

Courthouse Journal

W W W . W A C O U N T I E S . O R G

Washington State Association of Counties
Washington Association of County Officials

September 21, 2001
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WSAC Eastern District Meeting - September 27 & 28

WACO Annual Conference - October 1-5

WSAC Western District Meeting - October 11 & 12

Wednesday evening, October 10, the Pacific County Commissioners have arranged for transportation to the Lewis & Clark Interpretive Center for a Welcome Reception. All registrants, guests, and Legislative Steering Committee, Board of Directors meeting attendees are invited to attend!

Counties Sue State Over Judges' Benefits

After unsuccessfully seeking legislative redress and withholding payments that they believe to be illegally assessed, nine counties have filed suit against the state over who should pay employee benefits for Superior Court judges. A 1995 state budget proviso shifted half this cost to counties following a long tradition of full coverage by the state.

Since then, counties have repeatedly attempted to convince the Legislature that the cost shift was unconstitutional and procedurally flawed. In protest, a number of counties also refused to pay the invoices sent by the state Of-

fice of the Administrator for the Courts (OAC), which ended up absorbing the benefit costs in its own agency budget. Over the years the holdout counties dwindled to only nine.

The six-year standoff heated up again earlier this year when the Legislature voted to withhold Initiative 695 backfill money from counties that were not paying fifty-percent of the benefits for their Superior Court judges. Legislators "took it upon themselves to black-mail the counties who were not paying,"

Thurston County Commissioner Diane Ober-

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State Revises Revenue Forecast - Then Boeing Drops Shoe

The State Economic and Revenue Forecast Council met to revise state revenue forecasts in the midst of great uncertainty on September 18. The new forecast reduced the 2001-03 forecast by \$77 million.

Each time the council adopts a new forecast it also adopts optimistic and pessimistic alternatives. In this case the optimistic forecast would yield an additional \$549 million while the pessimistic forecast would reduce revenues by \$893 million.

Just hours after the Council voted, Boeing announced that it would reduce its commercial airplane workforce by twenty to thirty percent. Boeing noted that this cut back would also take place in the hundreds of firms that supply and

support Boeing. This could mean job losses in the Puget Sound area totaling 20,000 to 30,000 jobs in coming months. While the state revenue forecast anticipated some reductions at Boeing, they were not of this magnitude.

What this means for counties that the upcoming session is likely to be a defensive struggle. Legislators may be facing a forecast much closer to the pessimistic scenario. The good news is that the state does have reserves of about \$500 million in the emergency reserve.

The bad news is that by the time the Legislature completes its budget deliberations, it will have almost no ability to reduce expenditures in major programs for Fiscal Year 2002.

Counties Sue State Over Judges' Benefits

(Continued from page 1)

quell told the Olympian newspaper.

Joining Thurston County in the lawsuit are Benton, Franklin, Pend Oreille, Stevens, Ferry, Mason, Klickitat and Okanogan counties. These counties are now paying the assessed fifty-percent of judges' benefits, but under protest pending the outcome of the lawsuit. Failure to pay the benefits would mean forfeiting a significantly disproportionate amount of unrelated funds that were appropriated by the Legislature to partially offset car tab tax losses.

Since Washington became a state, Superior Court judges' salaries have been

paid one-half by the state and one-half by the counties they work for, as provided in the state Constitution. The 19th century state Constitution, however, does not make any mention of benefits, which are creatures of 20th century statutes. As employer-provided insurance and retirement benefits evolved, the state paid for 100 percent of the standard benefit package for judges. The state continued to cover these benefits until 1995.

When the 1995 state budget shifted the benefit costs, this change was not supported by substantive amendments to state law. The counties' lawsuit argues that a substantive amendment was necessary to overcome the precedent the state

had set by paying for benefits in the past.

The lawsuit was filed in Thurston County Superior Court September 17, but because the subject matter arguably creates a conflict for any currently sitting Superior Court judge a pro tem judge might be brought in to hear the case. A Superior Court decision could be appealed to the state Supreme Court, or the matter could be settled in arbitration.

To obtain a copy of the "Complaint for Declaratory and Injunctive Relief," contact WSAC staff Sophia Byrd at sbyrd@wacounties.org or 360-753-1886 or the Thurston County Prosecuting Attorney's Office at 360-754-2986.

WACO Annual Conference News

Plans for the 43rd Annual Conference of the Washington Association of County Officials (WACO) have been finalized, and we are ready for one of the best and most creative conferences you have attended in quite some time! October 1 through 5 are the meeting dates at the spectacular Port Ludlow Resort, in Port Ludlow, and it will be a chance for many of our members to see this part of the state for the first time.

As everyone is aware, accommodations at the Resort have been full for a month or more, but we have been advising members of alternate locations where reservations are still available, in both Port Hadlock (9 miles away) and Port Townsend (18 miles away). You can't lose if you're staying in any of the locations - Jefferson County is absolutely beautiful and you'll enjoy the short drive. If you still need help with arrangements, please call our office and we will do our best to accommodate you.

On Friday, we will be mailing the final agenda for the conference to all of the WACO members. Please note any additions or changes that may involve affiliate meetings, e.g., the County Clerks will be holding a Legislative meeting on Monday, October 1, from 3:00 to 5:00 p.m., and County Assessors have moved their Monday committee meeting schedule to Thursday morning, October 4. The "Headaches and Heartburn" training still has openings for all county officials, department heads and employees on Tuesday, October 3, so it is not too late to sign up for an excellent overview of the family and medical leave act, workplace harassment, labor law, contracts, and public disclosure/

public records sessions. Those attending will be receiving credit towards the new Certified Public Official (CPO) program.

For those traveling to Port Ludlow on Monday, if you can make it by noon, you may want to join in the pre-conference golf tournament at the Chevy Chase golf course. Please call Judi Morris, Jefferson County Treasurer at (360) 385-9154 if you are interested.

In this sad time of national mourning over the terrorist attacks that occurred in our beloved country last week, we will be including a memorial during the opening general session of our conference, Wednesday, October 3, for the victims and loved ones of this tragedy, as well as a showing of admiration and support to the brave and heroic rescue workers and other individuals, who continue in their efforts to assist them, sometimes at great personal risk.

We'll see you in Port Townsend!

2001 - 2002 Slate of Candidates for WACO Board of Trustees

The following slate of candidates will be presented at the WACO Annual Conference to the WACO membership:

President: Barbara Cory, Whatcom County Treasurer

President - Elect: Greg Zempel, Kittitas County Prosecuting Attorney

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The Courthouse Journal

The *Courthouse Journal* is published weekly by the Washington Association of County Officials (WACO) and the Washington State Association of Counties (WSAC).

We welcome your suggestions and contributions. The weekly deadline is noon Thursday.

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Sally Harrington, *Business and Investment Manager*
Kim Zydek, *Administrative Secretary*
Ginni Peppert, *Secretary*

2001 – 2002 Slate of Candidates for WACO Board of Trustees

(Continued from page 2)

Vice President: Mary Dodge,
Douglas County Treasurer

Secretary-Treasurer: Tom
Fallquist, Spokane County Clerk

Position 1: Bob Terwilliger, Sno-
homish County Auditor

Position 3: Dean Takko, Cowlitz

County Assessor; Kenneth Kunes, Grant
County Clerk

Position 5: Joyce Denison, Lincoln
County Clerk

On Wednesday morning, October 3,
the Nominating Committee will intro-
duce the candidates. Candidates in con-
tested positions will have an opportunity
to address the membership at lunch on
Wednesday.

Additional candidates who would

like their names submitted may be nomi-
nated from the floor at the conference.

The polls will be open from 1:30 p.m.
until 4:00 p.m. on Wednesday and from
9:00 a.m. until 12:30 p.m. on Thursday.
The WACO Bylaws do not permit vot-
ing by proxy.

The votes will be tallied by the
Nominating Committee following lunch
on Thursday. The new WACO Board of
Trustees will be announced and installed
at the banquet on Thursday evening.

Primary Election Results

The following are the unofficial re-
sults from the September 18 pri-
mary election. County Auditors' offices
will not certify the election until Sep-
tember 28, and there are still many ab-
sentee ballots to be counted. In a parti-
san primary election where two or more
candidates from the same political party
appeared on the ballot, only the person
who receives the most votes will move
onto the November ballot. In a nonparti-
san race the two top vote getters will
appear on the November ballot.

Klickitat County Assessor H.J.
"Van" Vandenburg (R) currently has a
62 vote lead over his opponent who is
also a Republican. Incumbent Pierce
County Prosecuting Attorney, Gerald
Horne (D) will have his name appear on
the November ballot. Horne has at this
time a 16,000 vote lead over his Democ-
ratic opponent. Yakima County Sheriff
Ken Irwin, Republican, handily beat his
opponent who is also a Republican, and
will have his name placed on the No-
vember ballot. Yakima County Auditor
Corky Mattingly, a Democrat, will run
against Republican Howard DeWitt, al-
though, Dewitt is currently just 170
votes ahead of Jim Ducharme, also a
Republican.

It looks as though Adams County
Assessor Dave Anderson (R) and Grays
Harbor County Assessor Darrell Haglund
(D) may have both lost their bids to ap-
pear on the general election ballot.

In King County, Councilmember
Les Thomas lost to State Senator Pam
Roach in the Republican Primary. Ef-
forts to select a party nominee through a
nominating convention failed. Senator
Roach's Democratic opponent will be
State Senator Julia Patterson. Council-
man Thomas was appointed to replace
Chris Vance when he was elected as
Chair of the State Republican Party. All

other incumbent WSAC members won
their primaries or were unopposed in the
primary. We also want to note that
WSAC members did well in two highly
contested mayoral races. Greg Nickels
will be facing Mark Sidran in the Seattle
Mayor's race and Harold Moss will be
facing Bill Baarsma in the Tacoma
Mayor's race.

Adams County Assessor

Dave Anderson – R * 893
Steve McPherson – R 1288

Grays Harbor County Assessor

Darrell Haglund – D * 3307
Gregory J Mooney – D 879
Edward Prkut – D 4229

King County Executive

Ron Sims - D * 90107
Santos Contreras - R 34696
Alan Lobdell - R 17464
David Fries – LBT 5476

King County Council District No. 1

Carolyn Edmonds – D 6681
Kelly Snyder – R 1791
Ed Sterner – R 2673

King County Council District No. 3

Kristy Sullivan – D 3166
Kathy Lambert – R 5426

King County Council District No. 5

Dwight Pelz – D * 5012
Mark Wheeler – D 4068

King County Council District No. 7

Pete von Reichbauer – R * 6461

King County Council District No. 9

Kent Pullen – R * 6820

King County Council District No. 11

Jane Hague – R * 4393

King County Council District No. 13

Les Thomas – R * 2437
Julia Patterson – D 6465
Pam Roach – R 3177

Klickitat County Assessor

H.J. "Van" Vandenburg – R * 1519
Ronee' Bothamley – R 1457

Pierce County Prosecuting Attorney

Gerald Horne – D * 46757
Joanna Daniels – D 30887

Snohomish County Council No. 1

Mike Ashley – D * 5864
Chris Laird – D 2088
John Koster – R 8568
Frank Ball, Sr. – LBT 480

Snohomish County Council No. 4

Pam Pruitt – R 2838
Dave Gossett – D 5294
Dave Schmidt – R 3776

Snohomish County Council No. 5

Dave Somers – D * 6798
Don Polson – L 668
Chad Minnick – R 3021
Jeff Sax – R 3950

*Note: Whatcom County Council Positions are
Non-Partisan*

Whatcom County Council At Large

Marlene Dawson * 6913
Barry Buchanan 3407
Seth Fleetwood 5136

Whatcom County Council 2, Position A

Albert R. Schreiber 1444
Ron Roosma 948
David Bromley 505
Laurie Caskey- Schreiber 1213
Don Gischer 763

Whatcom County Council 3, Position A

Sharon Roy 2246
Bob Wiesen 2117
Warren E Hanson 854

(Continued on page 4)

Primary Election Results

(Continued from page 3)

Yakima County Auditor

Corky Mattingly – D * 12776
Howard DeWitt – R 6181
Jim Ducharme – R 6011

Yakima County Sheriff

Ken Irwin – R * 19557
John Tierney – R 6020

* *Denotes Incumbent*

In addition, the following races will appear on the November ballot. Unexpired term elections do not appear on the primary election ballot per RCW 29.15.150, which states there will be no primary if only one candidate from each major political party files for office. For regularly scheduled non-partisan races there will be no primary for positions where two or fewer candidates have filed per 29.21.015 RCW.

Asotin County Prosecuting Attorney

Ben Nichols – D *

Chelan County Commissioner

Buell E Hawkins, Jr – R *

Chelan County Coroner

Gina M. Fino – R *

Clallam County Auditor

Cathleen McKeown – NP *

Columbia County Treasurer

K. Kay Britton -Vachal – R *

Franklin County Clerk

Mike Killian – D *

King County Sheriff

Dave Reichert - NP

Kittitas County Auditor

David B Bowen – D *

Teri Moraites – R

Klickitat County Sheriff

Chris Mace – R *

Mason County Treasurer

Elizabeth Frazier – D *

Paul Stephens - R

Okanogan County Sheriff

Mike Murray – D *

Candy Gamache – L

Okanogan County Treasurer

Delmer L. Shove – D *

Diana Kennedy – L

Skagit County Auditor

Norma Hickok-Brummett – R *

Jackie Brunson – D

Thurston County Auditor

Kim Wyman – R *

Whatcom County Council 1, Position A

Ward Nelson *

Sherry Jubilo

Lewis County Voters Approve Jail Tax

Following the primary election Tuesday, one more county – Lewis County -- will now collect a one-tenth of one percent local sales tax to help pay for county law and justice facilities. This boosts to 12 the number of counties collecting the local option tax authorized by the Legislature in 1995.

More than 58 percent of Lewis County voters supported the local option tax on goods and services, according to information reported on the county website. Construction could begin as soon as next spring, Sheriff John McCroskey told the Centralia Chronicle.

The tax is expected to raise about \$12 million of the \$17 million costs for a new 358-bed jail, which would provide adequate jail capacity through 2020. The existing jail was built in 1985 with

68 beds and has been expanded to a current 136 beds. A temporary Quonset hut-type structure houses an additional 40 work-release inmates.

Cowlitz County voters defeated a similar measure with only a 33 percent yes vote, according to election returns posted on the county website. The Cowlitz proposal would have helped build a new \$19.3 million, 350-bed jail to replace the current 220-bed facility. This was a scaled-down version of a \$25 million, 500-bed proposal that was turned down by 66 percent of voters four years ago.

Lewis and Cowlitz were among 27 county jails identified as overcapacity in a report prepared last year by the Washington Association of Sheriffs and Police Chiefs and the state Sentencing Guide-

lines Commission. A “snapshot” view of county jail populations showed the inmate population at the Lewis County jail was 252 percent over its official capacity – second in crowding only to Thurston County, which was 308 percent over capacity. Cowlitz was 151 percent over capacity.

No other counties presented the tax to voters on the primary ballot and, according to a recent survey of county auditors, none intend to put it on the general election ballot this year. Snohomish County is considering offering the tax to voters in 2002.

The Legislature granted authority for this tax in 1995 in a statute now codified at RCW 82.14.350. Voter approval is required. Currently imposing the tax are Benton, Franklin, Island, Kittitas, Kitsap, Mason, Pierce, San Juan, Spokane, Thurston and Walla Walla counties.

Voters Authorize Taxes for Transit

Voters in two counties have decided that they wanted to pay more taxes for transit. Following the repeal of the Motor Vehicle Excise Tax, the Legislature raised the sales tax powers for local transit by three-tenths of a cent. Last year King county voters approved a tax increase of two-tenths of a cent for King County’s transit system, which serves

sixty-percent of the transit riders in the state.

On September 18, Mason County approved a sales tax increase of four-tenths of a cent for transit with a 55% yes vote. With a 53% yes vote, Snohomish County approved a three-tenths of a cent increase for transit.

Community Transit officials in Sno-

homish County expect the new tax to bring over \$17.5 million a year. This will enable the system to restore Sunday bus service as well as increasing services by up to 15% over the next six years. The system will be making extensive use of van pools and park and ride lots to reduce the number of single occupancy vehicle commuter cars on the roads. After the new tax goes into effect, the sales tax rate in most of Snohomish County will be 8.9%.

News Briefs

State Supreme Court Affirms Superior Court Ruling Striking Down I-722

On September 20, the Supreme Court, in a unanimous decision, affirmed the Thurston County Superior Court ruling striking down I-722. The ruling held that the initiative violated Article II Section 19 of the State Constitution that limits initiatives to a single subject. Because this constitutional issue was sufficient to strike down the initiative in its entirety, the court did not rule on the other issues raised by the parties. The court's opinion is posted at <http://www.courts.wa.gov/opinions/opindisp.cfm?docid=708304MAJ>

Governor names Oberquell to Emergency Management Council

Governor Gary Locke this week appointed Thurston County Commissioner Diane Oberquell to represent counties on the state Emergency Management Council. Oberquell fills the position previously held by former Mason County Commissioner Mary Jo Cady.

The Emergency Management Council advises the governor on state and local emergency management issues. Pursuant to RCW 38.52.040, the Council develops specific recommendations for the improvement of emergency management practices statewide. It also addresses emergency preparedness, including issues related to hazard mitigation, seismic safety, floods and hazardous materials.

The Council meets every other month, usually at Camp Murray near Tacoma.

The governor selected his appointee from among three nominees presented by the WSAC Board of Directors. In addition to Oberquell, these nominees were Douglas County Commissioner Ken Stanton and Yakima County Commissioner Ron Gamache. Okanogan County Commissioner Craig Vejraske also indicated interest in seeking the position.

Kitsap County Clerk Appointment

Alison Sonntag has been the acting Kitsap County Clerk since September 10, following the resignation of Dean Logan, who is now the Director of Elections for the Secretary of State's office. Alison served as Dean's Chief Deputy from the time he became clerk in 1998. County commissioners are scheduled to make the appointment next week to fill Dean's unexpired term.

Clark County Stormwater Fee Upheld

The *Oregonian* reports that a challenge by State Representative Tom Mielke to Clark County's storm-water fee has been rejected by a Clark County Superior Court judge. The fee, which is paid by residents of unincorporated Clark County, costs the average homeowner \$33 a year. It generates about \$4 million annually, which is used to clean and prevent storm-water runoff.

Judge Diane M. Woolard said that the service charge is clearly a regulatory fee and is collected for the purpose of placing the county in compliance with

the federal Clean Water Act. She also said the county's fee structure "is not arbitrary and capricious," but is rationally based. Woolard denied a motion by the county to require Rep. Mielke and a co-plaintiff to pay attorney's fees.

Oregonian reporter Foster Church reported that the attorney representing the plaintiffs indicated the ruling would be appealed to Washington Court of Appeals.

Former County Commissioner Named to Fish and Wildlife Commission

Ronald D. Ozment, a Cathlamet dairy farmer and former Wahkiakum County commissioner, has been appointed to the Washington Fish and Wildlife Commission.

He is to serve a six-year term on the nine-member citizen panel that oversees the Washington Department of Fish and Wildlife.

Ozment served as Wahkiakum County Commissioner from 1989 through 2000 and, while holding that office, was the county's representative on the Lower Columbia Fish Recovery Board and the Water Resource Inventory Areas 25/26 Board. Ozment's commission term is due to expire in December 2006.

Ozment joins Commissioner Will Roehl, Vice-Chair of the Fish and Wildlife Commission, as the second former county official on the board responsible for oversight of the Department of Fish and Wildlife. Olympian Russ Cahill chairs the Commission.

Rural Sewerage Limited by GMA, Court Rules

In a significant decision, the Court of Appeals, Division II, upheld an August 2000 decision by the Western Washington Growth Management Hearings Board ruling that urban services, including sewer lines, don't belong in rural areas.

Thurston County proposed a 4-inch sewer line to hook up Tamoshan and Beverly Beach -- two 1960s era urban-style subdivisions -- to the sewage treatment plant in downtown Olympia. The two developments, totaling more than 100 homes, are served by aging, on-site treatment plants. The proposed line was sized to serve another 100 homes in the future

with declining on-site septic systems.

The hearings board and appeals court rejected Thurston County's argument that the sewer line was needed to protect public health and the environment. Area residents believed that the sewer line extension would put pressure on Cooper Point to urbanize.

Although the GMA allows expansion or extension of urban services, such as sewer, into rural areas where "necessary" to protect public health and safety and the environment, the Court reads the provision of RCW 36.70A.110 (4) narrowly -- equating and defining "necessary" as "absolutely required" and

"indispensable."

The *Olympian* quoted Tim Trohmovich, an attorney representing the Washington Environmental Council and 1000 Friends of Washington, as saying, "One of the most effective ways of keeping our rural areas rural is to keep sewers out of these important areas. This case has statewide significance because it is the first court case to address this issue."

Meanwhile, homeowners of the two subdivisions have decided to move forward, with help from the county, with a \$1.1 million project to replace their sewage treatment plant.

Washington Community Mental Health Council Announces 2001 Fall Conference

The Washington Community Mental Health Council's Administrative Services Division is announcing their 2001 Fall Conference, "Reaching New Heights Together". The conference will be held October 17 – 19 as Chelan, Washington. On Wednesday, they are pleased to announce a four-hour workshop on HIPAA as presented by Susan

Parker, CPA, MT, PISL Consulting Group. Susan is a well-respected consultant with the National Council. Thursday's workshops will include a legal update on human resources, how to reduce stress in dealing with mentally ill clients, corporate compliance, recruiting and retention strategies, training, additional HIPAA legal issues and computer

systems, performance outcomes for the state Mental Health Division, and costing methodologies. On Friday morning additional workshops will be held on staff performance management, improving your communication skills, clinical reporting via the intranet, and effectively using benchmarks in behavioral health-care organizations.

For additional information about registration, contact Darla Boothman at 509-765-9239 or darlab@gmhealthcare.org.

Fetal Alcohol Syndrome Conference Scheduled

The Washington State FAS Inter-agency Workgroup is announcing its third annual conference on Fetal Alcohol Syndrome/Effect: Creating Successful Learning Environments. The

conference will take place October 10 – 12, 2001 at the Sheraton Tacoma Hotel, in Tacoma. Topics will include research updates from several involved universities, intervention plans, screening for the

disability, working with birth moms, school-to-work transition, several breakout sessions. For additional information, call 800-999-3429 or 253-531-2878.

Juvenile Justice Challenge Grants Announced

The Governor's Office of Juvenile Justice is announcing the RFP release for the Challenge Activities Grant Awards. There are two activity areas this year – gender-specific programming, and alternatives to suspension and expulsion from school. Eligible organizations include private non-profit agencies, tribes, city and county governments and state agencies. There is no match requirement for the federal funds. However, applicants are encouraged to col-

laborate with other agencies and/or organizations and pool resources. The RFP is available for downloading on the GJJAC website at www.wa.gov/juvenilejustice.

Funds available are one to two projects for up to \$82,000 for activity I – gender-specific programming and similar amounts for activity II – alternatives to suspension and expulsion from school. The Activities grant awards are in addition to the formula grants pro-

grams and the Title V Delinquency Prevention program authorized by the federal Juvenile Justice and Delinquency Prevention Act of 1974, as amended. The projects are funded for one contract year beginning March 1, 2002 and ending February 28, 2003. Proposals must be postmarked no later than November 16, 2001. FAX submissions are not allowed. If you have any questions, do not hesitate to contact the Office of Juvenile Justice staff at 360-407-0151.

Rural Capacity Building Initiative Introduced

Impact Capital is an organization that assists in providing operating support and technical assistance to community development efforts. The Office of Community Development (OCD) has contracted with Impact Capital to provide this specifically for rural community development organizations. The funding from OCD along with other resources will help to support the Rural Capacity Building Initiative.

The Initiative has three components, operating supports grants, technical assistance, and training. Impact Capital intends to issue an RFP for up to four organizations in rural areas of Washington in September, which will be due back by October 15. They are seeking community development organizations that can demonstrate that an infusion of operating support will enable them to

increase their productivity. They must be able to articulate a broad vision of community development for the areas they serve and demonstrate the ability to form the strategic partnerships necessary to support that agenda. Impact Capital will make a three-year commitment to the selected organization and provide grants of up to \$75,000 per year. Depending on fundraising success, they will increase the awards to an additional four organizations in 2002.

On a limited basis, Impact Capital will provide technical assistance to rural housing development organizations that need support with development projects. They don't provide direct assistance, but rely on consultants with expertise in the specific topic requested. They expect to also have such assistance available in mid-September.

Impact Capital will continue to make its statewide training program available to rural community development organizations. The training programs include both project-specific training (e.g. asset management or negotiating purchase and sale agreements) and organizational development training. Although the training programs are fee-driven, they do have scholarships available.

Daniel Becker, Program Officer with Impact Capital, will be managing the Rural Capacity Building Initiative. He can be reached at 206-587-3200, ext. 108. Terri Symbol will handle many issues on the east side out of the Spokane office. She can be reached at 509-456-8088. Please check out their website as well, www.impactcapital.org.

Co-occurring Disorders Conference Announced

DSHS' Division of Mental Health and Alcohol and Substance Abuse are jointly sponsoring a two-day conference on co-occurring disorders. The conference is entitled, "Expanding Our Reach...Creating Partnerships to Support Recovery". It will be held on April

4 and 5, 2002 at the Yakima Convention Center. Special guests include Dr. Timothy Condon, Associate Director, National Institute of Drug Abuse, Dr. Patricia E. Deegan, Boston University Institute for the Study of Human Resilience, and Dr. David Mee-Lee, Clinical

Professor, University of California at Davis. Registration material will be mailed out in February. For more information, contact DASA at 1-877-301-4557 or 360-438-8200.

State Agencies Plan HIPAA Orientation Seminars

Several state agencies involved in assessing requirements of the federal Health Insurance Portability and Accountability Act (HIPAA) are sponsoring several HIPAA orientation seminars for other government representatives engaged in the same work on the county and local levels. The first seminars will be in Yakima on October 11 and in Olympia on October 19. Another seminar is planned in Spokane in the first week of November. A fourth is tentatively planned in northwestern Washington later that month. These sessions are oriented toward local government em-

ployees who will be directly engaged in implementing HIPAA. They are in addition to the HIPAA presentations being made at the WSAC Western and Eastern District meetings for elected officials and at ACHS for county program coordinators in social services.

The all-day seminars will cover the basics of HIPAA, including the federal rules on administrative simplification (coding/transactions), patient privacy, and system security. Speakers will discuss the progress of state agencies like the Department of Social and Health Services and the Department of Health

to assess HIPAA changes and their impacts. They also will share resources—assessment tools and a state web page—that local governments may find helpful. The seminars are free - pre-registration is urged only to make sure that materials will be sufficient for the number of participants.

For seminar locations and other information, visit the HIPAA Partners' Website, <http://maa.dshs.wa.gov/dshshipaa>. You can also call Jim Stevenson, Director of Communications, DSHS, Medical Assistance Administration, 360-902-7604.

Esther Stefaniw Honored

The late Esther Stefaniw and members of the Upper Columbia Salmon Recovery Board will be honored on Saturday with Environmental Excellence Awards presented by the Department of Ecology. A member of the Chelan County board of commissioners when she passed away, Stefaniw worked diligently at the local level on building coalitions to tackle growth management

compliance, fish listings and other water issues. She helped create the county's office of watershed planning and later rallied neighboring counties and cities to establish the Upper Columbia Salmon Recovery Board.

Working with state and federal agencies, the board has proved to be a statewide leader in salmon recovery. Recently, the board's work culminated in

the first draft of a regional salmon recovery strategy.

"Because of Esther's vision and tenacity, our watersheds and communities have improved and will continue to improve," said Ecology Director Tom Fitzsimmons. "Likewise, her work is being carried on in the capable hands of her colleagues under the banner of the Upper Columbia Salmon Recovery Board. We sincerely applaud their desire to find local solutions that will lead to the recovery of salmon in the region."

Published on HeraldNet on Thursday, September 20, 2001

Election leaves most to guess

*By Jim Haley and Warren Cornwall
Herald Writers*

September primary elections frequently give strong hints about what's likely to happen in November, but Tuesday's may go down as a notable exception.

Only 13.4 percent of Snohomish County voters who didn't vote with mail-in ballots went to the polls Tuesday. The absentee ballot total will be better, but it's likely to be nowhere near normal.

"There's not enough base for anyone to say, 'This is what's going to happen in

the general election,'" said Bob Terwilliger, county auditor and a keen political observer.

About the only thing that's certain is three races are still up in the air with up to 25,000 absentee ballots that will be counted on Friday. These three could be decided by those votes:

· Only 107 votes separate former Mukilteo Mayor Brian Sullivan and teacher D.J. Wilson in their bid for the Democratic nomination to face incumbent Rep. Joe Marine, R-Mukilteo, in the

21st Legislative District.

That's an area that sweeps from Mukilteo to Woodway.

Wilson led at the outset but Sullivan past him later Tuesday night.

"I feel good about it," Sullivan said Wednesday.

Wilson said he's just sitting and waiting like everybody else.

· Only 16 votes separate two candidates making a run for Lynnwood mayor.

James R. Smith leads Don Gough by that narrow margin, trying to become the second candidate to go on to the Nov. 6 general election. Both of them

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Election leaves most to guess

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trail Mike McKinnon, although only 142 votes separate the three.

Scott Konopasek, Snohomish County elections manager, said it's unlikely the absentees will knock McKinnon out of the race.

· Fire District 14 Proposition 1, an increase in the regular property tax levy, is passing by just three votes.

If any election winds up within one-half of 1 percent, there would be an automatic recount, Konopasek said.

State Republican Party Chairman Chris Vance said he's encouraged by the primary results, but he's not sure what to make of it either.

"I can't emphasize enough how bizarre this election was," Vance said. "None of the rules apply."

Voters obviously were distracted by the terrorist attacks on the East Coast last week, followed by patriotic displays, Konopasek said. Voters apparently didn't make the connection between the primary election and fundamental patriotic duties at the polls, he said.

One voter, Donnelle Sydow of Everett, said she seldom misses elections but the recent events absorbed her concentration.

"The last thing on my mind was who was going to be running the city of Everett," she said. "I just didn't want to think about it."

Nonetheless, Vance believes both Marine and Erv Hogle, a Republican running to unseat Democratic Rep. Jean Berkey in the 38th Legislative District in Everett and Marysville, fared well enough Tuesday to show they have a chance of winning in November.

The Democrats are trying to break a 49-49 tie in the House of Representatives by defeating Marine in the 21st District. Vance wants to hold on to that seat and beat Berkey, thus giving the Republicans the majority. They are the only legislative races on the ballot this fall in the state.

"The voters of Snohomish County have a huge responsibility" in November, Vance said.

Despite the meager turnout, some county council candidates drew encour-

agement from the results.

Former state lawmaker John Koster, the sole Republican candidate in the 1st District, showed his strength, polling more than all the other candidates combined with slightly more than 50 percent of the vote.

But he said the low turnout made it hard to draw any firm conclusions.

"We feel good about that, but by the same token it's only halftime in the race," he said.

Jeff Sax, who appeared to have won the Republican spot in District 5, said he was encouraged because he and his Republican opponent, Chad Minnick, combined for more than 48 percent of the vote. That was slightly more than the 47 percent earned by Democrat and incumbent Dave Somers.

But Somers said with no Democratic opponent and little get-out-the-vote efforts on his side, he expected the primary failed to draw his supporters in large numbers.

You can call Herald Writer Jim Haley at 425-339-3447 or send e-mail to haley@heraldnet.com.

Monday, September 17, 2001 - The Seattle Times

Some fear chemical or biological attack could cause far more casualties

By Joseph B. Verrengia, AP

As devastating as Tuesday's terrorist attacks were, national-security and public-health experts know this much: Something worse could happen. There are weapons that are invisible and next-to-impossible to trace.

A whiff of nerve gas. A droplet of anthrax. A particle of smallpox.

Infectious or toxic weapons in skilled hands could cause considerably more casualties among ordinary Americans than the more than 5,000 dead and missing at the World Trade Center and the Pentagon.

The use of biological or chemical weapons — described by some as the poor man's atomic bomb — is a sensitive topic, especially now.

Experts caution that a bioterrorism attack in the U.S. is not inevitable. Their opinions are the products of war games rather than an immediate and real threat.

There are those who say that few terrorists could pull it off, that this

would be a much more complicated and difficult feat than it may seem.

But the science exists to launch such an attack and, obviously, so does the hatred. President Clinton said so in 1999, when he said a biological or chemical attack on the U.S. was "highly likely."

Seattle thought so, too. Before the World Trade Organization meeting here, hospitals stockpiled antidotes, just in case.

Terrorists reportedly training

A commander of Afghanistan's Taliban told The Associated Press last year that Osama bin Laden — described by administration officials as the prime suspect in Tuesday's attacks — was training his fighters in the use of chemical weapons. The New York Times reported yesterday that satellite photos show dead animals at a terrorist training camp in eastern Afghanistan operated by bin Laden.

Chemical weapons might have an

extraordinary effect, wiping out masses of people, all at once. But the deadly effects likely would not spread beyond the people who came in direct contact with the nerve gas or other agent.

In contrast, the scope of an attack using certain biological weapons in an airport or a domed stadium would not be apparent for days or weeks until victims showed symptoms of a mysterious illness.

By then, they could have infected many others around the world. Waves of patients might overwhelm hospitals.

The public, panicked, might turn on their neighbors unless adequate medicines and vaccines were available.

Which, the experts warn, they are not.

"The biological threat is one we are not adequately prepared for," said Dr. Margaret Hamburg, of the Nuclear Threat Initiative, a Washington think tank. Hamburg was New York City

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Some fear chemical or biological attack could cause far more casualties

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health commissioner during the 1993 World Trade Center bombing.

"This is a critical moment to assess where we are vulnerable," she said. "The biological threat has to be very, very high on the priority list."

Others share Hamburg's concern.

"I'm very, very alarmed," said Donald Henderson, a biodefense expert at Johns Hopkins University in Baltimore and adviser to the first President Bush.

Some say threat overstated

Skeptics said Tuesday's events, while horrific, don't mean a biological attack is on the horizon. Most terrorists, they said, don't have the expertise.

"We need to be realistic in our threat assessments," said Jonathan Tucker, of the Monterey Institute of International Studies in Washington. "A worst-case scenario is unlikely."

Fighting with disease was prohibited by a 1972 treaty signed by 143 nations, but biological weapons have, on occasion, been used. In the Middle Ages, sieges were broken by catapulting corpses over castle walls to spread poxes and plagues. In the western U.S., American Indians were given the blankets of smallpox victims.

In the Persian Gulf War, Saddam Hussein was accused of using chemical weapons against Iraq's Kurdish minority. He was believed to have possessed biological and chemical weapons, and the CIA says he is pursuing them again.

The United States and the former Soviet Union built vast germ-warfare stockpiles. In July, the Bush administration pulled out of negotiations to further enforce the biological-weapons ban.

Subsequent reports suggest both nations investigate new bioweapons, including an enhanced form of anthrax, to understand how they might work. Experts speculate hardships might prompt some Russian scientists to sell their know-how on the black market. In addition to Iraq, Iran and Libya have reportedly pursued germ warfare.

In Japan, a cult killed a dozen commuters on a Tokyo subway with nerve gas in 1995 after failing to spread biological agents with a sprayer truck.

With today's microcomponents,

some believe a modified fire extinguisher or climate-control system loaded with bioagents could do the job.

Simulations prove frightening

In the past 18 months, such simple scenarios have been featured in simulations with names such as "Dark Winter," "Operation Top-Off" and "RED Ex." The exercises, hosted by think tanks, involved many high-level officials and analysts.

New York City was planning a mass vaccination drill Sept. 12. The World Trade Center attack pre-empted it.

Former Sen. Sam Nunn recently portrayed the president in the "Dark Winter" simulation of a smallpox attack. On Sept. 5, Nunn summarized it for the Senate Foreign Relations Committee:

The 3,000 "cases" in Oklahoma from the initial "attack" mushroomed into hundreds of thousands of victims nationwide within 12 days, along with riots and a trade collapse.

"It's a lucky thing this was just a test," Nunn said. "But our lack of preparation is a real emergency."

Authorities identify six microbes that could be turned into fearsome weapons:

Smallpox tops the chilling list. Tens of millions of infectious virus particles can fit into an aerosol can.

A close second is anthrax, a spore-forming bacterium often carried by livestock. Anthrax is especially virulent if inhaled.

Also worrisome are bubonic plague, Ebola, botulism and tularemia.

They can be unstable and difficult to turn into weapons, although the biotech revolution in medicine may change that.

"Genetic modification of organisms can make them resistant to antibiotics and more difficult to detect," said Dr. Eric Noji, of the U.S. Centers for Disease Control and Prevention (CDC) in Atlanta. "Of all the great things to come from the sequencing of the human genome, the downside is its potential for evil use."

Tucker, of the Monterey Institute, and other security experts aren't convinced.

Seed cultures of infectious agents are uncommon and hard to grow, they said. Smallpox was eradicated in 1979; only samples remain under top security in the U.S. and in Russia. And, they are hard to disperse reliably.

As a wet slurry, biomaterials tend to

clump and clog sprayers.

As a dry powder, the process is even more difficult and dangerous, they said.

Still, authorities recommend some steps.

More money, better training

First, money. Hamburg suggests using some of Congress' \$40 billion war chest toward addressing bioterror.

And medicine. Nunn says there are only 12 million doses of smallpox vaccines in the nation now. The CDC has contracted for 40 million more, enough for one in seven Americans, and they won't be ready for several years.

Illness reports could be better shared to detect infection clusters.

But most doctors haven't seen a real epidemic, or treated the illnesses on the bioterror list.

In a Minnesota test, former state epidemiologist Michael Osterholm reported that an emergency specialist failed to diagnose anthrax. Radiologists missed it on lung X-rays.

In a matter of days, Osterholm warned, it would be "the closest thing to a living hell we've probably ever known."

Coming Events

September 27-28

WSAC Eastern District Meeting, East Wenatchee, Mickey O'Reilly Inn

October 1-5

WACO Annual Conference, Port Ludlow Resort & Conference Center

October 2

"Headaches & Heartburn: A Prescription for Issues That Cause Counties Pain!" Port Ludlow Resort, Port Ludlow 9:00 a.m.—4:30 p.m.

October 8-9

Cost Allocation Training, Sponsored by **Washington Association of Prosecuting Attorneys Support Enforcement Project**, Red Lion Hotel, Wenatchee

October 11-12

WSAC Western District Meeting, Super 8 Motel, Long Beach

October 16-17

Cost Allocation Training, Sponsored by **Washington Association of Prosecuting Attorneys Support Enforcement Project**, West Coast Tri-cities Hotel, Kennewick

October 18-19

CRABoard Meeting, CRAB Office, Olympia

October 25-26

Washington State Assn of Local Public Health Officials, Local Boards of Health Leadership Workshop ("Emerging Public Health Issues"), SeaTac, Radisson Hotel

November 12-13

Cost Allocation Training, Sponsored by **Washington Assn of Prosecuting Attorneys Support Enforcement Project**, Doubletree Hotel, Spokane City Center

November 12-15

Washington Association of Sheriffs and Police Chief's Annual Fall Conference, Doubletree Hotel, Pasco

November 14-16

ACHS Meeting, Silverdale

November 14-16

WSAC Fall Legislative Conference, Silverdale Hotel on the Bay, Silverdale

November 14

WCIF Board Meeting, in conjunction with WSAC Fall Legislative Conference, 10 am - 12 pm

December 13-14

Washington Association of Prosecuting Attorneys' Annual Winter Meeting, Crowne Plaza, Seattle

2002 Meetings

January 29-31, 2002

Legislative Rally & Tri-Association

Legislative Reception, Olympia

February 7, 2002

WSALPHO Meeting, Olympia

April 11-12, 2002

WSAC Western Dist Meeting, TBD

April 25-26, 2002

WSAC Eastern District Meeting, Sun Mountain Lodge, Winthrop

June 17, 2002

WSALPHO Meeting, Bellevue (Connected to WSAC Summer Convention)

June 18-21, 2002

WSAC Summer Convention, Bellevue

September 12, 2002

WSALPHO Meeting, Spokane

December 5, 2002

WSALPHO Meeting, Seatac



Employment Opportunities

CHELAN COUNTY - Engineering Technician or Designer. These positions provide the primary design effort for road, hydraulic, and other projects in the engineering section of the Public Works Department. Salary range: T-9, \$2,401 to \$2,785/month. Minimum Qualifications: Associates Degree in engineering technology or equivalent from a two-year technical institute and two years of experience or five years of appropriate training and experience. Valid Washington State Drivers License required. For application: Chelan County Public Works Department, County Courthouse, 350 Orondo Avenue, Wenatchee, Washington, 98801. Closing Date: October 12, 2001

or until position is filled.

LEWIS COUNTY — Information Services Manager. Salary: \$4,008.58—\$4,784.42 per mo. Closes September 17, 2001 at 5:00 p.m. Broad knowledge of information systems, analysis and/or programming to resolve complex end-user problems and application programs. Supervise staff, work closely with personnel in county operations, coordinate projects with multiple features or programs with several subordinate teams, and is a technical specialist and individual contributor in specialized area. Able to prepare, justify and monitor division budget and develop innovative solutions to technology issues. Must have top-line management skills & abilities along with demonstrated project management, verbal and written communication skills. BA plus

five years of technical and administrative experience or any combination of experience and training which provides the required knowledge, skills, and abilities. A complete job description and application packet are available at www.co.lewis.wa.us or may be obtained from Lewis Co. General Administration Dept. 360 NW North St, Chehalis, WA 98532. Tel: (360) 740-1408. EOE

KLICKITAT COUNTY — Public Health Director (Goldendale, WA). Salary \$44K to \$55K DOQ Annually. Seeking an energetic person to serve as the Public Health Director for the Public Health Department in Goldendale and White Salmon. The position has responsibilities for managing, directing, guiding, and controlling activities of the Public Health Department. Du-

ties: Supervises departments according to state/federal regulations and County policies/procedures. Requirements: BS in nursing, environmental health, public health education or related fields plus 5 years of public health experience with at least 3 years in management or supervision. Prefer Masters in public health or public administration or related fields. Responsible for managing, directing, guiding, and controlling activities of the Public Health Department. Professional licensing/certification in public health and/or professional discipline. Application at www.klickitatcounty.org or e-mail lynnc@co.klickitat.wa.us. Klickitat County Personnel Department, (509) 773-7171, 205 S. Columbus, MS-CH 15, Goldendale, WA 98620. Position open until filled. EOE.