

**MINUTES OF THE INFORMAL MEETING OF THE JOHNSON COUNTY
BOARD OF SUPERVISORS:
MAY 4, 2011**

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Chairperson Harney called the Johnson County Board of Supervisors to order in the Johnson County Administration Building at 9:00 a.m. Members present were: Pat Harney, Terrence Neuzil, Janelle Rettig, Sally Stutsman, and Rod Sullivan.

WORK SESSION

Use and Future Planning for Chatham Oaks and County Farm Property

Executive Assistant Andy Johnson said that they are getting close on finalizing the Chatham Oaks, Inc. lease. Johnson said Assistant County Engineer Rob Winstead has done the survey, and Assistant County Attorney Andy Chappell has the legal description for the lease. Facilities Manager David Kempf said Chatham Oaks has had the domestic hot water system replaced.

Sullivan said when Iowa City Planning and Community Development Director Jeff Davidson did the proposal, it listed the proposed plan. Since that time, the Iowa National Guard Armory site, the Joint Emergency Communication Center (JECC), and Melrose Ridge have been built, and these facilities are not included. Sullivan said he would like to see how the survey would change based on new developments. Harney agreed that it needs to be updated. Kempf said he asked Winstead how much time it would take to do a new survey of the County Farm property and develop a new map, and Winstead told him it would take quite a bit of time. Kempf said that Winstead was going to estimate how long it would take and also talk to County Engineer Greg Parker about it, and then he was going to bring that information to the Board. Kempf said Winstead has surveyed the property that will be the boundary around Chatham Oaks for the lease.

Rettig said she thought the Board had asked for Winstead to survey the whole farm. Stutsman said no; her understanding was that he was just surveying Chatham Oaks. In the discussions with the Johnson County Historical Society (Historical Society) the Board decided they may need to revisit the whole area because there are many changes. She talked to Winstead as well, and he said due to the fact that it is already construction season, staff would not be able to get to the project until fall of 2011. Sullivan said he thought a thorough survey was done when the JECC was built, and he asked if anybody

has that survey. Kempf said Winstead has access to the JECC survey, but Winstead felt if the County was going to redo the Chatham Oaks survey, he would prefer to do the whole thing to make sure it is accurate. Kempf said Winstead said they used preexisting boundaries that were established on earlier plat maps and based on earlier surveys from other projects, so they may not have gone out and found all of the existing monuments. Harney said there are easements for water lines, and a line ran from the south to the north to Chatham Oaks. Kempf confirmed that Winstead has done much of that already.

Stutsman said she thinks part of the discussion should be about doing an update to the study plan to see what the Board wants to do with that property, and the Board can then enter into discussion with the Historical Society about where to go. She said the Board will need to evaluate their commitment to those properties by working with the Historical Society and trying to come up with a plan. Stutsman said in the time she has been a Board member, different plans have been presented, but the Board has never gone forward with the plans or ideas. With the buildings that are out there and their possible deterioration, she thinks it is important to get a plan in place. The Historical Society is interested in knowing what the Supervisors are thinking and what their ideas are. Sullivan asked if there is money budgeted for maintenance on those buildings this year. Kempf said he would have to look, but he believes there is some money set aside. The amount is around \$5,000 to \$6,000, and that usually goes toward maintenance of the buildings, including painting and other repairs.

Sullivan clarified that more of these problems are occurring due to age. Kempf said when he started working at the County, the Historical Society was planning to take over a lot of that. He thinks a plan was developed, but it never materialized. The Historical Society moved into Coralville, and many other factors played into that situation. Kempf said the County has been in somewhat of a holding pattern since then. Physical Plant staff has painted the roofs on the barns and all the buildings, and they have completed repairs as needed. He said some of those buildings are very old. Stutsman said former Historical Society Director Lori Robinson talked to the Board about the difference between maintenance and preservation. Stutsman said the County does maintenance and not preservation.

Kempf said he recalls previous discussions regarding grants, and the Historical Society may have access to grants to do preservation. Rettig said in the Historical Society's most recent capital campaign, there was a promise that they would receive grants in turn for the five year capital campaign. To her knowledge, nothing has been done, and it is year five of five. She said she did not bring the minutes of that meeting, but she has read them. Neuzil confirmed that near the end of the five year capital campaign, Historical Society Member Shaner Magelhaes identified that upon receiving this large amount of money, the Historical Society would start to help the County prioritize what needed to be done at the Johnson County Farm (Farm) and how to interpret those buildings. Neuzil said he thinks an inventory needs to be done on priority and emergency needs to make sure those buildings do not collapse or fail due to the County not investing in them. Rettig clarified that the minutes from that previous meeting do not say just that; there was a promise that the Historical Society would secure

funding to interpret and manage the Johnson County Farm. That promise was in return for the \$100,000 they received, which is \$20,000 per year over five years. Rettig said she believes there is also a letter that states this. She said the Historical Society and the promises they have made to the County Farm are relevant to the discussion of what the Board should do at this point.

Sullivan said he was under the impression that there would be signage by this point. He said he believed the County still had responsibility for the preservation of the barns, as that was still County property. However, he thought that by now there would be some interpretive signage to accommodate tour groups. Harney said that the buildings are deteriorated to the point where something needs to be done now. This is particularly true of the roof of the asylum. A lot of money was put into restoring that, and now light can be seen through the roof and the sides are rotting. Kempf confirmed that they are at a point where they need to be fixing some of those things. Sullivan said part of the concern is that these are historical buildings, so they need to be fixed a certain way. Kempf agreed.

Neuzil asked if the Board can start to identify some action lists addressing structural needs first. Kempf said the first step was when he, Harney, and Stutsman met with the Historical Society and took a tour of all the buildings at the County Farm and the cemetery area. After that, the Historical Society was going to talk about their thoughts or visions for the area. Kempf said it was his impression that the Historical Society would start that conversation with the Board when they had time, and that is the present status. Stutsman said the Historical Society wanted to get a sense of what the Board was thinking before they continue.

Historical Society Chairman Steve Weeber said as someone enters the property off of Melrose Avenue, there is a maintenance shed to the left that is used by the County. It is rather old, and its use will likely be temporary. The barn to the right is an older structure full of old farm equipment that has been donated by various people. On the inside, it is a nice old barn, but there is not anything functionally special about it. The building is full of old equipment, including two Allis Chalmers tractors from the 1950s that are old County maintenance equipment. Weeber said the floor in the building is in rough shape; it is partially concrete and the rest is dirt. It is also inhabited by groundhogs.

Weeber said there is a little shed on the left beyond the maintenance building, and it was previously some sort of grainery. It is currently used for storage. The asylum is in pretty good shape. In the 1850s, the State ordered each County to have an asylum as a social network. The asylum on the County Farm is special because there are very few left in existence. There is another building to the left that is leaning to one side. It is not particularly special, and it is used to store gardening equipment and various things for the County. The dairy barn next to the silo is interesting because it is a classic Johnson County barn. It has stanchions, a hay mow, and a bull pen. The silo is a concrete structure with a concrete roof. Behind that is a lean-to storage shed with a tin roof. It is not historically significant, but it has a roof and storage space.

Weeber said from a historical point of view, the dairy barn, the silo, and the asylum are three things the Historical Society would encourage to be preserved. Weeber said the cemetery that is about a block away from the buildings on a mowed path is also very special. However, the road is not very user friendly and has many divots. The County may want a real road with parking spots in that area at some point in the future. The cemetery was a burial site on a dome in the ground, and it is marked by a wooden cross. Weeber said he and Historical Society Curator Leigh Ann Randak believe that since the land is the property of the County, they are not going to recommend anything. The Board is in charge of the management of the property.

Weeber encouraged the Board to engage in a round table discussion with himself and Randak about their thoughts on the County Farm to see if they can reach a consensus. The best predictor of the future is the past, and they can look at how the absence of a plan has affected things in the past. Weeber said the County Farm area is a prime piece of property due to its proximity to Interstate 80. Weeber said the Historical Society encourages the Board to spend some time with them at the present meeting to discuss ideas and begin creating a plan to preserve the property for the next 50 years. If there is some consensus, he and Randak will write something up for the Board.

Stutsman said she was on the Board when the Historical Society had a vision for this property to be similar to the Living History Farms in Urbandale. The idea was that there would be space for the Historical Society headquarters and a museum in conjunction with the farm buildings. The idea was to have a capital campaign to start the process with the support of the County, and the County was not going to be the sole entity involved with the project. Stutsman said she thinks that is the ideal plan, and she thinks it would be terrific for this area. However, taking into consideration the current situation with the Historical Society, it may be necessary to scale back the original plan and focus on the asylum and the dairy barn.

Stutsman said she is concerned that the County Farm sits alone and she thinks it needs to have something that links it to Johnson County history. People are not going to go visit Coralville and then go three miles down the road to visit the County Farm. Ideally, Stutsman said she would like this to be a project of the Historical Society and would like to see the County support the project but not totally fund it.

Neuzil said he would like to see 25 acres of the northwest corner of Slothower Avenue and Melrose Avenue be turned into a low density residential area. This area was proposed so there could be an opportunity to sell part of the Johnson County Poor Farm (Poor Farm) and invest the money into the Poor Farm and what would become a park. Neuzil thinks this is still possible, but it may not happen for a few years due to the slower than expected development of Slothower Avenue and the development coming in from the south. He said there is the potential to identify some land, sell it, and reinvest the money into a county park or land for the Poor Farm. Neuzil said there could be some potential for an interpretation center, a museum, and an opportunity for the Historical Society or another organization to be housed there. He said it seems like the Board's

contribution has been invested into new buildings and not old buildings like they intended.

Harney said he did not want to sell 25 acres of land; he thinks it is important to keep the County Farm together. He said the buildings are more valuable as a unit than they are individually, and it means more to the public to see the County Farm as a unit. The Board's thought at that time was that the Historical Society would set up a building on the property and it would be part of their operation. However, the Historical Society has since gone to Coralville, so that option is probably no longer possible. He said he understands that Highway 965 is eventually going to be extended west to Highway One, and there will be some demand for property there. He is not sure if the County wants to give its land up; he thinks that area would be a good place for a park. Harney thinks they will be able to work around Chatham Oaks and the JECC buildings.

Neuzil said his and Harney's opinions are the same as they were seven or eight years ago, but their difference comes down to where the funding comes from. Harney said they have had conversations with Iowa City staff who told the Board they were willing to accept the County Farm area as a park and maintain the cemetery as part of the park. He assumes that would still be the case. Neuzil said the original idea was that this would be a rural park, and would be different from city parks.

Sullivan said he is not really in the place to give advice to the Historical Society, but he would not move out of their current location. He said the Board needs to think about who would be in charge of a park, Iowa City or the Johnson County Conservation Board (JCCB.) Sullivan said it costs money to maintain a park, and if the Board decides to make this a County park, then the Board needs to be prepared to fund it. He said that if they give the park to Iowa City, then the County relinquishes its control. Sullivan said at some point, Slothower Avenue will likely become an important road. All of the lots and houses adjacent to the south end of the County Farm property have been sold. He thinks the plan to sell 25 acres of the County Farm land for residential development probably makes sense for sometime in the future. He would never want to do anything to jeopardize the historical sites on the property, but the land in question is currently a corn field and does not serve a special need. If the County could make \$3 million or \$4 million by selling the land, it might be a good idea to do so. Sullivan said he agrees with Weber's preservation assessment and believes the Board has an obligation to preserve those buildings.

Rettig said when the first round of conversations about the County Farm property occurred, she thought promises were made at that time in order for the County to increase its contributions to the Historical Society. Rettig said she attended two or three of those meetings and has read through the minutes from five years ago where the County was asked to increase its contributions to the Historical Society. In return for those contributions, the Historical Society agreed that they would interpret the land, start a capital campaign, and apply for grants. However, that has not happened. Rettig said she is not interested in destroying history or selling historical land, but she has been disappointed in the partnership with the Historical Society in this regard. She has been

following the relationship of the Historical Society with the County and the County Farm for a long time, and during this time, the Historical Society has not held up its end of the deal.

Rettig said Melrose Ridge may need to expand, and there has been discussion about locating a cell phone tower toward Interstate 80 and using that revenue. As the capital campaign for the Historical Society comes off, it will free up revenue for this area to stabilize these buildings. If they are not going to have a partnership, then the County will need to do the work themselves. She said she is cautious and very hesitant to sell land in this area, even though she had a different opinion about two other properties. She wanted those other properties back on the tax roll because she did not see a future public use. Rettig said she sees a definite public use for this County Farm land because it will be completely surrounded by residential neighborhoods in 20 years. She does not want to sell anything that the County could need for a park in that area.

Rettig said Sullivan's concerns about funding are warranted, but the Board passed a bond referendum to purchase and develop land, including parks. She believes that some of the revenue from the bond referendum could be used to develop this park. The long term ownership of the park is a bigger problem because it will eventually be completely surrounded by Iowa City. Rettig said selling land should be the absolute last option.

Referring to the PowerPoint presentation, Neuzil said the section on the left of Lake Shore Drive is just now being developed. Sullivan said that development is going farther west now. Rettig said that development has skipped the area in the middle. Neuzil agreed and said Slothower Avenue is going to be a major arterial road. Stutsman said it would be good to see a proposed easement for Highway 965. Harney said it was his understanding that Slothower Avenue was closed off as a Level B road and would not become a major road unless it changed its classification. Neuzil said it is clear by looking at the map that this will be the arterial road between the two areas. Harney said Iowa City told him it would not be. Stutsman said asking Iowa City staff to attend a Board meeting to discuss their thoughts. Neuzil said this is problematic because the namesake landowner is still alive. Stutsman said Don Slothower died and Neuzil clarified that the family is still living. Sullivan said if a developer establishes itself in a certain area and already has a bed to put a road in, then that is likely where they will put in the road. Neuzil said this road goes all the way through, so it extremely easy to envision this as a cut-through road.

Chatham Oaks, Inc. Executive Director Vivian Davis said she agrees with Weeber and would like to see the asylum and the dairy barn preserved. She said there is a shortage of housing for people with mental illness in the area, and both Melrose Ridge buildings are full. Davis said Chatham Oaks has occasionally spoken about possible future development, but it is not in their current five year plan. She said the cemetery is a unique spot and needs to be preserved, and she agrees with Weeber that it is difficult to access. Most people do not even know it is there.

Sullivan asked if Chatham Oaks were to expand if it would be to the south of Melrose Ridge. Davis said this would be the most logical location. Stutsman asked if Chatham Oaks has considered retrofitting a different configuration within the existing buildings in order to accommodate more residents. Davis said that would be very expensive. Chatham Oaks has occasionally discussed building another wing that would house individuals who need a higher level of care, but she does not see this happening in the near future. She thinks it would be more appropriate to have another building that would provide that level of care.

Stutsman said when the Board was going through the planning process regarding the County Farm, people repeatedly mentioned New York City's Central Park. New York City leaders had the foresight many years ago to preserve the land that is now Central Park. Stutsman said people say the same thing about the County Farm property, and she believes this is the time to make sure the property is preserved for future generations.

Weeber said the Historical Society is a small organization with a yearly budget of \$120,000, and they do not have the financial strength to rescue buildings or properties. He said the Historical Society has a staff of two and a half people and a volunteer president. Discussion of the Historical Society being housed at the County Farm occurred before he was Chairman. The Historical Society was originally housed in the Coralville Schoolhouse, but they outgrew that location and then moved to a warehouse in Coralville. The warehouse was torn down to accommodate the development of the Coralville Marriott Hotel and Conferences Center, so the Historical Society moved back to the Coralville Schoolhouse.

Weeber said the Historical Society borrowed \$200,000 to do the museum inside the Coralville Schoolhouse. He said their annual budget is only \$120,000. The Historical Society has been successfully working to get past all of those challenges so they can move ahead. The Historical Society has renegotiated their bank debt with the four banks they borrowed from, and the banks have been very supportive and provided low to no interest rates. The Historical Society cut their previous spending in half because their budget was unsustainable. Weeber explained that the Historical Society does not have a lot of money, so when they were offered the opportunity to move into the Coralville Schoolhouse, they gladly accepted the offer. They want to be financially responsible in the community, but they are just barely making it.

Weeber asked the Board to provide any final thoughts and comments. He said Neuzil's main idea was to sell land in order to come up with funds to support the project at the County Farm. Resources are necessary to make the area more presentable than it is now and to have it be functional.

Stutsman said the most important thing in her opinion is to get a long term commitment and agreement in writing. She said the Board started working on that so everyone can agree, understand the commitment, and move forward. Stutsman said she is not opposed to selling the property and thinks it makes sense to do so. Part of that process included public input, and the public was okay with selling parts of the County

Farm but not the whole property. She thinks it is important to preserve the land but wants the site to have more than just the asylum. People will not visit only the asylum unless there is another reason to go out there. She thinks 75% of the people in Johnson County do not know the County Farm exists, and she believes the site is a treasure.

Stutsman said she thinks the County needs a long term commitment, a funding source, and she would like the project to be a public-private partnership. She does not want this to be another County project. Part of the catalyst for the study was the fact that the Board was getting regular requests for that piece of property because it is a prime piece of property. She said she was very supportive of the Board having a plan so that a future Board would not sell a portion of the land to put in a gas station. Stutsman said she thinks they have done very well in making sure they have a plan, and she thinks they have a responsibility to revisit the plan regularly to make sure it is still meeting their expectations.

Neuzil said public use was included as part of the plan, and the reason Chatham Oaks is not in that area is because the area had potential for either government or public use, or the Board had the ability to sell the land. He said the Board had a conversation with United Action for Youth (UAY), because that entity saw that the land was being planned for public use and they asked to be located there but then UAY got an opportunity with the Iowa City. He said the Board needs to be very cautious of the expansion of Chatham Oaks beyond the borders they have identified.

Stutsman said she thinks it would be great to move the Coralville Schoolhouse out to the County Farm. If the Czech Museum in Cedar Rapids can be moved, the County could move the Coralville Schoolhouse. That would tie all of the historical buildings together.

Harney said he is not ready to sell any portion of the County Farm, and he thinks the Board needs to take a realistic approach to the idea. The County owns the property and is renting the ground out, and that money could be put back into the support for those buildings. The Board is currently using the money in the General Fund. He reiterated that once the land is sold, it is gone, and he thinks they need to take a broader look at the situation. The Board may need to have a conversation with the Conservation department who may be a possible revenue source. The County could benefit from the whole area being combined if the JCCB is willing to invest in the County Farm. The Board then needs to decide what to do with the buildings and determine the role of the Historical Society in maintaining and operating the facility. He thinks it would be negligent if the Board did not examine that and discuss the idea with Conservation.

Sullivan said the JCCB has a similar relationship with Old Settlers in River Junction where they manage historical property, so they are familiar with how to do it. He said it is easy for the Board to say what they would like to do, but when it comes around to budget time, people determine whether they are actually willing to put money into these projects. In the past, people have not been willing to do so. He said this conversation will come around again when the Board discusses the FY13 budget. Unless the Board is

willing to put it in the budget, they will not get anything out of it. He said he agrees with Stutsman that selling a portion of the property for residential development at some point down the road makes sense; it is the only sure way to fund the project unless the JCCB or a benefactor in the community wants to take on the project. However, he does not see that happening. Sullivan said it is important to know how much money they will need to keep the buildings from deteriorating further.

Rettig said she does not see a need for a stand-alone museum. The County already has a great museum at the Schoolhouse. She does see the need for a public space or a green space, but she does not want to call it a park because people would think that it would be a trimly mowed area with campgrounds. She envisions this as a natural area and eventually an oasis in the middle of a huge city. There are many new ways to provide information that do not involve a multi-million dollar building, and she would like to see those implemented there.

Rettig said selling the County Farm land at this point would be shortsighted. She said there may come a time when selling a portion of the land would make sense, but she does not believe they are near that time and does not think they need the money. The County has been putting a lot of money into history but not putting money toward preserving the history they already own. She said she knows the County has surveyed Chatham Oaks, but she remembers Board discussion about surveying the whole Poor Farm in order to know where the boundaries are. The Board had been talking about the cell phone tower and the possibility of Melrose Ridge needing another building. If they are not going to do that survey right now, she thinks it should be next in line when construction projects are over. She sees no need to pay another surveyor when the County has one on staff. Kempf said Winstead told him he did not have a problem doing it, but Winstead was hesitant about committing to it right away because he is currently busy with construction.

Sullivan clarified that he is not suggesting the Board sell any land now, but once development begins west of Slothower Avenue or there is a street developed, it would start to make more sense to sell the land. Neuzil said he is not suggesting that the Board should sell land now either, but he wanted to provide an interpretation of why the potential sale of land was included in the plan. That was written at a time when the Historical Society did not have a home. Sullivan said a lot has changed in ten years. Rettig said the Historical Society is in a perfect location at the Coralville Schoolhouse. She does not know about the possibility of moving the Coralville Schoolhouse; she does not like moving history or destroying it. Rettig said she thinks the County needs to either invest County dollars in their own buildings or develop a partnership that is going to work.

Weeber said he thinks there are more commonalities than differences in what everyone wants. He suggested that he and Randak compile a one page summary of what everyone agrees on and then have further discussions. Weeber said the role of the Historical Society is to be champions of history, but the County Farm is ultimately County property, and the Board must decide what happens to it. He said he and Randak will put the document together and send it to Johnson, so the Board can make that the

focal point of their discussion. He would be happy to come back for more discussion with the Board if that is what they would like. If the Board decides they have landed on an agreement, then the Historical Society will try to be helpful in any way possible.

Sullivan said Weeber can find the minutes of this meeting online and will be able to refresh what he heard by listening to the audio. Rettig said the Board probably made a mistake by talking so much about the history and not involving the Historic Preservation Commission. She said the Board should let the Commission know the next time this item is on the agenda and ask them to attend the meeting. Sullivan agreed.

Project Updates

Kempf said he is meeting with Ambulance Director Steve Spenler and Medical Examiner Administrator Michael Hensch to go over the Ambulance topics that the Space Needs Committee asked him to go over.

Kempf said there were some grading issues on the old National Guard Armory (old Armory) property which have been corrected. The northern berm is where it is supposed to be and close to the height that it needs to be in order for the water to drain toward the rain garden. He has begun a punch list of items that need to be fixed on the Window Replacement Project. The contractor has washed the exterior windows and they are supposed to be in tonight to start washing the interior windows and finish the walls. He said they are scheduling a meeting to go over all the items on the punch list.

Kempf said the Jail project is moving forward. They have had delays in acquiring the detention equipment, but he hopes that has not shifted the scheduled completion date of August 1, 2011. That project is going as well as could be imagined; it has been a little bit of a headache with the wiring that runs through the control room.

Harney asked when the construction people will be moving to the Administration Building. Kempf said it looks like they will come at the end of the week of May 9, 2011. They were scheduled to go during the present week, but due to the delay in receiving the detention equipment, they have pushed it off a week. The construction crew now has new work that they can be doing in the Jail area, rather than moving to the new area. They know that once they start working in the new area, the County wants them to finish that work so that the workers are not displaced any longer than necessary. Harney said the records staff will stay at the Department of Human Services (DHS) location until the project is complete. Kempf clarified that they will stay at DHS until that portion of the project is complete. He said he hopes that will be done closer to the second week of July 2011. As soon as that area is completed, the records staff will be moved back to their normal location. The work in the detention and booking area will take until the end of August 2011. Kempf said he does not want the construction staff to go into that area, tear things out, and then not continue working in there. He said the construction workers understand that when they start working in that area, they need to continue working in that area.

Rettig asked what Kempf found out about the sidewalks that are not compliant with the Americans with Disabilities Act. Kempf said the County will have to do a change order. Rettig asked if they were not drawn correctly. Kempf said he has not received a clear cut answer on that, which probably means they were not drawn correctly.

Rettig asked about the reinforcing bar that is sticking up out of the new parking lot on the old Armory property; she saw someone trip on the bar. Kempf said he will contact the contractor again, and Physical Plant staff will fix it themselves if necessary and send a bill to the contractor.

Rettig asked if the company finished cleaning the windows. Kempf said he does not think they finished. Rettig said the outsides of the windows in her office are clearly not finished, but she cleaned the inside herself. Sullivan said someone was here working on May 3, 2011, and Stutsman agreed.

Kempf said he has ordered the signs that the Board discussed earlier, and he is receiving estimates for limestone cleaning on the front of the building.

Recessed at 10:02 a.m.; reconvened at 10:07 a.m.

Social Media Policy

Stutsman said she is on the Communications Committee and a subcommittee to develop draft social media policies, and she attended a number of meetings to create the policy. The Communications Committee thought the next step was to present this to the Board for feedback and eventual approval. The final policy will be included in the Employee Handbook (Handbook.)

Human Resources (HR) Coordinator Vanessa Wierman said among the documents the Board has received is the draft Social Media Use Policy that is recommended to go into the Handbook. The other three documents are the drafts of the Departmental Social Media Use Policy, Facebook Standards, and Twitter Standards. These documents, when finalized, can be placed within a department's operating manual or something along those lines.

Wierman said the Communications Committee has been discussing social media and how the County should use social media applications for quite some time. The decision was made to form a subcommittee in May 2010 to get more direction in order to draft policies and be more focused. She said the core members of the Subcommittee were Assistant Ambulance Director Dave Dvorsky, Operations Supervisor Shannon Innis, Assistant Planning and Zoning Administrator RJ Moore, Assistant County Attorney Susie Nehring, Recorder Kim Painter, Information Technology (IT) Director Jean Schultz, Supervisor Sally Stutsman, and Naturalist Brad Freidhof.

Wierman said the Subcommittee has gathered input from people in different departments, including Auditor Tom Slockett, SEATS Director Tom Brase, Emergency

Management Coordinator BJ Dvorak, and Deputy Health Director Tricia Kitzmann. Wierman said Public Health already has a Facebook page, and the Subcommittee received input from Kitzmann regarding that. The conversations were difficult because the Subcommittee wanted to make sure they were getting different perspectives on social media and trying to maintain as much consistency and uniformity as possible throughout County departments. It eventually became apparent they could not include everything they wanted to address into one document. It would not make for easy reading.

Wierman said the Subcommittee decided to split the Social Media Use Policy into four separate documents. The Social Media Use Policy would go in the Handbook, and that would require Board approval. The Departmental Social Media Use Policy discusses when it is appropriate for a department to use social media. The standards for Facebook and Twitter state that departments should use a specific logo and include certain core information on those pages. Wierman said dividing the policy up was the most succinct way for the Subcommittee to address everything they wanted and needed to. The Social Media Use Policy sets expectations of appropriate social media use both personally and during work hours, and it addresses whether it is appropriate for employees to use that media during work hours.

Wierman asked how the Board wants to proceed through reviewing the documents. She said the Supervisors have had some time to review and scrutinize the documents. Harney said it would be best to go over the policy item by item. Stutsman said if Supervisors have issues about certain things, they could go over those. She said she is glad that the Subcommittee is at the present meeting because they had a lot of discussion, and now the Board will have the benefit of knowing how the Subcommittee came up with the policy. Wierman said the documents are not perfect, but it was the culmination of a lot of hard work and trying to please everyone. Stutsman said the County is not the only group that is struggling with social media policies; it is a new area, and everyone the Subcommittee contacted said they were also trying to work through the issue.

Rettig said the County's Employee Handbook does not allow for personal internet use even during break time or lunch hour, and she asked how this is specifically worded. Wierman said she does not have the Handbook with her, but she believes it emphasizes using County computers and technology for business use only. Rettig said she knows Iowa City's employee handbook specifically says employees may surf the internet for personal use during break times only. She said Iowa City recognized the ability to use the internet for personal use very early on, but its handbook clearly states that is only allowed during scheduled break times.

Rettig said she knows people go to internet sites that are not work related, and although this may be during a person's 15 minute break or lunch hour, the Handbook says it is not allowed. She said the way the Handbook is worded, any non-work related use of the internet could warrant disciplinary action. Sullivan said he recalls a Department Head Meeting in which the Social Media Use Policy was discussed. He said Human Resources Administrator Lora Shramek interpreted that personal use of email should be like personal use of the phone, limited to occasional use. If phone use is taking

up too much of their day, this could incur discipline. Sullivan said if employees receive a couple of personal emails or quickly check a website, then it is the same as receiving a personal phone call.

Wierman said the Subcommittee also relies on department heads and elected officials to set expectations. Rettig said she has read the current Handbook and does not think it allows for flexibility during break time. She said the City of Iowa City's employee handbook clearly recognizes that employees might not leave their desk at their lunch hour or break time, so they may use the internet during that time. Sullivan said a policy already exists for personal phone calls at work, and he thinks that policy may need to be adjusted to include all personal communication at work. Rettig agreed and said the policy could state that personal communication shall be limited and restricted to break times only.

Neuzil said if the Board continues discussion with the premise that the internet use policy in the Handbook needs to be tweaked, then they could continue to move forward with this conversation. Sullivan agreed. Wierman said HR and IT collaborated to write the policy.

IT Director Jean Schultz agreed with Rettig that the current policy regarding internet use is limiting. Rettig said she thinks it is okay to be limiting, but she does not want to set people up for disciplinary action for doing such online activities as purchasing flowers for their mother on Mother's Day. She said she thought the County policy was worded so tightly that it was a problem.

Rettig said the Social Media Use Policy relates to how individuals are going to manage social media. She said the policy currently says that accessing any blogs or social media sites during work hours is only allowed to the extent that it directly relates to the employee's official job duties. Rettig asked why Johnson would be allowed to receive a phone call from his daughter or order his mom flowers on his lunch hour but he would not be allowed to check his Facebook page or his Twitter feed. She said checking these sites can be a combination of work and keeping up on the news, and that is part of Johnson's job. Rettig said there should be some wiggle room in the policy and that she does not want to discipline someone for buying their mother flowers or checking Facebook page on their scheduled lunch hour. Wierman agreed and said the topic can be up for discussion if it is something the Board would like to change for the IT policy. She said the Subcommittee is basing the Social Media Use Policy on the IT policy. Sullivan said it is almost a separate issue about having to update the internet policy to keep up with current trends. Schultz said IT will update the policy.

Rettig said she does not want to loosen up the language in the policy too much. She said if someone updates their Facebook page at 10:30 a.m. when it is not lunch hour or break time, it means the employee was not working. Stutsman said employees recently received an email from IT telling them not to watch the live video stream of the eagles in Decorah all day long because it takes up too much of the network bandwidth. Videos like those interfere with County business.

Stutsman said pulling up many internet sites exposes the County system to viruses, so the policy was also a risk management tool by saying internet use should be limited and not all websites are safe. Nehring asked if social media sites are more likely to create problems. Schultz said websites can all create problems, but social media sites are probably more likely to do so.

Moore said the issue of employees using County equipment during breaks may become moot because employees can use their cell phones to access email and internet. Moore said people should not be using County equipment for personal use during work, but he wonders if the issue will go away as more people get smart phones and other technology that allow them to access these websites. Rettig said that is definitely true. Rettig said she thinks the sentence in the policy is problematic because it states that it is wrong for employees to get on the internet even during their lunch hour.

Sullivan said he did not have any problems with the draft Departmental Social Media Use Policy, the Facebook standard, or the Twitter standard. He said he is slightly concerned with part of the Social Media Use Policy. In a hypothetical situation, if Wierman decides to be the chairman of Sullivan's challenger's election campaign and says Sullivan is a lousy Supervisor, he ought to lose his job, and people should vote for hypothetical candidate Freidhof, then she would have every right to do that. However, Sullivan said in the way he interprets the Social Media Use Policy, an employee could be disciplined for that. He said if an employee were a member of a punk band that sings songs that other people find obnoxious, they may also be violating this policy. He said he understands the need for discipline if someone is off work and complaining specifically about their work, but if a person is just complaining about the government, they have every right to do that. Sullivan said he is concerned that the policy might put employees who do that at risk of being disciplined, and he does not want to see that happen. Rettig agreed. Harney said they should not be doing that while they are working, but he does not care if they do it from their home. Sullivan agreed that people cannot do this while they are working.

Rettig said most people list their employer on their social media profiles. She said the Social Media Use Policy does not make any reference to LinkedIn, which is a social media network for professionals. People, including employees of Johnson County, normally list their workplace. Referencing page one of the social media use policy, Rettig said it reads that because of this, the County requires employees to state any opinions expressed in a personal blog or social media site are their own and not those of the County. She does not know how many County employees use Twitter, but she asked if they would have to specify in a Tweet that the views expressed are personal and not those of the County in every Tweet they send. Sullivan said that would eat up half of the allotted 140 characters. Rettig asked if employees would have to do the same thing on Facebook also. Rettig said she knows Freidhof uses his personal Facebook and Twitter to post press releases to the County website. In that case, Freidhof is clearly using his personal Twitter account but she asked if he is still required to state that he is expressing his personal viewpoint. Rettig said she does not think that really works.

Wierman said the Social Media Use Policy is addressing a very narrow band of potential issues. It is addressing more serious cases of people trying to act like they are speaking on behalf of the County. That will not happen 90% of the time, but the Subcommittee wanted to make sure they addressed the issue in some way. Rettig said she thinks this issue is covered in the previous paragraph of the Social Media Use Policy, which states that employees may not represent or speak for the County unless specifically authorized to do so. Rettig said she thinks the paragraph following that statement is unconstitutional. She thinks that is a freedom of speech issue and Freidhof can say whatever he wants as long as he is not doing it during work hours or break times.

Wierman said the policy does not say employees cannot voice their opinions. Rettig read from the Social Media Use Policy that the County “requires employees to state any opinions expressed in a personal blog or social media site are of their own and not of the County.” Rettig said this would require the 500 County employees to state every time they Tweet that they are expressing their personal view. Since that is what the policy says, if someone does not do this, they are subject to disciplinary action. Wierman said she can see where Rettig is coming from.

Sullivan said in the past, some department heads have written letters to U.S. Senator Chuck Grassley to express their personal opinions about certain issues. The Board has had conversations with those department heads, because although they wrote the letters from home, they mentioned their jobs at the County. Those department heads should have stated that they were writing the letters as private citizens. It was not a big deal in his opinion, people learned and moved on.

Harney said in his opinion, people can say anything they want from their home computer. However, if an employee is writing a letter a County computer, they should express that what they are saying is their own opinion because the information is being sent from a County computer. Sullivan said people cannot do everything they want. He said certain people have access to confidential information due to their positions, and they cannot start putting that confidential information on their Facebook pages. That would be a punishable offense. Rettig said the JCCB does not have a Facebook page or a Twitter account yet. Once the JCCB does get those accounts, County employees can still say what they want on their personal Facebook pages, but they cannot say whatever they want on the JCCB Facebook page.

Freidhof said even when he is not working he is associated with the JCCB. If he created a website while he was off-duty that said he is the new Ku Klux Klan leader for Johnson County, it would reflect poorly on his department even though he is not working. He said County employees have different standards than elected officials because elected officials depend on public opinion for reelection.

Rettig said she understands Freidhof’s point, but said the United States Constitution would disagree. America has fought a lot of wars over this issue, and when an employee leaves work, they have freedom of speech and freedom of assembly. If an employee left

work and joined the Ku Klux Klan, he would be able to do so. However, that employee could not come to work and say racist, homophobic, bigoted things and refuse to work with someone because they are of a different color. Freidhof said if an employee said offensive things outside of work, the offended coworker would still have to come in and work with that person. Rettig said she understands it can cause workplace problems, but the County can only discipline for workplace problems. She said she is not a lawyer, however. Freidhof asked how those workplace problems would be disciplined.

Rettig said the County could discipline if the problem comes to the workplace by an employee refusing to work with another person due to some prejudice. An employee is not allowed to refuse to work with another employee because she is a lesbian, and the employee cannot put up signs at work that say being gay is a sin and lesbians are going to burn in hell. However, an employee can say that at home. Freidhof asked if it still would offend the employees affected by that prejudice. Rettig said sure that it would offend them. Sullivan said people do not have a right to not be offended. Rettig said she is an American, and freedom of speech is part of the Constitution. Freidhof asked how an employee would be protected from being offended by another employee. Sullivan said people are not protected from being offended at home, but at work they are. Sullivan said at work, the employee's right to not be offended would be protected, but the County does not protect the employee's right to not be offended at home.

Moore said this was discussed at a previous meeting. Neuzil confirmed that this was discussed at a Communications Committee meeting, and he was saying exactly what Rettig and Sullivan are saying. Moore said it would create a hostile working environment for Rettig if Freidhof took a homophobic stance at work. Rettig said there is nothing an employer can do about it. She said she does not like it; she recognizes the fact that people believe those things, and it can create a hostile work environment because she knows who has those opinions. She said there is nothing the Board can do about this outside of work hours. However, if the issues are brought to work, then the Board can definitely do something. Freidhof asked if this would be covered under the harassment in the workplace policy. Rettig and Sullivan agreed. Rettig said that is where the paragraph in the Social Media Use Policy becomes problematic.

Rettig said people have the right to say whatever they want, but they do not have the right to reveal confidential information or the right to display personal opinions on official County media. Freidhof said it is hard for people to separate their work lives from their personal lives. Rettig said the County cannot discipline for that, but they can include a paragraph in the policy to remind employees that what they say can be related back to the County. Harney asked Rettig if a situation similar to University of Iowa (UI) Professor Ellen Lewin sending an obscene email to UI College Republicans would be allowable under the County's policy. Rettig said Lewin had the right to send the email on her home computer, but it is questionable if she had the right to send the email from work. Harney agreed. Sullivan said he thinks Lewin is entitled to say anything she wants on her personal email.

Nehring said it appears that the discussion has become broader than the question of whether a person needs to identify themselves as a County employee on their personal social media sites. When the subcommittee talked about the related paragraph the intent was to prevent a situation where Freidhof could communicate on a personal blog and use his County position to advise people on what to do. The paragraph was intended to prevent employees from posting those opinions as a representation of County policy, regardless of whether that is done on personal time.

Sullivan said this portion of the Social Media Use Policy should state that because of these reasons, the County encourages employees to state that they are providing a personal opinion that is unaffiliated with the County. If an employee says on their social media page that they are a County employee and are voting for an opposing Supervisor, Sullivan does not think that is something they could be disciplined for.

Wierman said the preceding paragraph in the Social Media Use Policy explicitly addresses harassing, threatening, or obscene comments. She said campaigning for a candidate is allowable under the policy as long as the employee is not harassing, threatening, or being obscene. The policy is very specific about the type of behavior. Nehring said the paragraph does not say an employee will be disciplined for specific reasons, but it does provide some limitations for what employees are allowed to do. Nehring said if someone crosses the line and is legally harassing, whether they are using personal or county internet, they could be subject to criminal or civil action.

Rettig said the fifth paragraph of the draft policy clearly provides that caution. For example, one employee might ask another employee at work to go on a date, and they might be turned down. If that employee then stalks the other person on Facebook or Twitter and the other employee tells them to stop, and if the employee continues the harassment at work, then that behavior becomes liable to disciplinary action because it has created a hostile work environment. Rettig said this is covered by the paragraph about harassment. Paragraph six which states that employees may not represent or speak for the County unless specifically authorized to do so is fine. She said the problem lies in paragraph seven, which states that if someone identifies themselves as a County employee, for example when they list their job on their social media page, they are required to state that any opinions they express are their own and not those of the County. She does not understand how this is legally enforceable and does not think it is necessary.

Harney asked how that is different from him writing an editorial to the newspaper and stating that the opinions expressed are his own and not those of the Board. Rettig said Freidhof could send as many letters to the editor as he would like, but if he signs it Freidhof, JCCB Naturalist, he has represented himself as an official spokesperson of the JCCB. Harney said he believes that is the situation the seventh paragraph addresses. Rettig said that is not what the paragraph says. Stutsman asked which paragraph they are referring to. Rettig directed the Board to the seventh paragraph. She said if she sets up a social media site and lists her employer, the policy states to please understand that some may view her as a spokesperson for the County. Because of this, the County requires

employees to state that any opinions expressed in the personal blog or social media site are of their own and not those of the County.

Wierman asked if the seventh paragraph is the only one that Board members have concern with. Neuzil said he has concerns with the use of the word "comments" in the fifth paragraph. The word refers to harassing threatening, or obscene statements and that is not clear throughout. If the policy is only intended to refer to harassing, threatening, and obscene comments, then this should be restated. Stutsman agreed. Neuzil said that would help avoid some of the confusion the Board has been discussing. Nehring said the policy says that it refers to statements "including but not limited to harassing, threatening, or obscene comments."

Sullivan said he has an issue with how to define an obscenity because what would be considered obscene at work might not be considered obscene at home. A person is allowed to use bad language at home, and that is protected speech. Neuzil said the draft Policy does say "depending on the context, comments may lead to legal action and/or discipline." He thinks that part is okay as long as people understand the limitations of the Policy in referring to harassment and use of obscene language. Rettig said the sentence in the fifth paragraph which reads "Be respectful of the County, fellow employees and the public," is none of the Board's business; employees do not have to be respectful of the Board or the public, as long as they are on their personal social media account. Neuzil said it is just a nice sentence to include. Sullivan said it is not enforceable, but it is a feel-good sentence.

Nehring said the point of this paragraph in the Social Media Use Policy is to put people on notice that not everything is okay to express at home, just because they are at home, and there is a point where an employee's behavior could cross a line. Social media sites and blogs have the tendency to invite people to express their opinions in a permanent way. It is different than saying something in public at a restaurant because expression on a social media site results in a permanent record. The policy is advising people and reminding them to be cautious because they are leaving a public record of their opinions on these sites. People need to be aware of that.

Rettig said some behavior can result in disciplinary action or termination of employment, and she thinks that is what the paragraph intends to convey. If an employee sends a homophobic joke from their home email account, it does not warrant disciplinary action, but it does warrant disciplinary action if the email is sent from the work account. If an employee sends confidential material from their home email address and posts it on Facebook, it could lead to disciplinary action and termination. She said does not like one sentence in the paragraph, but she understands what the paragraph means. Nehring said it would be difficult to delineate all behaviors that could cross the line, and the paragraph is meant to be cautionary. If someone is using their home computer to do something that is a violation of work policy, then they may not be immune to discipline.

Freidhof said he thinks it creates a conflict if someone sends an email like that from their home to someone else who is at their workplace. Rettig said it can create conflict,

and that is why the paragraph can be vague. It is possible that an employee could harass someone from home in such a way that it would lead to disciplinary action at work if the behavior violates workplace rules. She asked for the sentence that says, "be respectful of the County, fellow employees and the public," to be omitted. Stutsman said she is okay with including that sentence. Rettig said that sentence immediately follows the words "termination of employment," so she does not want that sentence to be included. She also does not want the sentence in the seventh paragraph that states "because of this, the County requires employees to state any opinions expressed in the personal blog or social media site are of their own and not those of the County." Sullivan said he thinks that is the most important sentence to eliminate, and if it is removed, he is comfortable with the rest of the policy. Neuzil agreed.

Harney said if someone sets up a blog and identifies themselves as a County employee, he does not understand why they would not immediately post a disclaimer that their comments do not reflect the County's position. If a person does this initially, they would not have to do it every time they post something new. Harney asked if the policy should somehow address people who encourage illegal activity such as violence or harassment and then state that such activities could result in disciplinary action. Rettig said the policy does use the word "threatening." Sullivan said the policy language is "...including but not limited to..." Nehring said criminal law still exists separate from this Policy. Nehring said by including harassing, threatening, or obscene comments in the policy, the County shows that there are limits to the extent of free speech, and these provide examples of categories where someone could cross the line. The policy designates some areas, but it is difficult to list all of them. Her recommendation would be to keep the phrase "...including, but not limited to..." in the policy. This would put people on notice that other types of behavior could be grounds for discipline. She does not recommend adding additional categories.

Rettig said there is a way to keep the sentence about being respectful of the County, fellow employees and the public, which Stutsman likes by moving the final two sentences of the fifth paragraph and placing them in the seventh paragraph after the first sentence. She suggested the sentence about being respectful begin with "Employees are urged to..." be respectful of the County, fellow employees, and the public. Rettig said by doing this, a full paragraph of advice is created. The problem she has with the sentence regarding respect for the County in the fifth paragraph is that it immediately follows the word termination. Moving this sentence would turn the seventh paragraph into advice about how to behave in a professional manner. Stutsman said that would be good; it makes more sense. Sullivan said he is fine with that.

Wierman asked Neuzil if he could be more specific about what his concerns are with the language in the fifth paragraph. Neuzil said he thinks the sentence which says "...you are legally responsible for your comments..." would be made clearer if it reemphasized "harassing, threatening, or obscene comments." He said that if someone does not like Neuzil, he does not want to stop them from saying that, it is not his right to limit that kind of speech and he wants the Policy to be clear about that.

Nehring said she thinks the additional mention of harassing, threatening, or obscene comments is contradictory to the policy's reference to behaviors "...including but not limited to..." those things. Stutsman said they should leave the policy the way it is. Nehring said emphasizing harassing, threatening, and obscene comments would lead them in a different direction. Neuzil asked why then were those terms included in the first place. Rettig said just to give examples of behavior that could lead to disciplinary action. Neuzil said he is concerned about the use of the term "comments" outside of the specification of "harassing, threatening, or obscene comments." If the Policy is intending to apply this paragraph to more than just those three types of comments, then they should not list any examples at all.

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Johnson asked if the second sentence in the fifth paragraph says anything illegal is still going to be illegal under this policy. The first sentence is about County policy, but the second sentence is about the law. Harney asked why the policy does not say that all Federal and State laws are applicable. Rettig said she understands the reason for including a few examples because it gives people information about where people can get into trouble. Neuzil said he has a problem with the third sentence which states that "depending on context," comments may lead to disciplinary action. He asked who defines the contexts that are acceptable for certain comments. Rettig said an example of that would be an employee bringing something in from outside the workplace and creating a hostile work environment. Sullivan said there are many potential examples.

Johnson said the second sentence in the paragraph could omit the examples and replace them with a statement saying employees are responsible for illegal comments as defined by State law. Rettig said the comment may not be illegal. Nehring said there could be something that requires action but is not necessarily illegal. The word illegal seems to refer only to criminal actions, and she believes the policy is nuanced beyond criminal activity. Neuzil said his interpretation when he read the policy was different than Wierman's explanation that the policy is only talking about obscene comments. He asked who is defining the context. Rettig suggested maybe the policy could say something like "...depending on the legal context, or hostile work environment, comments may be punishable by legal action or discipline up to and including termination of employment," and she said her wording is not quite right. Neuzil said he is concerned that the wording is unclear and worries that a different Board of Supervisors in five or ten years may be much more conservative. He is concerned about the discretion Board's have in defining the context of punishable comments and thinks the policy should be more specific.

Stutsman asked how many Board members are okay with the policy the way it is. Sullivan said he is fine with the current wording because he does not think it is possible to list everything. Neuzil said he thought the Supervisors were trying to work on the project together so they can all support it. Stutsman said she knows that, but if Neuzil is the only one who has an issue with the wording, then she does not know if the Board needs to continue discussing it. Neuzil said he will not support the policy as it currently stands. Rettig said she is happy to get the policy done now. The Subcommittee has been

working on the draft for a year. Stutsman said the Board need to meet some kind of an agreement. Neuzil agreed with that.

Rettig asked Neuzil if he has a way to word the policy that he would be more comfortable with. Neuzil said repeating “harassing, threatening, and obscene” before the second mention of the word “comments” would eliminate his concerns, but there are problems with listing this again even though it has already been listed once. He said it does not make sense that they can list it once but that a second mention would be limiting. Nehring said the paragraph lets employees know that they could be subject to discipline, and it would take a huge volume of information to try to list every situation and even then, there would be gray areas that are subject to interpretation.

Rettig asked if Neuzil would be more comfortable if the policy did not include the wording “depending on context,” and begins with “Comments can lead to legal action or discipline up to and including termination of employment.” The sentence would then refer to the preceding sentences, which identifies harassing, threatening, or obscene comments. Neuzil said he likes the word “may” in the policy. Harney agreed. Rettig suggested removing “depending on context” so the sentence reads “Comments may lead to legal action and/or discipline, up to and including termination of employment.” Neuzil asked if that would make the policy clearly express the interpretation set forth by Wierman.

Nehring said she would disagree with that change. By omitting the phrase “depending on the context,” it is making the policy stronger in the potential for legal action. Neuzil said the policy is unclear without more interpretation. He is concerned employees would not be allowed to express their own opinions and ideas when they are not at work. He said he wants a policy that allows people freedom to make those kinds of comments. Neuzil said his biggest concern is the fact that the existing Board at any given time will determine that context.

Nehring said the courts would ultimately decide if a termination was lawful. Neuzil said it would certainly start with the Board. Freidhof said if this is an issue, maybe a citizens’ review board could be set up. Neuzil asked if Nehring is saying that a dispute does not go to the Board but rather goes straight to the court. Nehring said no; there is a whole system in place through HR. If an employee’s comments ran afoul and they kept challenging their termination, it would eventually wind up in the court system. Neuzil agreed that an unlawful termination would end in the courts, but the case would most likely start with the Board to determine if the behavior violated County policy.

Nehring said when they included the language “depending on the context” in the policy, she believed it was saying that it would apply to a number of situations and that is the reason for the qualifier statement. Harney said that was why he suggested substituting “intent” for “context,” because State laws are all based on intent. Sullivan said context is inclusive of intent; it is a broader term than intent. Nehring agreed with that interpretation. She is not necessarily committed to the current language. Stutsman asked what language Neuzil would recommend. Neuzil said he does not know at this

point, and he thinks the Board needs to move on. He will continue thinking about possible phrasing.

Rettig said she thinks the policy will have one paragraph of legal speak and one paragraph that relates to professionalism and good conduct. One paragraph addresses disciplinary action and the other does not. There may be a way to adjust the wording to make it slightly clearer, but the paragraph basically states that the County does not know the exact behaviors that would result in discipline, but there are behaviors that would lead to this. This paragraph is fair warning that people do not get unlimited free speech. Wierman suggested digesting today's comments, and think about where clarification can be made. Neuzil said he thinks this draft is really close being done, and there is nothing in it that is stopping him from moving forward.

Rettig said she thinks the County needs to include LinkedIn in the list of possible social media sites on the Departmental Social Media Use Policy so that the Policy will not already be out of date. Schultz said the Subcommittee was trying to limit what websites departments can initially have. Rettig said the Departmental Social Media Use Policy already refers to online services including, but not limited to Facebook, YouTube, and Twitter. Schultz said LinkedIn is more for personal use than departmental use. Rettig said not necessarily, she thinks the Chamber of Commerce just got a LinkedIn page. Neuzil said he uses LinkedIn primarily for work. Schultz said that is not a departmental site. Rettig said the Board of Supervisors could have a LinkedIn page.

Stutsman said the Departmental Social Media Use Policy's wording of "including, but not limited to" allows the Policy to stay somewhat current even while the social media sites change quickly. Schultz said the Subcommittee initially decided they were going to include Facebook, YouTube, and Twitter. The policy also says the sites must be approved by IT. The Subcommittee was trying to open up a few accepted websites before allowing departments to create pages on any social media website. Rettig said she is just proposing that LinkedIn should already be included on the list in the Policy. Neuzil said in relation to his position as a Supervisor, he has 90% more activity on LinkedIn than on Facebook. He said this is probably true of quite a few other employees.

Schultz asked if the Board is done discussing the draft Social Media Use Policy. Neuzil said it should include the changes they discussed. Rettig said the Communication Committee will have to decide whether there can be language that allows for employee internet use on break time. The Communication Committee should also look at the legal paragraph and combine the advisory paragraph without using the word "requires".

Rettig said she thinks the Communications Committee should add LinkedIn to the list of sites on the draft Departmental Social Media Use Policy because that site is already very popular. She said there has also been a change on Facebook regarding the group pages and how administrators could contact those people in the group. Facebook has recently changed the definition of groups and pages, and she is confused about what exactly has been done. Rettig said the Facebook standard in the draft Social Media Use

Policy says the County will create pages and not groups, and she is curious about the Subcommittee's conversation about this.

Stutsman suggested the Subcommittee discuss that. Rettig asked why they would have to specify this in the policy if a department already needs to have the website approved. Schultz said they were just trying to have standards and consistency. She said she thinks they created that wording before Facebook made their latest change. Stutsman said the County should maybe state that the policies will be reviewed regularly due to the rapid changes in social media. Rettig said she would rather IT remain current with the technology. Rettig said she hopes departments can set their sites up quickly because she is tired of other counties being ahead of Johnson County.

Schultz said the Subcommittee's intent was to create a standard so that pages for different departments in the County had some consistency and people would quickly recognize that it was a page for Johnson County, Iowa and not Johnson County, Kansas. They also wanted to make sure any departmental pages on social media sites refer to the County website as the primary source of County information. Stutsman asked if the Board is okay with the Facebook and Twitter standards so that those can be released. Sullivan said he is fine with that. Neuzil said his concern with the standards and the Social Media Use Policy is to preserve freedom of speech. He has not had any concern with the Public Health sites. Stutsman agreed that Public Health has a very good system. Rettig said she is concerned about one Twitter feed put on a website because it is not related to work. She said if the County can tweak the language to allow IT to define the Facebook group or page standard, then she would be fine with it.

Schultz asked if the Board is okay with the draft Departmental Social Media Use Policy as long as LinkedIn is added to the list of websites. Rettig and Sullivan agreed. Stutsman asked if the policies are going to be posted on the internet. Schultz said the Communications Committee is developing a departments section, and the policies would be placed there. Harney asked if the Board needs to formally approve the documents. He said the Board formally approves the Employee Handbook and these will be part of the Handbook. Schultz said these three documents will not be part of the Handbook. Harney asked what authority the policies would have if they are not adopted somewhere. Rettig said the Board does not adopt travel reimbursements or anything else, and she asked if that is correct. Stutsman said Shramek suggested that it would only need to be formally approved by the Board if it was part of the Handbook. Wierman said the portion of the Policy in the Handbook definitely needs to be approved, but she does not think there is anything preventing the Board from wanting to formally approve all portions of the Social Media Use Policy. Stutsman agreed that the Board can do that.

Harney asked what good the policies are if they are not adopted. If the Social Media Use Policy is not adopted, it is not necessarily a rule; it is just an advisory document. Rettig said the three documents could be approved at the Formal Meeting next week with some minor adjustments. Sullivan said he is fine with that. Harney asked why the Board cannot approve all of the policies at the same time, and he asked what difference a week makes. Neuzil said if the Communications Committee can complete the Social Media

Use Policy and get it to the Board by May 9, 2011, then they would be able to talk it through.

Rettig said she does not think the entire Communications Committee needs to work on the Social Media Use Policy; it would only take about three members to revise the Policy based on the Board's suggestions. Stutsman asked if Wierman feels comfortable doing that. Wierman said she yes, but she would like to run everything through legal.

Update of Economic Development Areas

Moore said he and Planning and Zoning Administrator Rick Dvorak reviewed the adopted economic development policies and maps. He said they looked at the last few years of zoning, and the County is not doing very much because of the economy. He said he and Dvorak felt that the current adopted policies are still appropriate, as are the areas where the County says it will support commercial and industrial economic development. Those areas are comprised of villages where the County wants mixed uses and sustainability. They have identified about 12 areas around the County at major interchanges for commercial and industrial development.

Moore said he and Dvorak are comfortable with the areas the County has identified for economic development, but he asked if the Board sees anything they would like Planning and Zoning staff to study further. He said Planning and Zoning is taking time to extensively research and draft an ordinance for the wind farm. Before the Board adopts the ordinance, they may want to revisit the Land Use Plan and develop stronger language addressing that. He said things are currently well in place for the Economic Development Plan for the County.

Sullivan said the County does not want to create a lot of semi-truck traffic on roads that cannot handle it. An example of this is in Sharon Center where the road is chip sealed and not technically hard surface. He asked if another type of business that would not generate heavy traffic could be located there. Stutsman said she thinks the Board could be particular about the type of business. She said currently someone has approached her about a commercial piece of property in Sharon Center that they cannot do anything with because of that road policy. She does not think the person is planning on putting in a business that will generate heavy traffic on that property.

Dvorak said Planning and Zoning has helped some small commercial agriculture businesses that were caught in this limbo by allowing them to receive building permits to expand existing facilities by up to 50% of their area. Planning and Zoning does this with discretion to placate the businesses; it helps the business expand to a certain point. He said if the owner sells the property, this issue decreases the value of their business. If a property is zoned Commercial, someone may want to buy the commercial lot and expand the building to change the use of the business. That would be an extensive change that would require site plans, but the owners would not qualify for those site plans because the building is not on a paved surface. There is no good solution other than trying to help these businesses. Dvorak said if the Board tries to solve this by saying they will support

rezoning or new development based on a minimal requirement, he does not know what the minimal requirement would be.

Sullivan said the Board does not want to create another chicken factory, and they need to be careful of this. It is not a good situation, and they do not want to recreate it. Neuzil said there are semi-trucks on a gravel road. Sullivan asked why someone would not be able to put a business on the chip sealed portion of Putnam Street in Morse as long as it does not generate heavy semi-truck traffic. Dvorak said in the Morse Village Plan, the County encourages Morse to try to work with some small commercial businesses. He said one road to the north of Morse is gravel, and the other road is chip sealed. The County theoretically encourages Morse to do something with commercial businesses, but they physically cannot do that unless they pave the whole road. Stutsman said that is not practical, so she wishes the Board could work something out while bearing in mind potential unintended consequences. She thinks this is an area where they should not have such owner standards. Stutsman said the chances of that road in Sharon Center being paved are essentially zero. Sullivan said the businesses could sign something indicating that they understand existing embargoes and that their traffic may be limited during part of the year.

Rettig said light industrial zoning implies heavy traffic and commercial zoning whose traffic would be unknown. She said if a person put a Wal-Mart in Morse, there would be semi-truck traffic even though it is a retail business. If she put an accounting firm in Morse, it would not generate semi-truck traffic. She asked if there is a way to include a provision that allows limited commercial activity on chip sealed roads in the villages of Johnson County.

Moore said he does not see why the County could not exempt the villages from the road performance standards. Sullivan said he would be scared to do that because if the business began creating more semi-truck traffic, it would force the County to pave the road due to the damage. Stutsman asked if the policy could allow commercial businesses to use a chip sealed road if they do not require a higher level of traffic.

Moore said there are definitely some businesses that would work in that case. He said Rettig used an accounting firm as an example. He said he had forgotten about some of his concerns with the villages when the policy says mixed use. The County is thinking about sustainability, but many of the villages are on chip sealed roads. This is complicated and is not a quick fix. Moore asked which Board members are on the Economic Development Committee. Stutsman said she and Harney are on the Economic Development Committee. Moore said Planning and Zoning could work with them to come up with ideas outside of the present meeting to get thoughts, and the other Supervisors can also be sharing their thoughts. He said the Planning and Zoning staff wants to make sure they are on board with the Board, but he recognized that the Supervisors serve on many committees. Harney agreed.

Harney said he is concerned that the County may not be able to restrict which businesses can go in particular areas when they develop the economic development areas.

He said something could change from a fabricating business to a place where people stock dumpsters, and the Board does not want this. He asked if there is a way of restricting which businesses are allowed in certain areas. Moore said the County could do contract zonings, even with an area that is currently zoned. They could do this by rezoning and making a conditional zoning agreement with the business, and through that, the Board could limit the use of the property to something that will not require heavy semi-truck traffic.

Harney said with the way the pallet company in Morse is zoned, it could potentially become a plant of undesirable material. Moore agreed and said the property is zoned HEavy Industrial. Rettig said the road would not be able to sustain that kind of material. Moore said Putnam Street is paved south of Morse Road to around the pallet company. Sullivan said he thought it was chip sealed, and Dvorak agreed. Rettig said it is chip sealed. Sullivan said it could have been paved and there is now chip seal over it. Moore said he is pretty sure it was a hard surface road.

Rettig said there are commercial developments that could be allowed on substandard roads or low intensity roads if they do not result in heavy vehicle traffic. She asked if they want to allow a business like that to be placed on a chip sealed road, if there is a methodical way to make that decision, or if the Board will always have to vote on that decision. Moore said he does not think the County can list every business that will have light traffic or heavy traffic. He said they have to find some way for the Board to be flexible in making a decision on whether a proposed business expansion is acceptable according to all of the County's standards.

Sullivan said if someone wanted to open a restaurant in Sharon Center and there is an embargo on the chip sealed road, then the Pepsi truck cannot drive its delivery to the restaurant because the truck is too heavy. Stutsman said in that case, the truck is carrying food, and there may be an exception for that. Sullivan said there is not currently an exception for food; the only current exceptions are for animal husbandry and grain. Stutsman said Pepsi does not spoil. Sullivan said the restaurant would have to be aware that they may have to make other arrangement; they may have to bring the Pepsi in a pickup truck or something smaller. Harney suggested setting weight limits or something else along those lines.

Stutsman said with the way the County's policies and guidelines are currently written, they will not allow any commercial development in Sharon Center. She does not think that is what the Board wants. Moore said commercial development cannot currently occur in Sharon Center unless the business is willing to pave the road or enter into an agreement with the County to pay a share of the road improvement. Sullivan said he would like to find a happy medium. Stutsman and Rettig agreed. Rettig said the County cannot afford to pave all of its roads at \$1 million per mile, and they are creating village plans because they want more sustainable communities. She said if she owned an internet business that had two employees, but no customers ever came to the office, then she would not be impacting the road regardless the type of road. She is hoping there is some flexibility for this type of business. Moore said the County could allow a

conditional use permit for a home business with up to two outside employees. Rettig asked how this would be handled if she did not own the home but wanted to use someone's garage space in Sharon Center. Sullivan said there is a man in Cumming who repairs Wurlitzer jukeboxes, and he has four or five employees and a couple of garage doors. He said nobody would know what goes on in that little place, but that is where those repairs are done. Cumming is a village south of Des Moines.

Dvorak said he spoke to a grain company and negotiated an agreement for a renovation of adding another bin. He said there are things the County can do to accommodate this as long as the renovation is less than a 50% increase of the building's area. For example, the new bin would have to be built higher and not as wide. Dvorak said the business does not have to meet all the requirements; they receive a building permit if it is less than a 50% increase. The accommodations are discretionary. If the chicken plant requests a 50% expansion, he is not going to grant it because of the impact it would have on the roads. He said he can help small businesses, but the County does not have to be as lenient with big businesses. He thinks the majority of the Board is in agreement to have Harney and Stutsman work with Planning and Zoning on this topic. Dvorak agreed with Moore that there will not be a quick and easy answer to this issue.

Sullivan left at 11:33 a.m.

Rettig agreed but said she would like a little more flexibility to allow commercial businesses on chip sealed roads. It may even be possible to allow commercial businesses on gravel roads, depending on the business, as long as they do not produce intense or heavy traffic. Dvorak said Neuzil Excavating has heavy equipment, but it only produces seasonal traffic. The County does not want its roads to be destroyed, but a bad business could do so. He said the County needs to be cautious in opening up the opportunity for businesses to be located on chip sealed roads.

Dvorak said the concern extends beyond the new commercial development; the County must also figure out how to deal with its existing businesses. Stutsman said with the price of gas, the County will probably have more requests from people who want to work closer to home and not have to drive into Iowa City for their small business. Moore agreed. He said he is currently chasing down three lawn care businesses that have relocated to County jurisdiction southeast of Iowa City. He received a complaint from a lawn care service in Iowa City that wanted him to enforce the County's ordinances for those other lawn care businesses.

Moore said if it is okay with the Board, he and Dvorak can work with the Supervisors who are members of the Economic Development Committee. He asked for the other three Board members to write down the issues they would like the Economic Development Committee to address. Rettig asked if Moore wants the Board members to write down concerns in addition to what they have already stated. Moore said yes and said the Economic Development Committee will then know all of the Supervisors' concerns or issues. Stutsman said Johnson is also a member of the Economic Development Committee.

Rettig said this relates to the tour the Board took on May 3, 2011 and how the County promotes and allows economic development areas. She said the promotion of local foods and value added agriculture is part of that. The Board will need to find a way to be flexible on some of this. Dvorak said Planning and Zoning staff are not familiar with what occurred on the tour. Rettig said the Board toured three greenhouses, an auction barn, and a creamery. It is clear to her that there is a path for the County to be more flexible, and she wants the Economic Development Committee to find it. When a family can add \$10,000 or \$15,000 per month to their agriculture, the Board needs to find a way to let that happen. Dvorak said he and Moore do not know what the issue is.

Neuzil said the topic brought about by the tour should probably be discussed as a separate agenda item for the Board to address as a local foods initiative under Strategic Planning. Moore said Planning and Zoning tries to look at agricultural businesses. When the creamery was first established in the County years ago, it was initially zoned as commercial/industrial use on the border. However, Moore said he felt the County should help the business since it supported agricultural users. The creamery was also on two paved roads. He said the Economic Development Committee consists of County Treasurer Tom Kriz, Budget Coordinator Rich Claiborne, Johnson, Harney, Stutsman, Moore, and Dvorak.

Rettig said Neuzil's advice on the local foods topic is to put it on a future meeting agenda so the Board can have a group discussion. After that point, a committee can work on it. Neuzil said this topic is in the Strategic Plan under Quality of Life. Stutsman said one of the biggest issues is that the greenhouse owners do not want to be inspected, and the Board needs to determine how the County could work with that. She said it is ironic that a greenhouse on 40 acres is not inspected but a greenhouse on ten acres is. Dvorak said it is the same way with houses and other structures.

Moore said Dvorak was not present at a recent Board Meeting at the Health and Human Services Building where the whole Board talked with the local foods people and Iowa Valley Resource Conservation and Development Food System Planner Jason Grimm. He tried to inform Dvorak of what was discussed. Rettig said two Board members are scheduled to have a liaison meeting with Dvorak on May 23, 2011, and they can put this item on a Work Session agenda after that. Johnson said this fits in with the Board's review of the definition of "farm."

Neuzil asked if there was any change with the maps and locations of the six or seven identified locations. Dvorak said he brought up the Morse Road and Newport Road interchange in 2004, and the Board may want to revisit that intersection. Neuzil said it was a commercial area. Stutsman said she would like to see all those areas in question. Dvorak said all the information is on the County website under Economic Development Policies, and the map is with it. Moore said on the website, there is a written part first and there is a map further down on the page. The Morse interchange is not on the map, but he thought the Board could discuss that more.

Rettig said the Board is supposed to re-read the economic development policies, offer advice to the Economic Development Committee, and the Committee will then work on this issue. Dvorak asked Supervisors to include which types of businesses they would like the Committee to address and possible ways of working these businesses in. Neuzil said the other spot he remembers the Board discussing is the corner of Ely Road and Highway 382. Dvorak said it is included in there. Moore said they wanted that to support recreational and residential opportunities in that area, especially as more subdivisions are built. Neuzil said Ely Road will be upgraded in the next few years. Moore said the Highway One and Morse Road intersection is not included because when the County adopted these policies, the majority of the Board did not want it because of the current zoning. Neuzil said it partly relates to the traffic, as well. Harney said there is zoned property on the other side of the street. Moore said since the Board discussed this, the Iowa Department of Transportation has made improvements to each of the intersections on Highway One. He said a private entity also recently made improvements to that intersection.

Internal Processes, Expectations, and Other Operational Issues of the Board of Supervisors Office

Johnson said a meeting with Social Services Coordinator Amy Correia will be postponed due to another scheduling conflict. Harney said the Board will need to reschedule the agenda item with Correia. Stutsman asked if Correia can be placed on the May 25, 2011 meeting agenda. Rettig said they have rental housing on the agenda for that meeting, and it will probably take the whole morning. Neuzil said one of the issues Correia is discussing pertains to rental housing. Stutsman asked if Correia can be put on the agenda for the same meeting. The agenda item can always be moved again if necessary. Board members discussed scheduling. Neuzil said Correia's concern pertains to whether the County has a rental code, and she has some issues with some of the rural areas. Johnson said Correia is looking for some direction on the funding that was budgeted for rental housing, and she is also looking for ideas regarding the Innovation Fund.

Neuzil said the April Elected Officials Meeting is cancelled and Johnson confirmed. Neuzil said the next Elected Officials Meeting is scheduled in July 2011.

Adjourned at 11:46 a.m.

Attest: Tom Slockett, Auditor
By Courtney Fisher, Recording Secretary