

# The Iowa County

The official magazine of the
Iowa State Association of Counties
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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 lowa.

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# feature

# Refinancing Your Home Loan: The Effect on Iowa County Recorders

umes in this office."

If you have not refinanced your home loan by now, you are in the minority of home loan borrowers. What had been expected to be a short lived low interest mortgage loan period has turned out to be an on-going market condition for two years plus. The Federal Reserve Board cut interest rates 11 times in 2001 and once in 2002. Thirty-year mortgage rates hovered around seven percent for more than a year before dropping recently while home equity mortgage rates dropped first late in 2001 and again late in 2002. Business and government working with real estate can attest to high volumes of transactions since 2001.

#### **Increased Volume for Counties**

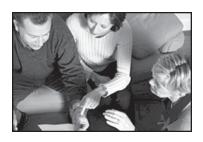
What the public may not know is that many county government offices, including recorders, treasurers, auditors, assessors have been managing an increased volume of real estate trans-

fers and mortgage recording with existing staff. County government offices have been quietly keeping up with the increased volume by keeping their noses to the grindstone and looking for new ways of efficiency.

Dwight Reiland, Wright County Recorder for 24 years and Iowa County Recorders' Association (ICRA) President, reflects on the current recording volumes: "It is definitely the highest volumes of recording since I have been in office. Six of the last seven fiscal quarters, Wright County has set new records for recording volumes in this office."

So how many times in each refinance situation does private business access county land records? The minimum number would be four but the actual number is more like six. Appraisers search records for appraisal information. Abstract companies search the record for the preliminary legal title opinion, then for the final closing search, and again when the new mortgage has been recorded and the old mortgage released for final abstract updates. In addition, customers and lenders also contact the recorder's office for information.

The low interest rates have also allowed Iowans the opportunity to change housing, thus increasing the volume of land transfers. So how many times in a land purchase situation does private business access county land records? The minimum number would be seven times county recorders interact with the public and supporting real estate business per land transfer. County recorders assist appraisers, attorneys, lenders, abstractors and private individuals. If the land purchase requires a survey the minimum number of times for record access per land transaction increases to eight with surveyor's research.



By: Nancy T. Snakenberg
Keokuk County Recorder
Past Advising President, Iowa
County Recorders' Association

## **Recorders Upgrading Technology**

In the past three years, Iowa county recorders have been up-grading technology in their offices. Two years ago 60 county recorder's offices were scanning documents in digital format, while today 80 of 99 county recorder's offices are doing so. Every county recorder's office has computerized indexing systems

for document retrieval. All 99 county recorders have internet access and e-mail capabilities. Five county recorders have websites with land document access. Many others have websites with office information/forms and pro-

Recorder for 24 years vide remote access service agreements.

"Six of the last seven fiscal quarters, Wright

County has set new records for recording vol-

Dwight Reiland, Wright County Recorder

ICRA has been actively pursuing plans for state website development for county land records. Iowa State University, through the Community Vitality Center by Dr. Mark Edelman, has provided financial analysis of several website development plans. Federal grant monies and contributions by each county recorder paid for this research used to support legislation for an e-commerce fee collected on each document recorded. The ICRA has also been very involved in Property Records Industry Association (PRIA) for researching national standards for document indexing, digital formats and groundwork for electronic recording.

Kudos to all county government offices who have weathered the refinance low-interest rate period and have continued to provide Iowans with excellent real estate related government services!

#### STATS FOR IOWA COUNTY RECORDERS

- Recording volumes in 2000 were at an all-time high at 697,575 documents recorded statewide.
- Recording volumes in 2002 showed 27% increase at another all-time high of 889,369 documents recorded.

# An Argument for Uncoupling Agricultural and Residential Property Values:

Why Iowa Should Abandon this Tax Tool Bred in the 1970's

he assessment limitation is a tax tool that prevents taxable property values statewide from increasing by more than four percent in any given year. All property classes are limited by what's commonly called the rollback, although the limitation for utility property is eight percent, rather than four. The original intent of the limitation was to prevent inflation – near 10% when the law was enacted – from causing taxable property values to skyrocket.

In addition to the four percent assessment limitation, the increases in agricultural and residential property values have been linked since the legislation was passed in the late 1970's. The law limits the percentage increase in taxable value in one class of property to the percentage increase in taxable value in the other. That means that if agricultural land value increases by only two percent, taxable residential value is limited to an increase of two percent, rather than the four percent growth otherwise permitted by law. If agricultural land value decreases, the 'allowable growth' rate for residential property value is zero. The converses of those statements are true as well. These limitations apply to statewide aggregate property values; individual properties may see a change in value above or below that of the statewide limitation.

### **Created to Prevent Tax Shifts**

The initial reason behind linking the two classes was to prevent a shift in the tax burden from one class to the other. It was likely a quite popular idea, as farmers and homeowners each had an additional means by which their property taxes were kept in check. The core idea of 'coupling' property classes, as it is often referred to, is not all that objectionable. Preventing tax shifts is, by and large, good public policy. The current practice of coupling, however, fails to recognize the importance of non-agricultural businesses to Iowa's economy in the 21st century. Selectively coupling agricultural and residential property values promotes inequity, because in periods of declining agricultural values, residential property values are artificially suppressed and the tax burden is shifted to commercial property owners.

The concept of coupling agricultural and residential property values lost all credibility when the state decided to base agricultural property values completely on productivity. The productivity formula Iowa uses assesses agricultural land based on three main components: crop yields, crop prices and expenses. It is designed to value a farmer's land based on the income it provides him or her. When productivity declines, a farmer's income follows suit. Because property taxes are based

**By: Jay Syverson**ISAC Fiscal Policy Analyst



directly on value, when productivity value declines, a farmer's tax asking follows suit. This strategy makes sense if you subscribe to the 'ability to pay' theory of taxes. A person's tax bill should reflect, to the extent possible, his or her ability to pay. So the obvious question must be asked: Is a typical homeowner's ability to pay property tax in any way affected by climate conditions, crop prices or the price of fertilizer? The answer is no. The factors upon which productivity value is based have no bearing on the value of residential property.

#### Improving Iowa's Business Climate

As a result of the recent projections of a drastic decline in agricultural land value – 18% statewide, up to 33% in some areas – the push to uncouple has gained urgency. During this period of declining agricultural values, the housing market continues to boom. Yet, while the market value of most residential property is steadily increasing, taxable valuations remain stagnant. In upcoming years, the residential rollback will fall below 50% for the first time, meaning that homeowners will be paying property taxes based on less than half of the actual value of their homes. If homeowners continue to be taxed at a disproportionately low rate, Iowa's businesses will be forced to bear the lion's share of the tax burden. In a period of heated competition for economic development, higher business taxes do not bode well for Iowa.

County officials should encourage the Iowa Legislature to uncouple agricultural and residential property valuations and allow market forces to determine the value of residential property. Uncoupling would not result in differential treatment within either class of property. Uncoupling would not remove the four percent assessment limitation, and residential property owners would not see a drastic increase in property taxes. Instead, uncoupling would be a valuable first step toward achieving tax equity among all classes of property and improving the business climate in our state. It would result in a simpler, more sensible, more understandable system of property taxes.

# around the statehouse

# A Fish Walking Across One's Shoes

"But of all the plagues, good Heaven, thy wrath can send, save me, oh, save me from the candid friend."

— George Canning (19th Century British prime minister)

"This bill feels a lot like a fish walking across my shoes," said Rep. Bruce Hunter (D-Polk). This comment was made at about 9pm May 1 in reference to SF 390, the local government consolidation legislation which included several controversial provisions. What in the world did he mean? This question may be impossible to answer because some rather bizarre comments are made in the fatigue-fueled final days of any legislative session. But a fish walking across one's shoes may be a simile for the 2003 regular legislative session ... at least to county governments.

#### SF 453 "Reinvention of Government"

The biggest single fish walking across our shoes was Senate File 453, the so-called "reinvention of government" legislation, which reduces state spending by \$128 million. Faced with a third straight year of low state revenues due to a recession by any other name, the Governor and legislative leaders had the unenviable task of crafting a fiscal year 2004 state budget. Governor Vilsack hired a consulting firm, the Public Strategies Group (PSG), from St. Paul, Minnesota, to work with his office, the Department of Management, and with legislative leaders in making recommendations on dealing with anemic revenues and budget demands. By the latter part of March, PSG representatives were meeting with Bill Peterson here at ISAC and Tom Bredeweg at the Iowa League of Cities to talk about saving the state the expense of a variety of payments to local governments. They referred to their plan not as cutting state spending, but as "reinventing government." Considering that the consultants had been on board since late last summer, the obvious question by late March was "Why are you just getting around to visiting with us now?"

The most significant visible product of PSG's labors is the elimination of \$70 million in state payments to local governments (portion of SF 453). This is broken down to the personal property tax replacement funding (state savings: \$51 million; county cut: \$15 million), the elimination of the lion's share of the remainder of machinery and computer equipment replacement funding (cost to local governments: \$10 million) and the elimination of the local government share of the bank franchise tax (cost to local governments: \$8.9 million). The argument made to the ISAC and League of Cities lobbyists was that this was "a terrible choice" but that it was the only one possible, save yet another year of across-the-board cuts to state agencies and programs. Amendments by Sen. Michael Gronstal (D-Pottawattamie) and by Rep. Michael Reasoner (D-Union) offered other sources for savings, including the amount of new state revenue earmarked this year for going into the state's cash reserve (about \$45 milBy: Robert Mulqueen

ISAC Public Policy Analyst

lion). Neither amendment passed. On the last day of the regular session, an amendment co-sponsored by, among others, Representatives Bill Schickel (R-Cerro Gordo)



and David Tjepkes (R-Webster), passed. It would eliminate the \$10 million local government "innovations fund" in the bill and transfers money set aside for this fund to shaving the cuts to local governments by this amount.

Part of the discussions with PSG, at the time that this measure was being put together, had to do with what "countervailing" provisions might be added to this bill to detract from the \$70 million lost to local governments. (A spoonful of sugar helps the medicine go down.) Though their worth is hardly \$70 million, three provisions of note appear in Senate File 453:

- Authorizes county recorders to charge a \$5 fee on each recorded transaction for one year and \$1 per transaction thereafter to be applied to building a statewide real estate documents website to be administered by the Iowa County Recorders Association.
- Authorizes joint county-city leasing of property and allows a majority vote by referendum on such arrangements rather than 65% approval.
- 3) Increases the minimum number of signatures on a petition for filing a county budget protest to no fewer than 100.

#### Other Legislative Issues

Other issues were walking across our shoes during the 2003 regular session:

- House File 692 a wholesale re-write of the state's property tax system. Ordinarily, this would have been the banner piece of legislation for this column. However, because it was approved by just one house and because an informal Attorney General's opinion questions its constitutionality, there is more to come on this significant effort. This was put forth by a group of freshman Republican state representatives acting as a property tax working team. The most controversial aspect of this proposal is that the square footage of a structure would be the basis of determining the property tax valuation.
- Senate File 390 amends Iowa Code chapter 331 dealing with county/county and county/city consolidations and charter governments. It was amended on the last day of the regular session to apply only to the six most populous counties. It contains provisions on how such a local government charter is to be voted on and about partisan versus non-partisan local government which are of concern.

There are other fish and a few eagles that will be pontificated on next month in this space. Stay tuned.

# legal briefs

# **RLUIPA Is Coming**

## **Federal Zoning Law**

The Religious Land Use and Institutionalized Persons Act of 2000 (RLUIPA) was passed unanimously by both houses of Congress in the summer of 2000 and signed into law by President Clinton on September 22, 2000. It is codified at 42 USC Section 2000 cc.

This law protects churches in their use of land and buildings for religious purposes. It is being sold as a way to protect churches from petty bureaucrats and local officials that hold antireligious views. Now the churches have a tool to fight back against what supporters call "the largely unfettered discretion of local officials and land use boards."

RLUIPA exists, according to supporters, because many localities used facially neutral zoning laws to exclude unpopular religious groups. Supporters claim that Congress passed the law in response to widespread discrimination against churches, and in particular religious minorities, exhibited by many zoning boards.

For decades, the Free Exercise Clause of the First Amendment was interpreted to mean that laws were void unless there was a compelling state interest and the law was the least restrictive means to achieve that interest.

In 1990, the US Supreme Court decided that laws that affect religious institutions but are neutral towards religion do not raise Free Exercise concerns. For instance, laws banning the smoking of peyote which affect certain American Indian religions. But as long as they regulated everyone, they were constitutional.

In response, Congress passed the Religious Freedom Restoration Act (RFRA) in 1993, which once again said that the government must demonstrate a compelling state interest if it wanted to regulate religion. But in 1997 the US Supreme Court struck down RFRA.

In response, Congress passed RLUIPA in 2000. The backers filed legislative hearings with details of widespread constitutional violations relating to the regulation of religious groups' use of land. They drafted a law that does not have the same obvious constitutional objections as RFRA. It is the first federal law ever to be directed at zoning. It is the federal takeover of local land use decisions. Aimed at "religious exercise," which is "any exercise of religion whether or not compelled by, or central to, a system of religious belief."

It goes on to provide that "the use, building or conversion of real property for the purpose of religious exercise shall be considered religious exercise." This would include fellowship halls, schools, day care centers, and summer camps. It probably covers mission activities such as homeless shelters, soup kitchens and drug rehab centers.

Under section 2a, claimants must first show that a zoning law imposes a substantial burden on their religious exercise. Land use officials must then show the existence of some compelling interest and must also show that there are no less restrictive

## By: David Vestal

ISAC Deputy Director

means to achieving that compelling interest

So what is a compelling state interest? Zoning and building regulations related to construction requirements, fire and flood safety, sanitation and similar health



and safety issues – those are compelling state interests. Historic preservation, community character, neighborhood quality of life, parking, traffic, noise, congestion – those generally do not rise to the level of a compelling state interest.

Section 2b guarantees equal treatment among different faith groups, and between religious and secular institutions. Successful plaintiffs can get attorneys fees, injunctive relief and monetary damages. There is no requirement that plaintiffs exhaust administrative remedies before going to court. Different provisions in RLUIPA grant protections to prison inmates – religious practice in jail, kosher diets, religious garb in jail, etc.

There has been no Supreme Court test of RLUIPA yet. But about 20 cases have been decided in various federal courts and roughly 40 more have been filed but not decided. There is one RLUIPA case in Iowa. It arose in Cedar Rapids when a Buddhist priest decided to offer meditation services in her home. City officials informed her that in order to get a permit for the activity she would have to have a paved parking lot, install separate rest rooms and put in a handicapped access ramp. She sued under RLUIPA in July 2002. The case is still pending. Typically these cases have been settled, with the local communities usually caving in and often paying attorneys fees to the churches.

The Ninth Circuit has recently upheld RLUIPA in a case called *Mayweathers v. Terhune*. Several decisions are pending in other circuit courts. Two federal district court decisions have struck down RLUIPA on constitutional grounds: one in Virginia, the other in Wisconsin. Both decisions have been appealed. This is special rights legislation that goes far beyond the goal of creating a level playing field for churches. It gives churches a legal instrument enjoyed by no other segment of society.

The bottom line: churches generally must be treated the same way as theaters, museums, schools, clubs, meeting halls or other entities that attract crowds. There are two pieces of advice for counties: 1)make a detailed record of the reasons for their decisions in order to prove that they have a "compelling interest" in regulating the church in question; 2)include in the record that their decision will not result in a substantial burden to the church, and explore alternative means of solving problems that the proposed religious activity might cause.

There is a wonderful RLUIPA website at www.rluipa.com – but beware - the website is maintained by RLUIPA proponents.

## **Parting Ponderable:**

- "The harder you work, the harder it is to surrender."
- Vince Lombardi

# counties in the spotlight

Fairs Scheduled In Iowa 18-23 Southern Iowa Fair, Oskaloosa			
	ochicaolea ili lowa	18-24	Jasper County Fair, Colfax
June		19-23	Story County 4-H Fair, Nevada
11-15	Hawkeye Downs Fair, Cedar Rapids	19 & 24-28	Poweshiek County Fair, Grinnell
18-22	Buena Vista County Fair, Alta	19-24	Marion County Fair, Knoxville
19-23	Wapello County Regional Fair, Eldon	19-24	O'Brien County Fair, Primghar
20-22	Big Four Fair, Postville	19-25	Union County Fair, Afton
25-29	Butler County Fair, Allison	20-28	Crawford County Fair, Denison
25-29	Mighty Howard County Fair, Cresco	21-24	Black Hawk County 4-H & FFA Fair, Waterloo
25-29	Worth County Fair, Northwood	21-24	Johnson County 4-H & FFA Fair, Iowa City
		21-24	Lyon County Fair, Rock Rapids
July		21-26	Appanoose County Fair, Centerville
7-12	Henry County Fair, Mount Pleasant	21-27	Grundy County Fair, Grundy Center
7-13	Delaware County 4-H & FFA Fair, Manchester	22-26	Fayette County Fair, West Union
8-12	Winneshiek County Fair, Decorah	22-26	Louisa County Fair, Columbus Junction
8-13	Central Iowa Fair, Marshalltown	22-27	Dubuque County Fair, Dubuque
8-14	Dallas County Fair, Adel	22-27	Hamilton County Fair, Webster City
8-14	Great Jefferson County Fair, Fairfield	22-27	Page County Fair, Clarinda
8-14	Greene County Fair, Jefferson	22-27	Wapello County 4-H Expo, Ottumwa
9-13	Buchanan County Fair, Independence	22-28	Warren County Fair, Indianola
9-13	Calhoun County Expo, Rockwell City	22-28	Wayne County Fair, Corydon
9-13	Cedar County Fair, Tipton	23-27	Adair County Fair, Greenfield
9-13	Davis County Fair, Bloomfield	23-27	Benton County Fair, Vinton
9-13	Lee County Fair, Donnellson	23-27	Harrison County Fair, Missouri Valley
9-14	Iowa County Fair, Marengo	23-27	Jackson County Fair, Maquoketa
9-14	Ringgold County Fair, Mount Ayr	23-27	Montgomery County Fair, Red Oak
9-14	Shelby County Fair, Harlan	23-27	North Iowa Fair, Mason City
9-14	Webster County Fair, Fort Dodge	23-27	Tama County Fair, Gladbrook
9-16	Allamakee County Fair, Waukon	23-28	WestFair, Council Bluffs
10-13	Cherokee County Fair, Cherokee	23-29	Des Moines County Fair, Burlington
10-15	Wright County District Junior Fair, Eagle Grove	24-27	Emmet County Agricultural Show, Esterville
11-17	Linn County Fair, Central City	24-27	Plymouth County Fair, LeMars
11-23	Keokuk County Fair, What Cheer	24-28	Clarke County 4-H Fair, Osceola
12-17	Adams County 4-H & Youth Fair, Corning	24-29	Audubon County Fair, Audubon
12 & 14-16	Sioux County Youth Fair, Sioux Center	25-28	Palo Alto County 4-H Fair, Emmetsburg
14-18	Washington County Fair, Washington	26-31	Lucas County 4-H Achievement Show, Chariton
15-20	Ida County Fair, Ida Grove	26-31	Mills County Fair, Malvern
16-20	Floyd County Ag. & Industry Days, Charles City	26 - Aug. 1	Cass County Fair, Atlantic
16-20	Franklin County Fair, Hampton	27-30	Clinton County 4-H Club Show, DeWitt
16-20	Great Jones County Fair, Monticello	27-31	Dickinson County Fair, Spirit Lake
16-20	Hardin County Fair, Eldora	29-Aug. 3	Great Mississippi Valley Fair, Davenport
16-20	Madison County Livestock Fair, Winterset	30-Aug. 3	Bremer County Fair, Waverly
16-20	Mitchell County Fair, Osage	30-Aug. 3	Kossuth County Fair, Algona
16-20	Monona County Fair, Onawa	30-Aug. 3	Woodbury County Fair, Moville
16-20	Muscatine County Fair, West Liberty	30-Aug. 4	Hancock County Fair, Britt
16-21	Boone County Fair, Boone	30-Aug. 4	Humboldt County Fair, Humboldt
16-21	Carroll County Fair, Coon Rapids	31-Aug. 3	Sac County Fair, Sac City
16-21	Decatur County 4-H & FFA Fair, Leon	•	3
16-21	Polk County 4-H & FFA Fair, Des Moines	August	M. F.M.
16-21	Van Buren County Fair, Keosauqua	7-10	Marcus Fair, Marcus
17-20	Osceola County Livestock Show, Sibley	7-17	Iowa State Fair, Des Moines
17-20	Pottawattamie County Fair, Avoca	28-Sept. 1	Big Four Fair, Nashua
17-20	Taylor County Fair, Bedford	28-Sept. 1	Guthrie County Fair, Guthrie Center
17-20	Winnebago County Fair, Thompson	Septembe	r
17-21	Fremont County Fair, Sidney	6-14	Clay County Fair, Spencer
17-21	Pocahontas County Fair, Pocahontas		
17-22	Monroe County 4-H & FFA Fair, Albia	Dates provia	led by the Association of Iowa Fairs.

# counties in the spotlight

# Budgets Protested in Five Counties: Two Protests Defeated

By: Jay Syverson

ISAC Fiscal Policy Analyst

From April 9<sup>th</sup> thru April 23<sup>rd</sup>, five Iowa counties held public hearings in response to budget protests filed with the state appeals board. Two of those protests have since been resolved, while appeals in Hancock, Montgomery and Poweshiek Counties are still pending.

## **Crawford County - Operations of Daycare Facility**

Crawford County held its budget protest hearing on April 9th in Denison. The hearing was directed by Steven Larson, a representative of the state treasurer's office. Additional hearing panel representatives in attendance included Jim Nervig of the Department of Management and Kevin Borchart of the state auditor's office. The petitioners, led by representatives of the Crawford County Farm Bureau, argued that the county should not be involved in the operations of a child daycare facility. The primary complaint was that county funding of the Children's Imagination Station (CIS) had run well over the original estimate of \$8,000 per year. The petitioners asked the appeals board to remove all CIS related expenditures from the budget, and requested that the daycare be operated as a non-profit center.

The county, represented by attorney Tom Gustafson and supervisor Mark Segebart, defended the expenditures for CIS, saying that they were "necessary, reasonable and in the interest of Crawford County." The county also maintained that the \$8,000 mentioned in a 28E agreement with the City of Denison and the Denison school district refers to the operation of the facility (buildings and grounds), not the operation of the daycare center contained within the facility. Additionally, \$400,000 of the initial construction cost of \$1.3 million was paid for by a community development block grant. According to the county, the grant contract implies that the county may have to repay the \$400,000 if it does not show a good faith effort to operate the daycare facility. Gustafson said that the real issue at hand is whether or not it is appropriate for the county to operate a daycare facility. He called that decision a matter of home rule and said it would be a "financial disaster" to taxpayers for the county to pull out of the project right now. He also mentioned that the county will not provide unlimited funding to CIS and that a review of the feasibility of the project is ongoing. The county requested that the appeals board uphold its budget and allow operation of the daycare center to continue.

Although one audience member called the budgeting process "atrocious" and said the budget contained "fictitious income," the majority of the audience seemed to favor the county's continued operation of CIS. Many parents spoke passionately about the daycare center, saying it presented a "reasonable expense" that offered a "great return" on the lives of children in Crawford County.

On April 30<sup>th</sup>, the state appeals board, comprised of State Auditor David A. Vaudt, State Treasurer Michael Fitzgerald and Department of Management Director Cynthia Eisenhower, reviewed and adopted the recommendation made to them by the hearing panel. The board agreed with the county by saying that the operation of a daycare center is a local decision protected by the county home rule amendment. They ruled that the county was "within its powers" to operate such a facility and unanimously upheld the budget.

#### Warren County - Assessor's Budget

Warren County held its budget protest hearing on April 10th in Indianola. The hearing was directed by the same panel that oversaw the Crawford County hearing. Warren County Farm Bureau representatives objected to the assessor's budget (not the county budget as a whole), saying the assessor and the conference board did not try to control spending. The petitioners' primary complaint revolved around the county's GIS budget. Warren County re-photographs land for GIS purposes every other year; this expense, including flight, is budgeted at \$120,000. Rather than budget the entire amount every other year, as the expense is incurred, the county chooses to budget half of the \$120,000 every year in an effort to maintain a more stable budget. The petitioners argued that the law only allows counties to levy for expenses to be used in the current budget year. The petitioners also complained about rising ending fund balances.

The county, represented by attorney Gary Kendell and budget assistant Jennifer Sease, responded that their budget practices attempt to spread the cost over two years and keep tax askings level. This makes it easier for counties to budget and easier for citizens to understand. Mr. Kendell responded to the rising fund balance complaint by saying that both tax askings and levy rates are decreasing. Fund balances are increasing because the county has underestimated revenues and controlled costs by not spending all available money. This form of responsible government, he argued, should not be punished.

During its April 30<sup>th</sup> meeting, the state appeal board agreed with Mr. Kendell. The state auditor's office noted that the county was actually following a recommended practice by spreading its expenses over two years, and that the auditor's office was able to reconcile the county's financial statements. The appeal board unanimously voted to uphold the Warren County assessor budget.

Budget protest hearings have already occurred in Hancock, Montgomery and Poweshiek counties and decisions relating to the budgets are expected in the coming weeks.

# counties in the spotlight

A **Webster County** park will be closed because of ongoing drug activity at the park. The sheriffs office has been to the park on a regular basis, finding one methamphetamine lab after another. A year ago the Webster County Conservation Board agreed to keep the park open if area residents helped to clean it up. A park cleanup April 5 drew only one person to help. (*Taken from the Daily Democrat, April 11*)

A West Des Moines company, Glory Oil, believes it is on the verge of striking oil in northern **Lee County** (near West Point). "Major oil companies have been looking for oil in eastern Iowa since the 1950s, and we have discovered it," said Glory Oil company spokesman. The company is now approaching land owners to seek drilling rights for crude oil exploration. According to residents who have seen the proposed lease agreements, Glory would pay residents \$1 per year per acre, a bonus if a well actually is drilled, and one-eighth of the production revenue from that site in exchange for mineral rights in perpetuity.

(Taken from the Hawk Eye, April 11)

More than two-thirds of Iowa's counties have lost population since the 2000 census, according to a U.S. Census report released April 17. Pocahontas County took the biggest hit, with a loss of 311 residents or 3.8%. Nine of the 10 counties that saw the greatest population decline were in western Iowa. Sixty-eight of the state's 99 counties lost population between April 2000 and July 2002, accelerating a trend in the 1990's

when 45 counties lost population. Growth in counties near Iowa's metropolitan area continues, with Dallas County remaining the state's fastest growing county. It grew by 3,472 residents, or 8.5% between April 2000 and July 2002. Overall, Iowa's population grew by 4,793 between July 2001 and July 2002 and 10,436 since the 2000 census. Iowa was one of just 10 states with a population growth of less than 1% since the 2000 census.

(Taken from the Des Moines Register, April 18)

**Kossuth County** will be getting a four faced post clock in the lawn of their courthouse this summer. A group called the Kossuth on State Committee is gifting the clock and will hold a dedication of the clock at Algona's annual Founder's Day Celebration on July 11, 2003. The clock will stand 20 feet in height and will be controlled by a satellite receiver system that will regulate the time, make automatic adjustments for daylight savings time and will have a battery backup system for power outages. In 2001, the Kossuth on State Committee organized a dedication of a life-sized statue of Louis Kossuth in honor of the county's 150th anniversary and the clock will be paid for with excess funds from the fundraising for the Louis Kossuth statue. In recognition of the \$10,000 in seed money that the Kossuth County Board of Supervisors originally contributed to the Kossuth on State project, the committee will also set aside \$15,000 to serve as a perpetual maintenance fund for the statue and the clock.

# **ISAC** brief

# ISAC Legislative Workshops: Register Today at www.iowacounties.org!

The ISAC Legislative District Workshops are set for June. The registration form and agenda can be found on ISAC's website: iowacounties.org under 'Upcoming Events.'

June 13 – District V – Indian Hills Community College, Ottumwa

June 18 – District IV – Holiday Inn at Ameristar, Council Bluffs

June 20 – District I – Holiday Inn Airport, Des Moines

June 25 – District VI – University of Northern Iowa, Cedar Falls

June 26 – District II – Waldorf College, Forest City

June 27 – District III – Buena Vista University, Storm Lake

As of May 15, the following affiliates will be meeting at the legislative workshops: assessors, auditors, engineers, information technology, recorders, sheriffs, supervisors, treasurers. Check the ISAC website for the final list of affiliates meeting, the registration form, agenda, and additional updates.

# Steering Committee Chairs Needed

ISAC steering committee chair positions are open for County Administration and Organization; Land Use and Rural Affairs, and Human Services. If you are interested in serving as chair on one of the following ISAC steering committees for two years, please fill out an application and return it to the ISAC office by July 18, 2003. The application can be found on the ISAC website (www.iowacounties.org) under 'Legislative Information.'

# www.iowacounties.org

Visit ISAC's Website for:

Meeting Information

Links to County Websites

2003-2004 County Directory Order Form

HIPAA Updates

# **ISAC** brief

# **ISAC Intrigues**

Good-Bye From ISAC's Legislative Intern

In legislative terms, the term "county" inspires many reactions. In one group of people, the word county brings to mind cooperation, creativity, and collectiveness. In another group across the legal spectrum, the term conjures an image of cantankerous county officials conspiring against any and all with the title of state in front of their names. The delicate balance that exists between state and county levels of government has always been stuck in an eternal dancing act at the edge of democratic disaster. The delicate intricacy of the tango the two dance constantly lends an air of tension for all members and levels of government. Both factions strive to ease the strain by enacting innovative methods to streamline government; yet neither side actually manages to make it to the edge of the dance floor without stepping on the toe of the other.

I witnessed many things from my view in the intern's corner. The view afforded to me is one unlike any other. My position as an intern allowed me to blend into corners and hear and see things others may not. I used this opportunity to learn as much about the legislative process as I possibly could, from the pre-filing of important legislation by the treasurers, to the intense debate regarding the transfer of jurisdiction, and to the last stand of a legendary legislator.

On the final night of the regular legislative session I decided to stay until the last word was said. The Senate adjourned relatively early, but the House continued to battle over various bills. At 10pm, House Majority Leader Chuck Gipp gave a speech to his fellow members of the House. He thanked them and reminisced about this session. Next was the address of Rep. Richard Myers. This was a unique opportunity because this was Minority Leader Dick Myer's last speech in the House of Representatives. Rep. Myers has decided to resign on July 1 of this year, so his last session ended when the gavel fell on Thursday night. He emotionally described his 34 years of public service, and he told fond memories of his years on the House floor. At the end of his speech, the applause went on longer than the hugs Rep. Myers was receiving. There was such a feeling of respect and loss after his speech. He waved and said good-bye to all in the Capitol. He even made sure to acknowledge the lobbyists applauding his speech. After his speech, Speaker Rants gave the farewell address, and the House of Representatives adjourned for this year.

At 10:30am I left the Capitol looking forward to a 50 mile drive home. When I looked over my shoulder the Capitol was bathed in a golden light. The aura of the building at night makes one aware of the history and tradition deeply embedded in the walls of the Iowa Capitol. That tradition is what makes Iowa unique. Respecting that history and tradition and hoping to leave your own mark for the good of the state and people you love is truly the essence of politics. Looking up at the ethereal dome of the Capitol, the realization sank in that I had worked within those hallways for four months. I have learned so much and met so

By: Sara Mullen

ISAC Legislative Intern

many people. It has truly been one of the most exciting opportunities I have ever had. Thank you for awarding me with this internship. Thank you for trusting me to help with your legislative priorities. You will



never know how much I have appreciated the time I have spent with you and your lobbyists. Thank you for this experience.

# alumni corner

## CORNER

ALUMNI

At this time, the ISAC Alumni Association would like to offer county retirees (elected or appointed) the opportunity to be a part of our association. This organization has been in place for quite a few years now and we feel that it gives us an insight into what is transpiring with the counties and state government. Members receive a subscription to The Iowa County magazine and an invitation to the ISAC Schools (free registration and the same sleeping room rates as other attendees). Alumni meetings are held during the ISAC Fall School of Instruction and the ISAC Spring School of Instruction. Other meetings are held throughout the year as needed. The cost to join the ISAC Alumni Association is only \$25 a year. For a brochure and membership application please call ISAC or visit ISAC's website (www.iowacounties.org) under 'About ISAC. Thanks for taking the time to read this, and we hope to hear from you!

# miscellaneous

# Law Enforcement Legislative Workshops

Law enforcement workshops sponsored by the Iowa Department of Public Safety, the Iowa County Attorneys Association, and the Prosecuting Attorneys Training Coordinator Council are to be held June 24 and June 26. Changes in law that affect public safety will be the topic of discussion. The June 24 meeting will be held at the Holiday Inn in Coralville. The June 26 meeting will be held at the Holiday Inn Airport in Des Moines. For further information contact Betsy Dittemore at 515-281-5043.

# **NACo** news

# **NACo Pre-Conference Seminars**

NACo's Advanced Learning Training (ALT) will be held July 11-12 in conjunction with the NACo Annual Conference in Milwaukee, Wisconsin. Pre-registration and additional fees are required to attend the pre-conference seminars (\$75pp half-day; \$150pp full-day). To register for NACo's Advanced Learning Training visit www.naco.org or call (330) 425-9330.

## The Podium, The Camera, The Message

Get ready to "stand and deliver" in this roll-up-your sleeves media and speaker training seminar. This seminar is focused on preparing and delivering presentations and media interviews with the camera rolling. The presenter is Joseph Slye, Kalish Communications, Alexandria, Virginia. Friday, July 11, 2003 9am - 4pm (full day) cosponsored with the National Association of County Information Officers (NACIO)

## **Maximizing County Services with Limited Resources**

This in-depth and powerful workshop will help you explore how local governments, such as Maricopa County, Arizona and Austin, Texas, have implemented business practices to become the "Best Managed" governments in the country. You will learn how to show citizens the results they receive for their tax dollars. The presenters are Marv Weidner, President, Weidner Consulting, and Bob Rafferty, President of the Rafferty Group.

Saturday, July 12, 2003 8am - 2:45pm (full-day)

#### **Lessons from US Presidents**

If versatility and adaptability are hallmarks of great leaders, how do you measure up? Participants will gain insight into their own leadership characteristics and today's political environment. The presenter is John Splaine, Professor of Education; C-SPAN Consultant on U.S. Presidential History; and former city councilman. *Saturday, July 12, 2003 8am - 11:15am. (half-day)* 

#### Leading a Unified Approach to Regional Collaboration

This seminar will give you specific steps to link your county as a partner with others to deliver services in areas such as public safety, health care, and community development. You will learn how this strategic and unified approach will eliminate isolated, piece-meal, and costly decision-making. The presenter is Carl H. Neu, Jr.., Neu and Company; Center for the Future of Local Governance TM . Saturday, July 12, 2003 11:45am - 2:45pm (half-day)

#### Strategic Thinking – Profound Successes

This seminar focuses on helping you and your board anticipate changes, think strategically, and act decisively to achieve profound success. Upon completion of this seminar you will be able to focus on the "big picture—long range" strategic perspectives as the bases for leadership action. The presenter is Carl H. Neu, Jr., Neu and Company; Center for the Future of Local Governance TM. Saturday, July 12, 2003 8am - 11:15am (half-day)

# Linn County Received National Award

NACo recently announced the 2003 Counties Care for Kids Award winners, and named Linn County one of nine award recipients. Linn County received an award for their Child Development Center/Community Empowerment. The Linn County Child Development Center provides high quality full-day, full-year child development services to low-income families, including home visitation, parent education groups and monthly parent meetings. The Linn County Community Empowerment Governance Board is a broad-based collaborative which funds parent education groups, family support services, child health/developmental screening, wraparound childcare services, and childcare training/quality enhancement services.

The Counties Care for Kids program is part of a year-long, national effort by NACo President Ken Mayfield to highlight the critical role counties play in early childhood development and school readiness, and to further develop the leadership of county officials across the country on this important topic.

This award honors the outstanding work of counties in support of children and families. This year, eight county programs and one county supervisor were recognized for innovation and leadership implementing early childhood county programs. All awardees were recognized at a special ceremony in Washington, D.C. April 8, during National County Government Week.

# Homeland Security Funds For Local Governments

The U.S. Department of Homeland Security recently announced the availability of \$165 million for state and local emergency management agencies. The Emergency Management Performance Grant program is the only source of direct federal funding for state and local governments that can be used to provide basic emergency coordination and planning capabilities. States will make the decision as to what local governments will receive funds. Because each state's criteria differs for awarding the funds, contact the state emergency management agency and inquire about the requirements for Iowa.

The department is also expected to soon announce the availability of \$1.3 billion in grants for state and local first responders, provided for in the 2003 Emergency Wartime Supplemental bill. The grants are for equipment, training, exercises, and planning; and states must allocate 80% of these funds to local governments. Both grants are for the current fiscal year. (taken from County News, May 5, 2003)

# associate member highlights

# "R & D Industries, Inc.: Integrating Tomorrow's Technology Today"



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The expert staff at R & D Industries, Inc., maintains and practices the age-old principals of honesty, integrity, knowledge and old fashioned hard work. They employ the brightest in the region, while encouraging and supporting continuous learning. In an ever-changing technological world, they bring value to their clients with their ability to see the "big picture."

Over the years, their customers have come to value the long-term relationship R & D Industries maintains with each one of them. Their services go well beyond simply selling and installing hardware. They provide consulting services which give their customers good short- and long-term vision, including asset life planning and budgeting, user and customer interaction, network policies, etc.

R & D Industries, Inc., welcomes to their staff only professionals who have demonstrated their commitment to computer networking services through their advanced training and education. Their certified experts are progressive thinkers who maintain a personal passion for their fields of expertise.

# For More Information or For a Free County Consultation, Contact:

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# Advanced Computer Engineering Solutions

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ACES is an Information Technology Solutions Provider with offices in Waterloo and Waverly, Iowa. They have a strong sense of community and are committed to creating relationships with each customer. Sara Zimmerman, the Director of Butler County Information Technology has this to say, "ACES is a quality company with highly skilled people. They are always willing to go the extra mile to make sure that Butler County's needs are met without putting pressure on us to buy or upgrade to something that is not necessary."

Although the Cedar Valley is where they call home, they have a tremendous physical reach into much of the Midwest. "ACES is a local, family-owned company with Iowa roots," said Phil Kenealy, ACES president. "We learned that we could best serve our customers by leveraging our technology expertise through partnerships like the Heartland Tech Group and the Venture Tech Network. These associations with regional and national information technology firms enable us to offer our customers expertise in many areas and truly provide comprehensive solutions."

## For Further Information Contact:

ACES Waterloo Office 229 E. Park Ave. Waterloo, IA 50703 (319) 287-3102 www.acesiowa.com ACES Waverly Office 107 E. Bremer Ave. Waverly, IA 50677 (319) 352-1234

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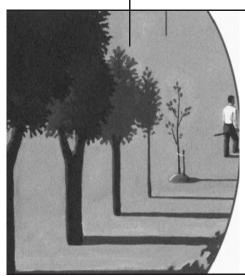
In war, the stronger overcomes the weaker. In business, the stronger imparts strength to the weaker.

- Frederic Bastiat

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