

the Courthouse Journal

WWW.WACOUNTIES.ORG

September 29, 2005
Issue No. 28

*Inside the
Courthouse Journal*

**Courts, Public Safety,
Law & Justice**
Pages 5 - 7

**Elections, Licensing
& Recording**
Page 8

**Environment, Land Use &
Resources**
Page 9 - 12

General Government Issues
Page 12

Association News
Page 13

**Training & Upcoming
Events**
Page 14

Courthouse Ramblings
Page 14

Calendar of Events
Page 15

**Historic
County
Courthouse
Rehabilitation
Grant
Program**

**Applications
Due!**

10/14/2005

*Washington Association of County Officials
Washington State Association of Counties*

Congressman Reichert to Speak at WACO Conference

Congressman Dave Reichert (R-8th Congressional Dist.) has accepted WACO's invitation to speak at the Annual Conference next week in Vancouver addressing the nationwide methamphetamine epidemic, as well as the two bills he has introduced aimed at curbing meth abuse. Congressman Reichert, the former King County Sheriff, knows firsthand the devastating impact of meth on our communities, and wants to provide a stable federal funding source to assist localities in the fight against meth. He will round out the Wednesday, October 5 program, along with Attorney

General Rob McKenna; John Horton, Associate Deputy Director of the White House Office of National Drug Control Policy; a panel of eight legislators focusing on county government issues and more.

Much has been written in previous weeks about this year's WACO Conference at the Vancouver Hilton, October 3-7. We think it is one you will not want to miss. Please answer President Tom Fallquist's call to conference and register today! You can find the final conference program at www.wacounties.org

99th Annual WSAC Conference Exceeds Expectations

By all accounts, the 99th Annual WSAC Conference held from September 20 – 23 in Vancouver at the Vancouver Hilton Hotel and Conference Center was a rousing success. With just a few concerns expressed regarding the food costs, the overall comments regarding the facility, the programming, the workshops, the social events and the exhibitors' fair were all glowing. Especially appreciated were the keynote speakers.

Dr. Patt Schwab kicked us off with a smile and lots of hardy laughter along with words of wisdom about how to take

the challenges we all face in these times and rise above the incumbent stress to appreciate the good things we all accomplish. At lunch on Wednesday we were both driven to laughter and tears by the heartfelt address from Bruce Vincent, the Libby, Montana family timber company owner, who founded Provider Pals. Provider Pals is an organization dedicated to bringing the rural lifestyle and ethos to the inner city to build a bridge between urban and rural communities and work together to preserve the best of both worlds. A number of members indicated he was the

Want to post a job announcement on our webpage?

E-mail your info to warden@wacounties.org

What information do you need to include in your e-mail?

Visit [Employment Opportunities](#)

The Courthouse Journal

Published weekly (during Legislative Session) and Bi-weekly (other than Session) 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 Wednesday.

Direct inquiries and correspondence to *The Courthouse Journal*, 206 Tenth Ave SE, Olympia, WA 98501-1131 or www.wacounties.org.

WACO STAFF

Phone (360) 753-7319 / Fax (360) 664-2812

Debbie Wilke, Executive Director
Michelle Hagen, Deputy Director
Christina Bridston, Programs Coordinator
Dave Clinton, Financial Manager
Kathie Houts, Administrative Assistant

WSAC STAFF

Phone (360) 753-1886 / Fax (360) 753-2842

Bill Vogler, Executive Director
Paul Parker, Assistant Executive Director
Maureen Morris,
Urban Counties Deputy Director
Sophia Byrd, Policy Director-
Courts, Public Safety, Law & Justice
Jean Wessman, Policy Director-
Human Services, Juvenile Justice & Housing
Michael Shaw, Interim Policy Director-
Transportation & Land Use
Vicki Kirkpatrick, Policy Director-
Public Health & WSALPHO Administrator
Tom Robinson, Coordinator-Timber
Trina Bannister,
Finance & Administration Director
Ginni Peppert,
Events Planner & Administrative Assistant
Barbara Warden,
Business & Administrative Assistant
Tom Jensen, Technology Project Manager

CPO PROGRAM

Julie Kaufman,
Certified Public Official Coordinator

(Cont'd from page 1)

best speaker they had ever heard not only at a WSAC conference but at any conference.

On Thursday, the new Secretary of the Department of Social and Health Services, Robin Arnold-Williams, delivered the luncheon keynote address. What a breath of fresh air! She brings a new commitment to the partnership between the state and counties recognizing the interdependency between us as we both strive to provide the best services to those in our communities who need assistance. Highlights of her address were her orientation of members to her background in Utah and work with counties and her hiring of Blake Chard as Deputy Secretary for Public Affairs, a former Utah state legislator and county sheriff, to build on that partnership. She also informed the members of several key initiatives she has started at DSHS including moving Mental Health and Substance into a new administration with Medical Assistance named Health and Recovery Services thus eliminating an Assistant Secretary, shortening response times to child protective emergencies to 24 hours, negotiating agreeable contract liability terms with counties, focusing on long-term care and health care costs among others. Key to counties was her support for asking the legislature to add additional funding to shore up the medicaid rates in mental health. This will help correct the imbalances created by the 2005 loss of federal funds and the legislature's fantastic yeoman work to add \$80 million on the state only side of the ledger.

Other plenary sessions included a session on legislative advocacy

facilitated by Enid Layes, former Executive Director of the Association of Washington Business and good government practices led by our own Jan Angel, Kitsap County Commissioner. Both were heavily attended and praised for the substantive tips the members gained. One member was heard to mention they learned more about working with the legislature in the hour and 15 minute advocacy workshop than they had learned in the past few years. The interactive workshops were all well-attended given the number and variety available with nothing but positive comments about the presenters and give and take with the audience. The only negative comment was that the final group of workshops should not be held after the business meeting on Friday, despite the quality of the information. Staff will reorganize the final day's agenda for next year.

On the positive side, the final business meeting on Friday morning was the best attended in probably the last decade with nearly all the members still in attendance. Maybe it was the \$50 gift card from Chevron awarded as the final prize drawing that did the trick given the price of gas these days. A couple of highlights among the workshops were the new commissioners' session, the discussion regarding the upcoming Request for Qualifications and the Request for Proposal processes for the mental health Regional Support Networks and the Governor's plans for amending the Growth Management Act (GMA) in the 2006 Legislative Session. The new commissioners and the GMA sessions are further described below and in the case of GMA in a separate article. (Cont'd on page 3)

NOTE: Legislative Committee schedules and agendas can be found at <http://www.leg.wa.gov/wsladm/calendar.cfm>

Class of 2005

About half of the county commissioners who entered office in January 2005 participated in the session reflecting on the first nine months in office. Challenges and surprises they encountered ranged from

- ✓ an “illegal fort” training military and paramilitary personnel contrary to zoning law
- ✓ the complexity of county code
- ✓ the impact of the state and legislature on county government
- ✓ the number of personnel issues

and included the comment, “Just because I’m in charge, doesn’t mean that I’m in control.”

The members of the Class of 2005 enthusiastically endorsed a follow-up one to two day session later in the year to address in greater depth topics such as public management, communication with the public, budgeting and revenue.

New Approaches to GMA

A full room of commissioners, councilmembers and staff were pleased and encouraged with the outline of GMA Reform proposals described by Keith Phillips, Executive Policy Advisor to Governor Gregoire. Phillips said that the Governor has asked her administration to move forward with several immediate issues that respond to the difficulties most often cited in relation to GMA. Several of these issues were worked on in previous legislative sessions, but were not resolved.

The Governor’s 2006 legislative agenda on GMA will focus on system improvements and efficiencies to reduce costs, and

provide better clarity for local governments and other GMA participants. It would also include steps needed to affirm the importance of agriculture in our state.

Draft bills to address the following issues will be discussed beginning in a series of workshops starting on October 3, 4 and 5:

1. Describe how Best Available Science is identified and applied when developing critical area ordinances.
2. Reassess the frequency of local land use plans and development regulations, especially as it relates to small and slow-growing jurisdictions.
3. Expand the types of small-scale commercial activities that are allowed on agricultural lands, to provide supplemental income for farmers.
4. Establish pilot projects to develop and test regional best management practices that could lead to reconciling potential conflicts between existing agricultural uses and critical areas protections.
5. Confirm that state agencies and local governments cannot use eminent domain to secure land for private economic development.
6. Improve the growth management plan and development regulation appeal process, including potential changes to the growth management hearings boards.

For more information on the meetings and the process, see GMA Reform article elsewhere in this *Courthouse Journal*.

All the business meetings and committee meetings were well attended starting with the Board of Directors meeting on Tuesday

afternoon to the Legislative Steering Committee to the district meetings, Urban Caucus and Rural Issues Subcommittee to the full business meetings. The 2006 legislative package and 2006 WSAC budget were adopted without dissent at the final meeting after presentation and discussion during the conference. The 2006 legislative package includes the seven WSAC priorities and their respective subtopics which are attached to this *Journal*.

The full language on the 2006 Legislative Priorities and Legislative Package is attached to this *Journal* (AttachmentPG3). One addition to the Legislative Package was a calling out of the importance to be engaged in any Methamphetamine Initiatives that result in possible legislation and/or funding during the 2006 Legislative Session. Meth and meth labs have been mentioned by commissioners and sheriffs all over the state as we have made courthouse visits this past summer.

The 2006 WSAC budget highlights include a continuation of the general dues freeze in place for five of the last six years. There will however be changes in the transportation dues. Related to that and in addition are the restoration of one FTE transportation lobbyist and the contracting of services to assist in communications, analytical, web and technology services in the Olympia office. Questions about the budget can be referred to Bill Vogler, Executive Director and questions about the Legislative Package can be referred to Paul Parker, Assistant Executive Director or the respective policy staff.

Another key item of business undertaken by the full membership and district membership respectively was the election of officers and the moving up the (Cont’d on page 4)

ladder of existing officers. The unanimously elected new WSAC Secretary-Treasurer is Leo Bowman, Benton County Commissioner. The WSAC officers for 2005-2006 are President Dean Burton, Garfield County, Secretary-Treasurer Leo Bowman, Benton County and Immediate Past President Betty Sue Morris, Clark. Despite a terrific fight, WSAC's incoming Vice-President Carolyn Edmonds, King County, lost in her primary race on September 20 so that upcoming vacancy will be filled at a later date. Our best wishes go out to Councilmember Edmonds. In the Districts officers for 2005-2006 are as follows: Eastern District President Merrill Ott, Stevens County, Vice-President Mary Lou Peterson, Okanogan County and Secretary-Treasurer Joan Frey, Klickitat County and Western District President Bill Byrd, Island County, Vice-President Kenneth Dahlstedt, and Secretary-Treasurer Lynda Ring-Erickson. In addition to the officers, two at-large Board members were appointed. These are Mary Hunt, Douglas County from the Eastern District and Eric Johnson, Lewis County from the Western District. Congratulations and welcome aboard for all the officers. They are to be commended for their dedication to the success and improvement of county government in serving the public and willingness to give up their valuable time at home and serve us on a statewide and regional basis.

And finally but not the least among the events were the exhibitor fair and the conference-wide dinner event at the Pearson Air Museum. The exhibitor space defined the main ballroom offering the conference participants constant access to the many exhibitors and their wares. Prize drawings were held celebrating members attendance at each booth.

The President's Reception was held among the exhibitors drawing even more attendance and encouraging socializing between the vendors and attendees. We thank the many vendors and exhibitors for participating in the conference and encourage them to continue attending. We also want to take this opportunity to thank all the gracious sponsors of the various events from breakfast to breaks to the free latte stands to the reception. These included EKO-System and InterLocking Software; Foster Pepper Shefelman PLLC; Puget Sound Energy; Waste Management; Washington Caterpillar Dealers; Bank of America; Washington Association of County Commission Clerks; Washington Counties Insurance Funds; Washington State Department of Natural Resources, Geology and Earth Resources; Washington Counties Risk Pool; Comcast; The Last Frontier; The New Phoenix; Chips; The Palace; Mill Nash LLP; Sedgwick CMS.

Exhibitors included Cascade Recreation, Inc.; Databar, Inc.; Destiny Software; Eagle Information Systems; EKO-System, a product of InterLocking Software; ESRI; EZ Street; Government e-Management Solutions, Inc.; ILombard-Conrad Architects; Interlocking Software; Medtronic Emergency Response Systems; Municipal Research & Services Center; Nationwide Retirement Solutions; Office Depot; Office of Regulatory Assistance (Washington State Department of Ecology); Roscoe Bridge; Rx Help for Washington; Springbrook Software; Ultrablock, Inc.; U.S. Communities; VEBA Service Group, LLC; VP Consulting, Inc./Laserfiche; Washington Caterpillar Dealers; Washington Counties Insurance Fund; Washington Counties Risk Pool; Washington State Department

of General Administration; Washington State Department of Natural Resources, Geology & Earth Resources; Waste Management; Whitmont-Dierickz Technologies; Wildlands of Washington, Inc.

The final social event was a glittery black and white event held at the Pearson Air Museum. Filled with airplane memorabilia ranging from full-sized planes to the smallest internal workings of aircraft and period uniforms, the Museum is a worthy testament to flight and the history of the Clark County region in relationship to the use of aircraft in war and peace. Accompanied by the big band sounds of Swing DC, the members enjoyed a wonderful buffet of great food and beverages. The new president, Dean Burton, Garfield County, was given the WSAC President's pin and all were treated to the graceful swing dance steps of Leo Bowman and his lovely wife Jo, out on the dance floor.

With thanks to all who made the 99th Annual Conference a success from the members to the affiliates to the presenters, sponsors and exhibitors, honored guests and WSAC staff. And don't forget, next year is our Centennial Celebration to be held at the Spokane Doubletree's brand new convention addition the third or fourth week in September (the exact date to be announced in the next Journal). This will be a special event and the Centennial Committee is already hard at work making plans to ensure its memorability.

WSP Vancouver Crime Lab Dedication

The opening of the first phase of the WSP Crime Laboratory will be held in Vancouver at 3:30pm, Tuesday October 4. See attachment to this *Journal* for details (Attachment PG5).

Please Join Governor Gregoire and Chief Batiste to celebrate the dedication of this great new facility.

As for the future, WSP has been pursuing funding to complete the second phase of the lab (the second floor DNA suite), however this does not meet the criteria for a supplemental budget request, and will not be part of the Agency's supplemental request for 2006.

We look forward to staffing and expanding services in Vancouver with our new and current resources, and are planning ahead for 2007/09.

Update on Study of Local Emergency Management Programs

Many county commissioners, emergency management directors and their staff may recall the state Emergency Management Council's Task Force on Local Programs, which in 2003-2004 reviewed local emergency management and issued recommendations to enhance local programs statewide. Although the Task Force has disbanded, the effort is not abandoned.

Thurston County Commissioner Diane Oberquell, who currently chairs the governor's Emergency Management Council (EMC), recently updated members of the former Task Force and is scheduled to meet with the governor next week.

Commissioner Oberquell reports that since last fall, when the EMC received the final study, the Council has taken several steps to refine and further develop the recommendations outlined in the report. These steps include:

- The EMC requested and received detailed comments on the report from the state Emergency Management Division (EMD), which administers state-level emergency management activities and works closely with local jurisdictions.
- The EMC worked with EMD to determine lead entities that can take assigned recommendations and move them toward action/implementation.
- The EMC also is forming a small working group to begin tackling the systemic and structural recommendations of the report. The group, co-chaired by Olympia Mayor Mark Fouch and consultant Nicole Simpkinson, held an organizational meeting September 28.
- Finally, the EMC incorporated the Task Force's findings and recommendations as well as a summary of background information in the EMC's annual report to the governor. The annual report is available online at <http://emd.wa.gov/5-prog/prgms/policy/emc/emc-anl-rpt/emc-anl-rpts-idx.htm> by clicking on the link to the "2005" annual assessment.

Legislature Plans Meetings on Emergency Management Issues

Following a request from Governor Christine Gregoire, Washington lawmakers are planning a series of joint legislative hearings regarding state and local emergency management issues.

Although still subject to change, the all-day meetings are planned for Wednesday, October 12 in Spokane, and Thursday, October 27 in Tacoma. A third meeting is being considered for November, possibly in Vancouver.

The meeting format will focus on presentations from federal, state, local, and tribal emergency management professionals, with some time reserved for public comment.

Exact meeting locations and agenda items are still being finalized, but likely will be available sometime next week. For more information, contact WSAC policy director Sophia Byrd McSherry at 360-753-1886, 360-561-6547 or sbyrd@wacounties.org.

WSAC Members Tackle 'Jail Challenges and Solutions'

The annual WSAC Conference drew a standing-room-only crowd to the interactive workshop "Jail Challenges and Solutions."

Speakers were Jim Thatcher with the Washington State Department of Corrections, Eileen Bisson, Pierce County chief of corrections, and Mike Piper, Community Services director for Clark County.

The "challenge" that dominated the discussion seems to be increasingly common among county jails – the dilemma of actually having excess physical space for inmates but not enough operating dollars to maintain staff and keep the beds

Courts, Public Safety, Law and Justice (continued)

open. Pierce County, for example, recently opened a new jail facility but cannot afford the staffing and other costs to open all the housing units. Thus the county continues to function under a federal court ordered maximum population that requires inmates to be released early – sometimes months before their sentence is complete, Bisson said.

Several counties, however, have been able to address similar problems by contracting with the state Department of Corrections (DOC) to provide short-term jail space for former DOC inmates who violate the conditions of community supervision. DOC currently purchases bed space from 10 counties and is in negotiations with six more, Thatcher said.

Although commissioners expressed interest in taking DOC inmates who currently are housed in out-of-state prisons due to crowding in Washington prisons, Thatcher explained that such an arrangement would not be possible, or desirable, for many jails. These often lack education opportunities, drug treatment and other programs available in prisons as well as the level of security necessary to manage criminals who Thatcher described as much more difficult than the typical short-stay jail inmate.

In addition to partnerships with DOC to help address some jail challenges, Bisson reminded commissioners of services available through the Washington Association of Sheriffs and Police Chiefs (WASPC), particularly the “Health Care in Jails” program that provides discounts for inmate medical services. Currently 12 county jails participate in the network. More information is available on the

WASPC website at www.waspc.org/jails.

The “Check’s In The Mail” For District Court Judge Salaries

As discussed in the Court Funding workshop at the WSAC conference last week, the state of Washington is beginning – for the first time ever – to help counties pay district court judge salaries. Counties should receive their first quarterly state distribution in early October, according to Ramsey Radwan, finance director for the state Administrative Office of the Courts (AOC).

The state contribution will be rather small at first – only about \$11,000 per full-time district court judge per year, distributed in quarterly amounts. That’s because the Legislature, in order to gain enough votes for the bill that included this salary provision, tied the state contribution to a percentage of new revenue rather than a percentage of salary and then reduced the amount of revenue available for district and municipal court judge salaries in the first biennium. By 2007, it is expected that the state contribution will be equal to about 50 percent of the new state revenue, which will equal roughly one-quarter of the district court judge salary.

The new state contribution was part of a package of court-related legislation in Senate Bill 5454, enacted in the 2005 legislative session. The bill provides for new court filing fees and increases to existing fees, as well as new state funding for criminal indigent defense, parental representation in

dependency and termination matters, civil legal aid, state contribution to district and elected municipal court judges’ salaries, and local trial court funding accounts.

The counties are also expected to see substantial new, unrestricted revenues from their share of the fee increases. From each court filing fee, the county remits a certain percentage to the state and retains the rest for the county general fund. The new legislation did not change how the fees are split between county and state.

Early implementation of this new legislation may be a bit confusing. If you have concerns or questions, please contact WSAC policy director Sophia Byrd McSherry at 360-753-1886, 360-561-6547, or sbyrd@wacounties.org.

Courts, Public Safety, Law and Justice (continued)

REICHERT NAMED CHAIR OF EMERGENCY PREPAREDNESS SUBCOMMITTEE

Former first responder to lead subcommittee with FEMA oversight

WASHINGTON, DC - U.S. Rep. Dave Reichert (WA-08) was appointed, today, Chairman of the Subcommittee on Emergency Preparedness, Science and Technology, to the House Homeland Security Committee.

Homeland Security Chairman Peter King cited Reichert's expertise in emergency preparedness, drawn from his career as a first responder, as the leading factor in his selecting Reichert as subcommittee chair.

"Dave Reichert brings real-life experience and dedication to the Committee which is unmatched. I am delighted that he has agreed to serve as Chairman of the Emergency Preparedness Subcommittee. No one could be more qualified," said King.

Prior to being sworn in to Congress in January, 2005, Reichert served as a police officer for 33 years. Most recently he finished an 8 year term as Sheriff of King County, Washington. Under his leadership, the Sheriff's office developed integrated information sharing systems, known as LINX and RAIN, and developed effective budgeting techniques without compromising community services. He gained national recognition for his response to the 1998 WTO riots in Seattle, and has participated in TOP OFF emergency preparedness exercises nationwide.

"I am honored Chairman King has chosen me for this position," Reichert said. "I look forward to continuing the excellent work this subcommittee has done. Making sure the American people are safe is our top priority. Effectively preparing our first responders and emergency response systems takes care of all of our families, and I will work to see they continue to have the necessary resources."

The Homeland Security Committee's Subcommittee on Emergency Preparedness, Science and Technology has jurisdiction over first responder funding, including how these funds are administered; preparedness for and collective response to terrorism; national exercises and training for terrorist attacks; coordination between the federal government and state, local, and private sector in terrorism preparedness; and research and development of new technologies for combating terrorism.

Congressman Reichert will be speaking next week to the members of the Washington Association of County Officials (WACO) during their Annual Conference at the Hilton Vancouver Washington.

Contact: Heather Janik (202) 225-7761

Elections, Licensing and Recording

Primary Results

Four counties had countywide law and justice issues on the primary ballot. Only Whitman county's passed. The results follow:

Cowlitz County

0.2% local sales tax for drug abuse/related crimes

Yes	11,724	49.21%
No	12,100	50.79%

Franklin County

0.2% sales and use tax (70% for criminal justice and 30% to improve roadways) Proposition will appear again on November general election ballot.

Yes	3,396	39.82%
No	5,132	60.18%

Kitsap County

0.15% law and justice tax

Yes	20,530	34.25%
No	39,416	65.75%

Whitman County

0.1% sales and use tax for Adult Jail

and Juvenile Detention

Yes	2,798	54.59%
No	2,327	45.40%

The following are those running for unexpired terms on the WACO side. Those without numbers will appear on the general election ballot: (*Denotes incumbent)

Clallam County

Assessor:

Mike Hopf (acting assessor) (NP)
Pamela Rushton (NP)

Treasurer:

*Judith Scott (NP)

Cowlitz County

Assessor:

*Terry McLaughlin (D)

Clerk:

*Roni Booth (D)

Jefferson County

Clerk:

*Ruth Gordon (D) 4,605

Tammi Rubert (D) 3,925

Ruth Gordon (D), current clerk, will serve the unexpired term until the

2006 election.

Kittitas County

Auditor:

*Jerry Pettit (D) 2,145

Lisa Young (R) 977

Robert Eaton (R) 1,644

Jerry Pettit (D), current auditor, and Robert Eaton (R) will appear on the general election ballot with Lisa Bowen (I)

Lewis County

Sheriff:

*Steve Mansfield (R)

Spokane County

Assessor:

*Ralph Baker (R)

Environment, Land Use and Resources

Grants Available - Reduce the Most Toxic Air Pollution in Your Communities and at Your Worksites

We've all had the experience of taking a deep breath of what we expected to be fresh air, only to realize that we have filled our lungs with "fresh" diesel exhaust. While most of us find diesel odor offensive, we are not alarmed by the smell. What most of us don't realize; however, is that we should be concerned with the extent to which exhaust affects our bodies. In fact, diesel exhaust is the most toxic of all forms of air pollution. It contains a hazardous mixture of pollutants usually emitted at ground level where we breathe.

The fine particles in diesel exhaust penetrate the lungs and remain there indefinitely to aggravate or create both lung and heart conditions. Diesel exhaust has been linked to the onset or worsening of most major, chronic and/or terminal ailments, including cancer, emphysema, autoimmune disorders, asthma, heart, stroke and the underdevelopment of children's lungs. Research also indicates diesel emissions also cause premature deaths within populations and occupations where people are regularly exposed to these toxins.

Washington's Legislature has responded to the staggering price we pay for the severe impact diesel exhaust has on our health by allocating funds for a new grant program. The Legislature has appropriated \$2 million for city and county governments to address this critical problem on a local level. A conservative estimate based on the U.S. Census Bureau's data estimate

in 2002, places the cost of diesel emissions to residents of the United States at \$17.33 to \$264.72 per person each year. While this may not sound like much, the U.S. Environmental Protection Agency projects that the fine particle pollution found in diesel emissions will cost the public a staggering \$139 billion annually by the year 2010.

The \$2 million grant funds will be used to buy and install emission control devices on Heavy Duty diesel vehicles such as garbage trucks, dump and maintenance trucks and transit buses. These emission control devices are highly effective in reducing the amount of toxic components released into the air decreasing air pollution and improving the quality of our air. They are particularly useful in addressing the severe health hazards produced by heavy duty diesel trucks and buses.

According to Howard Frumkin, M.D., renowned doctor of public health, "Occupational exposure to diesel exhaust is considered a diesel "Hotspot" by the EPA and other health and safety organizations. Those working with or around diesel exhaust and members of their communities are at the highest risk of developing serious health conditions due to their exposure."

The Department of Ecology encourages all cities and counties throughout the state to apply for these funds. The grant program has been designed to be "user friendly," making it easy to apply. The applications are simple, easy to fill out and will not require any local entity to have a writer on staff. Once the cities and counties are notified

they have been chosen to receive grant funds, the implementation of the program will also be easy. You will not need specialized staff to ensure the program is implemented properly. The process is designed to "cut through the red tape" usually associated with grant projects. No matching funds will be required and all funds will be used for equipment and installation of diesel emissions retrofits.

At the Department of Ecology, our goal is to ensure a safe working and living environment for you, your employees and your neighborhoods. Decreasing toxic diesel emissions is a major step in attaining this goal. For information regarding questions or the application process, contact Ann Byfield at (360) 407-6851 or send her an e-mail at abyf461@ecy.wa.gov.

No More Idling...

- Emissions Control Devices are cost effective strategies to efficiently reduce toxic diesel emissions.
- The U.S. Environmental Protection Agency reports that about 21,000 people die prematurely each year due to the particulate matter in diesel emissions.
- In the state of Washington, an average resident's lifetime risk of dying from any type of cancer is about 13%. Toxic air pollution contributes to this risk. The chances of survival with most types of toxic air pollution-associated cancers are poor.
- The health consequences of air pollution include hospitalizations, emergency room visits, diminished lung function, increased use of certain

Environment, Land Use and Resources (continued)

medications, and lost work and school days.

- Even in the least polluted towns in Washington, the cancer risk from air toxics exceeds the U.S. EPA's "acceptable" risk level by more than 50-fold.
- The Washington State Department of Health estimates the number of toxic air pollution-associated cancers is up to 180 per year in Washington.
- The Environmental Protection Agency has projected that health, mortality and other costs to the public from diesel emissions will be a staggering \$139 billion per year by 2010. The cost is \$17.33 to \$264.72 per person, based on a 2002 U.S. Census Bureau estimate.

Governor Unveils Coordination Principles for State Agencies Working with Local Governments

Governor Gregoire last week announced a system for improved coordination among eight state agencies as they work with cities and counties on land use and environmental issues. The effort ensures that state participation in local planning activities is timely, helpful and effective. Called correspondence principles, the actions are intended to minimize conflicts and resolve disagreements.

"Cities and counties have a significant responsibility in charting a course for the future that maintains their quality of life as this state grows," said Governor Gregoire. "The state will be a helpful, reliable partner on land use and environmental policies that communities are considering."

State agencies and local government planning staff, with the help of the Association of Washington Cities and the Washington State Association of Counties, developed the principles.

"This is a significant, if long-overdue, step in the right direction," said Betty Sue Morris, president of the county association.

For Pierce County one of the more challenging issues was balancing wetland protection with property owners' use of their land. The state agency staff came to the county's public meetings, heard the concerns in person and a meaningful balance was achieved.

"It was the willingness of state agency staff at Department of Ecology to really listen to the public comments that allowed us to achieve success," said Pierce County Executive John Ladenburg.

The Washington State Department of Community, Trade and Economic Development (CTED) coordinates the state's growth management efforts and led the correspondence principles project under the governor's direction.

An agreement signed by the departments of Agriculture, Health, Ecology, Transportation, Fish and Wildlife, Social and Health Services, and CTED, along with the Puget Sound Action Team, commits the eight agencies to:

- * Work with local governments as early as possible when draft plans and amendments are being considered.
- * Share draft comments with communities.
- * Consider local concerns before

letters are finalized.

- * Designate a lead staff person at the agency to help resolve disputes between the agency and local governments over growth management issues.
- * Make a clear distinction in letters between requirements of the law and state agency opinion over best practices.

Governor GMA Reform Agenda Gets Underway

Public work sessions begin October 3-5 to develop an agency request legislative package for 2006 on GMA Reform. Governor Gregoire has asked her administration to move forward with several immediate issues that respond to the difficulties most often cited in relation to GMA. Several of these issues were worked on in previous legislative sessions, but were not resolved.

The 2006 legislative agenda will focus on system improvements and efficiencies to reduce costs, and provide better clarity for local governments and other GMA participants. It would also include important steps needed to affirm the importance of agriculture in our state.

Per the Governor's direction, legislation will be drafted to address the following issues:

1. Describe how Best Available Science is identified and applied when developing critical area ordinances.
2. Reassess the frequency of local land use plans and development regulations, especially as it relates to small and slow-growing jurisdictions

Environment, Land Use and Resources (continued)

3. Expand the types of small-scale commercial activities that are allowed on agricultural lands, to provide supplemental income for farmers
4. Establish pilot projects to develop and test regional best management practices that could lead to reconciling potential conflicts between existing agricultural uses and critical areas protections
5. Confirm that state agencies and local governments cannot use eminent domain to secure land for private economic development
6. Improve the growth management plan and development regulation appeal process, including potential changes to the growth management hearings boards

The six topics were selected based on the commitments made by the Governor during the 2005 legislative session to develop answers over the interim for these timely issues and the ability to make progress this coming session. This approach does not preclude the ability of the administration to address other issues in future sessions, but that decision will be made at a future time. It also is not intended to prevent others from introducing GMA related bills in the 2006 session.

The work sessions on the first drafts will be held in House Hearing Room C, John L. O'Brien Building, Olympia schedule follows:

1-4 pm, Monday, Oct 3
Best available science; GMA update timelines

1-4 pm, Tuesday, Oct 4
The two agriculture-related bills

1-4 pm, Wednesday, Oct 5
Appeals process; eminent domain

The six bills then will be redrafted based on the work sessions and distributed widely for review. The second drafts of the bills will be released by October 17 and out for review for a month, with comments due on November 15.

During this time, administration staff will be meeting with stakeholder groups to get direct feedback and to work on other ideas and any concerns that arise, as needed and appropriate, and as the schedule allows.

Based on comments, a third draft of the bills will be prepared. Details regarding review and discussion of the third drafts will be announced at a later date.

Concurrent with the above drafting and stakeholder process, they will be consulting separately with legislative leaders and with tribal governments.

Given the nature of these topics, they expect the discussions to continue after bill introduction, as part of the legislative process.

DFW Seeks County Involvement in Flood Planning

Floods, fish and permitting can unnecessarily become a contentious issue, and the Washington Department of Fish and Wildlife (WDFW) would like to work with counties to reduce, if not completely eliminate, that volatility. Rather than wait for the flood emergency to occur, necessitating a reactive response, WDFW is offering its assistance to achieve a proactive

response to imminent flooding.

Among the various permits that may be required for a project related to flood control or protection is the Hydraulic Project Approval (HPA) issued by WDFW. HPAs for flood response range from the standard HPA to the emergency HPA. Standard HPAs are issued within 45-calendar days of receipt of a complete application package that includes the complete application and compliance with the requirements of the State Environmental Policy Act (SEPA) and are issued for up to five years. Expedited HPAs are issued within 15-calendar days of receipt of a complete application for an imminent danger defined in statute as "*a threat by weather, water flow, or other natural conditions that is likely to occur within sixty days of a request for a permit application.*" Emergency HPAs are issued immediately for an "*immediate threat to life, the public, property, or of environmental degradation.*"

Greg Hueckel, WDFW Assistant Director for Habitat, is eager to work with counties to develop five-year standard HPAs in the form of maintenance approval agreements. RCW 77.55.100(6) states:

"The department shall, at the request of a county, develop five-year maintenance approval agreements, consistent with comprehensive flood control management plans adopted under the authority of RCW 86.12.200, or other watershed plan approved by a county legislative authority, to allow for work on public and private property for bank stabilization, bridge repair, removal of sand bars

Environment, Land Use & Resources (continued)

and debris, channel maintenance, and other flood damage repair and reduction activity under agreed-upon conditions and times without obtaining permits for specific projects.”

The Regional Habitat Program Manager (RHPM) for your county can help you get started. For your convenience, contact information for the RHPMs is as follows:

Region 1

Mark Wachtel (509) 527-4140

Ferry, Stevens, Pend Oreille, Lincoln, Spokane, Whitman, Walla Walla,

Columbia, Garfield and Asotin counties

Region 2

Chris Parsons (509) 754-4624

Okanogan, Chelan, Douglas, Grant and Adams counties

Region 3

Ted Clausing (509) 457-9314

Kittitas, Yakima, Benton and Franklin counties

Region 4

Rich Costello (425) 775-1311 x 114

San Juan, Island, Whatcom, Skagit, Snohomish and King counties

Region 5

Steve Manlow (360) 906-6731

Lewis, Wahkiakum, Cowlitz, Clark, Skamania and Klickitat counties

Region 6

Steve Kalinowski (360) 249-1227

Clallam, Jefferson, Kitsap, Grays Harbor, Mason, Thurston, Pacific and Pierce counties

Or, in addition to the RHPM, contact Greg Hueckel directly at (360) 902-2416.

General Government Issues

Historic County Courthouse Rehabilitation Grant Program

Counties wishing to tap the \$5 million Historic County Courthouse Rehabilitation Grant Program established in the capital budget should act now.

The Department of Archeology and Historic Preservation (DAHP)

has mailed a "one-page" summary about the program and application form to eligible counties.

Application forms are due to DAHP on Friday October 14. Successful applicants will be announced on December 2, 2005.

Chris Moore, new program Field Director with the Washington Trust for Historic Preservation (WTHP) is assisting DAHP in administering the

grant program. Chris is available to answer questions and assist in completing the forms for counties through the due date (again 10/14/2005). Contact information for Chris Moore is: CMOORE@wa-trust.org or 206-624-9449.

Association News

WSAC Board Votes to Support Hurricane Katrina Relief Efforts

The WSAC Board of Directors met last week during the 99th Annual Conference and voted to help the victims of hurricane Katrina by making a donation of \$1,000 to the Parish and County Family Fund, a NACo fund established to help the families of county employees impacted by the storm. NACo president Bill Hansell had requested that all counties help by making contributions to the fund and he was able to attend the meeting and report that over \$50,000 had been raised in the first few weeks. He also told a story that at least one parish in Louisiana has been so devastated that it may never recover and simply will cease to exist in the future.

Clark County Commissioner Marc Boldt, also a member of the Board of Directors, reported his efforts to remember the victims by asking all counties to sign a banner from the state of Washington to the citizens of a parish that he will personally deliver to that police jury in the next few weeks. He wants WSAC to establish a sister parish-county Association relationship with WSAC and make a long term commitment that after all of the press coverage has gone away and many people forget about them they will be remembered and supported by WSAC. Marc will be reporting his progress at future Board meetings and updates will be sent to all members.

The Board also voted to provide a contribution the new TVW Media Center, which will provide a new building and data upgrade for TVW.

TVW is the only statewide public information TV network that covers all actions of the state legislature as well as many other public agencies including WSAC's annual conference.

In other business the Board received a clean annual audit review in which there were no findings. They also continue to work on the creation of a financial services corporation that will be designed to produce increased revenues for the Association in future years. A special Board meeting has been set for Thursday, November 17 from 12-4:00 p.m. in the Radisson Hotel Gateway Seattle-Tacoma Airport to consider further action.

The Board voted to nominate Mason County Commissioner Linda Ring-Erickson to the Forensic Investigation Council. The Governor will make the appointment. They also created a committee to consider a rural position for the WSAC staff to lobby agriculture and rural issues. The committee will be contacting rural counties and those urban counties with rural issues about what they would like and how to pay for the position.

County and Regional Planning Directors Meet

Twenty-seven members of the WSAC affiliate for planning directors, the Washington State Association of County and Regional Planning Directors, attended their annual joint conference with their city counterparts in Chelan on September 13-16.

The agenda included a presentation by Art Schlack, Policy Manager for the Oregon Association

of Counties, on Oregon Measure 37 addressing historical development rights. Scott Merriman also reviewed Governor Gregoire's intent to address six focused areas relative to the Growth Management Act. Mickey Fearn discussed viewing organizations as living organisms and the importance of leaders and managers generating an engaged and enthusiastic attitude in the workplace. A number of practitioners' workshops were also conducted to address topics such as code enforcement, transferable development rights, and the city/county as developer.

Special recognition was given to Mike Corcoran, Benton-Franklin Council of Governments and Norman Abbott, Puget Sound Regional Council, for their 30-plus years of planning service.

During its business meeting convened by President Jerrod MacPherson, Franklin County, the planning directors approved a proposal to donate \$750 to the Washington Counties Scholarship Fund. City and county attendees also had a successful auction benefiting The Cascade Center scholarship program and Hurricane Katrina relief efforts.

Training and Upcoming Events

Investigating and Prosecuting Animal Cruelty Cases.

The Whatcom County Sheriff's Office has detected an increase in the frequency and complexity of criminal cases involving the torture and abuse of domestic animals. To help develop the skills of law enforcement officers and prosecutors in addressing these issues, the Sheriff's Office is sponsoring a seminar "Investigating and Prosecuting Animal Cruelty Cases." Experts will cover topics such as the link between animal and human abuse, the dynamics of animal abuse in domestic violence cases, a review of Washington's Anti-Cruelty statutes, as well as investigative techniques and the collection and preservation of evidence. The seminar is directed towards detectives and criminal investigators who investigate these matters, line level patrol officers, animal control officers and prosecutors.

The seminar will be held at the Best Western Lakeway Inn in Bellingham on October 17 and 18, 2005. The attached brochure lists the speakers and describes the program in further detail. The fee for the two-day workshop is \$50.00. Please contact the Best Western Lakeway Inn at 360-676-1011 at for special room rates if you wish to stay at the Inn.

Please see attachment to this *Journal* (Attachment PG14) and for further information/registration please contact Marvin Wolff, 360-676-6650 or <mailto:MWolff@co.whatcom.wa.us>

Climate Change Conference

King County and many other organizations are sponsoring an all-day conference on Global Warming and Climate Change on October 27 in Seattle at the Qwest Field Conference Center. Titled "The Future Ain't What it Used to Be: Planning for Climate Disruption," the conference objectives include:

- Understanding the degree of climate change predicted in 20, 50 and 100 years in Washington State
- Review climate change adaptation work already being done: who, what, where
- Identify resource and information needs for impacted sectors
- Identify approaches for improving sector-specific plans to adapt to climate change including risk assessment and response.
- Initiate an ongoing dialogue about climate change, adaptation, and risk management.

Early registration has been extended to September 30. The website is at <http://dnr.metrokc.gov/dnrp/climate-change/conference-2005.htm>

On a related note, the Climate Impacts Group at the University of Washington is doing its annual "fall forecast" for the Pacific Northwest the day before (October 26). For information on that event, go to: <http://www.cses.washington.edu/cig/outreach/workshopfiles/seattle2005forecast/index.shtml>

Courthouse Ramblings

Mason County employee, *Todd Barr*, was deployed to Baton Rouge, LA as a member of DMORT (Disaster Mortuary Operational Response Team) to assist with Hurricane Katrina recovery. Thanks Todd!!!

Calendar of Events

<i>Meeting</i>	<i>Location</i>	<i>Date</i>	<i>Information</i>
For your convenience training and workshops are bolded.			
<u>OCTOBER 2005</u>			
Washington Association of County Officials' Annual Conference	Hilton Hotel & Conference Center, Vancouver	October 4-7	(360) 753-7319
Washington Counties Insurance Fund (WCIF)/Washington Counties Insurance Pool (WCIP) ACE Committee (HR & Payroll Only)	Radisson Hotel, SeaTac	October 12	(360) 586-0466
<u>NOVEMBER 2005</u>			
Washington Counties Risk Pool, Risk Managers Roundtable	Marcus Whitman Hotel, Walla Walla	November 2	(360) 586-7447, ext 104
Washington Counties Risk Pool, Autumn Board Meeting & Planning Session	Marcus Whitman Hotel, Walla Walla	November 2-3	(360) 586-7447, ext 100
VETERANS DAY	WA Counties Bldg CLOSED	November 11	(360) 753-1886
Washington Association of Sheriffs and Police Chiefs' (WASPC) Annual Fall Conference	Red Lion Hotel, Olympia	November 14-17	(360) 753-7319
Assn of County Human Services	Ellensburg	November 16 - 18	(360) 753-1886
Washington Counties Insurance Fund (WCIF) Board Meeting	Red Lion at Columbia Center, Kennewick	November 17	(360) 586-0466
THANKSGIVING HOLIDAY	WA Counties Bldg CLOSED	Nov. 24 and 25	(360) 753-1886
WA State Assn of Local Public Health Officials	SeaTac	November 29 - 30	(360) 753-1886
<u>DECEMBER 2005</u>			
WA Association of Prosecuting Attorneys' (WAPA) Winter Meeting & Banquet	Crowne Plaza Hotel, Seattle	December 8 - 9	(360) 753-2175
CHRISTMAS HOLIDAY	WA Counties Bldg CLOSED	December 25	
For a full calendar click - Calendar of Events			