

the Courthouse Journal

WACOUNTIES.ORG

October 9, 2009

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

WACO President Throws Down the Gauntlet!

As her first official act as WACO President, Benton County Assessor Barbara Wagner is offering the ultimate challenge to incoming WSAC President Merrill Ott. President Wagner says WSAC can't match the proceeds of WACO's fundraising efforts for the Washington Counties' Scholarship Fund and if they can't, she challenges Ott to an arm-wrestling competition. The loser will have to pay \$200 out of his/her own pocket to the Scholarship Fund. The final tally isn't in, but WACO estimates its members have raised over \$10,000 this year.

Wagner says it just wouldn't be fair to challenge WSAC President Lynda Ring Erickson to a match since Wagner used to be a professional arm-wrestler after a high school and college career of shot-putting. In 1998, the Tri-City Herald reported that after a former Benton County Treasurer offered to arm-wrestle Wagner for new county computer equipment, "She accepted, slamming Parker's arm down so quickly he almost fell out of his chair."

Watch out, Merrill! (at the time of publication, Commissioner Ott has graciously accepted President Wagner's challenge)

The 51st Annual WACO Conference is Now History

by James McMahan, WACO Staff

The 51st Annual Conference of the Washington Association of County Officials (WACO) is in the history books. We had a wonderful, action-packed week at Semiahmoo in Whatcom County last week. WACO extends a big thank you to all those who were able to attend. We hope that your experience attending the conference was as enjoyable as it was for us to put it on for you.

For those who were not able to attend last week, here's a quick summary of the week's events:

County Training Institute

Limited Time Offer - The first 10 people to email [Tonia Sugarman](mailto:Tonia.Sugarman@waco.org) and indicate that they would like to receive 50% off their next course will get a special discount code. Please put "CTI Discount" in the subject of your email. Discount must be used by December 31, 2009 if you are not already registered for a CTI course.

**Job announcements & links to County
Employment pages at:**

<http://wacounties.org>

the Courthouse Journal

Published weekly (during Legislative Session)
and Bi-weekly (other than Session) by the

Washington Association of County Officials

(WACO) wacounties.org/waco

and the **Washington State Association of
Counties**

(WSAC) wacounties.org/wsac

We welcome your suggestions and contributions.
The weekly / bi-weekly deadline is noon
Wednesdays. Direct inquiries and
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Tonia Sugarman, County Training Institute (CTI)
and L&I Retro Project Manager

Monday, September 28

Many of you may have noticed that the conference was a day shorter this year than it has been in years previous. This was a deliberate decision on our part. One bit of consistent feedback that we received from previous conferences was that it was difficult to get out of the office for a full week for conference. This year, we eliminated all official conference events on Monday to shorten up the overall length of the conference. Having said that, there were a number of conference-related events that still took place for those who chose to participate.

The Archives Oversight Committee met at the Western Washington University Campus at the Northwest Regional Archives. The Committee reviewed a considerable number of grant applications and awarded several grants. Most grant awards were given to small communities, while \$100,000 was set aside to aid King County in their preparation for, and recovery from, the pending Green River flooding.

Whatcom County Assessor Keith Willnauer was the gracious host of a golf tournament at the Loomis Trail Golf Course in Blaine. Loomis Trail was the host of the NCAA Division II Men's National Golf Championship this May. From the reports we received, most any of the county officials golfing on Monday could have competed for the top spot in the NCAA Championship... almost. Golfers were lucky enough to enjoy sunshine while on the links until the 16th hole, when the showers started.

Tuesday, September 29

Tuesday was the official 'day before the conference officially started' with a number of affiliate meetings, committee meetings and a meeting of the WACO Board of Directors.

The Washington Association of Coroners and Medical Examiners (WACME) conducted an all day training that covered topics such as Equivocal Deaths (a series of case studies of recent Las Vegas deaths that turned out to be different than they originally appeared), Media Relations, and Killing Stress Before it Kills You (a skill building course on dealing with the stress of death investigations, grieving families, media inquiries and the other pressures unique to Coroners and Medical Examiners). WACME's meetings lasted into the night, finally adjourning their business meeting as the 10:00 PM hour neared.

The WACO Board of Directors met over lunch to conduct the regular business of the board and review the 2010 legislative proposals from each affiliate.

The afternoon hosted a number of affiliate meetings, including Assessors, Clerks, Auditors and Treasurers.

At 4:00 the annual 'Meth Counties Summit' took place. The 'Meth Summit' is a meeting of the Clerks, Prosecutors and Sheriffs from the 13 counties underserved from federal drug enforcement funding that received 4 years of

Legislative Committee Schedules and Agendas:

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

Bill Information: www.leg.wa.gov

pilot funding from the state to conduct drug enforcement activities. There is a separate article on the activities of the Meth Summit.

Wednesday, September 30

All good meetings start off with a meal, and the WACO Conference is no different. We kicked off the morning with a hearty breakfast while attendees gathered for the opening ceremonies.

The Opening Ceremonies included the presentation of the colors from the Whatcom County Sheriff's Office Color Guard, a rendition of the National Anthem from Patrick Marshall, a Sehome High School (Bellingham) Senior, welcoming remarks from Seth Fleetwood, Chair of the Whatcom County Council, and a presentation from Marj Reichhardt, a local historian, on the salmon packing history of the Semiahmoo Spit. Senator Dale Brandland, former Whatcom County Sheriff and WACO member, also joined us for breakfast and gave brief remarks about the importance of county officials connecting with state government.

The WACO Business Meeting was the venue for a number of reports, including the Archives Oversight Committee (Jerry Pettit, Kittitas County Auditor), the WACO Audit Committee (Shelly Johnston, Lincoln County Auditor), the County Training Institute (Lisa Frazier, Mason County Treasurer), and the Washington Counties Scholarship Fund (Robin Chase, WACO Financial Operations Manager). Finalists from the bid process put their best foot forward in their efforts to land the 2012 WACO Conference in their counties. Representatives from each affiliate introduced their 2010 legislative proposals for membership consideration. *(NOTE: Voting on the 2012 site selection and the 2010 legislative package were deliberately scheduled to take place during Friday's business meeting. Another piece of feedback that we received was that conference attendees felt there wasn't adequate time to digest and discuss legislative proposals from other affiliates when voting took place during the same meeting in which the proposals were introduced.)* Additionally, candidates for the open WACO Officer and Trustee positions were introduced and made brief remarks to the membership. Nominees were as follows:

President:	Barb Wagner, Benton County Assessor
President Elect:	Mike Harum, Chelan County Sheriff
Vice President:	Randy Gaylord, San Juan County Prosecutor
Secretary-Treasurer:	Corky Mattingly, Yakima County Auditor

Trustee at Large Position 1 (county population over 500,000):
Carolyn Weikel, Snohomish County Auditor
Paul Pastor, Pierce County Sheriff (nominated from the floor)

Trustee at Large Position 3 (county population 40,000 – 125,000):
Lisa Frazier, Mason County Treasurer

Trustee at Large Position 5 (county population less than 12,000):
Shelly Johnston, Lincoln County Auditor

Wednesday over lunch conference attendees witnessed a presentation from Dr. Todd Donovan, a Political Science Professor at Western Washington University. He has conducted extensive research focused on elections, the rules that structure elections, ballot initiatives and the forces that shape voter decisions. Dr. Donovan first participated in a 2001 WACO panel aptly named *"Initiatives: Wildly popular or widely abused?"* He revisited that same subject, now 8 years later to give his latest perspective on the issue. One interesting observation that Dr. Donovan made was that true grass-roots campaigns seem to be a thing of the past and that there doesn't seem to be a pattern to winning or losing strategies on ballot initiatives.

Wednesday afternoon brought a training session from Rhonda Hilyer of Agreement Dynamics. Rhonda's "Success Signals" training came highly recommended from a number of WACO members who had participated in this training in the past. Not only was this regarded as "the best training we've done in 10 years" but our own Kim Wyman, Thurston

County Auditor, is a trainer in this program. Training attendees learned the four different 'colors' of communication. After much deliberation, I've settled it: I'm a brown.

Later on in the afternoon the Washington Association of Prosecuting Attorneys (WAPA) held their board meeting. The WAPA Board meeting adjourned just in time to attend Wednesday evening's President's Reception. The Washington Association of County Treasurers (WSACT) did a marvelous job making the arrangements and putting up the decorations to honor their own Judi Morris, Jefferson County Treasurer and WACO President, with a Cosmopolitan theme. Complete with top hat and red rose decorations on each table and 50's jazz music in the background, it was definitely *Cosmopolitan*.

Thursday, October 1

Thursday morning kicked off with San Juan County Prosecutor Randy Gaylord greeting Thursday's early risers before the sun did for the annual WACO Conference Walk/Run. Walkers and runners were given a special surprise when Randy gave free Starbucks gift cards and hand warmers to all those participating.

There was another breakfast for conference attendees and a 'Defining the Boundaries of Elected Officials' training by Franklin County Prosecutor Steve Lowe and Walla Walla County Prosecutor Jim Nagle. Participants learned the laws that govern whom a Prosecutor represents in different circumstances, how Prosecutors determine their obligations relating to legal advice and legal representation when differences arise within county government. Additionally, attendees learned that the advice of the Prosecutor is always followed by every client every time. Always, without exception. Every time. *Yeah, right!*

The remainder of the morning and afternoon hosted meetings from each affiliate.

The Treasurers Association (WSACT) hosted an interesting panel discussion regarding the potential impacts of Initiative 1033. (*NOTE: WACO is prohibited from taking a position supporting or opposing any person or item on the ballot for a public vote. This panel was offered as an informational and educational session and was not intended to show support or opposition relating to Initiative 1033. Every effort was made to ensure that presenters offered unbiased policy perspectives and that this presentation not be a platform to voice support or opposition to Initiative 1033.*) Panelists included Remy Turpin, founding Executive Director of the Budget & Policy Center; Richard Davis, President of the Washington Research Council; Glenn Olson, Deputy County Administrator for Clark County; Lindsay Sovde, Senior Vice President of Seattle Northwest Securities; and Alice Ostdiek, public finance attorney with Foster Pepper, PLLC.

WSACT also met jointly with the Auditors Association (WSACA) and the Assessors Association (WSACA) to discuss electronic real estate excise tax (eREET) issues.

The Sheriffs Association (WSSA) and WAPA also met jointly to discuss issues of mutual interest.

Thursday evening's Annual Banquet was certainly an evening to remember. During the social hour, the Sehome High School Chamber Choir provided an ambiance to set the mood. The program began with a recognition of county officials moving on, and the presentation of the Certified Public Official Certificate to Ruth Gordon, Jefferson County Clerk. WACO President Judi Morris then announced the recipient of the 2009 WACO Distinguished Service Award. The Distinguished Service Award was created in 1985 to recognize retired and former county officials who have made contributions to county government and their communities that are truly outstanding. Since 1986, 26 officials have been given this honor, and Skagit County Assessor Mark Leander was presented with WACO's highest honor. The evening continued with the drawings for the WACO Scholarship Raffle. Prizes included free rounds of golf, hotel stays at a number of Washington's finest hotels, bottles of wine and other fine assortments. WACO President Judi Morris then welcomed WACO's most senior past president who is still an active WACO member, Jefferson County Assessor Jack Westerman III, to swear in the new officers and trustees on the WACO Board of Directors:

- Barb Wagner, Benton County Assessor, President
- Mike Harum, Chelan County Sheriff, President-Elect
- Randy Gaylord, San Juan County Prosecutor, Vice President

- Corky Mattingly, Yakima County Auditor, Secretary-Treasurer
- Carolyn Weikel, Snohomish County Auditor, Trustee-at-Large Position 1, representing counties with populations greater than 500,000
- Lisa Frazier, Trustee-at-large Position 3, representing counties with populations between 40,000 and 125,000
- Shelly Johnston, Lincoln County Auditor, Trustee-at-Large Position 5, representing counties with populations less than 12,000
- Marsha Weyand, Kittitas County Assessor, Assessors Association Trustee
- Thad Duval, Douglas County Auditor, Auditors Association Trustee
- Nancy Scott, Skagit County Clerk, Clerks Association Trustee
- Daniel Dempsey, Skagit County Coroner, Coroners and Medical Examiners Association Trustee

The evening concluded with Thurston County Auditor Kim Wyman conducting WACO's first ever progressive auction. Kim introduced this new and exciting concept of a progressive auction. We all know how a traditional auction works – the auctioneer calls out a price, and those willing to pay that price for the item raise their hands. The price continues to rise, and the person willing to pay the most for the prize wins, and pays an amount equal to the final bid. In a progressive auction, the auctioneer sets a price for each bid. The price set was \$5, meaning that anytime a person bids on the item, they promise to pay \$5 each time they bid. Rather than the price of the item going up as bids accumulate, each bidder tracks the number of times they bid on the item, whether they win the item or not. The prize is awarded to the person who makes the last recognized bid, OR when time runs out. Once attendees grasped the concept of a progressive auction, bids were flying left and right, all the while raising money for the Scholarship Fund. We auctioned off a gift basket donated by the Auditors Association (WSACA), a print of 'Two For Hanging' (a painting commissioned by the Sheriffs Association and donated by them) and a 22" LCD HD television donated by the WACO and WAPA staff (using the proceeds of a weekend yard sale that the WACO and WAPA staff held earlier this summer).

Friday, October 2

Friday concluded the 51st Annual WACO Conference with a continuation of the WACO Business Meeting that began on Wednesday. WACO President Judi Morris began the meeting with the 1st Annual WACO President's Report (copies will be emailed to each WACO member soon). President Morris then presented the DRAFT WACO Strategic Plan. After a few suggested changes, the Strategic Plan was adopted (copies are available upon request). WACO Financial Manager Robin Chase then gave an updated financial report, where she announced that as a result of the several fundraising efforts during the conference (the Clerks Association raffle, the US Archiving & Imaging Services Book Sale, the WACO Raffle and the WACO Progressive Auction) and the cash pledges made by affiliates (Auditors Association, Coroners and Medical Examiners Association, Clerks Association, and the Prosecutors Association), **more than \$10,000 was raised for the Washington Counties Scholarship Fund**. Business continued as the membership discussed and adopted the 2010 WACO Legislative Package which follows:

**WASHINGTON ASSOCIATION OF COUNTY OFFICIALS
2010 LEGISLATIVE PACKAGE**

SERVICE, SAVINGS AND SOLUTIONS

The following recommendations were adopted by the WACO membership on October 2nd, 2009 at the 51st Annual Conference at Semiahmoo in Blaine.

The 2010 Legislative Package contains proposals intended to offer improved service to the public; save money in the delivery of government services; and to present solutions designed to meet the new and challenging demands made on Washington's citizens and government that have come with the dramatic downturn in the American economy and the overwhelming shortfalls in government revenues.

SERVICE TO THE PUBLIC

Voters deserve more information on ballot titles than what is provided under current law. Improve ballot title information.

Explanation: The ballot title of any voter approved levy should contain a concise description of the measure and include the aggregate financial impact from a prior levy, if any, in both monetary and percentage change terms.

New owners of real property should be assured of a clear title without tax liens.

Explanation: The Washington State Association of County Treasurers (WSACT) is proposing a simple bill that requires all monies due on a property after the treasurer files a foreclosure certificate of delinquency with the court must be paid if the property changes ownership.

Allow continuation of highly successful programs in thirteen rural counties who were previously underserved in the investigation and prosecution of the use, manufacture and trafficking of methamphetamine and other drugs.

Explanation: Approximately \$500,000 in funding assistance was provided per year per region for three pilot areas for drug enforcement, investigation, prosecution and court actions in Stevens, Ferry, Pend Oreille, Lincoln, Walla Walla, Columbia, Garfield, Asotin, Pacific, Wahkiakum, Grays Harbor, Cowlitz and Lewis Counties. These counties had been significantly underserved by existing state and local support. The target of SB 6239 was methamphetamines but the interdiction has self-expanded to an "all-drug" emphasis. Due to the tremendous success in all three areas, the sheriffs, prosecutors and county clerks in those thirteen counties are asking that this highly successful program be continued. A budgetary "glitch" in the 2009/11 Operating Budget fully funded the bill for the last biennium but technically only half the funds are available the first state fiscal year resulting in a six-month breach in funding for counties in the first six months of 2010. The counties cannot continue the programs with a funding gap.

SAVINGS IN GOVERNMENT

County printing costs can be reduced and ballot processing can be streamlined if more there is more flexibility regarding the secrecy flap on the return mail ballot envelopes.

Explanation: County auditors are specifically required to have a 'secrecy flap' on ballot return envelopes that shield a voter's signature from view. Not only does the specific requirement of a 'flap' create significant additional costs to administering elections, a voter's signature is a public record and already available for inspection and copying once received by the County Auditor.

BETTER GOVERNMENT

If the county legislative authority is allowed a local option utility tax, the result will be increased service to the public and fairness created between residents of cities and those in the unincorporated areas.

Explanation: While cities have the ability to impose a utility tax of up to 6%, counties do not have the authority to impose one. Residents outside the incorporated areas do not pay a utility tax. As a result, counties are dependent on property and sales tax. This is a way of resolving the fiscal plight of the 39 counties and equalizing the taxing abilities of cities and counties.

Changes to child pornography statutes must be made in order to respond to a specific appellate court decision to better protect children and more effectively prosecute possession of child pornography charges.

Explanation: The Washington Association of Prosecuting Attorneys (WAPA) and the State Attorney General agree that the statutes must be changed to: first, provide that the child does not have to be aware of the recording in order to pursue child pornography charges; second, provide that viewing child pornography on the computer can support charges if done multiple times and the state proves intent to view the child pornography; and third, provide that the unit of prosecution i.e., the number of counts, is defined by the number of images.

Limit the responsibility of county clerks in certain actions and appropriately place it with the parties to the action by amending certain statutes: 1) direct the petitioner in an action to dissolve a public utility district to give notice of hearings; and 2) require the state, rather than the clerk, to publish notice of dependencies.

Explanation: Amending the listed statutes will give consistency with other court processes and place the responsibility with the parties to the action, rather than the court. The parties have the duty to publish and give notice in other civil and family law actions. This proposal was introduced as HB 1003 in the 2009 Legislative Session.

County auditors believe the administration of elections can be improved.

Explanation: The elections process can be streamlined and made more efficient if all entities with candidates or measures on a ballot paid their fair share of election costs. Additionally, revamping the manner in which precinct lines and size are determined and Precinct Committee Officers (PCO) are elected could reduce the complexity of PCO elections, increase PCO representation among precincts, and create a fair balance of PCO representation when districts cross county lines. County Auditors would like to engage in conceptual discussions to this effort.

Additionally, members selected the Red Lion Pasco Hotel as the venue for the 2012 WACO Conference. (NOTE: The conference survey conducted earlier this summer showed that 66% of survey respondents that were unable to attend the 2009 WACO Conference cited costs as the primary reason. Additionally, only 2% of survey respondents said that they use the WACO conferences to enable a personal/family vacation by extending their stay at the conference facility. Acting on feedback from the WACO membership, WACO worked diligently to offer low cost conference bids and was pleased to present two of the three finalist bids with sleeping room rates of less than \$100 per night.) Incoming WACO President Barb Wagner wrapped up the business meeting with the presentation of the conference memorial (remembering those who have suffered losses of loved ones or who have experienced other difficult personal challenges during the past year) and the conference resolution (thanking the Whatcom County host officials, the Semiahmoo Resort and others who worked putting the conference together), and giving her remarks as incoming WACO President.

The 51st Annual Conference of the Washington Association of County Officials concluded a few hours ahead of time and sent conference attendees home with stomachs full of food, brains full of knowledge and to-do lists full of new and innovative ideas to implement.

On behalf of the WACO staff, we would like to thank all those who were able to attend the conference. We hope that your time attending the conference was as enjoyable as it was for us putting it on for you.

We are seeking your feedback on the WACO Conferences. If you attended the conference and have constructive criticism to offer, please provide that to us. If you did not attend the conference for a particular reason, please let us know that as well. It is our goal to make the WACO conferences an accessible, enjoyable and productive experience.

Mark your calendars for the 52nd Annual WACO Conference – October 5-8, 2010 at the Lodge at Suncadia. We're already underway planning for 2010, and you won't want to miss this one!

Only One Week Until the IACC Conference...

If you are planning to attend and haven't registered yet - save yourself \$50 and do it now. It is only **\$160** to register online and **\$210** to register onsite!

We have many things going on this year that you don't want to miss:

- Keynote Speaker: Tom Hudson, CollinsWoerman
- Infrastructure Panel with Commerce, Ecology, DOT, DOH, PWB and USDA RD
- 1st Annual IACC People's Choice Awards
- Awards Ceremony with dinner and dancing
- Tech Teams
- And last but not least - 52 wonderful Training and Program Sessions

Registration brochure is at: <http://infracfunding.wa.gov/IACCConference.html>.

IACC Conference will be held October 14 - 16, 2009 at the Wenatchee Convention Center...registration available at www.awcnet.org/iacc.

WACO Spotlight

Franklin County Coroner Dan Blasdel

I was elected as Franklin County's first coroner when the county population grew to 40,000 people in 1994, and the case load was 99 deaths investigated per year. Since that first election, the county has grown to 77,000 people and the case load has risen to 200 plus cases a year with no slow down in sight. Staffing levels have stayed the same; but we went from using a 1920's typewriter to do reports to a full blown case management system and the office is now paperless.

A day in my life as the Franklin County Coroner is quite unique, having the role of a death investigator, a husband, a father of four children, three grand children, and staying active with the numerous committees and boards I serve on. I hardly find time for myself. I am the past president of the International Association of Coroners and Medical Examiners and I have held many prestigious offices such as Board chair, National Next of Kin Registry; Past President of the Washington Association of County Officials; Past President of the Washington Association of Coroners and Medical Examiners; Past board member of the Washington State SIDS Foundation; Washington State Department of Health , Advisory Committee on Electronic Death Registry System; Board Chair of the Benton Franklin Substance Abuse Coalition; Board member of Lourdes Hospital Foundation; Board member of the Hanford Safety Expo; and Founder and Board member of People Learning About Destructive Decisions. I am also involved in the every 15 minutes program; I speak to school classes and service clubs about the consequences of drinking, using drugs and not wearing seat belts.

I recently had the opportunity to help create an interactive CD-Rom called "Beat the Reaper," that helps teens make the right decisions versus destructive decisions. If they do make the destructive decisions it shows the teen the consequences that maybe involved, but in a virtual world. My job is not just sad and gloomy its gives me the chance to make a positive impact within the community. I recently received an Award from the National Association of Counties. It was truly an honor to receive a national award to make people aware. This CD-Rom has inspired me so much that I don't want to stop there; I want to create a CD-Rom for Gang Prevention to save our Youth from gang violence. I want to make a difference in people's lives, so the next time I do get called out to a death it may not be a homicide due to a gang related shooting. As you can tell, there is never a dull moment in my world and if you are interested in receiving one of the CD-ROMs please call me at 509-727-3766 or email me at dblascal@co.franklin.wa.us.

Elections, Licensing & Recordings

Open-Records Disclosure in Spotlight

by Brad Shannon, the Olympian, 10/6/2009

The Washington state attorney general and state auditor are considering ways that a public-funded open-records board or commission could referee and decide disputes quickly in open-records and open-meetings cases.

"The idea is to keep these complaints over records disclosure out of court, which is often the only recourse for citizens who find their requests are denied. The court provides a remedy, but it's not always an adequate remedy; it's not an efficient remedy," Tim Ford, open-records ombudsman for Attorney General Rob McKenna, said Monday as a task force on open government began its work.

A legislative proposal died this year that might have given records-law jurisdiction to the state's campaign- finance agency, the Public Disclosure Commission, or to a new agency. The idea — and even a scaled back idea of a legislative study — died almost as soon as it was born, and partly because of money concerns.

So Attorney General McKenna and Auditor Brian Sonntag launched their task force Monday as a way to keep alive the debate on how lawmakers proceed next year. Ford said he hopes to bring the task force members together for a second meeting on Nov. 2 and to craft some kind of recommendation for lawmakers to consider in January.

McKenna said a faster mechanism to resolving disputes could help everyone, and Ford noted the 1997 case of Seattle hotelier Armen Yousoufian, who asked King County for records related to the Kingdome prior to a public vote. King County's bill for penalties and lawyer fees tab is approaching \$425,000, and the case is still in court over how much the county should pay.

In a more recent case that cost Mason County close to \$150,000, the county was fined \$100 a day for failing to turn over records to Harold Carey.

One big question for policymakers is what kind of enforcement body to create. One idea is a special Office of Open Records like what Pennsylvania started in January. That office has the power to write rules, and it must decide 30 days after getting a records-requester's appeal whether documents should have been disclosed or denied. Another idea is Connecticut's Freedom of Information Commission that has power to issue fines.

Pennsylvania opened its Office of Open Records this year with 10 employees, most of them lawyers, and a budget of about \$1.2 million, according to executive director Terry Mutchler.

State and local Pennsylvania agencies have five days to reply to requests and 30 days to give up records. Requesters can then follow up with an appeal to the Office of Open Records, which issues a binding decision within 30 days. The office also has duties for educating the public and the power to issue civil penalties of \$1,500; courts can impose fines of up to \$500 for each day the court deems a record was improperly withheld.

Mutchler is appointed by the governor to a six-year term and said she can be removed only for legal cause. "For it to work, there really has to be the freedom for that agency to act independently to interpret the law," she said. So far, 70 of Pennsylvania's 840 cases this year have gone to court. Fewer than 15 of the cases were filed by news media; the rest were by citizens. Mutchler's staff tended to rule in favor of the agency, denying records in 267 cases and ordering their release in 165 so far.

The Washington task force includes representatives from the Legislature, government, unions, lawyers and citizen activists. Advocates for better disclosure on the panel agreed there must be a better way, and some form of commission or review office could fit the bill.

"This is a conversation we should have had 30 years ago," said Graham Johnson, former director of the state Public Disclosure Commission, who testified in favor of a bill early this year and also attended the task force meeting. "We could have avoided a lot of confusion and litigation we have seen over the years."

A few members of the task force had concerns about how far a board might go or how it might be paid for. Anna Jancewicz of Teamsters Local 117, who represents prison staff and has battled disclosure of information about employees sought by prisoners, wants employees to be able to protect their home addresses from disclosure and have a third-party right to appeal or fight disclosure.

One funding approach is the state general fund; another is a recording fee for documents at county auditor offices. Some lawmakers on the task force are hopeful of seeing action. Rep. Joel Kretz, House Republican deputy leader from Wauconda, said he's thinks a bill can pass in the next year or two, as budget woes soften. Kretz wants any board or commission to have jurisdiction over open- records and open-meetings laws.

House Majority Leader Lynn Kessler, D-Hoquiam, said the idea might pick up support as governments see an opportunity to reduce the chance of runaway penalties that occur when records-law violations become drawn out.

Online Voting Makes Progress in Franklin County

Tacoma News Tribune, October 9, 2009

Franklin County voters have an opportunity to try out a new online voting system in the Nov. 3 general election.

The system allows registered voters to log in using a code provided by the county Auditor's Office and fill out their ballot using a web-integrated form, then print it out and mail it in to be counted.

Washington state law doesn't allow votes to be submitted online, but Franklin County Auditor Zona Lenhart is hoping this test project will show the Legislature that web-based voting might be a good option for Washington's military and disabled voters.

"The idea of online voting is to remove barriers for people," Lenhart said.

She also thinks it could reduce the cost of elections, since the biggest cost comes from printing ballots and secrecy envelopes.

Lenhart said paper ballots and envelopes still will be mailed to each voter, whether or not they opt to use the online system, because state law requires a paper ballot. But she hopes many voters will instead opt to try the online ballot because it will be easy to use and less prone to errors such as double-voting.

Stephen R. Daniels, vice president of U.S. Sales for Everyone Counts, said the system his company developed for Franklin County is user-friendly and secure, with no individual's personal information connected to his or her vote.

Each precinct is issued a code, which is provided to all registered voters in that precinct. Logging in with the code allows voters to pull up a ballot that includes only the races in their precinct.

After marking their choices, they must print the ballot and mail it by the election deadline. They also can print a security envelope, which must be sealed and signed just like those elections staff will mail to each voter.

The system allows voters to click a link to get more information and watch a video about the candidate before casting a vote. It also allows them to go back and change a vote cast by mistake and print a corrected ballot before mailing.

Daniels said the system is designed to integrate with technology for people who are visually impaired so the online ballot can be read to them.

As someone who has only worked with elections systems for the past year, Daniels said he hadn't thought much in the past about the voting obstacles some people face.

"I thought you go to the polling place or you get an absentee ballot," he said. "It's not that simple if you're overseas. It's not that simple if you don't have eyes or if you don't have hands."

Lenhart said she expects disability -- especially vision impairment -- to be an increasing problem for voters as the population ages.

She also sees a younger generation that wants constant connection to the internet through devices such as smart phones, and thinks they'll be more likely to vote if they can do it online.

"This generation is wanting everything instantly," she said. "This is the same generation that is not voting now."

Lenhart hopes the project will show lawmakers that online voting is the wave of the future, and that they'll change the law that requires paper ballots.

She also hopes to see a statewide pilot project to extend online voting to military voters next year.

Franklin County first tried the online system in the August primary and had 67 voters participate. Lenhart hopes to increase that number for the general election in November.

The system at www.franklinvote.com will be available from 8 a.m. Wednesday through 8 p.m. election day.

Public Health & Human Services

Counties Come Together to Discuss Mental Health and Chemical Dependency Services

Over 80 representatives from 22 Washington counties gathered in Ellensburg on Thursday, September 24 for a conference on mental health and substance abuse issues. Attendees grappled with questions of how to fund and implement programs in a year of declining revenues. Challenges facing counties include issues such as homelessness and adequate resources for inpatient hospitalization, substance abuse services, and the provision of treatment options as an alternative to costly stays in jail and emergency rooms.



Commissioner John Austin, Jefferson County, speaks at the symposium

One of the main topics addressed at the conference was the mental health and chemical dependency sales tax, which is available to all Washington counties. The State Legislature provided authority to counties in 2005 to increase the sales tax by one-tenth of one cent – equivalent to a penny on a \$10 purchase.

"All counties struggle with mental health and substance abuse problems. This conference allowed county leaders to proactively discuss methods of serving our communities well and spending tax dollars wisely," said King County Councilmember Bob Ferguson, who co-hosted the conference with the Washington State Association of Counties.

Since the legislature authorized it, 14 of Washington's 39 counties have implemented the revenue option. The counties that have passed the one-tenth of one cent sales tax are

Clallam, Clark, Grays Harbor, Island, Jefferson, King, Okanogan, San Juan, Skagit, Snohomish, Spokane, Thurston, Wahkiakum, and Whatcom.

Former King County Executive Randy Revelle was the keynote speaker at the conference. Mr. Revelle, currently the Senior Vice President of Policy and Public Affairs for the Washington State Hospital Association, discussed his personal story of recovery from mental illness. "It is important for county leaders to hear from each other as well as from individuals who have benefitted from these programs as we continue to improve the system," said Mr. Revelle.

"This conference was an excellent opportunity for leaders and practitioners, from both counties that have passed the tax and those who haven't, to come together to discuss the complex and often challenging delivery of these vital services," said Mason County Commissioner Lynda Ring Erickson, President of WSAC.



Event Host Bob Ferguson, King County Council, (right) talks about the issues with Commissioner Todd Mielke, Spokane County, and Commissioner Lee Grose, Lewis County.

The conference covered a wide variety of issues, including topics such as building political and community support in order to secure funding; developing effective and efficient programs; performance measurement and evaluation; assessing legislative impacts on funding; and strategies for the current budget climate.

Representatives from Spokane County and Whatcom County spoke about the process of getting the tax passed in their respective counties, and addressed the great deal of political and community support that they generated. Spokane County was the first county in Washington to pass the tax. "We are always looking for ways to make more efficient, effective use of public money. I was happy to share Spokane County's experience in passing the tax, and hope it will be useful to counties who are considering pursuing this revenue option," said Todd Mielke, Spokane County Commissioner.

Amnon Shoenfeld, a King County representative, led a panel with Jefferson County Commissioner John Austin on developing effective and efficient programs, and discussed best practices from their respective counties. "Jefferson County has had a great deal of success with our programs, and I enjoyed hearing the perspectives of the other counties on programmatic options," said Commissioner Austin.

Snohomish County Human Services Director, Ken Stark, provided a presentation and discussion on performance measurements and evaluation. "It is of great importance that counties use and have access to reliable data and evaluation techniques to help taxpayers understand the benefit of these programs," said Mr. Stark.

Association News

Snohomish County Prosecutor Takes a New Job

by Jennifer Sullivan, Seattle Times, 10/7/2009

Snohomish County Prosecutor Janice Ellis is stepping down next month to become prosecutor for the Tulalip Tribes.

Ellis, who was elected Snohomish County prosecutor in 2002 and again in 2006, has a year left in her term. Senior Deputy Prosecutor Mark Roe, who has already filed to run for prosecutor in 2010, is lobbying to fill the post once Ellis leaves.

The Snohomish County Council will appoint Ellis' replacement. Ellis said that her last day as county prosecutor will be November 30.

State Rep. John McCoy, D-Tulalip, said Ellis' hiring will help the Tulalip Tribes improve its court system and prosecutor's office. Ellis will be the tribes' first full-time prosecutor, he said.

"I was surprised when I found out she applied for the job," said McCoy, a tribal member and general manager of the Tulalip Tribes' Quil CedaVillage shopping center. "I worked with Janice over the years in the Legislature. She's a very capable person; she listens. On occasion we agree to disagree."

Ellis, 49, said she's looking forward to creating a new agency from scratch.

"In the state court level and the federal court level the systems are very developed. In Indian country, the systems are still developing," Ellis said. "For me, the exciting part of it is I'll be joining the office when a lot of decisions will be made."

Ellis sent a letter to her staff informing them of her decision. She also sent a handwritten letter announcing her resignation to Snohomish County Executive Aaron Reardon on Tuesday morning, said Christopher Schwarzen, spokesman for Reardon.

In the letter to her staff, Ellis said that Snohomish County Democrats will recommend three people to the County Council as potential replacements. She said in the letter that she hopes the council will select Roe, who has been with the county prosecutor's office for 22 years.

The Snohomish County prosecutor's annual salary is \$148,832.

Ellis, a Democrat, has a long history in the Snohomish County Prosecutor's Office, working as a deputy prosecutor in both the civil and criminal divisions. She defeated incumbent Jim Krider in 2002.

Meth Counties Meet

The 51st Annual WACO Conference at Blaine last week was the site of the third annual "Meth Summit" for county clerks, sheriffs and prosecuting attorneys from thirteen rural counties. They are the recipients of funding targeting meth enforcement that was appropriated in Senate Bill 6239 in 2006. Their resounding message to the Legislature since then has been that "6239 has made a difference!"

County officials are asking that funding continue in those counties where the successful investigation and prosecution made possible by the additional funding has resulted in visible reductions in drug dealing behavior and the availability of illegal drugs; decreases in related property and violent crime; and increased communication among law enforcement agencies in the three regions. The balance of the meeting was devoted to developing a strategy to secure continued funding. Officials plan on meeting with all their legislators prior to the 2010 Legislative Session.

While meth cases and burglaries are down, marijuana cases have been on the increase lately along with other drugs like oxycontin. As the economy takes a downward turn, the fear is that meth production will come back. One county official noted that if there is no money for drug enforcement, they may as well put out a sign to dealers and users that says, "Come on down, guys. You are safe here."

Training & Upcoming Events

Washington Counties – [wacounties.org/Calendar of Events](http://wacounties.org/Calendar%20of%20Events)

County Training Institute – www.countytraininginstitute.org

The Basics of Archives Workshop Announced

The Washington State Archives is joining the Washington State Historical Records Advisory Board (WSHRAB), Washington State Historical Society, Heritage Resource Center and National Archives Pacific-Alaska Region in presenting "The Basics of Archives," a series of practical, one-day workshops for people who work with historical records but are not trained archivists.

The free workshops, all from 9 a.m. to 4 p.m., will be held on the following dates:

- Monday, October 5, at the State Archives' Puget Sound Branch (3000 Landerholm Circle SE in Bellevue, 425-564-3950).
- Thursday, October 15, at the State Archives' Central Branch (northwest corner of 14th and D streets in Ellensburg, 509-963-2136).
- Wednesday, October 21, at Battle Ground City Hall (109 SW 1st St. in Battle Ground, 360-342-5000).
- Thursday, October 29, at the National Archives, Pacific-Alaska Region (6125 Sand Point Way NE in Seattle, 206-336-5115).

Pre-registration is required, and enrollment is limited. The registration deadline is October 1. To pre-register, contact Mark Vessey at the Heritage Resource Center at 360-586-0219 (phone), (360) 586-8322 (fax) or mvessey@wshs.wa.gov.

Here is a blog post about the archiving workshops that we feature on our "From Our Corner" blog: <http://blogs.secstate.wa.gov/FromOurCorner/index.php/2009/09/archives-workshops/>

2009 CTI Course Offerings

The County Training Institute (CTI) was developed in a collaborative partnership with the [Washington State Association of Counties \(WSAC\)](#), [Washington Association of County Officials \(WACO\)](#), [County Road Administration Board \(CRAB\)](#) and [Washington Counties Risk Pool \(WCRP\)](#) to strengthen and promote leadership capacity of elected and appointed county officials and staff in Washington State.

The CTI is your best resource for enhancing skills, receiving meaningful and relevant training and updating knowledge in work-related areas.

COUNTY FINANCIAL MANAGEMENT

The field of local government is a challenging one. It requires current knowledge and constant skill refinement in order to provide the public with the best service possible. This training will provide beneficial information and you will leave better equipped to meet the demands of your position. Topics include: county finance basics including roles and responsibilities, legal requirements and financial terminology; county budget basics including planning and forecasting, preparation and administration; county revenue sources, restrictions and techniques for forecasting; capital budget requirements; and how to link performance management to your budget process.

October 27 Ephrata [Grant County Public Works Department](#), Public Meeting Room

November 6 Olympia [Washington Counties Building](#), Downstairs Conference Room

Time: 10:00am to 3:00pm (Lunch is on your own)

Instructor: Glenn Olson, Clark County Deputy Administrator

Cost: \$120 for members of WSAC, WACO, WCRP and CRAB
\$135 for non-members

This course qualifies for 4 Core [Certified Public Official](#) (CPO) credits.

COUNTY GOVERNMENT STRUCTURE: ROLES & RESPONSIBILITIES

Counties operate under powers granted to them by the Washington State Constitution, the Revised Code of Washington, and the Washington Administrative Code. Successful leadership within each county depends on a clear understanding of the roles and responsibilities of the independent elected officials as well as the commissioners, council members, and county executives. Through lecture, interactive learning activities, and small group discussions, participants will broaden their knowledge of the history of county government as well as the county structures, roles, and responsibilities. Participants will also look at county government in relation to Federal, State, and other Local Governments.

October 20 Everett [Snohomish County Courthouse](#)
Building A, 1st Floor Admin East, Public Meeting Room #2

October 28 Ephrata [Grant County Public Works Department](#)
Public Meeting Room

Time: 9:00am to 12:30pm (Lunch is on your own)

Instructor: Eric Johnson, Executive Director
Washington State Association of Counties

Cost: \$60.00 for members of WSAC, WACO, WCRP and CRAB
\$75.00 for non-members

This course qualifies for 2 Core [Certified Public Official](#) (CPO) credits.

COMING SOON!!!

The following courses will be available 24/7 through distance learning. Keep checking our website for our **E-Learning launch**.

RISK MANAGEMENT

Understand risk management functions, approaches to risk control, and claim litigation management in public entities. Topics include: negligence as it relates to county government activities; vicarious, contractual and decision-making liability; insurance/risk management structures; exposures related to financial decisions; loss control techniques, including policy development, training, and self-assessment process; claims/litigation handling; advantages and disadvantages of different types of risk coverage including self-insurance, commercial insurance, and insurance pooling.

Instructors: Jill Lowe, Loss Control Coordinator
Washington Counties Risk Pool

Harry Green, Risk Manager
Paulette Young, Safety Officer
Lewis County

Jennifer Hills, Director of Risk Management
King County

Randall Watts, Prosecutor
Whatcom County

Cost: \$60.00 for members of WSAC, WACO, WCRP and CRAB
\$75.00 for non-members

This course qualifies for 4 Core [Certified Public Official](#) (CPO) credits.

COMING SOON through E-LEARNING!!!

OPEN PUBLIC MEETINGS ACT (OPMA)

Discover the basic legal doctrines that county elected and appointed officials need to know to perform their official duties. Topics include, The Open Public Meeting Act, identifying conflicts of interest and appropriate responses, and Ethics and the Appearance of Fairness Doctrine.

Instructor: Pat Mason, Senior Legal Consultant
Municipal Research Services Center

Cost: \$60.00 for members of WSAC, WACO, WCRP and CRAB
\$75.00 for non-members

This course qualifies for 1 Elective [Certified Public Official](#) (CPO) credits.

OPEN PUBLIC RECORDS ACT (OPRA)

Discover the basic legal doctrines that county elected and appointed officials need to know to perform their official duties. Topics include, The Public Records Act, identifying conflicts of interest and appropriate responses, and Ethics and the Appearance of Fairness Doctrine.

Instructor: Pat Mason, Senior Legal Consultant
Municipal Research Services Center

Cost: \$60.00 for members of WSAC, WACO, WCRP and CRAB
\$75.00 for non-members

This course qualifies for 1 Elective [Certified Public Official](#) (CPO) credits.

Contact Information:

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tsugarman@wacounties.org
www.countytraininginstitute.org

Courthouse Ramblings

WACO sends its deepest sympathies to the family of retired Stevens County Assessor **Blanche Estep** who passed away last week. Blanche was possibly the longest-serving county official in this state. Blanche worked in the Stevens County Court House for many years, in several different positions, before becoming the Stevens County Assessor in 1965. She held that position for over thirty-six years until she chose not to seek re-election in 2002. She served the people of Stevens County in one capacity or another for nearly 50 years. Blanche was president of the Washington State Association of County Assessors (WSACA) in 1980. She is survived by her son Jon, daughter-in-law Judy, and granddaughter Ann Estep, 680 N. Oak Street, Colville, WA 99114.



Good Things

Lincoln County Deputy Sheriff Earns Bronze Star

U.S. Army 1st Sgt. Andrew Manke, who expects to resume work shortly as a Lincoln County Sheriff's Deputy, will receive the Bronze Star medal during a National Guard ceremony later this month.

Manke's award citation notes his "exceptionally meritorious service during his third tour in support of Operation Iraqi Freedom. "His outstanding dedication to duty during combat operations in Iraq contributed to the overwhelming success of the commands' mission," the citation reads. "His actions are in keeping with the finest traditions of military service. According to an Army narrative, he "demonstrated unparalleled leadership, sage judgment and unwavering professionalism while entrusted with providing convoy security escorts throughout the combat zone.

"Manke constantly exposed himself to significant risk of hostile action accompanying his soldiers on the most dangerous missions." He also is credited with enabling "the seamless administration of more than \$35 million of vehicles and equipment. WACO thanks 1st Sgt. Manke for his service!

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

U.S. Communities | 2175 North California Blvd., Suite 550, Walnut Creek, CA 94596
(866) 472-7467 | 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.