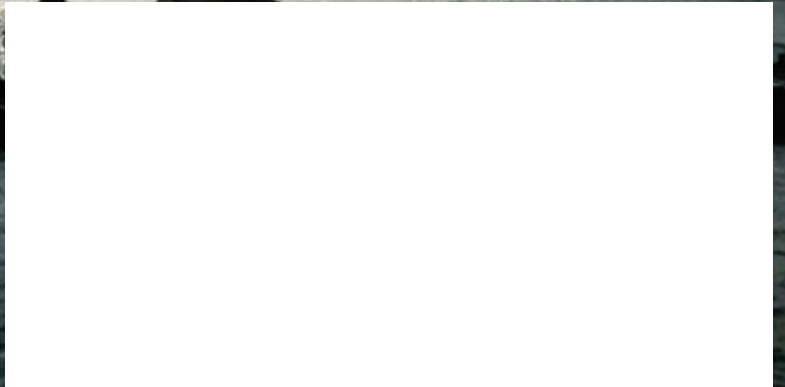


The Iowa County



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** The views and opinions expressed in articles authored by anyone other than ISAC staff are those of the authors and do not necessarily reflect the official policy or position of ISAC.

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.

Summer Reading List

Before another summer passes us by, I thought I would put together a reading list for your summer vacations. While you are lounging by the pool or on a beach, I'm sure you will want to have some reading with you that provides educational information about the functions of county government. This list represents the attorney general opinions I utilize most often and may help you with complex issues or provide a refresher on county government basics. You can find and search for Iowa Attorney General Opinions here: <https://govt.westlaw.com/iaag/Index>

Claims of Elected Officials: 1985 Iowa Op. Atty. Gen. 29, 1985 WL 68971 (June 19, 1985). I get lots and lots of questions about when the departments of elected officials are autonomous and when decisions are made county-wide by the board of supervisors. I think this is because county government has what I think of as a “horizontal hierarchy” as opposed to a “vertical hierarchy.” In private business, there’s a boss, and below that boss there are VPs, and below the VPs there are managers, and below the managers there are staff. It’s very clear who gets to make the decisions. In county government, there are several quasi-autonomous departments run by elected officials that need to work together for the common good of the whole county. In some instances, the board of supervisors may have the final decision-making authority and often statutes or regulations dictate what actions the county can take. But in many instances, each department run by an elected official has the ability to make its own decision even though there are usually a lot of practical reasons for all of those departments to have the same or similar practices. This Attorney General opinion attempts to address the competing interests in a county’s horizontal hierarchy by discussing that while the board of supervisors sets the budget and approves claims, the board of supervisors “may not disapprove a claim submitted by elected county officers on the ground that the claim exceeds the appropriation for a particular line item category that the claims falls within.”

Public Purpose: County funds and property can only be used for public (and not private) purposes. While there isn’t a specific, all-encompassing definition, there is a large body of information out there interpreting the phrase and applying it to various situations. You shouldn’t limit yourself to reading Attorney General opinions on this topic (because there’s also a lot of case law on the subject), but some Attorney General opinions to check out include 1980 Iowa Op. Atty. Gen. 160 and 1976 Op. Atty. Gen. 339.

By: *Kristi Harshbarger*

ISAC Legal Counsel



Sunshine Advisories: Open meetings and public records laws are a common source of questions. The Iowa Attorney General has put out a series of “sunshine advisories” on these topics and they can all be found here: <https://www.iowaattorneygeneral.gov/about-us/sunshine-advisories/>. They contain excellent basic information on these rules and can be used with new county employees, the public or as a refresher for more seasoned county employees and officials. For more current information in a similar format, check out the Frequently Asked Questions section of the Iowa Public Information Board’s website, which can be found here: <https://www.ipib.iowa.gov/faqs/chapter-21>.

Compensation Board: Compensation questions come up every December whenever a compensation board comes back with unexpected recommendations and a county must consider how to lawfully address and respond to the recommendations. There are two Attorney General opinions I often reference when responding to compensation questions – 1983 WL 502018 and 1989 Iowa Op. Atty. Gen. 25, 1989 WL 1003869. It’s important to note that the law has changed somewhat since either of these opinions, so you need to look at the current statute (Iowa Code §331.907) before coming to any conclusions, but the analysis in these opinions is still useful.

Which brings me to an important (and familiar) caveat; you should always talk to your county attorney when these matters arise in your county. Reading these Attorney General opinions on your summer vacation can serve to educate you and give you a better general understanding of the legal issues involved, but your county attorney can assist you in applying those legal principles to your county’s particular circumstances (including any county-specific policies that may add nuance) and let you know if anything in the law has changed (rather than an amendment to the statute or new case law, as an updated Attorney General opinion may not be issued).

What other Attorney General opinions are instrumental for you in your work with the county? Let me know, because if they help you they will probably help others, and I can share them here in a future “Legal Briefs” article.

Continues on next page.

Have a question you wish would be answered in an Attorney General opinion? Here is some information from the website of the Iowa Attorney General on requesting an opinion:

The most appropriate questions for opinions are questions about inconsistent statutes or legal principles, confusion in the law itself, the constitutionality of a statute or rule, or legal disputes between two government entities.

What questions are not appropriate for an Attorney General's Opinion?

- Questions or matters that are involved in pending litigation.
- Disputes between private persons.
- Questions seeking to resolve a question of fact or policy rather than a question of law.
- Legal questions that are dependent on the facts of a specific incident.
- Questions that are not about state laws.
- Questions that are likely to be rendered moot, such as questions on pending legislation.
- Questions on matters where a conflict of interest exists for the Attorney General or the requestor of the opinion.
- Questions seeking to predict the possible outcome of tort liability or contract disputes.

Who can request an Attorney General's Opinion?

The Iowa Code allows the following people to request an Attorney General's Opinion:

- Members of the General Assembly
- State officers (elected or appointed) including the Governor, Lt. Governor, Supreme Court, Secretary of State, Auditor, Treasurer, Secretary of Agriculture, and the heads of state boards, commissions, and departments
- County attorneys

Who cannot request an Attorney General's Opinion?

- Local officials - county, municipal, and school board members
- Citizens
- Governmental staff

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meetings

2015 Fall School Update

ISAC will host the 2015 ISAC Fall School of Instruction in Cedar Rapids on November 18-20 at the Doubletree by Hilton Cedar Rapids Convention Complex.

We will be continuing our partnership with the Des Moines Convention & Visitors Bureau by utilizing their Meetingmax Online Housing System. The same instructions will apply as previous years. Online conference registration and the online housing website for fall school will open at 8:30 am on Wednesday, August 26. Please remember that you must register for the conference on the ISAC website before you are able to reserve your hotel room through the online housing website. Advanced conference registration closes at 4:30 pm on Friday, October 30; however, the ISAC hotel room blocks will only be available until 4:30 pm on Friday, October 16. We strongly encourage you to pre-register for the conference. It greatly helps the ISAC staff to plan accordingly for meals and materials. This keeps the conference registration rates as low as possible, which in turn saves money for your county. Please note that your name badge is required for all conference events.

Conference Registration Fees

ISAC members:

- Advanced registration fee - \$180 (October 30, 4:30 pm preregistration deadline)
- At-the-door registration fee - \$210
- Additional family/spouse lunch ticket - \$50

ISAC non-members:

- Advanced registration fee - \$520 (October 30, 4:30 pm preregistration deadline)
- At-the-door registration fee - \$610
- For assistance with non-member registrations, please contact Tammy Norman at tnorman@iowacounties.org.

Conference Hotels:

- Doubletree by Hilton Cedar Rapids Convention Complex— 350 1st Ave NE
- Cedar Rapids Marriott – 1200 Collins Rd NE
- Hampton Inn & Suites Cedar Rapids North – 1130 Park PL NE

Please do not call the ISAC conference hotels to book your hotel accommodations. ISAC conference rates will not apply if you call and reserve a room or reserve a room on a hotel website. You must go through the online housing website after registering for the conference to receive the ISAC conference rate.

By: Kelsey Sebern

ISAC Meeting/Event
Administrator



After registering for a hotel room through the Meetingmax Online Housing System, you will receive an acknowledgement email immediately from the Des Moines Housing Bureau. The acknowledgement email will contain your hotel location, room type/rate, arrival/departure date, credit card information, and a change request link. This hotel reservation acknowledgement confirms your sleeping room for the conference. Within a week of registering for a hotel room, the hotel (that you selected and that is listed on your acknowledgement email) will send you a hotel confirmation number. Both the acknowledgement and confirmation emails will contain a change request link in case you should need to make a change to your reservation prior to November 10. If you need to cancel your reservation, please contact me at 515.244.7181 so that your room can go to an ISAC member on the waiting list.

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

The ISAC conference room blocks will only be available until 4:30 pm on Friday, October 16. After this date, the ISAC conference room blocks will be closed and the special conference rates will be unavailable. Please make note of all ISAC and hotel cancellation policies when reserving your hotel room.

Presidential Candidate Forum:

ISAC will be holding a Presidential Candidate Forum in conjunction with the Fall School in Cedar Rapids and in partnership with NACo and the Counties Connect America initiative. Pending candidate availability, the times we have allotted are from 3:00 pm – 5:30 pm on Wednesday, November 18 and from 9 am – 11 am on Thursday, November 19. Each candidate will be given the floor for 15 minutes. All candidates will be invited to address the audience to promote their platform and to share their plan for working with county governments to lead our nation. See more information on page 11.

Continues on next page.

Affiliate Agendas:

Affiliate agendas must be sent to ksebern@iowacounties.org by Friday, October 2. As soon as ISAC receives an affiliate agenda, it will be posted on the ISAC website for conference attendees to review, as well as sent out to all affiliate members.

Conference Parking:

Self-parking is available at a rate of \$0.75 per hour (first hour free) with a daily maximum of \$12 in either the Convention Center Parking Garage on 1st Avenue, across from the hotel or in the Five Seasons Parkade Garage, located next to the hotel at the corner of 1st Avenue and 5th Street. Both Garages attach to the Doubletree by Hilton Cedar Rapids Convention Complex by skywalk on the third level. The skywalk enters the hotel on the second floor, near the U.S. Cellular Arena. Please take the elevator at the end of the Skywalks to the lobby of the hotel and proceed to the event.

*Guests pull a parking ticket when they arrive at the garage. Upon departure, guests insert this ticket back into the attendant parking machine and the charge is calculated. Guests may pay the parking charge with cash or credit card. Valet-parking is also available at the rate of \$15 for events or \$22 overnight. Guests can valet their cars from the front drive of the hotel on 1st Avenue.

Conference Attire:

Conference attire is business dress for Wednesday and Thursday. Please feel free to dress casually on Friday. Remember that meeting room temperatures do not feel the same for everyone. You may want to bring a sweater or jacket should the meeting room temperature be too cool for you.

ISAC Conference Website:

Please bookmark the fall school webpage <http://www.iowacounties.org/meetings-and-events/fall-school-of-instruction/>. It is updated often with the latest conference information you will need to prepare for the conference, including: hotel reservation instructions; conference agendas; exhibit hall information; parking maps; and all presidential candidate information and updates.

As always, please contact me at ksebern@iowacounties.org if you have any questions. We look forward to seeing you in November!



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technology center

IT Staff Favorites - Mobile Apps

By: ICTS Staff

With summer in full swing we wanted to do a fun article and share our favorite mobile applications!

Madeline

App Name: Cozi Family Organizer

Use: Keep track of your family's calendar, grocery list, to-do lists, recipes and more. Each member has a designated color making it easy to keep track of individual events and to-dos. The grocery list can be updated by anyone making it easy to make sure everyone puts what they need on the list.

I have found it extremely helpful when grocery shopping as you are able to check off when you get the item you need. Adding items to my list is easy, especially when I always have my phone on me. The online version of the app makes it easy to meal plan and store recipes that are frequently used.

"It's a must have app for a better, more organized life" – The TODAY show.

Andrea

App Name: Sit Or Squat

Use: Looking for a pit stop? Search, view, rate, and add bathrooms!

I have done a couple of road trips this summer, and there is nothing worse than a scary bathroom. This app can help you avoid those "squat" bathrooms you often see on the road. It also features filters so you can locate changing tables, handicap accessible restrooms, and more!

Sit Or Squat is a no brainer for those family road trips where a single bathroom will not do the trick!

Gina

App: S Health

Use: S Health is your personal fitness coach. Set targets, track your everyday activities and reach new milestones with goals.

I like to use this app for the pedometer and food diary.

"...making it easy to get involved in tracking your activity...S Health is a nice and easy way to pay more attention to your activity levels without the need for any wristbands or paying for any apps." – Android Central

Dylan

App Name: Jungle Ball

Use: Jungle Ball is a puzzle adventure game of dodging plenty of treacherous obstacles in the jungle. Play by tilting your device and drawing "bridge" lines to navigate the ball to freedom.

This is my favorite app because I wrote it! Check out the full review here: <http://www.androidtapp.com/jungle-ball/>

Try it for free:

(IOS) - <https://itunes.apple.com/app/id1005818454>

(Android) - <https://play.google.com/store/apps/details?id=com.dhowellsden.jungleballlite>

Dan

App: Mint

Use: Mint makes managing your personal finances a cinch. Be the master of your money so you can get more out of life.

I like this app because of its convenience and practicality.

"Mint is the best personal finance software available. It's free and ad-supported, but even the ads add value to a fantastic tool for managing your money." – PCMAG.COM

Jeanine

App: Plant Nanny

Use: Plant Nanny combines health with fun to remind you to drink water regularly. The cute plant keeps you company every day by living in your phone. In order to keep it alive and help it grow you must give it water at certain periods of time.

Our wellness initiative this quarter is to stay hydrated. I'm very motivated by positive feedback and I dislike tracking things manually, so I went to the app store and looked for apps that help track water intake. I chose plant nanny. It has super cute plant varieties to 'grow' by drinking your water. The app calculates the amount of water you should drink a day based on your weight. All you have to do is choose the number of ounces once and assign that to a glass. Then you press the glass to indicate you drank that much. Once your plant has grown you move it into your garden where it produces seeds you can use to get different planters, backgrounds, and exotic baby plants.

June CM&MHDS Training Recap

By: *Molly Steffen*

ISAC CM&MHDS Specialist



CM&MHDS hosted a day-long training for supervisors and case managers entitled “Managing Conflict When Things Get Tough” and “Coping: Difficult Conversations with Difficult People.” This event was held at Polk County River Place in Des Moines. The training was intended for each of us to learn how to better manage and cope with difficult situations and people. We were able to recognize our own communication style and learn tips on how to cope with other personal communication styles.

The event was facilitated by Jul Bruns, CEAP, LMHC, and Thomas Farley, Leadership Coach, MPA, RLC of Employee & Family Resources, Inc. Des Moines. Both are Workplace Service Consultants, and they provide companies with consultation and training.

Tom Farley started off the morning with his presentation on “Managing Conflict When Things Get Tough.” His presentation covered some very interesting topics including: recognizing the costs of workplace conflict to organizations; work teams and employees; defining and exploring the “dynamics” of conflict and uncivil behavior; exploring the role of the manager as the mediator; and learning the skills to ensure successful conflict conversations.

Tom further discussed that although conflict is inevitable in relationships, there are effective ways to manage it, although initially it may not be easy or seem natural. He listed the top priorities in handling conflict to include:

- Avoid “triangles” - send the message only to the person involved and avoid bringing a third person into the conflict.
- Engage the other party directly by going to “the source” and coach others to do the same.
- Be mindful that your approach to dealing with the conflict drives the outcome.

Tom went on to say that key factors in managing conflict include the ability to stay calm and curb your reactions, allow time to vent and deescalate, collect the facts to clarify, and repeat what you think you heard. In addition, successful conflict resolutions also include recognizing that each party involved holds a piece of the truth, that we need to learn to listen to each other and allow each person to state their own needs, wants, desires, and to really hear those of the other person. And finally, we need to commit to stay in the struggle long enough to come out with a solution.

The afternoon was then spent with Jul Bruns presenting on “Coping: Difficult Conversations with Difficult People.”

Jul’s learning objectives and training covered the use of assertive communication skills in difficult situations to cope; to explore our own attitude/reactions when confronted with difficult individuals; and to learn about different types of difficult people and the coping strategy for each type. Jul went on to say that we need to detect behavior patterns in people, which includes that all behavior is purposeful, that we need to consider the needs underlying the behavior, that each behavior is a choice-conscious or not, that individuals are responsible for their behavior choices, and understand that behavior is movement towards pleasure/goal or away from pain/obstacle. Jul shared that the basic steps toward effective coping and dealing with difficult situations include:

- Assessing the situation;
- Considering safety issues;
- Stopping wishing the “difficult person” was different;
- Getting some distance between you and the difficult behavior;
- Formulating a coping plan;
- Implementing your plan; and
- Monitoring and modify for effectiveness.

At the conclusion of the training, we were encouraged to take time to analyze how we communicate and cope when placed in difficult situations with difficult people. Throughout the training it was emphasized that we are all, at times, difficult, but it is important to understand that by recognizing and coping effectively with the situation we can all accomplish our work goal, which is people working with people to accomplish tasks to get things done.

CM&MHDS regularly schedules trainings. Our next training will be our 23rd Annual Conference on September 23 and 24, 2015 at the Sheraton in West Des Moines (1800 50th St, West Des Moines, IA 50266). Please view and register for all trainings provided by CM&MHDS on our website: www.iowacounties.org.

Board Meeting Summary - June 25, 2015

ISAC President Melvyn Houser called the meeting to order, led the Board in the Pledge of Allegiance, and swore in new board members Elizabeth Ledvina, Tama County Veterans Affairs, and Tim Huey, Scott County Planning and Zoning.

The May 1, 2015 ISAC Board of Directors meeting minutes were reviewed and approved unanimously. The Iowa Counties Technology Services (ICTS) Board of Directors meeting minutes were reviewed for informational purposes.

Joel Rohne and Micah Van Maanen, ICIT Assessment Team Members, provided a review and led a discussion about the ISAC General Technology Assessment Report. Micah reported that the overall technology at ISAC is good, but that there's always room for improvement. He reviewed the highlights which included purchasing, hardware, security, policies, licensing and more. The recommended purchases were reviewed.

Bill Peterson and Jeanine Scott reported on the recent and upcoming changes related to ISAC technology that will require the level of IT investment to be increased. The audit was a great tool to help figure out what is needed moving forward. The Board asked questions and amply discussed the needs, purchasing options, hiring options, and more.

Nicole Loux, McGowen, Hurst, Clark & Smith, P.C., discussed issues related to the ISAC FY 2015 audit with the Board. Staff was dismissed giving the opportunity for board members to raise any issues of concern prior to the start of the audit scheduled for August 2015.

Staff returned, and President Houser recessed and reconvened the ISAC Board following the ICTS Board of Directors meeting.

The financial report as of May 31, 2015 was accepted unanimously following a presentation by Brad Holtan during which he reviewed the highlights.

The application for a Community Interoperability and Health Information Exchange Cooperative Agreement Grant was ratified unanimously by the Board for which ISAC has applied.

Bill Peterson reported that hiring a Network Administrator will be the first step in the technology assessment action plan, and because the Board had already approved this position, no further action was needed.

Robin reported that the grant application for the Iowa Access grant was denied, but as was strongly recommended, ISAC will resubmit the grant proposing to work with one of the state's providers.

Kristi Harshbarger gave a report on legal matters.

Harlan Hansen served as the ISAC Board representative on the Case Management & Mental Health Disability Services (CM&MHDS) Board. Due to his retirement, his spot needs to be filled by another supervisor on the ISAC Board. The item was tabled.

Bill presented a letter from CM&MHDS to the managed care companies proposing the possibility of CM&MHDS providing contracted services for the managed care companies in the future.

President Houser recognized Harlan for his time on the Board and congratulated him on his retirement.

Grant Veeder reported on the NACo 2nd vice presidential election landscape. President Houser and he also gave an update on the NACo Board meeting that was held during the Western Interstate Region Conference.

Jamie Cashman gave a final update on the 2015 legislative session and a forecast for next year's session. He also reviewed the 2016 legislative policy process schedule.

Kristi Harshbarger reported on the ISAC Webinar Series and requested ideas for upcoming webinars.

Kelsey Sebern gave an update on fall school planning activities.

Rachel Bennett gave a Counties Connect America initiative update. A webinar was held, many of the campaigns have been contacted directly, and bi-weekly updates are being sent to the membership.

Rachel showed the We Are ISAC video (available at www.iowacounties.org).

Brad gave an update on the ISAC Scholarship Golf Fundraiser being held at Toad Valley Golf Course on September 2.

President Houser adjourned the meeting following the sharing of issues, concerns, ideas, achievement, etc. by board members.

Counties Connect America Update

By: *Rachel Bennett*

ISAC Communications and Marketing Manager



The Counties Connect America Initiative is gaining momentum! All campaigns have been directly contacted and many have expressed interest in speaking during the Presidential Forum at the ISAC Fall School of Instruction in November.

Campaigns typically schedule about three months out, so August is going to be a very important month. We need to make a push now with the campaigns in order to get on their calendars early.

Are you attending the Iowa State Fair this year? If so, please take a moment to visit a campaign booth or two and personally invite them to attend the forum. Or maybe you'll be lucky enough to meet the candidates themselves - many, if not all, will be there in person. The fair will be an opportune time to use the following talking points:

- 900 county government leaders
- 15 minutes to promote platform
- Share plan for working with counties
- NOT a debate - candidate will not share stage
- Free article in the ISAC magazine with a circulation over 2,200

On your way to the fair be sure to stop by the ISAC office to pick up color copies of the initiative materials to have on hand for your trip. I am happy to help supply you with the materials that you need to invite the candidates to attend our event. ISAC staff will also be attending some of the candidate events at the fair. If you have interest in attending with ISAC staff, please contact me at rbennett@iowacounties.org or 515.244.7181.

I have been and will continue to provide bi-weekly initiative updates via email to the full ISAC membership. An initiative committee also receives more detailed updates and calls to action as needed. If you are interested in inviting candidates to the forum through events in your community, by phone or by email and/or becoming involved in the committee, please let me know. We appreciate any help that we can get.

We are looking forward to offering our members the opportunity of possibly having the next President of the United States speak to you during the ISAC Fall School!

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Lincoln the Lawyer #6: Life on the Circuit

We've reviewed highlights (and lowlights) of Abraham Lincoln's legal career. But between the red-letter dates were months and years of mundane lawyer work. As previously stated, the greater share of his cases involved the settling of debts, but he also appeared in trials for murder, manslaughter, rape, assault, theft, divorce, adultery, bastardy, trespass, trespass for seduction, forcible detainer, slander, etc., etc. Mark Steiner in *An Honest Calling* says that "Lincoln tended to take any case with at least an arguable basis...Lawyers could not afford to do otherwise." In illustration of this, Steiner shows that while the population of Illinois grew from 157,445 in 1830 to 476,183 in 1840, lawyers increased from 73 to 429: "The population had grown 300%; the number of lawyers, nearly 600%." In the 1850s, Lincoln's political fame helped him get more remunerative cases, but on the other hand, campaigning interfered with his livelihood. After his unsuccessful Senate run in 1858, Lincoln's friend Hawkins Taylor, who had moved to Iowa, asked Abe to come to Keokuk and give a speech. Lincoln responded, "I am constantly receiving invitations which I am compelled to decline." He couldn't afford to accept them: "It is bad to be poor. I shall go to the wall for bread and meat, if I neglect my business in this year as well as last." Come to think of it, he did look a trifle underfed.

Until the growing cities of young Illinois filled out, a reliable way for a lawyer to find work was to take to the circuit, in Lincoln's case, the Illinois Eighth Judicial Circuit. The steady immigration into the state meant that the judicial districts changed frequently, but the eighth was primarily comprised of the counties of east-central Illinois. For three months in the spring and three more in the fall, a judge and a state prosecutor would hold court in rustic county seats, accompanied in their travels by any attorneys who cared to join them. Lincoln was often the only private attorney who attended both full terms, and some of his fellow lawyers believed he preferred life on the circuit to that at home.

Traveling the primitive roads in the spring and fall rains, along with crossing streams without the benefit of bridges, led to the route being called the "mud circuit." The towns being small, the inns were usually inadequate, the food was often wretched, and the lawyers slept "two in a bed and eight in a room." Local entertainment was scarce, so the lawyers would reconvene in the evening with some locals and regale each other with tall tales. At some point Lincoln would say, "That reminds me of a story," and the group would prepare itself for hilarity. He was

By: *Grant Veeder*

Black Hawk County Auditor
and ISAC Historian



the undisputed master storyteller, and he could keep a group in stitches for hours. Read them today, and the stories will probably make you smile rather than slap your thigh. Changes in social norms and vernacular have removed some of their infectiousness, and besides, you had to be there to hear him. Lincoln was an accomplished imitator ("He could perfectly mimic a Dutchman, Irishman, or Negro," said an old friend), and he knew how to build to a climax without telegraphing the big finish. Then he would pull his knees up to his chin and laugh as hard as any of his listeners. It would appear that he took humor somewhat seriously. While president, he was asked by one of his cabinet why his stories were so interesting. "There are two ways of relating a story," said Lincoln. "If you have an auditor who has the time, and is inclined to listen, lengthen it out, pour it out slowly as if from a jug. If you have a poor listener, hasten it, shorten it, shoot it out of a pop-gun."

Lincoln was adept at applying all these devices in the courtroom. He gauged his juries and appealed to them accordingly. While Lincoln is remembered for an unkempt appearance both inside and outside the courthouse, Brian Dirck believes there was more than simple carelessness involved, that "his sloppiness was also a courtroom affectation." In *Lincoln the Lawyer*, Dirck describes a case where Lincoln represented a doctor who was suing a newspaper editor for slander. He quotes an observer who said that Lincoln was "attired in a fine broadcloth suit, silk hat, and polished boots. His neck was encircled by an old-fashioned silk choker...His clothes fitted him, and he was as genteel-looking as any man in the audience." "He needed his client to seem calm and reasonable," says Dirck, "...so he toned down his eccentric speaking style and traded in his trademark threadbare suit for something more dignified." But in most cases he was careful not to achieve too high a tone. Junior partner William Herndon remembers Lincoln telling him, "Billy, don't shoot too high. Aim lower, and the common people will understand you...If you aim too high, your idea will go over the heads of the masses, and hit only those who need no hitting."

Starting in 1848, David Davis of Bloomington was the Eighth Circuit judge. (Out on the circuit he got a bed to himself, because he was the judge, and because he weighed 300 pounds.) Davis dominated his court and its officers, but over time he

Continues on next page.

and Lincoln became close friends. No one enjoyed Lincoln's rollicking humor more than Davis, but he also appreciated Lincoln's more professional attributes, and often appointed him to step in for him as judge for brief absences – 95 times in 1858 alone. But he could also find Lincoln exasperating. Abe would sometimes charge a fee that he thought was commensurate with his work rather than the going rate, much to the consternation of his fellow lawyers. Lincoln partnered with Ward Hill Lamon whenever the court traveled to Danville in Vermilion County, and Lamon recalled a case where Lincoln insisted that he return half the fee that their client had willingly paid. After witnessing this exchange in the courtroom, an exasperated Judge Davis upbraided Lincoln in a stage whisper. "You are impoverishing this bar by your picayune charges of fees, and the lawyers have reason to complain of you," he chided, and that night Lincoln went before Davis's fanciful "Ogmathorial Court," where lawyers were tried for breaking the unwritten rules of their brotherhood. After being found guilty and paying his fine, Lincoln "kept the crowd of lawyers in uproarious laughter until after midnight."

Lincoln clearly understood people. He knew how to entertain them and how to persuade them. He could make a crowd dissolve in laughter, and he could bring a jury to tears. His goodwill, empathy and sincerity won him many friends. But few friends felt they really knew Lincoln. Judge Davis thought so highly of Lincoln that he led the effort to get him the Republican nomination for president in 1860, and Lincoln eventually rewarded Davis with a seat on the Supreme Court. Yet Davis said later that his friend was the most reticent, secretive man he ever saw or hoped to see, and claimed that Lincoln "had no strong emotional feelings for any person...he

never thanked me for any thing I did." When he wrote these things in response to requests for information from Herndon after Lincoln's death, there's a good chance he was reacting to the sudden appearance of a horde of Lincoln friends and acquaintances who claimed a familiar relationship with and a deep understanding of the recently martyred president. Still, most of those who were in close contact with him through politics and his professional life found Lincoln an enigma.

Many thought that domestic issues led him to seek long absences from his Springfield home. It's also possible that a person like Lincoln, who suffered from bouts of depression, may have found relief from the pain of self-examination while in the company of a friendly but not intimate group whose expectations kept his mind occupied by other things. But even if the only reason that Lincoln devoted half of nearly every year to the circuit was that he needed the money, he clearly enjoyed it. His wife Mary said that on the last day of his life, while they relaxed on a carriage ride, Lincoln spoke at length of his days practicing law, recalling with especial pleasure "his adventures when riding the circuit." When he finally achieved his greatest accomplishment, his mind returned to the days when his accomplishments weren't so tragically difficult to realize.

Stories of Lincoln's lawyering days could fill whole issues of *The Iowa County magazine* for years, and in future numbers we'll close out the series with a few entertaining stories. If you develop a hankering for more, you can read any number of books, or you can find intriguing websites until way past your bedtime, or you can buy *The Law Practice of Abraham Lincoln: Complete Documentary Edition* CD-ROM for \$500. Or buy two and share with a friend.



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county in the spotlight

Story County Earns National Achievement Award for Strategic Planning

Story County's program titled "Strategically Planning: Building a Solid Foundation - Story County, Iowa" has been recognized with an Achievement Award from the National Association of Counties (NACo). The awards honor innovative, effective county government programs that enhance services for residents.

NACo recognized Story County's strategic planning efforts that started in 2013 and have set the foundation for new programs and initiatives. As Story County continues forward, they are going beyond simply planning to successfully doing - based on our strategic planning work. Projects, policies, and much more being realized as we look forward based on the solid foundation.

Wayne Clinton, Story County Supervisor, commented, "We chose to engage in strategic planning as a way to have established goals with achievable outcomes by establishing partners from both public and private sector for the long term betterment of Story County."

NACo President Riki Hokama, council member, Maui County, Hawaii, said, "NACo applauds county governments that are embracing innovative and more effective ways to serve their constituents. The Achievement Awards recognize the outstanding efforts of counties to strengthen services and to deliver results for residents across the country."

Nationally, awards are given in 21 different categories that reflect the vast, comprehensive services counties provide. The categories include children and youth, criminal justice, county administration, environmental protection, information technology, health, civic engagement and many more.

The awards were presented at NACo's 2015 Annual Conference and Exposition July 10-13 in Mecklenburg County, N.C.


Started in 1970, NACo's annual Achievement Award Program is designed to recognize innovative county government programs. Each nominee is judged on its own merits and not against other applications received.

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Free Workshop - Brownfield Properties and Environmental Funding

By: Iowa Department of Natural Resources

As a leader in your community, you know that it can be difficult to redevelop abandoned, underutilized, or neglected properties, especially when environmental issues related to liability and costs for regulatory cleanup are present. Does your community have a closed gas station, abandoned petroleum bulk plant, or a vacant building with questions about how to deal with asbestos that has hindered reuse interest in redevelopment? If so, you have a brownfield site in your community, and there are resources to help turn that site into something useful!

Vibrant community spaces such as housing, parks, trails, and job-creating businesses can be developed on previously used sites, including brownfields. Putting these sites back into use decreases blight, creates jobs, generates additional tax revenues, saves municipal costs, and spurs economic development in the surrounding area.

The Iowa Department of Natural Resources' (DNR) Brownfields Program and the Technical Assistance to Brownfields Program (TAB) at Kansas State University (KSU) invite you to a free workshop, with lunch included, to help Iowa communities learn about brownfield properties and how to fund environmental assessment and cleanup, as well as resources for reinvestment at those sites, through a number of different available resources.

Who should attend:

- local government elected officials and managers
- economic development staff
- community grant writers
- community members
- real estate developers
- commercial real estate brokers
- lenders
- regional economic development agencies consultants

- city and regional planners
- those interested in financial resources for local redevelopment

Topics will include:

- What is a Brownfield and Steps for Successful Redevelopment
- State and Federal Brownfields Programs
- Rural and Regional Brownfield Funding Resources
- Leveraging Resources
- Success Stories—Speakers from surrounding area.

The workshop will be held on Tuesday, September 15, from 9:30 am - 4:00 pm, at the Drake Community Library, at 930 Park Street in Grinnell.

Registration:

There is no cost to attend, but registration is required by September 10, 2015.

Complementary lunch is included – sponsored by HR Green Companies, Cedar Rapids

Register at: www.ksutab.org/education/workshops/

If you need help with your registration, please contact Sheree Walsh at chsr@ksu.edu or 785.532.6519.

Questions?

Contact: Mel Pins, Iowa DNR, mel.pins@dnr.iowa.gov or 515.725.8344

Margaret Renas, Delta Institute and KSU TAB Partner, mrenas@delta-institute.org, 312.554.0900 x 13

about the cover

The cover photos were taken by Grant Veeder, Black Hawk County Auditor who serves on both the ISAC and NACo Board of Directors, during a trip to Clear Lake. He thought the fierce, surreal sun would translate well on the cover of the magazine. I agreed, and thought the August magazine would be a great fit.

I'm always looking for articles and photos that would be of interest/enjoyment to ISAC members. For consideration, please send them to rbennett@iowacounties.org.

Question and Answer

By: Iowa Public Information Board

Question: Are job applications public records?

Answer: The Iowa Supreme Court ruled in April 1988 that under a 1984 amendment to Chapter 22 public agencies can make job applications confidential.

In City of Sioux City v. Greater Sioux City Press Club, 421 N.W.2d 895 (Iowa 1988), a five-member panel of the Iowa Supreme Court ruled that such confidentiality is provided for in subsection 18 of 22.7.

The Court ruled that job applications might be made confidential if the person so requests or if the public agency “could reasonably believe that those persons would be discouraged” from applying if applications were available for public inspection. While subsection 18 does not provide confidentiality for communications required by law, rule or procedure, the Court stated that job applications were not required as part of the hiring process since the job applicant is applying voluntarily.

In an August 1992 decision, Des Moines Register and Tribune Company v. State Board of Regents and Douglas Cramer, Polk County Judge Arthur Gamble ruled that a private firm that had conducted a presidential search for Iowa State University was wrong in keeping secret the names of candidates who had no objections to disclosure.

To summarize, a communication to a government body can be kept confidential under 22.7(18) only if all of the following exist:

- (1) The communication is not required by law, rule, procedure, or contract.
- (2) It is from identified persons outside of government.
- (3) The government body could reasonably believe those persons would be discouraged from communicating with government if the information was made public.

Nevertheless, the information should be released if the person communicating with government consents to its release or if it can be released without identifying the person.

In addition, a communication regarding an illegal act can be kept confidential if disclosing it would jeopardize a continuing investigation or pose a clear and present danger to the safety of an individual.

(Excerpted from the IPIB website FAQs, www.ipib.iowa.gov.)

Facts and Figures for June 2015 and for 2015 year-to-date:

During the month of June 2015, 74 contacts were made with the Iowa Public Information Board office.

	June 2015	2015 YTD
Formal complaints	15	57
Formal opinions	0	5
Declaratory orders	0	0
Informal complaints	10	78
Informal requests	48	279
Miscellaneous	1	9
TOTALS:	74	428

Facelift for Your Community

By: *Gerald F. Schnepf*

Keep Iowa Beautiful Executive Director

All of us, with age, have a few wrinkles show up, maybe some skin color blotches, thinning hair, skin patches and dryness, muscles shrink and get stiff, maybe some things leak occasionally, joints become stiff, our hearing gets worse, we need spectacles to read, etc.

Just like humans, the same thing tends to happen in our communities. Parts of the community are faded and worn with symptoms of aging - vacant and/or abandoned buildings, few cultural activities, festivals and events, buildings needing paint, debris and junk piles in various places, signs that have faded or are out-of-date, streets may be in disrepair and services poor or inconsistent. People moving into the community (if any do) may not be the type of people compatible with the community.

In some cases – the symptoms of age in the human can be dealt with and treated (maybe not cured). Facelifts and special surgery can deal with some of the changes to the body along with other treatments like a new hairdo, eye treatments, etc. These certainly can and do help develop positive attitudes about aging. We feel good about ourselves. American's spend billions of dollars annually to try and counter the symptoms of aging and treat our sense of pride.

With Independence Day behind us it is time to have our independence from decaying and unattractive communities. The prescription for an attractive community is having a vision of what you want it look like and then making the commitment to spend a great deal of time and effort to make it happen.

Communities need to take a look at their town in the same way as we do when we look in the mirror to see if we need a facelift, tummy tuck, plastic surgery, glasses, cosmetics and/or a new hairdo. Those are some of the items that help build that sense of pride for the person. For a community it is facility and building repairs, dealing with public nuisances, cleaning up areas, painting, street improvement, replacement signs, developing community festivals and events and landscaping to name a few.

Recognizing the signs of aging in the early years can make the task of undertaking a facelift much easier and less expensive. As the old adage goes – “An ounce of prevention is worth a pound of cure.” Keeping healthy, eating right and being active can delay the signs of aging – communities can do the same thing.

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2015 calendar

August 2015

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

September 2015

2 ISAC Scholarship Golf Fundraiser
(Toad Valley Golf Course, Pleasant Hill)
16-18 ISAC Board of Directors Retreat
(Pottawattamie County)
17-19 IACCB Annual Fall Conference
(Marriott Hotel & Conference Center, Cedar Rapids)
22 ISAC Legislative Policy Committee Meeting
(ISAC Office)
23-24 CM&MHDS Annual Conference
(Sheraton, West Des Moines)
27-30 Assessors Annual Conference
(Des Moines Holiday Inn Airport)

October 2015

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

November 2015

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

December 2015

7-9 ISSDA Winter School
(Embassy Suites Des Moines Downtown)
8-10 ICEA Annual Conference
(Ames)
16 ISAC Board of Directors Meeting
(ISAC Office)

2016 Conference Dates

January 20-21 ISAC University
February 11 Supervisors Statewide Meeting
February 20-24 NACo Legislative Conference
March 9 County Day at the Capitol
March 10-11 ISAC Spring School of Instruction
April 14 ISAC HIPAA Program Training
April 28 Smart Connections Conference
June 15-16 ICIT Midyear Conference
July 13-15 ISACA Summer School Conference
July 22-25 NACo Annual Conference
Nov 30-Dec 2 ISAC Fall School of Instruction
December 6-8 ICEA Annual Conference

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.

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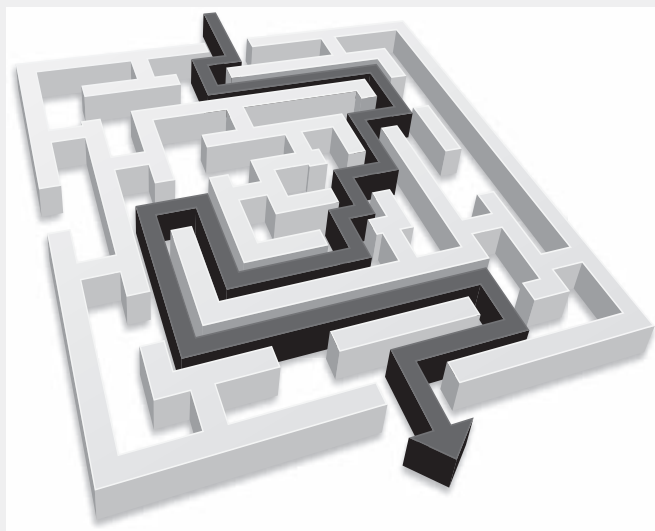
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