

the Courthouse Journal

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

**May 13, 2004
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Courthouse Journal*

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Elections Conference Held in Wenatchee

The Washington State Association of County Auditors (WSACA) held its Annual Elections Conference in Wenatchee, this week, in one of the most intense training efforts in many years. Nearly 200 county elections administrators from around the state were in attendance at the meeting which was very aptly named "Embracing Change". With a new primary election on tap for this September, and with the many changes that the Help America Vote Act will bring to Washington, the agenda was full of new materials.

On April 1, Governor Locke took action on Senate Bill 6453, which enacted a new Washington primary. By vetoing the sections of the bill that would have established a "Top 2" primary, the governor put into place the Legislature's choice for a backup plan -- a Montana-style primary that ensures voter privacy but does not allow voters to choose from among all candidates seeking a particular office. Even though the State Supreme Court will be hearing oral arguments on the lawsuits arising from that veto, in June, elections officials are presuming that the primary, at least for this year, will be the one that the Governor has put into place.

Secretary of State Sam Reed was one of the opening speakers, Monday, and his Certification and Training staff spent the day presenting excellent instruction on the new "Montana style" primary election and going over drafts of rules they are working on for the Washington

Administrative Code (WAC). Reed also announced that the new State Elections Director is attorney Nick Handy, a veteran of the Public Disclosure Commission and former Executive Director of the Port of Olympia. On Tuesday, OSOS staff spent the day discussing the federally mandated Help America Vote Act (HAVA). Discussions included the development of a central voter registration data base, the types and purchasing of new voting systems, available grants and money issues, voter identification and all processes involved in each of the new requirements.

Jeff Even, assistant Attorney General, and counsel for the OSOS, participated in all three days of the conference, answering scores of questions concerning the new laws and providing other information about legal issues. Assistant Elections Director John Pearson was also present and offered much knowledge and experience. John was also treated to special acknowledgment of his nearly 30 years with the OSOS, as he is most likely retiring this year.

Many thanks to Norma Brummet, Skagit County Auditor, and WSACA Elections Chair for her work on the conference, as well as to Chelan County Auditor Evelyn Arnold, who hosted the event, Douglas County Auditor Thad Duvall and the other members of the conference committee.

Next year's Elections Conference will be held at the Quinalt Beach Resort, in Ocean Shores.

The Courthouse Journal

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We welcome your suggestions and contributions. The weekly deadline is noon Wednesday.

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WSAC 98th Annual Summer Convention – Partnerships for Building Stronger Counties and Communities

Register online today for the 98th Annual WSAC Summer Convention and save \$35. Don Brunell, Executive Director of the Association of Washington Business and Richard Davis, President of the Washington Research Council are among many speakers we have lined up who will focus remarks and advice on partnership opportunities for counties.

“Partnerships for Building Stronger Counties and Communities” is the theme for this year’s Convention June 23 to 25 in Tacoma. Click here for updated agenda, registration and hotel information -

http://www.wacounties.org/wsac/calendar_SummerConvention.htm

The WSAC Convention will not only feature many examples of county government working with others, but also includes sessions providing advice on how to partner successfully. The convention-wide dinner will be Wednesday evening, June 23 at the Washington State Historical Museum and includes full access to the Museum exhibits. You will not want to miss this event.

In addition, mark June 22 for an excellent CPO training on the *“Roles and Responsibilities of County Government.”* Successful leadership within each county depends on a clear understanding of the roles and responsibilities of Commissioners, Council members, Executives and other Elected Officials. Building an effective team to manage county government within these turbulent times requires a unique and varied

set of skills. Please take full advantage of this training that is being offered. It will be well worth your time and attention. For more information and to register please follow this link - <http://www.wacounties.org/CPO/Course%20Calendar.htm>.

Both events are being held at the Sheraton Tacoma Hotel. When making your room reservations please mention that you would like the Washington State Association of Counties Summer Convention Rates.

We look forward to seeing you all there.

2004-05 WSAC Legislative Steering Committee Ready for Quick Start

President Dave Carey and the WSAC Executive Committee have completed naming the remaining members of the 2004-05 Legislative Steering Committee and the co-chairs have scheduled June 24 at the WSAC Convention as the kick-off meeting for the group. Co-chairs King County Councilwoman Carolyn Edmonds and Chelan County Commissioner Ron Walter plan to work closely with WSAC staff over the next month and propose a tentative Legislative Agenda for LSC consideration at the June meeting.

President Carey also has appointed co-chairs also have been appointed for a Transportation Subcommittee: Snohomish County Councilmember Gary Nelson and Benton County Commissioner Leo Bowman.

Washington Counties Scholarship winners to be announced Monday! Watch for e-mail!

Budget, Finance and Taxes

Discussions on Primary Election Funding Continue and WSAC to Seek Clarification on Commissioner Election Process

Last week state association staff met with staff from various state agencies to discuss next steps in the funding process. As a result of the meeting we were able to share a draft funding contract with prosecutors so that we could provide comments and suggested changes to the Secretary of State's Office. These conversations are about the \$6 million available to fund the cost of changes to the election process. Current estimates from counties total a little over \$5 million. In addition, the Secretary of State's Office has proposed a statewide voter education and outreach effort that will cost \$1.5 million. Even here in Olympia that totals \$6.5 million, which is more than \$6 million. The WSAC Board is concerned that counties may get short changed in this process and has asked WSAC to work with the Secretary of State's

Office to make sure counties get full funding, without having to pursue a supplemental appropriation next Spring.

The WSAC board has also asked the staff to find a way to make sure the Supreme Court clarifies the method of electing county commissioners, in the event it rules that there will be no partisan primary this Fall. Unique among the partisan officials up for election this Fall, county commissioners are required to run in a district primary before running in a county wide general election.

State Revenue Receipts are Up

The Economic and Revenue Forecast Council has released the latest information on collections. For the month ending May 10th (which reflects activity through April 10th) collections were up \$38.2 million or 4.2 percent. When the revenue act collections for the state fiscal year to date are compared with the same period last year, they show a 4.4 percent increase. Sales tax receipts from the largest retailers show an

increase of 11.9 percent compared to a year ago. The growth is spread across almost all sectors from building materials/garden equipment (+27.percent) to manufacturing (+19.4 percent). For more details, go to the Economic and Revenue Forecast Council website at www.ofc.wa.gov

Local Government Supporters Win One in the Other Washington

By a 93-3 vote, the United State Senate voted to extend the current internet tax moratorium with few changes. This is a dramatic change from last Fall's near passage of a dramatic increase in federal pre-emption of local tax powers. Basically, the moratorium prohibits the taxation of access to the internet. It changes nothing about the taxation of purchases on the internet of goods or services. The House still needs to act. The National Governor's Association follows this and other issues closely. You can find their web site at www.nga.org

Association News

NACo Steering Committee Nominations Open

Nominations are now open for the National Association of Counties (NACo) Steering Committees. As a NACo Steering Committee member, you are responsible for debating and creating national policies and priorities affecting counties and serve as NACo's front line in their grass roots efforts. Committees meet

at the NACo legislative and annual conferences and one other time during the year. You will be responsible for your own travel.

Please call WSAC or WACO for nomination forms. The NACo deadline is May 31 and incoming president Angelo Kyle will begin making appointments later this summer.

The 11 Steering Committees are:

Agriculture and Rural Affairs; Community and Economic Development; Environment, Energy and Land Use; Finance and Intergovernmental Relations; Health; Human Services and Education; Justice and Public Safety; Labor and Employment; Public Lands; Telecommunications and Technology; and Transportation.

Courts, Public Safety, Law & Justice

Governor Awards to County Law Enforcement

On May 7, 2004 Gov. Gary Locke awarded law enforcement officers with the state's highest law enforcement distinction, the Law Enforcement Medal of Honor.

Joining the governor to present the awards was state Attorney General Christine Gregoire and Washington State Patrol Chief Lowell Porter.

"Numerous law enforcement officers have distinguished themselves by gallantry at the risk of their own lives, to save the lives of others, distinguishing themselves with exceptionally meritorious conduct," Locke said. "It is an honor to award the Washington State Law Enforcement Medal of Honor, on behalf of a grateful state, to these individuals for their exceptional service and recognition of the ultimate sacrifice."

Candidates for this honor are nominated by their respective law enforcement agencies. All nominations are reviewed and approved by the Law Enforcement Medal of Honor committee. The committee represents the Office of the Governor, Office of the Attorney General, the Washington Association of Sheriffs and Police Chiefs, the Washington State Troopers Association, the Washington State Law Enforcement Association, and the Washington Council of Police and Sheriffs.

The Law Enforcement Medal of Honor was established by the state Legislature in 1994. There have been 224 recipients, including this year's honorees, since its inception.

The annual honor recognizes exceptionally meritorious conduct, serious injury or death in the line of duty. This year's county recipients

were:

Deputy James Joseph Slater, Spokane County Sheriff's Office (Posthumously) - Deputy Slater was responding to a call in the early morning hours of August 29, 2003, to back up a fellow deputy who was pursuing suspects in a stolen vehicle. He was trying to position himself ahead of the chase with spike strips in case the suspects the other deputy was following attempted to flee into his patrol area. He was critically injured when his patrol car left the roadway on a sharp curve, sheared off a power line support pole and rolled several times. He died from his injuries the next day. Officer Patrick M. Maher, Federal Way Police Department (Posthumously) - On August 2, 2003, Officer Maher was responding to a call at a convenience store on Pacific Highway South when he saw a fight going on involving two brothers and an ex-girlfriend. He broke up the fight between the two brothers and one of them asked Officer Maher to arrest the other for stealing from family members. The suspect saw Officer Maher talking on the police radio and fled on foot across the street into Kent, ran past a strip mall and tried to climb a fence. Officer Maher gave chase. During the struggle to get the suspect handcuffed, the suspect grabbed Officer Maher's duty pistol from his holster. Officer Maher was shot below his bulletproof vest and died from his wounds.

Deputy Saul Gallegos, Chelan County Sheriff's Office (Posthumously) - On June 26, 2003, Deputy Gallegos had gone to a home along Highway 150, between Chelan and Manson, trying to locate a person suspected of repeatedly

driving with a suspended license. The deputy told his dispatcher he was making a stop to follow up on that case. The young man pulled his car into a driveway and tried to flee on foot, but Gallegos chased him and a struggle ensued. Deputy Gallegos was shot by the suspect and died at the scene.

UnderSheriff Matthew J. Lane, Ferry County Sheriff's Office (Posthumously) - On May 30, 2003, Undersheriff Lane was flying a search and rescue mission with volunteer pilot Rudy Ohlund looking for a mentally-ill woman who was reported missing in the mountainous area of Sherman Pass. They left the airport in Republic at approximately 10 a.m. that morning and the sheriff's office received reports of a downed airplane about 30 minutes later. Undersheriff Lane and the pilot died at the scene from injuries related to the plane crash.

Game Agent Herbert W. Minnick, Spokane County Game Department (Posthumously) - Game Agent Minnick was checking hunting licenses on October 19, 1932 in the area of Rockford known as Bells Corner. He had come upon two men hunting pheasants and asked to see their licenses. One of the men placed his Winchester 12-gauge rifle in the crook of his arm as he reached into his pocket to obtain his license. The hammer action of the rifle exploded and stuck Agent Minnick in the stomach. He died in the ambulance on the way to Spokane. The shooting was ruled accidental and no charges were ever filed.

Courts, Public Safety, Law and Justice (continued)

High Court Rules Ambulance Fee is Unauthorized Tax

The state Supreme Court struck down the city of Kennewick's flat fee for ambulance service last week, ruling that it is an unauthorized tax and is not justified as a regulatory fee, benefit charge, or a charge for direct services.

Writing for a unanimous court, Justice Barbara Madsen explained that Kennewick's \$2.60 monthly fee exceeds the taxing authority granted to cities and towns, and is not a valid utility excise tax. The fee was levied on each household, business and industry in the city, regardless of whether they ever used the ambulance service. The penalty for nonpayment was a cut-off of all utility services until the ambulance fee was paid in full.

Although the ruling is expected to adversely affect some other local jurisdictions, not all cities and counties impose this type of charge. For instance the court ruling does not affect jurisdictions that collect a fee-for-service charge from actual users of ambulance and medical transport services.

Bar Association Calls for Public Defense Reforms

A subcommittee of the Washington State Bar Association (WSBA) this week issued the latest in a wave of reports finding serious shortcomings in trial-level public defender services provided by counties and cities.

The report will be formally presented at the Bar Association's Board of Governors meeting Saturday, May 15, at Ocean Shores. That meeting is open to the public. The report has been emailed to

county officials and lobbyists, and also will be available on the Bar website at www.wsba.org.

The WSBA panel arrived at many of the same conclusions as a recent report from the American Civil Liberties Union and a series of articles in the Seattle Times. Notably, the report finds that many jurisdictions fail to provide indigent defendants with the "effective assistance of counsel" guaranteed by the U.S. and Washington State constitutions.

The report recommends enforceable statewide standards for public-defense lawyers and an end to lump-sum contracts that seemingly encourage practices that lead to ineffective representation of clients. In addition, the Bar report strongly emphasizes the importance of increased state funding as a crucial element to ensuring adequate public defense statewide. Currently Washington is one of just a few states that rely entirely on county and city resources to fund trial-court indigent defense.

In related activities, the Court Funding Task Force is discussing possible ways to substantially increase state funding for trial court services, including indigent defense.

The WSBA panel, whose 17 members include judges, private attorneys, public defenders, prosecutors, and local officials, has been reviewing indigent defense issues around the state since last fall. Franklin County Commissioner Neva Corkrum represented WSAC on the panel.

Liquor Board Looking for Input

The Washington State Liquor Control Board's Licensing Division is

seeking input regarding the agency's notice to cities and counties on liquor license applications and renewals. The Board has sent a brief survey to county contacts and requests your comments to help improve the notification process.

In its current licensing process, the Liquor Board notifies local governments of applications and renewals for annual liquor licenses, such as restaurants, taverns, grocery stores, convenience stores, wineries, and breweries, as well as applications for special occasion licenses, which are events sponsored by nonprofit organizations held for one or multiple days.

Changes to these notices or the notification process would require further discussion and formal rule changes. The purpose of the survey is to gather preliminary input on the current process. The Liquor Board will notify counties and cities if it decides to pursue any rule changes.

Questions about the survey should be directed to Kim Sauer, Licensing Division Customer Service and Quality Coordinator, at 360-664-1626 or ks@liq.wa.gov.

Environment, Land Use and Resources

Request for Proposals - Biomass Resource to Energy - Organic Reclamation Project

The Department of Ecology's Solid Waste and Financial Assistance Program has set aside a limited amount of funding for a program to support the development of new and creative approaches to organic waste reclamation and energy recovery. With this funding we wish to encourage development of the waste biomass to energy industry through actual production facility build out and evaluation. Proposals will be considered from any of the following eligible entities: public authorities including state and local public agencies and entities, taxing districts, port districts, conservation districts, universities, and federally recognized Tribes. Proposals must demonstrate energy recovery and viable processing system by-products. The RFP application period will open in May, 2004. Proposals are due June 15, 2004. We expect to select a proposal and distribute the funds by August 15, 2004. For more information on this project, contact Mark Fuchs at 509-

329-3501, e-mail: mfuc461@ecy.wa.gov. A Request for Proposals (RFP No. ECY RFP-0407) is available on the Ecology website at <http://www.ecy.wa.gov/ecyhome.html> to direct applicants in the development of proposals.

All in Favor of This Rezoning, Vote Aye

Reprinted from Governing Magazine May 2004, Urban Notebook by Otis White

It's hard to find a serious political scientist who thinks voter initiatives, such as those held in California or Washington State, are a good idea. Biggest complaint: They ask voters to make complex policy decisions with a limited amount of information, much of which is distorted by angry political mailings and scare-mongering commercials. The result is a long list of disastrous public policies made at the ballot box, starting with California's Proposition 13, which decimated the property tax in 1978. But now the voters of Miami Beach, Florida, have enacted the ultimate ballot-box disaster: They've decided that any change in height or density of an

apartment building, condo development or commercial building in the city must first be approved by the voters. That's right: Commercial and major residential rezonings will now be decided at the polls. Surely, the city's elected officials fought this extreme infringement of their powers, right? Wrong. The mayor actually campaigned for the referendum. "This is a historic vote," David Dermer said. "I think this is a major victory for people all throughout the state who are concerned about overdevelopment in their communities." Well, at least this means that average citizens will become more knowledgeable about land use, as neighbors talk to neighbors about issues like density, setbacks and mixed uses of land, right? Don't bet on it. Only 11 percent of Miami Beach's voters participated in the referendum that gave citizens the power to approve or deny rezonings.

Boards and Commissions

Governor Appoints to the Forensic Investigations Council

Governor Gary D. Locke has recently appointed Walla Walla County Sheriff Mike Humphreys and Mason County Coroner Martha Reed to the state Forensic Investigations Council to represent their respective associations until August 10, 2007.

They are filling vacancies created when the terms of Douglas County Sheriff Dan LaRoche and Thurston County Coroner Judy Arnold expired. The Council consists of ten local government officials, one private pathologist and the Chief of the Washington State Patrol. They are charged with overseeing death investigations in the state and the bureau of forensic laboratory

services, and administration of programs funded by the death investigations account.

General Government Issues

Facts Counties Should Know about What's Going on in the Other Washington

With the 2004 Congressional schedule in full swing, representative of the National Association of Counties (NACo) are encouraging county governments to contact their members on a wide range of issues. Many of these issues at the National level will directly impact county government.

The Internet Access Tax Moratorium issue involves an

extension of legislation currently imposing a moratorium on access taxes on Internet and telephone services. **SB 150** would make the moratorium permanent, while **SB 2084** would impose a two-year extension.

While NACo does not support taxes on access to the Internet, there are taxes that can be imposed on services such as using your computer as a telephone and they do support the extension.

Other important issues include:

Continued funding of homeland security under the state homeland security block grant program; Healthcare funding that provides for Medicaid, Medicare and prescription drug programs for the indigent including mental health coverage; A 10% cut in the Rural Community Advancement Program; and ongoing transportation issues including reauthorization of the Transportation Equity Act of the 21st Century, which expired in late February.

Good Things

Pacific County Working on Proposed Tax Levy

Last week the Raymond City Council passed a motion supporting a Memorandum of Understanding between Pacific County and other cities and towns in the county which will dictate the distribution of criminal justice funds in the event a county-wide levy of 50 cents per thousand dollars of assessed

valuation is approved by the voters in September.

County Commissioner Jon Kaino and Sheriff John Didion presented the Memorandum in which the entities agree to dedicate the first 15 cents of every 50 cents collected by the levy to support a multi-agency Pacific County Drug Task Force. The remaining money collected by the levy will be apportioned to each of

the five governmental bodies in proportion to their share of the total assessed property value in the county to be used by their own criminal justice operations. The levy proposal is for six years and is response to declining revenues and vastly increasing demands on the criminal justice system in the county.

Courthouse Ramblings

Sad News from Walla Walla County

Assessor **Larry Shelley** passed away Monday, May 10. Larry spent several weeks in intensive care from a life-threatening bout of pneumonia and was being treated for Acute Respiratory Distress Syndrome (ARDS), caused by the pneumonia.

Having been assessor in Walla Walla since January of 1978 Larry began work in the Assessor's Office in September 1972. He was past president of WSACA (Washington State Association of County Assessors) a longtime member of the Exchange Club of Walla Walla and

active in the Walla Walla Community College Rodeo.

Our thoughts and prayers are with his family, friends and fellow employees in Walla Walla County. Larry will be sorely missed by us all. A memorial service will be held Saturday, May 15, 2004, at 10 a.m. in the College Place Presbyterian Church, 325 NE Damson Avenue, College Place, preceded by private (family only) graveside services.

Memorial contributions in Larry's name may be made to the Walla Walla Child Abuse Council, c/o Herring Funeral Home, 315 West Alder, Walla Walla, WA 99362.

Cards for Larry's family can be sent to his home address which is: 2010 Glen Erin Dr., Walla Walla, WA 99362.

* * * * *

Thurston County Auditor **Kim Wyman** missed the Auditors' Elections Conference in Wenatchee this week, because of a mishap in a batting cage. Her daughter, Rene, accidentally smacked Kim in the jaw with a baseball bat. Ouch! Fortunately, Kim's jaw was not broken, but the pain was about the same. We're sending her wishes for a quick recovery.

Annual Affordable Housing Conference announced for September 2004

There is a place for everyone at *Housing Washington 2004*, the largest annual conference on affordable housing in the region. Taking place September 20-21, 2004 at the Meydenbauer Center, *Housing Washington* is the most comprehensive event focusing on affordable and sustainable housing issues and policies from around the world and in our communities.

This conference is an important statewide resource for nonprofit organizations, public agencies, housing-related associations and private businesses and more who are engaged in the affordable housing industry. Don't miss this once-a-year opportunity to engage in a collaborative forum with your colleagues and listen to local, regional and national experts.

Some of the top speakers at *Housing Washington 2004* will include:

- Avi Friedman, McGill University
- Bruce Katz, Brookings Institution
- Barbara Thompson, National Council of State Housing Agencies
- Phillip Mangano, Interagency Council on Homelessness
- The Gates Foundation and the Seattle Foundation

Scheduled presentations include:

- Building Housing through Retail: A National Trend
- Adding Value to Rural Communities through Award-Winning Approaches
- Grant Makers: Helping to Make a Difference in the Affordable Housing Arena
- Legislative Relations: A Roundtable Discussion

- Plus informative workshops on housing, bonds, and taxes!

The conference is presented by the Washington State Housing Finance Commission and the Washington State Department of Community, Trade and Economic Development in partnership with the Washington Low Income Housing Alliance.

For more information, visit www.wshfc.org/conf, e-mail conf@wshfc.org, or call the conference hotline at 1-800-767-HOME (4663) ext. 773.

Gov. Gary Locke Announces Funding Support for Farm Worker Housing

Olympia - May 4, 2004

Gov. Gary Locke today announced state support through the Department of Community, Trade and Economic Development (CTED) for a Douglas County project to provide additional seasonal housing for migrant farm workers in the Wenatchee Valley area of Eastern Washington. The Pangborn Cherry Harvest Camp, which will operate for five years, will make up to 300 beds per night available to farm workers and their families during the cherry harvest season.

"Agriculture is one of Washington's top economic drivers. Our major fruit crops draw thousands of migrant farm workers to our state during the harvest season and we face an acute shortage of housing for them. This is especially true during the cherry harvest," said Locke. "We need to provide a range of safe, healthy housing solutions for these seasonal agriculture workers to meet this growing need."

In the summer of 1998, Locke,

recognizing the critical demand for additional safe, decent and affordable housing for migrant agricultural workers, declared farm worker housing to be the top housing priority in the state. Since then, 1,005 temporary and permanent housing units for this population have been established as part of the state's three-pronged strategy of:

- Developing permanent low-income housing;
- Supporting temporary camps; and
- Responding to housing emergencies when they arise.

The state's long-term vision is to assist local orchard owners in the development of sufficient on-farm housing to support all the migrant workers that need housing.

In anticipation of this year's influx of migrant workers into Chelan and Douglas counties for the cherry season (late June through early August), a local consortium of growers, housing organizations, social service providers, advocates and state and local officials, has been meeting on a regular basis to develop housing strategies.

Among those adopted by the consortium is the proposal to establish a tent camp at Pangborn Memorial Field, which is projected to provide a total of 70,500 bednights over the next five years. Bednight refers to a single night of shelter for one individual. Migrant agricultural workers will be charged \$3 per night, or \$10 per family.

The grant request from Douglas County, in partnership with the Ports of Chelan and Douglas counties, totaled \$1.1 million, which includes costs for infrastructure (connecting to sewer and water lines) and temporary housing supplies,

Public Health and Human Services (continued)

such as tents and shower trailers. Additional capital investments of approximately \$450,000 are anticipated in 2005, and annual operating costs are projected at \$312,000 per year, bringing the total estimated cost to \$2.8 million, or \$37 per bednight, over the five-year lifespan of the project.

"We view this project as having both short and long term economic benefit for North Central Washington," said Pat Haley, Port of Douglas director. "The infrastructure improvements to the site will attract industrial users to the business park, providing a return on this investment long after the camp has closed five years from now."

Funding for the Pangborn Cherry Harvest Camp will be made available from appropriations that are part of a ten year capital plan that was approved by the Legislature in 1999 in response to Locke's declaration of farm worker housing as a high priority.

"We support the local determination and creativity to address this housing shortage," said Juli Wilkerson, CTED director. "The county and ports of this region are taking proactive measures to ensure safe and livable communities for residents and seasonal workers alike."

~~Note: This is a project that WSAC Housing Outreach Coordinator Jim Potts has been working very hard on for a number of months. Congratulations, Jim, on a successful conclusion to this project!

For more information, please contact:

- Sharon Wallace, Governor's

Communications Office, 360-902-4136

- Michelle Zahrly, CTED Communications Director, 360-480-8727
- Stephen Buxbaum, CTED Assistant Director, Housing Services 360-725-2912
- Jim Potts, WSAC Housing Outreach Coordinator, 360-753-1886

Drug Court GRANTS Opportunity – Byrne funds

On April 15, 2004, DASA issued a grant announcement titled "Fiscal Year 05 (July 2004 - June 2005) Byrne Grant Drug Court Services." The due date for submission of proposals is be May 17, 2004. Below is a brief outline of the key elements in this announcement.

Fiscal Year 05 (July 2004 - June 2005) Byrne Grant Drug Court Services - Key Elements

- The application announcement will be officially released on April 15, 2004.
- Only Washington State county governments and Federally Recognized Tribes located in Washington State would be eligible to apply for these funds.
- Counties or Federally Recognized Tribes that have previously received Byrne funds are not eligible to apply for these funds for the same drug court; however, they may apply to start a new drug court.
- Awards will be no more than \$110,000 per year. The grants may be renewed up to a maximum of three additional years.
- DASA will also hold two meetings, known as "Bidders Conferences," to review the grant application instructions. These will be held on

April 28, 2004, in Western Washington and on April 29, 2004, in Eastern Washington. The actual locations of these meetings will be listed in the grant announcement.

- Proposals will be due to DASA no later than May 17, 2004.
- The award can be used to purchase alcohol and drug treatment and treatment support services, as defined in RCW 70.96A, for nonviolent offenders within a drug court program.
- Both juvenile and adult drugs offenders will be eligible for services purchased with Fiscal Year 05 Byrne Grant funds.
- The minimum requirements for participation in a drug court are:
 - The offender would benefit from substance abuse treatment.
 - The offender has not previously been convicted of a serious violent offense or sex offense as defined in RCW 9.94A.030. (Without regard to whether proof of any of these elements is required to convict), the offender is not currently charged with or convicted of an offense:
 - that is a sex offense.
 - that is a serious violent offense.
 - during which the defendant used a firearm.
 - during which the defendant caused substantial or great bodily harm or death to another person.
- A cash match requirement for this application will be 25 percent. Since Byrne is a federal revenue source, the match can be from either state or local revenues.
- Applicants will be required to adhere to the "Ten Key Components of a Drug Court" as defined by the National Association of Drug Court

Public Health and Human Services (continued)

Professionals (NADCP). A description of the ten components can be found at the NADCP Web site located at:
<http://www.nadcp.org/whatis/>
under the section titled "What is a Drug Court?"

If you have any questions about this information, please call Earl Long at 360-407-1109 or by e-mail at longea@dshs.wa.gov

2004 SAMHSA Grants Listed

For the latest available grants from SAMHSA, go to the website at www.samhsa.gov/grants//2004/funding

Requests for Applications (RFA) are being announced for the following grants:

Access to Recovery (ATR) Grants
SAMHSA Dissertation Grants:
Support for Analyses in Substance Abuse
Knowledge Dissemination
Conference Grants Program
Announcement
Minority Fellowship Program
Grants for National Technical Assistance Centers on
Consumer/Peer-Run Programs
State Incentive Grants for Treatment of Persons with Co-Occurring Substance Related and Mental Disorders
Strategic Prevention Framework
State Incentive Grants
Cooperative Agreement for Ecstasy and Other Club Drugs Prevention Services
Substance Abuse Treatment and Reentry Services to Sentenced Juveniles and Young Adult Offenders Returning to the Community from the Correctional

System
Projects to Deliver and Evaluate Peer-to-Peer Recovery Support Services

All applicant information is available including electronic copies of grant applications.

Certified Public Official Courses

Register Now!

CPO Training
“Roles and Responsibilities of County Government”
June 22 Tacoma Sheraton Hotel
June 30 WSU Spokane Phase 1 Room 118

Counties in Washington operate under powers granted to them by State Statute. Successful leadership within each County depends on a clear understanding of the roles and responsibilities of Commissioners, Council members, Executives and other Elected Officials. Building an effective team to manage county government within these turbulent times requires a unique and varied set of skills.

Through lecture and small group discussion, case studies and group activities, participants will broaden their knowledge of county government form, function, roles and responsibilities.

TOPICS

- Key roles and responsibilities of elected and appointed county government officials
- Methods to build a management team designed for your county’s needs and culture
- Techniques to enhance commitment to the County Management Team
- Problem-solving skills and techniques to address those “wicked county problems”
- The roles of social trust within the context of community support for local government
- History and purpose of county government

CPO Training in July: Bring your team!
Communicate, Build Trust and Engage your Community
How to Tell your County’s Story

Your citizens keep asking – Where is my money being spent? What are the services I am paying for? Why do Elected Officials make the decisions they do?

The cost for this full day workshop has been set at \$60 per person. We are able to reduce the cost due in part to the generous contribution from Washington State University Extension to support this important effort. With the reduction in registration cost, we hope that each county will bring a team of 8-10 elected leaders and department heads who will be committed to developing their County Communication Plan.

Workshop Goals

- Learn about public process strategies that others have used successfully to engage citizens and receive their input
- Focus on developing clear, concise messages for sharing and understanding the difficult issues your county faces
- Build a common format and materials that you can use when you go back to your county to explain your budget, impacts of initiatives and other difficult or challenging issues
- Identify elements of a communication plan to engage your community members in discussion around contentious community issues

Dates and Locations

- | | |
|----------------------|----------------|
| • Wednesday, July 7 | Mount Vernon |
| • Thursday, July 8 | Tacoma area |
| • Friday, July 9 | Longview/Kelso |
| • Wednesday, July 14 | Wenatchee |
| • Thursday, July 15 | Tri Cities |
| • Friday, July 16 | Spokane |

The full course announcement and registration information will be emailed to all WSAC/WACO and affiliate members later this month.

Training and Upcoming Events

<i>Training or Workshop</i>	<i>Location</i>	<i>Date</i>	<i>Information</i>
May 2004			
WA Association of Prosecuting Attorneys - Support Staff Training Program	Campbell's Lodge, Lake Chelan	5/12-14	(360) 753-2175
June 2004			
WA Association of Coroners and Medical Examiners' Training	Campbell's Lodge, Lake Chelan	6/22	(360) 427-9670 X 752
July 2004			
Community Engagement Workshop	Mount Vernon	7/7	* see below
Community Engagement Workshop	Puyallup	7/8	* see below
Community Engagement Workshop	Longview/Kelso	7/9	* see below
Community Engagement Workshop	Wenatchee	7/14	* see below
Community Engagement Workshop	Tri Cities Area	7/15	* see below
Community Engagement Workshop	Spokane	7/16	* see below
* http://www.wacounties.org/CPO/Course%20Calendar.htm			
WA Counties Risk Pool – Risk Managers Training	Shilo Inn, Ocean Shores	7/20	(360) 586-7447
WA Counties Risk Pool – Board of Directors Workshop	Shilo Inn, Ocean Shores	7/21	(360) 586-7447
September 2004			
WA Association of Prosecuting Attorneys - Juvenile Training Program	Icicle Inn, Leavenworth	9/12-14	(360) 753-2175
WA Association of Prosecuting Attorneys - Drug Training Program	Icicle Inn, Leavenworth	9/15-17	(360) 753-2175

Calendar of Events

Meeting	Location	Date	Information
2004			
Association of County Human Services	Chelan County	May 19 - 21	(360) 753-1886
WA State Association of Police Chiefs Spring Conference	Yakima Convention Center, Yakima	May 24 - 27	(360) 486-2380
WA Association of Prosecuting Attorneys District Court Training Program	Icicle Inn, Leavenworth	June 3-4	(360) 753-2175
WA State Association of County Assessors Annual Conference	Hallmark Inn, Moses Lake	June 14-16	(425) 388-3446
WA State Association of County Auditors' Annual Conference	Lakeway Inn, Bellingham	June 16 - 18	(360) 753-7319
WA Association of Coroners and Medical Examiners' Training	Campbell's Lodge, Lake Chelan	June 22	(360) 427-9670 x 752
WA Association of Prosecuting Attorneys Summer Training Program	Campbell's Lodge, Lake Chelan	June 23-25	(360) 753-2175
National Sheriffs' Association	Seattle	June 26 - 30	www.sheriffs.org
County Clerk's Association 2004 Summer Conference	North Bonneville Hot Springs Resort, Skamania	June 22 - 25	(360) 753-7319
County Treasurer's Association 2004 Summer Conference	Heathman Lodge, Vancouver	June 22 - 25	(360) 753-7319
WA State Association of Counties 98 th Annual Summer Convention	Pierce County, Sheraton, Tacoma	June 22 - 25	(360) 753-1886
IACREOT 33 rd Annual Conference	San Antonio, TX	July 15-24	(360) 397-2003
NACo Annual Conference	Maricopa County, Phoenix, AZ	July 16 - 20	www.naco.org
Association of County Human Services	Kittitas County	July 21 - 23	(360) 753-1886
WA Counties Risk Pool Annual Board	Shilo Inn, Ocean Shores	July 22	(360) 586-7447
WA Counties Risk Pool Summer Conference	Shilo Inn, Ocean Shores	July 20 - 22	(360) 586-7447
WA Counties Insurance Pool Rate Setting	Wyndham Gardens, SeaTac	August 19	(360) 586-0466
Association of County Human Services	Grays Harbor County	September 15 - 17	(360) 753-1886
WA Counties Insurance Pool Board	Radisson Hotel, SeaTac	September 16	(360) 586-0466
WA Counties Insurance Fund	Radisson Hotel, SeaTac	September 16	(360) 586-0466
Insurance Advisory Committee	Radisson Hotel, SeaTac	September 16	(360) 586-0466
Washington State Association of County Assessors (WSACA) Fall Conference	Everett, Snohomish County	September 13 - 16	
County & Regional Planning Directors/City Planning Directors Joint Conference	Campbell's Resort, Chelan	September 14 - 17	www.geocities.com/wsacrp

Calendar of Events (continued)

ACE Committee (Payroll & HR)	Yakima Convention Center	October 13	(360) 586-0466
WA Association of Sheriffs and Police Chiefs Fall Conference	Shilo Inn, Ocean Shores	November 15 – 18	(360) 486-2380
Association of County Human Services	Spokane County	November 17 - 19	(360) 753-1886
WA Counties Insurance Fund - 2005 Budget	Red Lion at Columbia Center, Kennewick	November 18	(360) 586-0466
WA Association of Prosecuting Attorneys Winter Meeting & Banquet	Crowne Plaza Hotel, Seattle	December 9-10	(360) 753-2175
<i>2005</i>			
NACo Legislative Conference	Marriot Wardman Park Hotel, Washington, DC	March 3 – 4	www.naco.org
WA Association of Prosecuting Attorneys Support Staff Training Program	WestCoast Ridpath Hotel, Spokane	May 11-13	(360) 753-2175
WA State Association of Police Chiefs Spring Conference	WestCoast Wenatchee Center Hotel, Wenatchee	May 23 – 26	(360) 486-2380
NACo – Western Interstate Region Conference	Ogden, UT	May 26 – 29	http://www.naco.org/Content/NavigationMenu/About_NACo/Committees_and_Caucuses/Western_Interstate_Region/Western_Interstate_Region_Intro.htm
WSAC 99 th Annual Summer Convention	WestCoast Hotel at Columbia Center, Kennewick	June 13 – 16	(360) 753-1886
WA Association of Prosecuting Attorneys Summer Conference & Training Program	Campbell's Lodge, Lake Chelan	June 22 – 24	(360) 753-2175
IACREOT 34th Annual Conference	New York, NY	June 28 – July 8	(360) 397-2003
NACo Annual Conference	Honolulu, HI	July 15 – 19	www.naco.org
County & Regional Planning Directors/City Planning Directors Joint Conference	Campbell's Resort, Chelan	September 13 – 16	www.geocities.com/wsacrpdc
WACO/WSAC Joint Fall Conference	Ocean Shores	October 3 – 7	(360) 753-7319
<i>2006</i>			
WA State Association of Counties 100 th Annual Summer Convention	Whatcom County, Bellingham	June 12 - 15	(360) 753-1886
IACREOT 35th Annual Conference	San Francisco, CA	July 2 - 7	(360) 397-2003
NACo Annual Conference	Denver, CO	July 21 – 26	www.naco.org
<i>2007</i>			
NACo Annual Conference	Richmond, VA	July 13 – 17	www.naco.org
IACREOT 36th Annual Conference	Charlotte, NC	July 14 – 22	(360) 397-2003

Calendar of Events (continued)

2008			
NACo Annual Conference	Kansas City, MO	July 11 – 15	www.naco.org
2009			
NACo Annual Conference	Nashville, TN	July 10 – 14	www.naco.org
2010			
NACo Annual Conference	Reno, NV	July 9 – 13	www.naco.org

IMPORTANT Dates in WASHINGTON State

Date	Event	RCW	Comments
09/14/2004	State Primary	29A.04.310	
09/17/2004	Resolutions	29A.04.330	Last day of filing resolution of special election to be held in conjunction with the general election.
09/20-21/2004	Committee Weekend		The House and Senate have confirmed both dates.
10/05/2004	Election Results	29A.60.240	Last day for Secretary of State to certify primary returns.
11/02/2004	Election Day	29A.04.320 29A.04.330	State General Election
12/02/2004	Election Results	29A.60.250	Last day for Secretary of State to certify state general election returns.
12/23/2004	Resolutions	29A.04.330	Last day to file resolution for Feb. 8, 2005 special election.
12/31/2004	Initiatives	29A.72.030	Last day to file signatures for Initiatives to the Legislature.
01/10/2005	Session Begins		WA State begins the 59 th Legislative Session
04/25/2005	Sine Die		WA State ends the 59 th Legislative Session

Please note: On July 1, 2004 all RCW citations will change due to legislative action.

Exemptions Diminish State's Public Disclosure Act

by Chris Briston, Yakima Herald-Republic

The state's Public Disclosure Act is being "nibbled to death" by the growing number of exemptions to the law, a former chief justice of the Washington Supreme Court said Wednesday in Yakima.

"It's dying the death of a thousand bites of duck," James A. Andersen said. "Slowly but surely it's being nibbled to death."

Wrapping up a forum on open government at Perry Technical Institute, Andersen said so many exemptions to the disclosure of government records have been added to the law over the years that it's in danger of becoming useless.

Passed by voters in 1972, the law holds that all records should be available to the public unless something is specifically exempted. The burden of proof is on government agencies to demonstrate why a record should not be made available.

But hundreds of exemptions have crept into the law over the years, some of them quite arcane. The trend is a bad one, warned Andersen, who retired as chief justice in 1995 and is now a board member of the Washington Coalition for Open Government.

"The only way we're going to maintain control, or a semblance of control, over government," he said, "is by maintaining control over public access."

Duane Swinton, a Spokane attorney who frequently represents the Spokane Spokesman-Review newspaper in records disputes, warned that some public agencies have pre-emptively filed suit to stop records requests.

If the media has to fight for records, he said, "you can imagine what it would be like if you, as a citizen, walked into an agency (for a records request) and found yourself in a lawsuit the next day."

He also complained that several recent court decisions have allowed police agencies to refuse to release basic log and incident reports that have traditionally been public records in Washington.

"That's not the way it was 20 years ago," he said.

Although some records requests can be overly broad, even to the point of harassment, Chip Holcomb of the state Attorney General's Office had this advice for public agencies and their employees: "Get over it," said Holcomb, former chief counsel to the state Public Disclosure Commission. "You have to get over the idea that you're not going to get paid for generating public records. It's just part of your job."

The forum was sponsored in part by the Yakima Herald-Republic.

Home Rule charter process begins

from the San Juan Islander, 5/12/04

The third time may be the charm. San Juan County residents will once again have an opportunity to restructure county government. The majority of the Board of County Commissioners (BOCC) agreed to place an election of freeholders on the November 2004 ballot. The freeholders will then draft a new home rule charter for San Juan County. Voters will have the final say on whether the charter is adopted. Two previous efforts in the 1970s and 80s failed.

Gary Lowe, former executive director of the Washington Association of Counties, explained the process to a overflow crowd in the commissioners' hearing room May 11, 2004. The state constitution allows counties to adopt a home rule charter. The charters allow counties to operate under a different structure than the commission form mandated by the state. There have been 18 attempts to write charters.

Charters have been adopted in five counties - Whatcom, King, Snohomish, Clallum and Pierce. The Municipal Research and Services Center of Washington has information about the charters of each of the five counties.

"Most of the things freeholders can change relate to the structure of county government," Lowe said. "You can rearrange the chairs a lot and change the number of chairs as long as you stay away from the judges and prosecuting attorney."

Changes could include having elected officials - except the prosecutor and the judges - appointed instead. Some or all elected positions could become non-partisan. Appointed positions could become elected. Lowe said one county chose to elect its Director of Community Development. King County decided to appoint its sheriff and then switched back years later to an elected sheriff.

Other possible changes affect the number of commissioners. Four of the five home rule charter counties have adopted a council/executive form of government. King County has 13 members of its county council. Whatcom County has five. An executive administrator is in charge of day to day operations.

Commissioner Rhea Miller, who abstained from the vote to place the measure on the ballot, said some of the proponents are motivated by a desire to have a five part-time member council with an executive administrator. She noted the Town of

Friday Harbor is run by such a system and questioned whether that was a good model.

The right to referendums and initiatives are changes possible under a home rule charter. In 1983, voters turned down a charter which included both plus five county commissioners. County Assessor Paul Dossett who was one of the freeholders said the defeat might have been due to the timing. The vote was only a few years after the adoption of the county's first Comprehensive Plan. Concerns that people might use the referendum process to undo the 1979 Comp Plan may have played a role in the defeat, he said.

Joe Elenbaas, a farmer who helped draft the Whatcom home rule charter, shared his enthusiasm about the process. "It created excitement," he said. "It's a chance to bring forward ideals and modify things people feel bad about. It's good for a community. It brings it together. This is about as close as you can come to what our founding fathers did."

Lowe stressed the importance of not taking on too many changes in the initial charter. "The first thing is you have to get home rule. Write a charter that doesn't turn the world upside down. Save the contentious stuff for the process of review." The charter can be amended. "More contentious issues could be voted up or down later, but at least you wouldn't lose the home rule," he said.

Commissioner Darcie Nielsen and John Evans agreed to place the measure on the ballot. The BOCC will decide how many freeholders there will be and how the positions will be apportioned. In 1983, there was one freeholder selected from each voting precinct. Candidates are self-nominated. In Whatcom County there were more than 70 candidates for the 21-member board.

Nielsen said she supports the home rule charter process but questions whether the timing is right. "Is this the year to do this? There's a lot of stuff on the ballot this year," she said. "My concern is about the timing."

Evans said he believed in the capabilities of the citizens of this county. He said, "If the charter is well drafted, it will pass."

Miller said she didn't oppose the home rule charter process but preferred the petition process be used to place the measure on the ballot. Signatures of ten percent of residents would be required. Voters would be asked board of freeholders should be formed to draft a new charter. If voters answered yes, they would then elect the freeholders. If they voted no, the process would stop. By deciding to place the measure on the ballot, the BOCC made the decision to form the board of freeholders.

Miller said going through the petition process would help generate support for the process. She believes most of the support appears to be coming from San Juan Island residents. "How do you make sure District 2 and 3 have nothing to lose in this process?" she said. "My point about all of this is I know District 2 and 3 are not engaged in this right now. One easy way was to go out and get signatures on the petition."