

the Courthouse Journal

WACOUNTIES.ORG

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Courthouse Journal*

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

CTED Study in House Local Government Work Session Next Week

The House Local Government Committee will conduct a work session to discuss the outcome of a study that took place over the summer in which both WACO and WSAC members acted in an advisory capacity. The 2007 Legislature appropriated \$200,000 to the Department of Community, Trade and Economic Development (CTED) to conduct this study to examine the fiscal health of counties and “examine the financial efficiencies, cost savings and improved levels of service that may be gained by authorizing non-charter counties greater flexibility in altering their forms of governance, including consolidating and merging constitutional or statutory functions and structure.”

The complete study is available by going to www.cted.wa.gov, click on Local Government, then click on the County Legislative Study. The WACO/WSAC Advisory Committee are included in the report on page 80 of the report.

Register Now for 2008 WSAC Rally

The WSAC Legislative Rally & Reception will take place February 6 and 7, 2008 in Olympia. We were fortunate to again book the Governor’s Mansion on the Capitol Campus for our Legislative Reception on Wednesday evening, February 6 from 5:30 to 7:00 p.m. **Pre-registration and a picture ID is mandatory to be admitted to the mansion.** We have changed the Thursday lunch to an early breakfast on February 7 in the hope of attracting members of the legislature before they head off to hearings or floor action. The breakfast will be at the Tumwater Valley Lodge and will begin at 6:45 a.m. and end at approximately 8:30 a.m. This will give ample time for the Legislative Steering Committee (LSC) to gather at the Washington Counties Building for the 9:00 a.m. to noon meeting. **Pre-registration is also required for the breakfast event.** All WSAC members are invited to the LSC, however, keep in mind that seating will be limited.

Please fill out the registration form (see attachment) and fax to Ginni Peppert (360) 753-2842 as soon as possible. As noted on the registration form, payment can follow.

As in the past, if you will be inviting your legislators to dinner either February

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Visit <http://wacounties.org/>

And click on the job pages for format & submission details.

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 98501 or wacounties.org

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

Debbie Wilke, Executive Director

Christina Bridston, Deputy Director

Robin Chase, Financial Operations Manager

Bob Carlton, Research Associate

Kathleen Houts, Administrative Assistant

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

Bill Vogler, Executive Director

Policy

Eric Johnson, Assistant Executive Director

Rashi Gupta, Policy Director

Julie Murray, Policy Director

Jeff Killip, WSALPHO Managing Director

Brad Banks, Policy Analyst

Operations – Finance & Technology

Trina Bannister, Finance Director

Barbara Warden, Finance Specialist

Justin Kerrihard, Technology Manager

Operations – Member Services

Michelle Zahrlly, Communications/Member Services Director

Ginni Peppert, Member Services Coordinator

Beth Dubey, Member Services Assistant

Program Contractors

Neil Aaland, Columbia River Program Manager

Tom Robinson, Timber Program Manager

Tonia Sugarman, County Training Institute Project Manager (CPO)

6 or 7 and you would like help in arranging for a location, please let Ginni know as soon as possible and she will be happy to assist you. If you have any questions, please contact Ginni Peppert or Eric Johnson at (360) 753-1886.

AG McKenna's Legislative Agenda – Open Meetings & Eminent Domain

On January 3rd, Attorney General Rob McKenna unveiled his legislative agenda. Of the ten proposals, three impact county government.

The first is requiring that local government executive sessions be taped. Although the audio recording would not be generally subject to disclosure, an individual alleging an improper executive session can petition a court to review the audio recording and determine whether there was an improper executive session. If there is a violation of the executive session provisions of the Open Meetings Act, the court may disclose those portions of the audio recording and any documents relied on in the meeting where it finds a violation.

The draft legislation has changed since WSAC's Legislative Steering Committee took the position of opposing the legislation. The proposal now places the burden of proof on the person alleging an improper executive session. However, the proposal is still flawed by allowing disclosure on the basis of technical violations of the statute such as errors in providing notice of the session. The bill also infringes on the attorney-client privilege between elected county prosecutors and elected county officials.

In addition to taping of executive sessions, the Attorney General is seeking legislation to direct the office to develop advisory model rules for the Open Public Meetings Act and a plain-language pamphlet of the Act by February 1, 2009. The legislation will also increase notice requirements on local government.

The Attorney General is also seeking changes to the Community Renewal Act, which is a tool for cities and counties to eliminate "blight" using the power of eminent domain. The proposal would redefine "blight" narrowly to apply to specific properties and not general areas that might include non-blighted land. The proposal was not thoroughly reviewed by the Attorney General's Eminent Domain Task Force; however, several members were urging this change. In addition, there will be legislation to require the publication of a pamphlet in plain language explaining eminent domain that local governments and other entities with such power must provide potential condemnees before proceeding with the action. This may prove to be a difficult task because the procedures for eminent domain vary among local governments and other entities.

Legislative Committee Schedules and Agendas:

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

Bill Information: www.leg.wa.gov

Budget, Finance and Taxes

Infrastructure Committee Releases Final Recommendations

On December 20th, the Legislative Study Committee on Public Infrastructure Funding Structures released its final recommendations. The Committee was created in a Capital Budget proviso and was charged with making recommendations for a comprehensive funding structure and a systematic approach to support the integration, consolidation, and standardization of processes and procedures for community and economic development infrastructure programs. A complete copy of the report can be accessed at

http://www.leg.wa.gov/documents/joint/PIPFS/Final_Recommendations_Report.pdf.

The work of the committee was divided into three areas: 1) basic infrastructure, 2) community development, and 3) economic development. On basic infrastructure, the committee recommended:

- In addition to those projects that already qualify for funding, the Legislature, within the Capital Budget, would identify additional policy priorities eligible for funding in the Public Works Assistance Account (PWAA) funds. The Public Works Board would work with the appropriate agencies to evaluate projects within those priorities. This proposal would likely eliminate the need for the Legislature to approve the PWAA's list of projects. There was much discussion and support among the committee about adding criminal justice detention facilities as eligible projects. However, other local governments opposed the ideas without additional funding for the PWAA.
- Clarify funding criteria within the major policy areas and require consistent criteria across various agencies and programs that address the same policy area. The criteria should consider need, and health, safety and environmental quality more heavily. The committee was very critical of similar programs having different criteria for funding.
- If an area with a system funded by a PWAA loan is annexed into a city, require the debt to be transferred to the annexing city. This is a very positive outcome for counties.
- Adjust PWB policy that limits the amount of assistance per jurisdiction to accommodate jurisdictions that provide all types of infrastructure.

On economic development, the committee recommended:

- Eliminate Job Development Fund statute, including the authority for \$50 million transfer from the PWAA in 2009-11.
- The Legislature should identify a permanent funding source for an expanded CERB program that includes urban areas and potentially bigger projects.
- Re-evaluate the rural/urban mix of projects and the maximum dollar amount allowed for an expanded CERB program and other economic development programs.
- Clarify CERB funding criteria to prioritize projects compatible with policies above and include measures of how the projects are meeting the policy goals.
- If CERB is expanded, provide adequate funding for diligent review of applications and monitoring of fiscal and workforce results.

The Committee also recommended further study of a consolidated "infrastructure bank" to replace the variety of programs that exist, whether state-funded infrastructure assistance has any positive impact on reducing the cost of housing, and directs the State Treasurer to develop a means for local governments to achieve state bond ratings for all infrastructure debt.

The Committee sidestepped the larger issue of how to increase funding for infrastructure programs. Citing future budget and bonding constraints and Initiative 960's tax and fee requirements, few committee members foresaw any new funding for infrastructure.

The Committee's recommendations will be presented to WSAC's Legislative Steering Committee to determine whether WSAC will support any of the recommendations.

Sourcing Amendment Made to Streamlined Sales Tax Agreement

Under intense pressure to lure states such as Texas and Tennessee to adopt the agreement, the Governing Board of the Streamlined Sales Tax Agreement (SSTA) approved an alternative origin-based sourcing scheme at its December 12th meeting in Dallas, Texas.

This new origin-based sourcing scheme **will not** allow Washington to retain its current sourcing scheme, which is a mix of origin and destination based sourcing of local sales tax. For that reason, the Department of Revenue opposed the alternative and urged the Governing Board to stick with destination-based sourcing (which will go into effect in Washington on July 1, 2008). Representatives Ed Orcutt (R-Kalama) also attended the meeting to oppose the alternative. Representative Ross Hunter (D-Bellevue) and Senator Debbie Regala (D-Tacoma), the Association of Washington Business and the Association of Washington Cities provided letters to the Department of Revenue to present at the meeting to voice their opposition to the alternative.

The main feature of the alternative origin-based sourcing scheme is to allow in-state retailers to source delivered sales to the location in which the sale or order takes place, which includes call centers and computer servers. This option would not be provided to out-of-state retailers, which may violate the US Constitution's Commerce Clause. Additionally, this sourcing scheme would not allow Washington to retain its current system of allowing sales tax to be sourced to the location of the warehouse where a delivered good originates. Consequently, those jurisdictions would still require mitigation under this alternative origin-based sourcing scheme.

The fiscal impact of the alternative origin-based sourcing scheme would be disastrous to counties. Not only would counties lose potential sales tax gain from destination based sourcing, sales tax revenue would become even more concentrated in cities with call centers and large retail outlets.

The Governor, the Association of Washington Cities, the Association of Washington Business, and legislators on both the House Finance and Senate Ways & Means Committees do not support changing the state's current course of moving to destination-based sourcing on July 1, 2008. However, bills may be introduced to delay implementation of destination-based sourcing and/or studying the impact of this alternative sourcing scheme. While we do not believe such proposals would get traction, we wanted you to be aware of their foundation.

Legislative Hearings of Interest to County Treasurers Next Week

House Local Government Committee

Tuesday, January 15, 1:30 p.m. – House Hearing Room E

HB 2459, creating the uniform real property electronic recording act (Secretary of State request)

House Local Government Committee – WORK SESSION ONLY

Thursday, January 17, 8:00 a.m. – House Hearing Room E

County Financial Health and Governance Report

Senate Government Operations and Elections Committee

Thursday, January 17, 3:30 p.m. – Senate Hearing Room 2

SB 6185, allowing treasurer discretion in property tax payment scheduling

County Treasurers to Meet for Legislative Conference

The County Treasurers' Association will meet for its Annual Legislative Conference on January 24 and 25 at the Washington Counties Building. They will begin at 10:00 a.m. Thursday, January 24, with a review of legislation, and after lunch will head up to the Hill to speak with their legislators. On Friday, January 25, at 8:00 a.m. they will meet with Harold Smith, Manager of the Department of Revenue Exemptions and Deferrals Division, concerning **SB 6178**, which

passed during the special legislative session in November. The law provides a fifty percent property tax deferral for households with income of fifty-seven thousand dollars or less and has many challenges for treasurers and assessors.

Courts, Public Safety, Law & Justice

State Funds Pilot Housing Programs Serving Offenders Leaving Incarceration

The state Department of Community, Trade and Economic Development (CTED) announced \$3,084,138 in funding to four agencies proposing to serve up to 235 offenders returning to the community from Washington State prisons and jails.

The 2007 Legislature authorized CTED to develop pilot programs for supportive re-entry housing serving offenders that are considered high-risk, high-need, or without a viable release plan. The first pilot projects to receive funding are:

- Sound Mental Health (King County): \$871,108.00 for 50-75 high-risk, high-need male and female offenders. With cross-system collaboration with DOC, housing management and the police, Sound Mental Health will develop an individualized multi-system care plan to address housing, employment, education, funding, basic living skills, self-sufficiency and treatment services and supervision requirements.
- Citizens for Responsible Justice (Pierce County): \$1,118,400 for 70 high-risk, high-need male and female offenders. With a long history of working with offender housing and services, Citizens for Responsible Justice has a high-level of collaboration with DOC, local law enforcement and agencies in Pierce County. A focus on self-sufficiency includes education, employability, and targeted job placement.
- Northeast Washington Housing Solutions (Spokane Housing Authority – Spokane County): \$895,367 for 50 high-risk, high-need male and female offenders. Partnering with Goodwill Industries and Spokane Neighborhood Action Program (SNAP) to provide comprehensive services and referrals aimed at building self-sufficient through life-skills training, education, vocational training, treatment and job placement.
- YW Housing (Clark County): \$200,000 for up to 40 high-risk, high-need male and female offenders. Building upon well-established collaborative relationships with DOC, local law enforcement and community partners, YW Housing will facilitate the road to self-sufficiency through a variety of rehabilitative and practical tools.

Public Safety Communications Continue to Improve and Your Help Needed

Two Summits were held recently to disseminate information and gather feedback about interoperability - the ability of emergency responders to communicate during crisis situations.

Most well-known is the tragedy of 9/11 when police got the word to evacuate before the second World Trade Center Tower collapsed and firefighters did not. This resulted in needless loss of life simply because police and fire could not talk on each other's radios.

The Public Safety Communication Summits held on both sides of the state, in Spokane on November 30 and at SeaTac on December 5, demonstrated issues that could happen in any community on any day and included presentations on:

- Active shooter at a high school
- Hazmat incident
- Wildfire
- Officer down
- Pipeline explosion
- Train derailment

The Summits were sponsored by the State Interoperability Executive Committee (SIEC), the Governor's Office and the National Governors' Association. The membership of the SIEC, formed in 2003, is comprised of city, county, state and emergency responder organizations.

Several success stories were featured also. Clallam County Commissioner Mike Doherty is the WSAC SIEC representative. He spoke about the success of the Olympic Public Safety Communications Alliance Network which meets the emergency response communication needs of 43 agencies.

Please talk to your neighbors and identify what types of emergencies and disasters you need to be prepared for. Given each scenario, determine who needs to be able to talk to whom, and assess whether or not the systems are in place for them to share information whether it is voice or data.

If you need help establishing partnerships, please contact Laura Kingman at laura.kingman@wsp.wa.gov or (360) 507-3881.

Thank you in advance for your help in furthering interoperability and continuing to stay involved in the process by visiting the SIEC Web site at www.siec.wa.gov.

County Clerks' Bills Have Hearings

Is it too much of a good thing when the Senate and House have both set hearings on the clerks' bills but both at two different times the same day in three different committees? Both the House and Senate Judiciary Committees have tentatively set the two county clerk proposals (incorporated in the WACO 2008 Legislative Package) for hearing Tuesday, January 15, at 10:00 a.m. One has an additional hearing set in the Senate Human Services and Corrections Committee at 1:30 p.m. Once the Legislature convenes the bills will be referred to the appropriate committee.

The Senate will hear **SB 6193**, a measure that will allow clerks to issue notices to order funds withheld and delivered to them when an offender has an outstanding legal financial obligation. Since 2003 when the clerks volunteered to assume this duty from the Department of Corrections, collection of restitution to victims has increased by over 57% and overall collections have increased by over 38%. The Senate Hearing is in Senate Hearing Room 1. If the bill is referred to them, the Senate Human Services and Corrections Committee will hear **SB 6193** at 1:30 p.m. on the January 15 in Senate Hearing Room 1.

The House Judiciary Committee will hear **HB 2465**, the companion to **SB 6193**, and **HB 2566**, a proposal to modify the clerk's duties in regard to dissolution of ports and other districts and dependency actions. **HB 2566** will make the court processes consistent with all other actions. The House hearing is in House Hearing Room A.

Six residents arrested on drug-related charges

From the East Washingtonian, 12/26, 2007

Six Pomeroy residents were arrested December 19 and 20 on drug-related charges by members of the South Eastern Washington Narcotics Team. SENT comprises the sheriff's offices of Garfield, Walla Walla, and Columbia counties, and the Walla Walla Police Department.

More than 20 felony charges were filed against the eight suspects arrested and six vehicles were seized. Charges filed were for delivery of a controlled substance and involving a minor under the age of 18 in an unlawful controlled substance transaction. More arrests are pending and investigations are continuing.

Arrested were Pomeroy residents: Dorothy Lou Wessels, 39, six felony counts, \$30,000 bail; Joseph W. Farance, 20, two felony counts, \$30,000 bail; Adam S. Phelps, 20 four felony counts, \$30,000 bail; Tyler S. Brown, 19, two felony counts, \$25,000 bail; Steven B. Lampholtshamer, 52, felony counts, \$25,000 bail; and a juvenile female, two felony counts, personal recognizance bond \$25,000.

Also arrested were Peggy Sue Heath, 46, of Lewiston, two felony counts, \$25,000 bail; and Carl W. Stanton, 24, of Lewiston, two felony counts, \$25,000 bail.

SENT was organized this year and funded by the Washington State Legislature's SB 6239, a Methamphetamine Enforcement Pilot Project. Garfield County deputy Michael Akers was appointed to the team in June. County Sheriff Larry Bowles said the arrests were possible because the funding allowed inter-agency cooperation, controlled drug buys, paying informants and buying supplies.

Elections, Licensing & Recordings

County Auditors to Meet in Olympia Next Week for Legislative and Licensing Conferences

County Auditors will be meeting at the Red Lion Hotel in Olympia on Tuesday and Wednesday, January 15 and 16, for their annual Legislative Conference to discuss current legislation, meet with Senators and Representatives and attend hearings (see below). Beginning in the afternoon on Wednesday, January 16, and all day on Thursday, January 17, the Auditors' Licensing Conference will be held. Registrations and agendas have been sent out.

Legislative Hearings of Interest to County Auditors Next Week

House State Government and Tribal Affairs Committee
Tuesday, January 15, 10:00 a.m. – House Hearing Room D

HB 2473, eliminating the requirement that auditors send a ballot or an application to receive a ballot to inactive voters (County Auditors' request bill)

House Local Government Committee
Tuesday, January 15, 1:30 p.m. – House Hearing Room E

HB 2459, creating the uniform real property electronic recording act (OSOS request)

House State Government and Tribal Affairs Committee
Wednesday, January 16, 1:30 p.m. – House Hearing Room D

SHB 1529, modifying voter registration provisions (OSOS request)

HB 1527, modifying absentee ballot and related election provisions (OSOS request)

HB 2434, providing an employee of the county legislative authority may be appointed to the county canvassing board (charter counties only) (King County request)

HB 2435, regarding postelection audits (King County request)

HB 2491, modifying candidate filing provisions (OSOS request)

House Local Government Committee – WORK SESSION ONLY
Thursday, January 17, 8:00 a.m. – House Hearing Room E
County Financial Health and Governance Report

Senate Government Operations and Elections Committee
Thursday, January 17, 3:30 p.m. – Senate Hearing Room 2

SB 6181, providing an employee of the county legislative authority may be appointed to the county canvassing board (charter counties only) (King County request)

Washington Launches Online Voter Registration

In a continuing effort to bring elections closer to home, Washington has joined Arizona as one of two states in the country to offer online voter registration. This week the state launched Phase I of the project, furthering Washington's position as a national frontrunner in the area of election administration and technology.

"In the 21st Century, people conduct their most personal transactions online and they expect the same level of customer service from government," said Reed. "This milestone delivers --- using the most secure technology available."

Starting this week prospective voters can conveniently complete registration applications online at www.secstate.wa.gov and/or www.vote.wa.gov and submit the forms electronically. Each form will be carefully reviewed by county elections officials before a voter is placed on the voting rolls.

"Online voter registration is secure," explained Reed. "Because it is only available to those who have a state driver's license or a state identification card, applicants will have personally stood before a state employee, presented proper documentation and had their pictures taken."

Throughout all voter registration processes, applicants must swear under oath that they are American citizens, eligible to vote and have not lost the right to vote due to a felony conviction. Providing false information on the voter registration form, either paper or electronic, remains a class C felony punishable by up to five years in jail and/or a \$10,000 fine.

Phase II of the online registration will fully automate the process statewide and is well under way. Not only can voters complete and submit applications online, their applications will be transmitted to the counties electronically. Vendors are in the process of upgrading systems in many counties to allow them to receive the electronic registrations. In the meantime, the state will print and mail paper versions of all forms submitted online to county election departments.

Citizens have until January 19 to register online and participate in Washington's upcoming Presidential Primary slated for February 19, 2008.

To learn more, visit www.secstate.wa.gov and look for the icon.

Vote is in: Election Officials Like New King County Office

Keith Ervin, Seattle Times staff reporter

After being headquartered for more than a century in downtown Seattle, King County Elections has gone suburban — and high-tech. Top managers and most full-time employees have moved from scattered offices in Seattle and Tukwila to a single building off Interstate 405 between Southcenter and downtown Renton. Election-warehouse workers will move soon. Elections will be managed from one place for the first time in more than 30 years.

Workers still are getting used to the building's high security, which was designed by two consulting firms, one with expertise in election security, the other in casino security. When employees left a meeting without electronically "badging" out, security officers called to ask what caused the breach of protocol. Fingerprint readers are used to open the building and enter the "cage" where ballots are stored. Fifty-nine cameras and motion detectors, monitored by security officers in Seattle, watch the building continuously. "It's a security system to die for, if you're in the elections business," Elections Director Sherril Huff said Tuesday on a tour of the building on Southwest Grady Way.

The two-story, 94,000-square-foot building combines functions previously performed in four locations. It has enough room on one floor to count a million mail ballots in what is expected to be the largest vote-by-mail election in any jurisdiction in the country next November. While some workers are getting ready for the Feb. 19 presidential primary, others are preparing for "stress tests" of equipment that will sort and track ballot envelopes in the November election.

Several independent reviews of King County Elections in recent years have recommended consolidating operations under one roof. The Citizens' Elections Oversight Committee, which wrote one of those reviews, visited the building while it was being remodeled. "We were very impressed," said committee Chairwoman Ellen Hansen. "It meets all the needs that we saw when we talked about consolidating in one location. It's a very exciting development."

The building will hold 70 to 80 full-time employees and up to 450 workers in the event of a countywide manual recount like the one that followed the close 2004 governor's election. The move to Renton hasn't been without its difficulties. Eleven employees quit after the move to Renton was announced, most citing the commute. Renton also wasn't the cheapest site for taxpayers.

County Executive Ron Sims in 2005 secured an option to buy a building on Rainier Avenue South in Seattle for \$23 million. But the option lapsed and the move to a consolidated site was delayed while he studied other site alternatives as directed by the Metropolitan King County Council. The Rainier Avenue building was wired to accommodate a computer data center serving all county departments — something that isn't true of the Renton building.

The County Council is now considering leasing a Tukwila building for the data center. County facilities managers say the \$50 million combined cost of election headquarters and the Tukwila data center is \$18.6 million above what it would have cost to enlarge the Rainier Avenue site to accommodate both Elections and the data center. But elections chief Huff is happy with her new headquarters, which she says was "well worth waiting for."

Environment, Land Use & Resources

Ecology Requests Feedback on Current Mitigation Efforts

The Department of Ecology asks that you please take a few minutes to complete a survey:

http://www.surveymonkey.com/s.aspx?sm=pr5_2b4NPqyW_2fsNuzMNsFHQg_3d_3d

Ecology Director, Jay Manning, has prioritized improving the success of mitigation. Ecology, therefore, has launched the "Mitigation that Works" Initiative in an effort to help achieve "no net loss" of wetlands in Washington. This Initiative not only supports our current mitigation efforts, but also challenges us to develop and promote effective, alternative approaches to mitigation.

Avoidance and minimization of impacts remain the central tenet of successful mitigation. However, for those proposals that have unavoidable environmental impacts, the Mitigation that Works Initiative aims to promote innovative mitigation approaches that hold promise for success where traditional approaches have often failed.

To help guide our efforts, Ecology would like to get feedback from our local government partners and other stakeholders. We intend to use this survey to gauge your current level of involvement with, interest in, and understanding of traditional and alternative approaches to mitigation.

Ecology plans to provide outreach and training on mitigation programs, techniques and policies. With your input Ecology can appropriately prioritize outreach and training efforts.

The results of this survey will help us determine how we can improve the success of mitigation, develop and promote alternative approaches, and use our resources wisely.

Can you take about 15 minutes to help us determine how we can all work together to improve mitigation outcomes? If so, please complete this survey by WEDNESDAY, January 30, 2008.

Feel free to forward this information to other interested parties. Thank you for your interest and your time. Please contact Dana L. Mock at dmoc461@ecy.wa.gov or (360) 407-6947 if you have any questions or concerns.

Grants Available to Help Coastal Counties

NACo in partnership with the National Oceanic and Atmospheric Administration's (NOAA) Community-Based Restoration Program (CRP), is pleased to announce the second year of funding for the Coastal Counties Restoration

Initiative (CCRI). The initiative provides financial assistance on a competitive basis to innovative, high quality county-led or supported projects. In 2008, CCRI will provide \$500,000 in grants to improve stream, river, estuarine and other important marine habitats. A priority area for CCRI is the removal of fish passage barriers in coastal streams and rivers. Grants will range from \$50,000-\$100,000, based upon need. **The deadline for applications is March 24, 2008.** For more information and to access the full RFP and application instructions, visit www.naco.org/ccri. For questions call 202-942-4246 or email ccri@naco.org.

WSAC Partners with AWC to Initiate Outreach Effort on Phase II NPDES Stormwater

In January 2007, the Department of Ecology (Ecology) issued two new "NPDES Phase II" municipal stormwater permits that affect many jurisdictions in Washington. These permits were issued under the authority delegated to Ecology to implement requirements of the federal Clean Water Act (CWA). The stormwater permits cover municipal storm sewer systems that discharge to surface waters which are not a part of a combined sewer system.

The permit's requirements phase in over the next five years and will be challenging and costly to implement. To assist cities and counties with the Phase II NPDES program, Ecology has funded the Association of Washington Cities (AWC) to develop and conduct an outreach and assistance effort.

To initiate this effort, AWC, in consultation with the Washington State Association of Counties (WSAC), developed an updated [fact sheet on Phase II NPDES](#) and created a new [section on the AWC website](#) for information, training and links to relevant materials. We hope these tools will help counties and cities better understand the program and permit requirements, as well as learn what others are doing to develop their local responses in a creative and cost-effective way. Additional materials and a schedule of regional forums will be posted shortly. You will also receive notification as additional information is developed and posted.

For county members, Phase II NPDES stormwater questions should be directed to Rashi Gupta, WSAC Policy Director, at rgupta@wacounties.org or 360-753-1886.

Questions about the Phase II outreach efforts should be directed to Andy Meyer, AWC Special Project Coordinator, at andym@awcnet.org or 360-753-4137.

2008 Grants Workshp Information and Registration

In early February the Recreation and Conservation Office (RCO) will conduct its annual Grants Workshops. These free workshops are designed to assist agencies and organizations interested in securing grant funds for outdoor recreation and natural resources development and protection. RCO's goal is to provide information on what grant programs will be offered, distribute materials, and answer questions regarding the 2008 grant application process.

The dates and locations for these workshops are:

- * **Tuesday, February 5, 2008** **Spokane and Mount Vernon**
- * **Wednesday, February 6, 2008** **Yakima and Tukwila**
- * **Thursday, February 7, 2008** **Centralia**

If you are interested in attending, we suggest you go to [2008 Grants Workshop](#) on our web site for more information or you may follow our [Event Registration](#) link and complete the registration form.

Early registration is recommended, due to limited seating at some locations. Registration will close February 1, 2008. All workshops begin at 9:00 a.m. We look forward to working with you on your applications.

General Government Issues

NACo Deferred Compensation Program Investment Option Tops Competitors

NACo's deferred compensation program, administered by Nationwide Retirement Solutions, is a voluntary program that gives county employees the opportunity to save regularly for their retirement on a pre-tax basis. One of the investment options available to participants is a fixed annuity that offers county employees the opportunity to earn an investment return at a fixed rate that is established quarterly by Nationwide. In addition, on an annual basis, Nationwide sets an investment rate minimum (or floor) for the year.

According to a study conducted by an independent consulting firm, the 2006 return on this investment option placed highest among its competitors. The report was released at last fall's meeting of NACo's Deferred Compensation Advisory Committee, held in Monterey County, California. This study has been conducted every year since 1989, and the NACo program has always come out on top. "We are delighted that our 27-year partnership with NRS continues to deliver such a quality program that helps county employees save for a more comfortable retirement," said Larry Naake, NACo executive director.

The competitive interest rate test concluded that Nationwide met its contractual requirement to equal or exceed the top one-third of its competitors. This study reviewed the fixed annuity option offered by Nationwide and its nine largest competitors.

In addition to evaluating the competitiveness of the fixed option offered to county employees, the consultants also reviewed the creditworthiness of Nationwide Insurance and concluded that it is a strong, stable insurer. This part of the analysis provides assurance that participants' funds are being managed by a financially sound organization. The consultant study is only one feature of NACo's deferred compensation program that distinguishes it from others. As a result of NACo's Deferred Compensation Advisory Committee, the NACo program is the only one in the country that receives oversight and is advised by county participants. It also benefits from the oversight and endorsement of 41 state associations of counties.

For further information on NACo's Deferred Compensation program, please contact Lisa Cole at NACo at (202) 942-4270, lcole@naco.org or NRS at (877) 677-3678 [or www.nrsforu.com](http://www.nrsforu.com)

NACo 2008 Achievement Award Program Accepting Applications

NACo's 2008 Achievement Award Program gives national recognition to innovative county government programs which modernize and streamline county government and increase services to its citizens. Washington Counties are encouraged to submit an application for models programs in any of 21 categories that they have enacted in the past four years that have measurable results.

After submitting an application you can sign up for NACo's Peer-to-Peer Network to share experiences with other counties across the country. The deadline is a **February 15** postmark and entry fees are \$60 per application for NACo members. For further details see attachment. You can download the application at:

<http://www.naco.org/Template.cfm?Section=Publications&template=/ContentManagement/ContentDisplay.cfm&ContentID=26040>

NACIO Award Applications Now Being Accepted

The National Association of County Information Officers is accepting applications for its annual NACIO Awards of Excellence Competition. The application form can be accessed at www.nacio.org.

Good communications work deserves recognition, and the 2008 NACIO Awards of Excellence Competition is a great opportunity for you and your county to receive recognition for your publications, AV productions, Internet/Intranet sites, special projects etc. The 2008 competition covers projects produced and/or distributed from Jan. 1 to Dec. 31, 2007.

Categories include Annual Reports, Brochures, Internal Publications, External Publications, Writing, Graphic Design, Photography, Audio Visual, Special Projects and Computer Media.

The early bird deadline for entries is 5 p.m. Friday, March 7. The entry fee is \$35 for NACIO members and \$50 per entry for nonmembers. Late entries will be accepted until Friday, March 28, but late entries cost an additional \$15 per entry.

The list of award winners will be published in NACIO's newsletter and posted at www.nacio.org.

Association News

Angel Announces Plans to Run for House Seat

By Chris Henry, as printed in the Bainbridge Islander 1/7/2008

PORT ORCHARD

Kitsap County Commissioner Jan Angel, a Republican, has announced that she will run for the 26th District House seat in the state Legislature. The seat is now held by Democrat Pat Lantz, a Gig Harbor resident, who said Monday she will seek re-election. Angel said she chose to run for Lantz's seat because she had heard "from a number of sources" that Lantz was not running again.

Angel announced in April that she would not seek a third term on the county's Board of Commissioners, and rumors about her future plans — including speculation that she would change her mind — have run rampant. In the end, Angel said she felt it was time to move on. "I've been here eight years, and I really feel it's time to take it to the next level," she said. "I really just feel there are a number of things that have to be solved at the state level. I really believe our citizens are not being listened to." Angel said she will run on a platform of promoting education and public safety, and controlling property taxes.

A 25-year resident of South Kitsap, Angel is a former commercial banker and real-estate agent. She was elected to the board in 2000 and helped make up the county's first all-woman board from 2003 to 2006.

Angel has been perceived as the most conservative voice on the board and an ally of property rights advocates. She supported the proposal to build a NASCAR racetrack in Kitsap County and was outspoken about her disappointment when International Speedway Corp. withdrew its offer to build the track through a private-public partnership.

Most recently, Angel has suggested the county should consider pulling out of the Puget Sound Regional Council, the entity that determines transportation and growth policies for the Puget Sound region.

She said the organization's Vision 2040 could constrain the county and add a new layer of mandates aside from those resulting from the Growth Management Act.

Jack Hamilton, chairman of the Kitsap County Republican Party, was ebullient over Angel's announcement. "I am very pleased that she has decided to continue her political involvement," Hamilton said. "And I'm extremely pleased she has chosen to run for the state Legislature. ... Her record as conservative is certainly one we can support and get behind." Luke Esser, chairman of the Washington State Republican Party, was bullish on Angel's chances to secure a House seat for his party. Esser met with Angel in 2007, having been introduced to her by Kitsap County Republican Party members. "I was immediately impressed, and I encouraged her to run," Esser said. Mike Eliason, president of the Kitsap County Association of Realtors, was also pleased with Angel's announcement, although his organization had hoped she would remain on the board to provide "institutional memory." Angel, Eliason noted, is the senior member of the board.

Democrat Josh Brown was elected as Central Kitsap commissioner in 2006, and Democrat Steve Bauer replaced outgoing North Kitsap Commissioner Chris Endresen in June.

Eliason was among the many people surprised that Angel did not seek to unseat freshman Rep. Larry Seaquist, D-Gig Harbor. As a 10-year Legislative veteran, Lantz could be seen as less vulnerable than Seaquist, who may also have hobbled himself with a negative comment made in February about NASCAR. "These people are not the kind of people you would want living next door to you," Seaquist said. "They'd be the ones with the junky cars in the front yard and would try to slip around the law."

With Angel's decision firm, attention is turning to her replacement. Democrat Monty Mahan declared in 2007 that he would run regardless. Elandan Gardens co-owner Diane Robinson, a Democrat and former Bremerton port commissioner, announced Monday that she will run. "It's been on hold," she said of her decision. "I was not going to run against Jan Angel. She's done a stellar job. ... I've been waiting day after day for Jan to make up her mind."

Former South Kitsap Commissioner Charlotte Garrido, a Democrat, confirmed rumors that she is thinking of reclaiming her position. "I am talking about it, and I have been asked by some people to run," she said.

Angel is married to Lynn Williams, a real estate agent, and she has two adult daughters who are partners in local businesses.

Former Commissioner Kunz Passes

Former Lincoln County Commissioner Gordon Kunz passed away at the age of 87 on December 13 in Wilbur, Washington.

Mr. Kunz was appointed Commissioner in 1969 and served until 1982. He held the office of WSAC President in 1977-78 and served on the NACo Board. He was an active community leader including a member of the ASCS Ag Board, Masonic Lodge, El-Taif Shrine, and the Wilbur Lions Club.

Mr. Kunz is survived by his children, Dr. Keary Kunz (Karen) of Wenatchee and Krista Backman of Phoenix, AZ, three grandchildren and numerous nieces and nephews. Memorials may be made to the Wilbur Lions Club and cards sent to Strate Funeral Home, P.O. Box 175, Davenport, WA 99122.

WSAC sends condolences to Former Commissioner Kunz's family and friends.

Mike Harum is New WACO Secretary-Treasurer

Chelan County Sheriff Mike Harum is the new Secretary-Treasurer of the Washington Association of County Officials (WACO). He was elected to the position by the WACO Board of Trustees in December to fill the vacancy when all of the officers moved up due to former Island County Auditor Suzanne Sinclair's move to New York to take a new position. Suzanne was elected WACO President in October. Skagit County Assessor Mark Leander is the new WACO President.

Sheriff Harum has been on the WACO Board of Trustees for five years as the Sheriff's representative.

WACO Board Needs a New Sheriff!

Washington State Sheriffs' Association (WSSA) President Bill Elfo, Whatcom County Sheriff, has put out the call to all sheriffs to fill a vacancy on the WACO Board. The trustee position is an unexpired term left vacant when Sheriff Mike Harum of Chelan County was selected to serve as WACO Secretary/Treasurer.

WSSA members will determine who will represent them. The term expires in October 2008. The WACO Board will meet in March, July and October of this year. Board expenses are paid by the association in order to allow every official the opportunity to serve. Please call WACO if you need more information. Interested sheriffs are urged to contact Sheriff Elfo as soon as possible.

WACO Legislative Committee Sets Call

The WACO Legislative Committee, co-chaired by WACO President-Elect Jefferson County Treasurer Judi Morris and Lewis County Treasurer Rose Bowman, will kick off the Legislative session with a conference call at 8:30 a.m. on Tuesday, January 15. Each affiliate legislative committee is represented at that time. The purpose of the meeting is to update members on the status of the WACO 2008 Legislative Package and to discuss issues brought forward by the members. The Legislative Chairs have asked all WACO members be reminded of the Independent Legislation Policy adopted by WACO in 2003 which follows:

WACO Policy - Review of Independent Legislation

PURPOSE: This policy is adopted at the direction of the WACO Board of Trustees to improve the communication among WACO members, affiliate groups, and counties when independent legislation is proposed that has not been presented to the WACO membership and adopted as part of the WACO Legislative Package. The policy is intended to better inform county officials of pending legislation; make the proponents of the legislation aware of potential issues that will encourage either support or opposition to the proposal; and to provide a comprehensive review of the legislation and a complete discussion of potential issues before the proposal is introduced in the legislature.

1. Members of the Washington Association of County Officials (WACO) are encouraged to submit legislation that is not part of the WACO Legislative Agenda to the chair of the WACO Legislative Committee for review and comment by that Committee. That legislation would include proposals that are to be submitted to the Legislature on behalf of an official, a WACO affiliate, or a county.
2. Members are urged to submit the proposal to the chair of the WACO Legislative Committee before it is introduced in the Legislature.
3. The Chair will provide copies of the proposal to other Legislative Committee members and solicit their opinion. He/she may schedule meetings or conference calls with proponents and interested parties in attendance to discuss specific proposals and to determine the outcome of the committee's review.
4. The Chair will inform the proponents and interested parties of the findings of the Legislative Committee in a timely manner.
5. WACO is not obligated to take any position on legislation submitted for review, and no support or opposition should be construed from the review unless specifically stated by the WACO Legislative Committee. WACO reserves the right to articulate a position on legislation not submitted for review.

WACO Bylaws – Article VII, Section 1 (a)

The Legislative Committee shall consist of the chairs of the legislative committees of each of the affiliated official groups or associations. The President shall appoint the chair of the committee from among the members of the Board of Trustees. It shall be the duty of the Legislative Committee to:

1. formulate and promote the legislative program of the association;
2. coordinate the legislative activities of the affiliated official groups;
3. vigorously oppose legislation detrimental to good county government;
4. render periodic reports to the general membership of the Association.

Adopted by the WACO Board on January 9, 2003.

Training & Upcoming Events

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

Engaging Citizens in Government Performance Workshop

Responding to citizen demands for accountability and performance
February 20, 2008 - Tacoma

WSAC and Association of Washington Cities (AWC) are co-sponsoring a one-day workshop designed to provide you practical help in improving the citizen-government connection.

Featuring a host of regional speakers, the \$125 workshop is presented by Elway Trimble Communications, a joint venture of Elway Research, Inc. and FLT Consulting Inc. which specialize in innovative government connections with citizens.

Citizens want government to be accountable to them. Government leaders want to do right by the citizens in their communities. Still, distrust between citizens and government persists throughout many Washington communities. The forum will help you:

1. Ask citizens what is important to them
2. Manage performance on those issues with useful data for administrators, elected officials, and citizens; and
3. Check on that progress on a regular basis, being sure to report back to citizens.

The agenda, speaker list and registration can be found at www.awcnet.org

Courthouse Ramblings

Assessor's Office Attacked by Mold Spores

Potentially unhealthful indoor air has prompted the closure of the Benton County assessor's satellite office in Kennewick, with its eight employees moving to the department's main offices at the county courthouse in Prosser.

Assessor Barbara Wagner said she's closing the office for at least two weeks, adding that an air quality survey conducted at the satellite office in the Benton County annex detected high levels of mold spores in several offices, behind walls and inside the air ducts that are supposed to provide fresh air.

She said that she's had employees who have used up all of their sick leave with problems such as sinus and ear infections.

Good Things

High Profile for Past President, Mental Health Grant Awarded

Immediate Past President Leo Bowman, Benton County, is the featured "Profiles in Service" member in the December 24 Vol. 39, No. 24 NACO County News newspaper. Be sure to check out the highlight at the link below to learn a few things you might not know about one of our own:

<http://www.naco.org/CountyNewsTemplate.cfm?template=/ContentManagement/ContentDisplay.cfm&ContentID=25992>

Also in that issue of NACo News, it is announced that Thurston County was awarded \$5,000 by our national association for its Mental Health Court. The funds will be used to train prosecutors and defense attorneys about mental illness and the opportunities provided by the MH Court. Congratulations Commissioner Bowman and Thurston County!

Columbia County Search and Rescue receives donation from Pacific Power

DAYTON CHRONICLE 12-19-2007

Responding to emergency situations where people are stranded and in need of rescue this winter will

increase their capacity to mobilize personnel and equipment during winter search and rescue opera-

to work out to transfer the snow cat to the county.”

Up until now the Columbia County Search and Rescue has relied on two trail snowmobiles and the local snowmobile club for winter search and rescue operation. The donated six passenger snow cat will give search and rescue the means to get medical personal to the scene to provide care to victims and a way to transport them to waiting emergency vehicles.

“As you know we are a small financially strapped community and as such cannot afford to purchase much of the equipment that many other organizations consider standard,” said Walt Hessler, Columbia County Sheriff. “I appreciate Pacific Power lineman Ken Much and Regional Community Manager Bill Clemens for their efforts in helping us obtain this vehicle. Without their assistance this project would not have been possible.”

The next step will be to get Columbia County Search and Rescue personal trained in the safe operation of the snow cat. Sheriff Hessler also plans to make the snow cat available to other counties in the area that are also not able to purchase this type of vehicle.



L to r: Pacific Power lineman Ken Much, Regional Community Manager Bill Clemens, Columbia County Sheriff Walt Hessler, Deputy Richard Loyd, and Ken Fuller.

become more effective thanks in part to support from the Pacific Power. Pacific Power provided a donation of a six passenger snow cat and trailer to Columbia County Search and Rescue.

“We are proud to help the county

tions,” said Bill Clemens, regional community manager for Pacific Power, “the snow cat will also assist in evacuating and transporting victims. It isn’t often that a vehicle of this type becomes available but in this case everything fell into place

Attachments



Registration

2008 WSAC
Legislative Rally & Reception
February 6, 2008 - February 7, 2008



Please print your name and title as you would like it to appear on your name badge.

We ask that you please wear your name badge to all Legislative Rally events.

NAME _____

COUNTY _____

TITLE _____

BILLING ADDRESS _____

PHONE _____ FAX _____

SPOUSE/GUEST NAME (if attending any function) _____

Please check the box next to the events you will be attending to help us ensure adequate food and beverage and to help curtail costs. Each spouse/guest must be registered. Payment for their attendance must also be remitted.

Legislative Reception (\$25 per person)
Attendees this event _____
Wednesday, February 6, 5:30 - 7:00 p.m.
* Governor's Mansion, State Capitol

Legislative Briefing & Breakfast (\$25 per person)
Attendees this event _____
Thursday, February 7, 6:45 - 8:30 a.m.
Tumwater Valley Lodge (4015 Tumwater Valley Dr. SE)
[\(click here for map & directions\)](#)

TOTAL DUE \$ _____

*** PRE-REGISTRATION IS MANDATORY**

No one will be admitted to the Governor's Mansion if not on the registration list provided prior to the event. Security will be checking the invitation list AND a picture ID from each attendee. Please have your ID available. If you have not pre-registered, you will not be admitted to the reception.

Please fax this registration form to the WSAC Office (Fax: 360 753-2842) by **January 21. Payment can follow.**

Make checks payable to "WSAC"

Mail to: WSAC, 206 Tenth Avenue SE, Olympia, WA 98501

Questions? Call Ginni Peppert at (360) 586-4219 ext 101 or email gpeppert@wacounties.org

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

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