, regulations and mandates, such as the requirement by January 2012 to begin collecting a 3 percent withholding tax for goods and services contracts that counties must pass on to the IRS, he pointed out.

It is important to note that the national debt is hovering at \$13.73 trillion. Of the total national budget of \$3.55 trillion, domestic discretionary spending is only about 13.1 percent. Spending on mandatory programs is \$2.18 trillion and Social Security is roughly \$677.95 billion.

The mandatory spending programs may not be the subject of much discussion but are not expected to undergo any real change, notwithstanding what the president’s Fiscal Responsibility Commission recommends. They are third-rail issues and with a Republican goal of taking over the presidency in two years, it is highly unlikely to see these areas produce any real savings due to reform or reductions.

So what’s left? Where does the Congress have the real power to show something has been done and that they heard the voter’s message to shrink government? Domestic discretionary spending is the only place to look. That’s the 13.1 percent of the budget where Congress has the power of the purse and reduced vulnerability.

This is the spending for programs county governments rely on to support operations, maintain infrastructure and provide services. Spending for the nation’s defense and homeland security will probably be spared, leaving only county programs.

On the proverbial “chopping block” are funding for secure rural schools, payments in lieu of taxes, community and economic development, workforce investment, justice assistance programs, airports, highway, rail-transit, bridge and water infrastructure development, broadband deployment, rural development, health safety net responsibilities, social welfare programs and others. Rumors are in the 5 percent to 20 percent

cut range, which still would only produce a sliver of what would be needed to make a dent in America’s debt problems.

Counties will be challenged to do more with less, reform what exists and meet the needs of constituents in creative new ways. NACo’s Legislative Department is analyzing these changes and how they may affect the issues it advocates for. As of this writing, committee leadership and assignments have not yet occurred.

## Agriculture and Rural Affairs

The composition of the House Agriculture Committee will change dramatically in the new Congress as a result of the mid-term elections. Sixteen of the current 28 members



Official White House photograph by Lawrence Jackson

Congress assembles for the 2010 State of the Union address.

of the Democratic majority on the committee lost their seats in the elections. Rep. Frank Lucas (R-Okla.) is expected to take over the chairmanship of the committee from Rep. Colin Peterson (D-Minn.) when it convenes in January. Peterson won re-election in Minnesota and will likely remain on the committee as ranking minority member.

Lucas will spend much of the next two years formulating the new five-year farm bill; the current one expires in 2012. Despite the large shift in committee membership, agriculture committee members typically work in a bipartisan manner on general farm and rural policy issues, but often get in regional disagreements about the level of emphasis for specific agricultural programs.

The committee will continue to be under intense pressure to write a Farm Bill without increases in mandatory funding for any Farm Bill programs, including NACo

**SpeedRead » » »**

- » Secure Rural Schools funding threatened
- » New House Ag Committee chair could target EPA ‘dust’ regulations
- » House Banking Committee expected to restructure Fannie, Freddie

priorities such as rural development, renewable energy, nutrition, and support for beginning and young farmers. Level funding may be possible for some programs though, with the help of a strong advocacy effort.

Lucas is likely to also focus his efforts on curtailing EPA regulations that could adversely impact

Saxby Chambliss (R-Ga.) will remain ranking minority member.

Both Stabenow and Chambliss have supported NACo’s efforts to enhance rural development funding in past farm bills. However, Stabenow’s focus in farm bill re-authorizations has been nutrition programs and specialty crops, like the cherries, blueberries and apples produced in her state that do not benefit from traditional crop support programs. She also took the role as chief negotiator for agriculture interests in climate bill negotiations.

The appropriations committees decide the level of funding for key NACo-supported USDA Rural Development programs that help counties finance broadband, water-wastewater infrastructure, community facilities, rural housing and rural business programs. The Republican appropriators in the House would like to use their new majority to reduce FY11 discretionary federal spending to FY08 levels, which represents a cut of about \$165 billion from the funding level that the current House Democratic majority has proposed.

Senate appropriators and the president also appear more likely to cut domestic discretionary spending, which will put USDA Rural Development programs and other county funding priorities at risk.

## Banking and Housing

Republican control of the House Financial Services Committee is likely to bring aggressive oversight of the financial services regulatory overhaul legislation championed by the committee chair — Rep. Barney Frank (D-Mass.) — and Sen. Chris Dodd (D-Conn.). If lawmakers are unhappy with the implementation, or regulators report significant problems, the committee could pursue a corrections bill to revise the law.

Ranking Republican Spencer Bachus (Ala.) is expected to assume leadership of the Financial Services Committee, and Frank will become ranking member. Bachus says the financial reform law has elevated the role of government, while diminishing the rights of individuals and companies to make choices. Republicans will also monitor the Consumer Financial Protection Bureau, created to supervise consumer lending for home loans and credit cards. They also may try to limit the effect of any new regulations.

Sen. Tim Johnson, a South Dakota Democrat, is expected to assume the chairmanship of the Senate Banking Committee due to



Dodd’s retiring. There will also be significant changes in committee members with Sens. Evan Bayh (D-Ind.), Jim Bunning (R-Ky.) and Judd Gregg (R-N.H.) retiring, and Sam Bennett (R-Utah) losing his primary election. Former New Castle County, Del. Executive and newly elected Sen. Chris Coons (D-Del.) is expected to join the Senate Banking Committee or Small Business and Entrepreneurship Committee in January.

A major issue will be restructuring of Fannie Mae and Freddie Mac, two mortgage agencies that were put under government conservatorship in 2008.

Over the last two years, these so-called “Government Sponsored Entities” (GSE) have received more than \$150 billion in funding. Republicans plan to create a new housing finance system to replace Fannie Mae and Freddie Mac. The Obama administration is expected to release a plan in January 2011 on what to do with the GSEs and the mortgage market overall.

Republicans are likely to oppose these plans because they see the GSEs’ problems as resulting from inappropriate government involvement in financial markets. They will likely advocate for full privatization of the housing finance system, which Democrats fear would end housing finance.

Democrats plan to release their own blueprint for reforming Fannie Mae and Freddie Mac that might include a role for the federal government to help preserve the long-term fixed mortgages.

Rep. Ed Perlmutter (D-Colo.), who introduced the Livable Communities Act legislation, won re-election. The Livable Communities Act would provide grants to communities for regional planning around housing, transportation, energy and environmental factors. However, it is unclear how far such legislation would move under Republican control. During the House committee hearing, Republican members expressed concerns about proposed new funding for the grants. Due to Dodd’s retiring from the Senate, and assuming the Livable Communities Act does not pass during the lame-duck session, a new Senate champion will be needed to introduce the bill.

See MIDTERMS page 8



## The Seal of the United States Department of State is a circular emblem. It features an eagle with wings spread, perched on a shield with the American flag's stars and stripes. Above the eagle's head is a constellation of stars. The eagle holds an olive branch in its right talon and arrows in its left. A scroll draped across its chest bears the motto "QUI PRO DOMINA JUSTITIA SEQUITUR". The entire seal is encircled by a blue border.

## Environment, Energy, and Land Use

mandate that a percentage of electricity come from renewable sources. However, it's doubtful that enough support from across party lines could be mustered. It's possible that he could continue to push for a utilities-only cap and trade approach, but this is unlikely to move in the House.

The debate over health reform is not over. H.R. 1 in the 112th Congress will likely be a bill repealing the new health reform law. It has little chance of passage. Since the election, both Republican leaders and newly elected freshmen have reiterated a commitment to “repeal and replace” the Patient Protection and Affordable Care Act (PPACA)—the signature legislative achievement of President Barack Obama and the Democratic 111th Congress.

The new Republican majority in the House will make it possible for Republicans to pass a repeal bill in the lower chamber, though the Democrats' slim majority in the Senate and the upper chamber's increasingly frequent need to invoke cloture (requiring 60 votes) on anything remotely controversial will make a full repeal nearly impossible to pass. And of course, such a bill would face a certain presidential veto.

Many observers think it is more likely that the Republicans will attempt to whittle away at the law by attacking individual provisions like the individual mandate, various revenue raisers or the Medicaid expansion, using the appropriations process to de-fund rather than outright repeal them. In an environment of increasing anxiety about the deficit, such proposals could gain traction. In fact, the Prevention and Public Health Fund, which was initiated in the PPACA, has already come under attack as a proposed offset to an unrelated tax break.

It is also likely that the new leadership of the House Energy and Commerce Committee and other committees of jurisdiction will schedule oversight hearings to highlight problems with PPACA implementation and to put the heat on administration officials.

The Older Americans Act and No Child Left Behind (NCLB) are two of the human services programs that will come up for reauthorization in the next Congress. Both of these programs have wide bipartisan

support. NACo doesn't expect a major change in direction in either program, which falls under the Education and Labor Committee in the House, and the Health, Education, Labor and Pensions Committee in the Senate. NCLB is expected to be incoming Chairman John Kline's (R-Minn.) top priority.

Entitlement programs that fall under the House Ways and Means Committee and the Senate Finance Committee, however, are a different matter.

Incoming Ways and Means Committee Chairman Dave Camp (R-Mich.) is from a state where counties don't administer welfare



and child welfare programs. While Michigan counties do administer child support enforcement, it is unclear whether the new leadership will be willing restore the state and county flexibility to use child support incentive payments to draw down further federal funds.

The Temporary Assistance for Needy Families Block Grant (TANF) is also up for reauthorization. The likelihood of any changes to current law that would restore program flexibility from the 1996 law is also unlikely. The current child support and TANF restrictions were enacted in the 2006 Deficit Reduction Act under a Republican Congress.

There might be opportunities to change the child welfare program, provided they are not too expensive. Sens. Charles Grassley (R-Iowa) and Mary Landrieu (D-La.) are working on bipartisan legislation to provide more flexibility in the program.

Finally, the prospects for comprehensive immigration reform are next to impossible. Incoming House Judiciary Chairman Lamar Smith (R-Texas) is expected to focus on enforcement only. There may be a chance to get some piecemeal

When a Republican takes the helm of the House Judiciary Committee, its current chair, Rep. John Conyers (D-Mich.), would become the new ranking member.

The House Judiciary Subcommittee on Crime, Terrorism and Homeland Security, which has jurisdiction over all anti-crime legislation, will continue to be the gateway for county justice issues. Former Smith County District Court Judge Louie Gohm-

Current Judiciary Ranking Member Jeff Sessions (R-Ala.) is expected to become ranking member of the Senate Budget Committee, and Grassley will be his likely replacement.

On the Homeland Security front, current House Homeland Security Ranking Member Peter King (R-N.Y.) is expected to become the chair, and Rep. Bennie Thompson (D-Miss.) will move to ranking member. Both have been supportive of NACo's public safety priorities for many years, and will likely focus on passing a multi-year authorization for the Department of Homeland Security (DHS).

The committee has attempted to enact legislation to authorize a number of DHS programs and initiatives important to state and local governments over the past several years, but House and Senate leadership have yet to move a bill to the full floor.

Additionally, the committee is expected to continue its long fight for primary jurisdiction and congressional oversight of the DHS. Academics, security experts and DHS officials have long argued that the large number of committees claiming jurisdiction over DHS is burdensome, and the House Homeland Security Committee has supported this position in a bipartisan manner.

Rep. Mario Diaz-Balart (R-Fla.) will likely become the chair of the Transportation and Infrastructure Committee's Economic Development, Public Buildings, and Emergency Management

*See MIDTERMS page 10*

In the House, the Republicans have not fleshed out a specific energy agenda yet. However, Speaker-elect John Boehner (R-Ohio) has said via his website, "I am committed to a comprehensive energy reform policy that will boost supplies of all forms of energy right here at home to reduce our dependence on foreign sources of energy, protect us against blackmail by foreign dictators, create American jobs and grow our economy,"

A number of Republicans have expressed interest in tackling the administration's energy and environmental regulations. One of the first regulations to be investigated may be EPA's Greenhouse Gas Endangerment Finding. This finding allows the EPA to regulate carbon dioxide as a pollutant under the Clean Air Act. The new House leadership would like to overturn this decision. In the Senate, a number of Democratic senators also oppose EPA's actions.

Likewise, the House is expected to delve into the science behind climate change, along with its potential cost to businesses and the economy.

Other issues that may arise include promotion of nuclear power, “clean coal” technologies, exploration and production of domestic oil and natural gas, and transmission siting issues. There also could be a push to rescind unobligated stimulus funds.

On the Senate side, Senate Energy and Natural Resources Chairman Jeff Bingaman (D-N.M.) has supported federal renewable standards legislation. This would

ert (R-Texas) is expected to be elevated to chairman. Rep. Robert C. "Bobby" Scott (D-Va.), the current chair of the House Judiciary's Subcommittee on Crime, Terrorism and Homeland Security, will likely become the ranking member.

In the other chamber, Sen. Patrick Leahy (D-Vt.) will remain chair of the Senate Judiciary Committee. He has been a big supporter of reauthorizing the Juvenile Justice and Delinquency Prevention Act, the Second Chance Act and “comprehensive” immigration reform.

## In Case You Missed It ...

### News to Use from Past County News

**► NCGM theme: Serving Our Veterans, Armed Forces and Their Families**

The theme is set for the 2011 celebration of National County Government Month (NCGM) — Serving Our Veterans, Armed Forces and Their Families.

The goal of NCGM is to raise public awareness and understanding about the roles and responsibilities of the nation's 3,068 counties. A booklet of ideas and suggestions on how to celebrate NCGM will be available early next year.

For more information, contact Tom Goodman at [tgoodman@naco.org](mailto:tgoodman@naco.org) or 202.942.4222.



# NACo grassroots Network

The political winds in Congress have shifted drastically. It's likely that federal funding for long-standing county services will be at risk like never before. Now is the time for county officials to mobilize and fight for the people of America's communities.

Please go to [www.naco.org/grassroots](http://www.naco.org/grassroots) and fill out the NACo Grassroots Network form.

Maintaining up-to-date contact information will be essential to NACo's 2011 advocacy efforts on Capitol Hill.

If we know who you know — Senate and House members and staffers — NACo will be better positioned to fight for the county programs your residents depend on.

We'll keep you informed about legislation that could impact your county's bottom line as we use your information to lobby more forcefully on your behalf.



**For any questions or concerns, please contact  
Matthew Fellows, legislative grassroots coordinator,  
at 202.942.4205 or [mfellows@naco.org](mailto:mfellows@naco.org)**



# PILT, SRS could face rougher road in next Congress

**MIDTERMS** from page 8

Subcommittee. This subcommittee has been a strong advocate for NACo's public safety priorities and has primary jurisdiction over DHS' Federal Emergency Management Agency (FEMA).

Del. Eleanor Holmes Norton (D-D.C.) is expected to move to ranking member. The subcommittee will likely continue efforts to enact a multi-year reauthorization for FEMA's Predisaster Mitigation Grant Program. This has been a key priority of NACo's Justice and Public Safety Steering Committee for several years, and both Republican and Democratic members of the subcommittee have strongly supported NACo in this effort.

In the Senate, Joseph Lieberman (I-Conn.) is expected to remain chair of the Senate Homeland Security and Government Affairs Committee, and Ranking Member Susan Collins (R-Maine) is expected to keep her post as ranking member. Lieberman and Collins have worked in a strong bipartisan fashion for several years and are expected to continue their support for strong and enhanced coordination and funding for state and local public safety agencies. They will also likely work closely with the House Homeland Security Committee and make enacting a multi-year authorization for DHS a priority.

## Appropriations

On the House Appropriations front, Rep. Jerry Lewis (R-Calif.), and Harold Rogers (R-Ky.) are the likely top contenders for chair of the full committee. Rep. Frank Wolf (R-Va.) will likely be the new chair of the House Appropriations Commerce, Justice, Science and Related Agencies Subcommittee, and Rep. Chaka Fattah (D-Pa.) may be the new ranking member. The new chair of the Homeland Security Subcommittee remains unknown, and will likely be decided once the new full committee chair is selected.

Rep. Norm Dicks (D-Wash.) is expected to be the full committee's ranking member, and Rep. David Price (D-N.C.) will likely move to

ranking member of the Homeland Security Subcommittee.

In the Senate, Daniel Inouye (D-Hawaii) will remain as chair of the Appropriations Committee and Thad Cochran (R-Miss.) will be the ranking member. Also, Sens. Barbara Mikulski (D-Md.) and Richard Shelby (R-Ala.) are expected to remain chair and

## SpeedRead » » »

- » Bipartisanship presumed preserved in Senate homeland security committee
- » Workforce investment Act up for reauthorization
- » 'County payments' lost supporters in midterms

ranking member of the Senate Commerce, Justice, Science and Related Agencies Subcommittee. With the retirement of Sen. George Voinovich (D-Ohio), a new ranking member for the Homeland Security Subcommittee is certain, and Sen. Frank Lautenberg (D-N.J.) will likely move from interim to permanent chair of the Subcommittee.

## Labor and Employment

Rep. John Kline (R-Minn.) will likely chair the House Education and Labor Committee in the 112th Congress. Under Kline, the committee is not expected to continue the Democrats review of for-profit colleges, but Republicans are expected to take up an examination of the effectiveness of federally funded job training programs.

Kline was a co-sponsor of the latest WIA legislation, The Workforce Investment Improvement Act of 2009 (H.R. 4271), which was introduced in December 2009. The Workforce Investment Improvement Act reauthorizes the Workforce Investment Act (WIA) and focuses on increasing efficiency, improving accountability and increasing flexibility of state and local job-training providers.

The bill puts adult, dislocated workers and employment service funding streams under a single unified adult and dislocated work-

ers program, it requires every mandatory partner program to contribute funds to one-stop center infrastructure funding, and allows groups to create regional economic development plans.

No further action has been taken on H.R. 4271 since its referral to the House Education and Labor Committee in December.

In the Senate, Sen. Tom Harkin (D-Iowa) will remain chair of the Health, Education, Labor and Pensions (HELP) Committee. According to Harkin, the committee will also attempt to reauthorize the Workforce Investment Act (WIA).

In other labor and employment related issues, mandatory collective bargaining appears unlikely to attract the support necessary for passage. Kline has long been a vocal opponent of card-check union-organizing legislation, and is highly unlikely to push for passage of the Public Safety Employer Employee Cooperation Act (PSEECA) given the Republican majority.

## Public Land Policies

The 2010 election will likely impact NACo's advocacy strategy as it relates to public lands management and county payment programs. Both the House Natural Resources Committee and Senate Energy and Natural Resources Committee suffered losses — due to retirements and incumbent defeat.

While Democrats in the House suffered historic losses on Nov. 2, only four Democrats on the Natural Resources Committee

were defeated including: Jim Costa (Calif.), Stephanie Herseth-Sandlin (S.D.) Carol Shea-Porter (N.H.), and Frank Kratovil (Md.). Ranking Member Doc Hastings (Wash.) is poised to take over as chairman in January, succeeding Rep. Nick J. Rahall II (W. Va.). Rahall has indicated that he will seek the ranking member position on the House Transportation and Infrastructure Committee. Hastings is expected to move the committee in a very different direction in the 112th Congress — with a specific focus on "cutting spending and bringing fiscal sanity back to Washington, D.C."

Hastings will also focus on job creation through stewardship of natural resources, increasing domestic energy production, and ensuring public access to federal lands. Additionally the committee is expected to provide oversight of the Obama administration's policies, on a range of issues such as the offshore drilling moratorium in the Gulf of Mexico and potential new monument designations.

The Senate Energy and Natural Resources Committee will continue to be chaired by Jeff Bingaman (D-N.M.). Current Ranking Member Lisa Murkowski (R-Alaska) will resume her position as her reelection results were recently confirmed as a result of a write-in campaign.

The Senate committee lost six of its members due to retirements and election losses including: Sens. Byron Dorgan (D-N.D.), Blanche Lincoln (D-Ark.), Evan Bayh (D-Ind.), Sam Brownback (R-Kan.), Bob Bennett (R-Utah), and Jim Bunning (R-Ky.).



With the widespread political casualties in both chambers, many members of Congress that were strong champions of the Secure Rural Schools and PILT programs lost their bids for re-election. While strong support remains for these critical programs, NACo will need to pursue an aggressive campaign to educate new members of Congress on the need for long-term support for PILT and county revenue-sharing programs.

NACo will continue to identify new opportunities to advocate public lands policies before the House and the Senate committees, including maintaining full funding for Payments in Lieu of Taxes (PILT), reauthorizing the Secure Rural Schools and Community Self-Determination Act, promoting active management and restoration on federal lands, and supporting domestic energy policies that promote the development of energy resources on public lands, including fossil fuels and renewable sources, such as geothermal, wind and solar.

## Tax and Finance

The House Committee on Ways and Means will be a crucial focal point on as many questions as the

See MIDTERMS page 11

# School bus retrofit sets clean-diesel standard

**BUSES** from page 6

bus and an older bus without retrofit technology. A piece of white cloth was held up to the exhaust pipe of both vehicles. A big black circle was evident from the older bus' exhaust fumes. Where the cloth was held to the newer bus, there was no evidence of emissions.

By replacing the 60 buses with clean diesel, Hamilton County will reduce emissions of diesel particulate matter, hydrocarbons, and carbon monoxide by 6,800 pounds annually, improving air quality of the Southwest Ohio region.

EPA will announce new national ground level ozone standards before the end of 2010, which are expected to double the number of counties nationwide that do not meet this air quality standard. Replacing older buses with new clean diesel

ones manufactured in 2010 with virtually zero emissions of both particulate matter and nitrogen oxides (a precursor to ground level ozone) will help Ohio meet these new standards.

With all area school buses retrofitted, the county is looking to establish similar programs for municipal fleets, tugboats on the Ohio River, and locomotive switcher engines.

To learn more about Hamilton County's clean diesel campaign, visit [www.hcdoes.org/cleandieselpcampaign.htm](http://www.hcdoes.org/cleandieselpcampaign.htm).

To learn more about opportunities to save fuel and reduce air pollution, visit [www.naco.org/greencounties](http://www.naco.org/greencounties).

When Edgell, contacted Bob Engel, transportation supervisor for Northwest Local School District of Cincinnati, Ohio, about obtaining funds to retrofit his fleet,

he was pressed by Engel to obtain ARRA funding for area buses.

The quest for ARRA funding to replace obsolete school buses was not easy. Edgell was initially discouraged by a 20 percent purchase reimbursement requirement for ARRA funding. Engel continued to encourage Edgell to seek funding and assured him that the schools would be willing to put up the additional cost. Edgell then put out an inquiry to local school transportation supervisors to garner interest in partnering with the county for the funding. Seven schools stepped forward with requests for new clean diesel buses, ranging from 4 to 20 vehicles for a total of 60 buses. The ARRA grant application was submitted with those seven school districts listed as partners. County and school district staff worked closely to gather information for the proposal.



## County News invites Letters to the Editor

Do you have a compliment, complaint or different point of view?

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Please include a phone number with your letter. Mail, fax or e-mail to:  
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Washington, DC 20001; 202.393.2630; [cnews@naco.org](mailto:cnews@naco.org).



# Model Programs FROM THE NATION'S COUNTIES

Richland County, S.C.

## Jail Program Gives Teenagers a Reality Check

By CHARLIE BAN  
STAFF WRITER

Somewhere between Scared Straight and a heavy-duty grounding, Richland County, S.C.'s Sheriff's Department gets a message through to teenagers.

In 2009, parents asked the department if it offered something more than the county's Crossroads Program, which placed teenagers in a roundtable discussion with convicts. Sheriff Leon Lott responded by opening the county jail's holding cells to 13 teenagers on Friday nights for a comprehensive jail experience. It became known as Richland County, Educating, and Deterring Youth (R.E.A.D.Y.).

"It really gives kids a reality check," said Monique Mack, the sheriff's public information officer. "Every step is as close to the prisoner experience as we can make it."

Teenagers report to the sheriff's office, change into prison jumpsuits and are "booked." The paddy wagon, complete with a barking dog on board, transports them to the courthouse, where they are taken to a holding cell—a 2-by-2 feet compartment with no windows and light coming beneath a steel door. Being in the courthouse separates them from the general jail population.



Photo courtesy of Richland County, S.C. Sheriff's Office

Participants in Richland County, S.C.'s R.E.A.D.Y. Program file into the paddy wagon for their trip to the courthouse holding cells, where they will spend the night.

About two hours into their stay, the short-term inmates are rousted and taken to see a child psychologist.

"The experience is starting to settle in for these kids so it's a little easier to get them to talk about why they've found themselves here, why they're acting up, and what is bothering them so much," Mack said. "It also gives the kids a neutral third party, who doesn't answer to their parents, to talk to."

After a while, the teenager has to write a letter of apology to the parent.

"What they write is up to them,"

Mack said. "But they have to write something. Even if they don't know what the 'last straw' was, it really starts to dawn on them that they've done something wrong."

After their meeting with the psychologist, they go back to their cell until all 13 teenagers have written their apologies, and one is chosen to serve food to the others, which they eat in their cells with the doors open.

They participate in a boot camp-style exercise session and meet as a group with gang unit investigators.

"They can talk freely about peer pressure and whether or not they have been approached by, or want to

get out of, a gang," Mack said. "It's a freebie, an opportunity to extricate themselves from a bad situation."

After that discussion, they head back to their Spartan cells for a few hours of sleep, but not too much.

"We don't want them to get too comfortable," Mack said. "When they get home the next morning, we want them to be exhausted."

They wake up for individual meetings with an investigator, who hopes to draw out a more personal issue that can be addressed.

"This has been a really valuable step," Mack said. "We've had a few girls who opened up about abusive situations, and we have been able to look further into that."

After being returned to the sheriff's office, the kids are picked up by their parents and guardians, and a 12-month relationship with a mentor begins.

"Most kids want some kind of engagement, some attention," Mack said. "They want to be a part of something, good or bad. If they aren't part of their family at home, they'll go looking for it on the streets, and mentors help them find their place."

More than 250 kids have completed the program over the past 18 months, with the first few dozen finishing their mentoring component recently.

Mack said the program has had an 85 percent success rate, meaning

only 15 percent of participants have done as much as talk back to their parents or guardian after completing the program.

"It helps because it changes who kids are when they're all alone in a cell," Mack said. "Television sensationalizes jail, makes it look cool and not like a bad alternative to what these kids think is out there."

A \$10 fee pays for jumpsuits and food, so the county's costs are 48 man-hours a month for three officers to work overtime—three officers a week, two weekends a month.

The department is trying to have reunions for teenagers who have been in the program, plus opportunities for parents to trade their stories and discuss solutions.

"The program is summed up when a parent says to me 'I have my child back,'" Lott said. "Being able to steer children back from a path of disrespect for their families and communities is our goal."

*(Model Programs from the Nation's Counties highlights Achievement Award-winning programs. For more information on this and other NACo Achievement Award winners, visit NACo's Website, [www.naco.org](http://www.naco.org) ► Resource Library ► Model County Programs.)*

## Tax extenders face uncertain future without 'lame-duck' action

MIDTERMS from page 10

lame-duck session approaches; most notable are the Bush-era tax cuts. While there appears to be much support to pass an extension of cuts before they expire at the end of this year, the debate on how the cuts will be structured is yet to be resolved. If the debate is not resolved during the lame-duck session, the revival of some or all of the cuts will likely be the first order of business for the committee.

Rep. Dave Camp (R-Mich) is expected to take the gavel as chairman. With only 13 Republicans returning from the 111th Congress, six or more new members are expected to fill that side of the table. Rep.

Eric Cantor (Va.) may depart if he becomes majority leader. On the Democrat side, current Chair Sandy Levin (Mich.) could face a challenge for the top spot from Rep. Richard Neal (Mass.) Only three out of the 26 Democrats on the committee did not seek re-election so the change in power will result in Democrats losing committee seats won in 2009.

Besides the Bush-era tax cuts, other expiring provisions also face an uncertain future if an extension is not passed during the lame-duck session. More commonly known as tax extenders, these provisions were included in the 2009 American Recovery and Reinvestment Act, and the Housing and Economic Recovery Act of 2008. One of the

more popular provisions for state and local governments has been the Build America Bonds (BAB) program. Efforts to extend the BAB program and other municipal provisions stalled this year.

In previous debate over the extender provisions, Camp expressed little support for the BAB program he views as a spending program that provides direct payments to the state and local government issuers but does not generate the private-sector jobs needed to stimulate the economy.

On the Senate side, the Committee on Finance will be charged with determining how to deal with the tax cuts, among other issues falling under its jurisdiction. Although Sen.

Max Baucus (D-Mont.) will remain at the helm, he will be working with a different ranking Republican for the first time since he became the committee's top Democrat in 2001. Due to party-imposed term limits, Sen. Charles Grassley (Iowa) will step aside for Sen. Orrin Hatch (Utah) as the committee's top Republican. It remains unclear how this alters the committee's dynamics, especially since it has become more partisan in the recent Congress.

With the continued weak economy, how to handle the tax cuts and the forthcoming recommendations of the president's fiscal commission will prove to be significant early challenges for the committee.

For the Senate Committee on

Indian Affairs, the composition will certainly change, notwithstanding the retention of power by Democrats. Current chair Sen. Byron Dorgan (N.D.) is set to retire at the end of this session. With some of the more-senior Democrats choosing other chairmanships, the gavel could find its way into the hands of Sen. Maria Cantwell (Wash.). Sen. John Barrasso (Wyo.) is expected to remain as the top ranking Republican.

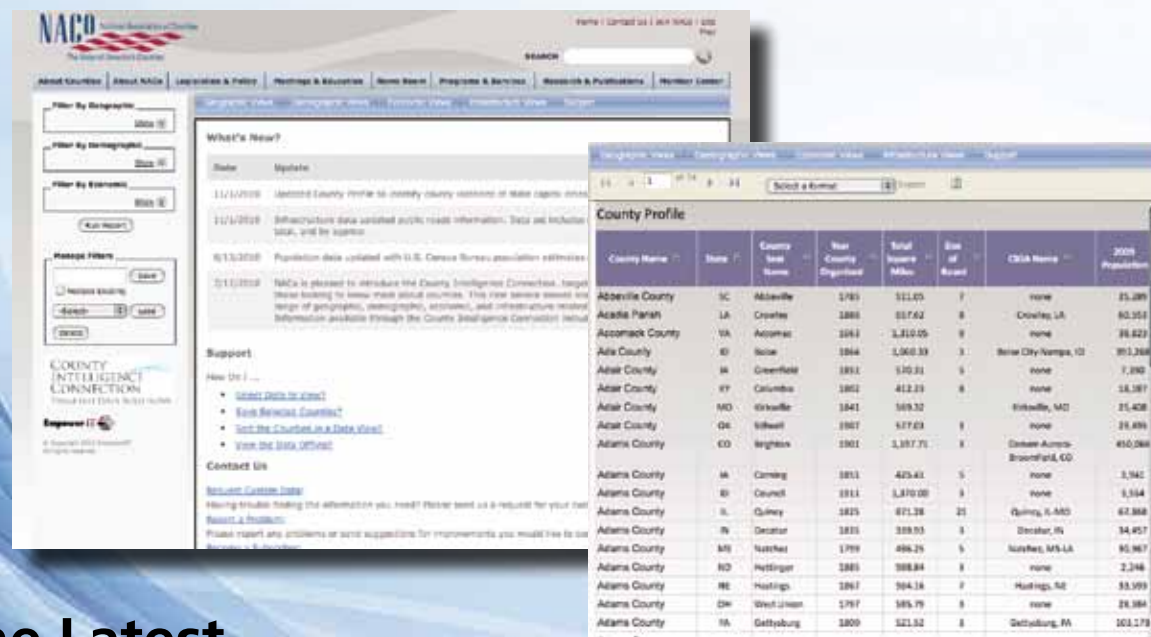
The leadership and composition of the House Committee on House Administration, under which the Subcommittee on Elections resides, will certainly change as the

See MIDTERMS page 13



# COUNTY INTELLIGENCE CONNECTION

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\*Subscriptions are available for non-members.



## Research News

# New Census Data Distribution Soon Underway

The Census Bureau is currently finalizing the data on the reapportionment of the 435 seats in the House of Representatives. The delivery of this data to the president of the United States is required by law (P.L. 9471) and due by Dec. 21, 2010.

Based on estimates of the new 2010 Census data, the following states will gain or lose seats:

Mass. -1	Utah +1
N.Y. -1	Texas +4
Ill. -1	S.C. +1
Mich. -1	Ga. +1
N.J. -1	Ariz. +1
Penn. -1	Nev. +1
Iowa -1	Wash. +1
La. -1	

The data presented to the president will be distributed starting in February 2011 to designated state reapportionment representatives who have been participating in training programs and outreach with the redistricting offices at the Census Bureau for nearly three years. The offices have also collected the home district and capital district addresses

for all of these official recipients, to ensure speedy and accurate delivery.

All states will receive redistricting data files no later than March 31, 2011. P.L. 94-171 data files will also include County Block Maps, Census Tract Reference Maps and School District Reference Maps.

The Census Bureau, as part of each decennial census, conducts a group-quarters census. This special part of the census counts people residing in jails, prisons, college dorms, homeless shelters, nursing homes and other places where numerous people may be housed in a single facility.

In the past, the data from this group-quarters census has been released too late for many states and counties to use in their redistricting and reapportionment. This time, the data will be released in May 2011, giving the states that choose to use it sufficient time to include these counts in their redistricting deliberations.

One of the major drivers of this early release of group-quarters data is the desire by some units of government to reallocate the number of prisoners who were in state prisons

on Census Day.

Historically, smaller rural communities have sought state prisons as a means of promoting economic development and employment in their small counties. However, some believe that counting these prisoners as residents of those counties may distort the actual population counts since many of them came from and in all likelihood might return to, the major urban areas of the state.

Three states, Maryland, New York and Delaware, have passed state statutes which require that prisoners be backed out of the count for the county where the prison is located and, by the use of administrative records maintained by the state, be allocated back to the counties they called home prior to incarceration.

In the past, several states had already put this reallocation in practice at the state level during redistricting or for use in making state funding decisions.

Proponents of reallocating prisoners point to counties like Somerset County, Md. where 64 percent of the population of the county is incarcerated in a state prison and similar situ-

ations, though not as extreme, exist in counties in New York, Texas and Montana. Other states considering similar legislation to accomplish a reallocation of prisoners are Florida, Illinois, Minnesota, Oregon and Wisconsin. Advocates of this reallocation point out that it is likely that the census will show that the number of people incarcerated will be five times the number counted in the 2000 Census.

In addition, demographic data from the 2010 Census and the American Community Survey will be available in early 2012, with the intent of helping counties subject to Section 203 of the Voting Rights Act to make decisions about how they will provide mandated language assistance at the polls. Working with the Department of Justice, the Redistricting Data Office plans to schedule the timing of this data release so that the data can support the 2012 elections.

Most states have established laws that on a specific date each of the following activities must occur. The first is the appointment of members to the reapportionment committee or

designated commission. The second is the adoption of a new redistricting plan by a two-thirds vote of each house of the State Legislature and a method to follow if this adoption is not completed. Upon adoption of the redistricting plan, it is submitted to a state official, usually the secretary of state, where it is published and becomes law.

In addition to being used for the reapportionment of the U.S. House of Representatives and for congressional and legislative redistricting at the state level, census data is also used by county and city governments to redraw the boundaries of local political subdivisions and voting divisions.

Also important to local governments, the data from the 2010 census will be used to allocate more than \$400 billion in federal funds each year.

For additional information about the use of 2010 Census data for reapportionment and redistricting, go to [www.census.gov/rdo/pdf/StrengthInNumbers2010.pdf](http://www.census.gov/rdo/pdf/StrengthInNumbers2010.pdf).

*(Research news was written by Jacqueline Byers, director of research and outreach.)*

## Net neutrality could be shelved by 112th Congress

**MIDTERMS** from page 11

presumptive Speaker John Boehner is expected to put a strong ally at the helm. The current top-ranking Republican, Rep. Dan Lungren (Calif.), challenged Boehner for party leader in 2008, a move that may decrease his chances to take the gavel. Whether elevated to chair or not, Lungren has already pledged to aggressively tackle election issues and be more active in protecting electoral integrity in the new Congress.

### Telecommunications and Technology

At press time, it was unclear which members of Congress would take over the chairmanships of the Energy and Commerce Committee and the Communications, Technology and the Internet Subcommittee. While Rep. Joe Barton (R-Texas) is currently the ranking member of the committee, there are rumblings that Rep. Fred Upton (R-Mich.) may be in the running for chair. As for the subcommittee, the current ranking member is Rep. Cliff Sterns (R-Fla.), but rumors suggest Rep.

Greg Walden (R-Ore.) may end up with the chair. He is a former radio station owner.

As for the issues, network neutrality is likely to be shelved for the time being, and Universal Service Fund revisions may take a different tack. There are likely to be more oversight hearings of the FCC's actions and plans, including the attempt to reclassify broadband as a telecommunications service under Title II of the Communications Act.

### Transportation

The big electoral news was the defeat of Rep. James Oberstar (D-Minn.), chairman of the House Transportation and Infrastructure Committee, considered one of the "old bulls," having served 30-plus years in the House, as a member, and on the staff of the Transportation and Infrastructure Committee before being elected. The new Republican chairman will be Rep. John Mica (R-Fla.). Mica is currently the senior Republican on the committee and has worked reasonably well with the Democrats.

Mica's top priority is likely to be the reauthorization of the

highway and transit programs, which expired in 2009 and have gone through a series of short-term extensions. The two parts to this legislation are funding and policy. Mica has been clear that he opposes an increase in the federal gas tax. However, he is open to other options for raising revenue and is also a supporter of public-private partnerships, bonding and would like to see the project-approval process speeded up.

In terms of policy, Mica generally supported the Oberstar reauthorization bill but will no doubt craft his own proposal that will include additional reforms.

The other legislation likely to be addressed is the reauthorization of the airport and aviation bill, unless it completed in the lame-duck session. This bill is on its 16th extension, and there is no indication of how it will fare during the lame-duck.

The current House bill is bipartisan, and Mica is likely to use much of it as a starting point for his proposal though some of the labor provisions are probably going to be dropped. Aside from the change in leadership, the committee will

have a new look since 16 members lost their elections, including 15 Democrats, most of whom were first elected in 2006 and 2008. The senior Democrat on the committee is likely to be Rep. Nick Rahall (D-W.Va.)

The changes are fewer in the Senate. However, with more Republican members, the dynamics change for getting transportation legislation passed by committees and passed on the Senate floor. It seems that any transportation bill proposed with more spending or more revenue increases, for instance an increase in the gas tax, will face serious challenges.

Sen. Barbara Boxer (D-Calif.), chairman of the Environment and Public Works Committee, won her re-election and is likely to introduce her highway program reauthorization fairly early in the 112th Congress. On transportation issues, she works fairly well with Sen. James Inhofe (R-Okla.), the senior Republican on the committee.

The Banking Committee, which has jurisdiction over the transit program, will be chaired by Sen. Tim Johnson (D-S.D.), replacing the retired Sen. Chris Dodd (D-Conn.). Sen. Richard Shelby



(R-Ala.) is likely to remain the senior Republican. While neither South Dakota nor Alabama are major transit states, there are some major transit states represented on the committee and a proposal is expected in early 2010.

The Senate Commerce Committee, which works on aviation, safety and rail legislation, will continue to be chaired by Sen. John Rockefeller (D-W.Va.) and senior Republican Sen. Kay Bailey Hutchison (R-Texas). If Congress fails to pass the airport and aviation bill in the lame-duck session, that will be a top priority in the 112th Congress.

Even with a large Democratic majority, it took a long time in the last two congresses for the Commerce Committee to pass a bill, so it is difficult to predict the future of the airport and aviation legislation. On the rail issues, it is likely to be more challenging to pass any reform bill in the near term.





## News From the Nation's Counties

### ► ARIZONA

The **MARICOPA COUNTY** Board of Supervisors has voted to delegate responsibility for judging **code-violation appeals** to a panel of appointees.

The appointed Board of Adjustment will be the final arbiter when a property owner disputes the finding of a county code-enforcement officer. A new state law authorized Maricopa County to change procedures.

Code-enforcement officers issue about 1,200 violations a year, Assistant County Manager Joy Rich said. On average, owners contest about 20 cases a month to a hearing officer. Elected supervisors have typically heard two or three appeals a month, their staff told the *Arizona Republic*.

### ► CALIFORNIA

• An **ALAMEDA COUNTY** supervisor has proposed a **campaign finance reform** ordinance that would limit to \$20,000 the amount a candidate can receive from a person or political committee per election.

The board has approved the ordinance once, and will read it again after Thanksgiving, the *Oakland Tribune* reported.

The ordinance also forbids candidates from setting up more than one campaign committee for a county election, and also outlines punishment for giving or accepting illegal contributions — including forfeiting the right to run for a county office for four years.

• **LOS ANGELES COUNTY's** Board of Supervisors will hold its meetings in **different parts of the county**.

The board currently holds its weekly meeting in downtown Los Angeles at the Hall of the Administration, but will now be able to travel the 4,000-square-mile county beginning Jan. 1, according to the *Los Angeles Times*.

For nearly two years, the county has worked to amend the county code, which previously mandated that regular Board of Supervisors meetings be held only at the county seat in the city of Los Angeles. State lawmakers also approved the measure earlier this year.

• County supervisors are to **set policy**, not implement it, according to county code changes approved by the **SAN BERNARDINO COUNTY** Board of Supervisors.

The changes, which modify a seven-page county ordinance, won't significantly impact the way county government functions, but they serve to improve accountability and

explain the different job scopes of elected officials and management, county spokesman David Wert told the *Daily Press*.

One of the key changes specifies that county supervisors cannot make direct demands on department heads or staff members.

### ► FLORIDA

**LEON COUNTY** commissioners will explore the possibility of creating an **advisory board for utility issues**. The county's charter committee considered but ultimately rejected sponsoring a ballot initiative earlier this year that would have created a citizens' advisory board to provide input on such things as Tallahassee utility rate increases.

The committee voted down the measure after city officials said it was reactivating a city advisory board of citizens, *Tallahassee.com* reported.

### ► GEORGIA

**DOUGHERTY COUNTY** commissioners want to move 200 inmates from full-time jail to **day — reporting only** to ease the cost of keeping nearly 1,000 people locked up.

Sheriff's officials hope that they could reduce the jail's population, by having them report to day centers, where they would spend most of the day and be checked for drug usage.

Right now, it costs the county \$47 a day to house an inmate in the jail, and the estimated cost for the reporting center would be about \$7 per day, WALB News reported.

### ► INDIANA

Bars, bingo halls and private clubs are the exceptions to a **countywide smoking ban** recently approved by **HENRY COUNTY** commissioners.

The ban goes into effect Jan. 11, 2011. Commission President Kim Cronk told Fox59 the ordinance passed with little to no reaction from those who attended the meeting.

### ► KANSAS

**SHAWNEE COUNTY** Recycling, Keep America Beautiful of Topeka and Shawnee County, and the Topeka Zoo kicked off a new program through which citizens can save aluminum cans to **help earn money for the zoo**.

Return of Operation Noah's Ark is an ongoing program, and a recycling bin will remain in the parking lot to continue collecting aluminum cans to benefit the zoo.

An earlier fundraising effort — Operation Noah's Ark — helped the zoo purchase 17 new animals, the *Topeka Capital-Journal* reported.

Funds from the project will go into an account that will help take care of the infrastructure of the zoo.

### ► NEW YORK

**ONEIDA COUNTY** is offering **free lead prevention training** to two veterans who served in Iraq or Afghanistan. The slots are reserved for returning vets seeking employment in construction.

The county Health Department, through its Lead Primary Prevention Program, is working to increase the pool of certified renovators capable of working on older buildings and facilities in a "lead-safe" manner.

Under EPA regulations that went into effect in April, contractors and renovators working on pre-1978-built housing must receive training and be certified in lead-safe work practices.

"Providing the opportunity for two veterans to be trained in lead-safe work practices at no cost to them is the least we can do to honor their service," County Executive Anthony J. Picente Jr. said.

### ► OREGON

• An ordinance recently approved by **CLARK COUNTY** commissioners establishes rules for the county's growing **winery industry**. It allows wineries to hold events and tastings, and sell products on-site, *OregonLive.com* reported.

Some winery neighbors complained the ordinance doesn't go far enough in addressing noise and traffic concerns. Commissioner Steve Stuart said the board would revisit the issue to see if the ordinance is accomplishing its goals.

"This is a start," he said. "We have gone through several iterations, and obviously this is something we will have to refine to get it right."

• Changes are needed in **LANE COUNTY's** social host ordinance, according to the county Sheriff's Office, to deal with one particular type of party — **raves**.

Under the county's current social host law, those hosting parties that turn disruptive can be fined \$250 to \$1,000 for the first three offenses, the KEZI TV reported.

But sheriff's officials say that's not enough, because rave hosts make a profit off their young adult and minor patrons. The Sheriff's Office would like a minimum fine of \$5,000, and one county commissioner has suggested it be at least \$20,000.

"We'd like to make this severe for those people holding significantly large events that put a lot of young people in peril," said Byron Trapp,

Lane County Sheriff's Office. If approved, the revised ordinance would apply only outside the Eugene city limits.

### ► PENNSYLVANIA

It will cost \$31 million in startup and related costs to upgrade **BERKS COUNTY's emergency radio system**. The county plans to pay for the system by borrowing through a bond issue, the *Reading Eagle* reported.

Upgrading to a "narrow banding" system is required by the Federal Communications Commission by the end of this year.

Forty police departments, 70 fire companies, 20 emergency management services and 10 county departments would be served by the system.

### ► TENNESSEE

David A. Kirk, **MARION COUNTY's** mayor, has died after two months in office from complications from a recent horseback-riding

accident, the *Chattanooga Times Free Press* reported. Elected mayor in August, **Kirk was 63**.

"He was a fine man, a good, hard-working man," County Attorney Billy Gouger told the newspaper. "He had only been in office two months, but he had made very positive strides in the county. Everybody was encouraged by what he was able to do in those two months."

Prior to his election, Kirk had been county trustee since 1994. Gene Hargis, chairman of the County Commission, will become the interim county mayor until the vacancy is filled, Gouger said.

### ► TEXAS

**HARRIS COUNTY** has sought its first **civil injunction to fight gangs**. The county recently filed a public nuisance lawsuit against 33 gang members, the *Houston Chronicle* reported.

See NEWS FROM page 15

# What's in a Seal?

» **Sampson County, N.C.**  
[www.sampsonnc.com](http://www.sampsonnc.com)



Sampson County was established in April 1784 by the North Carolina General Assembly from an area of neighboring Duplin County. Early settlers were Scotch-Irish immigrants from north Ireland, many of whom came to the colony under the protection and inducements of Henry McCulloch, a wealthy London merchant.

One of the many Scotch-Irish drawn to the county in search of rich farmland and flowing rivers was John Sampson, Duplin County's first register of deeds. He served as a lieutenant colonel, and then a lieutenant general in the county's militia and was later the first mayor of Wilmington, N.C.

Emigrating with Sampson was his 15-year-old stepson, Richard Clinton. Like his stepfather, Clinton soon distinguished himself in governmental and military service, serving as Duplin County's register of deeds for 10 years, then in the Provincial Congress held at Hillsboro.

In 1776, Clinton organized a company of militia minutemen from upper Duplin and led them as captain in the defense of Wilmington against the British. He was later appointed colonel of cavalry and brigadier general of the Fayetteville District. Upon the establishment of the state government of North Carolina by the Halifax Constitution of 1776, Clinton secured the creation of a new county and proposed that it be named "Sampson" in honor of his stepfather and benefactor.

The seal lists the county name, date it was established and has three sections: manufacturing, pork and agriculture. These three things work together to help sustain the county.

(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).)



# The H.R. Doctor Is In

## A Matter of Perspective

The Renaissance was the historical time of change and emergence from what is generally called the Dark Ages. This medieval time featured a tremendous fear of change and little tolerance for any viewpoints challenging the Church or sovereign-sanctioned beliefs.

It was a time of relative fear to innovate or to explore new ideas, lest the innovation be labeled heresy. As Galileo found out, the result could also mean a loss of your defined benefit pension, not to mention your life.

That perspective changed during the period we have come to call the Renaissance. This is perhaps best exemplified in the graphic arts. Paintings began to show three-dimensional views rather than the flat two-dimensional outlook. The act of imagining became less threatening for creative people like Galileo.

We look back, for example, at the 400-year history of the telescope—a truly revolutionary instrument, not only in science, but in philosophy. The spyglass was used to view the enemy's approaching army, if not

also the neighbor's castle window. The simple but revolutionary act of turning the instrument up to the heavens set in motion the thinking, the imagining and the challenges to the established view of the earth as the center of everything.

**Process is very important, especially in a country that is home to 25 percent of the world's lawyers.**

From the loftier vantage point of looking at the history of half a millennium, there is a more familiar change in perspective. As every parent knows, the older the children get, the smarter mom and dad appear to have been. The close bonds with younger children give way to the time of challenging, questioning, disobedience—all of which are screamed out at higher decibel levels than in the past. In most cases, the kids who went from close and

loving to revolting and challenging, migrate back to become the parents' best friends. In a great many cases, the return migration is not only a philosophic and emotional one, but may be a physical return of the kids to their parents' house, asking if their old room might still be available. Increasingly the migration is also inverted. The parents may come to live in a spare room at the kid's house.

Change in perspective is an inevitable outcome of growth and development. It is to be cherished and looked forward to. However, it crashes into some of the most hallowed defining characteristics of a bureaucracy. A bureaucracy is built upon bricks laid carefully to create walls. The walls include defined job classifications, with the corollary being not to ask someone to work outside of their job classification.

Other key cornerstone bricks are rules, regulations, laws, restrictions, constraints and process—not to mention auditors and regulators. Process is often a defensive refuge against the worries and perceived threats represented by change.

Process is very important, especially in a country that is home to 25 percent of the world's lawyers.

However, process carried to excess drives away talent, stifles creativity and leads to a critical additional problem. An overdose of process leads us to forget what our goal was in the first place. It leads to frustration and makes us wonder why we ever chose a particular career. We mutter phrases such as "I didn't take this job to be mired in the quicksand of paperwork, delay and multiple layers of reviewers created by the organization."

For most workers there is often little capability for them to push through the constraints of process to create true innovation. I don't mean innovation in the "nano-sense" of winning a suggestion award for bravely suggesting that the number of copies of a form be reduced from 13 to 12. Rather, I mean true, make-a-difference, long-lasting improvement. For the few of us, however, who were fortunate, blessed, or otherwise given or created for ourselves the opportunity to be in command of process change, the result can be great fun and highly rewarding.

None of the raging and often uncivil shouting, strikes and service abandonment going on in Europe and Africa by workers in govern-

ment focuses on how they can serve the public better or how they can change things for the common good. Rather, it all seems to be about an entitlement view of how they can extract more, or prevent reform by the employer. In France, Greece, Spain, and the United Kingdom the debate will go on for more years about how to reduce pension costs and whether raising the retirement age will be tolerated.

The longer you serve in your career the more your perspective changes as you gain more experience about what is happening in the world and in your neighborhood, especially in tough economic times. The more senior experience should include more gratitude for all you have and a greater respect for the need to make things better for others.

In 40 years as a chief labor negotiator, the HR Doctor has rarely heard a committed concern for long-term reform. The perspective continues to be "more for me" as well as challenging the veracity of the budget, elected or appointed officials or even employees in other bargaining units. It is absolutely true that there are occasional forays into accepting no- or lower-wage increases for a year or two than were demanded initially by bargaining unit representatives. However, when times get better, or at least less miserable, the entitlement mentality goes back up like high blood pressure.

It's possible one of the few positive outcomes of the economic problems facing the world will be a move toward a perspective change similar to what history taught us about the Renaissance. That change in perspective can move us out of the Dark Ages of excessive entitlement and "me and more" toward the brilliant concepts around which the country was founded, namely, a sense of shared vision and commitment to looking after one another as well as oneself.

Perhaps this message will never be heard amid the shouting and recriminations that have replaced civic debate in Congress and state legislatures. Perhaps the perspectives of the people we send to Congress and state capitols will be tempered by a clearer understanding of how essential it will increasingly be to realize the quiet eloquence of civility.

## Word Search

### Top Agricultural Counties

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

ACCOMACK (Va.)  
AUGUSTA (Va.)  
FAYETTE (Ky.)  
FRESNO (Calif.)  
GRAVES (Ky.)  
KERN (Calif.)  
MARION (Ore.)

MERCED (Calif.)  
MONTEREY (Calif.)  
MORROW (Ore.)  
PAGE (Va.)  
ROCKINGHAM (Va.)  
SAN DIEGO (Calif.)  
SAN JOAQUIN

(Calif.)  
STANISLAUS (Calif.)  
TULARE (Calif.)  
UMATILLA (Ore.)  
WELD (Colo.)  
WOODFORD (Ky.)  
YAKIMA (Wash.)

Source: www.census.org • Created by: Christopher Johnson

## County gives away parks to cities along with upkeep

NEWS FROM *from page 14*

The action would prohibit the gang members from entering or lingering in a 57-acre "safety zone" around a 700-unit apartment complex known for gang activity.

Under the injunction, if successful, the accused gang members would not be allowed to display gang colors or possess weapons or graffiti-marking items.

Similar lawsuits elsewhere in Texas and across the country have been upheld as constitutional.

### ►UTAH

In a money-saving move, **SALT LAKE COUNTY** is giving away its nine smallest parks to the cities in which they're located. The county is following the 2009 recommenda-

tion of a Colorado-based parks and recreation consultant. Estimated savings for the county will be about \$42,500 a year, according to *The Salt Lake Tribune*.

The county decided to turn over upkeep and ownership of these neighborhood parks that were once in unincorporated Salt Lake County, before cities grew up around them. Upkeep costs will fall to the new owners. "It is not a Christmas present," said Wayne Johnson, the county's park operations manager. "These parks don't stay green for free."

(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 e-mail [ctaylor@naco.org](mailto:ctaylor@naco.org) or [cban@naco.org](mailto:cban@naco.org).)

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*Phil Rosenberg*

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## Financial Services News

# Workforce Reductions and Employee Retirement Concerns

Budget pressures are forcing counties to turn to various cost-cutting measures that may include offering financial incentive programs to encourage early retirement. Though these incentives can reduce payroll and ultimately lead to budget savings for the counties, they may also create potential tax consequences for the employees who accept the incentives.

DeKalb County, Ga., one of the state's largest counties and

a suburb of Atlanta, had an employee base of about 7,500. As a result of the economic downturn beginning in 2008, the county projected deficits approaching \$100 million. To help it maintain its balanced budget, the county determined that it had to reduce the size of its workforce. Rather than lay off people, the county decided to offer early retirement to 1,300 potential retirees.

Prior to their last day, the

eligible retirees were offered one of three choices:

- receive the pension due to them at that time
- receive a 10 percent lump sum payment with the monthly pension benefit reduced, or
- receive a 25 percent lump sum payment with the monthly pension benefit reduced.

Also, if the employees wanted to delay the tax consequences, they could choose to directly roll any lump sum distribution, along with any unused vacation or sick pay, on a pre-tax basis, into their DeKalb County 457(b) deferred compensation plan account.

Once this plan was approved by the DeKalb County Board of Commissioners, the county staff worked closely with Nationwide Retirement Solutions, the administrator of their NACo deferred compensation program, to facilitate the retirement process. Working together, the county and Nationwide developed a strategy that included education and a consistent message to the employees of the benefits of saving for retirement and the tax implications of their decisions.

The eligible employees received specially designed materials that walked them through the various steps they would have to take with the pension department, the deferred compensation program and payroll.

The county mailed personalized fliers to encourage employees to set up a face-to-face appointment with a Nationwide retirement specialist. In addition, the county e-mailed messages to encourage not only participation in one of the retirement-education workshops but also to direct employees to the DeKalb County 457 Plan's personalized website, where employees could easily find and download the forms they would need throughout the process.

Nationwide representatives met with more than 600 of the 800-plus employees who chose to accept the early retirement package, explained their options and the consequences of their decisions and helped them understand their transition into retirement.

The early retirement package cost the county approximately \$43 million. The average yearly payroll savings to the county is approximately \$54.7 million. Other interesting statistics about the program in DeKalb County include:

- 317 employees accepted the pension due them at that time
- 240 employees took a 10 percent lump sum payment with the monthly pension benefit reduced
- 284 employees took a 25 percent lump sum payment with the monthly pension benefit reduced
- the average years of service of those that elected the early retirement window is 21.25
- the average payment in lieu of annual leave is \$14,900, and
- the average monthly annuity payment is \$2,450.

"This worked out well for our employees," said Burrell Ellis, DeKalb County chief executive officer. "In order to meet our budget needs and to avoid layoffs, the early-out pension offer was a logical alternative."

"It was also important that we make sure that the employees understood the options and the financial impact on them personally. I am delighted that the joint effort between the county and Nationwide assisted the employ-

ees' decision-making process and helped them start their retirement on the right foot financially."

DeKalb County's experience is an example of how a county can work to meet budget constraints while at the same time helping their employees in their retirement.

For more information on how your county can work with your Nationwide representatives to help your employees learn about retirement savings options, contact your representative or Louie Watson, vice president, strategic relationships at Nationwide Retirement Solutions, at 614.854.8895 or [watsonl2@nationwide.com](mailto:watsonl2@nationwide.com).

For more information on the NACo Deferred Compensation Program, contact Lisa Cole, director, NACo Financial Services Corporation, at 202.942.4270 or [lc@naco.org](mailto:lc@naco.org).

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

## NACo on the Move

### » NACo Officers and Elected Officials

• **Glen Whitley**, NACo president, spoke on what NACo can offer counties through membership and the latest on NACo and Congress at the Missouri Association of Counties Annual Conference in Camden County Nov. 21-23.



*Photo courtesy of Siemens*

• **Whitley** also participated in a panel discussion with Siemens AG's managing board on metropolitan area issues Nov. 15 in Washington, D.C. Also on the panel were representatives from the National League of Cities, U.S. Conference of Mayors and the Metro Atlanta Chamber.

### » NACo Staff

**Jacqueline Byers**, director of research and outreach, conducted a forum on civility at the Nevada Association of Counties Annual Meeting in Washoe County (Reno) Nov. 19.

**Carrie Clingan**, community services senior associate, gave a presentation on NACo's participation in The Digital Coast at the Restore America's Estuaries national conference in Galveston County, Texas Nov. 15.

### » Coming Up

**Andrew Goldschmidt**, director of membership marketing, will be exhibiting on behalf of NACo membership recruitment and retention at the Nebraska Association of County Officials in Lancaster County, Dec. 8-10.

**Ilene Manster**, membership coordinator, will be exhibiting on behalf of NACo membership recruitment and retention at the County Commissioners Association of Ohio's Annual Conference in Franklin County Dec. 5-8.

*On the Move is compiled by Christopher Johnson.*

## Job Market / Classifieds

### ► COUNTY ADMINISTRATOR – MCLEAN COUNTY, ILL.

*Salary:* DOQ.

McLean County, Ill. (168,000) Agricultural heartland between Chicago and St. Louis. Largest Illinois county by area; 14th most populous. Excellent K-12, community college, several universities.

Headquarters for State Farm Insurance, Country Financial, Mitsubishi Motors, two large hospitals, Beer Nuts, Steak n Shake and Biaggi's. Numerous cultural, sports and recreational venues; excellent shopping and dining. Three interstate highway systems, busy regional airport and Amtrak station. Listed among 100 Best Places to Live in America, No. 20 on the Best Small Places for Business and Careers, on the list of America's Smartest Cities and recognized as one of the Best Small College Towns.

The County Administrator reports to a 20 member County Board elected to staggered four-year terms. The Board conducts its business through five standing committees. Over 800 employees.

\$76 million operating budget. Aa1 bond rating; GFOA Certificate of Excellence 21 consecutive years. Eight County-wide elected officials; 16 other departments. Three County Administrators since position was created in 1977. Employment Agreement. Four-year degree, MPA preferred. Minimum five (5) year's high level management experience at department head or organization-wide level. Familiarity with county government structure and laws, or similar system with independent elected officials. Base salary to the low \$140s, depending upon qualifications and experience of the selected candidate. Comprehensive benefit package. Reasonable relocation assistance.

Submit resume, at least three professional references and salary history before Jan. 31, 2011 to: County Administrator Search Committee, P.O. Box 2400, Bloomington, IL 61701. Finalist selection in March, May start date to be negotiated. EOE/AA. Go to [www.mcleancountyil.gov](http://www.mcleancountyil.gov) for more details.



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