

# The Iowa County

Iowa State Association of Counties



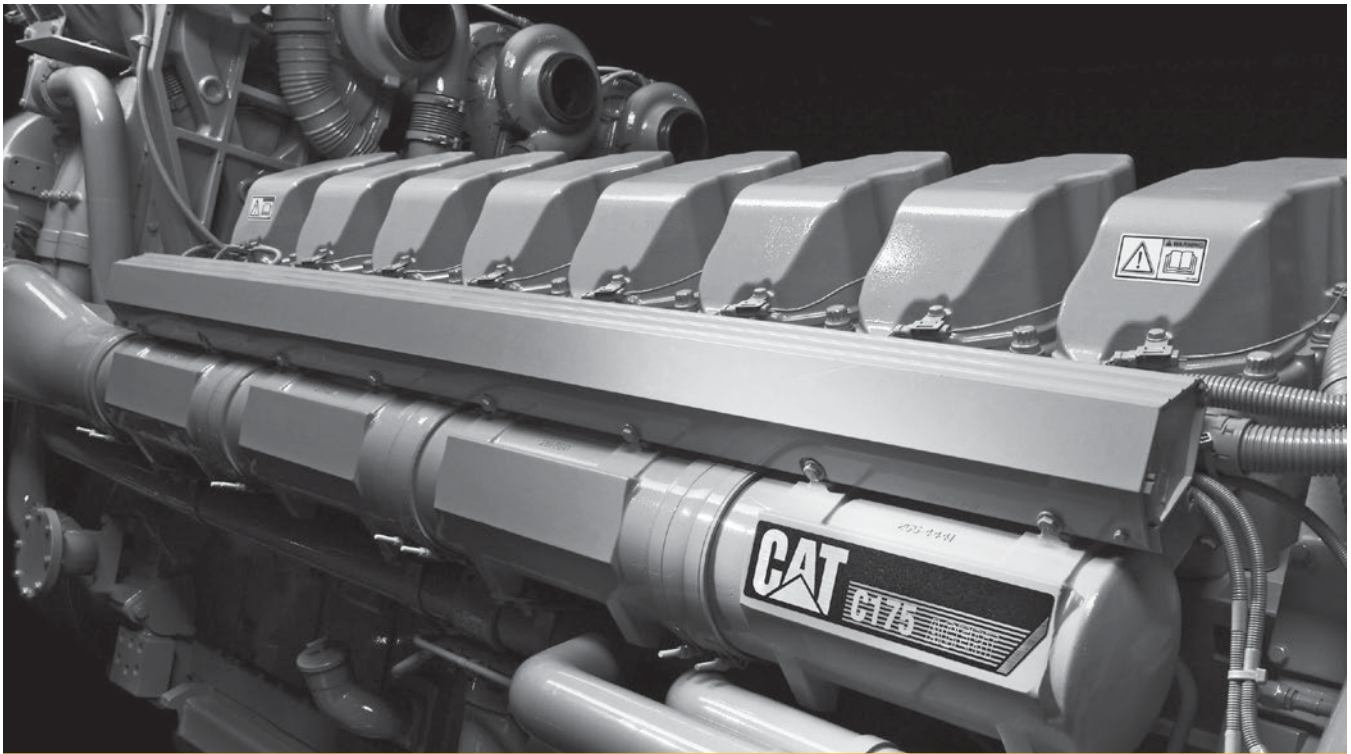
February 2015

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# The Iowa County

February 2015 \* Volume 44, Number 2

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|  |       |
|--|-------|
| <b>Legal Briefs</b><br><i>Kristi Harshbarger</i> | 4     |
| <b>Capitol Comments</b><br><i>Jamie Cashman</i>  | 5     |
| <b>CM&amp;MHDS</b><br><i>Jackie Olson Leech</i>  | 6-7   |
| <b>ISAC Meetings</b><br><i>Kelsey Sebern</i>     | 8-9   |
| <b>Lincoln Letters</b><br><i>Grant Veeder</i>    | 10-11 |
| <b>ISAC Brief</b>                                | 12-14 |
| <b>Where are they Now?</b>                       | 15    |
| <b>NACo News</b>                                 | 16-17 |
| <b>About the Cover</b>                           | 12    |
| <b>Calendar of Events</b>                        | 20    |



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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.

## What can ISAC legal staff do for you?

I am writing this as we prepare for ISAC's New County Officer School. Although that conference will be over when this is published, it's still early in the term for newly elected officials. Maybe if you were at New County Officer School you met me. If not, let me take this opportunity to welcome you to county government! In this article, I will provide you with some information about how ISAC's legal staff (currently myself and a part-time intern law student, Eric Gookin) can assist you. If you are reading this as an experienced county official or employee, I hope this article reminds you of this resource provided through your participation in ISAC.

A lot of my time is spent doing work directly for ISAC as an organization – for example, I review all the contracts that ISAC enters into for various service provisions and purchases. But a lot of my time is also spent assisting members with questions. I'm always happy to help, but it's important to understand the difference between my role with a county and your county attorney's role with your county. On our website you can find ISAC's Legal Information Policy, which outlines my charge from ISAC's board on these matters.

As this explains, your county attorney is the one that represents the county. ISAC's legal counsel's relationship is sort of like that of a reference attorney. I think of it in the same way as if you were to have a question about your personal income taxes. You as an individual can call the IRS and speak to an attorney that works for the IRS. They might point you in the direction of a form or instructions that may help answer your question. But they are not going to prepare your tax return or have responsibility for what you ultimately choose to put in your tax return. If you want someone to assist you with those details, you would have to retain a private attorney to prepare your tax return. So often with legal questions there can be multiple arguments for what path to take, and so it's really important you know what path your county attorney feels comfortable with. Because it will be your county attorney that will have to assist in the defense of the county's actions if a controversy or lawsuit were to result. Your county attorney is essentially the private attorney that is statutorily retained for the county. Although there are ways and circumstances that your county might choose to retain outside counsel. This also means because I do not have an attorney-client relationship with you or the county, rules of attorney-client privilege and attorney work product do not apply when talking to me. I would never unnecessarily talk about any issue you might call me with, and

By: **Kristi Harshbarger**  
ISAC General Counsel



I will ask before sharing with someone else in order to assist in my research and response. But, that does mean if a lawsuit of the issue you contact me about were to arise, my notes, research and conversations with you could be used in a way those same notes, research and conversations by and with your county attorney could not be used.

All that being said, I don't want to discourage you from calling me. I just want to encourage you talk to your county attorney as well, which I will ask when you contact me. There are some areas where I can be particularly helpful. Some examples-

**Affiliate work.** Both organizational and statewide questions. An example of organizational affiliate work is a few years ago I helped ICIT file organizational documents with the Iowa Secretary State to become an incorporated association. An example of statewide questions is providing advice to the treasurers on how to handle an entity purchasing properties in a tax sale when the entity was in a dispute with its bank and a receivership had been established.

**Where do I find it questions.** For example, you might call and ask me what Iowa Code Section contains the oath for county officers. Or you might call and ask what recent Iowa Supreme Court case dealt with steel wheel ordinances. Or perhaps help finding a specific Attorney General or an Iowa Ethics and Campaign Disclosure Board opinion.

**Magazine article suggestions.** I write this monthly column in *The Iowa County magazine*. The hardest part is coming up with topics that will be useful for all of you. So if you have a topic that you've been wondering about and think it might be of general interest, send it my way.

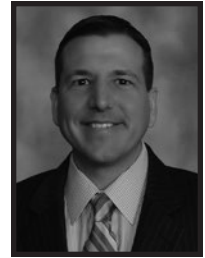
**Questions referred to me by your county attorney.** It's impossible for any attorney – me, your county attorney, or otherwise – to be well-versed in everything counties have to deal with, because you just do so much! Depending upon your county attorney's interests and work load, there may be certain types of questions that you ask them about and they direct you to me. In those circumstances, calling me can be an inexpensive way to have additional guidance. My services are included in your county's dues to ISAC, unless it's something extremely time-consuming (for example, we update the supervisors'

Continues on page 8.

## The 2015 Legislative Session Begins

By: *Jamie Cashman*

ISAC Government Relations  
Manager



The 86<sup>th</sup> Iowa General Assembly gaveled in for the first time on Monday, January 12th with speeches by Senate and House leadership with the common aspiration of pursuing bipartisan work.

The next day, Governor Terry Branstad came before a joint convention of the General Assembly to present his Condition of the State Address titled “Together We Can.” Perhaps the theme was referring to the executive and legislative branches, as well as the Republican and Democratic parties, but ISAC will work to show that together we as different levels of government can accomplish a lot to serve our mutual constituents and taxpayers. In the address, Governor Branstad laid out his goals for the 2015 legislative session and a vision for moving Iowa forward. Several key points were welcomed and applauded by ISAC. The Governor expressed his commitment to address the investment that needs to be made in our state’s roads and bridges.

As the caretakers of over 78% of the public road miles and over 75% of the public bridges in Iowa, counties have a vested interest in increased funding for horizontal infrastructure and it is one of ISAC’s top priorities this year.

The Governor also renewed his desire to expand broadband access across the state to the unserved and underserved areas. ISAC supports broadband expansion to our rural areas and small communities as an educational and economic development asset, but this expansion cannot be accomplished at the expense of circumventing local control over cell tower siting and other ordinances. We look forward to working with the Governor and the Legislature to connect every Iowan through both technological and transportation infrastructure.

On Wednesday that week, Chief Justice Cady gave the Condition of the Judiciary Address before a joint convention of the Iowa General Assembly. ISAC was recognized for the joint work we have been doing with the Judicial Branch on courthouse and county building security. In light of recent events in Jackson and Madison Counties, there is an increased need to update the security measures in all county and court buildings. Over the coming year, ISAC will continue to work with the Judicial Branch at providing counties with suggested guidelines and training resources aimed at making our buildings safer for county and judicial officials.

During the second week of session, the Health and Human Services Budget Subcommittee met to review the Department of Human Services (DHS) proposed budget for 2016 and 2017. There were several areas of concern as presented by DHS. First, the Governor is recommending the elimination of the \$30 million that was provided to counties in equalization funding and the state retention of \$10 million in Medicaid “offset” funding that was to be redistributed back to the regions for services to now fund the gap in Medicaid. Second, the Governor is recommending the closure of the state mental health facilities in Clarinda and Mt. Pleasant. ISAC will continue to push for stable funding for regions as they have only been fully functional for a little over six months. Lastly, we will oppose the closing of additional mental health facilities as this will add stress to the need for mental health beds which has left our law enforcement officials taking significant time and resources to deliver patients for treatment.

Finally, as we begin another session, we wanted to provide to you another opportunity for a refresher on the ISAC Legislative Tracking Tool, <http://www.iowacounties.org/legislative/tracking-tool/>. All enrolled bills are entered into the tracking tool with bill number and title. Each bill will then receive a designation of one of the following:

- F (for) – ISAC supports this legislation.
- A (against) – ISAC opposes this legislation.
- U (undecided) – ISAC is undecided, conducting further research, or remaining neutral.
- Tr (tracking) – ISAC is keeping an eye on this bill for future developments.
- FYI (for your information) – ISAC alerts affiliates to legislation that may be of interest.

Among the classifications, the Undecided registration causes the most confusion and questions from the ISAC membership. A lot of the time this registration means ISAC is not ready to declare support or opposition for a number reasons including the need to do further research, the desire to work on amendments to improve the legislation, or the need to stay neutral for any number of internal or external reasons. As always, we welcome questions, comments, and concerns on the ISAC legislative priorities, tracking tool, bill registration, and weekly update.

## Integrated Employment

Chances are you have the opportunity to read *The Iowa County magazine*, due to your employment through your county, or job that serves county government. My boss asked me this morning, how long I have been employed in the field of human services, and I began thinking about my work experiences through the years, and what employment has afforded me, other than a paycheck to pay bills. Those of you working in human services know that the dollars earned in this field don't often go much further than paying the bills, buying groceries, and purchasing and maintaining a car. Nevertheless, it was through my first job that I was able to be self-supporting, and independent from my parents to pay my own bills, live on my own, and make financial decisions, and even mistakes that I learned from. I gained skills that helped me serve others as I continued to develop my sense of self, and purpose in life. Not only did I contribute at work, but also paid taxes from my earnings to support my country and state, as well as purchasing good and services, which made a positive financial impact in my community. I eventually purchased a home, paying property taxes to my county. Through employment, I began networking with others, thereby developing a support system outside of my family. You probably agree that work has been an integral part of your life also, but this isn't always the case for those with disabilities.

I worked as a job coach for persons with intellectual disabilities back in the late 80's and early 90's. Back in those days, we believed that persons with significant disabilities could work competitively with the right job match and supports. Yet 25 years later, little progress has been made in terms of choosing, finding and keeping competitive integrated employment for those with significant disabilities, and many continue to work in sheltered work or day programs segregated from non-disabled persons working and socializing in the community. Sheltered workshops pay a piece-rate for the amount of work completed, which equates to a fraction of the current minimum wage in most cases. Recent studies of vocational services in Iowa indicate that 80% of funding is spent on segregated facility prevocational services (sheltered workshops) and that less than 7% of those receiving these supports move on to competitive employment in community integrated settings. The 1999 Olmstead Decision by the U.S. Supreme Court and the U.S. Department of Justice require states to focus their spending on integrated settings. In addition, the federal Centers for Medicare and Medicaid Services (CMS) provides guideline on how Medicaid HCBS Waiver funds are used, and also don't support using Medicaid dollars for segregated settings.

**By: Jackie Olson Leech**  
ISAC CM&MHDS Specialist



The Department of Justice enforces the Olmstead decision and has provided guidance for states in complying with their obligations under the Americans with Disabilities Act (ADA) and Olmstead. The Department of Justice states that "a public entity may violate the ADA's integration mandate when it: (1) directly or indirectly operates facilities and/or programs that segregate individuals with disabilities; (2) finances the segregation of individuals with disabilities in private facilities; and/or (3) through its planning, service system design, funding choices, or service implementation practices, promotes or relies upon the segregation of individuals with disabilities in private facilities or programs."

The Iowa Department of Human Services (DHS) must be clear that integrated community settings are the preferred location for the delivery of home and community-based employment supports. Robert Cimera, Kent State, did research that indicated that there is a \$1.61 return for every \$1.00 spent on employment services.

Those leading this cause to enable persons with significant disabilities to work in integrated settings, and to receive competitive wages are excited as never before at the number of significant systems changes. Employment First is an initiative that the state of Iowa has embraced, a vision that assumes that all people, even those with the most significant disabilities, are capable of full participation in their community. This includes integrated employment, in which the person has opportunities to complete work and interact with co-workers who aren't disabled, receive at least a minimum wage from their employers, and have opportunities to advance and to receive benefits that are available to all employees. Integrated employment for all working-aged Iowans with disabilities is the first priority and is the expected outcome of service provision. Iowa was awarded a grant from the Office of Disability Employment Policy (ODEP) to create systems changes to increase integrated employment outcomes. Iowa's Employment First Leadership State Mentor Program will enable Iowa to study, and consider adopting policies and funding mechanisms that emphasize interagency collaboration that result in service delivery that prioritizes integrated employment. This collaboration includes Iowa Vocational Rehabilitation Services, DHS, IowaWorks, the Developmental Disabilities Council, the Iowa Association of

Continues on page 7.

Community Providers, and a family member, mentoring with the state of Washington.

Iowa is also a member of the State Employment Leadership Network (SELN), which brings states together to improve employment outcomes for adolescents and adults with developmental disabilities and to provide training and guidance on policies and practices. The mission of SELN is to maximize resources, develop effective employment systems and partnerships, use data to guide program management at the local and state level, improve employment related staff competencies, and share resources for systems change across states. Currently SELN is offering webinars on the role and qualities of high-performing case managers, the role of families in employment, and individuals with criminal backgrounds seeing employment.

The Iowa Coalition of Integrated Employment (ICIE) was created due to a grant from the Administration on Intellectual and Developmental Disabilities to the Developmental Disabilities Council in 2011. The grant brings together the DD Council, DHS, the Iowa Department of Education, Iowa Vocational Rehabilitation Services “to improve systems so that Iowa youth with developmental disabilities, including those with intellectual disabilities, have fully integrated, competitive work, regardless of where they live in the state.” The grant will contract for six demonstration projects in an educational environment, and at least three projects with community rehabilitation providers. Some of these pilot project successes include 14 of 30 job seekers have found integrated employment at or above minimum wage, working an average of 13-14 hours a week. Job seekers previously denied services, are not being served, and relationships have been developed with employers, and positive changes have been made in provider organizations. There has been a movement towards not guiding and encouraging high school students to enter sheltered work. The coalition has found the importance of building and maintaining partnerships and relationships, and that collaboration is possible. They found that involvement of parents and families of students are crucial in the transition to employment, and engaging them early in this process. Professionals need information and tools to support their work, and the role of case manager is critical in this systems change and the planning process. ICIE has collaborated with case managers to understand their role, the barriers to employment, and to support them in providing strategies and tools to prioritize employment as a priority and advocate for integrated employment for the clients they serve.

Iowa’s employment outcome vision is “Employment in the general workforce is the first priority and the expected and preferred outcome in the provision of publically funded

services for all working age Iowans with disabilities.” Iowa will not realize this vision without realigning the employment service system to support integrated employment. The purpose of rate redesign is to get providers the financial and professional development resources needed to deliver integrated employment services. The Employment Services Redesign Workgroup has not met since November 2013 and is waiting on approval from DHS leadership to proceed with the work. ICIE facilitated a petition, obtaining 200 signatures requesting to reconvene the Employment Services Redesign Workgroup and to move forward with improving Iowa’s system to support integrated, competitive employment services for Iowans with disabilities. DHS would like to see a rebalancing of the system related to employment services in which public funds emphasize integrated community employment and provide more choices of employment services.

According to the Administration for Community Living (ACL), it is more evident than ever that employment affects not only income, but also well-being and self-esteem, in powerful ways. “The confidence and growth that come with successful employment are huge, and the empowerment that comes with controlling your own resources is an important part of living a self-determined life.” Additionally, the ACL states that “... the rate of competitive employment in integrated settings for people with intellectual and developmental disabilities is unacceptable, at less than 25%. Graduation rates, a key indicator for employment success, continue to hover around 30% for students with intellectual disabilities. Higher education opportunities for students with ID/DD remain extremely limited. Supports and services to ensure success in competitive, integrated employment are not always prioritized.” A perfect storm exists now through the changes in legislation and policy to make this a reality, and now is the time to make real change in employment outcomes for persons with disabilities. Here are additional links and contacts to learn more or to see how to get involved:

MHDS Employment Website:  
<http://www.dhs.state.ia.us/mhdd/2012/Employment.html>  
Look toward the bottom of the page for these materials.

IVRS Website:  
<http://www.ivrs.iowa.gov/>

ODEP’s Employment First initiatives:  
<http://www.dol.gov/odep/topics/EmploymentFirst.htm>

State Employment Leadership Network (SELN):  
<http://www.selnmembers.org/homepage>

Continues on page 15.

# ISAC meetings

## Spring School Education Seminars

ISAC will be hosting three educational seminars during the 2014 ISAC Spring School of Instruction from 9:00 am - 10:15 am on Thursday, March 12. Please be sure to pre-register for the conference on the ISAC website. Registration will close and the reduced, pre-registration rate will no longer be available after 4:30 pm on Friday, February 27.

### **Courthouse Security “Options for Consideration”**

This seminar will cover specific example areas reviewed during a courthouse physical security assessment, courthouse security issues, and improving site safety and security for employees and visitors. After the recent eastern Iowa courthouse shooting, this topic is a frequent concern of courthouse employees, judges and elected officials.

Speaker: Rick Busch, Director of Operations, Eagle Ridge Tactical Consulting LLC

### **Media and Politics**

This panel presentation will focus on lessons learned from the 2014 races, the campaign/debate process - past, present, and where we go from here, and inside stories and insights about the campaign process and races. A Q&A will conclude the session.

Confirmed panelist: Kathie Obradovich, Des Moines Register

### **Workers Compensation: Your Questions Answered**

This panel presentation will focus on the most commonly asked questions regarding workers’ compensation, workplace safety, loss control, and much more. The panelists will discuss

**By: Kelsey Sebern**

ISAC Meeting/Event Administrator



their experiences and will answer your questions to real life problems in the workplace.

Panelists:

Ron Sinnwell, Panelist, IMWCA Loss Control Coordinator  
Scott Smith, Panelist, IMWCA Loss Control Representative  
Dean Schade, Panelist, Senior Loss Control Representative  
Ed Morrison, Panelist, Loss Control Representative  
Russ Sporer, Panelist, CRMS Principle and Independent Insurance Agent  
Dennis Simon, Panelist, Jasper County Human Resource Director  
Todd Kinney, Panelist, Clinton County Engineer and Safety Committee Chairperson  
Kasi Koehler, Moderator, CRMS Representative and ICAP Marketing

Please be sure to check the Spring School website often for the most up-to-date information, <http://www.iowacounties.org/meetings-and-events/spring-school-of-instruction/>.

### **County Day at the Capitol**

March 11, 2015

Please see the flier on the next page that includes information about County Day at the Capitol. ISAC members are encouraged to attend this FREE event, but pre-registration is still strongly advised so that we are sure to have enough food for everyone. Pre-registration is currently available on the ISAC website.

# legal briefs

Continued from page 4.

manual but charge the affiliate for that time). In the event there would be additional charges for my work, we’d tell you that ahead of time, and it’s extremely rare this happens.

In addition, there is a process for ISAC to become directly involved in a lawsuit if your county is involved. And that process is to make a request through ISAC’s litigation committee. The county is still represented by your county attorney (or outside

counsel that has been retained by the county), but if the case is something that many counties may be interested in, there are various ways that ISAC can provide support – through monetary assistance with the county’s legal costs, filing a friend of the court brief, etc. You can find ISAC’s Litigation Policy on our website.





Join us on Wednesday, March 11, for  
County Day at the Capitol.

### *Schedule of events*

10:00 am - 11:00 am  
Legislative Updates  
Wallace Building

11:00 am - 3:00 pm  
Affiliate Displays and  
Legislative Interaction  
Capitol Rotunda

11:30 am  
Lunch  
Capitol Rotunda West Wing

Pre-Register beginning Wednesday, January 21, 2015 for County Day at the Capitol. This event will begin at the Wallace Building auditorium. There will be special presenters on the hot issues of the time. From there, the group will travel to the Capitol. The time at the statehouse will give county officials the opportunity to participate in the lobbying process by meeting with their legislators.

This year's event is being held in conjunction with the 2015 ISAC Spring School of Instruction, March 12-13. Hotel accommodations are available at discounted rates on Tuesday, March 10 at spring school conference hotels. You must pre-register for the spring school on the ISAC website before making your hotel reservations.

We have secured space in the Capitol Rotunda for affiliate displays. This will give each individual affiliate the opportunity to introduce legislators and the public to your important roles in the effective administration of county government.

Lunch will be provided for legislators and attending county officials in the Capitol Rotunda West Wing. This will again give county officials the opportunity to interact with legislators. Please pre-register for an accurate lunch count.

In order to have the opportunity to meet with your legislators on this day, each county is encouraged to set up meetings with their legislators in advance. Most days of the session are extremely busy and having a scheduled time with your legislators is very important to make the most of your day.

As an ISAC member county it is important to be involved in the legislative session and to work to promote ISAC's legislative priorities and objectives. County Day at the Capitol will give our members the opportunity to support ISAC's efforts and work towards improving county government.

It is our hope that by making a concentrated effort to focus on county issues on just one day, that we will have the greatest impact at the Capitol.

Please pre-register at [www.iowacounties.org](http://www.iowacounties.org), and mark your calendars now for March 11, 2015! Pre-registration closes at 4:30 pm on Friday, February 27.

# Lincoln letters

## The Verdict

The burden of these articles has been to discover whether Lincoln violated the Constitution as president. We have conclusively shown the answer to be: Maybe. Probably. More than some folks think; not nearly as much as others.

The history of the Constitution is filled with – well, it's filled with Supreme Court decisions that no one understands. But the fact that it has a history at all is because there have always been disagreements on how it should be interpreted. And the High Court sometimes changes its mind. The replacement of one justice can change the Court's decision on issues that affect the lives of millions. Those effects may likewise hinge on what to a layman appears a slight nuance distinguishing two cases.

Then you have what we might call the spirit of the times. Public opinion shouldn't shade a judge's ruling on a point of law, right? But let's look at the example of civil rights. In 1896, The Supreme Court's *Plessy v. Ferguson* upheld "separate but equal" public facilities that were racially segregated. This doctrine was overturned in *Brown v. Board of Education of Topeka* in 1954, which said that "separate educational facilities are inherently unequal." Did the Constitution change on the issue in the interval? No, but the spirit of the times did.

Likewise in Lincoln's situation: If the legal tender issue had come before the court in the 1830s, I'll go out on a limb and say that it would have been declared unconstitutional. The Supreme Court was increasingly dominated through that decade by appointees of popular President Andrew Jackson, a hard-money advocate who favored a decentralized banking system. More to the point, legal tender was a radical concept that gained the necessary support only because of the immense cost of waging the Civil War.

In the end, constitutionality is a moving target, and it depends on where you stop it whether you think Lincoln violated it or not. If you want to boil it down to how he fared with the Supreme Court, it's pretty simple. At first glance. (1) The Court upheld the government in the *Prize Cases*, supporting the concept that the country was at war because a war existed, even though Congress had not declared war. (2) The Court found in *ex parte Milligan* that Lincoln's order allowing the trial of citizens by military tribunal where civilian courts were in operation was unconstitutional. (3) In *Texas v. White* the Court said that the Southern states never seceded from the Union because the Union is perpetual.

**By: Grant Veeder**

Black Hawk County Auditor  
and ISAC Historian



But all three were split decisions. Lincoln would have lost in *Prize Cases* if it went to trial with the Court that existed when he took office. He very likely would have won *ex parte Milligan* if it had come on the docket while the war was raging instead of a year afterward.

That's the whole schmear. The Court didn't rule on legal tender. Or habeas corpus. Or emancipation. But it doesn't matter whether the Supreme Court officially interprets a law or its application; if the issue is controversial, people will argue about it. So maybe the question should have been this: Did Lincoln abuse his authority?

There can be no argument that he expanded the power of the executive branch far beyond anything seriously contemplated before his presidency. But whether he was the dictator that his detractors describe depends on how you feel about secession. If secession was legal and right, what Lincoln did was monstrous. If it was illegal and wrong, what he did was epically courageous.

Lincoln showed no prior predilection for wielding absolute power. This was a man of no executive experience whatever. His legal and political careers were both marked by an ingrained practice of compromise. Lincoln had little time to consider the monumental questions that he faced. Secession and rebellion were upon him the day he took office. He stumbled through the first year of his presidency climbing a steep learning curve.

Still, he had strong beliefs about American democracy and the Constitution, and his beliefs informed his decisions. "I felt that measures, otherwise unconstitutional, might become lawful," he wrote in 1864, "by becoming indispensable to the preservation of the constitution, through the preservation of the nation." Some of the means he used to prevent the dissolution of the Union were extraordinary, but he felt they were necessary war measures, provided for in the Constitution by his duty as commander-in-chief of the armed forces and by his oath to preserve and protect the Constitution itself. "The dogmas of the quiet past, are inadequate to the stormy present," he told Congress late in 1862. "...As our case is new, so we must think anew, and act anew. We must disenthrall ourselves, and then we shall save our country."

Continues on page 11.

I believe secession was illegal and wrong. While Lincoln may have overstepped his authority in specific instances, I believe Lincoln exercised a robust use of power, not an abuse of power, to prevent secession. As I said at the beginning of this series, Lincoln acted to save “the last best hope of earth” – American democracy. In the end, after Lincoln’s resistance on constitutional grounds, it was a war to end slavery as well. Both causes were worth fighting for.

But the achievement of those ends came at a terrible cost. Does it forgive Lincoln of the deaths of hundreds of thousands of soldiers, that he agonized over them, that he shook every man’s hand when he visited a hospital, that he was fatally careless of his own safety? Or was he, in the end, a minor character in a revolutionary movement in human affairs, where the blood of the fallen was payment for the blood of those that our Constitution damned to a life of bondage? I’m cribbing a bit from Lincoln’s Second Inaugural, which contains the most sublime utterances of any American president. Some of our answers lie there.

Lincoln revered the Constitution, but it is not the Constitution itself, but the Constitution’s most altruistic strivings that should shape our actions. The spirit of the Constitution is best expressed in its preamble: “We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution...” His protestations notwithstanding, Lincoln understood this intrinsically. No president embodied the spirit of the Constitution more fully, or more tragically, than Abraham Lincoln.

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## ISAC brief

### Peterson Receives Certificate of Achievement

ISAC Executive Director Bill Peterson recently received a Certificate of Achievement for completing the Certified County Association Executive (CCAЕ) Program. The CCAЕ Program is a structured continuing education curriculum for the professional development of state association executive directors. It is structured to comprehensively train county association leaders to be fully knowledgeable of leadership and association challenges and to better prepare them to find ways to address emerging issues while fostering a constructive and consistent environment. A Certificate of Achievement is awarded to each county association executive who completes 30 credits of the course requirements. The CCAЕ program is sponsored and credentialed by the National Council of County Association Executives and Cornell University.



## ISAC brief

Dear Members:

You are cordially invited to attend the annual meeting of the members (the “Member Meeting”) of the Iowa State Association of Counties (ISAC) during the General Session of ISAC’s Spring School of Instruction on Thursday, March 12, 2015 at The Marriott Hotel, 700 Grand Avenue, Des Moines, Iowa 50309 at 10:45 a.m.

One of the purposes of the Member Meeting will be for you to vote on the following:

- Amend Our Articles of Incorporation. To amend our Articles of Incorporation to add the Iowa Association of County Commissioners and Veterans Service Officers, Inc. as an affiliate association of ISAC.

Melvyn Houser, ISAC President

## about the cover

ISAC has created a number of videos promoting our legislative top priorities. The first two videos were released alongside press releases during the first two weeks of the legislative session. Our top priorities, Transportation Investment and Mental Health and Disability Services were explained in two and a half minutes in a format that is easy to view and easy to share with others. If you haven’t seen them already, please take a moment to visit our website.

These videos were made with the intention of being spread far and wide. We have sent them to all of our news media contacts across the state and legislators, but we ask for your help in doing the same. Please be sure to share these videos and releases with your media and legislators directly in order to have an even larger impact. Please contact me at [rbennett@iowacounties.org](mailto:rbennett@iowacounties.org) or 515.244.7181 with any questions, comments, etc.

## 2015 ISAC Board of Directors



Front Row (L to R):

**3rd Vice President:**

Lonny Pulkrabek, Johnson County Sheriff

**1st Vice President:**

Joan McCalmant, Linn County Recorder

**President and NACo Board Representative:**

Melvyn Houser, Pottawattamie County Supervisor

**2nd Vice President:**

Peggy Rice, Humboldt County Auditor

Middle Row (L to R):

Public Health: Kathy Babcock, Chickasaw County

Past President: Harlan Hansen, Humboldt County Supervisor

Community Services: Russell Wood, Franklin County

Assessor: Deb McWhirter, Butler County

Engineer: Danny Waid, Hamilton County

NACo Past President: Linda Langston, Linn County Supervisor

Supervisor: Cara Marker-Morgan, Fremont County

Back Row (L to R):

Treasurer: Eric Stierman, Dubuque County

Conservation: Matt Cosgrove, Webster County

NACo Board Member: Grant Veeder, Black Hawk County

Auditor

Zoning: RJ Moore, Johnson County

Environmental Health: Joe Neary, Palo Alto County

Information Technology: Joel Rohne, Worth County

Past President: Wayne Walter, Winneshiek County Treasurer

Not pictured:

Emergency Management: AJ Mumm, Polk County

Supervisor: Wayne Clinton, Story County

Past President: Darin Raymond, Plymouth County Attorney

## Board Meeting Summary - January 16, 2015

ISAC President Melvyn Houser called the meeting to order and led the Board in the Pledge of Allegiance. Introductions were given.

The ISAC Board of Directors minutes from the December 3, 2014 meeting were reviewed and approved unanimously.

Bill Peterson gave a background of the request from the Iowa Association of County Commissioners and Veterans Services Officers, Inc. (IACCVSO) to become an ISAC affiliate and introduced Sue Rich, Washington County Veterans Affairs, Liz Ledvina, IACCVSO President and Tama County Veterans Affairs, and Ed Vos, Dallas County Veterans Affairs Commission Director who explained their association and reasons for wanting to become an affiliate member of ISAC. The Board unanimously adopted the resolution to accept IACCVSO as an affiliate member of ISAC. Please see page 10 for a notice of vote that will occur during the 2015 ISAC Spring School of Instruction General Business Meeting in this regard.

Brad Holtan gave the financial report dated December 31, 2014. He highlighted New County Officers School and Fall School of Instruction revenue and the budget to actual net gain/loss. He also gave an overview all of the funds and the quarterly review of investments. The financial report was accepted unanimously.

Drafts of the ISAC Education Foundation 990, the ISAC 990, the ISAC 990T, and ISAC's Iowa tax return were reviewed and approved unanimously by the Board.

Bill reviewed the process and timeline for adopting the FY 2016 ISAC budget.

Kristi Harshbarger reviewed the Conflict of Interest Policy which is required to be received and signed every year by members of the ISAC Board of Directors.

Kristi gave an update on the HIPAA Program and discussed planning for next year.

Jeanine Scott gave the highlights of a program analysis of the ICACMP Program and the Prolaw software package as it is used by the 50 to 60 counties in the Program. She answered questions relating to the analysis.

Kelsey Sebern reported that the 2015 ISAC New County Officers School was a success. Although the facility meets the needs of the conference and receives good reviews from attendees, the conference will likely need to relocate in the future due to food and beverage price increases.

Rachel Bennett gave an update on the 2015 County Day at the Capitol being held on March 11, 2015.

Kelsey Sebern reviewed the 2015 ISAC Spring School of Instruction agenda.

President Houser introduced Representative Greg Forristall (R-Pottawattamie). Representative Forristall swore in the ISAC Executive Committee and the full ISAC Board of Directors. He discussed his priorities for the session and answered questions about county issues.

Jamie Cashman reported on the first week of session.

Rachel Bennett gave a background on the ISAC video project and introduced Tomas Lashier and Austin Jensen, Freaky Fresh Marketing. The four top priorities videos were shown to the Board, and the project was discussed at length.

Wayne Clinton was unanimously appointed to the SEAT Board and Joel Rohne was unanimously appointed to the County Strategic Technology Advisory Resource as the ISAC Board representatives.

President Houser reported to the Board on the NACo fall board meeting and transportation and infrastructure symposium.

Bill reported on the Midwest Association Staff Retreat and trip to Washington, D.C. with the ISAC legislative staff. President Houser and Bill also attended the NCCAE State Association Presidents and Executive Directors Meeting in D.C.

Rachel Bennett gave the tentative Iowa attendee schedule of events and meetings that are being planned in conjunction with the NACo Legislative Conference.

President Houser adjourned the meeting following reports and inquiries from board members.

# counties in the spotlight

## Where are they now?

This month's Where are they Now? is featuring the ISAC Top Scholarship winner from 2001, Jessica (Keierleber) Howlett. Jessica is the daughter of Brian and Beverly Keierleber. Brian is the Buchanan County Engineer. Jessica wrote a letter thanking ISAC and the scholarship supporters for their generosity and help with her college education, below is her letter:

Dear Iowa State Association of Counties:

Thank you all again for the scholarship back in 2001. I used the funds to attend a combined undergraduate and medical program at the University of Missouri - Kansas City. I finished back in 2007 and got married to my husband Matt a week later. We then moved to Baltimore, Maryland where we spent the next six years. I worked for three years as a pediatric resident at Johns Hopkins then continued there for a three-year-long fellowship in neonatology. I had my oldest son Zachary in 2011 during my second year of fellowship. In 2013 I finished fellowship, and my family moved back to the Kansas City area where I work at several of the community NICUs as a neonatologist. We had our second son, Liam, in April of 2014. We enjoy spending time as a family and are glad to be back in the Midwest.

Sincerely,  
Jessica Howlett



## CM&MHDS

Continued from page 16.

Association for People Supporting Employment (APSE), and Employment First key principles:  
[www.apse.org/employment-first](http://www.apse.org/employment-first)

Contact information:  
Lin Nibbelink, DHS Division of Mental Health & Disability Services, 1305 E Walnut Street, Des Moines IA 50319  
Ph: 515.281.3023 Fax: 515.242.6036  
[lnibbel@dhs.state.ia.us](mailto:lnibbel@dhs.state.ia.us)

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Iowa Coalition for Integrated Employment (ICIE)  
Jessica Kreho  
Ph: 515.250.9803  
[pruittjess@gmail.com](mailto:pruittjess@gmail.com)

## NACo December Board Meeting

“Having good data infrastructure is a key step for an organization to overcome being data rich and information poor.” Madeline Schmitt, ISAC software developer

In December I had to go to Maui County for NACo’s symposium on County Transportation and Infrastructure and President Hokama’s fall board meeting. There was some fun to be had, but most of the time was spent in workshops and meetings. I did get down to the beach once. It was mostly sand and a lot of water.

I noted a common thread throughout several of the presentations. That being, how do we organize all of that data that we gather and be able to use it in a fruitful manner? At Maui’s Technology Park, folks from the Joint Information Technology Center talked about medical readiness and how they are working with the Department of Defense and the Veterans Administration on moving veteran’s medical records to the V.A. upon discharge. Apparently the two systems don’t talk to each other very well. What is needed is integrated electronic health records. This is the point where I started thinking about our ETC/CSN. The next presenters were from the Pacific Disaster Center. They gather data from all over the world and map disaster or potential disaster spots. It could be an earthquake, tsunami, wildfire, or ice storm in the Midwest. Did you know that 38% of the world’s disasters and 80% of the casualties occur in the Asian Pacific region? I guess Balboa didn’t know that when he named it the “Pacific” Ocean. They also look at socio-economic factors to see how resilient a region might be if they experience a disaster. Of course they use GIS and mapping to aggregate and disseminate their data. I started to wonder if any sort of data could be mapped. Perhaps health information?

That afternoon we took a bus to Mount Haleakala Observatory. A nice one and half hour trip up the side of a dormant volcano. The lower portion is mostly grassland. All of the beef consumed by the islanders is produced mainly by two large cattle ranches. The drive reminded me somewhat of driving through the Loess Hills of western Iowa, until we reached the overcast cloud

**By: Melvyn Houser**

ISAC President,  
NACo Representative,  
Pottawattamie County Supervisor



cover. Then it reminded me of a really foggy day. Above the clouds at 10,000 feet we arrived at the summit. I counted well over a dozen telescopes used by a variety of entities for a variety of experiments and projects. The Air Force is using the largest to photograph satellites and document their position so the satellites don’t smash into one another like the movie “Gravity.” All this takes more data and mapping.

The following day and a half were consumed by a multitude of presentations regarding transportation and infrastructure. One of the best was by Iowa DOT Director Paul Trombino. He has a broader perspective of transportation needs than most laymen, of course. We county supervisors and engineers get complaints



about rough or muddy or dusty roads, which is a concern. But what happens to our product after it leaves the farm? We are in a global economy and we need a modern global transportation infrastructure to keep up with consumer demands. We need to equate economic development and transportation. Production on one end and consumption on the other end, linked by transportation with supply chain logistics. He is talking not just about getting the corn to the elevator or ethanol plant, but getting it on a rail or barge then to a port that can handle it without delays. All this takes “big data.” This is the point where I thought of Madeline Schmitt’s article in the December issue of *The Iowa County magazine*. One should read it if it was overlooked.

The final luncheon address was about mobile technology and smart or driverless cars. More talk about big data and making sense of it.

Other tidbits: The American Society of Civil Engineers came out with their report card on America’s roads and bridges. D+. The state of Oregon is experimenting with a program whereby a driver can install a device that measures miles traveled and fuel used. They then pay 1.5 cents per mile traveled and get reimbursed for the state fuel tax that was paid. The Des Chutes

Continues on page 17.



County supervisor that took part is paying only \$1.20 more per month. I met a lady in the lunch line. She is the Vice President of the Maui Economic Development Board. She's also from Keokuk. When I was in Santa Fe last year for a RAC retreat, the guy running the little coffee stand grew up in Corning. I meet a lot of fascinating people at NACo. Many of them are from Iowa.

Now, allow me to opine for a bit. Preceding Director Trombino's talk was a presentation by an economist. He said that in our global economy we need a strong, robust, global transportation system with modern logistics. He is right. The alternative is total self-sufficiency. "How's that working for Korea," he said. My hackles raised just a bit, because I think self-sufficiency or self-reliance is a good thing. I understand that since the "world is flat" no one can or should be totally self-sufficient. Maybe we can give our transportation some respite if we shorten that gap between point A and point B, producer and consumer. Money is to be made in trade, but hauling stuff all over the world is costing us in another way. Think globally and act locally.

President Hokama's board meeting went well. NACo director Matt Chase presented his \$18.8 million budget and NACo's legislative priorities. Both passed unanimously. The priorities are: tax reform, federal-state-local partnership for Medicaid, transportation reauthorization, Marketplace Fairness Act, PILT, rejection of the WOTUS rule, and immigration reform. Director Chase also outlined the Strategic Blueprint for 2015. The association is switching from "outputs and process" to "outcomes and impact." The imperatives of the blueprint are: increase membership engagement, drive relevancy of county government, enhance membership benefits, and upgrading NACo's communication tools and member outreach.

You newly elected officers should check out NACo's website to learn more about what NACo is doing to promote and advocate for counties. NACo is the only national organization doing this, and it is essential to strengthening the federal-local partnership. If your county is not a member, you should join. Not just for the benefits that your county receives, but for the benefit of all counties. NACo is the "Voice of America's Counties."



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# miscellaneous



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# 2015 calendar

## **February 2015**

- 4 ISAC Executive Board Meeting (ISAC Office)
- 12 Supervisors Statewide Meeting (Courtyard by Marriott, Ankeny)
- 13 ISAC Board of Directors Meeting (ISAC Office)
- 21-25 NACo Legislative Conference (Washington, D.C.)

## **March 2015**

- 11 County Day at the Capitol (Des Moines)
- 12-13 ISAC Spring School of Instruction (Des Moines Marriott Downtown)

## **April 2015**

- 14 CM&MHDS Administrators Meeting (Polk County River Place, Des Moines)
- 16 ISAC HIPAA Training (Courtyard by Marriott, Ankeny)
- 30 ISAC Technology Summit (Stoney Creek Conference Center, Johnston)

## **May 2015**

- 1 ISAC Board of Directors Meeting (ISAC Office)
- 7 CM&MHDS Advanced Case Management (Courtyard by Marriott, Ankeny)
- 20-22 NACo WIR Conference (Kauai, Hawaii)

## **June 2015**

- 4 CM&MHDS Supervisors Training (Hilton Garden Inn, Johnston)
- 10-12 ICIT Midyear Conference (West Des Moines Marriott)
- 24-26 Recorder's Summer School (Decorah)
- 25 ISAC Board of Directors Meeting (ISAC Office)

## **July 2015**

- 10-13 NACo Annual Conference (Charlotte, NC)
- 14 CM&MHDS Administrators Meeting (Polk County River Place, Des Moines)

## **August 2015**

- 27-28 ISAC Legislative Policy Committee Retreat (Hilton Garden Inn, Johnston)

## **September 2015**

- 16-18 ISAC Board of Directors Retreat (Pottawattamie County)
- 23-24 CM&MHDS Annual Conference (Sheraton, West Des Moines)

## **October 2015**

- 15-16 ISAC Board of Directors Meeting (ISAC Office)
- 13 CM&MHDS Administrators Meeting (Polk County River Place, Des Moines)

## **November 2015**

- 5 CM&MHDS Advanced Case Management (Stoney Creek, Johnston)
- 18-20 ISAC Fall School of Instruction (Cedar Rapids Convention Complex)

## **December 2015**

- 8-10 ICEA Annual Conference (Ames)
- 16 ISAC Board of Directors Meeting (ISAC Office)

If you have any questions about the meetings listed above or would like to add an affiliate meeting to the ISAC calendar, please contact Kelsey Sebern at [ksebern@iowacounties.org](mailto:ksebern@iowacounties.org).

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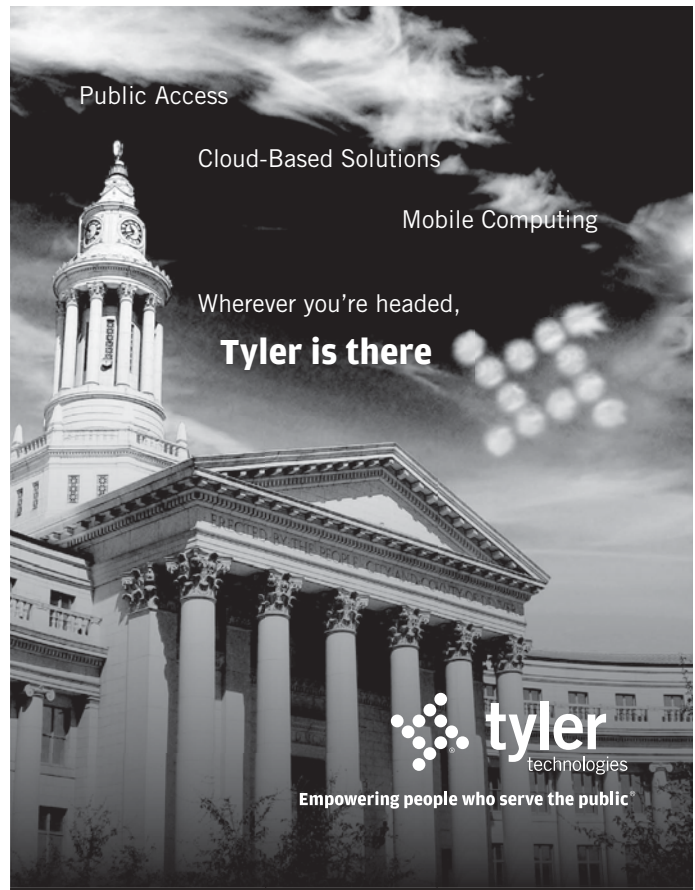
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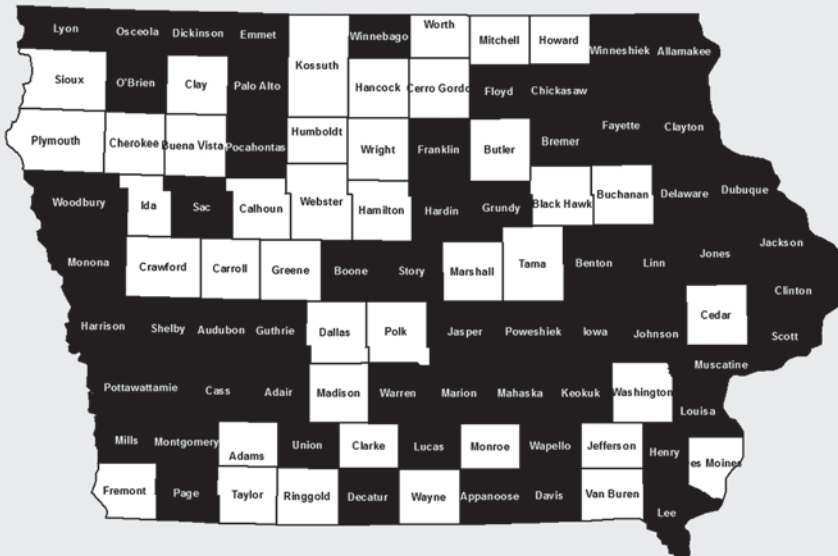
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