

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

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God Bless
America

Please Keep Those Scholarship Auction Items Coming In!!!!

W SAC's Washington Counties Scholarship Auction at Legislative Conference at the Kiana Lodge is just around the corner and we know there are many wonderful auction items out there that we have not heard about yet. **PLEASE help our staff by getting your information to us by October**

31. This timeline will allow us to prepare the auction program in time for printing.

For your convenience, a donor form is available on our legislative conference website, www.wacounties.org/wsac/Conference/auction.htm, or phone us for additional information or assistance.

Come to the WSAC 2001 Legislative Conference in Kitsap County

Please join us for the Washington State Association of Counties' 2001 Legislative Conference, November 14 - 16 at the WestCoast Silverdale Hotel in Kitsap County.

The conference theme is "County-State Relations". We are pleased to announce Attorney General Christine Gregoire as the Luncheon Speaker on November 15, following a dialogue on county-state relations with legislators and agency directors. In addition to presentations on major legislative issues, including wa-

ter policy and transportation, the conference will feature a breakfast workshop by organizational development specialist Mickey Fearn. He will discuss how elected officials can meet the challenges they face in increasingly complex times. In addition, a workshop on emergency preparedness and response has been scheduled.

The Conference also includes the election of officers, adoption of the Association's annual

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Congress Debates Bioterrorism Funding

The National Association of County and City Health Officials (NACCHO) has sent a special action alert to its member local health jurisdictions asking that members of Congress be contacted regarding funding to increase state and local public health capacities for bioterrorism preparedness.

NACCHO writes: "Many around the nation and in Congress now view bioterrorism preparedness as an important, immediate national priority. There is no doubt that Congress will soon devote large amounts of funding to this issue. However, how much money and how the funding will be allocated remains to be determined. With so much money at stake, many members of Congress are propos-

ing new legislation to address the issue, and many new players have entered the debate."

"Amidst all of this activity, many in Congress are fighting for significant investments in state and local public health capacities. Leading the charge are co-authors of the Public Health Threats and Emergencies Act of 2000, Senators Edward Kennedy (D-MA) and Bill Frist (R-TN)."

According to NACCHO, on October 17, the Administration requested \$1.5 billion in emergency funding for bioterrorism preparedness. Their proposal overlooks absolutely fundamental expenditures in state and local public health capacities. The Administration's re-

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WSAC Legislative Conference

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budget and adoption of the legislative package as proposed by the Legislative Steering Committee.

Wednesday's agenda includes meetings of the Board of Directors and Joint WACO/WSAC Boards of Directors, and the Legislative Steering Commit-

tee. The Urban County Caucus and Rural Issues Subcommittee will meet on Thursday afternoon.

Thursday evening will feature the Scholarship Fund Auction & Dinner. Every two years the Association holds an auction to help realize the educational dreams of the children of county employees. Not only do the proceeds go

to a good cause, but also it is one of the premiere social events in the Association. This year, the Thursday evening banquet and auction will take place at the fabulous Kiana Lodge - transportation provided - and Spokane County Commissioner Phil Harris will be the auctioneer. You don't want to miss this event!

Congress Debates Bioterrorism Funding

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quest fails to address the need for resources to conduct active syndromic surveillance for disease, to do immediate,

on-the-scene epidemiological investigation, to develop and test local bioterrorism preparedness plans, to administer mass immunization or prophylaxis, and to maintain round-the-clock vigilance and readiness. Less than 10% of the total budget request addresses local and state public health capacities. The bulk of the \$1.5 billion, instead, is designated for stockpiling medications and vaccine."

"NACCHO believes that an \$835 million investment in state and local public health capacities is necessary. Strong Congressional support for the

funding is critical".

If you agree that adequate funding for local public health emergency preparedness should be a federal funding priority, please contact your Congressional Delegation urging them to support \$835 million in funding for local and state public health capacities. Letters should probably be faxed rather than sent through conventional mail. It would also be helpful to provide WSAC with a copy of the letters you send. Please send them to Vicki Kirkpatrick's attention.

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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NACo President Creates Homeland Security Task Force

National Association of Counties (NACo) President Javier Gonzales announced the appointment of a NACo Task Force on Homeland Security to provide a direct link between counties and federal agencies - especially the new Office of Homeland Security at the White House - working to secure the nation's communities.

"I believe that many federal officials do not have a full understanding of the key role that counties play in providing security, like maintaining public safety, protecting public infrastructure and responding to the consequences of terrorist attacks through disaster relief and public health agencies. We need to educate them," Gonzales said.

"We also have a role in helping our counties prepare for possible future attacks by terrorists. We need to collect best practices and act as a clearinghouse for information from counties, as well as a conduit from the federal government," he added.

Gonzales will chair the task force. Members are being drawn from the leadership of all NACo steering committees and relevant affiliate organizations, such as the National Association of County and City Public Health Officials, the Na-

tional Association of County Engineers and National Council of County Association Executives. From Washington State, **Thurston County Health Department Director Patrick Libbey**, who is President of the National Association of County and City Health Officials (a NACo affiliate), has been named to the Task Force.

"Because of the events of recent weeks we may see the reverse of a long trend towards decentralizing government, especially in areas like airport security, law enforcement, environmental protection, public health, taxation and others we cannot even imagine. We need to think about and discuss these issues in an organized way. And that is another purpose of this task force," said NACo Executive Director Larry Naake.

The task force will first meet in Washington, D.C. on October 26 and focus on interacting with the White House Office of Homeland Security and other federal departments such as Justice, Transportation and FEMA. Additional meetings are scheduled to be held in conjunction with the November Board of Directors meeting, in Santa Fe, New Mexico and the 2002 Legislative Conference, in March, in Washington D.C.

Positions Open on NACo Justice Committee

The National Association of Counties (NACo) is recruiting Washington county officials to serve on its Justice and Public Safety Steering Committee. Washington may contribute as many as 11 county officials to this national committee, according to NACo staff. But currently only two Washingtonians – neither an elected official – participate in this important policy-setting committee.

The Justice and Public Safety Steering Committee is responsible for developing NACo policy on all matters pertaining to criminal justice and public safety systems, including law enforce-

ment, courts, corrections, crime prevention, juvenile justice, emergency management, fire prevention and control, and civil disturbances. The policy development process initiated by the steering committees leads to the publication of the *American County Platform*, which NACo uses as a guide to deliver the county government message to the White House, Congress and the American public.

Among committee activities is an annual three-day retreat. The group meets next on January 23-26, 2002, in Branson, Missouri. The agenda has not yet been determined. The 2001 retreat in

Santa Fe, New Mexico, focused on “Forging a National Coalition Strategy to Prevent Jail and Prison Overcrowding.”

WSAC or WACO members interested in serving on the NACo Criminal Justice and Public Safety Steering Committee should contact WSAC staff Sophia Byrd at sbyrd@wacounties.org or 360-753-1886. NACo President Javier Gonzales makes all appointments. Current members from Washington state are Phyllis Mann, Kitsap County Director of Emergency Management, and C.J. Rabideau, former Franklin County Prosecutor.

Public Records Disclosure Requirements – Ignorance is Not Bliss

County officials across the state found more bad news in their Sunday papers. Twenty-five newspapers tested local governments compliance with the state’s Public Records Disclosure law. The papers reported that many local governments failed to comply. The reporter’s stories made it clear that in many cases local government employees were unaware of the law and its requirements.

In this edition of the Journal, we are including a quick reminder sheet on the law prepared by the Municipal Research & Services Center (MRSC). MRSC’s website also contains links to some helpful tools, including frequently asked

questions. The link to this part of MRSC is: <http://www.mrsc.org/legal/prd/prd.htm>

For those of you tired of reading endless lists of what you need to turn over and when, we recommend you take a look at the world from a reporter’s viewpoint at the Society of Professional Journalists’ website at: <http://www.spjwash.org/access98/intro.htm>. First, it’s not dry and second it’s filled with tales of the stuff exempted from disclosure.

We urge all counties to review their disclosure process and policies to make sure they comply with the law. As a

first step, you should require each major part of your government to designate a disclosure officer. This individual should become familiar with the law and have the authority necessary to assure compliance. Each county needs to consult with their prosecutor, especially in the complex area of disclosure of employee records. This is an area where you can be caught between the privacy laws and the disclosure laws. Finally, you need to train your employees, especially those who have contact with the public on their responsibilities under the law.

A Quick Overview of Public Records Disclosure from MRSC

By Jim Doherty, MRSC Legal Consultant

Recent newspaper articles have raised issues concerning the adequacy of local government responses to requests for disclosure of public records. The public records disclosure statutes are confusing at times, but some basic principles can be distilled:

1. Most of the records of a county are public records, including things written on paper or recorded electronically, photographs, audio recordings, survey documents, construction plans, etc. [See the definitions of “public record” and “writing” in RCW 42.17.020.]
2. A county agency is required to respond in writing *within five days* to any public records disclosure request. The response can either (1) provide for inspection and/or copying of the

records; (2) acknowledge receipt of the request and provide an estimate of the time needed to produce the records; or (3) deny the request. [See RCW 42.17.320.] The statute also lists the permissible reasons for taking more than five days to actually produce the documents.

3. County agencies cannot charge for the time required to locate a public record, but county agencies can charge for the reasonable costs if a person requests *copies* of public records. The maximum per page cost for photocopies can only exceed fifteen cents if the agency has determined that its actual costs exceed fifteen cents per page. [See RCW 42.17.260(7) & (8) & 42.17.300.]
4. Some public records are *prohibited* from being disclosed (most personal

tax records, medical records, etc) and some are *exempted* from disclosure (certain active criminal investigation files, preliminary drafts of agency policies, etc). The primary exemptions are listed in RCW 42.17.310, but the disclosure prohibitions are located at numerous places throughout the state statutes.

5. If a portion of a public record is exempt from disclosure or prohibited from being disclosed, the portion that is exempt or prohibited should be *redacted* (whited-out or some other such technique) and the rest of the document disclosed.
6. Whenever a county agency refuses to disclose a record or a portion of a record, the agency must provide a statement of the specific exemption relied

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A Quick Overview of Public Records Disclosure from MRSC

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- upon and a brief explanation of how the exemption applies to the record withheld. [See RCW 42.17.310(3).]
7. An agency may not ask the reason for the disclosure request, except, when the request is for a list of persons, the agency should ask whether it is to be used for a commercial purpose. If such a list is to be used for a commercial purpose, disclosure should be denied. [See RCW 42.17.270.]
 8. Agencies must respond to requests for disclosure received by mail. [See RCW 42.17.270.]
 9. County agencies are not required to create documents in order to respond to a request for certain information. Rather, they must produce existing documents for review and copying.
 10. County agencies are not required to compile information from various documents so that information is in a form that is more useful to a requestor.

There is statutory immunity from suit for county officials or employees for any loss or damage based upon the release of a public record if the official or employee acted in good faith in attempting to comply with the state public record disclosure act. [See RCW 42.17.258.]

Electronic records and databases create a variety of unique disclosure problems. For example, many agencies

now maintain various electronic mailing lists. There is a specific prohibition on disclosure of lists of individuals that are requested for commercial purposes. [See RCW 42.17.260(9).]

Recommendations

1. Check to make sure that your county has adopted procedures for handling public records disclosure requests. County departments that operate with some degree of autonomy should make sure that their department's procedures are consistent with the overall county policies and procedures. County procedures should include a statement of the charges for the copying of public records. [See RCW 42.17.300.] See item #3, above.
2. County agencies are required to either maintain an index of their public records or publish a formal order explaining why maintaining such an index would be unduly burdensome. [See RCW 42.17.260(3) & (4).] Has your agency complied?
3. County agencies are required to maintain a list of the exemptions (other than those listed in Chapter 42.17 RCW) relied upon by the agency to deny disclosure of public records maintained by the agency. [See RCW 42.17.260(2).] Has your agency complied?
4. Counties should periodically train employees who handle requests for disclosure of public records.
5. Whenever you are unsure about whether a record should be disclosed,

review the issue with your supervisor or the county prosecutor's office. There are substantial financial penalties for not responding in a timely or complete manner to requests for public disclosure. [See RCW 42.17.340(4).]

Resources

1. Advice from your county prosecutor's office!
2. The Attorney General's "Open Records & Open Meetings Deskbook". This excellent resource is available online at: <http://www.wa.gov/ago/records/>
3. MRSC has a publication titled "Public Records Disclosure". The publication can be read or downloaded from the MRSC web site – www.mrsc.org. The appendices of the publication provide sample procedures and forms. Paper copies can be obtained by calling MRSC.
4. The MRSC web site has a section devoted to public records disclosure issues. The information on the web site is periodically updated. The web site includes sample disclosure policies, summaries of relevant recent court cases, and links to additional resources. The public disclosure laws apply equally to counties, cities and towns, so city policies are useful examples.
5. Call one of the MRSC legal consultants for advice. Keep in mind that our assistance is supplementary, and is not a substitute for the legal advice provided by your prosecutor's office.

Increasing Revenue Receipts without Raising Taxes

By Dan Clements, Budget & Finance Director, Snohomish County

Counties across Washington are faced with tight budgets and increasing demands for service. One of the ways Snohomish County has helped bring in additional revenue is to aggressively go after all revenues they are legally entitled to receive.

For 2001, efforts in the areas of sales tax auditing and corrections Federal reimbursements will generate over \$1.3 million that they otherwise would not have received.

Corrections Federal Reimbursements

Looking at Federal reimbursements for

jail services, it was found that the County was not requesting reimbursement from the Department of Justice for housing aliens, nor were they collecting dollars from Social Security for incentive reporting. They anticipate receiving \$283,200 from the Department of Justice this year, and some \$25,000 annually from the Social Security Administration.

Retail Sales Tax

Efforts in sales tax recovery center around mis-coded transactions for retail sales, Department of Licensing (DOL) non-dealer vehicle sales, and construction. Counties lose substantial amounts of sales tax because many individuals and national tax preparation programs assume city/county boundaries follow

zip codes, when in fact they do not. Let's look at sales tax recovery specifics.

To audit retail sales, Snohomish County staff start by receiving a monthly feed from the Department of Revenue (DOR) of all payers of sales/use tax, sorted by UBI (Universal Business Identifier or Business License number). DOR also provides a list of addresses for all payers. This address may correspond to a site location, or may just be a mailing address. Snohomish County also receives a monthly feed from the State Licensing Department that provides a list of all UBI's and their physical site addresses.

Snohomish County moves this information into their geographic information

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Increasing Revenue Receipts without Raising Taxes

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system, in order to identify which businesses within the unincorporated county are reporting into the cities. Geocoding is used along with phone books, the internet, and local knowledge to look for possible discrepancies. Snohomish County started by focusing on "high risk" areas that are along or near borders that are prone to confusion. We also review on a city by city basis to identify discrepancies and changes.

Snohomish County has identified a few large retail establishments that generate \$5-6 million monthly in taxable sales. These adjustments net the county approx \$50,000 in increased monthly revenues. They have also identified over 20 smaller establishments that range from \$35,000 to \$400,000 in monthly taxable sales, and these adjustments net the County approx \$15,000 to \$20,000

in increased monthly revenues. We find it is very important to constantly (monthly) monitor the reporting of these businesses to ensure they keep reporting accurately.

Non-Dealer Vehicle Sales Tax

Looking at DOL, Snohomish County began by receiving all transactions from the Department monthly. Once again, they use our geographic information system to geocode these transactions and identify addresses within unincorporated county that have reported into cities, and provide an adjustment form to the Department of Revenue that adjusts these transactions. This generates approx \$6,000 - \$14,000 in increased monthly revenue. Snohomish County presently processes this data for Benton, Clallam, Franklin, Grant, Lewis and Yakima Counties.

Construction Sales Tax

The construction category includes com-

mercial, residential, and roads. Snohomish County works with its Planning Department to identify major projects, and with Public Works and the State Department of Transportation to identify large roads construction projects. The county is still working on identifying better data sources, and working out a good process to audit construction projects. They have, however, identified several large projects that were misreported. These have generated over \$100,000 in additional revenue year to date.

In Snohomish County it is estimated these auditing efforts involve a commitment of approximately 0.5 FTE. Equally important is the cooperation that needs to take place between Finance, Information Systems, Corrections, Public Works, and Planning. These efforts are very productive, and are another tool that can be used to help balance tight budgets.

Movement Continues Toward 2002 Water Legislation; Governor Suggests \$1 Billion Funding Package

About 200 people with interests in water policy joined with the state's Joint Executive-Legislative Water Policy Group for a three-day Water Conference in Tacoma this week. A dozen county participants joined in the presentations and discussions, including King County Councilwoman Louise Miller and Yakima County Commissioner Jim Lewis.

On Tuesday, the governor addressed water strategy at a noontime speech to those assembled.

"Throughout the world, the availability of water will define economic success in the 21st century," Locke said. "Water is an instrument of power, and access to water provides the competitive edge for us to thrive and prosper. In brief, water is synonymous with progress."

In asking for cooperation from the Legislature and stakeholders, the governor said the state needs "to embrace all of the tools -- storage, efficiency and reuse -- to help satisfy our water needs."

The governor indicated that he is considering a \$1 billion funding package including money for:

- Improved public health and safety, as well as municipal and business conservation and reuse

- Agriculture efficiency and water-quality improvements
- Increased water storage and conveyance
- Water for fish
- Implementation of regional and watershed-management plans.

The Joint Executive-Legislative Water Policy Group was established to develop water legislation for the 2002 legislative session to get water to the farms, cities and homes that need it without drying up lakes, rivers and streams that support fish and other aquatic life. The group has identified four topical areas on which to focus -- instream flows, growing communities, relinquishment and infrastructure -- and asked the private and governmental groups attending to address it this week with recommendations.

Councilwoman Miller addressed the Joint Executive-Legislative Water Policy Group on the topic of water for growing communities and emphasized the need for regional planning and locally-developed solutions. She indicated that water conservation and reuse will be part of the solution in many areas of the state.

Commissioner Lewis presented a county response to all of the proposals

surfaced during the first two days and emphasized that water is a finite and public resource and that it is very important for people to finally come together to solve the impasse over water resource management.

"We've got to be concerned about water 100 years from now," Commissioner Lewis said, adding his support for the funding suggested by Governor Locke. "We need \$1 to 2 billion to preserve a resource -- not for today, not to preserve an apple crop -- but for 100 years from now."

The Joint Executive-Legislative Water Policy Group plans to draft legislation by December. Its members include: Senators Karen Fraser (D-Thurston County), Bob Morton (R-Ferry County) Debbie Regala (D-Pierce County) and Jim Honeyford (R-Yakima County), Representatives Gary Chandler (R-Grant County), Kelli Linville (D-Whatcom County), Steve Kirby (D-Pierce County) and Bruce Chandler (R-Yakima County), Tom Fitzsimmons, director of the state Department of Ecology, Curt Smitch, Locke's natural-resource advisor and Jim Waldo, Locke's water-policy advisor.

State Risk Management Task Force Releases Recommendations

A state Risk Management Task Force established by Attorney General Christine Gregoire and Governor Gary Locke last week released its final report and recommendations to help reduce lawsuits against the state. The group's full report is available online at www.wa.gov/ago/riskmanagement/docs/FINAL_RMTF_Report.doc.

Meeting at least monthly since April, the 15-member task force focused on ways to prevent the kinds of accidents and injuries that often lead to lawsuits against state agencies.

The task force recommendations include:

- State agencies with significant history of liability claims or high potential for such claims should provide focused training to staff on how to prevent the types of injuries or damage that can lead to lawsuits.
- Background checks should be required of anyone contracted to care for vulnerable persons.
- Agencies involved in serious accidents should visit victims and family members to express regret and offer

assistance.

- To facilitate a frank and thorough examination of what went wrong in a particular situation, the information gleaned from such examination should be public but should be allowed only limited use in lawsuits against the state.
- State risk management efforts should be consolidated under the Office of Financial Management, thus raising risk management to a policy-level issue.
- Each agency's risk management budget and claims generated should be reviewed and discussed during the annual budget process. Currently the budget discussion is limited to the cost of insurance premiums.
- The state should provide risk management analysis of all proposed legislation, possibly including analysis of impacts on local government.

Counties and cities monitored the task force process and encouraged task force members to understand that local

governments face many of the same liability problems as state government. In addition, both informally and during a public comment session, WSAC staff asked the task force to at least "do us no harm" and refrain from recommendations that would simply shift liability from the state to counties and other entities involved in providing inherently risky government services.

Despite those comments, some of the task force recommendations have the potential to adversely impact counties, either by shifting liability or by mandating costly new procedures. For example, the recommendation to require background checks for all contractors caring for vulnerable persons could impose a costly new requirement on counties, which act as agents of the state in contracting with private service providers. WSAC staff continues to work with the task force members, the attorney general and the governor's office on these issues.

Some of the recommendations may be implemented at the agency level but others will require legislation.

October is Domestic Violence Awareness Month

The State Department of Health has provided the following information about domestic violence from their Family Violence Work Group, which coordinates efforts within DOH related to family violence prevention, assessment, and activities.

Definition of Domestic Violence: Domestic violence is a pattern of assaultive and coercive behaviors that an adult or adolescent uses to gain and maintain power and control over an intimate partner. The behaviors can be physical, sexual, psychological, economic, and/or the destruction of property and pets. Domestic violence is a learned pattern of behaviors. Although there are many kinds of domestic violence, most track-

ing is limited to physical assaults.

Prevalence

- More than one-fifth (21.6 percent) of English-speaking women in Washington report experiencing a physical injury from intimate partner violence at least once in their lifetime. (Washington State Behavior Risk Factor Surveillance System (BRFSS), 1988).
- One in 13 women reported going to the doctor because of an injury from an intimate partner, a similar number reported that they needed to see a doctor but did not. (Washington State BRFSS, 1998).
- Fourteen percent of high school girls

reported experiencing violence (being hit, slapped, or physically hurt on purpose) in the past year. (Washington State Youth Risk Behavior Survey, 1999).

- Each year, about 3,500 women who are pregnant or planning to become pregnant are physically abused by their husband or partner (Washington State Pregnancy Risk Assessment and Monitoring System (PRAMS), 1996-99).

More information on Domestic Violence is available on the Washington State Web site for Violence Against Women: www.wavawnet.org.



**"A civilization flourishes
when people plant trees under which
they will never sit."**

--Greek Proverb

Major Boost Given to Affordable Housing; Conference Draws Record Attendance

This article, with minor additions from WSAC staff, was provided by Lisa Hornaman, Bombar Public Relations, 425-576-1710.

More than 670 professionals met in Tacoma for a three-day conference on affordable housing, October 15 to 17, and heard from more than 75 speakers, including national representatives from Fannie Mae, Harvard University's Joint Center for Housing Studies, and the Neighborhood Reinvestment Training Institute. The Ninth Annual Housing Washington 2001 conference was presented by the Washington State Housing Finance Commission and the Washington State Office of Community Development with the financial and marketing support of more than 75 private, public and not-for-profit organizations.

"Our conference draws policy makers, lenders, nonprofit developers, planners, realtors, social service advocates, rental tenants, economists and others engaged in helping increase the opportunities for affordable housing in Washington state", said Commission Executive Director Kim Herman. "We're living in ambivalent times, but the conference clearly demonstrated that our commitment to the people of Washington by providing them with access to safe, decent and affordable housing is stronger than ever." The conference drew record attendance—up 35 percent over the last two years.

"We're attracting people from all over the region including California because we offer not only the latest national trends and data, but our focus is broad and takes in rural as well as urban issues, and addresses other concerns such as the environment and historic preservation", said Busse Nutley, Director of the state's Office of Community Development. "It was exciting to see so

many important and diverse organizations come together to learn and discuss how best to tackle these very difficult issues."

The conference concluded by showcasing 11 housing sites that have been developed in Tacoma to great success, and have provided buoyancy to that city's neighborhood economic revitalization and jobs. Conference attendees saw examples of new construction, homeownership, renovation of existing buildings, homeless shelters and mixed-use projects.

The Washington State Housing Finance Commission honored five affordable housing advocates and one organization with a Friend of Housing award on Tuesday, October 16. The six recipients are:

- Heyward Watson, Director of Fannie Mae's Washington State Partnership
- David Cheal, Counsel, Washington State Senate, Labor, Commerce and Financial Institutions Committee
- Ken Katahira, Development Director, Interim Community Development
- Jose Hidalgo, Loan Officer, Seattle Mortgage Company
- Honorable Lisa Brown, Senator, Washington State Legislature
- South King County Multi-Service Center

U.S. Congressman Jay Inslee attended a congressional roundtable session to discuss national policy, while local policy was debated during a session on the state legislative agenda for the 2002 session. Senator Shirley Winsley, Reps Jim Dunn, Hans Dunshee, Carolyn Edmonds, Gary Alexander, and Ed Murray represented the state legislature. The bill raising the document recording fee by \$3 from last ses-

sion engendered a lively debate and a promise to hear the bill in 2002 from Rep. Dunshee, Co-Chair, House Local Government, if the Democrats win the majority in the House of Representatives.

Other focus was given to manufactured housing as an elegantly affordable solution; architectural design from nationally renown architect and University of Washington professor, Michael Pyatok; building energy efficient homes; co-housing as a community-building resource; impacts of welfare reform; and housing the nation's aging population. Three builders demonstrated their product lines for use in building affordable migrant worker housing in a panel moderated by Ray Price, OCD's Assistant Director for Housing. WSAC staff member Jim Potts noted that all three of these products are used in the demonstration project ongoing at the Mattawa site in Grant County.

Bank of America, the Federal Home Loan Bank of Seattle and U.S. Bank/US Bancorp Piper Jaffray provided leadership support to the conference and were three of 36 corporate and association sponsors. In addition, 39 statewide organizations from the public and independent sectors endorsed the conference, including the Washington State Association of Counties, Association of Washington Cities, Impact Capital, Rural Community Assistance Corporation, Northwest Indian Housing Association, Low Income Housing Institute, and the Washington Low Income Housing Network.

Next year's conference, Housing Washington 2002, will take place on October 30 through November 1, at the Hilton Seattle Airport Hotel and Conference Center. Key speaker presentations from this year are being posted on the conference website. Please check www.wshfc.org/conf for more information. The Housing Finance Commission Media, contact Bill Wortley, 206-287-4409.

Trustee Position Open on WACO Board

Any WACO members from Spokane, Clark, Kitsap, Yakima, Thurston, Whatcom and Benton Counties are eligible to apply for the position 2 trustee opening on the WACO Board of Trustees. The trustee would represent counties with populations of 125,000 -

500,000. The position 2 representative, Spokane County Clerk Tom Fallquist, was elected as WACO Secretary-Treasurer during the WACO Conference earlier this month, and the new trustee chosen by the Board will serve until next fall when election for a two-year term

will take place. Anyone interested in serving on the WACO Board of Trustees should send a letter of intent and a resume to the WACO office and we will forward it on to the officers and members of the WACO Board. The deadline is November 5. The Board will be appointing a new trustee during the November 14 Board meeting, in Silverdale.

News Briefs

Workshop On Alternative Public Works Contracting Procedures

On November 8, 2001, the Association of Washington Cities (AWC) is holding a workshop on alternate public works contracting procedures. The one-day workshop will be held at the Sea-Tac Marriott from 8:45 a.m. to 3:00 p.m. at a cost of \$70. The workshop is in response to the legislation adopted this session that reauthorized and expanded the eligible local governments that can use the General Contractor-Construction Management, and Design Build public works contracting procedures for large projects. Counties that are currently authorized to use these procedures are King, Snohomish, and Pierce.

Local government representatives who are considering using one of these new procedures are encouraged to attend this workshop. For more information, contact Ashley Probart at AWC, (360) 753-4137.

Clallam County Wins WA-CERT Award

The Washington Community Economic Revitalization Team (WA-CERT) has begun recognizing and rewarding communities that exhibit the following qualities:

1. Cultivates leadership capacity, development resources, and infrastructure necessary for resilient communities, building on the base of sound local and regional strategic planning work.
2. Promotes coordination and collaboration among federal, state, local and private resources.
3. Promotes coordination between eco-

system investment and economic adjustment resources to maximize economic benefits.

4. Provides re-employment opportunities for dislocated workers;
5. Promotes streamlining of government processes.
6. Demonstrates regional support as indicated by numeric ranking received on county or tribal list.

Clallam County and the incorporated areas of Clallam Bay-Seki is one of two winners this year for its efforts in restoring the Community Center, the #1 priority project in Clallam County, 1997-2000. Clallam Bay-Seki was a participant in the WA-CERT Symposium in 1999.

The WA-CERT will recognize the winners with an awards ceremony at its annual meeting December 13, in Mt. Vernon.

Coming Events

November 12-15

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

November 13-14

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

November 14

WSAC/WACO joint Board meeting, Silverdale Hotel on the Bay, Silverdale

November 14

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

November 14-16

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

November 14-16

ACHS Meeting, Port Orchard, Givens Center

December 13-14

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

2002 Meetings

January 16-18, 2002

ACHS Meeting, Olympia

January 29-31, 2002

Legislative Rally & Tri-Association Legislative Reception, Olympia

February 7, 2002

WSALPHO Meeting, Olympia

March 20-22, 2002

ACHS Meeting, Tacoma, Pierce County

April 11-12, 2002

WSAC Western District Meeting, Rosario Resort, *San Juan Islands*, San Juan County

April 25-26, 2002

WSAC Eastern District Meeting, Sun Mountain Lodge, Winthrop

May 15-17, 2002

ACHS Meeting, Spokane

June 17, 2002

WSALPHO Meeting, Bellevue (Connected to WSAC Summer Convention)

June 18-21, 2002

WSAC Summer Convention, Bellevue Inn, Bellevue, King County

July 17-19, 2002

ACHS Meeting, San Juan County (or location in Northwest WA)

September 12, 2002

WSALPHO Meeting, Spokane

November County Calendar

- 6 State General Election. RCW 29.13.010
- 11 Veteran's Day - Legal Holiday. RCW 1.16.050. Because Veteran's Day falls on a Sunday this year, Monday, November 12, will be a holiday.
- 15 City and other taxing district budgets shall be filed with the clerk of the county legislative authority. RCW 84.52.020
- 22 Thanksgiving Day - Legal Holiday. RCW 1.16.050
- 23 Day following Thanksgiving - Legal Holiday. RCW 1.16.050
- 30 The county legislative authority and the governing body of each taxing district within the county authorized to levy taxes directly, shall certify to the county assessor the amount of taxes upon property. If the levy amount is not certified to the county assessor by this date, the assessor shall use no more than the certified levy amount for the previous year for the taxing district. RCW 84.52.070

**From The Sun Newspaper,
Bremerton, WA**

KITSAP COUNTY JAIL

Tax \$\$\$ at work

*By Christopher Dunagan
Sun Staff*

Work on a \$25.5 million facility to help ease overcrowding is set to begin within two to three weeks

Kitsap County elected officials Monday congratulated voters for their 1999 approval of a new \$25.5 million jail, which will lock up the county's most dangerous criminals and deter others from crime, they said.

A brief ceremony, complete with gold-colored shovels for VIPs, marked the official start of jail construction. Actual workers should be on site within two or three weeks.

Judge Terry McCluskey of Kitsap County Superior Court said the current jail-overcrowding puts a lot of pressure on judges, police and the community.

"One of the things about punishment is that it should be immediate,"

McCluskey said. "If it is not immediate, it does not have (as much) deterrent effect."

Without jail space, felons are released on a promise to come back for court. About half don't show up and have to be re-arrested, wasting time and money, he said.

"When I want to send someone to jail, I want to send them now — immediately. Do not pass GO," McCluskey said.

Sheriff Steve Boyer said he wants to congratulate voters for assessing themselves and visitors a 0.1 percent sales tax to build the new jail.

The facility will be safer for corrections officers than the existing overcrowded jail, Boyer said.

"I don't believe it's safe for officers to weave around beds," he said.

The jail will require a smaller staff because its open design allows officers to see more of the facility.

"Video arraignments," in which a defendant goes into a room at the jail, will save time and reduce the risks of taking defendants through public areas at the Kitsap County Courthouse.

Prosecuting Attorney Russ Hauge

said overcrowding has served one good purpose. It forced Kitsap County officials to find safe methods of keeping less-dangerous people out of jail — on work crews, work release and in-home detention.

Those methods will be needed in the future, he said, to save taxpayers money and make sure the jail does not become overcrowded again.

The 71,000-square-foot jail addition will add 300 beds to the existing 210-bed facility.

Kitsap County is serving as its own general contractor, with at least 26 contracts required for completion.

Work done so far includes preparing the site and installing underground utilities. That's important work, even though "people don't see that as part of the jail," said William Nogle, director of the county's Department of Administrative Services.

Kitsap County commissioners last week awarded a \$3.06 million contract to pour concrete footings, slabs, piers and beams. A Tumwater firm, Berschauer Phillips Construction Company, was the lowest of two bidders for the concrete work.

**From the Tacoma News
Tribune, Tacoma, WA**

County exec fights districting

POLITICAL DECISIONS?

Ladenburg says new boundaries for council districts violate charter

By Paula Lavigne Sullivan

Pierce County Executive John Ladenburg has hired a Seattle law firm to challenge the new County Council district boundaries that residents say wrongly divide their communities.

Ladenburg said Monday that the new boundaries violate the county charter - the ground rules for running the county. He said it was his duty, and not the responsibility of private citizens or political parties, to uphold the charter.

The Pierce County Districting Committee, which consists of two Republicans, two Democrats and a Libertarian, approved a plan Oct. 16 that reshapes almost all of the seven districts. They

shuffled cities, towns and neighborhoods into new districts and drew County Councilman Calvin Goings (D-South Hill) out of his district.

Some Democrats have complained that the districts appear to have been drawn to help Republicans.

Boundaries must be redrawn after every federal census to make each district equal in population.

Several residents of communities affected by the new districts criticized the map during a meeting Monday of the Pierce County Council. Sheriff Paul Pastor, Central Pierce Fire & Rescue Chief Jack Andren and state Sen. Jim Kastama (D-Puyallup) also outlined problems. Puyallup deputy mayor Kathy Turner sent a letter in protest.

Audrey Chase, president of the North Clover Creek Collins Community, said lumping her rural community into a district that includes parts of Tacoma could make it harder to keep urban development out of her neighborhood.

Marianne Lincoln of the Spanaway Community Action Network said residents in Spanaway and Parkland have been working for several months on a growth management plan. Now that the communities are split into two districts,

she fears they will have to start over.

Both women met Saturday with residents from South Hill, Midland, Graham, Summit and Waller to discuss the changes. Residents had talked about raising money through a community political action group to pay for a Superior Court challenge. Many said Monday they were pleased with Ladenburg's decision.

But Councilman Pat O'Malley (R-Lakewood) said the county should not pay for pursuing a lawsuit to challenge the boundaries and questioned Ladenburg's authority to bring such action.

Attorneys at Foster Pepper & Sheffelman in Seattle are studying how to bring the issue before a judge in Superior Court, Ladenburg said. Complicating matters is the fact that the county also would have to represent the Districting Committee. A court outside Pierce County likely would handle the case, he said.

Ladenburg, a Democrat, said the district boundaries violate the charter because the Districting Committee made its decisions based on political motives and because it failed to follow guidelines for approving a new map.

(Continued on page 10)

County exec fights districting

(Continued from page 9)

The charter requires the County Council to appoint two Republicans and two Democrats to the committee and then asks those members to elect a chairman, in this case a Libertarian.

The committee had to appoint a districting master to create the computerized maps and hired Robert Schweitzer, project manager with Sammamish Data

Systems in Bellevue.

The charter says the districting master is to submit a map to the committee. The Republicans and the Libertarian voted to ask Schweitzer to submit a map modified with input from one of the Republicans and the Libertarian.

Had they not done that, Schweitzer said he would have submitted the original map he made that required minor changes to most districts.

Ladenburg said the committee was wrong to have asked Schweitzer to sub-

mit a particular map, and then to have approved the map on the evening it was introduced without letting the public have more time to review it.

Republican committee members Mark Hullinger and Deryl McCarty said people had several opportunities to participate, but Democrats Bill Smitherman and John Thompson said residents should have had more time. Libertarian Kelly Haughton said he disliked the entire process but could not explain why he voted to ask Schweitzer for the modified map.

SEATTLE POST-INTELLIGENCER

In The Northwest: We depend on government -- while we dump on it

Wednesday, October 24, 2001

By JOEL CONNELLY

SEATTLE POST-INTELLIGENCER COLUMNIST

SULTAN -- The fire station equipment is spotlessly clean and lovingly maintained, but the "first out" fire engine is 13 years old, and its backup dates to the Nixon administration. The first-to-respond aid car is 8 years old, and its backup dates to 1978.

"We have no luxuries to cut," Chief Merlin Halverson explained, opening the door to a bathroom that does not even have a shower or laundry for firefighters who may have to handle hazardous chemicals.

Head-on car crashes on an increasingly crowded U.S. 2 are part of the 1,000 calls fielded each year by the largely volunteer members of Snohomish County Fire District 5 and its part-time chief.

Next month, the fire district could be dealing with a different kind of collision: The rising need for fire and aid services may run into rigid revenue restrictions of Initiative 747.

Fire districts live on property taxes. I-747 would limit property tax increases to 1 percent a year unless voters approve a larger increase. If I-747 passes, Halverson said, "We can go to voters every year and ask for more money, or we can cut service."

Anti-government sentiment has been abroad in the land for the past 20 years. On talk shows and newspaper letters pages, loud voices argue that gov-

ernment is bloated and will find the money to do its job even if forced to live on an allowance.

The U.S. 2 corridor is a good place to explore these verbal bromides in real life.

The area is growing fast. The Cascade foothills country has become a magnet for space-seeking young families and others put off by the high cost of city housing.

Bumper-to-bumper rush hour traffic heads out of Monroe and has reached up the valley to Sultan, where Halverson commutes to his other job at the Lynnwood Fire Department. Assessed property valuation in Sultan grew by \$27 million last year, most of it in housing.

Fire District 5 serves a 70-square-mile area, and not just the people who live there. People use the foothills to go fishing and boating and hiking. They get into accidents on the highway and on fast-flowing stretches of the Skykomish River and walls of Mount Index.

As a result, Fire District 5 does a lot of trauma work. It also faces stresses that come with changes in the way Americans live, which have transformed fire service in the past 15 years.

The disabled and very elderly live longer in their own homes.

Fire District 5 gets called when people slip out of wheelchairs. Halverson recently responded to a man whose mechanized bed collapsed.

Family members from out of town, or out of state, dial up 911 and ask firefighters to do a check when an elderly parent or relative, living alone, fails to answer a phone call.

Fires are even getting more complicated. House and forest fires used to be different animals. Nowadays, as people build out in the trees, departments have to fight "interface fires" in which burning forests threaten peoples' homes.

A basic point stands out: We depend

on government -- especially for security -- while dumping on it.

Warming to the subject -- the Spartan bathroom does bug him -- Halverson recalled the day an I-747 petition gatherer came by the station.

"I explained to him that 747 would keep us from growing even in the best-case scenario," the chief said.

The reply, typical from Tim Eymann's troops: "You're going to have to put some things off for a while."

If he got into an injury accident out on U.S. 2, on days when Fire District 5 does not have an ILS (intermediate life support) technician at work, Halverson told the man, he would dispute the wisdom of delay.

"Why didn't you tell the people this?" the man asked Halverson. Under law, the chief has been forced to sit quietly and watch the I-747 debate until columnist with notebook drove up to his door.

Fire District 5 has two full-time ILS technicians, allowing for a person on duty 12 hours a day, five days a week. Halverson has hoped to hire a third person next January, upping service to seven days a week.

Under I-747, the district would have to go to voters each fall to keep the third life support job. Halverson finds the prospect to be absurd.

"You can't put in permanent programs on a year-by-year basis, and you can't attract permanent quality employees if you have to tell them each November whether they will have a job in January," he said. "If I want to recruit and keep good people, I must tell be able to tell them that this community will care for them as long as they care for this community."

I-747 would force about 1,700 fire districts, hospital districts and other government entities to go to the voters each year.

Employment Opportunities

WASHINGTON ASSOCIATION OF COUNTY OFFICIALS DEPUTY DIRECTOR:

The Washington Association of County Officials (WACO) is seeking a Deputy Director. WACO is a private non-profit association of county officials of thirty-nine counties. This full time position is in Olympia, WA, and assists the Executive Director in planning, directing, coordinating and administering association and staff activities under the policies established by the WACO Board of Trustees; represents WACO before the Legislature; and meets with state agencies, other associations and county officials to coordinate activities relating to county operations; as well as plans and develops programs, budgets, etc.

Requirements: A comprehensive knowledge and experience in county government; knowledge of laws, court decisions, and opinions governing county government operations; and possess excellent oral, written, and organizational skills.

Desired Qualifications: Extensive experience working with and knowledge of WA State laws and regulations relating to property tax appraisal and assessment; tax levies, exemptions and taxing districts; appeals; tax collection and distribution as it applies to counties; and, development and presentation of related training programs. Completed applications with a resume and a cover letter are due in the WACO office by 10/31/01 at 5:00 p.m. Applications are available by calling WACO at (360) 753-7319, at 206 10th Avenue SE, Olympia, WA 98501, or khouts@wacounties.org.

SENIOR PLANNER, YAKIMA COUNTY - This position will be involved with or will manage complex, often highly visible subdivision, zoning and /or environmental projects at all levels of review. This position requires the equivalent of a Bachelor's Degree in Planning and three years of progressively responsible planning experience including current planning. Experience with ARC/info, ARC/view and WA State land use and environmental law are desirable. Bilingual English/Spanish is also desirable. Check out the County's website at www.co.yakima.wa.us or www.visityakima.com for more information. Filing deadline: Thursday, November 15, 2001. Apply to Yakima County Human Resources, 128 N 2nd Street, Courthouse Room 412, Yakima, WA 98909. Phone (509) 574-2220. Email human.resources@co.yakima.wa.us.

DIRECTOR OF PUBLIC WORKS - Clallam County on the beautiful Olympic Peninsula of Washington invites candidates who are experienced in public works and who possess strong administrative, communication and leadership skills to serve as Director. Accountable for the proper operation, maintenance, repair and construction of the County's roads and bridges; storm drainage; other services such as road vacations, land acquisitions, right-of-way determinations, maintenance and preservation of the County's records related to Road facilities; GIS, ER&R, solid waste, Clallam Bay/Seki Sewer, flood control, emergency management, trails programs. Requires BS degree in civil or related engineering field preferred, with previous related Public Works experience sufficient to demonstrate thorough administrative competency and extensive knowledge of modern engineering principles and practices as applied to municipal public works design, construction, maintenance and operations, or any combination of education and experience to demonstrate competency. Professional Engineer's License from the State of Washington preferred but not required. Salary: \$5466.79 to 6644.93 per month plus excellent benefit package. Resumes in lieu of applications *not* accepted. Application packages available on-line at www.clallam.net/local, by emailing us at personnel@co.clallam.wa.us or by calling our Jobs Line at (360) 417-2528. Clallam County Department of Personnel & Risk Management, 223 E. 4th St., Port Angeles, WA 98362. Closes 11/09/2001. EOE.

PIERCE COUNTY/PUBLIC WORKS & UTILITIES DEPARTMENT - CIVIL ENGINEER 2, Program Development Division (Job #2399). \$51,500 - \$65,977 Annually. Position closes: November 2, 2001. Advanced work in civil engineering responsible for duties associated with the transportation impact fee development and administration, capital programming, cost estimating and project scoping, preparing engineering related reports and documentation as required for state, federal, and local authorities and as related to transportation issues and projects. Requires three years experience directly related to the position **AND** either a four-year degree in with major course work in civil engineering or closely related field OR, substituting for the degree, registration as an EIT in WA. Union membership required. Pierce Co. Personnel Dept., www.co.pierce.wa.us/jobs Or (253)798-7480 or TDD (253)798-3965. EOE

PIERCE COUNTY /HUMAN SERVICES DEPARTMENT - PROGRAM COORDINATOR 2, Federal Programs (Job #2407). \$26.27 - \$33.76/hr, Closes: November 2, 2001. This is professional work for the Mental Health Unit of Pierce County Human Services. An employee in this classification is responsible for ensuring that the Regional Support Network (RSN) and all providers in the RSN are meeting the privacy and transaction format requirements of the Health Insurance Portability and accountability Act (HIPAA). Work involves the interpretation of complex Federal Regulations, the creation and administration of detailed Project Plans for the RSN and it's providers ensuring compliance with the regulations. A masters degree

in Psychology, Social Work, Business Administration or a related field; and five years experience in mental health administration at county or state level. Two years experience in administration of a statewide Behavioral Health Medicaid Program preferred. Additional education and/or experience may substitute for the recruiting requirements. Pierce Co. Personnel Dept., www.co.pierce.wa.us/jobs or (253) 798-7480 or TDD (253) 798-3965. EOE

CLARK COUNTY - BENEFITS MANAGER. Clark County seeks a Benefits Manager to develop and manage the County's benefits programs with an emphasis on insurance benefits, deferred compensation retirement programs and HRIS. Serves as staff specialist and manager for FMLA and ADA compliance, ensures proper administration systems and procedures are in place, and provides counsel and advice to employees and managers regarding benefits and related matters. Bachelor's degree and four to six years professional-level human resources experience with a focus in managing the employee benefits function for a large organization is required. This is a dynamic environment; experience in evaluating, recommending and implementing significant benefit changes is required. Employment application and letter of interest are required; detailed position information and applications available at www.co.clark.wa.us and from Clark County HR, 1013 Franklin Street, Vancouver, WA. (360)397-6018; TDD (360)397-6032. EOE.

SPOKANE COUNTY - ELECTIONS MANAGER \$3,336—\$4,502 per month plus excellent benefits. Manages the activities and personnel of the Elections Division of the County Auditor's Department. Open until filled. For complete description and application materials, please contact Human Resources at (509) 477-5750 or email gnewnham@spokanecounty.org.

"Never tell people *how* to do things. Tell them *what* to do, they will surprise you with their ingenuity."

-- George S. Patton (1885-1945)