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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.
Is Iowa’s Sex Offender Law Protecting Our Children?

Counties and cities in Iowa have been struggling with the implementation of the sex offender law, which makes it illegal for a convicted child molester to live within 2,000 feet of a school or daycare. Those who violate the law can face up to two years in prison and a $5,000 fine. The law was struck down as unconstitutional last year by U.S. District Judge Robert Pratt, finding it infringed on the 14th Amendment right to due process. However, a three-judge panel of the 8th Circuit reversed that ruling in April, finding that the law applies equally to all offenders convicted of certain crimes. The appeals panel also said any infringement on the freedom of residency was “narrowly tailored to serve a compelling interest of the state,” namely the health and safety of all citizens.

Implementation of the Law

Gary Anderson, Appanoose County Sheriff, said parents, city council members, school officials, and such did not have an understanding of the 2,000-foot residency law once implemented, which caused numerous calls and complaints to the county sheriff’s office. “I can tell you from experience that parents and neighbors would call and report that a person was living within a 2,000-foot restricted area. The caller would then inform that the sex offender was in the process of moving, but they should be very alert and conscientious about their children because the offender would/could frequent the neighborhood, attend school functions, walk in the park, drive by the park, and watch kids at the swimming pools. The parents were appalled.” Currently the law states that unless a sex offender is on probation, parole or prohibited from being around a minor child, the sex offender can go to school functions, parks, swimming pools, work at McDonalds, work at a carnival and touch the children when helping them on or off a ride, operate a neighborhood ice cream truck, or be a clown for hire.

Anderson feels once the current 2,000-foot residency law was ruled as being constitutional and enforceable it created a sense of false security for parents, day care owners and school officials. He said Iowa county sheriffs have made every attempt to educate parents and citizens that they need to continue to keep their children safe, supervise their children, educate their children. “It seems that some parents take for granted that these laws will keep their children safe.”

Anderson said the sex offender law has created some confusion and concerns among law enforcement. “One of the immediate questions that arose was who determines when a person has committed a crime under Iowa Code §692A.2A.” He said the Code section does not state that a person has to be convicted of the specific crime, it only contains the word “committed.”

Also under Iowa Code §692A.2A, a person residing within 2,000 feet of the real property comprising a public or nonpublic elementary school, secondary school or a child care facility does NOT commit a violation of this section if “the person has established a residence prior to July 1, 2002, or a school or child care facility is newly located on or after July 1, 2002.” Anderson said, “This created another question of the ‘at risk offender.’ If a person was living at a residence within 2,000 feet of a school prior to July 1, 2002 they did not have to move. However, a low risk offender would not be able to move into that same neighborhood.”

Open Records

Iowa implemented a sex offender registry in 1995, which can be accessed by anyone at www.iowasexoffenders.com. The Iowa Sex Offender Registry Office states the purpose of this information is to allow members of the public a means to protect themselves from individuals who have committed an offense that requires registration on the sex offender registry. Steven Conlan, with Department of Public Safety, said, “In my 31 years at the Department of Public Safety, I have not seen a more popular program than the sex offender registry. We have citizens ask why we don’t have a list for murderers, burglars, or arsonists.”

The registry has remained constant through the years with 6,000 sex offenders listed each month. In 1995 every sex offender was issued 10 years on the registry. In 1998 if a sex offender had two convictions then they were issued a life sentence on the registry. In 1999, the law was changed again to state sex offenders that were convicted of specific crimes with aggravated offense were also mandated a life sentence to the registry.

Sex abuse third degree is most common conviction of registrants (1,068). This is a Class C felony and considered statutory rape. Conlan said, “I recently received a call where a young woman wanted to see if the person she was dating was on the list, which I applaud her for because she is using common sense and protecting herself. Did we prevent something from occurring? We live in a mobile society where predators can hide in communities. We need to protect those that can’t protect themselves.”

The Iowa Sex Offender Registry Office said they have noticed some trends with the sex offender registry: 1) increase in number of homeless registrants; and 2) increase in the number of registrants moving to rural areas. Numbers show that in just one month (Nov. 1 to Dec. 1) 57 registrants moved out of Polk County (634 to 577).

The Iowa Sex Offender Registry Office receives daily calls from registrants wondering when they will be off the registry and looking for residence information to comply with the 2,000 feet distance. Conlan said, “With the 2,000-foot residency law the common question is 2,000 feet from where? If a school acquires land but it is unoccupied, is that considered ‘real property?’”
Anderson said sex offenders are unfamiliar with the laws and have some misleading thoughts. “Many offenders that had a minor as a victim believe that once they have completed their sex offender registration requirements and are removed from the registry, they can live anywhere they choose. This is not true and unless the law is changed they will be required to abide by the 2,000-foot residency law for the rest of their life or as long as they are in the state of Iowa. This causes a tracking problem for law enforcement. If a person is removed from the state registry how do we track that person and make sure they are not moving into a 2,000-foot restricted area?” (Offenders that have adult victims do not have residency requirements after they have been removed from the registry.)

**Iowa Sex Offender Registry - Dec. 2005**

6,026 on registry  
- 5,872 males, 159 females  
- 5,285 white (Hispanic included)  
- 614 black  
- 67 Indian  
- 54 Asian  
- 11 unknown

Average age for male and female registrants - 22 years old  
Age when first offended: youngest male - 7 years old, youngest female - 11 years old, oldest male - 80 years old, oldest female - 56 years old  
Every county has at least one registrant.
- Davis County least with 2, Polk highest with 577  
Minimum sentence to registry - 10 years  
Maximum sentence to registry - life

8,370 victims on registry (optional field)  
- 5,558 females, 1,897 sex unknown, 865 males

Average age for male victims - 11 years old  
Average age for female victims - 13 years old  
Youngest victim - infant  
Oldest victim male - 80 years old  
Oldest victim female - 92 years old

Rep. Paulsen feels language needs to be clearer, especially the definitions for minor, child, child molester and sexual predator. “I would be surprised if a bill doesn’t make it to the Governor’s desk. I hope we can pass something meaningful and functional for law enforcement and pass regulations that keep our children safe. I think that is everyone’s goal.”

Senator Keith Kreiman agreed and said we need to provide a safe zone for kids at schools, playgrounds and other areas to prevent persons on the sex abuse registry from coming to those areas without good reason and notification. “We also need to fix the residency law to make it apply to schools and daycares established after the law was passed by the Legislature and make other changes to the residency law to clarify who it applies to.”

Senator Kreiman, Co-Chair of the Senate Judiciary Committee, said more information is needed to really determine which elements of the sex offender law are working well, and which ones need to be improved. “We will be appointing another legislative committee to look into possible changes in our sex offender laws soon after the session starts. That bipartisan committee will make recommendations to the rest of our Judiciary committee and other legislators.”

Iowa Senate Co-President Jeff Lamberti and Senator Larry McKibben want a zero-tolerance policy for sexual predators. Lamberti said in a statement that Iowa’s approach has been to require tougher sentences only for those individuals who repeatedly prey upon young children.

Lamberti and McKibben are proposing that anyone convicted of lascivious acts with a child, sexual exploitation of a minor, or sexual abuse second degree be required to serve a minimum of 25 years to life in prison, without the possibility of parole, according to a news release. A lascivious act with a child currently carries a maximum sentence of 10 years. Sexual exploitation of a minor currently has a maximum sentence of 10 years, and sexual abuse in the second degree carries a maximum sentence of 25 years.

**A Hot Topic**

Critics of Iowa’s sex offender law state there is no evidence that sex offenders re-offend by living within any number of feet from a school or daycare and their greatest threat is from people they know. Scott County Supervisor Tom Sunderbrunch said that the legislation is a “one-size-fits-all” rule for various offenses and gives offenders a “life sentence” for even minor crimes (Ames Tribune, November 19). Legislators say they are just trying to protect Iowa’s greatest asset, our children. One thing is for sure, this issue will be a hot topic in the 2006 legislative session.

Discussed During The Legislative Session?

Rep. Kraig Paulsen realizes there have been some issues with the 2,000-foot residency law. Rep. Paulsen said, “It is fairly evident that this issue will be discussed during the legislative session. At a minimum, we need to do some tweaking from last year. The current sex offender regulations have some challenges.” Rep. Paulsen is Chair of the House Judiciary Committee and anticipates assigning a Study Bill regarding the sex offender law early in the session.
HJR 3 Like TABOR?

Last April, I outlined in this column the disaster a state can get into with a constitutional tax and revenue limitation in place. The experience in Colorado under the Taxpayers' Bill of Rights (TABOR) staged a fiscal crisis by limiting taxes to a formula based on inflation and population growth. Combined with this policy in Colorado is another constitutional provision that requires annual spending increases on primary and secondary education. When the recent economic downturn hit a few years ago, state revenues plunged to unanticipated lows. Under TABOR, revenue increases were based at that new low point while education appropriations continued at previous base year levels. As a result, general fund revenues for the rest of the state budget were rapidly diminishing.

In Iowa, a similar constitutional tax and spending limitation (HJR 3) is pending before state lawmakers. In order to amend the Iowa Constitution, a proposal must be approved by two consecutive general assemblies and by the voters at a statewide election. HJR 3 was approved by the 80th General Assembly and now must be passed by the 81st General Assembly before going to Iowa voters. If HJR 3 does not receive legislative approval this session, it dies.

While the details of HJR 3 are specifically modeled after a Missouri law, it is like TABOR in two fundamental ways: 1) HJR 3 is constitutional; 2) state tax increases remain on a strict autopilot formula, unless voters approve a tax increase above the automatic restrictions.

Concerns About HJR 3

HJR 3 requires that a law or laws increasing any taxes or fees that would result in new annual revenue of more than one percent of total state general fund revenue received in the preceding fiscal year must receive voter approval at a state general election. The proposed amendment defines “new annual revenue” to include legislation that allows or requires a local government to impose or increase any tax on income, sales, or property; legislation that has the effect of reducing total state funds transferred to all local governments; and legislation that requires local governments to incur aggregate net cost increases in a fiscal year.

According to information provided by the Fiscal Services Division of the Iowa Legislative Services Agency, FY 2002 revenues fell by 2.1%. FY 2003 experienced a slight growth of 0.8%, but actual revenues were still $68 million below FY 2001 revenue receipts.

In the 2003 legislative session, Iowa lawmakers balanced the state budget in SF 453 by reducing funding to local governments by $60 million. If HJR 3 had been in place at that time, that measure would have had to receive voter approval or be approved by a two-thirds vote of the Legislature by “emergency” request of the Governor.

The vote on SF 453 fell considerably below two-thirds approval in both houses, so the “emergency” route evidently would not have worked. Since revenues were considerably down, Iowa lawmakers had to make the cuts or raise revenues. Whether or not you agree with their solution of cutting $60 million to local governments, that is the decision the Legislature made. They did not have time to refer a proposed solution to a vote of the people.

What Finally Happened in Colorado?

Since last year, some significant things have happened in Colorado. During the 2005 legislative session, the Colorado General Assembly referred two measures to the voters to address the imminent revenue calamity. Referendum C is designed to suspend provisions of TABOR for five years, resulting in an estimated $3.7 billion in additional revenue during that time. Referendum C was approved with a 52% vote last November. Referendum D would have allowed the state to bond up to $2.1 billion for needed capitol projects specified in the proposal. It was narrowly defeated. Referendum C was considered much more significant than Referendum D.

The vote split conservatives from Governor Bill Owens (R-Colorado), who lead the fight for the plan. Even though Governor Owens was a strong supporter of TABOR when it was adopted in 1992, he joined forces with Democratic legislative leaders, who control both houses of the legislature. During the campaign, Governor Owens noted that without a temporary breather from TABOR, a looming fiscal crisis and the inability to pay for essential services could have led to a repeal of the whole TABOR law, which he still supports.

This weakness in the Colorado law became evident when the recession hit a few years ago. Supporters of Referendum C said that when revenues fell by 16% over two years, the constitutional restraints also went down. Without Referendum C, it would take years under TABOR constraints for state revenues to ratchet back up to pre-recession levels while demands on the state budget continue to grow.

Conclusions About HJR 3 Still Stand

State legislators are elected by the people to make their own best-educated policy decisions based on the information before them. As stated in this column last April, if the voters are unhappy with decisions made by their elected representatives, they can express their dissatisfaction at the ballot box. That risk alone has a restraining effect on those who want to stay in office. We still have an opportunity in Iowa to learn from the Colorado experience. I continue to ask, do we really want to go down that same road?
FMLA and FLSA Complaints

Recently I sought information from the U.S. Department of Labor (DOL) about investigations commenced recently against Iowa counties. I wanted to know which counties had been subject to complaints regarding the Family and Medical Leave Act (FMLA) and the Fair Labor Standards Act (FLSA), the two main federal laws enforced by DOL.

The DOL said that they could not provide the information voluntarily. So I filed a request for the information under the federal Freedom of Information Act. The DOL promptly responded to the FOIA request, and provided information regarding several recent investigations, with certain sensitive information blacked out. Here are summaries of some of the investigations.

In 2003, the DOL investigated FLSA complaints regarding a county-operated day care center. The day care center had established a lead pay differential of 75 cents per hour, which was paid to certain employees who acted as the director in the director’s absence. The complaint was that this lead pay differential was not taken into account in computing the employees’ overtime pay. While the DOL found that there had been a computation error, the investigators concluded that the financial impact was minimal, and therefore found no violation.

Another 2003 investigation concerned a care facility owned by a county. The practice of the group home was to pay employees working a 15-hour night shift (5 p.m. to 8 a.m.) a flat rate per shift. They were paid as little as $61.50 per shift, which works out to $4.10 per hour, far below the $5.15 per hour minimum wage. There was no overtime paid when these employees exceeded 40 hours in a week. The DOL required the county to pay the 12 affected employees a total of $22,600 in back wages.

A southern Iowa county was investigated in 2002 regarding an alleged FMLA complaint. A county employee was hospitalized for depression. A few weeks later, while still being treated for depression, the employee cleaned out her desk and told her supervisors that she could no longer work full time. The next day, in a conference call with her employers, the employee confirmed that she had resigned. She later claimed that she had not quit and was merely taking FMLA leave. She said she would reassess her ability to work at the end of her 12 weeks of leave. The county insisted that she had already quit and was not entitled to FMLA leave. The DOL sided with the county, saying that under the FMLA rules, an employer’s FMLA obligations cease to exist upon an employee’s notification of intent not to return to work.

The issue in another county was the computation of comp time. An employee alleged that the county has refused to pay him for all of the comp time he had accrued. Initially, the DOL reported that much of the comp time had been earned more than two years earlier, and the employee was advised that the statute of limitations for these sorts of complaints is two years. The next issue was whether the overtime was actually owed at all. The county gave the employee paid meal breaks where no work was done. Those meal breaks were included in the county’s computation of the hours worked. So the employee may have been credited for 45 hours worked in a week, but five of those hours were paid meal breaks. The FLSA only requires comp time be paid for “hours worked” in a week over 40. So technically, even if the county paid the employee for those extra five hours, they should not have been included in the overtime calculation. So the DOL said no overtime violations were found.

In a 2004 investigation, a county jail employee was diagnosed with stress and anxiety, which are “serious health conditions” under FMLA. He requested and was given two weeks of FMLA leave. But six months later he received an unsatisfactory rating in the attendance portion of his job evaluation. In the comments portion of the evaluation, it said the unsatisfactory rating was due to the FMLA leave. FMLA regulations prohibit an employer from using FMLA leave as a negative factor in employment evaluations. The county agreed to change the employee’s evaluation.

A 2005 investigation involved a very typical situation where a county employee was working in two different county positions, but the employee’s hours were not being combined for the purposes of calculating overtime. For FLSA purposes, “the county” is one employer, so if in the same week a person works 25 hours for the zoning department and 20 hours for the conservation board, that person is entitled to overtime pay. In this case the county agreed to pay $12,500 in back wages.

In all of these cases, the resolution of the matter included a pledge by the county to follow the provisions of the federal law in the future.

Parting Ponderable: When Van Meter’s own Bob Feller was beginning to make a name for himself as an American Legion pitcher, his catcher on that American Legion team turned out to be a pretty famous Iowan in his own right. Who was the catcher? First one to email me the correct answer wins my respect and admiration (dvestal@iowacounties.org).
Debt Proof Living

As the New Year begins, there is a tendency to take a look at our lives and examine just what is happening. What are our priorities? People begin diets, clean out closets and look at their finances that have been ravaged by the holidays.

One of my favorite authors, in the area of finance, is Mary Hunt. She publishes a newsletter called Debt Proof Living (previously Cheapskate Monthly). She has also published a book, of the same name, that is a guide to getting out of debt. She shows that it is possible to live a rich, fulfilling life without consumer debt.

This process is not without its challenges. You will have to make some tough choices and may also need to endure some temporary sacrifice. In the long run, however, you can be a person that spends less than you earn and give, save and invest confidently. You can have control over your finances. She has some suggestions on how to begin.

1. Get mad. Debt is the pits. It causes stress, keeps you awake at night, and eliminates options. Decide once and for all that you are not going to be a slave to MasterCard or Visa.

2. Design a plan. Without a plan, you will again be making the decision to get serious about your money next year at this time.

3. A lifestyle. Spend less than you earn. Give and save consistently. Financial decisions are purposeful.

4. Support materials. My suggestion would be to start with Mary’s book. It is the most practical financial guide that I have seen. Her monthly newsletter is also a source of encouragement and information. She presents stories of struggles that other people are having and shows their progress.

5. Find support. You are more likely to stick with any plan if you have someone to help you. You can do this with a spouse or find a group of people that would like to begin on the same path.

Visit www.debtproofliving.com for further information.

Legislative Tool

We are excited to introduce a new interactive web-based tool for viewing and printing legislative bills. The tool still incorporates the basic features that were available to you in the past, such as ISAC’s position, ISAC staff assigned to monitor the bill, steering committee, House and Senate status along with the Governor’s status, and the affiliate(s) that would be interested in this legislation. You will also find hyperlinks to each of the legislative bills for easy retrieval.

Features for the new legislative tool will allow the end user to filter and hide columns of information. To filter you will need to click on the title bar of the column you want to filter and click on as many of the items you wish to filter for. If you wish to see only the legislative bills that we are “For”, you will need to select “F” from under “ISAC Position” and click on “Search.” To filter by your affiliate, click on “Affiliate(s)” and select your affiliate from the drop down list that appears and click on “Search.” Another great feature is the ability to perform more than one filter. For example, you are able to view only the bills that ISAC is “For” and with this filter applied, perform another filter for your affiliate. Once you complete the filtering process you can remove it by selecting “Clear Filter.” “Hide Columns” will allow you to hide any columns that you do not wish to view or print. To enable this feature, click on the “Hide Columns” button and from the pop-up window that appears, click on or select the columns that you do not wish to view. To remove this feature, again select “Hide Columns” and de-select or remove the checked columns and they will reappear.

Printing options are available to allow for printing on letter sized or legal sized paper. You are able to open up the legislative information into an Excel spreadsheet. This will allow for more printing options, such as the placement of headers and column titles on the top of each page. Finally, you will be able to access this new feature from the ISAC homepage (www.iowacounties.org), along with detailed instructions on using the features of this tool.

Website Note: ISAC’s Spring School is just around the corner; take a moment to register online at www.iowacounties.org. Please forward any items that you would like addressed in this column to my attention at 515-244-7181 or tnorman@iowacounties.org. Until next month, keep clicking!
Motivational Interviewing

This past November, I attended the Children’s Mental Health Waiver Provider Training through the Department of Human Services. As part of this training, Jeanie Kerber, Clinical Operations Manager at MECCA, spoke on motivational interviewing and change. I recalled that I had the book *Motivational Interviewing*, which the training was based on, in my office, and that I had never been motivated to read in it entirety, although I have had it since the early 90s! I had lugged this book from residence to residence and currently had it on my office bookshelf in an effort to make more room for books at home.

William Miller and Stephen Rolnick, authors of *Motivational Interviewing*, believe that everyone is motivated to change if they have a sufficient substitute for the behavior that they are trying to change, and that motivation is the key to change. The goal of this type of interviewing is to assist the person in getting ready to change.

As Jeanie was talking, I remembered that the reason I had purchased the book was to assist in changing some of my behaviors, specifically smoking. She discussed the change model and the stages of change: precontemplation, contemplation, preparation, action and maintenance. At the time I purchasing this book, I was in the contemplation stage to quit smoking. I eventually did quit, moving through the stages of preparation by taking Stop Smoking classes through the American Lung Association, setting a date to quit smoking, and taking actions suggested in this class to assist with the cravings. I was not able to move to the maintenance stage, which is practicing the changes for at least six months, as I again started smoking after about three months. My fluctuating state from precontemplation to action, and back again, continued for the next year, until I then maintained my non-smoking status for five years.

Motivational interviewing is defined by Miller and Rolnick as a client-centered, directive method for enhancing motivation to change by exploring and resolving ambivalence. They believe that ambivalence is normal and that this technique is helpful for people that are resistive or feeling conflicted about change, and research has supported this. Motivational interviewing is collaborative, expresses empathy, and supports self-efficacy, while rolling with the resistance of the person instead of confronting it. The OARS method of client centered counseling asks open ended questions, affirms and supports the individual, applies reflective listening and summarizes what the individual is communicating.

The reason why this technique for interviewing is so successful is that it identifies the person’s goals and values and how that is different from their behavior. It helps the person define where they are at and where they want to be. Through empathy, communicating respect, listening rather than telling, and gentle persuasion, this intervention avoids arguing and confrontation, which creates a power struggle, and adjusts to, rather than opposes client resistance.

As Jeanie was wrapping up her session, I reflected on how the philosophy of motivational interviewing dovetailed with the tenets of Targeted Case Management. I also realized that all of us struggle with change and that the times I have been the most supportive of family members, friends, co-workers, and the people that I serve, is when I have applied the principles discussed in motivational interviewing.

By the way, after gaining a substantial amount of weight during five years of my non-smoking maintenance stage, I returned to smoking to address weight loss and continue to move from stage to stage in my effort to become a non-smoker and control my weight. I am currently in the action state and have quit smoking for two months. This is an example of how change is in a fluctuating state! Perhaps I should read the entire book and apply it to my effort to change. I should seek assistance from someone applying motivational interviewing techniques to help move me along in the process of change, and give me some hope that change is still possible.
ISAC brief

ISAC Spring School 2006

By: Jerri Noboa
ISAC Meetings Administrator

ISAC’s Spring School of Instruction is only a month away, with educational events for county officials from around the state. The conference will be held March 19-21 at the Downtown Marriott & Renaissance Savery in Des Moines. We invite you to join us for this annual spring conference to interact with other county officials, learn about the latest legislative action, and visit with exhibitors that can provide valuable services to your county. Online registration is available at www.iowacounties.org.

Restaurants Open Sunday, March 19

Allie’s Restaurant, at the Marriott, will be open the first day of ISAC’s Spring School on Sunday, March 19 from 6:30am-1pm and then again for dinner at 5pm. The Iowa Room, at the Renaissance Savery, will be open on Sunday from 11am-Noon. Monihan’s Lounge, at the Renaissance Savery, will be open from Noon-Midnight with the Iowa Room lunch menu available from Noon-5pm. Their dinner menu will be available from 5pm-10pm.

For the ISAC Fall School last November, we asked the Marriot to have Pitchers open on Sunday as an additional place to find “Grab N Go” food. I am sorry to say that Pitchers will not be open on Sunday for our Spring School, as only a handful of people took advantage of eating at this location.

Keynote Speaker - March 20

Laurie Guest has been confirmed as the keynote speaker for ISAC’s Spring School. Her program is entitled “No Lifeguard on Duty, Live at Your Own Risk.” This dynamic presentation is a perfect match for people who want to celebrate life. Frequently busy days keep us from enjoying our journey. Laurie shares eight behaviors that can help you find contentment even during stressful times. Laurie is known for her imaginative ideas and fast-paced, entertaining style. She is experienced in health care administration and marketing and frequently speaks nationwide on topics that tackle today’s business needs.

ISAC Dance - March 20

The Whitesidewalls have been confirmed as the band for ISAC’s Dance on March 20 at the Renaissance Savery. A favorite at ISAC Schools, The Whitesidewalls entertain and impress audiences with their dynamic show. Their enthusiasm on stage incorporates a special blend of tempo, mood and audience interaction. They perform many hits from the 50’s & 60’s. They have been going strong for 30 years and continue to impress audiences with great vocals and choreography.

By The Numbers: Absentee Voting

By: Jay Syverson, ISAC Fiscal Analyst

Absentee voting is more popular than Harry Potter. Don’t believe it? Since its July release, the latest book about the boy wizard has sold over 11 million copies in America. Not bad – I don’t think J.K. Rowling will starve anytime soon. But in a country pushing 300 million people, Harry Potter readers cover less than 4% of the population. Now consider absentee voting. In the 2004 presidential election, over 460,000 Iowans voted absentee. That accounts for more than 15% of Iowa’s total population, and almost 31% of those voting.

Those are amazing numbers and they’re likely to keep going higher. Voters appreciate the convenience of absentee voting – avoiding long lines on election day, voting when it fits into their schedule – and political parties are encouraging absentee voting as a part of their “get out the vote” drives. It seems to be working, particularly for Democrats. Over 190,000 Democrats voted absentee in 2004, an 80% jump from 2000.

On the Republican side, absentee voting was up 29% to 140,000 in 2004. The total number of absentee votes cast in 2004 was 460,000, an increase of 66% since 2000.

While the number of votes is notable, it’s the percentage of people voting absentee that is most impressive. As recently as 1988, only 6.5% of all votes cast were absentee votes. That number jumped to 10% in 1992, 16% in 1996, 21% in 2000, and now to 31% in 2004. That means in 2004 nearly one in every three votes was cast by absentee ballot. This staggering increase in the popularity of absentee voting has occurred during a time when overall voter turnout has been relatively stable. In 1988, 75% of registered voters actually voted; in 2004, that number was 76%.

(The has been a noteworthy increase in voter registration since 1988, so the number of actual voters in 2004 was significantly higher than in 1988, despite the relatively constant turnout percentage.) If the popularity of absentee voting continues to surge, there may well come a day when more people vote absentee than at the polls. That prospect may scare some county auditors, but at least we’ll have shorter lines come election day.)
Meet ISAC Board Members

Pam Dettmann

Pam Dettmann was appointed to the ISAC Board in July. She has served as the Senior Assistant Des Moines County Attorney since 2002. Her past employment includes Assistant Sac County Attorney from 1990-1994 and Sac County Attorney from 1994-1998.

“I enjoy being the liaison between the ISAC Board and the Iowa County Attorneys Association (ICAA). I especially enjoy working with other components of county government. It expands my appreciation of the dedication supporting local government.” Pam hopes ISAC continues searching for new and better ways to serve the public. “I hope to continue the cooperative efforts between ISAC and ICAA on all levels, including legislative objectives.”

Pam is the past president of the ICAA Board of Directors, member of the Governor’s Office of Drug Control Policy, member of the Iowa Supreme Court Grievance Commission and council vice president of Zion Lutheran Church in Muscatine.

Pam enjoys reading, writing, playing the piano, walking/hiking and would like to “reactivate” snow skiing. Pam’s son, Nathan, is a graduate of Waldorf College and interning with The Acting Company in New York City.

Robert Sperry

Bob Sperry was appointed to the ISAC Board in January. “I eagerly look forward to helping guide the organization to even better service to member counties.” Bob has held the position of Story County Engineer since 2001, with past experience as the Webster County Engineer for 17 years, Taylor County Engineer for eight years and with the Iowa DOT for six years.

Bob serves as past president of the Iowa County Engineers Association and member of the National Association of County Engineers and Nevada Rotary. In his spare time, he enjoys golf, genealogy, and “around the house projects that my wife calls tinkering.” His family includes his wife Dorothy, employed as a dietitian at the Fort Dodge Correctional Facility, and three grown children; son John, with wife and daughter in Cumming, son Jim in Ames, and daughter Amy in Longmont, Colorado.

“I hope ISAC remains the strong, viable organization that it is now, as these economic times continue to demand more and more from our tax dollars.”

Les Beck

Les Beck has served as the Linn County Planning & Zoning Director since October 2000. He joined the ISAC Board in January. “As this is my first year, I’m looking forward to learning from others in leadership positions. I hope ISAC continues to think futuristic, understand trends and respond strategically, and remain a vital organization to its members.”

Les’s past employment was serving as the Story County Planning & Zoning Director for 18 years. He is a member of the American Planning Association. His hobbies include landscaping and yard work; listening to jazz, blues & gospel; and fitness activities. His family includes his wife Evelyn who is the office manager for Hawkeye International Trucks in Cedar Rapids. Their daughter Jeneane is the Des Moines bureau chief for KUNI radio and their son Ryan teaches 5th grade in the Cedar Rapids school district.

Chuck Rieken

Chuck Rieken has taken on many different employment opportunities: Army for two years; owned & operated feed, seed, & livestock equipment business for 12 years; auction business since 1973; farming since 1969; and Cass County Supervisor for 15 years. He was sworn in as an ISAC Board member in January and looks forward to being a part of the planning and continuing education that ISAC is involved in with counties. “I hope to continue the leadership that ISAC has been a part of with counties and make Iowa an even better place to live.”

In his free time, Chuck enjoys golf and fishing. He is a member of the Griswold United Methodist Church, American Legion Post # 508, Masonic Lodge # 412, Elks Lodge and Des Moines Scottish Rite.

Chuck has been married to his wife Doris for 39 years. She is involved in food service at the middle/high school and is organist at several churches. They have three children. Their daughter Kathy teaches in St. Joseph, Missouri. She is married, has two daughters and is expecting her third in June. Their son Paul works with the mentally challenged in Nebraska. He and his wife live in Beatrice, Nebraska with their two daughters. Their second son Marty and his wife own the funeral home in Oakland and have one son.

To see a complete listing of ISAC’s Board of Directors visit ISAC’s website at www.iowacounties.org and click on ‘About Us.’
Sign Up For County-A-Day

As a member of ISAC, we count on you to help us promote the association’s legislative objectives for the year. As a county official, you share constituents with your legislators. This local connection helps your voice have a significant impact on the way lawmakers vote on key issues affecting counties. In order to take advantage of your unique influence, it’s imperative that your legislators hear from you!

The County-A-Day program is a great opportunity for counties to sit down with state policy makers and shed light on how specific bills and actions will affect their county. It is also a time for you to learn from legislators and ask what issues are coming up that would affect county government. By taking part, you will be doing more in a day than most people do in a lifetime to favorably influence legislation and the future of local government.

Visit ISAC’s website (www.iowacounties.org) and click on ‘Services’ then ‘Legislative’ to see which dates are still available for County-A-Day. We ask that only two counties sign up per day. You can then reserve a day for your county by contacting Angela Umbaugh, ISAC Staff, at 515-244-7181 or by email at aumbaugh@iowacounties.org. You will need to provide which date you want to reserve for your county, how many you anticipate will be coming, and how they can be reached in the future (phone number or email address). One week prior to you participating in the County-A-Day program, Angela calls or emails your county’s contact person and confirms your date, time and number of people attending from your county. She will send you directions and other important information for your day at the Capitol.

County-A-Day participants are asked to arrive at the Capitol at 9am for a briefing session in the cafeteria with ISAC lobbyists. It is extremely important that we all speak the same voice in our efforts to communicate meaningful reform to the Iowa Legislature. A packet of information is handed out to county officials relating to the meetings planned for the day, ISAC’s top legislative priorities, lobbying tips and the current bills being debated at the Capitol. County officials are then encouraged to attend sessions the rest of the day. Lunch is on your own and we strongly recommend that you contact your legislators ahead of your scheduled date and see if they are available to have lunch with you. This is a wonderful opportunity to have one-on-one time with your legislators and discuss the issues of importance regarding your county. Let the voice of county government be heard!

How To Lobby

With the legislative session in full swing, here are a few tips that will help you be a successful lobbyist. First and foremost, you don’t have to be an expert to lobby your representatives. Your viewpoint is important and worth expressing. Democracy depends on citizens, like you, expressing their views.

• Present a clear message. If you are with a number of county officials, choose one person to speak for your group. Get your point across in the fewest possible words. Say exactly what you want the policy maker to do - using your own words or the language prepared by ISAC. If your issue involves legislation, cite the specific bill’s name or number.

• Always be polite!

• Use hard facts to support your arguments. Leave supporting documents whenever possible.

• Use personal anecdotes. Nothing drives home the importance of an issue like a personal story. Tell your representatives how the issue affects your county and citizens. This is the best way to persuade your representative that an abstract or arcane point affects his/her constituents deeply.

• Be prepared for questions, even challenges. If a question throws you off balance because you don’t know the answer, say you will research the matter and get back to them.

• Be a good listener. Give the legislator a chance to express his/her point of view.

• If a legislator expresses opposition to your viewpoint, try to leave on a friendly note so you will have access to them in the future. Thank him/her for taking the time to listen to your point.

• Follow up your visit with a thank-you letter. Restate your case briefly and provide any information you may have promised during your meeting. This gives you a second chance to make your point.

Many issues take years to resolve. Stay determined in your efforts to influence your legislator to favor county government’s point of interest.
Linn County Supervisor Receives Local Award

The Cedar Rapids Freedom Festival named Linn County Supervisor Lu Barron as the recipient of the 6th annual Peter Teahen Award during a ceremony on December 13. The Peter Teahen award, named after the founder of the Freedom Festival, is presented each year to an individual who embodies the spirit of patriotism and who exemplifies the sense of community and family.

Barron has deep ties to the Cedar Rapids Freedom Festival, including serving as the Festival’s executive director for six years. During that time she effectively transformed the festival from a three-day event to a 10-day celebration. She has remained a dedicated friend of the Freedom Festival and actively supports its efforts through her advocacy and fostering of partnerships between the Festival, county government, and area agencies.

Pink Soothes Prisoners

Pink is becoming the favorite color of many county jails. Jackson County has painted the jail’s drunk tank pink, a color some believe has pacifying effects. The idea was inspired by former Iowa football coach Hayden Fry, who decades ago painted the visitors’ locker room pink to give the Hawkeyes an edge. Jackson County also added stars and moons to the cell’s ceiling. “I think the color could have an effect on them,” said Sheriff Russ Kettmann. “They do calm down.” Dubuque County and Jo Daviess County (IL) also have the bubble-gum-colored drunk tanks. Dubuque County has painted one of their five drunk tanks pink and saves its “pink room” for those who are most belligerent and resistive. There has been talk of adding pink padding to the drunk tank’s walls to protect belligerent and mentally ill inmates who continuously pound at the walls.

A First in the State

A financial agreement approved between Washington County and the city of Riverside is a first for the entire state of Iowa. Officially an Infrastructure Finance and Development Agreement between the two entities, the arrangement marks the first time a city has paid funds to a county to help with tax relief. In this case, it specifically is a tax increment financing (TIF) reimbursement to help offset losses in the county’s general fund using TIF to repay a $9.4 million bond issue. The bond issue is for the construction of sanitary sewer and water system improvements in Riverside in connection with the development of the Riverside Casino and Golf Resort. The city will write ten $175,000 annual checks to the county’s general fund. Payment will start July 1, 2008 and continue until all bond indebtedness is paid or until July 1, 2017. Riverside city clerk Tina Thomas said the payments will offset roughly half of what Riverside expects the county will lose in property tax revenue through the proposed TIF bonds.

What’s New In Your County?

ISAC is always looking for counties to contribute information on new projects, innovations, awards, retirement parties or other events taking place in your county. Please email magazine contributions to Denise Obrecht (dobrecht@iowacounties). Pictures are appreciated!
24-Hour Rule for Bad News

Employees often feel reluctant to pass bad news on to leaders, either because they fear the consequences of sharing the information or because they feel confident they can handle the situation on their own. Either way, their zipped lips keep you from hearing vital information, often until it’s too late.

Ask employees to adhere to the 24-hour rule for bad news. Tell them that you want to hear about any bad news or problems of any kind within 24 hours of when they’re first noticed. Present the rule as a principle of good communication, not as a means of keeping tabs on employees and affixing blame. Model the behavior yourself by sharing any bad news you hear that might affect the people you manage. They’ll see that you’re serious about the rule, and they’ll begin to follow it too.

Positive Feedback

Boost morale on your team by giving more positive feedback. Think about your most recent comments to others. Were your last 10 interactions mostly positive or more negative? Work toward offering five positive comments to every one negative comment.

(Articles taken from Communication Briefings, Feb. 2006)

Emergency Management Coordinator

The Carroll County Emergency Management Commission is accepting applications for the proposed fulltime position of Emergency Management Coordinator pending final approval by the Commission at the January 10th budget hearing. Under administrative direction of the Chair and Vice Chair of the Commission, this individual will plan, organize, and coordinate the emergency management program for Carroll County and act as the coordinating agent on emergency management matters with federal and state agencies, local governmental subdivisions, and military personnel. Additional duties including ADA and some E-911 responsibilities may be added to the Emergency Management responsibilities.

This position is full time 40 hours per week. The salary for this position will have a base of $35,000+ per year plus benefits DOQ. Interested individuals may request a copy of desired qualifications from Chief Jeff Cayler at the Carroll Police Department. Letters of interest and resumes should be mailed to Chief Jeff Cayler, 112 E. 5th St., Carroll, IA 51401 no later than Friday, February 10 at 5:00 p.m.

Promote County Government!

Three brochures are available for counties to use in efforts to promote county government. The brochure entitled ‘County Finances’ outlines county expenditures and county revenue. The brochure entitled ‘History of County Government’ reviews the history of county government in Iowa and the United States. And finally, the brochure entitled ‘The Structure of County Government’ states the duties of county offices and services offered. These brochures are excellent marketing pieces for counties to have available for courthouse visitors. Contact Angie Umbaugh at aumbaugh@iowacounties.org or (515) 244-7181 if you would like copies of these brochures. The brochures are also available on ISAC’s website (www.iowacounties.org) under ‘About Us’ then ‘County Government.’
NACo’s Legislative Priorities

**Health Care Financing** - Support the financing of our nation’s health care system to recognize the roles and responsibilities of county governments. Specifically to address the issues of health disparities, indigent and uncompensated health care, and other health services provided at the counties’ expense.

**Remote Sales Tax Collections** - Support the collection and distribution to states and counties of current sales taxes due on purchases made by mail order and over the Internet. Support the Streamlined Sales Tax System and urge states to pass such model sales tax legislation.

**Surface Transportation Reauthorization** - Undertake a comprehensive legislative effort to reauthorize the highway, transit, and safety programs in TEA-21, with a particular emphasis on funding that meets the growing transportation needs of county government. Also implement a workable environmental streamlining process, and improve local government input in the planning and programming of federal transportation funds.

**Social Services and Workforce Legislation** - Reauthorize the Temporary Assistance for Needy Families block grant, and reauthorize the Workforce Investment Act to maintain local authority and provide sufficient funding for social services and workforce programs to support needy families and provide workers with training they need to obtain jobs that pay a livable wage. Protect county financial and programmatic interests in legislation to reform the federal foster care system.

**Telecommunication Act Rewrite** - Support rewriting provisions of the Telecommunications Act of 1996, which include protecting existing authorities and revenues, and addressing issues of convergence across a broad range of communications and technology platforms.

**Help America Vote Act** - Seek an extension of deadlines for compliance with the Help America Vote Act due to federal delay in establishing standards and pursue other necessary federal actions to improve implementation.

**Forest Counties Safety Net** - Reauthorize PL 106-393 (the Secure Rural Schools and Community Self-Determination Act) to provide revenue to those counties across the country that no longer receive 25% of receipts from timber sales.

**Oppose Unfunded Mandates and Preemption** - Oppose unfunded mandates from Congress, and the Administration, and oppose legislation or regulations that preempt county authority, such as land-use regulatory authorities, telecommunications and cable rights of way and other locally-based functions.

NACo’s 2006 Initiatives

By: Bill Hansell, NACo President

Each year the NACo Board of Directors, at its December meeting, adopts a strategic plan for the association that includes a list of major initiatives for the following year. The initiatives cover all aspects of the association’s operations and serve as goals for the membership and staff to achieve. The 2006 list is impressive. Here is what we want to accomplish:

- Achieve enactment of board-approved 2006 legislative priorities;
- Conduct another Information Technology Summit during the Legislative Conference;
- Produce a county research study with the National Center for the Study of Counties;
- Add assets, counties and participants to the NACo Deferred Compensation program;
- Achieve a 5.6% budget surplus to further increase reserves and prepare for the association’s move to a new building;
- Increase county membership to 2,035 and maintain a 96% retention rate;
- Increase annual sales to $750 million and increase debt collection contracts to $100 million;
- Launch cost recovery/cost containment program;
- Continue preparations for the 2007 NACo headquarters building move;
- Increase attendance at NACo conferences and sell more exhibitor booth space;
- Increase participation in Advance Leadership Training programs by adding attendees and conducting ALT programs at three to five state association meetings; and
- Launch presidential initiatives for President-elect Colleen Landkamer.

A great deal of work will be necessary to achieve these goals. But I am certain working together we will. NACo’s 2006 goals are established to help you, your county, and most importantly, the citizens we serve. I welcome your ideas, suggestions and questions about our goals for 2006. We are going to have a productive new year!
The Baggage Handlers

By: Phil Rosenberg,
NACo County News contributor

When you arrive at an airport, or cruise ship, you encounter the baggage handlers. The handlers take what we bring to them and take on the weight, the bulk, and the risk of back strain or hernia which accompanies the hand off of our baggage. They relieve us of the care and the lugging around of all that we have packed or over-packed.

Most human resources staff members are similarly employed in spending considerable portions of their careers engaged in a related form of baggage handling. Not a day goes by when employees or job applicants do not unload an array of personal items on the desk or at the feet of the HR professional, fully expecting or even demanding they be relieved of what they regard as excessive burdens.

This same is true of managers who may drop off packages in the form of poorly behaving employees, hoping to leave them for somebody else to deal with until they can be picked up like dry cleaning, when some magical process of transformation has been applied. In the world of the early 21st century, many job applicants and employees bring to the table expectations that developed, perhaps, early in their childhood centering around unrealistic expectations, entitlements and less willingness to accept personal responsibility for their own actions.

Every one of these folks and, in fact, everyone reading this article, as well as the person writing it, carries around “baggage.” The baggage may include lead weights in the form of financial, family or health problems. They may feel weighted down by insecurity at work or, although they may not realize it, by their own bullying attitude toward others. They may seek actively to avoid work and responsibility or to shift the blame for any failures on anyone walking around in their work neighborhood, but especially their supervisors or their coworkers.

As with many things in life, including work life, the treatment begins with a vow to “not walk by” problems and to not let others hand off to you as a manager, or as a parent or spouse for that matter, all or even significant amounts of their own personal baggage. If we don’t take a coaching and clear communication of expectations approach, we will all find ourselves no longer serving as elected or appointed officials. We will all become qualified to work as either adult day care providers or as airport baggage handlers.

Phil Rosenberg, called the HR Doctor, will be presenting the seminar “Creating A Compelling Place To Work” during ISAC’s Spring School, March 19 at 3pm. For further information on this presentation visit ISAC’s website at www.iowacounties.org.

2006 Achievement Award Applications

The application process for the 2006 NACo Achievement Awards program has begun. The annual program seeks to recognize innovative county programs in a variety of issue and interest areas. The due date for applications is February 10.

Begun in 1970, the annual Achievement Award Program is a non-competitive awards program which seeks to recognize innovative county government programs called County Model Programs. Created as part of NACo’s New County, USA campaign, the Achievement Award Program continues to embody the grassroots and local government energy the program was designed to promote.

County governments across the country, working alone and in cooperation with other governments at the municipal, state and national levels, continue to develop innovative and successful programs in a wide range of service areas, including arts and historic preservation, children and youth, community and economic development, corrections, county administration, emergency management, environmental protection, health, human services, libraries, parks and recreation, transportation, volunteers and much more. The Achievement Awards Program gives national recognition to county accomplishments, and has enabled NACo to build a storehouse of county success stories that can be passed on to other counties.

Application requirements and directions are available on NACo’s website at www.naco.org.

NACo’s 2006 Budget

NACo’s Board of Directors approved a $21 million budget for the association in 2006, up a modest 2% from 2005. NACo ended the year with a $2 million budget surplus, which will be used to offset the costs of moving to and renting space in a new headquarters building in 2007. The Board approved a lease for office space in the new headquarters.

New for 2006, will be increased registration fees for NACo’s Health, Human Services and Workforce (HSSW), Western Interstate Region (WIR) and Annual conferences. The Board approved the recommendations of the Conference Registration Fee Task Force that fees be increased from $415 to $440 for the Annual Conference, and from $390 to $420 for the HSSW and WIR conferences.
A SOCIAL WORKER GAVE HIM SOMETHING 
TO SWING BESIDES HIS FISTS.

She put hope in his hands. She is Dr. Evelyn Montanez, a psychiatric social worker who brought her “healthy bodies, healthy minds” program — including after-school sports, t’ai chi, even nutrition — to at-risk kids at elementary school P.S. 128M in New York City. This program, in partnership with Derek Jeter’s Turn 2 Foundation and the Morgan Stanley Children’s Hospital of New York–Presbyterian, has changed the lives of young people like Hansel Rodriguez.

Before intervention, Hansel would strike out — at his family, classmates and himself. But by channeling his energy, he’s become one of the strongest players on his team, confident and connecting with the world. In schools, in communities, help starts with a social worker. Tell us your story, or find a social worker, at www.HelpStartsHere.org.

Social Workers
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Solutions, Inc.
Celebrates 20th Anniversary

On May 26, 2006 Solutions, Inc. will be celebrating our 20th Anniversary in business! We would like to thank you all for your continued support over the years. Without our “Solutions” customers, the last twenty years would have been impossible.

It has been our pleasure providing software, services, and support for all of our customers. In appreciation of your faithful support, we would like to invite you to share in our celebration!

As our Anniversary draws near, we will provide more detailed information regarding events that we will be sponsoring for our clients. (You can make a suggestion at our corporate website!)

Once again, thank you for all of your past business. We look forward to providing “Solutions” to your business for another twenty years!
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Quote of the Month:

You don't' stop laughing because you grow old. You grow old because you stop laughing.

- Michael Pritchard

Time is Running Out

Register Today for ISAC’s Spring School of Instruction: March 19-21
Downtown Marriott & Renaissance Savery, Des Moines

Online Registration Available at www.iowacounties.org
Early Bird Registration Ends March 1
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Please visit ISAC’s online calendar of events at www.iowacounties.org and click on ‘Upcoming Events.’ A listing of all the meetings scheduled thus far in 2006, agendas and meeting notices can be found on ISAC’s website. A majority of ISAC’s meetings offer online registration. If you have any questions about the meetings listed above, please contact Jerri Noboa at (515) 244-7181 or jnoboa@iowacounties.org.
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