

the Courthouse Journal

WACOUNTIES.ORG

August 30, 2007
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 Courthouse Journal*

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

Thank You for Responding to County Fiscal Health Survey

The response rate to the County Fiscal Health Study is going very well. However, there are some offices that are lagging behind. Below are the current response rates by office. We urge you to respond to the survey to the best of your ability. If you have misplaced your survey or believe you should have received a survey but did not, please contact Julie Murray at WSAC at (360) 753-1886 or Debbie Wilke at WACO at (360) 753-7319.

Office number	Label	sample	Phone	web	response
1	Assessor	39	4	25	74.36%
2	Auditor	40	1	29	75.00%
3	Clerk	39	1	28	74.36%
4	Commissioner/Council	136	3	34	27.21%
5	Prosecuting Attorney	39	1	20	53.85%
6	Coroner	21	2	11	61.90%
7	Sheriff	39	3	20	58.97%
8	Treasurer	37	1	27	75.68%
10	Executive/Administrator/Budget	44	1	26	61.36%
12	Public works	37	2	16	48.65%
13	Human Services	48	3	14	35.42%
14	Public Health	27	3	11	51.85%
15	Parks and recreation	18	0	4	22.22%
16	Planning	38	2	7	23.68%
17	Extension	37	4	17	56.76%
18	Superior Court Administrator Superior and District Court	35	2	9	31.43%
19	Judges	73	2	23	34.25%
		<hr/> 747	35	321	47.66%

Annual WACO Conference – Make Reservations Now

Registrations and draft programs for the 49th Annual WACO Conference have gone out to all WACO members and others. The conference will be held October 1-5 at Skamania Lodge in Stevenson. Room reservations under the WACO block can be made by calling 1-800-221-7117. Time is of the essence because the cutoff date for the room block is Friday, September 7.

Want to post a job announcement on our webpage?

E-mail your info: Subject – “**JOBS - WA Counties**” to bwarden@wacounties.org

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

Visit [Employment Opportunities](#)

The Courthouse Journal

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We welcome your suggestions and contributions. The weekly / bi-weekly deadline is noon Wednesdays.

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

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WSAC Announces Draft Conference Agenda

Make your plans now to join County Commissioners, Council Members, and Executives along with a host of affiliate groups for the 101st Annual WSAC Conference and Exhibitor Fair, November 14-16 in Clark County. Registration will be available in two weeks, but the hotel room block is now open. Make your reservations today by calling the Vancouver Hilton at (360) 993-4500 or 1-800-HILTONS. Mention that you are with the Washington State Association of Counties room block to receive the special conference rate of \$102 per night plus taxes. The draft agenda is available online at: <http://wacounties.org/wsac/conference2.htm>. It will be regularly updated as speakers and sessions are confirmed

Budget, Finance and Taxes

Confusion Follows SB 5498

Once in a while the law of unintended consequences strikes. Following the adoption of **SB 5498**, Local Taxing District Funding Sources, everyone tracking the bill felt that it was fairly innocuous. It simply allowed taxing districts other than counties and cities to ask the public to allow a “LID LIFT” for up to six years in duration.

Most realized that the time and expense that districts, primarily Fire Districts and EMS Districts, have had to go through to pass one year special levies was very draining, and most felt that this was a fair compromise. Let them ask the people to support a multiple year LID LIFT for up to six years in duration.

In the past, the ballot titles for these types of measures specified whether they were “Temporary” or “Permanent” types of LID LIFTS. So marked “Permanent” LID LIFT ballot requests were generally met with a cold shoulder by the voting public, and most failed. “Temporary” Ballot Title LID LIFTS as a general rule fared much better. The voters seemed to like the fact that the raise in taxes was only for a defined period of time, and then the rate would ratchet downward. Perhaps they felt it was a form of “checks and balances” where they as a voter had the final say.

Imagine the chagrin when the Department of Revenue interpreted the new law in a slightly different way than anyone expected. Simply stated, under the new law as adopted, if the ballot title does not specifically say it is a “Temporary” LID LIFT and the voters approve it, it is in fact a “Permanent” LID LIFT. The nuances of the wording by omission completely caught everyone by surprise. Despite vigorous objections by the assessors, even they had to finally admit that the law could and probably would be interpreted just that way.

An August 26 story in *The Daily Olympian* was the first time the full story on the new law made it into the media. Unfortunately, this of course came after the vote on August 21 on many of these aforementioned measures (*article follows*).

Legislative Committee Schedules and Agendas:

<http://www.leg.wa.gov/wsladm/calendar.cfm>

Bill Information: www.leg.wa.gov

The danger of public perception on this is immense; not to mention the tax increase ramifications. Under the political taxpayer climate that all government entities live under today, this law could probably be construed as an “end around run” on tax limits. To the Washington State Department of Revenue’s credit, they have stepped up to the plate on this issue and have approached the Governor stating their concerns. Prime sponsor of the bill, Senator Debbie Regala has stated that it was certainly not her intent for the law to be applied in this fashion, and has pledged to fix the problem in the upcoming legislative session.

Hopefully we can look forward to the “nuance of omission” being speedily corrected in the near future by the legislature.

It is probably always best to have ballot requests to the voters such as LID LIFTS clearly and definitively stated with absolutely no ambiguity. At stake is the Public’s trust in government.

Those unintended consequences will get you every time.

Washington’s 39 counties reported that 15 counties had a total of 45 levy lid lifts on the August 21 Primary Election Ballot with 11 failing. Only Benton County had ballot measures that stated the lid lifts were “temporary.”

Legislative Slip May Allow Higher Taxes

Saturday, August 25th, 2007 Chris Mulick – Herald Olympia Bureau

OLYMPIA -- A new law designed to allow fire, hospital and other junior taxing districts to ask voters for multi-year tax increases may have inadvertently allowed normally temporary increases to become permanent.

County assessors recently were made aware of the new policy in a letter from the state Department of Revenue, and some are alarmed.

"Voters need to be more careful," Benton County Assessor Barbara Wagner said of the new policy, which could allow a fire district to campaign for a new fire truck, then end up continuing to collect the additional tax after it's paid off.

"That's like a permanent levy lid lift. It's like a huge increase," she said.

The sponsor of the bill says that was never the intent, and that the Legislature may need to step in next year and clarify the law.

"There might be a possibility it could technically be interpreted that way," said Sen. Debbie Regala, D-Tacoma. "In the next session we'll fix it."

In the meantime, the Department of Revenue is to meet with the governor's office Monday to decide how it should proceed. It may ask for a formal opinion from the Attorney General's office.

Local governments are limited by state law to collecting only 1 percent more per year plus new construction from their property tax base, though they are allowed to ask voters for more in an action commonly called a levy "lid lift."

Cities, towns and counties are allowed to ask voters to approve a multi-year lid lift for as long as six consecutive years with a single vote rather than going to voters each year.

Senate Bill 5498 approved by the Legislature and signed into law this year allowed special purpose taxing districts the same authority.

But by deleting some language in existing laws and by referring to other language, the Department of Revenue believes the bill changed a key assumption.

Under the old law such increases were assumed to be temporary unless specified as permanent in the ballot measures.

Under the new law, the agency believes those increases are assumed to be permanent unless the ballot declares them to be temporary by outlining when those new taxes will expire.

That was not how legislators read it during this year's session. The bill passed 46-0 in the Senate and 74-23 in the House.

This never came up in any of the discussions of the bill," said Sen. Jim Honeyford, a Sunnyside Republican who sits on a committee that reviewed the bill before it went to a floor vote. "I don't think anyone I know would have voted to make these taxes permanent. I don't know of anyone who was aware of this impact."

The agency analyzed and tracked the bill -- and some 160 others dealing with property taxes -- during this year's session, looking for problems.

"Occasionally, we miss them," said Brad Flaherty, assistant director for the agency's property tax division.

Both Benton County Fire District 2 measures that voters approved last week were written to make the tax increases temporary.

The same goes for a measure that will appear on the Nov. 6 ballot to boost taxes in the Kennewick Hospital District to build a new hospital.

But Wagner said she would expect special purpose taxing districts would eventually take advantage of the new law, if allowed to stand, by pushing measures for similar projects without specifying when those taxes would expire.

Courts, Public Safety, Law & Justice

Public Defense Funding Applications Due Sept. 18; Funding Levels Nearly Double

Counties that wish to receive their share of state funding assistance for trial-level public defense programs in 2008 must submit application materials to the state Office of Public Defense (OPD) by Tuesday, September 18. All application materials and instructions are available at www.opd.wa.gov. In its materials, OPD says it will notify applicants of funding authorization within one month of receiving the application. Application materials are being accepted as an email attachment or in hard copy.

Thanks to new legislative appropriations, the 2008 funding level is approximately double what each jurisdiction received for 2007. Counties are eligible for more than \$5.65 million and cities that operate municipal courts are eligible for about \$600,000. Each county's share is determined by statutory funding formula that takes into account population and criminal filings. In 2007, 38 counties received about \$2.7 million and five cities split \$300,000.

The statute that authorizes state assistance (RCW 10.101.060) requires such funds be used to make "appreciable demonstrable improvements in the delivery of public defense services." The statute specifies that to qualify for continued funding, counties need to ensure that well-qualified attorneys handle the most serious cases; that county contracts provide funding for court-ordered expert and investigator costs and for compensation as ordered by the court for extraordinary cases; and that counties set up a valid method for appointing conflict counsel. As of mid-2007 most county public defense contracts already meet these requirements.

In addition to administering the state funding, OPD offers free consulting services to help counties design and implement an effective and efficient public defense program. To access this consulting service, or to inquire about the funding application, contact OPD Public Defense Services Managers George Yeannakis or Colleen O'Connor at george.yeannakis@opd.wa.gov or colleen.oconnor@opd.wa.gov; 360-568-3164 ext. 102 (George) or ext. 110 (Colleen).

Work Release Committee Holds First Meeting

The new statewide Work Release Siting Advisory Committee met for the first time scheduled Wednesday, August 22. Most of the day-long meeting was devoted to learning about the state Department of Corrections (DOC), DOC's 15 existing work release sites, and preliminary assessments of which counties have the greatest need for new state work release programs.

The group will advise state prison officials on which counties or regions should host up to six new work-release facilities that are planned over the next 10 years.

Mason County Commissioner Ross Gallagher represents WSAC on the eight-member Committee. Other county officials on the Committee are Thurston County Prosecuting Attorney Ed Holm and Pierce County Superior Court Judge John Hickman.

TVW taped the full meeting, which is available at www.twv.org/media/archives. The next meeting is scheduled for early October.

Emergency Management

Public Safety Communication Grants Available

The Public Safety Interoperable Communications (PSIC) grant application period is open until September 28. Counties interested in competing for part of the \$19.1 million federal grant awarded to the state of Washington must submit "project proposals" to be considered for funding.

Eligible applicants include local and tribal governmental agencies, state agencies and non-governmental organizations whose sole or principal purpose is to protect safety of life, health or property.

The project proposal solicitation is available at www.siec.wa.gov. In order to help potential applicants through the process, a series of conference calls will be held to answer applicant questions about allowable costs, project proposal requirements, etc. Dates are posted in the project proposal guidance.

Questions related to the solicitation process can be directed to HomelandSecurityGrants@wsp.wa.gov

Courthouse Ramblings

Cowlitz County Auditor **Kris Swanson** will be up early on Labor Day. She is running in Disneyland's second annual half marathon race on Monday morning, September 3, bright and early at 6 a.m.! The map of the course is a lot of fun as runners get to run through both Disneyland and California Adventure parks, along the Santa Ana river, through the Anaheim Ducks Center and round first, home and third bases in the Anaheim Angels stadium finishing up in Downtown Disney. She makes it a family event, as well. She has her two boys entered in races, too! Two-year-old Zach does a 100 meter and second-grader Camden a 400 meter! Keep 'em running, Kris!

Please note a change of information for the 2007 *Directory of County Officials in Washington State* -- Garfield County Prosecutor/Coroner has a new e-mail address: mnewberg@co.garfield.wa.us.

Elections, Licensing & Recordings

Primary Election

August 21, 2007 Unofficial Election Results

Clallam County

County Commissioner, District 1			
Stephen Tharinger*	(D)	3,789	
Bob Forde	(R)	3,317	

King County

Prosecuting Attorney			
Keith Scully	(D)	45,464	
Bill Sherman	(D)	83,254	
Write-in	(D)	662	
Dan Satterberg*	(R)	70,835	
Write-in	(R)	291	

Assessor

Scott Noble*	(D)	117,030	
Write-in	(D)	1,045	
Jim Nobles	(R)	63,311	
Write-in	(R)	501	

County Council, District 2

Larry Gossett*	(D)	16,414	
Write-in	(D)	167	
Write-in	(R)	191	

County Council, District 4

Larry Phillips*	(D)	17,294	
Write-in	(D)	191	
Write-in	(R)	296	

County Council, District 6

Richard Pope	(D)	8,416	
Write-in	(D)	2,849	
Jane Hague*	(R)	10,735	
Write-in	(R)	60	

County Council, District 8

Dow Constantine*	(D)	15,758	
Goodspaceguy Nelson	(D)	1,346	
John Potter	(R)	5,012	
Write-in	(R)	47	

Snohomish County

County Executive			
Aaron Reardon*	(D)	48,918	
Write-in	(D)	614	
Jack Turk	(R)	31,587	
Write-in	(R)	252	

County Council, District 2

Brian Sullivan	(D)	6,698	
Jean Berkey	(D)	4,243	
Write-in	(D)	25	
William E Cooper	(R)	4,348	
Write-in	(R)	20	

County Council, District 3

Mike Cooper	(D)	10,852	
Write-in	(D)	48	
Renee Radcliff Sinclair	(R)	5,765	
Write-in	(R)	21	

County Clerk

Sonya Kraski	34,606
Bob Dantini	31,815
Ronald E Ledford	18,690
Write-in	372

Sheriff

Tom Greene	29,880
John Lovick	33,450
Rob Beidler	23,009
Write-in	338

Whatcom County

County Council, District 1

Bob Kelly	4,028
Dave Pros	2,054
Chris Hatch	2,073

Boards & Commissions

Statewide Boards and Commissions Interest Form Due to WSAC by September 10

The following positions on statewide boards and commissions are available to WSAC members and, in some cases, county employees or representatives. To apply for any of the seats, complete the short online interest form **by September 10** at http://wacounties.org/wsac/boards_form.htm

If you have any questions or wish to apply please contact Michelle Zahrly at (360) 586-4219 ext 112 or mzahrly@wacounties.org

- Building Code Council - Three year term beginning 1/9/08
<http://www.governor.wa.gov/boards/profiles/019.asp>
- DRS Advisory Committee for Public Employees Retirement System (PERS) –Three year term beginning 7/07 (Currently Vacant)
<http://www.drs.wa.gov/Administration/AdvisoryCommittee/>
- Forensics Investigation Council - Four year term beginning 8/07
<http://www.governor.wa.gov/boards/profiles/073.asp>
- Health, State Board of – To finish current term through 7/1/08 + 3 year term
<http://www.governor.wa.gov/boards/profiles/089.asp>
- Municipal Research Council - Two year term beginning 8/07
<http://www.governor.wa.gov/boards/profiles/141.asp>
- Shorelines Hearing Board alternates (2 positions currently vacant)
<http://www.eho.wa.gov/Boards/SHB.asp>

Affordable Housing Advisory Committee

The Honorable Cindy Carter of Royal City has been appointed to a term effective June 15, 2007, ending January 26, 2011. Carter is the County Commissioner for Grant County District 3 and sits on the Regional Homeland Security, Information Services, Homeless Task Force and Safety Security committees. She is an agricultural business owner and is involved with many community organizations including the Lions Club, Grant-Adams Dairy Women, Washington State Dairy Women and the Farm Bureau.

The committee serves as principal advisory body to the Department of Community Trade and Economic Development on housing and housing-related issues.

Training & Upcoming Events

Washington Counties – [Full Calendar of Events](#)

Washington Counties Risk Pool (WCRP) Offers Training

“Understanding the Public Records Act 2007,” a 3-hour course taught by attorney John Justice, is being offered by WCRP at these locations & dates:

September 11 – Spokane

September 12 – Wenatchee

September 18 – Vancouver

This course is approved for 2.75 general CLE credits from the Washington State Bar Association, for any qualifying attorneys who wish to register. For details/registration, go to www.wacounties.org/wcrp & click on Training link.

Northwest Stream Center to Offer Training Course

The Adopt-A-Stream Foundation at the Northwest Stream Center, an environmental learning facility with stream and wetland restoration and fish and wildlife habitat restoration as its central themes, is offering a training course. The *Stream and Wetland Ecology Basic Training* course is scheduled for September 13, from 8:30am to 4:30pm. It is designed for Land Use Policy Makers, Developers, Streamside and Wetland Property Owners, and anyone interested in stream and wetland ecology.

The principle Instructor is Tom Murdoch, Executive Director of the Adopt-A-Stream Foundation and co-author of the *Streamkeeper's Field Guide* and editor of course texts. Guest instructors are Randy Middaugh, Snohomish County Planning and Development Services and Ginger Holser, Regional Habitat Biologist, Washington State Department of Fish and Wildlife.

The course flyer and registration forms are attached. For additional information about Adopt-A-Stream Foundation, please visit the web site at www.streamkeeper.org.

Good Things

Franklin County: A Little Teamwork Goes a Long Way

Zona Lenhart, County Auditor, and Rosie Rumsey, Human Resources Director, started out last year with a few fitness wishes. Zona wanted to lose weight because she wanted to begin taking flying lessons. Rosie, a former aerobics instructor, wanted to take her pastime back up but thought, "I can't at this weight."

Zona's first step was committing to a healthier diet. Little did she know that her commitment would start a chain reaction. Her choice kindled interest and enthusiasm from fellow employees who wanted healthier lifestyles as well. They began making health-conscious decisions together, such as taking short walks on their breaks.

The number one reason that American adults cite for not exercising is lack of time. With this in mind, Rosie decided to offer on-site aerobic sessions at the end of the work day. She scheduled sessions for one hour on Tuesdays and Thursdays, and brought her own mats and weights. With all conveniences provided, Rosie set her "No Excuses!" motto.

At 5:15 the ladies met in the stained glass glow of the courthouse rotunda. The routine consisted of warm-up exercises, 30-40 minutes of low-impact aerobics with ten minutes of focused area exercise, and a cool down. Afterwards, participants were told to complete 20 minutes of any cardiovascular activity two times a week.

The recipe: simplicity, straightforwardness, and teamwork.

Participation grew from three to seventeen after just five months, and together they have been able to enjoy the payoff: weight loss, lowered blood pressure (a few were even able to go off their blood pressure medication), and best of all a sense of personal accomplishment. Zona stated, "We are still able to control our health at this point. Later on in life there will be a time when we can't. What's more important? Is that Oreo® cookie more important than being healthy?"

With the momentum, nineteen employees enrolled in a ten-week session of Weight Watchers at Work. Fifteen continued on to another session, altogether losing a total of 398 pounds during that twenty-week span alone.

Rosie and Zona agreed that the greatest daily motivation has been seeing each other get healthier—"It's about us as a group; it's all a team effort."

--reprinted with permission from WCIF Newsletter "For Your Benefit" Summer 2007

Attachments

Welcome to the U.S. Communities Purchasing & Finance Agency

(U.S. Communities) website <http://www.uscommunities.org/>

The Association of School Business Officials International (ASBO), the National Association of Counties (NACo), the National Institute of Governmental Purchasing (NIGP), the National League of Cities (NLC), and the United States Conference of Mayors (USCM), jointly sponsor the

U.S. Communities Government Purchasing Alliance (U.S. Communities)

Designed in cooperation with an Advisory Board of local government purchasing officials, U.S. Communities pools the purchasing power of public agencies, achieves bulk volume discounts on behalf of public agencies, competitively solicits quality products through a lead public agency and provides a purchasing forum for public agencies nationwide.

You can obtain information on how to contact all U.S. Communities suppliers by telephoning (866) 472-7467 or by sending an email to info@uscommunities.org

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"Results from our internal customer satisfaction survey show that our customers want two things from Purchasing. First save us time in the procurement process and second save us money. When Kansas City, Missouri uses a U.S. Communities contract we save both time and money for our customers."

**Ray Burnett,
Commissioner of Purchases and Supplies
Kansas City, MO.**

STREAMKEEPER ACADEMY

presents

STREAM AND WETLAND ECOLOGY BASIC TRAINING

For: Land Use Policy Makers, Developers, Real Estate Agents, Appraisers, Teachers, Streamside and Wetland Property Owners, and anyone interested in stream & wetland ecology.

Sponsors: the Washington Association of Realtors and the Snohomish County Camano Association of Realtors

September 13, 2007

8:30am to 4:30pm

**The Northwest Stream Center,
Everett, Washington**

600-128th Street SE

(Take Exit 186 off of I-5. Drive 1/2 mile east to McCollum Park. Turn right and drive to south end of park)

Instructors:

PRINCIPLE INSTRUCTOR Tom Murdoch, Executive Director of the Adopt-A-Stream Foundation and co-author of the *Streamkeeper's Field Guide* and editor of course texts.

GUEST INSTRUCTORS Randy Middaugh, Snohomish County Planning and Development Services and Ginger Holser, Regional Habitat Biologist, Washington State Department of Fish and Wildlife

College Credit & Clock Hour Options

1 Credit from WWU (report required)
8 Teacher Clock Hours from WSTA
8 Real Estate Licence Clock Hours
8 Real Estate Appraiser Clock Hours
6.5 Continuing Legal Education Hours

Cost:

\$85 (includes course materials, text and clock hour fees)

Text:

Adopting A Stream: A Northwest Handbook and
Adopting A Wetland: A Northwest Guide by Steven Yates

NOTE: A portion of the class will be outdoors. Please dress appropriately for the weather.

Schedule:

8:30 am to 10:00 am

WATERSHEDS Learn watershed terminology used by the scientific community.

10:00 am to 12:30 pm

WETLANDS Understand the functions and values of wetlands, how they are defined by the agencies, and how to distinguish between different types of wetlands. (Includes Wetlands Field Trip.)

12:30 pm-1:00 pm

LUNCH BREAK - PLEASE BRING SACK LUNCH.

1:00 pm to 3:30 pm

STREAMS Discover how streams function and their relationship to forests, wetlands, underwater insects, fish, wildlife, and people...& explore a fundamental question: How close can you build to a stream without affecting salmon? (Includes Stream Field Trip.)

3:30 pm to 4:30 pm

WHAT ARE THE RULES AND WHO ARE THE RULERS Become familiar with the latest federal, state, and local government stream and wetland protection regulations; pending enforcement procedures; and the potential for citizen initiated legal actions in conjunction with the Endangered Species Act.

Register soon. Classes are limited to 30 participants.

Stream and Wetland Ecology Basic Training on **September 13, 2007**

REGISTRATION FORM

To register, complete this form, detach and return it with payment to **The Adopt-A-Stream Foundation** at the Northwest Stream Center, 600-128th Street SE, Everett WA 98208, or register by telephone (425) 316-8592

Name: _____ Daytime Telephone: (____) _____

Affiliation or Organization: _____

Address: _____

City: _____ State: _____ Zip: _____ Email: _____

Enclosed is a check for \$85 payable to **The Adopt-A-Stream Foundation**

Please bill my: VISA Mastercard Card # _____ Exp. Date _____

Name on card _____ Authorized Signature _____

For: Real Estate Clock Hours Teacher Clock Hours WWU Credit Hours RE Appraisal Clk Hrs. CLE Hours

For questions about this or other Adopt-A-Stream programs or publications, please call 425-316-8592

Visit us on our website at www.streamkeeper.org