

the Courthouse Journal

W A C O U N T I E S . O R G

April 3, 2009

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Washington Association of County Officials
Washington State Association of Counties

WACO Priority Bill Update

The following is the status of the WACO 2009 Legislative Package Priority Bills and the action requested:

Senate Rules Committee:

HB 1208 Property Tax Administration

HJM 4000 County Health Care Costs in Jails

Please contact Lt. Governor Brad Owen and members of the Senate Rules Committee and ask that they "pull" these WACO priority bills to the floor for a vote.

On the Senate Floor for a vote!

HB 1018 Special Election Dates

Please contact all your Senators to ask their support of HB 1018!

House Rules Committee: (The House Rules Committee will meet Monday at 1:00 p.m.)

SB 5013 Clerk Fees

SB 5368 Annual Property Tax Revaluations

Please contact Speaker of the House Frank Chopp and your representatives on House Rules and ask them to "pull" these WACO priority bills to the floor for a vote.

House Floor for a vote!

SB 5017 Inactive Voters

Please contact all your Representatives and ask them to support SB 5017!

Senate Ways and Means:

HB 1374, Local government Archives Account - We still need to get a hearing for this one! Please help! Please contact Senator Margarita Prentice, Chair, and all members of the Senate Ways and Means Committee and ask that HB 1374 be heard and voted out of committee with a "do pass" recommendation!

Job announcements & links to County Employment pages at:

<http://wacounties.org/>

the Courthouse Journal

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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 correspondence to - *The Courthouse Journal*, 206 Tenth Av SE, Olympia, WA 98501

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Plan Now for WSAC Joint District Meeting June 9-12

Online Registration Coming Soon

WSAC members, County Engineers and Public Works Directors won't want to miss the 2009 Joint District Meeting and WSACE Meeting, June 9-12, to be held at the Red Lion Hotel Columbia Center. Besides the camaraderie and professional development sessions, we're planning plenty of sunshine and outdoor opportunities.



Photo courtesy of Tri-Cities VCB and Arlene Larsen
Photography/www.arlenelarsen.net

Online registration will be available in about a week and members of WSAC and WSACE will receive an email with details when it is available. Please note that hotel reservations cannot be made in our room block until registration is live.

Preliminary Agenda Highlights:

Tuesday, June 9 – WSAC Board of Directors Meeting; Newly Elected Officials Workshop; Opening Evening Reception at Red Lion Outdoor Plaza
Wednesday, June 10 – District Meetings; WSACE Board of Directors Meeting; Networking Luncheon; LSC Meeting; WSACE Reception and Awards Banquet
Thursday, June 11 – Joint Transportation session; Keynote Presentation by Dr. Arun Raha, State Economist; State Smart Communities Award presentation; Timber Counties, Columbia River Policy Advisory Group, Coastal Caucus meetings; Evening Social Event (BBQ and Western theme)
Friday, June 12 – Tours of local points of interest...more to come!

Meeting sponsored by Washington Counties Insurance Fund



Legislative Committee Schedules and Agendas:

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

Bill Information: www.leg.wa.gov



Wanted: One Sheep

by James McMahan, WACO Staff

As a new employee of WACO, I'm still learning the styles and traditions of the organization and its affiliates. The Assessors are planning their June conference and I'd like to go, but I don't have a sheep to bring. I'm not picky, but something clean and fluffy is preferred. Size doesn't matter - I have a pickup and most anything will fit in the back.

Budget, Finance and Taxes

Physical Property Inspections

by Bob Carlton, WACO Staff

Recently there were news articles that proclaimed that one county in Washington had not completed a substantial number of physical inspections on properties that were due to receive one. It was intimated that prior administrations had not accomplished what was referred to as "boots on the ground" inspections but had proceeded to adjust values anyway. The argument was that this was illegal and in violation of State law.

So what is the requirement? I submit to you two Attorney General Opinions; AGO 53-55 No. 117 and AGO 1969 No.15. AGO 117 addresses two issues:

Is it "legal for the County Assessor to certify his assessment list to the Board of Equalization when only a portion of the county has been reassessed under the new equalization program based on the Appraisal Manual prepared by the Washington State Tax Commission,"

and also "whether the assessor can reappraise improvements on land without reappraising the land itself and other unimproved property at the same time."

The Attorney General found that in both instances those appraisals were valid, as stated next.

We conclude that the county assessor may properly certify his assessment list to the Board of Equalization although property in only part of the county has been reappraised pursuant to the Tax Commission's latest Appraisal Manual. Also the assessor may reappraise improved property while returning unimproved property at previous valuations.

So, as long as a county is following the Tax Commission latest Appraisal Manual, his or her procedures are deemed valid and legal.

The next AGO Opinion, No. 15, addresses another component of the process. The question in summary form addresses a two part question:

(1) Under RCW 84.41.040, it is necessary that, prior to changing the "true and fair value" of real property for purposes of taxation, a county assessor make a physical inspection of the subject property.

(2) There is no requirement in the state constitution with respect to the physical inspection of taxable real property prior to reevaluation for tax purposes.

And their reply below to the two questions.

Dear Sir:

By letter previously acknowledged, you have requested an opinion of this office on two questions relating to the valuation of real property for ad valorem tax purposes. As background for your request, you have advised us that a certain existing state statute namely, RCW 84.41.040 has been administratively construed by the state tax commission (now, department of revenue) to require that the various county assessors, prior to changing the "true and fair value" of any parcel of real property for purposes of property taxation, make a physical inspection of the subject property.

You have asked for our opinion as to:

- (1) Whether this administrative construction is correct; i.e., whether it is necessary, under RCW 84.41.040, that a county assessor, prior to changing the "true and fair value" of real property for purposes of taxation, make a physical inspection of the subject property and;
- (2) Whether such a requirement of actual physical inspection may also be found in any provision of our state constitution.

We answer question (1) in the affirmative and question (2) in the negative for the reasons set forth in the following analysis

So, it is quite clear from the Attorney General's standpoint that physical inspections are required, but that there is no constitutional requirement for them.

But, you must read further on into their analysis to understand the clear picture and meaning, as stated below:

*Preliminarily, we would note that, in the absence of a constitutional provision or statute to the contrary, it is generally held by courts of other jurisdictions that an assessment is not invalidated by reason of the fact that the assessor has not actually inspected the subject property if, from other sources, he has obtained sufficient knowledge or evidence of its existence and value to make the appraisal and resulting assessment. See, *Montgomery Ward & Co. v. Welch*, 17 Cal. A.2d 127 [[17 Cal. App.2d 127]], 61 P.2d 790 (1963); accord, AGO 53-55-117, copy enclosed.*

However, in this state we do have a statute relating to the matter. In 1955,^{1/} our legislature enacted a comprehensive statute setting forth the procedures to be followed by the various county assessors in reevaluating property for tax purposes. See, chapter 251, Laws of 1955, now codified as chapter 84.41 RCW. In § 4 of this act, which is now codified as RCW 84.41.040, the legislature set forth the following requirement:

"Each county assessor shall cause real property being valued to be physically inspected and shall require such examination as will provide adequate data from which to make accurate valuations. Property which may have been revalued after physical examination by the assessor subsequent to May 31, 1954, shall be considered to have been revalued pursuant to the requirements of this chapter."

Shortly after this statute was enacted, the state tax commission (now department of revenue), on June 7, 1955, issued its "Property Tax Bulletin No. 231" for the guidance of county assessors and in answer to certain questions they have raised concerning chapter 84.41. RCW, generally. With respect to the particular question of physical inspections, [[Orig. Op. Page 3]] the commission expressed itself as follows:

"4. If an assessor's property appraisal records are good and up-to-date, would it not be possible under this statute to revalue all improvements in the office without physical inspection?"

"Answer No; the statute requires physical examination by June 1, 1958, of all real property except such as has been revalued after physical examination since May 31, 1954. Thereafter, all property must be physically inspected and revalued every four years. When records have been developed on every parcel of property, showing sufficient data on which to base accurate valuation, the process of periodic physical examination will serve to insure: (a) that all taxable property is listed; and (b) that data on each parcel is kept reasonably up-to-date. Revaluation will help to insure that values are kept in line with the market."

This administrative construction is, of course, entitled to great weight in determining the intent of the legislature in accordance with the rule announced by the court in such cases as Bradley v. Dept. of Labor and Ind., 52 Wn.2d 780, 329 P.2d 196 (1958), and others cited therein. Furthermore, it is in full conformity with the view which was recently expressed by our

state supreme court in Carkonen, et al. v. Williams, et al., (No. 40868, September 4, 1969). There, in considering the question of whether or not certain assessors, in their valuation of the plaintiffs' properties, had violated the various federal and state constitutional requirements of uniformity in taxation, the court said:

"The evidence indicates quite clearly that, to the best of their ability, and with their limited staffs, the assessors involved were honestly endeavoring to pursue a systematic nondiscriminatory cyclical approach to revaluation. In this vein it is to be borne in mind that the statute (RCW 84.41.040) requires a physical inspection of each of the parcels revalued and that King County had some 400,000 and Snohomish County some 250,000 parcels [[Orig. Op. Page 4]] subject to revaluation. The sheer physical problem of annually inspecting the units of property involved, coupled with the staff and budgetary allocations required to accomplish such, lends wisdom to the legislative act authorizing and directing a cyclical approach, and virtually lays to rest any viable claim to intentional discrimination inhering in the system." (Emphasis supplied.)

We understand your request for our review of this long-standing administrative construction of the statute has arisen because of recent suggestions that RCW 84.41.040, supra, might, instead, be construed to mean that once "adequate data" has been obtained from a single physical inspection of a subject property, such data could properly be used as the basis for all future reevaluations without any further physical inspection. In our opinion, however, the statutory requirement that the examination shall be such as will ". . . provide adequate data from which to make accurate evaluations . . ." cannot, properly, be used as a basis for such a construction. Instead, as we see it, this requirement was placed in the statute simply to insure that when the real property is physically inspected, it is not to be inspected in a superficial manner but rather, in a manner sufficient to provide adequate information to aid in determining the new values.

With regard to the question of what constitutes the "adequate data" which is to be acquired in subsequent physical inspections, we believe that the proper standard is that set forth in Property Tax Bulletin No. 231, quoted above; i.e., it must be determined ". . . that data on each parcel is . . . reasonably up-to-date. . . ." Thus, physical inspections which take place after the initial physical inspection of each parcel must be sufficient to determine what relevant physical changes, if any, have occurred in the data gathered in the prior inspection. Accordingly, we would expect that, absent extensive changes such as new construction or major additions to a building, subsequent inspections would serve mainly as a check on data gathered previously, and would not require "starting from scratch" so far as gathering data is concerned. However, as already concluded, this check, by means of a physical [[Orig. Op. Page 5]] inspection, must be made prior to any change in the true and fair value.^{2/}

Now, let's talk about the real world of appraising property. In almost all of the counties, budget cuts and staff reductions have affected Assessor Offices to a large degree. These same counties have added every year a substantial number of new parcels under the New Construction statutes. At the same time, many of them have suffered staff reductions and budgetary cut backs. This might beg the question as to just how many parcels one appraiser can be reasonably expected to complete in a given year.

There are 2080 hours in a standard work year. Within that year you have a certain amount of Vacation and Sick Leave that employees may use. And you also have a May 31st deadline for completing the work prior to sending out notices of change of value. Most counties now start the physical inspection cycle during November of the prior year, and then try and complete the work prior to May 31st. That gives you 7 months, or 173.3 hours per month, or a total of 1,213.1 hours to complete the work, less sick leave and vacation. The Department of Revenue has stated that Pierce County has one of the higher parcel counts per appraiser, at 8,932. That means each appraiser needs to complete from start to finish 7.36 appraisals per hour. That is one appraisal, start to finish, every 8 minutes and 15 seconds. That does not leave a whole lot of time to fight traffic, find the house, make friends with the dog, and do a physical inspection. But, if you think they are overpaid and underworked, simply spend your money and get Certified, and then apply to any one of 39 counties for appraisal employment. Don't expect to start at the top wage scale, and don't expect a lot of accolades for the work you might do.

Let me know how that works out for you.

Courts, Public Safety, Law & Justice

Restoration of Voting Rights

HB 1517, restoring voting rights to felons, is on the Senate Floor Calendar for a vote, and looks nothing like the “bright line” bill it started out to be. HB 1517 originally stated simply that any felon not incarcerated in a state facility could vote. Senator Mike Carrell is offering an amendment to SB 1517 that would restore the right to anyone no longer incarcerated has the “provisional” right to vote but that the restoration may be revoked if the court determines that the offender has failed to comply with the terms of his/her order to pay legal financial obligations. The clerks have responded that the amendment is not workable in that it contains too many provisions that require staff time in light of the severe budget cuts many offices are experiencing.

HB 1002, another restoration bill, will not allow a felon to vote before legal financial obligations are met and deals with those cases having no-contact orders. Felon would be required to pay a filing fee for a civil no-contact in order for the no-contact provision to remain in effect. HB 1002 is in Senate Rules. The WACO Legislative Committee took no position on the restoration of voting rights for felons.

Elections, Licensing & Recordings

Heritage Center Project on Hold

HB 1374 is a WACO priority bill to halt the transfer of funds from the Local Government Archives Account to the Heritage Center Account. The Heritage Center project has been suspended for at least two years since the State Treasurer has estimated it would take \$78 million in bonds to offset the increased costs of the project and the 35% drop in recording revenues that were expected to funds 62% of the project.

Although HB 1374 has been languishing in Senate Way and Means in hopes of a hearing, proponents hope to accomplish the same outcome by amendments to the Capital Budget bill that survives. Amendments have been prepared for both HB 1216 and SB 5222. From the numbers available, it appears that the Heritage Center should have adequate funding without tapping the Archives as it goes back into the redesign phase.

Locals have banked on the fact that the \$4 million dollar transfer authorized last session would not occur until June. Now it appears that there is an effort underway to move it to the next few days. That could make all this session’s work a moot point if the happens.

WACO members are urged to contact all their legislators and ask them to safeguard the Local Government Archives Account. Local government grants programs and the Digital Archives are at risk.

Environment, Land Use & Resources

Tire Pile Report Now Available

The Department of Ecology has now released the “2008 Report to the Legislature: Tire Recycling and Reuse in 2007 and Tire Pile Cleanup Status for 2008.” To view this report, please visit: <http://www.ecy.wa.gov/biblio/0907007.html>.

Applications Now Accepted for 2009 Smart Communities Awards

County Winners to be Announced at WSAC June Meeting in Kennewick

The Department of Community, Trade and Economic Development (CTED) is seeking nominations for the 2009 Governor’s Smart Communities Awards. The awards program was established in 2006. It recognizes outstanding efforts

of local communities and their partners throughout the state to create quality communities through achieving the goals of the Growth Management Act and other community development objectives.

The deadline for submitting nominations is 5:00 p.m. April 30, 2009.

Nomination forms, instructions and other information about the awards are available at www.cted.wa.gov/growth or by contacting Julie Knackstedt at 360.725.3053 or juliek@cted.wa.gov.

The 2009 Governor's Smart Communities Awards for the winning County nominations will be held at the Washington State Association of Counties Joint District Meeting in Kennewick, June 11.

Public Health & Human Services

Proposed Policy to Integrate Mental Health in Health Care Reform

Several weeks ago, an agency of the federal government asked our NACO affiliate NACBHDD (National Association of County Behavioral Health and Disabilities Directors) to draft a position statement on integrating Mental Health into overall health care reform. Attached to the CHJ are materials from NACBHDD.

Health care reform is a major topic in Washington D.C. The administration as well as both houses of congress are actively working on this issue and see it as an integral component of economic recovery. As such, it is vital for counties to be at the table for these discussions.

The NACBHDD statement, printed below, makes it clear that the integration of mental health along with physical health is essential. Our antiquated approach of separating the health of the mind from the health of the body continues to drive up costs and must be resolved in health care reform.

If you would like more information, please contact Jim Colvin, Administrator, Chelan-Douglas RSN at (509) 886-6318 or JColvin@cdrsn.org.

Colvin is also a member of the NACo Health Steering Committee and a member of the NACBHDD Board of Directors.

Advancing Health Through System Reform

National Association of County Behavioral Health and Developmental Disability Directors (NACBHDD)

Service Population/Entity: NACBHDD is a membership organization that represents county, city and other local government authorities charged with developing, administering, financing and overseeing county/community-based, public mental health, substance use disorders and/or developmental disability systems of care. The *public* behavioral health systems are the safety net for some of the most vulnerable members of our communities - those with serious mental illnesses, chronic addictions and co-occurring disorders and their families. A comprehensive array of treatment, services and supports allows consumers to live in their communities, move toward recovery and achieve independence. County-based systems also serve people with mental illness and/or substance use disorders who are in jails and prisons.

The local authorities are accountable to the consumers of their services and their families, the county, city or other local government that employs them or appoints them to community service boards, and to the taxpayers who fund the services provided.

NACBHDD Principles for Healthcare Reform

I. Behavioral healthcare is essential to healthcare reform.

As healthcare reform evolves in Washington, DC, across the nation and in individual states, it is critical to focus on enhancing and preserving systems of care that serve people with mental illnesses and substance use disorders. Any discussion of healthcare reform must include mental illness and substance use disorders to insure the integration of behavioral health services as a fundamental component of any comprehensive reform plan that is developed, enacted, and implemented.

Behavioral Health issues must be addressed because:

- One in four adult Americans has a mental disorder, substance use disorder, or both.
- Mental illness is the leading cause of disability in North America for people between the ages of 15 and 44. The burden of disease from mental disorders exceeds those from any other health condition.
- Adults with serious mental illness die, on average, 25 years sooner than those who do not have mental illness due to a lack of primary care for physical conditions such as heart disease, pulmonary diseases, high blood pressure, diabetes and other conditions.
- In 2005 alone over 32,000 people took their own lives. Suicide was the third leading cause of death for young people aged 10-24 in 2004.
- Almost one in four stays in US community hospitals involves depression, bipolar disorder, schizophrenia or other mental health and substance use disorders.
- Treatment for mental health and substance use disorders is effective. Recovery rates for mental illness are comparable to and even surpass the treatment success rates for many physical health conditions. Relapse rates for drug/alcohol treatment are less, and compliance is higher, than those for hypertension and asthma; they are equal to diabetes relapse and compliance rates.

II. Coverage does not guarantee access.

Adults with serious mental illness are a medically vulnerable population. Many will not access needed primary care or comply with medical treatment without significant support. Any healthcare reform plan must recognize the need for specialized mental health and social services to enable this population to benefit from healthcare coverage and eliminate the disparities in health outcomes for those with serious mental illness.

III. Prevention and wellness strategies are essential.

There is a need for a public health effort to identify health risks and prevention strategies that address the emotional, psychological, and neurological development and wellness of all, and to inform and educate the public about these strategies. NACBHDD endorses the Campaign for Mental Health Reform's "recognition that there can be no health without mental health, that prevention of and recovery from many healthcare conditions rests on mental wellness in each individual." (William Emmet, Director, Campaign for Mental Health Reform, September 10, 2008).

In addition, prevention is cost effective. Every dollar spent on drug and alcohol prevention saves from \$7 to \$20 in future costs of crime, incarceration, emergency room care, lost productivity, and premature death.

IV. Integration of behavioral healthcare and physical healthcare is critical.

To be successful, healthcare reform must ensure access to both physical healthcare and behavioral healthcare services. Strategies for integration should be based on principles that recognize and embrace a person-centered approach; family involvement; cultural competency; evidence-based/practice-based approach; and multi-systemic frameworks.

Specifically, NACBHDD believes healthcare reform should:

- Address and enhance access to care that embraces a holistic approach to care, centered on the person's strengths and integrates care which is person directed.
- Incorporate behavioral healthcare screenings, assessment, and treatment in primary care settings through collaboration with behavioral health providers, for children, adults and older adults.
- Incorporate access to primary care services in behavioral healthcare settings to help address the 25 year lifespan deficit for individuals with serious and chronic mental illness and/or substance use disorders who would be at risk for increased morbidity and mortality due to an inability to access primary care.

- Prioritize and recognize the provision of primary health; oral health; and behavioral health in school settings for children and adolescents.
- Assure parity in benefits and coverage provisions for diagnostic categories of behavioral healthcare in order to eliminate disparities in care.
- Support adequate reimbursements for delivery of behavioral healthcare services that take into account the locus of delivery, recognition of evidence-based practice, intensity of care, and level of provider.
- Recognize publicly funded behavioral health organizations as eligible “safety net” providers and “medical homes” with pathways to primary and specialty care.
- Provide the social services and supports that encourage recovery and resiliency, especially for persons with severe or chronic psychiatric disabilities, substance use disorders/addictions, and developmental disabilities.
- Address the workforce shortages of psychiatric specialty providers and specially trained behavioral health staff.

V. Recovery Principles

Recovery principles must guide any behavioral healthcare reform. The fundamental principles of a recovery-based service system -- including self-direction, individualization, strengths-based approach, peer support and hope -- have proven necessary to achieving mental health recovery. SAMHSA’s 2006 consensus statement on mental health recovery is as essential a guide today as it was then: “Recovery must be the common, recognized outcome of the services we support.” (SAMHSA Administrator Charles G. Currie, 2006)

VI. Mental Health Workforce Development

Vitally important to the success of any comprehensive healthcare reform is assuring that an adequately trained workforce is available to deliver the necessary range of services. A shortage of qualified mental health clinicians is prevalent across the nation and constitutes a serious barrier to the expansion, enhancement and/or improvement of the existing mental health service delivery infrastructure. It will also impede implementation of reform proposals no matter how well designed. Attention must be given to finding ways to increase the number of mental health clinicians, and to equip them with skills that incorporate the principles of Recovery into their every day practice. Schools of higher education need to update their curricula to emphasize Recovery principles and models, and experienced clinicians should be offered continuing education credits for receiving training in Recovery principles and treatment approaches that may not have been part of their education.

Looking into the future...

The new healthcare system is an integrated system of prevention, assessment, early intervention, treatment, wrap-around services, care management and long-term supports. Beginning with prenatal care and ending with improved end-of-life care, the new system is person-centered, providing the mix of physical and behavioral healthcare services each consumer requires. Silos between primary care and behavioral healthcare have been eliminated; both types of care are available to consumers whether their “medical home” is a primary care setting or a behavioral healthcare setting. Electronic health records and other HIT innovations are improving care coordination, reducing errors and lowering costs.

Financing for the new system is shared among federal, state and local governments along with significantly improved third-party private sector reimbursements and services. Public behavioral health and developmental disability systems are designed at the local level, tailored to the geographic, demographic, ethnic and cultural needs of the service population. Multiple federal funding streams are available to support local systems of care, but are braided via a uniform funding application that allows reimbursements for clinical care, social services, supportive housing, supported employment, job training, transportation subsidies and other essential services to be obtained through a single, comprehensive, uniform application that is electronically shared with appropriate federal programs and departments. State and local funds can be added with a similar streamlined approach.

Individuals with mental illness, substance use disorders and developmental disabilities are able to live and work in their communities with proper supports. Jails, prisons and hospitals are no longer inappropriately housing mentally ill and addicted persons who are now able to access and afford the care they need to move to recovery and live productive, rewarding lives.

Association News

2009 Directory of County Officials Change

Page 33 - Pend Oreille County has a new address for their website. Please note it is now www.pendoreilleco.org.

County Says Goodbye to Maury Rice

by Pat Muir, Yakima Herald-Republic, 3/31/2009

How do you introduce a man like Yakima County Coroner Maury Rice to an audience of people who already know him?

The task fell to Deputy Coroner Jack Hawkins on Tuesday as the county honored Rice on his last day in office.

"Most everybody already knows him," Hawkins told the crowd of more than 30 who attended the county commissioners meeting to see Rice honored. "I mean, he's been here longer than dirt." In fact, dirt's got him by a few years.

But Rice, 75, has served the county in one capacity or another for 46 years. Before taking over as coroner in 1996, he was a sheriff's deputy for 33 years.

Suffering from prostate cancer, Rice announced his retirement in February. Speaking to the assembled crowd at the commissioners meeting, he said he'll miss the job -- the 3 a.m. phone calls for coroner service notwithstanding.

"It's been a real privilege working for Yakima County," Rice said. "If I had it to do over again, I would do it in a minute."

The crowd was dotted with public officials from up and down the Yakima Valley, including Sunnyside Police Chief Ed Radder, who appreciated Rice's kindness in the face of often daunting circumstances.

"He's a great guy to work with," Radder said. "He deals with the most difficult moments (as a coroner), but he's always cheerful."

Rice's replacement will be chosen by the commissioners. Because he is a Republican, the replacement will come from the Republican Party. The county party's precinct committee officers are expected to vote for finalists April 11.

Until then, Hawkins will act as interim coroner.

Hover to Attend National Leadership Institute

Congratulations to Commissioner Bud Hover, Okanogan County, who was selected by NACo as Washington State's representative to the 2009 County Leadership Institute, May 27-30, 2009 in New York City. Thirty county leaders are selected each year across the nation to attend the institute, which is a joint program with New York University's Robert F. Wagner Graduate School of Public Service.

Commissioner Hover will report back to the membership about his experience later in the year.



Yakima County Coroner
Maury Rice

Boards & Commissions

Statewide B&C Report: State Board of Health

Submitted by Commissioner John Austin, Jefferson County

Currently, the big issues before the board are:

1. The environmental health rules for schools. The BoH has developed a draft of environmental rules for schools which includes requirements for addressing mold, drinking water safety, lab safety, light, ventilation, disease outbreaks, etc. Upon request of several legislators, the Board postponed adoption of the rules until costs concerns could be addressed. I believe that the Board will most likely adopt sometime this Summer. Note that it was with great reservation that we did this postponement, but we hoped to be partners with the Legislature, and get more buy in from them for the Rule.
2. The Board of Health has severely cut expenses by reducing the number of meetings per year from about 10, to about 6. An electronic meeting was held in January which saved money, but was not well received. Some meetings have been shortened, and staff positions have gone unfilled.
3. There are plans to review rules for aquaculture, Septic tank design, optional vaccinations, and diseases carried by animals.
4. The State Board of Health Website reviews the activities of the Board

As a representative of the Counties, I try to look at rules as they will impact the County governments and the citizens. I found this especially important in reviewing the implications of some rules upon smaller rural counties which do not have the funding or staff available to larger counties. For example, small rural schools may find it difficult to meet all the environmental restrictions which have been suggested. Thus, I have encouraged some local autonomy to local Boards of Health and Health Officers.

Thanks for letting me serve. Please remind the WSAC leadership that I am happy to represent their interests and concerns on the State BOH.

Training & Upcoming Events

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

County Training Institute – www.countytraininginstitute.org

National Smart Grid Conference, Spokane, April 6-7, 2009

Register online today - Space is limited <http://www.nationalsmartgridconference.com/Default.aspx>

Please join the nation's top thinkers on energy efficiency and Smart Grid technology for the National Smart Grid conference in Spokane.

Major speakers include **U.S. Senator Maria Cantwell from Washington, Commissioner Phil Moeller** from the Federal Energy Regulatory Commission, **Steve Wright** from BPA, a top Department of Energy official and to be announced leading state officials.

- **Be a part of history** as we make local and national policy recommendations that will transform the use and delivery of electricity.
- **Create jobs** in new technologies that bring us closer to energy independence.
- **Save money** by giving consumers the power to make smarter decisions about their home and business energy use.

Why? The electric power grid lights your streets, heats your home, runs your computer, and recharges your batteries, but traditional power plants and transmission lines are aging, subject to blackouts and incapable of keeping up with growing demand.

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Attachments

Campus Projects Left Out of Budgets

by Adam Wilson, the Daily Olympian, 3/3/2009

The Heritage Center project fell victim to the recession Wednesday, when lawmakers dropped the monumental building from their construction budgets.

The \$141 million Heritage Center and \$80 million Executive Office Building have been in development for four years. Construction on them was supposed to start in less than a year, making them the first grand-scale buildings constructed on the Capitol Campus since the domed Legislative Building itself went up.

But the fees that were to pay for the center slowed and the market for construction bonds soured, leaving a \$74 million shortfall that stymied even the project's strongest backers.

"It's sad news for us, but I think it also is for Olympia," Secretary of State Sam Reed said.

The recession already has prompted lawmakers to propose budgets that involve layoffs of 2,000 state employees, as well as eliminate any pay increases for the thousands of public employees in Thurston County, he noted.

He and other supporters of the Heritage Center project had championed it as a tourism draw that would employ as many as 1,500 people during construction. It would include a museum and education space for tour groups, as well as the state Archive and Library, built into the hillside overlooking Capitol Lake.

The office building would be financed with bonds paid for with rents charged to state agencies. But the center was supposed to pay off its construction bonds with specific fees, including a \$2 charge on real estate filings.

As home sales have plummeted, so have expectations for the fee.

"The revenues from that source have plunged, and we don't have the capital to backfill that. That is a big disappointment to me personally," Sen. Karen Fraser, D-Thurston County, said. She championed the project as the lead capital budget writer in the Senate.

Executive support

Gov. Chris Gregoire also had backed the project, proposing that the state use \$28 million in bonds to make up for falling fee revenue.

But Fraser said the \$74 million shortfall now predicted by State Treasurer Jim McIntire was "way outside of the concept of the project."

Rep. Hans Dunshee, who has been more critical of the projects' finances as the House construction budget writer, also left the center out of his proposal Wednesday.

Fraser and Reed plan to restart the center project in the next two-year budget, likely in 2012.

Reed held out hope that it could start even earlier, saying income from the real estate filing fee already is increasing. And each year of delay could add about \$10 million in inflation to the project's cost, he said.

For now, however, the big effort is on ice. The Treasurer's Office stood by its estimate of the financing plan's short falls.

"We're being realistic about what the market will bear," office spokesman Chris McGann said.

Adam Wilson covers state workers and politics for The Olympian. He can be reached at 360-753-1688 or awilson@theolympian.com.

State Bill Would OK New King County Utility, Property Taxes

by Keith Ervin, Seattle Times, 3/29/2009

The Legislature has moved a step closer to giving cash-strapped King County permission to impose taxes to maintain sheriff's patrols and roads outside cities, and keep Metro Transit buses rolling.

Under a bill endorsed Friday by the House Finance Committee, the Metropolitan King County Council could impose a utility tax in unincorporated areas and a countywide property-tax levy without a public vote.

"This is really the first glimmer of hope for the counties, I think," King County Prosecuting Attorney Dan Satterberg said before the Finance Committee approved the bill, SB 5433, which would authorize new taxes and give the county more flexibility in spending other taxes.

The state, which is facing a staggering \$8.5 billion shortfall in the 2009-11 budget, wouldn't give any new financial assistance to the county.

"It's not a bailout for counties in any way. It won't spare King County from having to make some difficult decisions and having to set priorities and take cuts," Satterberg said.

He and other county officials, including County Executive Ron Sims and County Council members, have been lobbying legislators to ask for a combination of more flexible spending rules and authority to impose new taxes.

Without new funding rules, King County faces deep spending cuts for the second straight year.

"The worst-case scenario is \$50 million of cuts in the general fund and \$100 million of cuts in transit or, depending on what the Legislature does, something less than that. It's way too early to speculate on what the outcome's going to be," County Councilmember Larry Phillips said last week.

The county budget office, uncertain what will happen in Olympia, has asked courts and county agencies to draw up plans for 11 percent spending cuts.

Satterberg, Sheriff Sue Rahr, Superior Court Presiding Judge Bruce Hilyer and District Court Presiding Judge Barbara Linde told the Finance Committee in a letter that new funding sources are needed "to avoid the catastrophic dismantling of our criminal-justice and public-safety systems."

County officials are pinning their hopes largely on the bill that passed the Finance Committee Friday. As written by its sponsor, Sen. Debbie Regala, D-Tacoma, SB 5433 would let new voter-approved public-safety sales taxes be used to fund existing services as well as provide new ones.

The bill was broadened by House Finance Committee Chair Ross Hunter, D-Medina, to authorize council-imposed utility taxes in unincorporated areas and countywide transit levies.

Those taxes could pump as much as \$32 million to \$36 million into the general fund, and \$29 million into Metro, said King County Budget Director Bob Cowan. That would help, but wouldn't eliminate the prospect of major reductions in bus service.

Many of the bill's provisions apply only to counties with 1 ½ million or more people — in other words, King County. Even before the economic meltdown, Hunter said, King County has struggled to provide city-style services to highly populated areas without the tax base that cities have.

The stakes are high, Hunter said: "Do you want to have public health or not? Do you want the county to have enough money to have criminal justice? Do you want to have drug courts?" He said he is optimistic some version of his bill will pass the House and Senate

New taxing authority and spending flexibility could also save \$8.5 million in programs this year — including some public-health, community-services and legal-assistance programs — that otherwise will lose funding June 30.

If the Legislature does give the Metropolitan King County Council authority to adopt new taxes, it will put the council on the spot in an election year.

"Nobody wants to talk about taxes," said Councilmember Bob Ferguson. "On the other hand, nobody wants to have fewer deputies on the street or to have their bus service cut."

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Courthouse Ramblings

The Jefferson County Board of Commissioners has appointed Undersheriff **Anthony "Tony" S. Hernandez** to fill the unexpired term of Sheriff Mike Brasfield. Brasfield, a 41 year veteran law enforcement official in Seattle and Fort Lauderdale, completed six years in office and retired as of March 27.

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