

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

**TABLE OF CONTENTS**

	Page
Budget Coordinator Rich Claiborne: Fall Budget Amendment for FY 2012.....	1
Budget Coordinator Rich Claiborne: Quarterly Budget Report for FY 2012 .....	3
Planning and Zoning Administrator Rick Dvorak: Joint Agreement for the Provision of Governmental Service, Conservationist, Between Johnson County, Iowa, and Johnson County Soil and Water Conservation District .....	4
Assistant County Attorney Susie Nehring: Motorized Vehicles on County Trails .....	6
Executive Assistant Andy Johnson: Appointments to the Johnson County Board of Health .....	7
Executive Assistant Andy Johnson: Appointments to the Johnson County Conservation Board.....	7
Reports and Inquiries from Executive Assistant Andy Johnson .....	8
Reports and Inquiries from the Board of Supervisors .....	8

Chairperson Harney called the Johnson County Board of Supervisors to order in the Johnson County Administration Building at 9:12 a.m. Budget Coordinator Rich Claiborne. Members present were: Terrence Neuzil, Janelle Rettig, Sally Stutsman, and Rod Sullivan; absent: Pat Harney.

**BUDGET COORDINATOR RICH CLAIBORNE: FALL BUDGET  
AMENDMENT FOR FY 2012**

Budget Coordinator Rich Claiborne said the Budget Amendment Public Hearing is scheduled for November 3rd, and the Board is expected to take formal action on the Budget Amendment on November 10th.

**Changes in Departmental Appropriations**

Public Health remains budget neutral since the revenues and expenditures offset each other. The amount is \$20,544. The major changes in the programs are tobacco, I-Smile Dental Home Initiative, Women, Infants & Children and immunizations. The net result of increases and decreases in the programs is budget neutral. Claiborne directed public inquiries to Public Health at 356-6040.

Claiborne said the Twin County Dairy Inc. escrow project is done, so \$66,000 needs to be transferred from the Road Construction Escrow fund to Secondary Roads.

On October 6th, the Board approved an Interfund Loan from General Basic to MH/DS in the amount up to \$3,000,000.

There is a transfer of insurance proceeds from the General Supplemental Fund to Capital Expenditures (Department 44) for a wrecked squad car in the Sheriff's Department in the amount of \$14,975.

Claiborne said the annual transfer is standard practice each year and is done to match the actual revenues earned to the projected budget. Therefore, \$3,718 needs to be transferred from the General Basic Fund to the Conservation Trust Fund.

### **Budget Amendment Requests**

Claiborne said the Jail Alternatives Program is being established within the Sheriff's Office budget and will require an amount of \$167,285. This program has been eliminated from MH/DS.

The General Basic Block Grants Flex Account is being reclassified for more appropriate program distribution to improve accounting. \$25,750 will be reclassified and the fund will remain budget neutral. Some of these programs include Livable Community for Successful Aging, Iowa City UNESCO City of Literature, Iowa Valley Resource, Conservation & Development Foods, and Iowa City/Coralville Area Convention & Visitors Bureau.

The East Central Iowa Council of Government Revolving Loan Fund request is \$12,500.

The budget request to establish the Agricultural Safety Program is \$17,000.

The County is reducing its support to the Solon Public Library by \$9,852 in the Rural Basic Fund. After the County's budget was completed, the Solon City Council took last minute action to reduce its share, so the County followed suit.

The County Recorder's Record Management allocation needs to be increased by \$30,000 to invest in a COTT program.

The Grant Specialist position was established in Central Services and needs to be moved to the Board of Supervisor's budget. This \$35,000 transfer is budget neutral.

\$16,000 is requested to increase the Fleet Study in Central Services.

An oversight during the budget preparation process requires that an increase of \$32,529 be added to the IOWA Public Employees' Retirement System (IPERS) line item in the Auditor's Office budget (Department 03).

Several adjustments regarding the fen land purchase are necessary. The Conservation Trust must be adjusted down \$320,000, the Resource Enhancement and Protection (REAP) account must increase by \$526,642, and the Conservation Bond Fund needs to be increased by \$1,055,872.

\$156,249 must be added to the REAP account for the Tornado Safe Room at the Conservation Headquarters.

Various technology projects Information Technology (IT) Director Jean Schultz has been saving for include a joint fiber optic project, software maintenance, attorney document management, Tablets for the Sheriff's Office squad cars and support contracts for the Tablets. These projects total \$315,364.

\$100,000 more must be allocated for Sutliff Bridge expenses. The County is receiving revenues for that.

Farm management fees in the amount of \$4,000 are needed for the County Poor Farm.

Claiborne said the overall effect of the amendment is an increase in expenditures of \$8,217,801. The County is also increasing revenues by \$6,105,237. The adjustment in the beginning Overall County Fund balance is up \$3,189,814 and the net effect is the County is \$1,077,250 to the good as the fund balance adjustments offset the increases in this amendment.

Claiborne said the budget amendment public hearing is scheduled for November 3rd at 9:00 a.m. and formal action is scheduled for November 10th at the Formal meeting. Claiborne reminded everyone that amendments to the budget do not result in increased taxes but rather they utilize existing fund balances.

Sullivan said in some cases, amendments are done to reflect revenues generated by departments and those must be amended into the County Budget. Rettig said that is a good thing because Public Health and Conservation having incoming grant funds.

Executive Assistant Andy Johnson clarified that the money for Sutliff Bridge was actually received in the prior fiscal year and was for engineering costs, but the billing is coming in this fiscal year. This amendment is to ensure authority to pay those bills.

Stutsman clarified the Jail Alternatives Program that is now in the Sheriff's Office is not funded through the MH/DS funds but rather the General Basic fund. Claiborne said that is right, and an amount that relates to substance abuse programming can be reimbursed from the General Supplemental Fund.

Rettig said the Jail Alternatives Program this year is being paid by the County Sheriff's and Attorney's Offices with their savings from last fiscal year.

**BUDGET COORDINATOR RICH CLAIBORNE: QUARTERLY BUDGET  
REPORT FOR FY 2012**

Claiborne said 23 departments are listed, and 19 have close to 75% percent of their budget remaining. The Sheriff's Office operational and maintenance costs are below budget.

Claiborne said Planning and Zoning operational costs are below budget. The same is true for Social Services, where a few programs are below budget, though that could be a billing issue.

Rettig said the Board had to make an educated guess about what the budget for inmate housing and although the daily cost was decreasing, the number of inmates has increased. She was fearful they had nicked and dined that number and that a budget amendment was inevitable. She is pleased with the situation.

Moving onto to revenues, Claiborne said of the 23 departments listed, 12 are close to the target 75%. The Board's only revenue is fireworks permits and they are ahead of schedule with that. The Physical Plant is significantly ahead of budget with the collection of employee parking fees. Conservation is also ahead on camping fees. Social Services is ahead on grant reimbursements.

Claiborne said at the end of the FY12 first quarter, cash balances are as follows: \$9,438,706 in the General Basic Fund; \$6,840,359 in the General Supplemental Fund; \$1,715,139 in the Rural Basic Fund; \$1,217,593 in the Secondary Roads fund; \$1,374,892 in the Debt Service Levy; and \$2,631,095 in MH/DS.

**PLANNING AND ZONING ADMINISTRATOR RICK DVORAK: JOINT AGREEMENT FOR THE PROVISION OF GOVERNMENTAL SERVICE, CONSERVATIONIST, BETWEEN JOHNSON COUNTY, IOWA, AND JOHNSON COUNTY SOIL AND WATER CONSERVATION DISTRICT**

Planning and Zoning Administrator Rick Dvorak said the agreement he distributed to the Board shows the Board appointed a committee to work with the Soil and Water Conservation District to come up with an agreement for work they provide to the County. This work is currently paid for through grant money. Assistant County Attorney Andy Chappell wrote the agreement. Dvorak and the Soil and Water Conservation District signed off on it. It would allow a Governmental Service Conservationist to be employed and partially supervised by the County.

Dvorak said this agreement will create a budget impact. The County currently gives the Soil and Water Conservation District approximately \$47,000 for the grant. The job description was approved, and with benefits and salary it will cost about \$64,000. That is a net increase of \$17,000, but he is working with his liaison to try to shrink those costs.

Rettig clarified there is no current agreement between the County and the Soil and Water Conservation District for this position. The Board wants this to be effective July 1, 2012, but if they pass it now, it is effective immediately, and this position would be in the non-bargaining pay plan. Dvorak said depending on what the Board does with the

agreement the employee would be partially under Dvorak's supervision immediately. Sullivan said there would be an immediate budget impact as well. Dvorak said he does not think so; Planning and Zoning does not have the money to pay that salary, but the agreement would take place. This employee works for the County now, so nothing really changes except the addition of a weekly meeting with Dvorak. The position would not be classified to a higher pay grade until July 1, 2012.

Rettig said she thinks some of the duties should be implemented now, including a higher level of involvement with Planning and Zoning. Rettig asked if another agreement is necessary or if this handshake agreement will suffice until July 1, 2012. Dvorak said that the position is Planning and Zoning's employee now absent an agreement. The position receives no supervision from the Soil and Water Conservation District or from Planning and Zoning.

Rettig said last year Planning and Zoning gave up their budget in one area to partially fund sustainability. There may not be enough room in the budget to absorb the sustainability and the change in this job description. There is a scenario where they could decide this position should not be full time. Too much is unknown now.

Sullivan said the County has been lucky to have good rapport with the Soil and Water Conservation District Commissioners and the staff in these positions has been very good. He agrees the County needs to sign this contract, which does include a cancellation clause.

Rettig said her idea is to edit number four in the job description which is about hiring and supervision of the position. She suggested replacing the first sentence with this text, "Johnson County agrees to pay \$47,000." The job description is being adopted anyway and as July 1st approaches, this sentence will be replaced. This will allow for a valid agreement now, and then later, the sentence will be replaced with whatever the Board determines to pay then. Neuzil said for right now, that is fine, but they still need to decide if this will be a full-time position.

Chappell said it would have been nice to have this information yesterday, because he did not know the Board wanted this agreement to take effect July 1, 2012. He actually was asked to review a different agreement and they found that agreement unacceptable, so he drafted the one now before the Board. If the Board wants this agreement to begin July 1st, then they should change the effective date to say just that. The Board should specify when and how they want the agreement to take effect. Chappell said any change at all must be resubmitted to the Soil and Water Conservation District.

Chappell said the clearest way to avoid amending the agreement is to keep the language in number four as is, assuming this is the present intention. Then some language addressing salary payments will be added. The current employee is on the County's insurance plan and the question of when to begin insurance must be addressed. Chappell's suggestion is to add specific language.

Rettig said the Board has been clear about what they want and said the Board takes responsibility for not having conveyed their position clearly to Chappell. She said the changes, and the requests for them to make changes, arose after the budget process was complete. People were told the Board would not make any financial changes until July 1st. She thinks the financial section has to remain status quo until July 1st, but she isn't clear about what to do. Stutsman said she agrees with Rettig, and decisions about the language need to be sorted out.

Chappell asked if the Board wants the entire contract to not take effect until July 1, 2012. Sullivan agreed with that and Stutsman said maybe that is easiest. Chappell said then the Board doesn't need to do anything different now, they would just sign it July 1st. Chappell said the best way to do it is to change the provision so it references July 1st, if everyone agrees to that now, so this will facilitate the budget process.

Chappell said a memorandum of understanding can probably be worked out informally. He said he will change the provision to be effective July 1, 2012, and include appropriate language for terminating the agreement.

Dvorak said the first Oasis Village planning meeting is scheduled for tonight. Rettig said she is sorry she can't attend due to two other meeting commitments.

#### **ASSISTANT COUNTY ATTORNEY SUSIE NEHRING: MOTORIZED VEHICLES ON COUNTY TRAILS**

Assistant County Attorney Susie Nehring said she was asked to investigate sign options to clarify the county trails are not intended for use by motorized vehicles. At the same time, she considered signs to inform the public that there will not be winter maintenance on the trails.

Nehring said the Americans with Disabilities Act (ADA) added language requiring that political subdivisions with trails develop rules, regulations, or ordinances in such a way that they do not prohibit people who need to use mobility assistive devices on trails. She said she has a handout with information on enforcement which she will share if requested. The handout explains what enforcement officers can and cannot talk about.

Nehring said she recommends posting signs at least at the beginning and end of the trail that dictate the trail expectations and rules regarding trail issues. Other counties and the City of Iowa City have such signs. The signs cover trail etiquette and can be made fairly quickly. If need be, sign posts could at least be put into the ground before it freezes. Nehring said there are some statutory provisions that allow law enforcement to intervene if people are behaving recklessly, carelessly, or with negligence with motor or all-terrain vehicles. Nehring said a draft can be ready by next week.

Rettig asked if an ordinance or resolution is required. Chappell said the Attorney's Office is recommending a resolution, and nothing that would be enforced with a ticket or

fine other than any violations of the State Code. The handful of people who disregard the rules will be addressed case by case.

Stutsman asked for the definition of “motorized vehicle” and wondered if it included mopeds. Nehring said the State Code defines motorized vehicle as “any self-propelled vehicle”. She recommends the Board announce their general expectations for use of the trail without delineating specific enforcement issues. Rettig said she thinks the American Association of State Highway Transportation Officials already have a sign they are recommending for use. She thinks it might read “No Motorized Vehicles – Except ADA Assist”. Rettig and Nehring agreed to verify this information with Southeast Iowa Regional Planning Commission Transportation Planner Kris Ackerson.

Sullivan clarified that a sign should be posted somewhere around the North Liberty city limits and another somewhere around Butler Bridge, as the beginning and ending points of the County trail portion. Nehring agreed with that at a minimum adding that West Overlook and 275th Street could be additional locations for signs. Sullivan said the West Overlook intersection is very busy so maybe a sign either just north or south of the intersection would be best. Stutsman agreed. Nehring said they should get advice from Secondary Roads.

**EXECUTIVE ASSISTANT ANDY JOHNSON: APPOINTMENTS TO THE  
JOHNSON COUNTY BOARD OF HEALTH**

Johnson said in order to begin compliance with gender balance requirements beginning in 2012, the Board started advertising for the openings coming due at the end of 2011. In the future, they will advertise for the full 90 days. There will be two openings on the Board of Health at the end of the year. Dr. Stuart Thomas is seeking reappointment and there are two new applications. The gender balance of the remaining board members is one female and two males. Rettig said there is a requirement for at least one doctor on the Board of Health and she thinks Victoria Sharp is a doctor. Johnson said Pete Wallace is a doctor. Stutsman said Kelley Donham is a veterinarian. Rettig said she assumes this is why titles are used with these appointments and not with appointments to any other boards or commissions. Sullivan said he thinks the requirement is for a medical doctor.

Neuzil said he would like to know how many terms people seeking reappointment have served. That information was omitted from his form.

The Board discussed how to edit the form and how to address gender balance.

**EXECUTIVE ASSISTANT ANDY JOHNSON: APPOINTMENTS TO THE  
JOHNSON COUNTY CONSERVATION BOARD**

Johnson said Conservation Board Member Gerald Morgan’s term is expiring and he is open to reappointment. There are also two new applications, both of them male. The continuing gender balance would still exist.

**REPORTS AND INQUIRIES FROM EXECUTIVE ASSISTANT ANDY JOHNSON**

Johnson said a brief Formal Meeting is scheduled for October 31st at 11:00 a.m. On November 2nd, department head evaluations are scheduled at 9:00 a.m., a budget meeting at 1:30 p.m., and the Criminal Justice Coordinating Committee meeting at 4:30 p.m.

Human Resources Coordinator Vanessa Wierman invited the Board to contribute an item to the silent auction. If anyone is interested, they should respond to Wierman.

**REPORTS AND INQUIRIES FROM THE BOARD OF SUPERVISORS**

Rettig said she has been attending Iowa City City Council forums to meet the candidates and she encourages the public attend. She said voter turnout in recent Johnson County city council elections has been abysmal and she urges the public to vote.

Rettig attended the first Homecoming parade night Mac & Cheese Dinner at the Iowa City/Johnson County Senior Center and the retirement party for Iowa City Assistant City Manager Dale Helling.

Neuzil said he attended the Sixth Judicial District Department of Correctional Services Board of Directors meeting. Neuzil said his next Listening Post will be at Bruegger's Bagels on Riverside Drive on November 4th and the discussion topic will be conditional use permits for special events. He will celebrate his 500th Listening Post in November.

Neuzil said on November 9th at 1:00 p.m. the Federal Emergency Management Agency is going to attempt a national level Emergency Alert System Warning in coordination with the Federal Communications Commission and the National Oceanic and Atmospheric Administration. This is to address threats to national security.

Stutsman attended the Johnson County Heritage Trust fundraiser and went on site visits with Planning and Zoning staff. Stutsman and her husband recently planted a tree in Hills Access Park in memory of their son, Michael Stutsman.

Sullivan said he and Neuzil attended a liaison meeting with Executive Assistant Andy Johnson and one with Human Resources Administrator Lora Shramek. He and Rettig are the Board representatives to the Finance Committee. Sullivan said he serves on the board of the United Nations Educational, Scientific and Cultural Organization City of Literature and on the Chamber of Commerce Board of Directors. The Chamber of Commerce awards ceremony was rescheduled to November 17th at 7:30 a.m.

Sullivan said Chow Hounds for Charity is taking place this week. All money raised goes to either United Way of Johnson County or Iowa Shares. The annual Pat Meyer Vision Award ceremony is scheduled for October 27th at 5:30 p.m. The first Oasis

Village planning meeting is scheduled for tonight. Sullivan said Facilities Manager Eldon Slaughter is scheduled to start work October 31st. He commended Physical Plant staff on their efforts while working without a boss.

Adjourned at 10:24 a.m.

Attest: Tom Slockett, Auditor  
Recorded by Alyse Riley