

**MINUTES OF THE INFORMAL MEETING OF THE JOHNSON COUNTY  
BOARD OF SUPERVISORS:  
JULY 27, 2011**

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Chairperson Harney called the Johnson County Board of Supervisors to order in the Johnson County Administration Building at 8:30 a.m. Members present were: Pat Harney, Terrence Neuzil, Janelle Rettig, Sally Stutsman, and Rod Sullivan.

**JOINT MEETING WITH THE VETERAN AFFAIRS COMMISSION  
Staffing of the Veteran Affairs Office**

Veteran Affairs Director Leo Baier said he comes in at 10:00 a.m. each day and works until 4:30 p.m. Those hours do not fulfill the eight hours per day mandated by the State. The mandate requires the office to be staff between 8:00 a.m. and 10:00 a.m. also. Sullivan clarified Veteran Affairs is short by an hour and a half in staffing hours. Baier said they are short two hours. He takes a half an hour lunch break.

Neuzil said the idea was there would be a sign at the door saying if someone needed assistance they can go upstairs to Social Services Clerk I Jessica Beck. Baier said he has no objections to that. He said his answering machine is on 24 hours per day and asked if that would impact the number of hours in any way. Neuzil said that is probably better. It provides them with more coverage. Baier asked if he should just leave the answering machine on.

Rettig said the Iowa Code does allow the County to have administrative support. It is unclear whether that administrative support has to have the same level of training as the case worker. She said she thinks that is a matter of argument whether that is the case. She thinks that would give them more coverage than mandated because if Baier is absent for various reasons, nobody is in the office. Whereas, in this case the Social Services offices is open from 8:00 a.m. to 4:30 p.m.

Rettig said she does not know if Information Technology could work out a system where Baier could put in a code and calls to the Veteran Affairs Office would be forwarded. Sullivan said that is already in place, everybody has that. Rettig said Social Services staff could say "Social Services/Veteran Affairs" when they answer the call. The only question would be whether they could schedule appointments for Baier. The only way they could do that is if Baier starts using Microsoft Outlook. If nothing else, they could take a message for Baier. She said she read the Iowa Code and it seems to allow this pretty clearly.

Harney said anyone serving Veterans through this office has to have the training. That is why they were given \$10,000 per year to help provide the training. Rettig said Social Services would not be providing services, they would only be handing out a packet and scheduling appointments. Harney said but they are helping administrate the program. The State gives Veteran Affairs \$10,000 to spend towards training. Rettig said the problem is, in Mental Health/Disability Services and Social Services, when Beck is gone, someone else fills in. It is not practical to train 15 staff members to cover lunch hours, and the Iowa Code says the people delivering services have to have the training, not the person providing administrative support.

Stutsman said former General Assistance Assistant Erin Good is returning to work for the County as a practicum student. Baier said he wishes Good could come back to Veteran Affairs. Stutsman said she thinks they all would. She said Good has had the training and if there was an emergency, they could talk to Social Services Coordinator Lynette Jacoby about contacting Good. Baier said Good is accredited like he is.

Stutsman said at one time, the Board tried to get an exemption from this mandate and she thinks they need to pursue that again. Baier said he would be happy with that, and thinks the Veteran Affairs Commissioners would as well. Stutsman agreed they need to try again. She said Iowa Governor Terry Branstad jumped on the 24 hours per day, seven days a week law that the Iowa Department of Human Services was trying to impose and got that changed. Maybe there is an opportunity here to say this is costing the County a lot of money, and furthermore, she thought the \$10,000 was supposed to support staffing, not just training. Rettig said it is still a waste of money no matter who is paying.

Sullivan said the Board does not want to cut services to veterans. That is not the goal. They just want to apply common sense to the situation. He thinks for the two hours a day when Baier is not in the office anyway, that is \$30.00 per day in salary that could be putting into the services they are providing. Baier said the sky does not fall when he is not there. Rettig said she thinks they should use the second floor office in the Health and Human Services Building when Baier is gone. A sign can be posted to direct visitors to and phone calls can be rolled over to Social Services if Baier wants to do that. If they need to send a second person to training they can think about that.

Baier said they could give this a try. Stutsman agreed. Sullivan said he thinks Baier was talking about having Beck take messages only. He said Baier will have to meet with

Beck and figure out exactly what he wants her to say to callers. She is very bright and will pick up right away. Baier said he would be glad to do that.

Medical Examiner Administrator Mike Hensch said he is not in favor of reducing Veteran Affairs Office hours. There is an influx of veterans returning from Iraq and Afghanistan, and the literature says veterans are having more difficulties than in the past. He is in favor of using the services of Social Services employees to answer phone calls and greet clients. Those employees do not have to be trained to the same standards. He is highly in favor of having a person for clients to speak with when they visit or call the office. He is not in favor of asking the State for an exemption for Johnson County. He does not want the County to ask for something they will regret in the future given the workload will increase.

Rettig said with this system, there is no problem being open from 8:00 a.m. to 4:30 p.m. every work day of the year other than holidays. Sullivan says he thinks Beck works until 5:00 p.m. Rettig said the problem is if in the future the State requires training for everyone who answers the phone or speaks to callers. She pointed out that people cannot just walk in and see a social worker on demand, even with General Assistance, people have to schedule an appointment.

Hensch said he has read the Iowa Code pretty thoroughly and does not interpret it to mean that anyone who works there has to have the training. He thinks it is pretty clear in a couple of sections that only service providers have to have training. He thinks they need to take advantage of interdepartmental collaboration to expand services rather than contract them. Stutsman clarified that she was not advocating contracting services whatsoever; she wants to take a practical approach by maintaining their services and not unnecessarily spending money. She would rather the \$30.00 go towards services. Stutsman agreed with Rettig that Baier needs to use Microsoft Outlook. It is easy to use and if she can use it then he can too. Baier said uses Microsoft Outlook all the time. Sullivan said the benefit to using Microsoft Outlook is that the people answering Veteran Affairs' calls would be able to access Baier's calendar and schedule appointments. Baier said he could pursue that.

Harney said the bottom line is making sure services are provided during the mandated 40 hours per week. The State has denied the County's prior requests for exceptions. Baier said he could draft another letter. Harney said no. Rettig said they should do this and discuss it only if the State has an objection. According to the Iowa Code she does not see anything wrong with what they propose. They would actually provide more coverage because the phone would be answered eight to nine hours per day.

Baier said he would send a letter if that is what the Board requests. Harney said no, they have already sent three or four letters. They will assume they are providing services in accordance with the mandate unless they are told otherwise.

### **Indigent Veteran Burial Allowance**

Baier provided the Board with a copy of the New Burial Benefits Allowances/Guidelines. Hensch said funeral home directors regularly convey to him that the \$2,500 appropriated for indigent burials is insufficient. He said that grave opening and closing alone costs \$700 which leaves only \$1,800 for the funeral home. This is not enough money for the funeral home services which include picking up the body, preparing the body, casketing, cosmetic services, and a viewing. He said he is not in a position to say whether that is appropriate or not, but he has received many comments that it is not and so since this has not been discussed for four years, he thought it was time the conversation take place.

Stutsman asked if veteran's families qualify of this benefit as well. Baier said right now, \$2,500 is assigned for the burial. The Iowa Department of Veterans Affairs will allow a \$300 burial and a \$300 plot allowance. If a veteran is in receipt of compensation, pension, dies in a Veterans Affairs hospital, or Veterans Affairs nursing facility the Iowa Department of Veterans Affairs will pay \$600 upfront. If a spouse is involved, the \$255 social security benefit will also be payable. He has been starting out with the \$2,500 and deducting \$600 and Johnson County Veterans Affairs would pay the balance. Last year, Veteran Affairs paid on six burials and the year before that they only paid on three. In FY10, they paid out the following claims: two at \$2,500, one at \$2,300, one at \$1,800, and, two at \$2,000. When a veteran dies, a grave marker will be furnished by the Iowa Department of Veterans Affairs, but the installation is extra. He said Hensch suggested the County could pay for the installation or the concrete and Baier thinks that is a good idea.

Hensch said the Iowa Code says the commission "may" pay for the grave marker, but then an indigent family will not have the means to pay for the concrete foundation. Rettig said the guidelines say "less". If someone qualifies for \$600 from the Iowa Department of Veterans Affairs, it would be \$2,500 minus \$600. If someone had other pension benefits or another eligible benefit, it would further reduce that. Baier said yes. General Assistance has always paid the \$2,500 maximum as well. Stutsman clarified that memorials are not included. Baier said he has always felt that memorials are a personal thing, so he has excluded that and the Board has agreed with this approach.

Baier said when clients present an itemized bill, Baier discusses an amount the client could pay and when Baier suggests a reasonable amount, the clients usually agree. He then deducts that amount from the \$2,500. He said he feels memorials are personal. Rettig said the guidelines apply to "families of veterans" and asked for the definition of family. Baier said it means they were married to the veteran. They recently had a burial for a surviving spouse of a veteran. Rettig clarified that family means surviving spouse and no one else. Baier said it also includes a child 18 years or younger.

Rettig said their definition of family of a veteran is "surviving spouse or children 18 or under". She asked if the definition of surviving spouse is governed by federal government law or State law. Baier said federal law. Rettig said the federal government does not define marriage, the State government does. Baier said if that happens here,

they will honor it. Rettig clarified that Baier would honor any state marriage certificate. Baier said he would honor that, he would not quarrel with that one bit.

Stutsman asked Hensch if he knows how many veteran burials the funeral homes have supported. Hensch said no. They are reticent to say anything like that because they want to be able to provide services to needy families, but they are also a retail business. Hensch agrees with funeral home staff that it is not their responsibility to provide charity for all the indigent people in the county; that is the government's responsibility.

Harney asked who pays for the plot. Hensch said is deducted from the \$2,500. Harney asked if there is a charge if they are buried at the Veteran's burial site near Des Moines. Baier said they start out with \$2,500 and does not itemize. He said General Assistance does it differently and have several things itemized. He said he likes brevity which is why he tried to make it as simple as he could by starting out with \$2,500 less these deductions. It seems to work out well so far. He has not heard complaints. Prices have gone up and Hensch has a valid question.

Sullivan said it would make sense for the sake of consistency if they were going to raise this one, they would need to raise the General Assistance as well. Baier said they could not discriminate between the two programs and would have to treat both sides fairly. Rettig said she would rather do it incrementally as opposed to a gigantic increase every four years. She agrees that General Assistance and Veteran Affairs should be the same anyway. Neuzil said they have been trying to match those two anyway. He asked if it could hold off until the next budget year. Baier said he does not think this is urgent, but thinks it is worth discussing. Stutsman said she would like to know what other county Veteran Affairs offices are paying for burials. Hensch said that varies county to county. Some counties do not pay for General Assistance burials and expect funeral homes to donate the service.

Stutsman said if there is a contract which limits the amount of money that any one veteran can receive. Baier said they are talking about indigent burials. If a family wants to spend \$8,000 or \$10,000 they will have to figure out how to get that money somewhere else. Harney said General Assistance does not allow for flowers or anything else and he does not think Veteran Affairs does either. Baier said they do not get into that. Harney said the Board will take a recommendation before budget season for that service. Stutsman said is should be consideration of raising the allowance.

Veteran Affairs Commission Chair RJ Moore said he does not have a concern about whether the funeral homes are making money. Cremation is an option. He said he will not be able to afford a huge vault when he gets buried or cremated. Moore thought when Hensch first broached the subject it had more to do with Baier negotiating with families to see how much they would contribute towards the burial costs. He said Hensch felt Baier should not be negotiating since they had \$2,500 per burial and they should make that available in full. He said he does not agree with Hensch, he likes the fact that Baier is conscious of the budget they have and tried to stay within that budget. There will be more demand on these services in the future. But as a County government, they have

responsibility to their budgets and thinks it is appropriate for Baier to negotiate with indigent families to try to keep their costs as low as they can so they can provide more of this service.

Stutsman said cremation costs are comparable to burial costs. Rettig asked Hensch how much a cremation costs. Hensch said the lowest he is aware of within the County is \$1,800. Rettig said cremation is an individual choice and people have emotional ties to that. She does not want to force a family to make that choice. Hensch said they cannot legally do that. Rettig said she does not think the not-so-low cost of cremation should drive their spending decisions. Baier said cremation is \$1,800 is the very bottom line.

Harney said he does not want to dole out the maximum amount if the family doesn't need it, some families can afford more and he thinks it is up to Baier to negotiate what they need to supplement. Baier said every family is different and each must be treated with respect. Rettig said her only problem with negotiation is if it is arbitrary or subjective. She would rather base decisions on household income.

Harney said if there is a family plot that was left for someone, the County should not have to pay for that. Sullivan said in reality, the clients are indigent and he doubts many people have a lot of money to throw around. Hensch concurred fully with Sullivan.

Sullivan said Baier, Hensch, and Jacoby need to meet with funeral directors to reach a agreement. Baier said they frequently work with the funeral directors and work well with them. Harney said the commission needs to be in agreement on how they approach the negotiation.

## **DISCUSSION OF KEY ISSUES**

### **Recap and Progress Report of Items Discussed at the June Key Issues Meeting**

Executive Assistant Andy Johnson said the Board discussed the site plan review requirements, the building code amendments for greenhouses, and renaming a small section of Cou Falls Road. He said he thinks Planning and Zoning Administrator Rick Dvorak is following up on those. They talked about the Sustainability Assistant and Grant Specialist and those interviews are ongoing. Interim arrangements for Social Services are in place. The proposal regarding the General Services Administration property was sent. There has not been much progress on the Economic Development/Quality of Life grant process.

### **E911 Board Representation**

Assistant County Attorney Susie Nehring said when the E911 legislation was first passed in the 1980s, various counties set up E911 commissions. Like many other counties, Johnson County never finalized an official version of bylaws. As Nehring began reviewing the requirements in the Iowa Code, she learned that in setting up an E911 Board each political subdivision is required to have one representative. When this was first passed some counties were concerned about the ability to add additional people,

but the opinion of the attorney general's office at that time was that the Iowa Code mandates that each political subdivision has one representative and any other participants would not have a vote. Many counties have a representative from the Board of Supervisors and the Sheriff's department.

Sullivan said the way it has previously worked for the Johnson County E911 Board is that a member of the Board represented the County. In this case, Solon decided to appoint the Sheriff as their representative, but that is no longer acceptable. Stutsman asked if the person has to be an elected official. Sullivan said they do not have to be elected. Nehring said it could be the Sheriff because the Sheriff's Office provides law enforcement to Solon. She said Iowa Homeland Security and Emergency Management has taken the position that it can only be a representative of the County if the County is not otherwise represented.

Harney said he might be confused because Solon Firefighter Greg Morris was a representative and voted. Sheriff Lonny Pulkrabek said Morris was on the Emergency Management Commission not E911. Harney said they were run together. He said he always thought Morris was representing Solon. Pulkrabek said he does not know that they were run together. They were separate meetings. The E911 Board meets once or twice a year and Emergency Management Commission meets monthly.

Nehring said Iowa Homeland Security and Emergency Management says there cannot be two voting members from Johnson County as members of the E911 Board. Rettig asked who at Iowa Homeland Security and Emergency Management has said this. Nehring said the person who has been tasked with looking at the issue of gathering bylaws from all the different counties. She said they have been doing this statewide and working with a number of counties because they discovered there was a great deal of misunderstanding throughout the State. It is not that Johnson County is unique, this confusion is very widespread. They are working to get everybody into compliance.

Rettig said she does not understand how they could supersede a local government's authority to appoint whomever they wanted. She asked if they could appoint a deputy sheriff who is an employee of the county or if everyone who works for a county is off limits. She said she would think a city could appoint whoever they wanted.

Nehring said the Board can appoint whoever they want, but they can only have one voting representative. Rettig asked if it would be okay for Solon to appoint Pulkrabek or Sheriff's Major Steve Dolezal. Nehring said she believes Solon can designate who they believe is appropriate unless they pick somebody that is already representing a political subdivision.

Rettig said Sullivan is representing Johnson County so if Solon appoints Pulkrabek, it is not okay. She asked if it would be alright to appoint any other County employees. Stutsman asked who the Board's representative would be. Nehring said that it the question she is presenting to the Board today and the Board does not have to decide today.

Pulkrabek said he thinks that because of his position as a representative of Johnson County he cannot also be a representative for Solon. He asked if Lieutenant Gary Kramer, who lives in Solon, could represent Solon or if he would be considered by Iowa Homeland Security and Emergency Management as not a representative. Rettig said her question goes beyond that. Right now, her understanding is that Sullivan is the representative of Johnson County and Pulkrabek represents Solon. She said she does not understand how Iowa Homeland Security and Emergency Management can dictate to Solon whom they will appoint.

Nehring said she is not entirely sure that there is an official designation by Solon. Rettig said nonetheless, they should ask that question. This is the same thing they had with East Central Iowa Council of Governments. They wanted the little cities to have the ability to appoint someone, but they realized that they are very part time in a lot of cases and may choose to appoint someone else. She said she thinks this is the same argument. Solon, and other cities, should have independent authority to appoint whoever they wanted. If they happen to be an elected official or an employee of the County, she does not know where that is the State's business. Stutsman said it sounds like it is just saying it cannot be two elected officials from the County. Rettig said they did not actually say that.

Sullivan said because there are so many counties that do not have a lot of law enforcement agencies, he assumed this was happening a lot. They are hearing that over half the counties have this kind of arrangement. Pulkrabek said almost every sheriff he knows serves on an E911 Board. Sullivan said he thinks this is going to be an issue for Iowa State Association of Counties (ISAC). He asked Pulkrabek if the Iowa State Sheriffs and Deputies Association is going to bring this up. Pulkrabek said he does not know yet but will be happy to bring it up at the legislative meeting on August 17th.

Harney asked if the representative for Solon would have to be Solon resident. Nehring said it has to be somebody that is designated by that political subdivision. She was told that if they had a Supervisor as a representative they could not also have the Sheriff.

Rettig asked if Solon could appoint the Sheriff by resolution or whichever means they have to appoint someone. Nehring said she asked and was told no. Rettig said the Board needs more direction and asked if all 500 County employees could not be appointed or if only elected officials couldn't be appointed. She said many County employees are volunteer firefighters and Rettig wondered if they could ever serve. Nehring said she doesn't know the answer to that. There is not an official process for appealing that.

Rettig said she agrees with Sullivan that this is a problem for ISAC to figure out. Sullivan said most counties are smaller than Johnson County and have only one or very few law enforcement officers. Once the Iowa State Sheriffs and Deputies Association gets wind of this issue and starts complaining to Governor Branstad, they may be able to get this fixed. It is an administrative, it is not a law.

Pulkrabek asked Nehring if there is a deadline. Nehring said she did not get the sense that there is a deadline. Sullivan said they need to speed up this process. The only reason it came to their attention is because Nehring is redoing their bylaws. If a county submitted bylaws a couple years ago that were deemed acceptable, they would not be aware of this.

Rettig asked if there are 12 members are on the E911 Board with 11 cities in the County. Neuzil said there are technically more than that. Pulkrabek said there were 21 representatives at one point. Nehring said the Administrative Code does provide that the E911 Board can designate an executive board to conduct their business. In many counties, the people on the executive board were not qualified to be members of the E911 Board. She was told that if that was the situation, it needed to be fixed as well.

Rettig said she thinks Solon should have the right to appoint whomever they want. She said she thinks this is an ISAC issue for 99 counties to figure out and get the same interpretation with the same requirements for all 99 counties. There are probably 70 or more sheriffs on their respective E911 Boards. Nehring said in the meantime they could get official word from the various municipalities as to whether they want the Sheriff to be the representative and then submit that.

Rettig asked how they get to 21 representatives. There are only 11 cities in the County. She said for her the question is whether they have independent authority to appoint whomever they want. Nehring said there are independent fire districts. Sullivan said the West Branch fire district is not part of the City of West Branch, it is a fire district. It is separate. Nehring said they serve Johnson County areas. If there is a political subdivision that serves an area in Johnson County, even if the named municipality is not in Johnson County, then they also get a seat.

Pulkrabek said a very small section of the Lisbon fire district is in Johnson County, but part of the City of West Branch falls in Johnson County. Sullivan said Kalona is the same as Lisbon, they are out of the County but their fire district partially serves Johnson County. Pulkrabek said West Branch's representative was the fire chief for years.

Rettig said she thinks they should give an ISAC attorney a memo of everything they have learned with all the questions they have raised and ask what they are going to do about it. It is not just Johnson County's problem. Pulkrabek said he will work from the Iowa State Sheriffs and Deputies Association side. He asked for a copy of the memo. Stutsman asked if Nehring would continue writing the bylaws during the interim. Nehring said she has a draft and thinks they need to have another meeting with the E911 Board to discuss where they are at with the bylaws and members.

Sullivan said it has been so long since many of the cities have addressed this issue. He said he thinks they need to tell all the small communities to review the new document and decide who their appointee is.

Stutsman said Sullivan is the Board's E911 Board representative and thinks he should contact ISAC and see what the best way to go is. Sullivan said he would be happy to call ISAC Executive Director Bill Peterson to see what he says.

Sullivan said a fair amount of money goes to E911. Neuzil said the Supervisor has always been the Chair, partially because the County is the fiscal agent. Sullivan said he will talk to Peterson and provide him with Nehring's telephone number in case he wants to follow up with her.

### **Gender Balance on Boards and Commissions**

Johnson said Nehring has determined the Building Code Board of Appeals is not required by Iowa Code. He said they have an inquiry into MH/DS because they both had a hard time figuring out the Targeted Case Management Advisory Board. He referred to the Board's packet and said the second page is a sample of some work Iowa City did last year as they were looking at this and the format their council receives when there is an appointment vacancy. He said his understanding is that Iowa City strives for gender balance on all boards.

Rettig asked what information is on the confidential page. Johnson said they have a confidential sheet that each applicant fills out to indicate any businesses they have connections to. Rettig clarified it is a conflict of interest sheet. Stutsman said it says the council may appoint any qualified applicant without regard to gender. Johnson said that applies after the vacancy has been advertised for 90 days.

Rettig said the press release could say the commission currently has seven members and the gender balance is 5-2, females or males are highly encouraged to apply. Nehring said it could say preference will be given to male or female applicants to meet gender balance requirements.

Sullivan asked if everything was included because he thought there would be more than would fit on one page. Rettig agreed. She said the process for appointing only one person is not included, like the E911 Board. Neuzil asked how metropolitan planning organizations and library boards are going to handle it. Rettig said they discussed library boards in the last appointment and it did not matter which way they went. Sullivan said the Iowa City Library Board of Trustees is included in the packet, but only Iowa City's. They also appoint someone to Solon. Stutsman said she thought they only made recommendations and Iowa City actually made the appointments. Sullivan said yes that may be correct.

Johnson said on boards like the library boards, they are appointing one person to a seven member board and so Iowa City could be responsible for achieving gender balance can be the city's responsibility. Harney said the Board would not really have control over gender balance on the E911 Board. Nehring agreed and said each municipality would designate their appointee. Rettig said but all collectively would be responsible if they did not advertise it for 90 days and did not have gender balance. Stutsman said that

would be their issue. Rettig said all entities would be responsible for it. Neuzil said he is curious as to how the code reads, because he does not know who would be responsible.

Harney said he thinks it is similar to the magistrate appointments. Rettig said the boards created by Iowa Code would be subject to this law. Neuzil said it is not really the Board's responsibility. Stutsman agreed. Sullivan said there are no women on the E911 Board.

Rettig said the code says something about not applying to elected officials. The Conference Board is made up of the five Board members and seven Iowa City City Councilmembers. Sullivan said no one could do anything about it if the public elected all females or all males.

Nehring said the Iowa Code does provide that anyone who has previously been a member that they want to reappoint prior to January 1, 2012, they can reappoint even if it maintains a gender imbalance. She said she wanted to make sure the Board knew that. They do not have to throw people off as long as their term expired prior to January 1, 2012. If there are any appointments between now and then, even if the reappointment creates a gender imbalance that will be accepted.

Stutsman said the challenge is going to be the Veteran Affairs Commission. Neuzil asked if the Empowerment Board is included. Stutsman said they are not responsible for appointing that Board, they have one representative. Neuzil said the Empowerment Board was talking about it.

Rettig said she thinks they want gender balance on all these commissions, but she thinks they also want diversity. She said she thinks they should follow the gender balance requirements for all commissions.

Johnson said in Iowa City's example, if a term expires July 31, 2011 the goal is to have the Council make the appointment in July. If they do not have the gender balance, they are going to be behind. Sullivan said they are going to need to start advertising quite a bit earlier. Rettig said she does not agree with the way Iowa City is doing it, because they can leave commissions shorthanded and they cannot get quorums. She said she thinks they should do the reverse by backing it out 90 days. If the term ends September 30, 2011 they should already be advertising for it. If someone is on a commission where the City Council or the governor could not get its act together to get them an appointment, nobody could even go on a vacation because they cannot get to a quorum. She said she would rather start earlier. Johnson said he is not sure how Iowa City does it.

Sullivan said they have to advertise for 90 days and at that point they could make a different decision. They would have to think about the 90 days being at least two weeks before the end of the term. If the term ended June 30, 2012 they would want the 90 days of advertising to be done around June 1, 2012 so they would have a couple weeks to appoint who they wanted. Johnson said essentially they are starting to advertise 105 days

before the term is done. Rettig said because of their two-week appointment process. Sullivan said that is good so they can start. Sullivan said once they create a calendar, Secretary II Jo Hogarty can follow the calendar. Rettig said she would redo the forms, the cover letter, and the press release.

### **Request for Proposals for Fleet Study**

Johnson said he emailed the Board a draft they have been working on with Scott County. He said he, Budget Coordinator Rich Claiborne, Information Technology Director, Stutsman, and Sullivan have been looking at what they wanted to do. It turned out that Scott County was interested in doing the same thing and they have taken the lead in preparing the Request for Proposal (RFP). The proposed phase one and phase two are included at the end of the draft packet. Each county could choose one or both phases.

Rettig clarified that if when they hire the contractor, it would only be for phase one for both counties, with the option for phase two at a cost to each county if they chose to move on. Johnson reviewed four scenarios: they could not hire anybody, they could do phase one together, phase two could be priced for either Johnson County or either Scott County or a combined price. There are just a couple firms who do this. The firms have indicated that the primary savings would be in travel expenses and using the same benchmarks. Sullivan clarified they would use each other as benchmarks.

Rettig said the benchmark she looks to is that Scott County has 30,000 more people than Johnson County but 150 fewer vehicles. Stutsman said Scott County does not have an ambulance service. Sullivan said they do not run their SEATS. Rettig asked if those are the two programs that make up the difference. Johnson said 280 vehicles is everything Insurance Associates of Iowa City Partner and County Insurance Agent of Record Robert Saunders has on the list which includes some trailers and other things. They may need to revise the list, but he has not had a chance to verify that they are looking at the same thing. Sullivan said it includes a mobile wood chipper that Conservation has but he does not consider that a vehicle. Rettig clarified that if it has a license plate on it, it is included in the County's 280 vehicles.

Rettig said she is glad they are doing this with another county because hopefully firms are willing to bid lower for a bigger project. Sullivan said the more he, Stutsman, and Johnson looked through what Scott County was asking for, they realized they were interested. The consultant could set a flat rate for oil changes which then becomes the county rate and if anybody in the community is going to change oil in a county vehicle, they do it at the set price. They could also say that the SEATS mechanic will be responsible for all the oil changes. The consultant will tell the county what that would save.

Johnson said the Springstead firm thought it would cost \$10,000 to \$12,000 for phase one. Another firm estimated about \$50,000 for the whole project. Sullivan asked if that was per county. Rettig said that is the cost of two vehicles. They buy tires and oil changes all over the County and she has no idea who negotiates for these products and

services. The potential for savings is huge here. Harney clarified that Springstead's estimate is \$10,000 to \$12,000 just for phase one. Johnson said yes. Mercury Associates, Inc. is a company that just does fleet management and said the whole package would cost \$50,000.

Harney said he gets nervous considering paying a flat rate for an oil change because in the past this is what Iowa City did and the Iowa City Police Department ended up paying \$100 per oil change. That is not a savings. Sullivan said hopefully the firms will give them data so they do not make any mistakes like that. Stutsman said there will be many decisions to be made depending on how they want to go with it, this is just the beginning.

Rettig asked if the Board has to vote on the RFP at the next Formal Meeting. Johnson said it would probably be a good idea. Harney asked how Scott County is going to decide upon a firm. They need to work together if they are going to do the same interviews. Johnson said Scott County has scheduled August 25th through September 9th to review and interview.

Stutsman said they let Scott County take the lead because they were further ahead in the process. Rettig said each county would appoint five people but that she cannot volunteer because she will be gone in September. Sullivan said Schultz has been pretty involved in the process because there is a definite role for IT in fleet management.

Recessed at 10:00 a.m.; reconvened at 10:06 a.m.

### **Heating/Cooling System in the Administration Building**

Kempf said heating and cooling is an issue for the entire Administrative Building. He said County Assessor Bill Greazel has brought in an example of a ceiling tile that got wet and displayed that it is dirty and has mildewed. Stutsman clarified that it has to be replaced. Kempf said yes.

He said he consulted with mechanical contractors about why it is happening and why it is happening more now than it has in the past. One explanation is that when the building was designed in the early 1980s it was designed for 5% larger capacity than what they needed. Today's standard is 30% over capacity. Some of it is due to alterations made in the building, the first floor meeting space and Human Resources Office was enclosed which added square footage to the building. Some of the problem is that the County is running at 100% capacity and barely keeping up. In order to do that when they have temperatures like this, they are creating 50 to 52 degree discharge air which makes a steel duct cold. Hot and humid air in the attic space creates condensation.

Sullivan asked if all the pipes are wrapped in the attic space. Kempf said the pipes are wrapped, but the problem is in the duct work. The duct work is not insulated in the Administration Building because they did not do that in the 1980s. Harney said they did not add space, they divided it up to make more offices. He said they have had issues with

heating and cooling since he has been a Supervisor and he would like to get a price to replace it. Rettig said Kempf proposed that in the budget and there was no support for it.

Kempf said if they are going to consider a new system, the Board should consider geothermal for this building with the field and open grass space they now have in the former Armory lot. That would give each office area individual control of their area. He said he does not think it would be that much more expensive than replacing it with a conventional system. They replaced the boilers a year ago and could relocate them to the existing Courthouse. Kempf said any solution will cost money.

Sullivan said even if they go with a geothermal system, they are still going to have to do something about the duct work because they cannot just plug it into the existing duct work and have this continue to happen. Stutsman asked if Kempf could provide the Board with some estimates.

Kempf said he asked Henneman Engineering, Inc. three years ago if geothermal energy is possible and if they have an idea of the costs and potential payback. They gave a rough estimate of under \$1 million and that was with the assumption that the well field would have to go underneath the front parking lot area. That drove the cost of the well field up. They can look at that, but the competitive pricing of geothermal has equalized if not come down a little bit in the last few years because there are now more people doing it. Stutsman said if they could have consistent heating and cooling that would be the best. Rettig said that is not what is happening at SEATS and Secondary Roads with geothermal. One side of the building is 60 degrees and the other side is 80 degrees. Kempf said they are still struggling with AJ Engineering on why that is happening.

Rettig asked what Kempf did to control the temperature in the Board room. Kempf said Johnson Controls, Inc. found leaking pneumatic line in the attic area. They were able to fix that and that gave back control of the economizer, which is a portion of the duct work that controls the amount of outside air coming in. Much more outside air was coming into the system than what the system was recording.

Stutsman said extreme weather conditions are becoming the norm and she asked how they can prepare for this. Kempf suggested hiring an engineering firm to evaluate the system and report on some options. Stutsman said she wants to do it right, and if it is going to cost a little bit more money to do it right it will serve them well in the long run. She said she thinks everyone is getting fed up. Something is not working and they need to figure out how to make it work.

Rettig said asked if there is a way to run a dehumidifier that is less expensive to bridge this couple of years until they have the \$1 million to do it right. Kempf said there are large commercial dehumidifiers. He said he would have to look to see if there was a way to tie that into the current system. The problem is that it is not coming from the air they are pushing down the duct, it is coming from the air in the attic space that surrounds the duct. Essentially, they are making the duct too cold. Harney said he agrees with Stutsman, they need to do it right. The employee productivity is down, it is either too hot

or too cold, and it just does not make sense. They are burning up energy they should not be burning up.

Kempf said they can certainly bring someone in to start the ball moving forward to actually fixing the problem once and for all, but they will just have to be prepared to put money aside. Sullivan said there Federal grants are available for efficiency. They are certainly not being efficient right now so maybe there is some money out there. Kempf said he and Harney talked about that. He said he believes there is money out there but he is not the person to go out and look for them. Rettig said there has been money the last couple years, but they are going away and in the next week they will drastically go away.

Rettig said Kempf had asked the Board to budget for this because he believed the system would die in three years. Kempf said they came close to this at the Courthouse recently when one of the compressors went out on the air conditioning unit. The condenser of the air conditioning unit at the Courthouse is very similar to what they have at the Administration Building. They were able to save the condensing unit and only had to replace one of the pumps, but that condensing pump was \$12,000. They are just reaching the end of the life expectancy on some of the equipment.

Stutsman said Kempf said the boilers at the Administration Building could go to the Courthouse. Kempf said yes, if the Board decides to put in an entirely new system. Depending on the type of system they will either utilize the boilers because they are correctly sized for 30% over the needed capacity or if they go with a different type of delivery system, they can relocate them. Harney said they need to make sure there is room for expansion, because they have always talked about having to add on to the south side.

Rettig said there are grants available to study energy use. She said she has been sitting in on webinars on hydrogen fuel cells that counties and cities are putting in their own fuel cells to create their energy use. They may be able to find a grant to produce the study to figure out where they are. She said she thinks that is the big question. It is not just the Administration Building's problem, every building is experiencing problems and the extreme weather is not helping matters. They went from open spaces to cubicles which are harder to heat and cool across the board. Beyond the fact they have problems now and they will have to fix them soon, she is not sure what the best option is to fix them. It may be something they have not even thought about or tried that is going to get them 30 years of savings.

Kempf said that is why they need to bring in an expert. Harney asked how long something like that would take. He said he wants to know what the problem is, but at the same time he does not want to spend a lot of money. Kempf said he thinks it would be a very similar circumstance to the RFQ they have now for architectural services, except on a much smaller scale. He said he thought whoever they contract with for the actual evaluation of the mechanical system in the building would also design the system.

Kempf asked if earlier Rettig was referring to Bloom Boxes. Rettig said yes, hydrogen fuel cells. Much larger counties than Johnson County have installed their own hydrogen fuel cells. It is a slightly different topic, but it is the energy use. If the County switches to geothermal, one of the problems they have is that the fans are always running. They do not always have to run. Harney said California is using a lot of hydrogen fuel cells.

Greazel said if they had a house that looked like the County Assessor's Office, they would not be allowed to sell it. He is concerned about the mold in their office space and even if the ceiling tiles are replaced, they will mildew again if the system isn't corrected. He said he appreciates the Board looking at a long-term solution, but he asked what the short-term solution is so employees do not have to live with sagging ceilings and mold above their heads. He said it was not as bad until they put in the walkway to the Health and Human Services Building (HHS Building). Somehow they are getting outside humid air above the attic from the walkway. He said he has been working in the Administration Building since it was built and they have never had this type of problem, and they had hot, humid days when it was built. He said he thinks there is a lot of hot, humid air up in the attic that is causing the condensation.

Greazel said he thinks they need to try to control the air that is getting up there. It seems to be a coincidence that this problem began when the walkway was installed. He is convinced outside air is entering the attic and hallway. It makes it harder to cool because they have hot air there, and it is causing condensation. Condensation was never a problem before they broke the shell of the building to put the walkway in.

Rettig said she thinks replacing the tiles will serve a one-day purpose, because they will drip the next day. She said that is why she asked about a dehumidifier problem, if the problem is that they have too much humidity in the attic, then they should dehumidify the attic air. She said Greazel's point is that new air is getting in. If that is true, that is easy to figure out. Greazel asked the Board could try to come up with a plan to address the immediate problem they have with the moldy ceiling tiles and the dripping. He said Kempf came in and put garbage sacks to collect the water. Kempf said any ceiling tiles that are like this, they need to change them out.

County Treasurer Tom Kriz said he agrees with Greazel. He has been working in the Administration Building since 1998 and they did not have the same humidity problems in the past but have had other issues. When they enclosed the front part of the walkway they started having heating problems. They had no heat in the Treasurer's Office. Something changed when that first phase was completed. He said he agrees with Greazel that when they connected the Administration Building to the HHS Building with the walkway, something drastically changed with the air flow.

Kriz said about a week ago a ceiling tile fell and just missed landing on a person going into the men's restroom downstairs. This is a problem throughout the building. A lot of water is water is running down walls, dripping out of air vents, and running into light fixtures within the Treasurer's Office. He said he agrees with Rettig they need to

dehumidify these areas in the short-run. There are many tiles downstairs that are ready to fall. He said he knows County Recorder Kim Painter has buckets to catch the dripping water in her office, but it is also a good sized problem on a certain part of the first floor.

Harney said it seemed like a lot of that changed when they redid the first floor conference room. Stutsman said these issues did not exist when she first started working in the Administration Building. The problems arose with each remodeling project.

Painter said she has a relatively new office chair that is now stained because water has dripped on it. She said Kempf has been very responsive. She said Maintenance Supervisor Sharon Butler and Maintenance Worker I James Miller have been over to check things out. She had to move artwork because drippings started coming down the wall and hitting that, but nothing was damaged. Recently, during a meeting she was holding around a table in her office, a big drop of water landed on her head. It creates a distraction and startled everyone. There are six to eight tiles and some half tiles that are bad, and one has mold.

Rettig said they have to get rid of the moldy tiles, Kempf needs to figure out what air is getting in, as well as whether they can dehumidify as a temporary solution. One way or another, they have to pay for it or get a grant to get a permanent solution to the heating and cooling problem, and possibly energy use in the Administration Building. Kriz said when he ran into similar problems in a bank where he used to work they contacted the architects who helped design the additions. He said he would like to know what the Administration Building architect's thoughts are on these problems because he cannot believe an architect would accept that the remodel they did on the building is falling apart. He thinks contacting the architect would be a logical next step.

Kempf said he would start with Novak Design Group, Inc. because they engineered the skywalk and also did the most recent remodel.

### **2012 Legislative Priorities**

Stutsman said it is time for the Board to start thinking about the 2012 legislative priorities. She said she was thinking about it from an ISAC point of view because they are going to have their first legislative retreat meeting beginning August 18th. She said she thinks the Board needs to start getting their ideas together if they want to submit anything.

Rettig said this is the ISAC Legislative Committee and last year Stutsman, Public Health Director Doug Beardsley, and Moore represented Johnson County. Stutsman confirmed. Stutsman said she was there as a Supervisors representative. This year, the President and Vice-President of the Supervisors affiliate are the representatives. They have the same forms as last year. She said she does not know if the Board wants to resubmit their mobile homes priority. She said she thinks the issue with the E911 Board needs to be put in the mix.

Neuzil said their concerns of the use of general supplemental funds are gigantic. It would be difficult to cut the budget by \$14 million. Sullivan said almost every issue has to take a backseat to what Governor Branstad wants to do with property tax reform, because if he is going to start chopping county budgets by 10% to 40%, everything else is secondary. Stutsman said she thinks that is going to be one of the top three priorities ISAC will put forward. She said ISAC and League of Cities are already meeting to try to come up with a proposal to take to the Legislature at the beginning of the legislative session.

Rettig said she does not know how to quantify it, but they do not have a good game plan. The anti-tax people have a game plan and local government does not. They have individual counties that are aware are whining about it, but the public does not understand. They understand here more, because the County whines more about what it could mean, but they do not see that in rural counties. They are almost the ones driving the issue of cutting property taxes. Stutsman said it is not going to impact the rural population, the larger, urban counties are affected. Rettig said ISAC needs to be part of this, but the County needs to get a better game plan heading into the legislative session to say they agree that they want more tax equity, but they cannot do it and completely tie their hands while expecting them to fulfill all the State mandates and the services Johnson County wants.

Stutsman said they talked about it at an ISAC Board of Directors meeting. The County is providing services today that they did not provide 15 years ago, including Emergency Management, Secondary Roads transfers, GIS, and an increase in the hours of operation in the Veteran Affairs office. She asked the Board to let her know of other things they did not do 15 years ago that they are now required to do with less money. She thinks ISAC is going to start putting a list together with that information.

Neuzil said the eligibility requirements for funding have changed. Rettig said the State is tying the County's hands in both directions, property tax and user fees, and something has to give.

Painter said it does get very difficult. They had a priority last year that did not make it in the atmosphere they had. A \$3.00 fee for a state-wide website had been set which is saving businesses a lot of money. They do not have to transact with paper anymore or overnight mail a 30 page document to the Recorder's Office anymore. This is a really good thing but the \$3.00 was set to sunset at \$1.00. They asked the State to meet them in the middle at \$2.00, a 33% decrease instead of a 66% decrease. They thought it was reasonable. The volume of total documents is down because Real Estate is experiencing certain kinds of slowdowns in various parts of the state. There was less money to keep the website vibrant and innovative and so it did not go anywhere. As the Recorders affiliate, they are putting together a list of mandates that have burdened the office. They are going to bring those together and talk about their own legislative priorities.

Stutsman said the ISAC and League of Cities are going to have business people be part of the discussion too. She said she does not think people get it or understand the

unintended consequences. It is great to react to the sound bite about cutting taxes. She said Peterson was talking about some cities that have a lot of debt. She asked if that is what people really want to do. It is not an easy black and white scenario. The key is educating, not only by themselves but business people as well. She said all the Iowa City Area Chamber of Commerce talked about is getting the commercial tax reform in place.

Painter said they have had excellent business support from the State, by Iowa Code they have to have attorneys, bankers, realtors, and title plant companies as part of their governing board for their statewide website which is terrific because they get it and understand what it does for them. They were involved in the legislative process last year trying to help them out, but they had a couple of people in the Iowa House of Representatives who were adamant and using campaign language to score political points talking about no fee increases and no more taxes.

Rettig said she thinks it is going to be a rough year. She said she thinks the rhetoric will be worse than the past year because everybody will be ready for reelections. She agreed with Sullivan and said nothing else they can put on the list matters, other than property tax. She said she wants property tax reform. She thinks State Senator Joe Bolckom's plan was a great plan.

Sullivan said Iowa City Chamber of Commerce Vice President and Director of Public Policy Rebecca Neades said they see a need for some amendments to the proposed language because there are things that are not accounted for. Stutsman said maybe the County should just focus on property tax reform and educating the public. Though she's heard some say nothing will be done on property tax reform this year because it is an election year. Neuzil said he thinks there will be a compromise on commercial property taxes because it will make them look good.

Rettig said if they are going to list a second priority, her opinion is it has to be the Road Use Tax Fund. The State is nearing a critical point with its infrastructure as bridges are failing across the state. They cannot afford to have the transportation system fail. This has to be the most critical issue beyond property tax reform.

Neuzil said he thinks they can identify tens of millions of dollars that the County has spent on transfer of jurisdiction roads. He recalled one bridge project that was \$1 million. Sullivan said some mandates have been pretty positive. Stutsman agreed, but says she thinks they are saying that the State did not provide the money to do many things they mandated.

Rettig said if they believe property tax is regressive compared to income tax, they are still going to tax people to pay for it but with a more fair tax rate. They need to fund local government with income tax which is what some states do in order to reduce the property tax burden. That is not even a consideration here, even the local option income tax failed, which would be a better way to pay for a justice center, for example. The problem lies in the fact that residents are paying for government services with property tax as opposed to income tax.

Harney agreed and said he would like to pursue the option of redoing the sales tax issue where they could let the voters decide if they want to fund the justice center with local option income tax. If it does not work, it does not work. Rettig said thinks it is their role to advocate for more responsible taxation. Johnson asked if the Board wants to create a list of priorities this year. Sullivan said if they are going to create a list, they ought to create a small list of noncontroversial things they could accomplish. In terms of big things, they can just focus on the tax issue. Neuzil said they should include roads as well.

Stutsman asked Moore when the legislative forms are due. Moore said he cannot remember the exact date, but it is soon. They are meeting on August 18th and 19th. Rettig said they should just focus on taxation for ISAC. Neuzil said to be sure to mention the General Supplemental Fund in relation to property taxes. Rettig said they should also address the Road Use Fund. Neuzil said the State put part of their sales tax to build a National Association for Stock Car Auto Racing track. There is always money, it is just about priorities.

Moore said he will give the deadline information to Johnson. Neuzil said it would be easy to fill in their top two priorities. Stutsman asked who is going to fill out the form. Moore said Iowa County Zoning Officials is taking an approach that is probably going to be ISAC's top priority. They are going to include other things they are interested in. Stutsman said they are probably not advocating for anything that requires funding.

Neuzil asked if Amtrak is an issue they want to bring up. Rettig said she is okay to bring it up. She said she thinks the League of Cities has done it, and a whole tier of counties is involved including Linn County. Harney said there was an article in the newspaper asking if the counties are going to support it or not. Neuzil said they need to know if it is dead or not. Rettig said it is not dead because they put \$5 million in it so it's in a holding pattern. She asked if they can fill out a form for Amtrak. Neuzil said someone has it written out because the Iowa City Area Chamber of Commerce had one. Johnson said he will work on that and if someone knows something about it, bring it to his attention. Johnson asked if they want to include anything on E911 Board. Sullivan said it is an administrative issue.

### **Schedule of Meetings and Site Visits**

Johnson said there are enough agenda items remaining to schedule a Work Session Meeting for August 3rd at 8:30 a.m. He gave the Board a copy of the agenda for the Wind Farm Tour in Story County scheduled for August 1st. He said the changes he suggested and Story County agreed to appear in red font. Travel time from the wind farm back to Nevada will be 20 minutes to a half-hour so they could recess for lunch then.

Rettig said they have regular media personnel that cover the Board meetings and they could ask them if they were planning to go to Story County. Any member of the public could go and the Board would have to transport them so they will probably need two

travel options that morning. Johnson said three vehicles are reserved so they can decide that morning. They should plan to leave at 6:30 a.m.

Neuzil asked Johnson to send out a press release about this site visit. Johnson said he asked Story County to clarify whether the Story County Board of Supervisors is going to be with them the entire time and whether they need to send someone from the Auditor's Office. The Board decided they do not need to take a minute-taker and will get the minutes from Story County.

Stutsman asked if they are paying Moore, Planning and Zoning Administrator Rick Dvorak, and Assistant Planner Josh Busard mileage for riding their motorcycles to Story County. Moore said they are riding for pleasure and do not plan to submit a receipt for reimbursement.

Johnson said the Board has a Joint Meeting with Conservation and another Joint Meeting with Public Health in August 2011. They are behind schedule with their meetings with the County Attorney's Office, Treasurer's Office, and Auditor's Office. Artley's pre-evaluation is scheduled for August 24<sup>th</sup> and they could add a site visit after the pre-evaluation. A Strategic Planning Meeting is scheduled for 8:30 a.m. on August 17th, a Secondary Roads Tour scheduled for 11:30 a.m. and a Joint Meeting with Conservation at F.W. Kent Park scheduled for 6:30 p.m. Johnson asked if the Board has issues they would like to address at the Joint Meetings with Conservation, the Board of Public Health, and Veteran Affairs. Rettig said they need to decide if they want to assign a liaison to these entities.

Johnson said the scheduling in the month of October is a little confusing. The third Wednesday of each month was reserved for the Elected Officials meeting and in alternate quarters, they had agreed to schedule Secondary Roads work sessions and open work sessions. However, Elected Officials meeting was moved to September 4th.

Neuzil said they have a Canvass of Votes scheduled on September 16th at 4:00 p.m. and another on October 13th at 4:00 p.m. There is a Department Heads Meeting scheduled for October 18th at 1:30 p.m. Johnson said Harney received a notice of an environmental assessment for the Coralville Reservoir from the U.S. Corps of Engineers. Sullivan suggested inviting Mary Ellen Hill to the Board meeting. Johnson said he will communicate with her about this. Rettig suggested notifying Dick Schwab because the same issue applies to him.

Adjourned at 11:23 a.m.

Attest: Tom Slockett, Auditor  
Recorded By Courtney Fisher