

**MINUTES OF THE INFORMAL MEETING OF THE JOHNSON COUNTY
BOARD OF SUPERVISORS:
NOVEMBER 30, 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, and Rod Sullivan; absent: Sally Stutsman.

**ISSUES RELATING TO BUDGET, GOVERNANCE AND COMMUNICATION
TO ADDRESS WITH THE JOINT EMERGENCY COMMUNICATIONS
SERVICES ASSOCIATION (JECSA)**

Harney said nearly \$100,000 worth of Iowa Public Employees' Retirement System (IPERS), health insurance, and wages, were in the budget and the Board does not have control over IPERS. Harney said he objected to the transfer of \$28,000 from the Emergency Management Agency (EMA) to the Joint Emergency Communications Center (JECC.) The JECC is responsible for initiating emergency phone calls during any CodeRED. The problem comes when trying to determine which entity, EMA or JECC, should be taxed for CodeRED. Harney said he feels as though EMA should remain the taxing entity, however, the majority of the members of the Joint Emergency Communications Services Association Policy Board (Policy Board) disagreed. A cushion of \$500,000 had originally been placed within the budget until it had gone through its final review. Ninety percent of this cushion has since been taken out. The 10% carryover that remains should be sufficient as long as the County is willing to bond in an emergency.

Harney said this budget represents approximately 5.54% of an increase from FY12. Of that 5.54%, 10% comes from IPERS and 5% from wages. CodeRED is responsible for about 4.8% of the increase.

Neuzil said there seems to be a willingness to look at the bylaws, especially when discussing the bonding issue. If anything is bond eligible, it should be bonded for. The term "emergency necessities" needs to be better defined as well. He reminded folks that it takes four of the five entities to change the 28E Agreement.

Harney said the Policy Board reviewed the memorandum Neuzil wrote line by line and is not interested in changing the bylaws. Harney reiterated that the Policy Board can change the 28E Agreement as long as four of the five entities agree. Neuzil said most Board members are frustrated with the significant budget requests from JECC, which he said are fairly extraordinary. He said it is frustrating that each year for the past three or

four years, the Policy Board continues to explain these budget changes on the learning curve.

Harney said the budget requests did look exorbitant and needed to be discussed but JECC was facing publication deadlines for the public hearing notice and they should have had their budget done before that. There was another publication deadline EMA had to meet. Harney said the first full year of operation served as a learning curve for everyone in JECC and on the Policy Board, but they are getting a feel for it now.

Rettig said the Joint Emergency Communications Center is a \$3.8 million operation. Yet, at one point, three months went by without a Policy Board meeting. The Policy Board recently changed to a bimonthly meeting schedule without informing its member entities and she finds this rather troubling. She said the Policy Board should not have allowed a budget to be published without having discussed it. Harney said he discussed that with JECC Director Gary Albrecht and next year it will be different. There is no question that this was the source of problems.

Neuzil asked if the Policy Board had any interest in his suggestion to implement some sort of budget oversight. Neuzil referenced his memorandum and read, "no budget should be released by the [JECC] director without full disclosure to the Policy Board and to the Johnson County Board of Supervisors". He asked Harney if there was any objection to this suggestion. Harney said yes. Neuzil asked why there was any objection and asked if Albrecht wants to hide the budget. Harney said no, the feeling was that the JECC is an entity itself and they did not want to discuss the budget with each entity.

Neuzil clarified that the JECC wants to keep its budget private from the public and the entities it serves. Rettig said that is very true because JECC published a budget and refused to give a line item budget and refused to talk with the press about the budget. It was as if the line item budget was a secret. An unwillingness to speak with the press about the budget is a problem. Neuzil said the basic principle here is to inform the public when ready to publish a proposed budget, right.

Sullivan said the proposed budget should be sent to the signatories to the 28E Agreement, which includes Coralville, Iowa City, North Liberty, EMA, and Johnson County. Neuzil asked why the JECC objected to that. Harney said they do not object to sending the budget out. Neuzil said that is all his suggestion is asking. Harney said he is willing to ask Albrecht to inform the Board of Supervisors. Neuzil said the Board is responsible for taxing and as such, they should automatically be informed.

Sullivan said the Policy Board thinking could not be more wrong. There are four representatives on the Policy Board who feel as though Johnson County is trying to control them. Sullivan said realistically, the Policy Board will remain unwilling to change the bylaws in response to Neuzil's suggestions.

Neuzil said he was simply suggesting a common sense approach that when the director is ready to submit the budget for a public hearing, that they communicate that

budget to its members and entities, including Johnson County, the taxing body. JECC has disrespected the Board of Supervisors.

Rettig said she agrees with Neuzil. She did not attend the Policy Board meeting but was told by someone who was at the meeting that a non-member of the Policy Board filled in for an elected official and referred to Neuzil's suggestions as non-negotiable and of no interest. She thinks that is the number one problem. Last year, the Board of Supervisors demanded that only elected officials serve on the Policy Board but the Policy Board disagreed and instead vowed that only elected officials would be involved in and vote in the budget. So, in the very first year, Iowa City's member chooses not to attend the meeting and instead sends the city manager. She thinks that is absolutely wrong. Only elected officials should be on the Policy Board and only elected officials should attend the meetings as an official representative. If an elected official is unwilling to vote for this budget, then there does not need to be one.

Harney said he takes issue with what Rettig reported about an unelected official who apparently said Neuzil's suggestions were nonnegotiable. That came from the cities, he does not deny that the person didn't make comments along those lines, but the cities supported that position. Rettig said she heard that this non-elected official took Neuzil to task, said the items were non-negotiable, and that the County will do what the Policy Board wants. Rettig said as far as she is concerned, Iowa City City Manager Tom Markus is not an elected official and should stay out of politics. Harney said he understands that, but the 28E Agreement states the persons attending the meeting can be elected officials or an executive in the community.

Rettig said the minutes will reflect that the Policy Board agreed that only elected officials will take part in the budgeting process, yet they refuse to put that in writing. Neuzil said they need to focus on what they want to do and whether the Policy Board is going to listen. He thinks the Board of Supervisors should continue identifying items which they would like the Policy Board to change. Harney said the Policy Board did not object to any of the recommendations pertaining to reserves and bonding.

Sullivan said perhaps the best approach would be for each Supervisor to attend the Iowa City, North Liberty, and Coralville City Council meetings to speak during the public comments portion of the meeting to inform the council members of the problems and issues they would like to discuss, and then ask for time on a future agenda. He suggested Board members be persistent with this request until they finally succeed. The Board should never be put in this position but they have few other options.

Rettig said the Board took similar action last year and submitted a letter, but was turned down. Sullivan said that is why he suggests physically being present during the city council meetings. Rettig said the Board should ask the Legislature to remedy this. Iowa Code should prohibit any County from signing a 28E Agreement that gives up taxing authority. If the County is going to be responsible for taxing, then no other unelected and unaccountable entity should be allowed to demand funding. None of the

member entities of this 28E Agreement are interested in negotiating or changing its bylaws.

Sullivan said the Iowa City Council is going to have three new members. Rettig said at that point the Board can ask the Iowa City Council again but if they are not interested then the Legislature needs to play a role in changing Iowa Code. She added that giving away taxing authority may be illegal.

Neuzil asked who can answer questions about the legality of the 23E Agreement because he has heard from the Auditor's Office that it might not be legal. Harney said he thought the taxing authority was given to the EMA. Neuzil said no, the State law was changed so that emergency services would be an Essential Purpose under the General Supplemental Fund, but that was it.

Neuzil said he wants to ask the County Attorney to start this process and look into the legality of the situation. Sullivan said the Board could ask Assistant County Attorney Andy Chappell about the taxing authority laws because he drew up the 28E Agreement. Neuzil said County Auditor Tom Slockett repeatedly made it clear that the Board can have the final say and deny JECC's budget request. However, to respect the 28E Agreement, they have not done so.

Rettig said JECC is a major department consisting of several Policy Board members who seem uninterested in doing their due diligence. She made note of the fact that the Policy Board was clear in that they would only conduct oversight six times a year. Neuzil said the JECC is now 11% of the County's entire budget. Sullivan said the cities don't care because they do not have to pay the bill. These cities are receiving better public safety while paying less.

Neuzil said he is frustrated because to accommodate JECC's budget increases all other County departments have reduced expenses and frozen budgets to lessen the impact on taxpayers. Neuzil asked why Johnson County is the only entity who cares about taxpayers. The Board thought they were doing the right thing when they entered into this agreement, and they are the only ones living up to that responsibility.

Rettig said the \$28,000 addition to the JECC budget for CodeRED does not seem like a big issue, but the money was shifted from a budget the Board of Supervisor's has scrutiny over to a budget they have no authority over. Neuzil said there will be more of these types of transfers as time goes on.

Neuzil summarized that the Board would like an official opinion from the County Attorney and possibly the Iowa Attorney General, regarding the Board's authority to deny JECC's budget request. Rettig said if the Board cannot deny, she wants to know what change in the Iowa Code is necessary to give them that right. Legislators have offered to introduce that legislation, but were hopeful the Policy Board would show more accountability.

Neuzil asked if Board members want to respond to questions of capping the amount of reserves and also bonding for certain items. Harney said the cities were not interested in funding cameras. Neuzil said he wasn't advocating for cameras in particular, but if the cities and the County are interested in generating revenue, then it would seem reasonable to put it toward an entity like JECC rather than in the general funds of those governments. Neuzil said this item was introduced in order to question whether cameras are truly being used in the name of public safety. Sullivan said it makes sense to place those funds in the public safety budget as it is a function of public safety. Neuzil said he wants those other entities, including Johnson County, to recognize that the JECC budget is not unlimited. Cameras present huge opportunity for generating revenue.

Rettig said she thinks the County is also missing a revenue opportunity with the E911 phone bill surcharge. The County is not at its maximum and it makes sense to increase this surcharge and then lobby to adjust cell phone disparity. Nearly every member of the public has a phone of some sort. She is not yet ready to say she is in favor of increasing that user fee, but more investigation and an increased political effort is necessary if they believe they need to adjust cell phone charges.

Sullivan said the current cell phone charge for E911 services is \$0.50, while the County levy for landlines is \$1.00. Various county and city groups have been pushing to equalize these charges. Rettig said she does not believe that cell phone users should pay less for E911 services than those using landlines. Neuzil said the only question with E911 surcharge is how much goes to the local entity and how much goes to the State. The State took a large portion of that money to create the triage service.

Harney said he foresees that the State will put that money towards their towers and systems. Sullivan said the State is already doing this by taking the majority of the funding belonging to local governments. Neuzil said he, along with the Iowa State Association of Counties, wrote a public policy statement for the County nearly three years ago. Rettig said the policy should be revisited. Neuzil said he will locate the policy and forward it to the Board.

Neuzil said the Board can work with Wilson in order to identify the current law, determine where the money is going, and confirm the current phone charges for E911 services. Finally, the Board needs to object to providing JECC with the authority that really should belong to the EMA.

Sullivan said E911 phone charges can only be increased through a public referendum. He said a substantial amount of E911 money does go to the JECC. The E911 Board built a fairly significant reserve in 2011, which the State indicated must be used immediately. The County then gave those reserve funds to JECC.

Neuzil summarized that the Board will request that Chappell review the legality of the 28E Agreement. Rettig clarified that the Board would also like to explore changes to the Iowa Code that would not require the Board to give up taxation authority. County

Sheriff Lonny Pulkrabek asked if the same is going to be done with all County boards. Rettig said no other board has taxation authority.

Pulkrabek asked if the Board discussed this with other counties, such as Scott County. He said Johnson County worked with Scott County in getting this law changed so that this project could be completed. The Johnson County's JECC budget is more than \$1 million less than Scott County's. He strongly disagrees with making any policy changes at this point. He has been involved with the JECC project for seven years and during that time, no other elected official has spoken out against this concept. There were and still are some misconceptions. Many people, including Pulkrabek, thought that JECC would be a cheaper way to do business but this is not the reality.

Pulkrabek said there were two dispatch centers that were barely staffed sufficiently. Prior to Pulkrabek haven taken office, Johnson County was unable to staff the dispatch centers with two dispatchers around the clock. Johnson County was understaffed yet dispatched to various fire departments, the Coralville Police Department, the Johnson County Sheriff's Department, as well as North Liberty. As a remedy, the Board agreed to hire more dispatchers, which supported emergency medical dispatch. At the time, the center's workload required at least three emergency dispatchers at all times, but the dispatching stations were not equipped the same. One station did not have full capability to do various tasks, such as paging.

Sullivan said he realized JECC was about increasing public safety rather than saving money.

Neuzil said he wants the Legislature to determine whether the Board has the authority to deny the budget request. Among the ideas he proposed was the first bylaw change which states that all the entities would have to be in agreement before the JECC could increase their budget beyond 10%.

Rettig said she thinks this is even more important now. The Board of Supervisors previously requested that only elected officials serve on the Policy Board, a request which was then denied. As an alternative, the Policy Board told the Board that only elected officials will participate in the budgeting process and vote on the budget. The Board agreed to this and Wilson did not participate, and Saxton did. Then one year later, Iowa City City Council Member Regenia Bailey decides not to show up and sent the Iowa City Manager instead of another City Councilor. The Policy Board has violated the spoken agreement to have only elected officials participate in budget votes.

Neuzil reiterated the importance of determining the legality of the 28E Agreement. Pulkrabek said it should be fairly easy for Chappell to make such a determination. Pulkrabek said while he understands the Board's position, other member entities think the Board is trying to assert too much control over them. Pulkrabek said although Markus was not an elected official, he brought up some good points to discuss. Pulkrabek thinks it is possible the Policy Board would consider the proposed change, but would prefer more discussion first.

Neuzil said there needs to be a subcommittee to look at these and other potential changes that may occur over the next year. If it is determined that the Policy Board has taxing authority over the Board of Supervisors, then he thinks there is a majority of the Supervisors who would request a legislative law change. Rettig clarified that legislators have volunteered to make such a change on numerous occasions; they were just optimistic that the Policy Board members would become more responsible.

Pulkrabek asked if the Board has spoken with Scott County representatives who partnered with Johnson County in making this initial legislative change. Rettig said that legislation is unrelated to the topic at hand. Pulkrabek clarified that the Board is seeking legislation which will allow them to trump the Policy Board. Rettig said such legislation might already be in the Iowa Code because there is nothing in the Code which allows the Board of Supervisors to give up their taxing authority.

Sullivan said the Board does not want to even have this conversation, but the Policy Board has forced them into doing so by not sensibly working with them over the years. The Iowa City City Council is so determined to resist any joint meeting with the Board to discuss this very issue. As such, the Board is forced to go over their heads to the State Legislature. That's stupidity on their part.

Neuzil said the JECC budget is allegedly much less than previously noted. Pulkrabek said the budget requests an increase of 5.5%. Rettig said it is a 5.5% increase in the budget, but will result in a significantly higher level of taxation. Last year, the Board was upset with this budget request. In an attempt to remedy the Board of Supervisors' frustrations it merely lowered the tax asking by using reserves funds. This mere 5.5% increase in the budget will result in a significant 15% to 20% increase in taxes. Neuzil said this tax increase will occur as soon as all reserves have been spent, which could be either this year or next year.

Pulkrabek said the Policy Board voted on having a reserve which was much too high. Nearly 10%, or \$415,000, of the budget will be left over for this year's reserve. This poses a problem. The \$415,000 in reserves can cover just less than two months of operating expenses for JECC.

Rettig said if the problem is due to irresponsible management then she would not support a no-strings-attached loan. A majority of the Supervisors have no faith in JECC's ability to manage responsibly because the Policy Board shirked their oversight duties.

Neuzil said the term "catastrophic event" needs to be better defined. Everything that is bond-eligible should be bonded for. Sullivan said the County has already been down this path where common sense failed them. He went into this 28E Agreement with the opinion that Iowa City Police Chief Sam Hargadine should govern but that idea was rejected. Against his better judgment, he voted in favor of this Agreement in the name of

public safety. However, the Policy Board is not governing with common sense. Sullivan agreed with the need to define the term “catastrophic event.”

Neuzil said more attention should also be on the fact that a number of items which were originally paid for by each entity’s General Fund are now being included in the JECC budget. The E911 CodeRED is a prime example, as well as other expenses such as radio equipment.

Pulkrabek said CodeRED is a necessary public safety tool that was previously funded by the EMA budget. Regardless of which budget it falls under, CodeRED is funded by taxpayers.

Rettig said she is upset with the fact that \$28,000 for E911 CodeRED was shifted from a budget the Board controls to a budget over which the Board has no taxing authority. The Board should not have signed the Agreement forfeiting its authority and she thinks there will be no end to this kind of manipulation. While JECC has begun to refuse some of those requests, they should be refusing a lot more. For example, Iowa City taxpayers should be responsible for paying for their own radio replacements and batteries.

Pulkrabek said manipulative shifting of items from one budget to another never occurred to him. He looked at the funding shift in a much simpler way because regardless of who funds the E911 CodeRED, it would be paid for with taxpayer dollars. Rettig asked whose idea it was to shift it. Pulkrabek said the EMA Commission. Rettig said the EMA Commission never talked about it. Pulkrabek said he remembers the EMA Commission did talk about it at some point. Sullivan said he did not attend the last meeting and he asked if the EMA Commission officially voted on this. Pulkrabek said he does not recall a formal vote. He also apologized because he never considered the implications of shifting those funds.

Neuzil said his concern is for what major requests might be coming next. Pulkrabek said he fully understands the Board’s position on this problem. His vision for JECC was that it would enhance communications services to address public safety and emergency services. Therefore, he thought it was appropriate to include radio replacements in this budget. He added that he argued in favor of bonding for large expenditures so that the cost is spread fairly among taxpayers.

Pulkrabek said, for example, if replacing a squad car, the radio communication equipment needs to be removed from the old car and installed in the new car. This could require a different mount or antenna and entail significant costs. In addition, JECC would like to have an interface with Linn County and Cedar Rapids because they often encounter the same people involved in the criminal justice system and want the ability to share that information. Pulkrabek said he has an understanding of what the actual needs are and which entities should be asked to fund them.

Harney said he has always advocated each entity pay for its own equipment. However, several townships are nearing their maximum levy and townships don't have discretion as to what they can tax. If those townships do not have access to the radios, they will have to either fundraise or request them from the Board of Supervisors. Harney said JECC is currently providing those, but how will replacement radios be funded.

Neuzil said future expenses ought to be cost shared. Sullivan said fire districts, such as Big Grove Township, tax for fire services, but some do not provide any services or necessary equipment. Those fire districts pay larger fire departments who then decide how to spend that money. Pulkrabek agreed. He clarified that those districts have a board which is responsible for making any big decisions.

Pulkrabek provided a few examples of how the Policy Board acted with common sense. The West Branch Fire Department was complaining about poor radio reception inside their fire station. The Policy Board denied funding radio service outside of Johnson County because they had been guaranteed good radio coverage while in Johnson County. Another example occurred when Hills firefighter's pager was stolen from his unlocked vehicle. The Policy Board did not replace it because it was a direct result of negligent behavior.

Rettig said waste concerns her. For example, at University Heights City Hall, she observed eight \$7,000 radios sitting unused on a charger. Rettig said that University Heights has at most two law enforcement officials on duty unless there is a home football game and six radios remain largely unused due to a lack of oversight. Pulkrabek said the radios are program specific and registered to a specific officer. Even the extra radios are programmed to the reserve officers.

Neuzil said the Board of Supervisors continues to be responsible by reducing the size and scope of the County budget in order to accommodate JECC's increases. Pulkrabek said the Board of Supervisors made that choice. Neuzil said what harm is there in the JECC Director or anyone else from the Policy Board attending the Board of Supervisor's public hearings where taxing decisions are made.

Sullivan said the explanation has been that if Albrecht attended the County's public hearing, he would be expected to attend the Iowa City public hearing, the Coralville public hearing and the North Liberty public hearing but that is simply not true. Neuzil emphasized the Board of Supervisors is taxing on behalf of JECC during its public hearing and he does not think it is too much to ask that Albrecht attend in order to address questions from the public. Harney said he thinks Albrecht would come. Sullivan said the other entities would object claiming Albrecht showed favoritism to the Board of Supervisors.

Neuzil asked Harney if the Policy Board even discussed that the director and members of the Policy Board should attend the overall County budget public hearing. Pulkrabek said it was briefly discussed, but no one expressed any interest. Neuzil said there, that proves his point.

Pulkrabek said he has no problem attending the public hearing and addressing the public on any taxing questions.

Neuzil said he is reminded of an embattled conversation two years ago when he asked Bailey why she could not attend the County's budget public hearings. Pulkrabek said the Policy Board does not feel that the budget hearing is as important to them as it is to the County. Neuzil said that is because the Policy Board is not the taxing entity and that shows a disrespect of the Board of Supervisors. Now is the time for the County to review the legality of 28E Agreement or ask the Legislature to make a change so that this can no longer happen.

Sullivan said it is ridiculous that the Iowa City City Council refuses to allow Albrecht to attend the Board of Supervisors' public hearing just to avoid answering any questions about the JECC budget. The other option is to accept State Representative Mary Mascher's offer to introduce legislation nullifying the 28E Agreement.

Harney said he does not think anyone ever said Albrecht could not attend the Board's public hearing. Rettig and Neuzil disagreed and said someone did tell Albrecht not to attend and that it is documented in a letter. Neuzil said someone needs to come to the public hearing to present the JECC budget. Sullivan said even if Albrecht attends, no one else will. He would like for those members to come and try to defend what they have done over the last five years, but they will not show up.

Rettig summarized that the Board of Supervisors is going to ask for a legal opinion on the 28E Agreement and then if necessary, determine a course of action to change the Iowa Code to reclaim budget authority. In addition, the Board of Supervisors would like to issue a written request for a joint meeting with all member entities to discuss this problem. She restated Sullivan's idea to make personal appearances at respective city council meetings to invite them to a joint meeting.

Neuzil and Sullivan agreed that if an agreement is reached, it can be documented with a resolution. Neuzil said it is not unreasonable to request that a subcommittee review some of the requests made by the County.

Rettig said JECC should be as a separate line item in the FY13 budget presentation and future tax bills so that it is very clear. Harney agreed. Neuzil said he is trying to get Budget Coordinator Rich Claiborne to show Johnson County's budget with and without JECC each year, so people can see JECC's impact on taxes. The same goes for the Conservation Bond. Both JECC and the Conservation Bond could have a tremendous impact on the County budget, and as such it would be good to inform the public how the Board is fulfilling its budget responsibilities.

Neuzil said he understands that separating JECC in all budget and tax statements requires a lot of work but he is tired of taking the heat when JECC is the only entity who has ignored the Board's request to freeze operating expenses. Harney disagreed. Neuzil

emphasized there was a 26% increase in JECC's budget last year. Harney said part of that was the Board's own doing. Sullivan asked how. Harney said the Board backed off on the JECC budget two years ago because the center wasn't opened for a full year and they didn't need the money so they decided not to ask for that money so the next year the budget is higher. Sullivan said that blame falls on the Policy Board, not the Board of Supervisors, and he said Harney is totally wrong. Neuzil said that was due to the gigantic reserve and a 26% increase, which Harney voted for. Harney disagreed. There were several unpaid bills earmarked to be paid out of reserves. Neuzil said a 26% increase in the budget is not fiscally responsible.

Rettig said the Board was not responsible for that increase. She said Albrecht had emailed the Board requesting a certain level of funding. The reduction in the levy is not the Board's responsibility because JECC asked for it. Harney said the Board lowered the levy fully knowing that in the following year it was going to spike.

Sullivan said that is bad management by the JECC, not the Board of Supervisors. The Board of Supervisors had nothing to do with that. Harney said at that time, JECC kept the budget down at the request of the Board of Supervisors. Sullivan said the Policy Board has never done anything he has requested. Neuzil said his list of proposed changes for the JECC seems reasonable and can be done.

Pulkrabek asked when the JECC budget discussion is scheduled to take place. Executive Assistant Andy Johnson said December 28th at 1:30 p.m. Harney said that is not the public hearing. Johnson confirmed. Pulkrabek asked if the Board wants Albrecht to attend that meeting and present the JECC budget. Neuzil said yes, that is typical.

Rettig said she wants a broader discussion of this in the budget meetings. She would be happy to have this discussion during a televised Informal Meeting Board of Supervisors meeting. Neuzil agreed. Harney said he does not see the purpose of that. Sullivan said the purpose is to give people a better understanding of the Policy Board's lack of cooperation with the Board. Pulkrabek said he would be unable to attend any meeting on December 8, 2011. Johnson said the meeting could occur December 8, 2011 or January 12, 2012. Neuzil said he assumes the meeting would occur January 12, 2012 unless the Policy Board is ready to publish its budget. Rettig clarified that the budget was already published. She asked if the Policy Board voted on it. Harney said yes. Neuzil asked to see the budget. Harney said he has not seen it yet. Pulkrabek said he hasn't seen it either.

Neuzil asked if the Policy Board voted on anything at the meeting held November 28, 2011. Pulkrabek said yes, a vote was taken to publish the budget. Neuzil asked if Pulkrabek has a finalized copy of the budget that they voted on to publish. Harney said no. Pulkrabek said he has a rough draft copy. Neuzil said if he was going to vote on something of this magnitude, he'd want a final copy, particularly on this subject.

Rettig said the Board has previously requested the Policy Board meetings to be televised. Sullivan said there is an audio recording of the meetings, however, it is not

available for public access on the website. Pulkrabek said it takes a month for the audio to be available to the public online. Neuzil said this is especially concerning because this is an entity specializing in communications. Rettig asked Recording Secretary Courtney Fisher when the recording of this meeting will be posted online. Fisher said late this afternoon. Neuzil said this process is very elementary and anyone in a government operation of this size should be able to post an audio on the website in a matter of minutes. Harney said he doesn't think JECC has the recording system to do that. Sullivan said a majority of the Policy Board is going to vote against it. Neuzil said seriously, this could be done with any laptop and he would assume that the JECC information technology or computer specialist who is very good at his job would be able to easily post audio online.

Sullivan left at 9:53 a.m.

Harney said he thinks the biggest issue is with the University of Iowa (UI). The County provides them with a lot of equipment. Rettig agreed. Pulkrabek said the UI provided the County space that was able to save them hundreds of thousands of dollars. Rettig said exchanging space with Linn County would have been free, Johnson County is Linn County's emergency backup and vice versa.

Pulkrabek said he was referring to the tower space the UI provided on Oakdale Boulevard and atop the UI Blank Honors Center. Rettig said in return the UI receives emergency dispatch forever without paying any taxes. Pulkrabek clarified that the UI has its own dispatchers and dispatch center. Rettig clarified that the UI is still using the system paid for by the taxpayers without having to pay any taxes themselves. Pulkrabek said yes, and, the UI's contribution to that system was through the towers they gave the County.

Neuzil said he is concerned about JECC's future operating expenses after the \$4 million is paid off on the building and the \$11 million for the towers; he can only imagine what next the name of public safety will be included in this budget. Harney said those are all part of the operating costs. Everything is in place now and future expenses will be for equipment replacements.

Neuzil said that is why he is asking that the elected officials representing each entity meet for a public vote if the proposed budget shows an increase of more than 10% in expenditures. He asked why there would be any objection to such a public vote on the public record.

Pulkrabek said the Policy Board says their answer is that each entity has an appointee. Rettig said they do so because the Policy Board does not want to be accountable to anyone.

Rettig asked if the UI pays for their radios and equipment. Pulkrabek said no, they were given to the UI to make them whole. Rettig said the UI does not pay taxes in Johnson County and they have a growing public security force that is now patrolling

interstate highways and they don't pay a nickel of property taxes for this system. This is the 10,000 pound gorilla in the room, which is even worse than TIF districts. Pulkrabek said UI police officers are licensed police officers in the State of Iowa and participate in Governor's traffic safety programs. Therefore, UI police do have an occasion to participate in special traffic programs on interstates just as County law enforcement does.

Rettig said in light of that, it may be a good idea to request that the UI pay into the JECC system. Neuzil said the UI is paying into the Self-Supported Municipal Improvement District. It is not uncommon for the UI to contribute to community projects. Rettig said she is comfortable deducting fair market value for the towers. Pulkrabek said he thinks it is fair to ask for the value of the towers is in comparison to the value of the radio equipment. Rettig said she knows how much it costs to lease other tower spaces. Pulkrabek said leasing the tower from the City of Solon is not ideal, but it was the best option available. Building a new tower in that location would have increased the JECC budget dramatically. Pulkrabek said if he remains on the Policy Board, he would like JECC to own a tower in the northeast part of the county.

Pulkrabek said Neuzil presented a suggestion in his memorandum which the Policy Board found reasonable. Neuzil said the items pertaining to bonding and reserving funds was likely considered reasonable. Pulkrabek said the Policy Board is on board with the bonding issue. Pulkrabek said the Policy Board has been open to leasing the space all along, but unfortunately, the Policy Board was unable to give up the space that was requested.

Harney said there were several discussions regarding that, and everyone has acknowledged their interest in this opportunity. Neuzil said he thinks going through these suggestions would be a good job for a subcommittee. These suggestions are not unreasonable. The issue with Markus sitting in on behalf of elected officials requires some sort of resolution. Pulkrabek said that is allowable under the 28E Agreement. Rettig reminded everyone that last year there was a verbal agreement not to do that. She is concerned that without a resolution addressing this problem, elected officials will just send their substitutes for a controversial vote.

Neuzil said it is for this reason that a majority of the Board is interested in reviewing the legislative options as they move forward. Harney said he is not interested. Rettig said a vote is not required. Iowa legislators are probably going to create legislation disallowing counties to give up their taxing rights regardless. Neuzil said he wants the Board to make that request. Rettig said unelected and unaccountable bodies should not be given a blank check with the taxpayers' money.

Neuzil asked Johnson if he has enough information to get the ball rolling. Johnson said yes. He will request an opinion from the County Attorney regarding the legality of the 28E Agreement, if the Board has the authority to deny the budget request, and if now, what changes need to occur to allow for that. He will then draft a letter of the pertinent issues with the suggestion of a subcommittee, and to have something in the budget hearing that separate out the JECC discussion. He will put on a budget meeting agenda

to discuss the scheduling of the discussion of the block grant. Johnson said he is unsure how the Board wants to move forward regarding the UI. Rettig said she thinks they need to research the fair market value of the tower and the number of the radios the County provides. She said if they plan ahead, Neuzil could help Claiborne separate the JECC budget from the rest of the County's budget for presentation purposes. Neuzil said he could do that.

Harney asked who is going to pursue how to separate the JECC budget on the tax bills. Johnson said he will contact County Treasurer Tom Kriz. Harney said that can be put into place and hopefully be ready by next spring.

JOHNSON COUNTY STRATEGIC PLAN

Johnson said he has amended pages to add to the Board's Strategic Plan. Neuzil asked Johnson what action steps he wants the Board to take so they can be prepared for discussion next time. Johnson suggested the Board provide a report and update on the Johnson County Strategic Plan in December 2011 having each Supervisor report on their area. Rettig said she'd like to get serious once again with the Board's strategic planning during the first half of next year. The Board accomplished a lot during the first six month of 2011, and by the second half of the year, it is more difficult to schedule strategic planning meetings.

Johnson said a specific strategic planning schedule would be beneficial, so the Board can incorporate their strategic planning into the instructions for departmental budgets. The Board has a Budget Meeting tentatively scheduled for December 7, 2011. Neuzil said if the Board is going to discuss the Strategic Plan, it would be nice to have all Board members present. Some discussion could be scheduled if the Board is not going to be out of town during the winter break. December 21, 2011 could be spent on the Strategic Plan. Rettig clarified that the entire day of December 21, 2011 will be spent on strategic planning. Neuzil said yes, this has been done before. Johnson said December 29, 2011 could be used for the Board's annual report.

Johnson said if the Board is going to spend a full day working on strategic planning, then each Supervisor should look at their individual areas prior to that meeting. He asked if the Board wants any department heads present to discuss aspects of the Strategic Plan. Neuzil suggested that each Supervisor schedule an individual meeting with Johnson before the December 21st meeting for that purpose. Rettig asked Johnson to inform all elected officials and department heads that the Board is scheduled to do strategic planning at the December 21st meeting. Johnson agreed.

Adjourned at 10:21 a.m.

Attest: Tom Slockett, Auditor
Recorded by Courtney Fisher