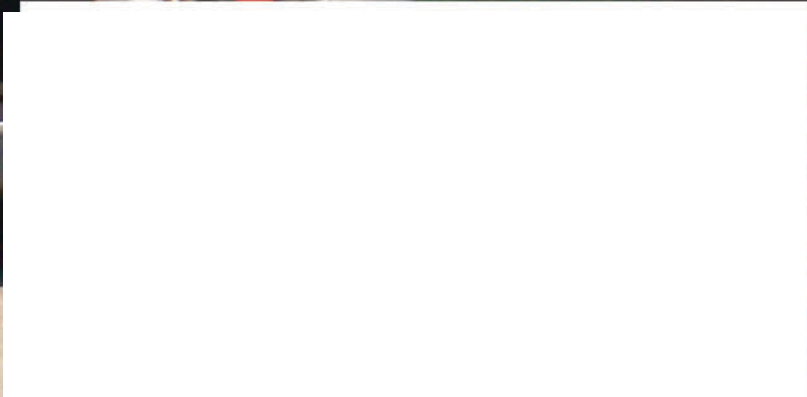


The Iowa County

Iowa State Association of Counties



April 2008

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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.

capitol comments

NACBHDD 2008 Legislative and Policy Conference

By: **Linda Hinton**

ISAC Government Relations Manager



Medicaid issues took up a significant portion of the agenda at the National Association of County Behavioral Health and Developmental Disability Directors (NACBHDD) meeting on February 28–March 1. One of NACBHDD’s top legislative priorities is the delay and reconsideration of Medicaid rules regarding, among other areas, targeted case management and rehabilitation services. The rule changes are intended to result in a reduction of \$15 billion over five years in Medicaid spending. According to information provided by the states to the Committee on Oversight and Government Report, the actual impact of the rule changes is \$49.7 billion over five years, or more than three times the administration’s estimate. These changes will force the states to make hard decisions in determining how to maintain essential medical services to persons in need.

The rules limit case management services to a person leaving institutional care to the last 60 days rather than the 180 days that has been allowed. The rules also prohibit paying for these services until the individual is actually living in the community. This puts the provider in the position of having to front the costs for this service and take the risk that they may never be paid if the individual ultimately does not make the move to the community.

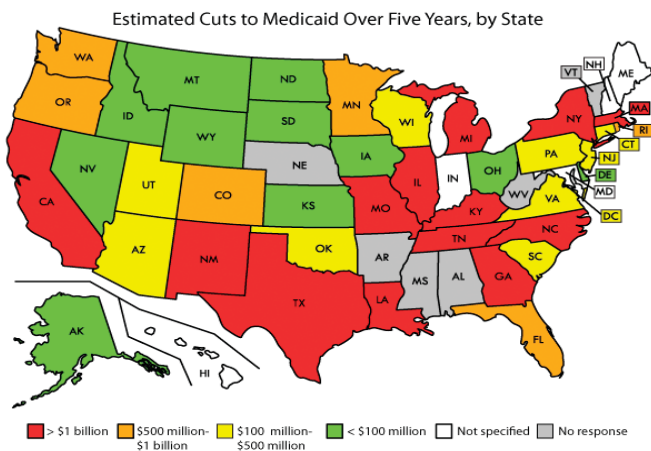
Conference attendees were able to hear various sides of the issue. Dennis Smith, Director of the Center for Medicaid and State Operations, defended the new rules. He articulated the position that the

states had “pushed the envelope beyond, and in many cases well beyond” what is medically necessary. Medical necessity is the standard for what is reimbursable under Medicaid. According to Mr. Smith, Title 19 has become a funding source. Mr. Smith expressed the opinion that if special needs are underfunded (foster care, special education), the answer is to get funding directly for these needs, not to continue to leverage Title 19 to pay for non-medical services. He stated that the problem is not with the new rules but with compliance with the old rules as demonstrated by the state Medicaid audits.

Representative Henry Waxman (D-CA), Chair of the Committee on Oversight and Government Reform, presented his views on this issue to the conference. He began his remarks by calling CMS “mean-spirited” and described their efforts to implement new rules as “rewriting the law.” Rep. Waxman supported the efforts of NACBHDD and other advocates to get the rules rescinded. He was of the opinion that states are not ready to implement these rules and stated that the implementation will cost \$10 billion in California. Rep. Waxman’s committee was waiting for information from the state Medicaid agencies on the impact of the rule changes. The State Medicaid Impact Report can be found at <http://oversight.house.gov/features/medicaid08>. The information provided by Iowa can be seen in the chart on this page.

Representative Waxman went on to state that CMS is working off of the premise that the “states are cheating the federal government.” The outcome of the rules, however, will be that the states will have to cut Medicaid services and will not have the resources to replace those services. Representative Waxman charged that CMS was abusing its power by changing the law through rule.

The rule change with the most impact on Iowa counties is the change related to targeted case management. The regulation significantly limits federal Medicaid matching funds for case management services. According to NACBHDD, the Deficit Reduction Act (DRA) made some changes to the Medicaid case management benefit, but the CMS regulations go beyond those changes and will have a detrimental impact on a variety of Medicaid recipients, including persons with physical or mental disabilities. These rules went into effect on March 3.



The Administration’s Medicaid Regulations: Impact on Iowa		
Category	Loss of Federal Funds:	
	in 2008	over five years
Cost limits for public providers	-	-
Payment for graduated medical education	7,100,000	35,500,000
Payment for outpatient hospital services	-	-
Provider taxes	1,000,000	not specified
Coverage of rehabilitative services	-	-
Payments for costs of school administrative and transportation services	not specified	not specified
Targeted case management	not specified	not specified

Court Clarifies County's Duty to Defend Employee Facing Criminal Charges

By: David Vestal

ISAC General Counsel



Duty to Defend: What is the duty of a county to defend a county employee charged with a crime? That was the issue before the Iowa Supreme Court in the case of *Richter v Shelby County*. I wrote about this lawsuit in February 2007.

What happened was that on December 20, 2004, while on patrol, Shelby County Deputy Sheriff Chad Butler shot and killed an unarmed man following a high-speed chase. Later that same day, Butler hired David Richter to represent him regarding the shooting.

From the time of the shooting, Marcus Gross, the Shelby County Attorney, acted as prosecutor and did not provide Butler a legal defense. Gross presented the matter to a Shelby County grand jury, which indicted Butler on the charge of voluntary manslaughter. After the indictment, Butler's attorney submitted a bill to Shelby County for \$15,000. The chairman of the Board of Supervisors responded in writing that the Board did not have the authority to pay the bill. Despite this, Butler's attorney continued to represent him. Two months later, Butler was acquitted of voluntary manslaughter. After the trial, Butler's attorney sent a bill to the county for \$63,000. The Board of Supervisors again refused to pay the bill.

Butler's attorney sued for payment of the fees. In July 2006 a district court ordered the county to pay the \$63,000. The court held that the criminal charge was brought against Butler for actions he performed while acting in his official capacity, and therefore, the county had a duty to defend him under Iowa Code § 331.756(6). The county appealed. The Iowa Supreme Court handed down its decision on February 29. The sole basis for recovery asserted by Butler's attorney was Iowa Code § 331.756(6), which says that the county attorney shall "commence, prosecute, and defend all actions and proceedings in which a county officer, in the officer's official capacity, or the county is interested or a party."

Shelby County took the position that Butler was not a "county officer." Given prior Iowa cases, this is true. But the issue was confused here because both sides had stipulated at trial that Butler was acting as "an officer for Shelby County." Rather than open this can of worms, the Supreme Court said it could decide the case without reaching this issue. The deciding issue in the case was whether Butler was defending himself in the underlying criminal action "in his official capacity." The Supreme Court said that he was not. They said that Butler was acting in his personal capacity for his personal benefit, even though the criminal case arose from acts taken in his official capacity. Butler "was not acting as the representative or agent of the county," said the Court. "His goal was to avoid criminal sanctions personal to him."

Just because the underlying incident arose in Butler's capacity as a deputy sheriff does not mean that he was acting in his official capacity when he was defending himself in the criminal case. In fact, he was not, said the Court. For that reason, the Court held that under Iowa Code § 331.756(6) Butler was not entitled to a defense at the county's expense.

The Supreme Court reversed the district court decision, holding that Shelby County had no duty to pay the attorneys fees incurred by Butler in his criminal defense. As the Court pointed out, its interpretation of Iowa Code § 331.756(6) is supported by the fact that at common law, public officials were not entitled to mandatory reimbursement of fees resulting from criminal prosecutions without a statute requiring such payments.

Ethics Survey: The Arlington, Virginia-based Ethics Resource Center recently released its National Government Ethics Survey. The results are troubling. About 63% of local government employees surveyed said that they had observed at least one type of workplace misconduct in the last year. Local government had the highest level of workers who witnessed misconduct but did not report it – 34%. That compares with 29% at the state level and 25% within federal agencies. The most commonly observed types of misconduct at the local level of government were abusive behavior (26%) putting own interests ahead of the organization (26%) and Internet abuse (23%).

The survey concluded that local governments were often a place where there is strong pressure to compromise standards, where situations invite wrongdoing, and where employees' personal values conflict with the values espoused at work. Only 9% of local government employees said that they see a truly ethical culture on the job. So at this point you need to ask yourself, is there truly an ethical culture in your courthouse? If not, why not?

For more on the report, go to www.ethics.org

Parting Ponderable: Okay, all of you sports fans. Match the college with the correct nickname. Some make sense if you think about them. Others, I haven't a clue:

- | | |
|--|-----------------|
| 1. Chaminade University | a. Musketeers |
| 2. University of California-Santa Cruz | b. Silverswords |
| 3. Hamline University | c. Vandals |
| 4. University of Idaho | d. Pipers |
| 5. University of San Diego | e. Judges |
| 6. Brandeis University | f. Toreros |
| 7. California Maritime Academy | g. Loggers |
| 8. University of Puget Sound | h. Keelhaulers |
| 9. Xavier University | i. Bridges |
| 10. Brooklyn College | j. Banana Slugs |

Answers: 1-Silverswords; 2-Banana Slugs; 3-Pipers; 4-Vandals; 5-Toreros; 6-Judges; 7-Keelhaulers; 8-Loggers; 9-Musketeers; 10-Bridges

For more information go to www.smargon.net/nicknames.

Wind Energy

By: Jay Syverson

ISAC Fiscal Analyst



Did you know that April is Iowa's windiest month? It's true. According to Iowa's state climatologist Harry Hillaker, April wind speeds average 12.5 miles per hour. August is the calmest month, with wind speeds averaging only 8.4 m.p.h. In honor of the wind whipping outside your window right now, this month's *By the Numbers* discusses wind energy, including the variety of tax incentives that state law provides and some other interesting facts about wind energy in Iowa. Let's start with the tax incentives.

Iowa has five specific tax incentives that apply to wind farms. The first is a sales tax exemption under Iowa Code § 423.3(54). That section exempts wind energy conversion property from sales tax. For example, if a farmer bought a wind turbine to install on his property and it provides energy to his home and farm, the purchase would be exempt from sales tax. This exemption also applies to "materials used to manufacture, install, or construct wind energy conversion property." That seems to mean that a company that manufactures wind turbines doesn't have to pay sales tax when it buys raw materials used to construct the turbines. This is a state sales tax exemption and is available without any affirmative local action.

The next three incentives are all property-tax related, and two of them require local action to be operational. Iowa Code § 427B.26 allows wind energy conversion property to be assessed at a reduced rate for property tax purposes. This incentive requires the board of supervisors or city council to pass an ordinance providing for the special valuation method. Once the ordinance is in place, newly constructed wind energy conversion property is assessed according to a phase-in schedule. In the first year, the property is assessed at 0% of its net acquisition cost (NAC), which is the "cost of the property including all foundations and installation cost." The property is assessed at 5% of its NAC in the second year, 10% in the third year, and so on. In the seventh assessment year and each year thereafter, the property is assessed at 30% of its NAC. This property tax incentive essentially gives wind energy conversion property a permanent but partial assessment reduction.

The second special valuation method, in contrast, provides a temporary but complete assessment reduction. Iowa Code § 441.21(8) exempts 100% of the value of a "solar energy system," which is defined to include wind energy property. But the exemption only lasts for five assessment years. This exemption is available to any wind energy property constructed on property classified as agricultural, residential, commercial or industrial, and does not need to be approved locally. However, the exemption is available only as an alternative to the permanent but partial exemption in Iowa Code § 427B.26 – in other words, a property owner can't get the benefit of both incentives. On the other hand, a property owner may use the sales tax exemption and still use either of the above special valuation methods.

The final property-tax related wind energy incentive, however, stands on its own. If a property owner elects to receive a wind energy production tax credit under Iowa Code chapter 476B, he is not eligible for the sales tax exemption or either special valuation method described above. This incentive gives the property owner an income tax credit equal to one cent per kilowatt-hour of electricity produced from wind energy conversion property and sold during the year. The credit is not allowed for any energy sold to a related person. While this is an income tax credit, it is basically funded from property taxes. Here's how that works: The owner of the property must first apply to the board of supervisors in the county where the property is located. If the board approves the application (or takes no action within 45 days, in which case the application is deemed approved), the property taxes paid on the property are sent to the state, which uses that money to offset the loss of revenue due to the income tax credit. Local approval from the board of supervisors is required because the credit essentially results in a 100% property tax exemption, from the perspective of the county. The credit, and the corresponding diversion of property tax revenues to the state, lasts for 12 years. After that time, the property taxes are retained at the local level and the income tax credit disappears.

The final tax incentive for wind energy property is also an income tax credit, and is somewhat similar to the wind energy credit under Iowa Code chapter 476B. This credit is called the renewable energy tax credit and is available under Iowa Code chapter 476C. It has a couple of notable differences from the wind energy credit. First, as the name implies, the renewable energy credit is available to a broader spectrum of renewable energy property than just wind energy. Solar energy facilities, as well as biogas, biomass and refuse conversion facilities are all eligible for this credit. Second, this is a pure income tax credit. There is no diversion of property tax revenues to the state to fund the credit. Thus, there is also no local involvement in the approval process. Third, the credit is limited to Iowa residents, small businesses, or certain other specifically defined types of owners. This credit is 50% greater than the wind energy credit under chapter 476B (it equals 1.5 cents per kilowatt-hour of electricity), but it is limited to ten years, rather than twelve. Finally, and perhaps most importantly, a taxpayer receiving the renewable energy credit (476C) is also eligible for the sales tax exemption and either of the special property valuation methods, but not for the wind energy credit (476B).

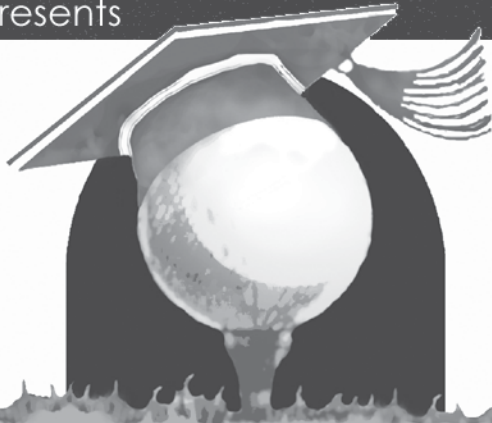
by the numbers

Now here are some other interesting facts about wind energy, nationwide and in Iowa. According to the American Wind Energy Association (AWEA), installed wind energy generating capacity now totals 16,818 megawatts (MW) nationwide. Nearly a third of that total was installed in the last year alone. All of that wind energy property is capable of generating 48 billion kilowatt-hours (kWh) of wind energy a year. That's only about 1% of the U.S. electricity supply, but it's enough to power about 4.5 million homes. Texas is the leading state in terms of installed wind power capacity at 4,356 MW. California is second, Minnesota is third, and Iowa is fourth, with 1,273 MW. Iowa alone is currently generating about 3.6 billion kWh of electricity from wind energy, enough to power about 340,000 homes. And we've tapped less than 1% of our wind energy potential, according to the AWEA.

The AWEA's website has a nifty tool that lists all the wind energy projects in a certain state. (Visit it at www.awea.org/projects to see for yourself.) The AWEA says Iowa has 47 existing wind energy projects, with another four under construction. The first wind energy project in Iowa was developed for a school in Spirit Lake and came online in 1992. Eight other projects came online by early 1999, but all of them were relatively small, with capacities of a couple of megawatts or less. Later in 1999, however, three major projects came online, two overlapping the border between Buena Vista and Cherokee counties and one in Cerro Gordo County.

The BV/Cherokee projects had power capacities of 109 MW and 80 MW, and included 145 and 106 turbines, respectively. The Cerro Gordo project had a 41-MW capacity and 55 turbines. The largest Iowa wind project is a 2004 project for MidAmerican Energy in Buena Vista and Sac counties. It has a capacity of 160 MW generated from 107 turbines. The largest wind energy project in the country appears to be in Texas. Taylor County, Texas, which is home to Abilene in the north central part of the state, houses a 299-MW capacity wind farm. That county has four total wind farms with a combined power capacity of 869 MW. If Taylor County was its own state it would be 8th in the nation in wind power capacity. To put that in perspective, Texas's Taylor County is 919 square miles and has a population of 126,000, which makes it slightly larger than Iowa's Woodbury County in both respects.

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Lincoln Appoints Keokuk Attorney to Supreme Court

As president, Abraham Lincoln appointed Iowans to various positions, some high, some not so high. The president can make no appointments more prestigious than those to the United States Supreme Court, and Lincoln used one of these rare opportunities to elevate Samuel J. Miller of Keokuk, Iowa.

Before we get to that, however, I would like to revisit last month's "Lincoln Letters" article, about Lincoln's involvement in the lawsuit over the steamboat *Effie Afton* crashing into the first Mississippi River bridge. A recent book about the trial, *Hell Gate of the Mississippi* by Larry A. Riney, disputes the recollections of those who say Lincoln actually visited the bridge. The case Riney makes is compelling enough that I am reluctant to consider Lincoln's visit as an established fact.

He definitely took part in the trial, which was held in Chicago, and resulted in a hung jury, and effectively allowed the railroad to keep its bridge from being removed as a hazard to navigation. The riverboat interests weren't surprised at the outcome, because Chicago was a railroad town. What they needed, they felt, was a trial in a river town.

So they brought suit against the Mississippi and Missouri Railroad Company, which partnered with the Chicago and Rock Island in establishing the bridge, and was headquartered in Davenport. The trial was held in the U.S. District Court for the Southern District of Iowa in Keokuk. Appearing for the plaintiffs was . . . local attorney Samuel J. Miller!

Miller was born in Kentucky and started his professional life as a doctor. However, he found he didn't like the medical practice, so he became a lawyer. He also didn't like slavery, so he moved to Iowa. He was a successful lawyer in Keokuk, and his success continued with the *Effie Afton* case heard there from April to June 1860. The jury found for the plaintiffs and the three spans on the Iowa end of the bridge were ordered to be torn down. The defendants appealed the case to the Supreme Court.

In the meantime, Supreme Court Justice Peter Daniel died while the suit was being tried in Keokuk. His vacancy on the high court was still unfilled when Abraham Lincoln took the presidential oath in March 1861.

Although his prior political experience looks scant on paper, Lincoln was a well-seasoned operative who had helped bring the Republican Party into existence. He knew the importance of judiciously-applied political patronage. He had to perform a balancing act that satisfied key constituencies, one of which was the strongly Republican western state of Iowa.

By: **Grant Veeder**

ISAC NACo Board Representative
Black Hawk County Auditor



Despite having in common their respective *Effie Afton* lawsuits, Lincoln and Miller didn't know each other. But Miller was widely respected and strongly endorsed by lawyers and judges in Iowa and nearby states. His politics were also congenial to the president, a key element in any Supreme Court appointment. Lincoln finally filled Justice Daniel's vacancy with Miller in July 1862.

Miller hadn't been on the court for six months when the *Effie Afton* caught up with him. The appeal of his successful case against the Mississippi and Missouri Railroad came before the Supreme Court in December 1862. Miller excused himself from hearing the appeal, and in January 1863 the Court reversed the lower court's ruling on a 5-3 vote. In essence, the majority said that because the main channel of the river was on the Illinois side, it made no sense to remove the Iowa end of the bridge.

Miller quickly became a very active justice, and made a significant imprint on constitutional law in the United States. He authored over 100 decisions, more than any other justice to that time. Among them was *Wabash v. Illinois*, which ruled that the federal government could regulate commerce between states, and led to the formation of the Interstate Commerce Commission. In the 1880s, he was looked upon as a possible presidential candidate. He died in 1890 while still a member of the court and is buried in Keokuk.



Stephen Miller

County CSN Marches On

By: *Robin Harlow*

ISAC Technology
Project Manager



The County Community Services Network (County CSN) received a significant boost in March 2008 with the approval by the Iowa Access Council of an additional \$350,000 to implement the project. This additional funding moves the County CSN closer to replacing CoMIS in FY09. In addition to replacing CoMIS, the County CSN will offer a community services public web portal for the citizens of Iowa. This portal will allow the citizen to complete an on-line application for services and have access to information about community services in their county.

With the involvement of over 30 county community service employees, the steering committee has developed milestones that are outlined in the following table:

County CSN Timetable

<u>Milestone</u>	<u>Timeframe</u>
Code build begins	April 2008
FY 08 data migration begins	July 2008
Beta testing (16 counties)	October 2008
Training begins	October 2008
Phased rollout begins	December 2008

Building Code: Starting in April 2008, the code and databases will be built. Databases will need to be in place in July 2008 to allow the project to begin migrating data.

Data Migration: Moving FY 08 data into the newly created database will be an important milestone in the project. Beginning in July 2008, our development team will be collecting a copy of each county's CoMIS database. The team will then import the information into the databases. This step will be critical in constructing the December 2008 reports to the state and having data to test the system. The new system will need to generate reports for December 2008 in conjunction with the reports coming out of the existing CoMIS. This will allow us to validate that the correct information is being generated. The team's desire will be to have all FY 08 in the system before September 2008. All FY 08 information must be current in the existing CoMIS prior to the migration. We will need the cooperation of all counties to make this successful.

Beta Testing: In October 2008, selected counties will begin to beta test the system. These counties will be selected based on geographic location and willingness to help. We will want to have counties spread geographically across the state so that these counties will be positioned to be leaders in assisting the project in both the future rollout and training. Testing will help determine what is working, not working, or needs refinement.

Training: Coinciding with the beta testing will be the beginning of the training cycle. The training committee has not yet been identified. It is expected that the committee will begin to meet in April

2008. If you are interested, please contact the Training Committee Chair John Grush at jgrush@co.boone.ia.us.

Phased Rollout: Similar to the beta testing, the rollout will most likely be in blocks of 15 or 16 counties. The sequence of counties will be determined by the counties' location, technical requirements, and availability. The direction would be to build off the beta counties. This would allow, if needed, the beta county to visit the rollout county to address any issues. In the coming months each county will be inventoried to determine the level of technical resources available to the county. Though the needed IT support is very small with the County CSN, some counties may need some technical adjustments. These adjustments will be determined during testing. If adjustments are needed some counties will be moved down the rollout list to accommodate counties that require no adjustments. Completing the rollout will take us well toward the end of FY 09.

Project Update Website: The committee has setup a website to keep the counties informed as to the progress of the project. The project update website is www.csnproject.iowacounties.org. On this website you will be able to find:

- Project mission, details, timeline, and documents;
- Test drive the County CSN;
- List of committees;
- Developed standards;
- FAQs; and
- News.

Please visit this website frequently to keep up to date on the project's progress.

Growing Pains: The philosopher Voltaire once wrote, "Don't let the perfect be the enemy of the good." There will be some items that won't work the way we wanted or simply work differently than they did in the past. We must keep in mind that as we step away from the existing CoMIS we are building a system that is going to communicate with and accommodate all 99 counties. Though we have worked to be as inclusive as possible, there will be some changes that we had to make to get the system to function properly.

Transitioning from CoMIS to CSN will require us all to be somewhat flexible and adaptive. Change can be painful. Change is rarely easy. But we change because it is less painful than doing the same thing over and over hoping that the pain will go away. A promise of a less painful future is why we change and this is promise of the County CSN.

Riding the Storm Out

(This article was written 2/21/08.)

If you're like me, Winter Version 07-08 has not been an easy proposition. It has been a season fraught with freezing rain... snow... ice... sub-zero temperatures... howling winds... and sudden and frequent changes in weather patterns. This has resulted in very difficult travel conditions that include slick and icy roads, often accompanied by poor visibility; postponed and cancelled meetings; frequent need to "dig out" cars that are buried under the snow and/or solid ice; higher susceptibility to colds and flu; and the always real possibility that you're going to slip and fall on your keester (I sincerely hope my neighbors weren't looking out of their windows on the day I body-surfed down my driveway, using my open briefcase as a "snow brake" to keep me from sliding into ongoing traffic on Adams St.). And then just when you think it might be getting better...another round of freezing rain...snow...ice...sub-zero temperature...howling winds...and sudden and frequent changes in weather patterns occurs.

It has been some time since we've experienced weather like this. Several years of relatively mild weather have left us, if not unprepared, then perhaps unconditioned to deal with the harsh environments that we have experienced this year. Does this scenario sound vaguely familiar? It does to me. We are currently experiencing a "Perfect Storm" of sorts in regards to Targeted Case Management (TCM) services. This "storm" has been precipitated by several separate but related situational "fronts" (new Centers for Medicare & Medicaid Services (CMS) regulations, OIG Audit Corrective Action, and personnel changes in key TCM positions) that have occurred over the past several months – colliding together to create a volatile squall.

Of these, the greatest impact will be the CMS Interim Final Regulations for TCM. These rules were created in response to part of the federally mandated Deficit Reduction Act (DRA) of 2005. Whenever you are dealing with something called the "Deficit Reduction Act," you have a pretty good idea that the primary objectives are measured in dollars and cents (and not necessarily in "services and sense"). But, barring U.S. legislative intervention, it does not appear that these rules are going away. Therefore, we need to be ready to respond and respond quickly – the rules were enacted effective March 3, 2008 on a nation-wide basis. We are actually relatively fortunate here in the state of Iowa. Many of the rules are already aligned with current practices or require relatively minor adjustments. This was reflected in the OIG audit of TCM for the state of Iowa. While some incidences of documentation issues leading to improper payments were cited, the overall report was quite favorable when compared to other states surveyed during the same time period of 2000 – 2004. For example, states such as Massachusetts (\$68 million) and Georgia (\$12 million) had much higher rates of "overpayment" than Iowa

By: Dan Vonnahme

ISAC County Case Management Specialist



(projected to be less than \$1.5 million), due in a large part to Iowa's conservative approach to the use of TCM and the on-going oversight provided by the state. However, that is not to say that there isn't a **lot** of work to be done. And most of the initial "heavy lifting" must be done at the state level as representatives of the Iowa Medicaid Enterprise work in conjunction with both the regional and national CMS offices to receive clarification and definition of requirements necessary in order to put the state of Iowa in line with the changes required. Among the major issues they are working on:

Analysis and revision of all rules related to TCM including: a re-draft of the state plan; a re-draft of TCM rules (including Chapters 24 and 90); a re-draft of all waiver rules; and a re-draft of all manual materials related to TCM and waiver services. The preceding will insure that the rules are all in alignment with the new CMS regulations. March 3 was the target date for completion of all final rules indicated. Training to address changes in documentation requirements as reflected in these rules changes will also be developed and made available to all TCM providers.

Changes in Unit Billing Process / Cost Reporting Process Agencies will no longer be allowed to set monthly unit rates (although proven as a simple methodology yielding low-cost service), but must now bill by unit rates of 15 minutes or less. Many questions regarding cost report process, billable costs, allowable costs, and restrictions to administrative costs must be answered before questions regarding financial viability can be addressed. IME has indicated that they will provide training in this area for **all** TCM agencies (DHS, CCMS, Southeast Iowa Case Management (SEICM)) in June. Agencies begin record keeping for 15 minute billable units on July 1, 2008 in order to do a six-month Cost Report on January 1, 2009.

As you can see, there is a great deal of work to be done in a relatively short period of time. And right now, it feels like we're peering out of our window, waiting for the storm to subside so that we can get to the business of "digging out." But you can't tackle a blizzard by yourself. We need the "truck plows" (state and/or Iowa Medicaid Enterprise (IME)) to clear out our side streets and connect us to the arterial routes of CMS federal mandates so that our efforts to clear our own walks and drives can help lead us to our targeted destinations.

So grab your shovels and get ready to dig. And repeat after me, "Spring is just around the corner!"

Spring School Wrap-up

I would first like to thank everyone who attended and contributed to ISAC's 2008 Spring School of Instruction held March 12-14, 2008, at the Des Moines Marriott Downtown and Renaissance Savery Hotels. This was my first major event with the ISAC team and, I thought that the conference was a huge success. I hope everyone gained valuable information that they were able to take back to their counties.

After registration on Wednesday, March 12, ISAC presented four seminars for conference attendees to choose from: Emergency Management in Iowa, Controlling Employment Costs, Is TIF Working?, and Preparing for Retirement. For those who did not attend the CCMS Luncheon, they had the opportunity to get together with friends and officials from other counties to discuss current issues or just to catch-up. After lunchtime, affiliate meetings were in full swing at both hotel venues for the rest of the afternoon. The day concluded with the exhibitors reception featuring appetizers and beverages at 5:00 pm in the Marriott Exhibit Hall.

Coffee and pastries in the Marriott Exhibit Hall were available on the morning of Thursday, March 13. Breakfast gave conference attendees the opportunity to mingle with the exhibitors before the ISAC General Session from 9:00 am – 11:15 am in the Iowa Ballroom at the Marriott. During the general session: the budget was approved by the membership; 8 very deserving high school seniors were awarded scholarships; and presentations were given by auditors Grant Veeder, Black Hawk County, and Ken Kline, Cerro Gordo County, on the Abraham Lincoln Bicentennial and the County Real Estate Website (CREW), respectively.

By: Stacy Horner

ISAC Meeting/Event Administrator



Following this full morning's schedule, each affiliate group was given the opportunity to meet for the rest of the day, which included a 2:30 pm – 3:00 pm break of cookies and soda in the Marriott Exhibit Hall as the vendor drawing winners were announced. A dessert reception with the Iowa Legislators at the Renaissance Savery Hotel was followed by the ISAC Dance featuring The Benders. The Benders continued to be a huge hit as they performed everyone's favorite 50's and 60's musical selections. The conference came to a close on Friday, March 14 with affiliate groups wrapping up their final agenda items.

Please take the opportunity to complete the online survey at <http://affiliates.iowacounties.org/surveys2/>. Any feedback is greatly appreciated and taken into consideration when planning for future ISAC meetings and events, including the 2008 Fall School of Instruction at the Coralville Marriott Convention Center. It will be very exciting to have all of our affiliate meetings under one roof! Reservations for sleeping room blocks at all the hotels that we have contracted will not be available until August 1, 2008. Additional conference information will be available in future issue of *The Iowa County* magazine or online at www.iowacounties.org.

Please contact me at 515.244.7181 or shorner@iowacounties.org with any comments or suggestions regarding ISAC meetings and events. We look forward to seeing you November 19-21 at the Marriott Convention Center in Coralville!

classified ads

Montgomery County Engineer

Montgomery County (Red Oak) is seeking a full-time County Engineer to oversee the operation and management of the Secondary Roads Department which includes a \$3.5 million budget and direction of 22 employees. The candidate must be licensed as a professional engineer in the state of Iowa. Qualified candidates must possess knowledge and experience in administrative work overseeing road and bridge construction and maintenance, snow and ice control, equipment maintenance, and engineering operations. Position is open until filled. Please submit a cover letter with resume and references to the Montgomery County Board of Supervisors, PO Box 469, Red Oak, IA 51566, or to jernst@montgomerycoia.us.

Hardin County IT

Hardin County (Eldora) has a job opening for a full-time Information Technology Coordinator. The candidate must have knowledge of IBM AS400 and PCs. The salary, based on qualification, ranges from \$35,000 to \$55,000 plus benefits. An application and job description are available at the Hardin County Auditor's Office, 641.939.8190. Applications with resumes will be taken until April 25, 2008.

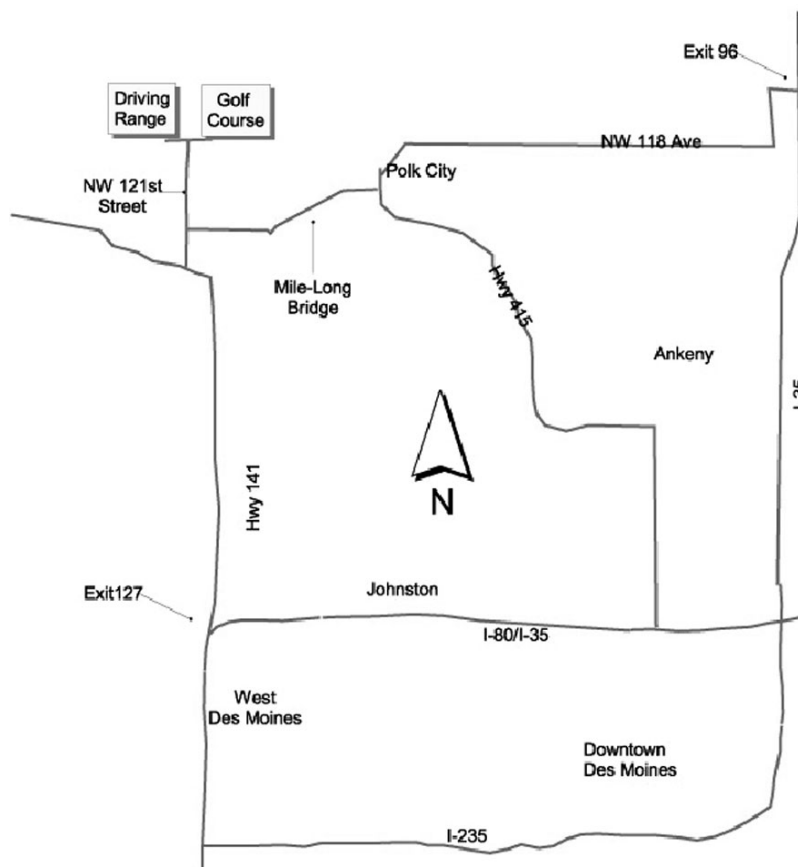


The Iowa State Association of Counties (ISAC) announces the 4th annual ISAC Scholarship Golf Fundraiser to be held Wednesday, June 11, 2008, at Jester Park Golf Course in Granger, Iowa. The Iowa State Association of County Supervisors will host the event to raise money for the ISAC Education Foundation, which awards scholarships to high school seniors who are children of county officials or county employees.

The 18-hole scramble (best-shot) with a shotgun start will begin promptly at 10:30am. Registration begins at 9:30am. You may register individually or in a group of up to four people. The \$75 fee includes golf with cart, lunch, beverages, welcome gift, prizes and dinner following golf. Soft-spiked or soft-soled shoes are acceptable. Metal spikes are prohibited. Jester Park is a par 71, 18-hole golf course that has the ability to accommodate 144 golfers. Jester Park Golf Course is located off I-80/35, exit 127, 30 minutes northwest of downtown Des Moines. Follow Highway 141 west 6.5 miles to NW 121st Street and turn right. Go north two miles to the golf course.

Individuals wishing to golf or just attend the dinner (approximately 4:00pm) should fill out and return the registration form by Friday, May 23, 2008. Payment must accompany your registration and is non-refundable. The course is limited to 144 golfers, and we sold out last year, so register early to reserve your spot! If you have any questions please contact Brad Holtan via phone at (515) 244-7181 or email at bholtan@iowacounties.org.

We look forward to seeing you on June 11! Remember, registration begins at 9:30am and golf begins with a shotgun start at 10:30am sharp - please be prompt.





When: **Wednesday, June 11, 2008**
9:30am - Registration
10:30am - Golf - 4-person scramble (best shot)
Approximately 4:00pm – Dinner (immediately following golf)

Where: **Jester Park Golf Course and Lodge**
11949 NW 118 Avenue, Granger, Iowa (515) 999-2903

Cost: **\$75 (18 holes, shared cart, lunch, beverages, welcome gift, prizes, and dinner – raffle tickets will be on sale June 11)**
\$30 (dinner only – raffle tickets will be on sale June 11)

- ___ I will play in the ISAC Golf Fundraiser on June 11. My \$75 is enclosed.
- ___ I will play in the ISAC Golf Fundraiser on June 11. I am a qualifying sponsor and my fee is waived.
- ___ I have organized a group to play in the ISAC Golf Fundraiser. Our total entry fee is enclosed.
- ___ No golf, dinner only – \$30 is enclosed.

Contact Name: _____

County/Company: _____

Address: _____

City/State/Zip: _____

Phone/Fax/Email: _____

If you wish to arrange a group of players, please confirm your group prior to indicating the names on this form. Individuals and groups of less than four will be paired with other players.

1) Name: _____ County/Company: _____

Phone: _____ Email: _____

2) Name: _____ County/Company: _____

Phone: _____ Email: _____

3) Name: _____ County/Company: _____

Phone: _____ Email: _____

4) Name: _____ County/Company: _____

Phone: _____ Email: _____

Payment MUST accompany registration and is non-refundable. Make checks payable to the ISAC Education Foundation. Entries must be received by May 23, 2008, and are filled on a first come, first served basis. Mail to: ISAC, Attn: Golf Fundraiser, 501 SW 7th St., Ste. Q, Des Moines, IA 50309. If you have any questions, please contact Brad Holtan via phone at 515-244-7181 or email at bholtan@iowacounties.org.



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Title Sponsor - \$3,000 (Sold out!)

Exclusive sponsorship; premium signage on tournament banner; chance to briefly address attendees during dinner; listed in dinner program; company brochure (provided by company) distributed to players; four golf registrations; lunch and dinner provided for up to two additional people; listed on ISAC's website and in one issue of ISAC's magazine

Dinner Sponsor - \$2,000

Premium signage displayed during dinner; listed in dinner program; company brochure (provided by company) distributed to players; two golf registrations; lunch and dinner provided for up to two additional people; listed on ISAC's website and in one issue of ISAC's magazine

Lunch Sponsor - \$2,000

Premium signage displayed at registration; listed in dinner program; company brochure (provided by company) distributed to players; two golf registrations; lunch and dinner provided for up to two additional people; listed on ISAC's website and in one issue of ISAC's magazine

Beverage Cart Sponsor - \$1,500

Premium signage displayed at beverage carts on the course; listed in dinner program; company brochure (provided by company) distributed to players; one golf registration; lunch and dinner provided for up to two additional people; listed on ISAC's website and in one issue of ISAC's magazine

Reception Sponsor - \$1,500

Premium signage displayed during post-golf reception at lodge; listed in dinner program; company brochure (provided by company) distributed to players; one golf registration; lunch and dinner provided for up to two additional people; listed on ISAC's website and in one issue of ISAC's magazine

Hole Sponsor - \$1,000

Exclusive hole sponsorship; signage at tee box; listed in dinner program; opportunity to display company material at tee box; opportunity to provide non-alcoholic beverages, snacks, or small items to golfers (sponsors should bring their own table, chairs, etc. and MUST purchase beverages through the golf course); one golf registration; lunch and dinner provided for up to two additional people; listed on ISAC's website and in one issue of ISAC's magazine

Hole Co-Sponsor - \$500

Signage at tee box; listed in dinner program; opportunity to display company material at tee box; opportunity to provide non-alcoholic beverages, snacks, or small items to golfers (sponsors should bring their own table, chairs, etc. and MUST purchase beverages through the golf course); listed on ISAC's website and in one issue of ISAC's magazine

Prize Sponsor - \$100 and up

Opportunity to donate cash or prizes for raffle, contest and tournament prizes; listed in dinner program; company name will be mentioned when awarding prizes during dinner; listed on ISAC's website and in one issue of ISAC's magazine; if donation \$1,000 or more then one golf registration and lunch and dinner provided for up to two additional people

Welcome Gift Sponsor - \$250

Opportunity to donate items for welcome gifts given to golfers (golf balls, towels, shirts, caps, water, snacks, etc.); listed in dinner program; listed on ISAC's website and in one issue of ISAC's magazine
PLEASE CALL ISAC TO CONFIRM THE ITEM YOU WOULD LIKE TO PROVIDE FOR 144 GOLFERS.



When: **Wednesday, June 11, 2008**
9:30am - Registration
10:30am - Golf - 4-person scramble (best shot)
Approximately 4:00pm - Dinner (immediately following golf)

Where: **Jester Park Golf Course and Lodge**
11949 NW 118 Avenue, Granger, Iowa (515) 999-2903
 Jester Park Golf Course is located off I-80/35, exit 127, 30 minutes northwest of downtown Des Moines. Follow Highway 141 west 6.5 miles to NW 121st Street and turn right. Go north two miles to the golf course.

Company Name: _____

Contact Name: _____

Address: _____

City/State/Zip: _____

Phone/Fax/Email: _____

Sponsorship Opportunities:

- ___ Title Sponsor - \$3,000 (includes 4 golfers)* (Sold Out!)
- ___ Dinner Sponsor - \$2,000 (includes 2 golfers)*
- ___ Lunch Sponsor - \$2,000 (includes 2 golfers)*
- ___ Beverage Cart Sponsor - \$1,500 (includes 1 golfer)*
- ___ Reception Sponsor - \$1,500 (includes 1 golfer)*
- ___ Hole Sponsor - \$1,000 (includes 1 golfer)*
- ___ Hole Co-Sponsor - \$500
- ___ Prize Sponsor* for an amount of _____ and/or a prize of _____
- ___ Welcome Gift Sponsor with the item of _____ (confirm item with ISAC!) for 144 golfers - \$250

Sponsorship Fee: _____ **Signature:** _____

AMOUNT ENCLOSED: _____ **Date:** _____

* If your sponsorship level is \$1,000 or above, please fill out the golfer registration form for the appropriate number of golfers. Feel free to register additional golfers beyond those included with your sponsorship and remit the golfer fee of \$75 for each additional golfer.

Payment MUST accompany this contract and is non-refundable. Make checks payable to the ISAC Education Foundation. Contracts must be received by May 23, 2008. Mail to: ISAC, Attn: Golf Fundraiser, 501 SW 7th St., Ste. Q, Des Moines, IA 50309. If you have any questions please contact Brad Holtan via phone at (515) 244-7181 or email at bholtan@iowacounties.org.

counties in the spotlight

Nigeria Trip

By: *Lu Baron*

Linn County Supervisor



We take a lot of things for granted in America: like running water, electricity on demand and schools to educate our children. In developing countries like Nigeria, however, these luxuries are not part of everyday life. Homes in rural Nigerian villages have dirt floors, often without running water. Health care is virtually non-existent. Children do not have to go to school. Despite these differences, Nigerians and Americans share a fundamental desire to improve the lives of our citizens.

In December, I was one of four elected women from Iowa who traveled to Nigeria as part of a Women in Leadership delegation coordinated by Iowa Resource for International Service and funded by the U.S. State Department, Bureau of Education and Cultural Affairs. In March, five women from Nigeria will visit Iowa, followed by two more delegations between Iowa and Nigeria. The purpose of these exchanges is to increase public participation of women in Nigeria's political process and ultimately improve the lives of Nigerians.

With an estimated 140 million people, Nigeria is Africa's most populous country. Its land is twice the size of California. English is the official language, yet more than 230 local languages are spoken throughout the country. Due to malnutrition, poor living conditions and AIDS, life expectancy in Nigeria is less than 50 years.

After gaining independence from Britain in 1960, Nigeria experienced decades of military rule, but regained civilian rule in 1999. Today Nigeria elects its president by popular vote. The president's power is checked by a Senate and a House of Representatives, known as the General Assembly. Despite this progress, Nigeria holds paper ballot elections making the manipulation of results an almost common practice. They have high voter turnout largely because some politicians distribute money and toiletries in exchange for votes.

Nigeria is perhaps 50 years behind the U.S. in gender equality. Very few women hold elected office in Nigeria. Those who do face barriers within the patriarchal government system. Many political party meetings begin at midnight, for example, making it difficult for a woman with children to participate; and if they do participate, they are considered women of easy virtue. Addressing gender inequality was a key topic of discussion with the Nigerian women. We discussed how equality is a universal battle for women, but one that is worth the struggle.

In the capital city of Abuja, we met with the highest ranking elected woman in the House of Representatives, Representative Saudatu Sani. She chairs the Committee on Women's Affairs and Youth Development. Some of her priorities were similar to ours in the United States, including education and health care. We met one woman who has run for office unsuccessfully three times, yet keeps trying.

It is easy to understand their determination. I saw children living at orphanages playing on broken swing sets and teething on aluminum foil. A political uprising took place in one of the cities, and people were killed in the streets. The church we had attended two days earlier was burned down.

We met with about 50 female Nigerian college students who want change. They want sex education taught in schools to curtail teenage pregnancies and AIDS. They want to end trafficking of young women. They want compulsory education to help end child labor, and they want the government to give schools books and equipment needed for a quality education. Access to education is a vital tool for empowerment.

With the perseverance of Nigerian women to become active political leaders combined with college students seeking a better life for future generations, Nigeria is poised for change.



Register today: NACo Annual Conference in Kansas City, MO

Visit www.naco.org and register today for the 2008 NACo Annual Conference. This year's conference will be held in Kansas City, MO.



County Courthouse Awards

The purpose of the award is to profile elected county officials who have improved the lives of citizens through outstanding governance and strong leadership.

From large metropolitan counties to suburban and rural counties, county executives, board members and commissioners are continually working to address many of our nation's most challenging issues, such as homeland security, air and water quality, information technology, health and human services, public safety, and a wealth of other priorities. Managing and prioritizing county's needs may be a commissioner's most challenging task.

These success stories are the foundation upon which other successes can be built. Those individuals selected for one of three awards, will gain national recognition for their county and will receive a \$5,000 college scholarship to present to a student of their choice. All NACo Members are eligible for the award.

The application deadline is May 9, 2008.

For more information about the program read the brochure/application found below. For questions contact: Dalen Harris at dharris@naco.org or Erik Johnston at ejohnston@naco.org.

Saving with the State

With limited funds and big missions, local governments need to make wise spending decisions. In the past, however, their options for savings have been narrow. But did you know the state of Iowa can help political subdivisions at the county, city, and school district level make their dollars stretch further? Purchasing through state contracts offers significant savings on a wide array of products and services, and it is easier to accomplish than many local leaders may have thought.

The Iowa Department of Administrative Services (DAS) acts as the official purchasing agent for the State. The procurement services division within DAS manages approximately 850 contracts for 41 state agencies and oversees spending of \$300 to \$400 million annually. This large amount purchasing power gives the state of Iowa considerable leverage and increased competition with many suppliers in many categories – producing prices that most state agencies and local governments could not achieve on their own.

In an effort to pass these savings opportunities to smaller governmental entities that might not be able to negotiate these prices, the state of Iowa makes the pricing available to political subdivisions whenever possible. Nearly half of the contracts currently held by the State are open to political subdivisions, including counties.

These government entities can see significant savings by taking advantage of these contracts. For example, a contract with Hewlett Packard has resulted in savings of about 30 % on desktop computers, which means that a system that would typically cost \$850 can now be purchased for approximately \$500 through the state's contract. Savings like this can be found in many other areas, including computer software, office supplies, copiers, fax machines, vehicles and more.

To find contracts available to political subdivisions, access the DAS contracts web site at <http://das.gse.iowa.gov/procurement/index.html>. From this page you can search for a specific category or contract, or view all current contracts. When reviewing the tables of contracts, be sure to look in the "Restrictions" column for "Political subdivisions," which denotes that counties and other government entities are authorized to purchase from that contract. This is also noted on the actual contracts under "Authorized Department."

Local governments can save money – and make their valuable resources work even harder – by utilizing the state's purchasing power. To learn more about state contracts e-mail purchasing.mailbox@iowa.gov.

Be the Brand: Score Big by Connecting Consumers with Your Community Brand

By: **Don McEachern**

North Star Destination
Strategies CEO



“Be the ball!”

That’s the direction I gave my youngest son recently when trying to teach him to hit a baseball, explaining that by mentally putting yourself in the space occupied by the ball – by actually feeling its presence — you can better connect to it with your bat or put it through the hoop or hit it with your club.

That’s the same principle I encourage my clients to consider when discovering, designing and developing their community’s competitive identity. Be the brand! In other words, your “place” should occupy the same space as its brand identity . . . wearing that brand like a second skin. More than just a logo and tagline, your brand must address politics, diplomacy, architecture, economic development, arts, education – in other words, every touch point your community has with a consumer.

But I’m getting ahead of myself. Before your community can “be the brand,” you must discover and design a brand that “is the community.” And that takes a process grounded in research, brought to life through strategy and elevated by creativity.

Start with understanding

Essentially, your brand is synonymous with your reputation. In other words, what people say about you when you’re not around. People will actually choose places to live based wholly on a desirable reputation, worrying about how they will pursue their livelihood once they get there.

This idea is both simple AND complicated. It’s simple, because you’re talking about a mere impression. It’s complicated, because a lot of different experiences, marketing communications and behaviors have gone into making that impression. Luckily, no brand is set in stone. If your brand is your reputation, branding is the process a community embarks upon to change, refine or improve that reputation. Change in attitudes and perceptions about counties, cities and regions - particularly positive changes - can seem to take eons to achieve. But, when the essence of the region’s identity informs and infuses the daily tasks of planning, policy-making and governing, change in attitude is much easier.

Follow in your own footprint

Brands differ depending on the footprint and goals of the community being branded. Some brands are clearly the jurisdiction of a specific public sector organization. In Las Vegas, for example, tourism is the economic engine that drives the city’s fiscal health. As such, the Las Vegas brand was developed by the tourism department and targets visitors.

Other communities rely as much or more on economic development, residents, the arts and existing business for their health as they do on

tourism. In those cases, a community-wide brand is the answer. In a community-wide initiative, local government should be at the center. Only local government operates in an umbrella fashion. In other words, you have the best interest of all the public sector entities at heart. When a community brand is managed by the local government, the brand stands a significantly greater chance of working for the county as a whole. This means it has a greater chance of working, period.

Community branding can also take place on a broader scale. For example, Tulare County in California wanted to develop a county-wide brand that fortified the area’s economic development and tourism efforts. Unfortunately, the County had low awareness among tourists due to competition from its high-profile neighbor, Yosemite. Meanwhile, the economic development department battled California’s reputation for high costs and stiff regulations. Research found that Tulare County is home to a slew of superlatives including biggest tree (the Sequoia), tallest mountain in the continental U.S., world’s leading production of agriculture and dairy, and a bigger bottom line for businesses and residents thanks to affordability relative to the rest of California. The suggested strategy for the County was to own the big equity in the Sequoia name. By changing its name to Sequoia Valley, Tulare County instantly super sized its name recognition and established an identity with all things big including “big” benefits to businesses and visitors.

Brands can even take place on a state-wide scale. Iowa Great Places is a state-level initiative aimed at combining the resources of state government and local assets to cultivate the unique and authentic qualities that make Iowa’s districts, regions, communities and neighborhoods special. Interested Iowa places develop short or long track plans for enhancing their place. Places that choose the long-track option work with state agency coaches to develop their proposals for future years. Short track proposals compete for a place in the program. Winners not only get to fly their community name under the Iowa Great Places brand, but also gain access to a multitude of state and local resources to promote their places.

Steps to brand success

No standard formula for creating a successful community brand exists. It must be a collaborative process that takes into account your current situation, your resources, your strengths and your goals.

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If you are interested in advertising in The Iowa County please contact Rachel E. Bicego at 515-244-7181 or rbicego@iowacounties.org. Advertising information is also available on ISAC's website (www.iowacounties.org) under 'Corporate Opportunities.'

Past issues of The Iowa County can be viewed on ISAC's website (www.iowacounties.org) under 'News.'

Editor's Note: For consideration of materials to be published in *The Iowa County* magazine, please submit before the first Friday of the previous month. (Materials for the May magazine are due on Friday, April 4.)

Thank you! Rachel



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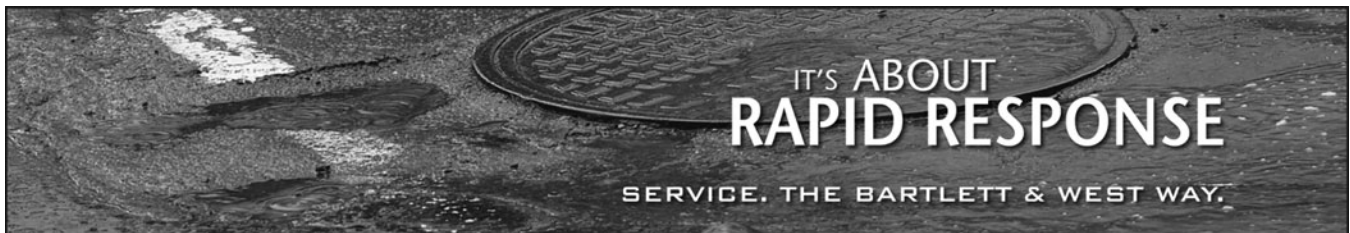
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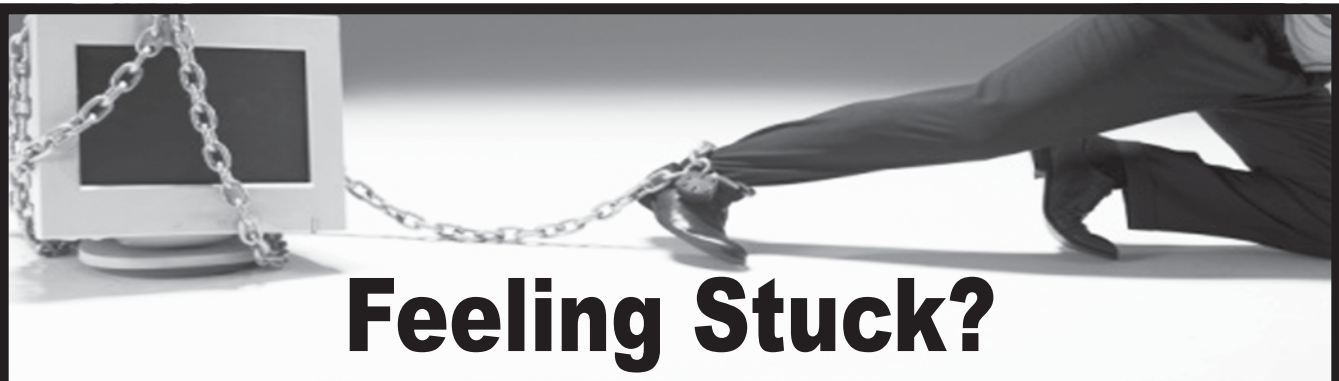


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calendar

April

- 1-2 Environmental/Public Health Conference (Ames)
- 8 CCMS Administrators (Holiday Inn Airport, Des Moines)
- 9 CCME Northwest Support Group (Iowa Lakes Community College, Algona)
- 17 CCMS East Support Group (The Iowa Children's Museum at Coral Ridge Mall, Coralville)
- 17 ISAC Board of Directors (ISAC Offices)

May

- 8 CCMS Advanced Case Manager (Holiday Inn Airport, Des Moines)
- 14-16 Treasurers' Statewide Meeting (Carroll)

June

- 5 CCMS Supervisors Training (Holiday Inn Airport, Des Moines)
- 11 ISAC Scholarship Golf Fundraiser

- 11-13 ICIT Annual Conference (Sioux City)
- 17 CRIS Board (ISAC Offices)
- 18-20 CCMS "Fundamentals" (Holiday Inn Airport, Des Moines)
- 25 CCMS Board (ISAC Offices)

July

- 8 CCMS Administrators (Holiday Inn Airport, Des Moines)
- 11-15 NACo Annual Conference (Kansas City, MO)
- 17 CCMS "East Support Group" (Coral Ridge Mall, Coralville)
- 25 ISAC Board of Directors (ISAC Office)
- 30-1 Auditors' Summer Conference (Clear Lake)
- 30-1 Supervisor's Executive Board (Boone)

Please visit ISAC's online calendar of events at www.iowacounties.org and click on 'Upcoming Events.' A listing of all the meetings scheduled thus far in 2008, 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, please contact Stacy Horner at (515) 244-7181 or shorner@iowacounties.org.

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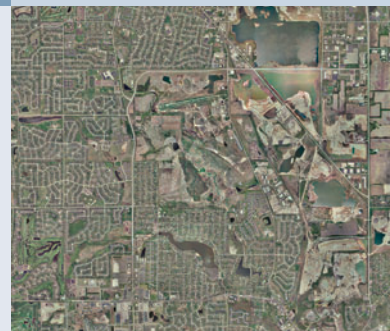


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