



The  
**Iowa County**  
Iowa State Association of Counties

August 2013  
County Leadership Institute



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# The Iowa County

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### ISAC's Mission:

To promote effective and responsible county government for the people of Iowa.

### ISAC's Vision:

To be the principal, authoritative source of representation, information and services for and about county government in Iowa.

## NACo County Leadership Institute - Third Time's a Charm

Persistence often rewards us with a positive outcome. I certainly felt rewarded for persistence by the completion of the 10th Annual County Leadership Institute (CLI) on June 6, 2013. The CLI is hosted annually by the National Association of Counties (NACo) and is presented by the Cambridge Leadership Institute at the IBM Institute for Electronic Government in Washington, D.C. I had been invited twice previously by NACo to attend the CLI but was unable to accept those invitations due to scheduling conflicts. Fortunately, the third invitation proved to be a charm. The three and a half day program presented a very challenging curriculum and a new perspective on leadership – and some great new ideas. Now, the challenge will be to practice some of the skills that the program introduced to my classmates and me.

As mentioned earlier, this was the 10th CLI class. State associations are encouraged to nominate an individual to attend each year. ISAC has submitted a nomination almost every year. We have been fortunate to have had candidates in eight of the 10 classes. The ISAC Board has provided funding in the association budget each year to pay the registration fee for any candidates selected from Iowa. The inaugural class was in 2004. Linn County Supervisor Linda Langston was nominated by ISAC and selected by NACo to that initial class. It could be an interesting coincidence that 10 years later she was sworn in as the NACo President during the 2013 NACo Annual Conference in Fort Worth, Texas on July 22, 2013. Or maybe not - maybe Linda learned a few valuable leadership skills in that class 10 years ago.

Others who have attended and graduated from CLI are Melvyn Houser (Pottawattamie County Supervisor – 2005), Cheryl Jahnel (Former Mitchell County Supervisor - 2006), Terrence Neuzil (Johnson County Supervisor – 2007), Carl Mattes (Humboldt County Supervisor – 2009), Cara Marker-Morgan (Fremont County Supervisor – 2011) and Ben Rogers (Linn County Supervisor – 2012). Initially, attendance at CLI was limited to supervisors, commissioners, police jurors, judges, etc. I checked the class lists from the past two years and was pleased to see that NACo has allowed other elected officers to attend. This year my class included a county attorney and county treasurer/auditor. I've asked ISAC Marketing/Communications Coordinator Rachel Bennett to place the articles of the previous attendees on the ISAC website for your review. You can find them by going to [www.iowacounties.org](http://www.iowacounties.org).

The CLI coursework is based on a book called "The Practice of Adaptive Leadership" by Ronald A. Heifetz, Marty Linsky and

**By: Bill Peterson**

ISAC Executive Director



Alexander Grashow. Our course leader Jeff Lawrence of the Cambridge Leadership Institute did a great job of helping us take the leadership framework suggested in the book and work toward putting the key components into practice. I am not sure what the others in my class were anticipating when they agreed to attend – but I think we all found out that we weren't there to just to listen but to actually practice learning a new skill. This is all based on the philosophy that leaders aren't born – but acquire this skill with practice.

This was addressed by at least a couple of the previous attendees in their articles about the CLI but I will mention it before I proceed with what I discovered during the course. First, there is a difference between being a leader and being an authority figure (decision-maker). The point being that just because you have the final decision-making authority doesn't mean you are leader and it important for us to know when to be a leader and when to be a decision-maker. Second, when faced with a leadership challenge or problem understand that this involves two core processes – diagnosis and action. Each of these components can be broken into two parts: diagnosis of the system and of your role in it; action by the system and yourself to resolve the challenge or problem. Too often, we are anxious to jump in and take some action and fail to take the time to properly diagnosis the challenge or problem. Action clearly gives us the sense that we are accomplishing something, but if we have failed to properly diagnose the problem, it is unlikely we will achieve the outcome we desire.

Another interesting concept that goes along with helping us assess the problems facing our organizations is incorporated in the concept called "getting on the balcony above the dance floor." This idea suggests that for us to really understand what is happening in the system, we have to create some distance between us and the action on the "dance floor." Maybe another way to put it is that sometimes we need to sit back and observe what is going on – rather than being in the thick of the action. This will give us a perspective on not just our immediate point of view but will help us understand the other important participants are in the system and their viewpoint.

Continues on page 12.

## What is a Timely Response to a Records Request?

By: **Kristi Harshbarger**

ISAC Legal Counsel



I don't know if we have a definitive answer to what is a timely response to a records request. But what we do have is a case from the Iowa Supreme Court giving us an example of what the Court deemed to not be a sufficiently timely response under Chapter 22 of the Iowa Code (the open records laws). The opinion handed down by the Court on July 5, 2013 in *Horsfield Materials, Inc. v. City of Dyserville* addressed a dispute between the city and a materials supplier related to the city's public bidding of a project. There were several claims made by the materials supplier related to the city's process for public bidding. An additional claim was made related to the timeliness of the response from the city on several open records requests made by the material supplier related to gathering information on the city's process in this particular public bid. The opinion sets forth the detailed timeline in the situation, which involved several rounds of communication between the city and the materials supplier related to the open records requests. The original request was made on December 21. The parties communicated on various issues and clarifications, and the city provided a small portion of the documents requested on December 31. On January 26, the city attorney claimed attorney-client privilege on five emails related to the request. On March 25, the city offered a remedy for providing a video that was a part of the open records request. On April 6, the city provided 617 pages of documents in response to the request. On April 8, the city attorney claimed attorney-client privilege on eight additional emails. At a later date, the city agreed to release these emails. Throughout this time, the city stated the reasons for delay were the large number of documents that had to be reviewed in order to comply with the request and the difficulty in getting the 48 hours of video reviewed that was requested.

The district court concluded that the city's response was a good faith effort to comply with the open records laws and thus no violation occurred. The Iowa Supreme Court reversed this decision and held that a violation had occurred. The Court considered Iowa Code §22.8(4)(d) which provides that it is a good-faith reasonable delay in responding to a records request if the delay is no longer than 20 calendar days for the purpose of determining "whether a confidential record should be available for inspection and copying to the person requesting the right to do so." The Court found, however, that this 20 day parameter should not be applied as a blanket rule in other situations. The Court instead relied on an administrative interpretation found in Iowa's Uniform Rules on Agency Procedure which states access to records "shall be provided *promptly* upon request unless the size or nature of the request makes access *infeasible*."

While this standard can be subjective, the Court did recognize that the size or nature of the request might play into the response time needed.

The Court held it was a close call whether or not the time it took the city to respond given the size and nature of the request was a violation of the open records laws, but the Court ultimately held the approximately 70 day delay was too long for substantial compliance. The Court noted that for over a month during the time the request was outstanding the city did not communicate with the requestor. The Court seemed most concerned with the fact that "it appears the video recordings of public proceedings became a stumbling block to the production of the hard copy documents." The Court felt adamantly that the city should have turned over the hardcopy documents as soon as available and then provided the video recordings later if more time for review was necessary. The Court did recognize that the city employees and the city attorney had other significant responsibilities during the time they were trying to respond to the records request, but stated because the testimony did not include specific dates or time frames "it is impossible to know how much time it really took city officials to work on Horsfield's request, relative to other demands on city officials' time."

The requestor also claimed that it was a violation of the open records laws for the city to initially claim attorney-client privilege for some emails because it later waived that privilege and the requestor argued that was an admission that the city had "no defense to its failure to produce relevant and responsive documents." The Court disagreed. It held "the City's tactical decision to waive the attorney-client privilege . . . does not establish that the City violated the [open records] Act when it initially withheld them."

Some things to learn or remember in light of this opinion are: 1) if you are trying to sort out a large or otherwise difficult records request, stay in regular communication with the requestor; 2) supply records as you go and do not wait until you have the request completed before providing the records; and 3) document the time you spend on compiling the records request.

## Property Tax Reform and Relief Advisory Panel

By: *Lucas Beenken*

ISAC Legislative Affairs Assistant



With the passage and signing of Senate File 295, the property tax reform and relief bill, it is now time for state agencies and political subdivisions to figure out how to handle the intricacies of the bill. Among the many provisions of the bill are the creation of a new business property tax credit and a legislatively imposed rollback for commercial, industrial, and railway property; a new classification for multiresidential property; and a new assessment methodology and exemption for telecommunications property. The many moving parts of this expansive bill have generated a wide variety of questions from county officials across the state. These questions led to the idea to develop an advisory panel of local government officials who can help the state navigate through the implementation and administration of the changes brought on by SF 295. Working with the affiliate presidents, we identified three assessors, three auditors, and three treasurers to join the panel. The members are:

- Dale McCrea – Muscatine County Assessor
- Deb McWhirter – Butler County Assessor
- Beth Weeks – Cedar Rapids Chief Deputy Assessor
- Carla Becker – Delaware County Auditor
- Marsha Carter – Shelby County Auditor
- Janine Sulzner – Jones County Auditor
- Jeff Garrett – Washington County Treasurer
- Dianne Kiefer – Wapello County Treasurer
- Mary Maloney – Polk County Treasurer

The group of elected and appointed officials and ISAC staff have begun meeting with the Department of Revenue, the Department of Management, and software vendors to figure out the process to be put in place for properly identifying, documenting, and calculating the business property tax credit. Once a plan is finalized for the exchange of information between the counties and the state, the group must ensure that the software used in different county offices and among the 99 counties is capable of handling the new functions to be put in place.

After figuring out how information will be documented and exchanged, the next step is making sure this exchange can be done in an accurate and timely manner. June 30 will be the deadline to get information (including the applications for the credit, the valuations, and the levy rates) to the Department of Revenue (DOR). Because the appropriation for the credit is a set amount and the formula for determining the amount of the credit is quite complex, DOR must have the appropriate information from all 99 counties in order to determine the allocation. DOR hopes to get the allocation amounts back to the counties within two weeks so counties have time to get tax

statements prepared and sent out before the August deadline. The timeframe for the whole process will be very tight, but should become smoother after the growing pains of the first year or two.

After the allocation is determined for each claimant, the amount to be reimbursed to each county will be known. The amount due will be paid in two installments to the county treasurer; the first by November 15 and the second by March 15 of each fiscal year. In addition to the reimbursement for the tax credit, counties will also file repayment claims for the reduction in revenue due to the rollback on commercial and industrial property. This amount is calculated by taking the actual value minus the taxable value (taking into account the rollback) and multiplying by the levy rate. For the first three years the appropriation will fully cover the difference, but for FY 2018 and subsequent years the appropriation will be capped at the FY 2017 levels. If this appropriation is not sufficient to pay all claims, the allocations to the counties will be pro-rated by DOR. After the auditor files the report and replacement claim, the amount due to the county will be paid to the treasurer in September and March of each fiscal year. The treasurer will then apportion the replacement funds among the eligible taxing districts in the county in the same proportion as each district's levy relates to the consolidated levy for a given property. The advisory panel believes the replacement claim process will be less complicated and the only major concern to counties is the funding level.

As the advisory panel continues to meet it is my hope that we can start to replace our many questions with clear and definitive answers. We still need to tackle the new multiresidential classification; specifically, counties need to know how to properly identify and record the property and how to handle dual purpose buildings with more than one classification. We will also get further clarification about the new exemption for telecommunications property and what responsibilities the county will have after the central assessment. I am pleased we have the opportunity to have these discussions with the state and to work out the details of the many changes coming our way. I would also like to extend my gratitude to the panel members that are taking the time to share their expertise and to help with this process. As we continue our meetings, I welcome your input, concerns, and questions.

## The More Things Change...

By: **Deb Eckerman Slack**

ISAC Case Management  
Services Manager



(This is a repeat of an article from the April 2010 issue of *The Iowa County magazine*. I thought this was appropriate in light of everything that is going on in the case management world.)

I was having a conversation with my teenagers the other night when it struck me just how much some things change, yet some stay the same. Initially our conversation was centered on how things had changed from when I was their age; as they talked about their cell phones, iPods, computers and internet access, I talked of albums and cassettes, teen phone lines and having to go to the library to find books and materials for research. As I explained what these things were, they looked at me as if I had two heads. (Okay, they often look at me that way—they are teenagers after all and I am, as they are so fond of telling me, “old and decrepit”.) As they looked at me and their eyes began to glaze over, I threw in the “you kids have it so easy” statement. It was about this time that I remembered similar conversations with my parents and was mortified at the thought that it had come to this; I had become my parents. Don’t get me wrong, my parents are great. They raised eight of us and came away from it relatively intact. Being a parent, I now realize is no small task. But I digress—the point is, although almost 30 years had passed and many things had changed, many things had not. This thought quickly led the conversation to things that hadn’t changed since I was a teenager; the excitement of getting your drivers license, wanting to fit in, hanging out with your friends, missing curfew, etc.

In the office the next day, I began to think about how things in the workplace had changed; from mimeographs (some of you will have to Google this) and typewriters to copy machines and computers with amazing capabilities. The concept of change is rather contradictory for humans: we need stability and routine in order to feel secure and have some control over our lives, but on the other hand, we need some change in order to not become stale or bored. This led me to think about all of the changes that have occurred and continue to occur in the world of targeted case management. Then it hit me: Change happens. It is that simple and it is inevitable. It happens in our personal lives, in our work lives, and in the world around us on a daily basis. In light of this revelation, how do we continue to adapt and stay afloat during change? Are there things that we can do for ourselves to ease the stress and anxiety that change can cause?

This thinking led me to the old book, “Who Moved My Cheese” by Spencer Johnson, M.D. It had been years since I

had even thought about the book, and quite honestly I don’t believe I ever read it! I had to chuckle when I realized that the first concept in the book is that “Change Happens.” (Obviously I wasn’t the first one to recognize this concept!) The book was a good refresher for putting some things in perspective in regards to change, and I recommend reading it. I also went to the internet and Googled the word “change.” I came up with hundreds of hits. After reading several articles I concluded that they all basically had the same themes. Some recurrent strategies for dealing with change included communicating with others. Communication is always important, but even more so in the face of change. For me, communicating during times of change can clarify and help put perspective on the ensuing change. If nothing else, just sharing my concerns, frustration, anger (or excitement for that matter) is helpful. Other tips include: trying to remain positive in actions and attitudes; looking for opportunities in change; and continuing with other work/routines. I realize that all of this can be easier said than done, and I need to clarify that I am not advocating for you to just sit back and do nothing in light of changes that you feel are detrimental. By all means it is important to advocate for your thoughts, ideas, concerns and compromises. But if the change is inevitable, the sooner you accept and adapt to the change, the sooner you can move forward.

In light of all the changes that may occur in your work processes, the one remaining constant, the one thing that stays the same, is the reason for and the focus of your efforts: the individual that you serve in your role as case manager. You still need to continue to assess what the needs are, find resources and services to assist in meeting those needs, and monitor to see that those resources/services are meeting the assessed needs to ensure health, safety and welfare. So as you scramble to prepare for and keep up with all the changes that are inevitable, remember the more things change, the more they stay the same.

# meetings

## Registration for the Fall School to Open Soon!

ISAC will host the 2013 ISAC Fall School of Instruction on November 13-15 at the Veterans Memorial Community Choice Credit Union Convention Center in Des Moines. The convention center is located right off of I-235 in downtown Des Moines at 833 Fifth Street. Online conference registration and hotel rooms through online housing for the fall school will open at 8:30 am on Wednesday, August 28. Please remember that you must register for the conference on the ISAC website before you are able to reserve your hotel room through online housing. Advanced conference registration closes at 4:30 pm on Friday, November 1; however, the ISAC hotel room blocks will only be available until 4:30 pm on Friday, October 18. We strongly encourage you to pre-register for the conference. It greatly helps the ISAC staff to plan accordingly for meals and materials. This keeps the conference registration rates as low as possible, which in turn saves money for your county. Please note that your name badge is REQUIRED for all conference events.

### Conference Registration Fees

ISAC members and preferred vendors:

- Advanced registration fee - \$150 (November 1, 4:30 pm pre-registration deadline)
- At-the-door registration fee - \$180
- Additional family/spouse lunch ticket - \$25

ISAC non-members:

- Advanced registration fee - \$410 (November 1, 4:30 pm pre-registration deadline)
- At-the-door registration fee - \$500

\*For assistance with non-member registrations, please contact Tammy Norman at [tnorman@iowacounties.org](mailto:tnorman@iowacounties.org).

### Conference Hotels

- Des Moines Marriott Downtown (conference headquarters hotel) - 700 Grand Avenue
- Renaissance Des Moines Savery Hotel - 401 Locust Street
- Embassy Suites Des Moines Downtown - 101 East Locust Street
- Holiday Inn Downtown - 1050 6th Avenue

All conference hotels will provide complimentary shuttle service to and from the convention center. Please do not call any of the ISAC conference hotels to book your hotel accommodations. Hotel room reservations made at ISAC conference hotels will not be valid if you call and reserve a room or reserve a room on a hotel website. You must go through the online housing website after registering for the conference to reserve a hotel room.

By: *Stacy Horner*

ISAC Meeting/Event Administrator



After registering for a hotel room through the Meetingmax Online Housing System, you will receive an acknowledgement email immediately from the Des Moines Housing Bureau. The acknowledgement email will contain your hotel location, room type/rate, arrival/departure date, credit card information, and a change request link. This hotel reservation acknowledgement confirms your sleeping room for the conference. Within a week of registering for a hotel room, the hotel (you selected and that is listed on your acknowledgement email) will send you a hotel confirmation number. Both the acknowledgement and confirmation emails will contain a change request link in case you should need to make a change or cancellation to your reservation.

You may only reserve one hotel room per conference registration. This is a first come, first served registration system and the name on the reservation must match the name of the conference registration. You are more than welcome to share a double room with another conference attendee. Please have only one of the two individuals who want to share a room request a double room through online housing. If you are registering more than one individual in your county, you will need to register and make each hotel reservation individually, but you may use the same credit card.

The ISAC conference room blocks will only be available until 4:30 pm on Friday, October 18. After this date, the ISAC conference room blocks will be closed and the special conference rates will be unavailable. Please make all changes or cancellations to your hotel accommodations prior to Friday, October 18.

After Friday, October 18, it is your responsibility to call the hotel directly if you decide to cancel or change your room reservation prior to or during the conference. The change request link will no longer be active through your acknowledgement email. However, please be aware of all hotel cancellation policies.

### Affiliate Agendas

Affiliate agendas must be sent to [shorner@iowacounties.org](mailto:shorner@iowacounties.org) by Friday, October 4 prior to the housing bureau deadline of Friday, October 18. As soon as ISAC receives an affiliate agenda, it will be posted on the ISAC website for conference attendees to review, as well as sent out to our affiliate member email list.



## **Conference Parking**

If you don't choose to park at your hotel and utilize the complimentary hotel shuttle services, parking is available for \$7/day north of the convention center with entrances off Third and Fifth Streets. These parking lots offer the closest and most convenient access to the convention center with easy access to I-235. For handicap parking, please park in the lot closest and directly north of the convention center. Please have cash payment available. For directions and more detailed parking information, please visit <http://www.iowaeventscenter.com/convention/attend-an-event/maps-directions-parking/>.

## **ISAC Steps to Wellness**

ISAC is excited to bring back the ISAC Steps to Wellness walking program during the fall school. With the support of Wellmark and the ISAC Wellness Program, ISAC Steps to Wellness is designed to encourage conference attendees to exercise through walking while using the great skywalk system that downtown Des Moines has to offer. All conference attendees will have the opportunity to participate in the walking program free of charge and will have a chance to win a free registration to the 2014 ISAC Spring School of Instruction.

In each registration packet, ISAC will provide a pedometer so each attendee can keep track of the number of steps taken throughout the conference. Program rules and a log sheet will be attached to the pedometer. As soon as the conference participant picks up their registration packet, they should put on their pedometer and keep it on until they leave the conference.

Upon conference departure, we will ask participants to turn in the final number of steps on their log sheet during ISAC registration hours. After picking up your pedometer at ISAC registration, please be sure to stop by the Wellmark booth to pick up your complimentary water bottle.

Participants who turn in their log sheet at the end of the conference will be eligible for the prize drawing for their participation. The top three walkers (most steps taken during the 2013 ISAC Fall School of Instruction) will automatically receive a free conference registration to the 2014 ISAC Spring School of Instruction. All other walkers will be entered to win a free conference registration, which will be selected randomly among all of the other participants who have turned in their log sheets to ISAC.

All ISAC Steps to Wellness participants will be recognized for their participation on the ISAC website and in the magazine. Last year, we had 131 members participate in the walking program. Let's strive for over 200 participants for this year's ISAC Steps to Wellness at the fall school!

## **Books for Blanks Community Service Project**

Last year's community service project was a huge success! We will once again be collecting brand new children's books for Blank Children's Hospital in support of their literacy programs. We are encouraging each conference attendee to donate at least one brand new children's book (primary need is toddler through middle school) so we can surpass last year's donation of over 200 books and \$300 in cash donations. Donations will be accepted near the conference registration area. We plan to rotate our service projects every few years, so if you have a philanthropy project that you would like us to look into for future years, please contact [shorner@iowacounties.org](mailto:shorner@iowacounties.org). Thanks in advance for contribution to such a worthy cause!

## **Conference Attire**

Conference attire for the conference is business casual dress. Please remember that meeting room temperatures do not feel the same for everyone. You may want to bring a sweater or jacket should the meeting room temperature be too cool for you. Don't forget your walking shoes so you can participate in ISAC Steps to Wellness!

## **ISAC Conference Website**

Please bookmark the fall school webpage at <http://www.iowacounties.org/fallschool.htm>. It is updated often with the latest conference information you will need to prepare for the conference, including: hotel reservation instructions; conference agendas; exhibit hall information and much more! Please contact [shorner@iowacounties.org](mailto:shorner@iowacounties.org) if you have any questions. We look forward to seeing you in November!

## Instagram

As promised, I will be featuring different smart phone apps that I have had requests to explain or discuss. This month I had a request for the app Instagram.

Here is a little history of this app. It was launched on October 6, 2010 and by December, 2010 already had 1 million users. It was originally an app for the iPhone and became available to Android users in April of 2012. It was first a standalone application but, in April of 2012 it became integrated into Facebook. Instagram is constantly adding more features to its app, and the most recent feature is the addition of video.

To set up an Instagram account, access the app via your iPhone (App Store) or your Android device (Play Store). You will be required to create a profile and download the app. The account will default to be public; however, you may opt to make it private by scrolling down and locating the "Privacy" section. You can import your contacts from your smartphone, Facebook or Twitter accounts or search for other users. You will always be able to edit your friend list in the future. You will also be able to choose if you wish to follow other Instagram users, which will enable you to view their photos and comments - similar to the Facebook news feed.

The "feed" feature in Instagram can be located by clicking on the house icon located at the bottom of your screen. The star icon allows you to view the "popular" area of Instagram. This area includes photos that have been uploaded by users and are getting the most attention from all public Instagram users. The icon that looks like a camera will grant you the ability to take a photo or upload a photo from your phone and edit it using filters. The different filters will appear at the bottom of your phone's screen. When you select the different filters that are available the look of your photo will change. Other editing features include the "title-shift" feature (water drop icon). This will cause a portion of the photo to be in focus and the other area become hazy and blurred.

**By: Tammy Norman**

ISAC Office Manager



Once you have edited your photo and typed in a caption in the "what" section, you have the ability to add it to your photo map. You may also choose to share your photo thru Facebook, Twitter, Flickr or Tumblr. Once completed, click on "done" and your photo will now be uploaded and available for viewing.

Other features on Instagram include the icon that looks like a speech bubble with a heart. This is a news feed that highlights the comments and likes that have been made on your photos or the comments and likes of those you are following. The final icon is the "profile" tab located in the bottom right corner. If you select this tab, it will enable you to view your full profile as well as to edit your profile.

Ultimately, Instagram is an easy to use app for photo sharing. It blends nicely with many social networks and the best feature of all is the fact that it is free.

Website Note: If you have a question regarding new technology and would like it addressed in this column, please contact me at 515.244.7181 ext. 7015 or at [tnorman@iowacounties.org](mailto:tnorman@iowacounties.org). Until next month, keep clicking!

# Instagram



## Legal Tender, Part II

By: **Grant Veeder**

NACo Board of Directors  
Iowa Representative,  
Black Hawk County Auditor



*Continued from last month.*

It's likely that *Metropolitan Bank v. Van Dyck*, the New York Court of Appeals case upholding the Legal Tender Act, didn't go to the U.S. Supreme Court because the *Prize Cases* decision indicated that the Court would sustain the government in its war measures. However, Lincoln couldn't be sure that the issue wouldn't someday end up on that docket, and when Chief Justice Roger Taney died in October 1864, Lincoln wanted to be sure to appoint someone reliable, like he had with his first three appointments. And the obvious choice was... Salmon P. Chase?

Lincoln knew that Chase was compulsively intriguing to be president. Describing Chase's efforts to discredit him, Lincoln said that "like the blue-bottle fly, he lays his eggs in every rotten spot he can find." Also, Chase was vain, pompous and easily offended, and the *fourth* time he offered his resignation, Lincoln surprised him by accepting it, writing Chase that they had "reached a point of mutual embarrassment" that could not be overcome.

However, Lincoln was reasonably certain what he could expect from Chase as a Supreme Court justice. As noted in an earlier Lincoln Letter, the political aspect of a Court appointment is unavoidable. Lincoln showed his characteristic mix of practicality and moral sense in a conversation recalled by George Boutwell, whom he had appointed as the first commissioner of the IRS: "... we wish for a Chief Justice who will sustain what has been done in regard to emancipation and the legal tenders. We cannot ask a man what he will do, and if we should, and he should answer us, we should despise him for it. Therefore we must take a man whose opinions are known." In addition to robustly employing the Legal Tender Act as Treasury Secretary, Chase was a longtime and prominent abolitionist. In December of 1864 Lincoln appointed him to succeed Taney as Chief Justice.

The Legal Tender issue *did* eventually come before the Supreme Court after Lincoln died and the war ended, but while Chase was still Chief Justice, in *Hepburn v. Griswold*, 1870. And guess what? Although Chase had supported paper money wholeheartedly as a war measure, after the war he reverted to his former views and saw legal tender as unconstitutional. Would he prevail? Only three justices agreed with him at the time of *Hepburn v. Griswold*, but due to vacancies the total number of justices stood at seven. President Ulysses S. Grant

was in the process of getting two more appointments approved, and there was little doubt the new judges would support legal tender. Knowing he had a majority that was about to evaporate, Chase rushed the case to a conclusion, and the court struck down legal tender, 4-3.

However, after the new justices took their seats, the issue returned in two more cases that had been argued but not decided, ultimately to be called the *Legal Tender Cases*. Chase tried to block them from being reargued, saying that the Court had already agreed to let *Hepburn v. Griswold* settle these cases, and filed a memorandum to support his claim. Nothing of the sort, said Samuel Freeman Miller of Keokuk, Iowa, another Lincoln appointee on the Court and a strong supporter of legal tender. Miller threatened to file "A Statement of Facts," signed by five justices, which exploded Chase's claims and exposed his machinations. Chase hastily withdrew his memorandum. Finally, the cases went before the justices, and the Court decided by a 5-4 margin that Congress had the power to issue paper money under the Necessary and Proper clause. Chase's reputation as a schemer gained new luster. Miller wrote to his brother-in-law that Chase had "resorted to all the stratagems of the lowest political trickery" to keep the issue from being reargued. (Interestingly, Chase had at one point characterized Miller as "the dominant personality upon the bench, whose mental force and individuality are felt by the Court more than any other." Go Keokuk.)

Based on Lincoln's economic philosophy, it's fairly safe to assume that he would have thought legal tender was still constitutional and appropriate after the war. However, he didn't have leisure to consider it in peacetime. In the last years of his life he was focused on saving the Union, and he believed that the Founding Fathers expected their successors to interpret the Constitution in ways that protected the country it governed when faced with annihilation. When Lincoln called Congress into special session on July 4, 1861, he defended his unilateral actions in that legislature's absence. In one instance, he argued against Judge Taney's interpretation that only Congress may suspend the privilege of the writ of habeas corpus, and said, "It can not be believed the framers of the [Constitution] intended that in every case the danger should run its course until Congress could be called together," especially since in this case the rebels

Continues on page 12.

# lincoln letters

hoped to prevent Congress from meeting. Likewise with the legal tender issue: The Constitution contains language that, liberally construed, enabled the government to preserve its existence by taking the unprecedented step of making paper money as good as gold. So thank Lincoln and the SCOTUS that you don't have to lug a ton of gold with you for the pop machine.

But speaking of habeas corpus, if you want to consider a constitutional issue that still echoes loudly from the Civil War to the present time, stay tuned for our next episode.

# feature

Continued from page 4.

Each of the 24 participants in my CLI class was asked to bring a leadership challenge to the class with them. For me, this was the most valuable part of the program. A significant portion of our class time was spent working in small groups to use the framework provided to us to work through these leadership challenges with members of our group. This work in small group allowed us the opportunity to become better acquainted with our fellow attendees and to learn about what challenges they have in their communities. We worked to help each other diagnose and understand both the system wide challenges and their role in it. We all felt like we improved our diagnostic methods by the end of the class. My group was quite diverse with individuals representing counties whose budgets ranged for \$1.1 billion to \$8 million.

I want to conclude by thanking NACo for selecting me to attend this year's CLI. It was definitely time well spent. I also want to thank the ISAC Board and its members for supporting my nomination. Now, the challenge will be putting into practice the things I learned about – only time will tell if that will happen!



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## Linn County Celebrates Safe Community and Lower Rates

Lower flood insurance premiums are on the horizon for unincorporated Linn County residents and businesses as a direct result of Linn County's participation in the Federal Emergency Management Agency's (FEMA) National Flood Insurance Program (NFIP) Community Rating System (CRS). This summer representatives from FEMA presented Linn County officials with a commemorative plaque recognizing the county's efforts to create an informed, safer and more disaster resilient community.

Flood insurance policyholders in unincorporated Linn County who reside in a high-risk flood zone, also known as a Special Flood Hazard Area (SFHA), will receive a 10% reduction on flood insurance premiums; policyholders located outside the SFHA will receive a 5% discount. The reduction in flood insurance premiums represents an annual savings in premium costs for Linn County policyholders and will take effect at the time a new policy is written or an effective policy is renewed.

To achieve the CRS "8" class rating, Linn County initiated multi-level community awareness campaigns and adopted stricter standards including the integration of the Building Code Effectiveness Grading Schedule (BCEGS) into its regular county building codes and enforcement standards. The BCEGS incentivizes communities to enforce their building codes more rigorously by placing special emphasis on the mitigation of losses from natural disasters, thus lessening catastrophe-related damage.

"FEMA's goal is to help ensure communities understand and mitigate against the natural or man-made risks that may threaten their property," said FEMA Regional Administrator Beth Freeman. "Linn County, Iowa has accepted this challenge by participating in the CRS. In doing so, county leadership has become enabled to make informed decisions and take necessary steps to protect life and property through stronger mitigation-based code enforcement."

"Flooding has the potential to inflict costly damage to our homes and our businesses, and to disrupt our daily lives. I applaud the efforts of Linn County officials for recognizing their potential flood risks, exercising initiatives to mitigate against those risks and therefore earning this recognition," added Freeman.

Although several Iowa communities participate in the CRS, Linn is the first county to come onboard with the program. But that may be about to change.

"When elected officials see the benefits their citizens will realize as a result of participation in the CRS, especially with the flood insurance rate increases going into effect soon, the response is positive," said Rodd Baxter, Linn County Zoning Inspector and Certified Floodplain Manager.

"Getting started with the program can be a little overwhelming," said Baxter. "We're working with the Iowa Floodplain and Stormwater Management Association and the Department of Natural Resources to develop a CRS toolkit that will provide guides to make the process easier and encourage others to participate," he said.

In 1990, the NFIP initiated CRS as a means of recognizing and encouraging additional activities that communities can take to surpass the minimum floodplain regulations required by the NFIP. Based on a multi-category point system, the CRS enables communities to reduce their overall flood insurance premium costs by earning more points.

For more information on the NFIP's CRS program, go to <http://www.fema.gov/business/nfip/crs.shtm>.

**Pictured L-R:** Linn County Supervisors Linda Langston, Ben Rogers and John Harris; FEMA Region VII Director Beth Freeman; Linn County Zoning Inspector and Certified Floodplain Manager Rodd Baxter; Linn County Planning and Development Director Les Beck.



# counties in the spotlight

## Pottawattamie Receives National Award

Pottawattamie County received a 2013 National Achievement Award for the Alternatives to Incarceration project being led by the Pottawattamie County Mental Health and Substance Abuse Network.

The award was received from the National Association of Counties (NACo), which started an award program in 1970 that recognizes innovative county government programs.

This award is particularly special because only two awards were given out to programs in Iowa, said Network Executive Director Beth Morrissette.

Pottawattamie County Board of Supervisor and NACo member, Melvyn Houser presented the award Wednesday at the Mental Health and Substance Abuse Network's members meeting.

The Alternatives to Incarceration project is an interagency collaboration working with 28 local agencies and government departments, more than 60 stakeholders and eight workgroups to create a systemic change in the criminal justice system for individuals with mental health and substance abuse needs in Pottawattamie County.

In 2012, it was estimated that between 35 and 55% of inmates in the prison population of the Pottawattamie County Jail had mental health and substance abuse needs.

Often, people enter and exit incarceration and hospitalization because of mental health and substance abuse needs creating a revolving door to these high-cost services.

“By collaborating, we can identify possible solutions to connect individuals to the right services based on their mental health and substance abuse need when they have contact with the criminal justice system,” Morrissette said. “Our results for the Alternatives to Incarceration Project have included a significant reduction of individuals being hospitalized, connecting individuals to community resources and building community collaboration to improve the quality of life in our county.”

Another positive result of the project is that 11 people have been diverted from acute hospitalization to community programs, which has saved the county almost \$50,000.

### 2013 ISAC Preferred Vendors

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### Endorsed Preferred Vendors

Iowa Public Agency Investment Trust (IPAIT)  
National Association of Counties (NACo)  
Nationwide Retirement Solutions  
U.S. Communities  
Wellmark Blue Cross Blue Shield of Iowa

Please contact Rachel Bennett at [rbennett@iowacounties.org](mailto:rbennett@iowacounties.org) if you are interested in learning more about the ISAC Preferred Vendor Program.

## Iowans Can Now Pay Taxes with Their Phones, Online

By: *Caitlin Jones*

Dwolla Marketing and Communications

Iowa continues to be a standout example of innovation in government, adopting new technologies to inject money back into the economy by making their processes faster and more cost-effective for citizens. Earlier this year, we proudly announced our government payments partnership, [dwolla.com/government](http://dwolla.com/government), with the state of Iowa, assisting retailers in paying a potential \$130 million in certain retail taxes.

We're also thrilled to announce our partnership with [IowaTaxAndTags.org](http://IowaTaxAndTags.org). Together, we'll help them process up to 1.2 million tax payments as an online and mobile payment option for eligible residents.

Enjoy the convenience of paying online, without being charged high fees to do so. Currently, paying a \$225 car registration fee with a credit or debit card online would result in an additional processing fee of \$6.82 or \$5.45, respectively. If you pay online with Dwolla, the only additional charge will be an administrative fee of \$0.30 or \$0.40, depending on the county in which you reside.

And, because you're paying with Dwolla, you'll be able to create a payment from your bank or credit union account without sharing the sensitive banking information typically found on a check or credit card.

### How it came about:

The idea for the integration spawned from a hackathon that Dwolla hosted in December of last year. Two IowaTaxAndTags employees joined our 36-hour coding session and ended up building a way for Iowans to easily pay their taxes with Dwolla. They took the idea back to IowaTaxAndTags and proceeded to build the Dwolla network into the vendor's platform.

Today, IowaTaxAndTags is now accepting Dwolla for in-person mobile payments and online check transfers for property tax and car registration taxes.



### How it works:

#### Paying online at [IowaTaxAndTags.org](http://IowaTaxAndTags.org)\*

- Select the Dwolla payment option at checkout
- Sign in to Dwolla
- Authorize a payment from a linked bank or credit union account, or Dwolla balance (Dwolla does not share your financial data with IowaTaxAndTags.org)

*\*Users must pay through the IowaTaxAndTags website.*

#### Mobile (in-person) tax payments

- User adds funds to their Dwolla account from linked bank or credit union account
- Download Dwolla's free iOS or Android application
- Users can submit payments at their county treasurer's office by logging into the Dwolla app, finding the location with the "Around Me" option or search for the office by name.
- When prompted, enter the amount and authorizing the transaction

[IowaTaxAndTags.org](http://IowaTaxAndTags.org) services nearly a third of Iowa's citizens. Residents in Buchanan, Clayton, Dickinson, Floyd, Iowa, Johnson, Linn, Montgomery, Polk, Pottawattamie, and Poweshiek are all eligible to pay with Dwolla.

Check out [dwolla.com/government](http://dwolla.com/government) for more information.

## Target Date Funds Can Help Investors Diversify

Since their introduction, target date funds have enjoyed ongoing growth. It's easy to see why.

Individuals can select just one fund that is managed assuming the investor will begin withdrawals from the fund at or near the specified target date. In this way, an individual leaves to the fund manager decisions about proper asset allocation and diversification - two important concerns that can challenge even the savviest investors.

Thus, target date funds seem to have a certain "set it and forget it" appeal, especially to deferred compensation plan participants. The basic concept is easy to understand and requires little maintenance by the investor. But that appeal needs to be balanced with certain realities that should be understood before an individual opts for a target date fund.

### How a target date fund works

As the name implies, a target date fund is designed for retirement plan participants who expect to begin needing the invested assets in a specific year. For example, if a participant plans to retire in 2025, (s)he might select a target date fund with 2025 in its name.

To achieve its objective, a target date fund moves along a *glide path* that adjusts its portfolio over time, away from an asset allocation that may be considered riskier to one that is intended to be more conservative. In fact, the fund continues along its glide path after the target date – in many cases, 20 years afterwards – because even in retirement, most individuals need a certain amount of investment growth to keep up with inflation.

### Target date funds are not a cure-all

There are certain trade-offs participants should consider before investing in a target date fund. These funds assume all participants of a given age have the same investment needs and about the same risk tolerance.

**By: Bob Beasley**

Nationwide Retirement Solutions  
Communications Manager

By investing in a target date fund, an individual is investing in a fund of funds and therefore is sharing in the expenses of those funds as well as the target date fund itself.

Additionally, target date fund managers usually invest only within their company's family of funds, which can have varying degrees of investment success. The quality of target date funds can vary over time, which is why "setting it and forgetting it" may not be prudent.

### The NACo Program offers target date funds

The NACo Deferred Compensation Program offers Nationwide Target Destination Funds, a series of 11 target date funds that are subadvised by third-party fund-management firms. This offers a level of objectivity not offered by many other target date funds. Nationwide Target Destination Funds invest in several Nationwide-branded subadvised funds, as well as third-party funds.

In addition, the NACo Deferred Compensation Program is supported by Nationwide Retirement Specialists, who can help county workers understand their options through the Program.

To learn more about how the NACo Deferred Compensation Program can benefit county employees, contact Lisa Cole by email at [lcole@naco.org](mailto:lcole@naco.org) or phone at 202.942.4270.

### Advantages

- Basic concept is easy for participants to understand
- Low minimum amount required for access
- Professionally managed portfolios offer instant diversification
- Exposure to asset classes not found in many core menus
- One size fits all, set it and forget it solution

Continues on page 17.



Continued from page 16.

## Disadvantages

- One size fits all solution based solely on age
- Expense ratios tend to be higher than other funds
- Invests only within the company's family of funds
- No guarantee that the fund's objective will be met
- Potentially false sense of security

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Before investing, carefully consider the fund's investment objectives, risks, and charges and expenses. The product informational brochure and underlying fund prospectus

contain this and other important information. Both the product informational brochures and underlying fund prospectuses can be obtained online at NRSforU.com or by calling 877.677.3678. Read the prospectuses carefully before investing.

The use of asset allocation and diversification as part of an overall investment strategy, even within target date fund, does not assure a profit or protect against loss in a declining market. After all, investing involves market risk, including possible loss of principal. There's never a guarantee that the investment objectives of a target date fund will be achieved.

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# employment

## County Engineer

Fayette County is seeking experienced applicants for the position of County Engineer. The position requires an Iowa Licensed Professional Engineer, and registration as a Land Surveyor in Iowa is preferred. The County Engineer is responsible for the overall planning, direction, coordination, and control of the Fayette County Road Department. This includes the effective, safe, and efficient construction, maintenance, and engineering of all county secondary roads and related services in a manner designed to achieve the

best possible quality of workmanship at the most reasonable possible cost in meeting the needs of County residents and taxpayers. Salary and benefits commensurate with experience. Fayette County is an EOE. The job application is available at [www.fayettedcountyiowa.org/ENGINEER.html](http://www.fayettedcountyiowa.org/ENGINEER.html) or in the Engineer's Office at 114 North Vine Street, West Union. Applications and resumes must be submitted by August 16, 2013 to: Board of Supervisors, P.O. Box 269, West Union, IA 52175

## Making Medicare Make Sense

By: Center for Medicare and Medicaid Services


**Q:** What is the National Mail Order Diabetic Testing Supplies Competitive Bidding Program that started Nationwide on July 1? I've heard that if I receive items such as test strips and lancets in the mail or by delivery that I will need to get them from a Medicare contract supplier, but my out of pocket costs will be significantly reduced. What does this all mean, and how do I find a contract supplier?

**A:** Starting July 1, 2013, Medicare implemented a national mail-order program for diabetic testing supplies, which is designed so you can save money while continuing to receive quality supplies. Rather than having an approved amount of \$78 for 100 test strips and lancets, Medicare's approved amount will be around \$22 – and your copay will go from \$15 to under \$5. In order to save money under the national mail-order program, you'll need to use a Medicare national mail-order contract supplier. The national mail-order program will include all 50 states, the District of Columbia, Puerto Rico, the U.S. Virgin Islands, Guam and American Samoa.

For a list of mail-order Medicare contract suppliers, visit [medicare.gov/supplier](http://medicare.gov/supplier). Enter your zip code, select "Mail-Order Diabetic Supplies" and hit the search button. You can also obtain a list of contract suppliers by calling 1.800.MEDICARE (1.800.633.4227). If your current supplier is not included in the list, you will have to select a new contract supplier for Medicare to help pay for diabetic testing supplies that you have delivered to your home.

If you don't want diabetic testing supplies delivered to your home, you can go to any local store enrolled with Medicare and buy them there. You can receive the same savings by purchasing diabetic testing supplies in the store as you would by having them delivered to your home – as long as the store accepts assignment, which means they accept the Medicare-approved amount as payment in full. If the store does not accept assignment, they can charge you more. So, it's important to check with the store about Medicare assignment if you want to take advantage of the new lower prices.

If you have questions, Medicare has resources to help you understand the new program, including [medicare.gov](http://medicare.gov) and 1.800.MEDICARE (1.800.633.4227). TTY users should call 1.877.486.2048. You can also call your local State Health Insurance Assistance Program (SHIP). The SHIP phone number can be found on the back of your Medicare handbook, or by calling 1-800-Medicare. This program applies to people with Original Medicare. If you're in a Medicare Advantage Plan (like an HMO or PPO), your plan will notify you if your supplier is changing. Contact your plan for more information.



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# 2013/2014 calendar

## **August 2013**

- 1-2 Supervisors Executive Board Retreat (Ames)
- 14-16 Recorders Summer Conference (Cedar Rapids)
- 15-16 ISAC LPC Retreat  
(Hilton Garden Inn, Johnston)
- 22 ISAC Scholarship Golf Fundraiser  
(Otter Creek Golf Course, Ankeny)

## **September 2013**

- 11-12 ISAC Board of Directors Retreat  
(Plymouth County)
- 19-20 CCMS Strengths Based Training  
(Stoney Creek Inn, Johnston)
- 26 ISAC LPC Meeting  
(ISAC Office, West Des Moines)
- 29-1 Assessors Annual Conference  
(Embassy Suites Downtown, Des Moines)

## **October 2013**

- 8 CCMS Administrators Meeting  
(Hilton Garden Inn, Johnston)
- 16-17 CCMS Fundamentals Training  
(Courtyard by Marriott, Ankeny)
- 17-18 ISAC Board of Directors Meeting  
(ISAC Office, West Des Moines)

## **November 2013**

- 3-6 County Attorneys Fall Training Conference  
(Coralville)
- 7 CCMS Advanced Case Management  
Meeting  
(Stoney Creek Inn, Johnston)
- 13-15 ISAC Fall School of Instruction  
(Veteran's Memorial Community Choice  
Credit Union Convention Center, Des Moines)

## **December 2013**

- 4 ISAC Board of Directors Meeting  
(ISAC Office, West Des Moines)
- 5-7 NACo Board of Directors Meeting  
(Cedar Rapids)
- 10-12 ICEA Annual Conference  
(Ames)

## **January 2014**

- 14 CCMS Administrators Meeting  
(Hilton Garden Inn, Johnston)
- 22-23 ISAC University  
(West Des Moines Marriott)

## **February 2014**

- 5 Statewide Supervisors Meeting  
(Courtyard by Marriott, Ankeny)
- 26-27 CCMS Fundamentals Training  
(Courtyard by Marriott, Ankeny)

## **March 2014**

- 1-5 NACo Legislative Conference  
(Washington Hilton, Washington, D.C.)
- 12 County Day at the Capitol  
(Des Moines)
- 13-14 ISAC Spring School of Instruction  
(Des Moines Marriott Downtown)

## **April 2014**

- 8 CCMS Administrators Meeting  
(Hilton Garden Inn, Johnston)

## **May 2014**

- 1 CCMS Advanced Case Management Meeting  
(Stoney Creek Inn, Johnston)

## **June 2014**

- 5 CCMS Supervisors Training  
(Hilton Garden Inn, Johnston)
- 11-13 ICIT Midyear Conference  
(West Des Moines Marriott)
- 18-19 CCMS Fundamentals Training  
(Courtyard by Marriott, Ankeny)

## **July 2014**

- 8 CCMS Administrators Meeting  
(Stoney Creek Inn, Johnston)
- 11-14 NACo County Solutions and Idea Marketplace  
(New Orleans, LA)

## **October 2014**

- 14 CCMS Administrators Meeting  
(Hilton Garden Inn, Johnston)
- 15-16 CCMS Fundamentals Training  
(Courtyard by Marriott, Ankeny)

## **November 2014**

- 6 CCMS Advanced Case Management Meeting  
(Stoney Creek Inn, Johnston)
- 12-14 ISAC Fall School of Instruction  
(Veteran's Memorial Community Choice  
Credit Union Convention Center, Des Moines)

## **December 2014**

- 1-2 ICEA Annual Conference  
(Ames)

Please visit ISAC's online calendar of events at [www.iowacounties.org](http://www.iowacounties.org) and click on 'Upcoming Events.' A listing of all the meetings scheduled for 2013, agendas and meeting notices can be found on ISAC's website. A majority of ISAC's meetings offer online registration. If you have any questions about the meetings listed above or would like to add an affiliate meeting to the ISAC Calendar, please contact Stacy Horner at 515.244.7181 or [shorner@iowacounties.org](mailto:shorner@iowacounties.org).

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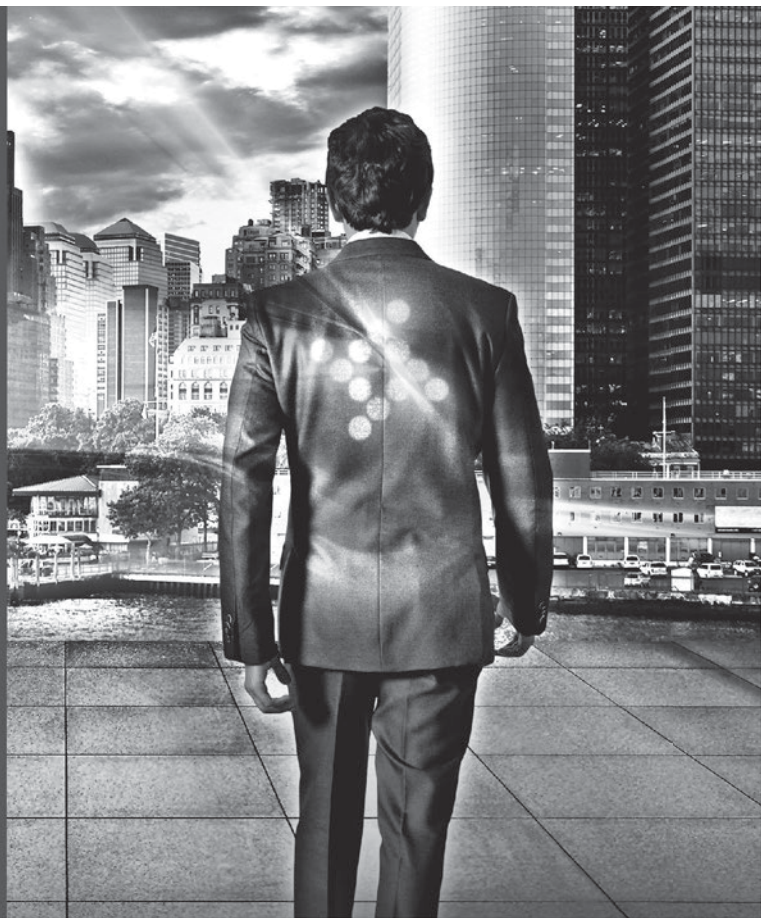
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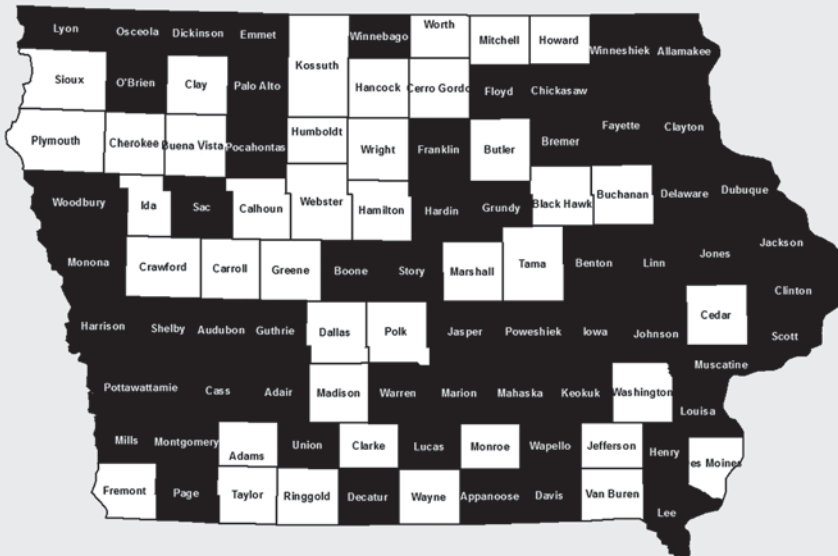
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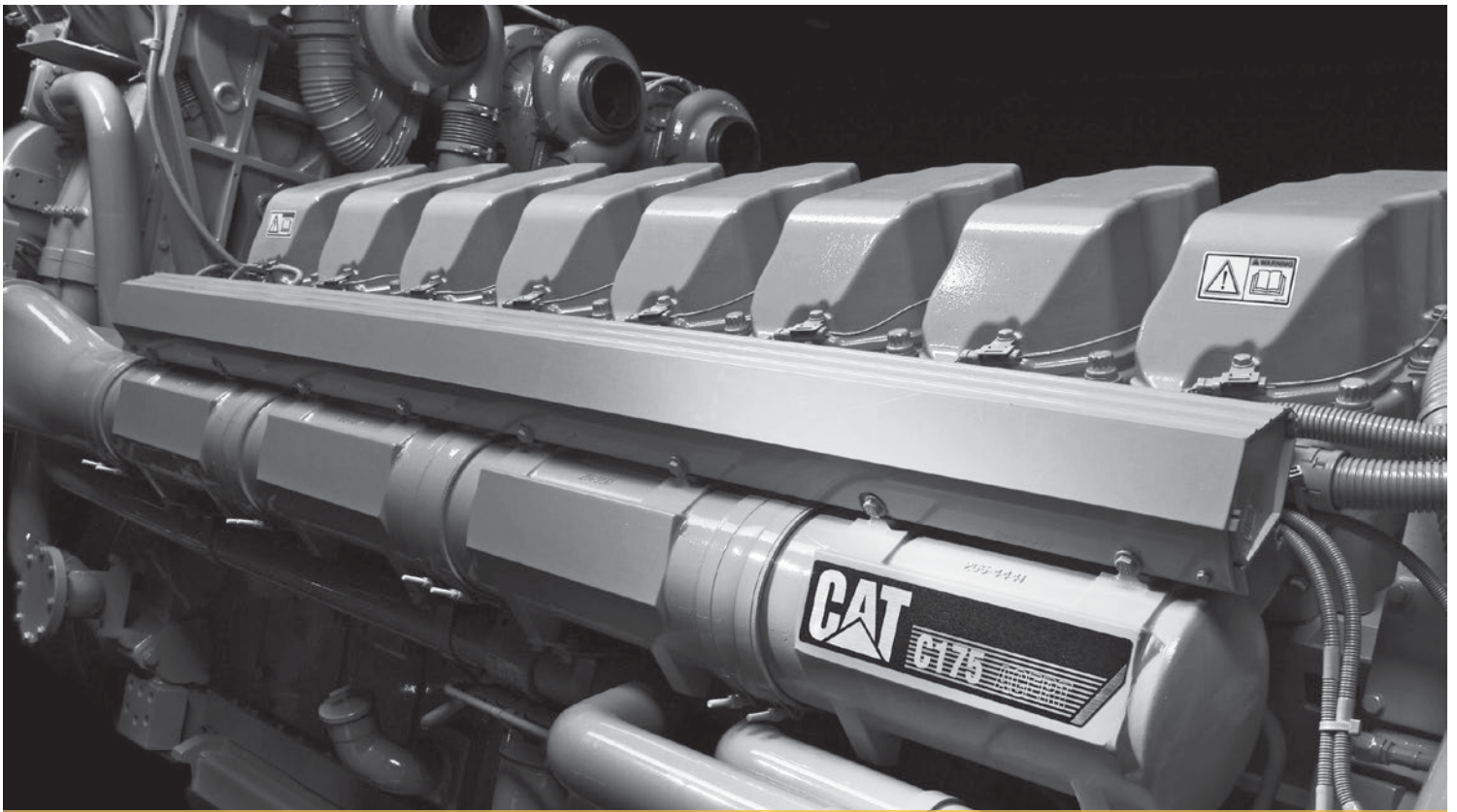
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