

The background of the entire page is a photograph of several large, classical columns, likely made of marble, receding into the distance. The columns are fluted and have papyrus capitals. The lighting is warm, suggesting a sunset or sunrise, with long shadows and a golden glow. The columns are arranged in a perspective that draws the eye towards the right side of the frame.

# The Iowa County

July 2018  
County Attorneys





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# The Iowa County

July 2018 \* Volume 47, Number 7

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## FEATURE - County Attorneys

### History of the County Attorney in Iowa 4-6

Wayne Reisetter

### County Attorney's Role in the Justice System 7

Jessica Reynolds

### Working with your County Attorney 8-9

Kristi Harshbarger

### Technology in the County Attorney's Office 10-11

Andrea Jansen

### ICACMP Membership Benefits and Resources 10-11

Molly Steffen

### ISAC Annual Conference 12-15

### NACo News 16-17

### Keep Iowa Beautiful 18

### Calendar of Events 20



Iowa State Association of Counties

#### 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.

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# Affiliate Feature - County Attorneys

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## History of the County Attorney in Iowa

There is no surer way of curing one's self of an avocation, than by requiring it to be done as work. When I was asked to write an article on the History of the County Attorney in Iowa, I thought, "why not, I like history..." little envisioning the fact that this short article would end up being the greatest excuse to avoid real work in the meantime – which simply meant that I put in longer hours at work, to get everything else done.

The History of the County Attorney in Iowa begins with Iowa as a territory, the government organized under the United States territorial regulations, transitioning to a state of the Union. (1) Significant events at the time helped shape everything. Iowa was first part of the Michigan Territory, provided by act of the U.S. congress in 1834. The first "Iowa" delegate to Congress, Gen. George W. Jones (2) achieved passage of a bill separating Iowa into the Territory of Wisconsin in 1836, with Iowa becoming a separate territory by passage of law in 1838, taking effect July 4.

Pursuant to that act of congress, a Territorial Legislative Assembly was formed, which enacted laws. The Territorial law provided the first reference to a "county attorney". The business of the appointed "district prosecutor" for "each county" was to prosecute criminal law. (3) The "District Prosecutor" however, had further duties to ensure that the taxes collected in the counties were properly turned over to the Territory. (4) The territorial provision also established a system of periodic court dates still in existence today in many of our counties. (5) Well, the original system had a judge coming to a county twice in a year, while the current system of regular judicial appearances in many counties is more frequent than twice a year, there are counties where specified "court service days" are infrequent yet today.

Although Iowa sought to be a state as early as 1844, Congress was embroiled in a balancing act between slave and free states when considering new states from territories. By some accounts, the formation of Iowa as a "free" state "balanced" the admission of Florida as a "slave" state. Then, the size of Iowa was perhaps gerrymandered in an attempt to create more "free states" of smaller size out of the territories. In 1846 the citizens of Iowa approved, by a majority of 456 votes, the 1846 Constitution of Iowa, establishing boundaries of the state as approved by congress and the President – admitting Iowa as a State of the Union. The 1846 Constitution provided for a county "prosecuting attorney" to be elected for a two-year term. (6) The form of the county prosecutor to proceed "in the name of the State of Iowa" was set, as well, in that document, and continues in the same manner today. (7)

Eleven years later, in 1857, the citizens of Iowa approved a new constitution which is the foundation of the Constitution of Iowa in use today. The 1857 Constitution provided for a "district attorney" to be elected, rather than appointed. (8) That section was repealed in 1887, replacing the "district attorney" with a "county attorney." (9) Then, in 1970, the constitutional provision for county attorney was repealed. (10) The provisions for the county attorney had long been codified in the Iowa Statutes, modified by County Home Rule Implementation, under which the county attorney operates today.

So what were the duties of the "district attorney" in the beginnings of the state? The 1850 Legislature provided for a county attorney to bring actions in the name of the county or of the state. (11) One of the duties of the county prosecutor was to fill in for, what would now be a member of the board of supervisors, then called, "county judge" when the "judge" was disqualified. (12) The duties of the county prosecuting attorney then were similar to the duties today, prosecute crimes, and advise county officers. (13) The compensation of the county attorney was tied to that of the "county Judge." (14) The compensation for a county Judge, clerk of district court, and county recorder, all payable quarterly, were set at no less than \$50 annually in the smallest counties, to a maximum of \$800 in the most populous of counties, those exceeding 16,000 inhabitants (15), which effectively was Lee County, in 1850. (16)



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(1) - (16) Please find a full bibliography at [www.iowacounties.org](http://www.iowacounties.org).



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County attorneys had to be admitted to practice before the courts, but the requirement was merely that the person to be admitted was an “inhabitant of this state and who satisfies any district court ... that he possesses the requisite learning and that he is of good moral character.” (17)

The business of the county attorney included attending to the Grand Jury, whose duty it was to inquire into all indictable offenses committed or triable in the county and present them to the court by indictment. (18) The county attorney was also a jail inspector. (19)

The 1860 Code of Iowa differed significantly due to the creation of “district attorneys” in the 1857 Constitution, resulting in chapter 25 of 1860 code (district attorney), and the repeal of chapter 18 of the code of 1851 (county attorney). Although the 1860 Code still provided that the “prosecuting attorney” supply for a disqualified county supervisor, a foot note to that section suggested that perhaps the clerk of court would undertake that responsibility, given that there was no longer a “county attorney”. (20)

The 1860 Code added, chapter 25, specifically describing the district attorney. (21) The district attorney was elected by judicial district to four-year terms. (22) The office was generally considered a “state” office. (23) The duties were to appear for the state “and several counties comprising his district in all matters” before the district court. (24) The district attorney appeared in cases from initial appearances to the Supreme Court. (25) The Code, however, allowed a county judge (read this as county board of supervisors, not a district court judge) to separately employ an attorney to appear and prosecute or defend any case in the county “properly belonging” to the district attorney. (26) The district attorney was required to give legal advice to county officers and prepare documents for them. (27) The district attorney received a salary of \$800 per year, and in addition, received additional compensation for every conviction procured by him during his term of office, the value of which was collected from the person so convicted. (28)

The Iowa Constitution, however, was amended in 1884, changing the provision from “district attorney” back to “county attorney”. (29) The Iowa code attempted to adjust to the change. (30) The county attorney reverted to a two-year election cycle. (31) Once again, the “county” attorney appeared for both the state and county, (32) with the attorney general appearing for the state on criminal cases appealed from the county before the Supreme Court. (33) The county attorney was to advise county officers. (34) For the first time, it was clear that the county attorney could employ deputies, who would serve without compensation unless specifically authorized by a district court judge for assisting the county attorney in a felony trial. (35) This Code provided that the court appoint a substitute county attorney when necessary, (36) while allowing for the board of supervisors to appoint a county attorney upon death or resignation of the county attorney. (37) This Code gave rise to prohibiting a county attorney from proceeding in a matter of conflicts of interest within the office. (38)



An oil painting of the Dallas County courthouse shortly after construction was completed near the turn of the century (1902, purportedly.) The painting is signed by Gordon M. Snyder, the signature dated 1984. A tag affixed to the back asserts that the painting was displayed at the Iowa State Fair. I purchased the painting some years ago from an assistant Polk County Attorney, Candice, whose father was a prominent attorney from Dallas Center, and whom had originally acquired the painting; which now graces the entrance to our offices.

(17) - (38) Please find a full bibliography at [www.iowacounties.org](http://www.iowacounties.org).

# Affiliate Feature - County Attorneys

The new code also changed the compensation from the \$800 per annum of the “district attorney” to a minimum of \$300 as may be set by the county board of supervisors. (39)

This 1888 code also contained qualifications for attorneys that were markedly different than that of the 1850 code. The gender and race discriminations had disappeared, and a “regular course of study” of law was required, as well as examination for the bar. (40)

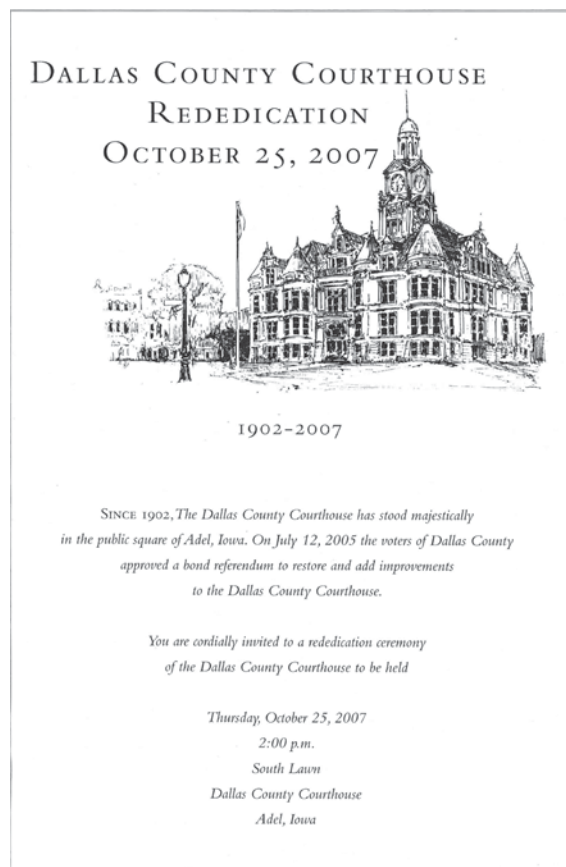
Almost a century later, in 1970, the constitutional provision for a county attorney was repealed. (41) The statutory obligations of the county attorney had changed little and were codified.

Over the years, although the duties of the county attorney have been fundamentally the same (prosecute crime, advise county officials), the context of those duties has changed. In the early years of the state, there may have been little cause for a prosecuting attorney. In Dallas County, for example there was no candidate for prosecuting attorney until the third election, “thus far no special need for them....” (42) Contrast this with the Des Moines Register’s recent report that 713,280 criminal cases were filed in Iowa in 2015 (citing Iowa Court statistics), and \$253 million was collected in criminal matters in 2016.

Then too, it may have been well to have little need to fill the elective offices, as the California Gold Rush in 1848 to 1855 drew from Iowa’s population and office holders. (43) The Civil War, of course drew more men from Iowa per capita than any other state, similarly impeding the progress of governmental development. (44)

Similarly, at the outset, there was little money to build courthouses, nor was there particular need for them, so criminal court may be convened in available structures, including churches. (45)

The office of the county attorney grew across the state, and county attorneys of Iowa have over the years been engaged in a variety of notorious cases. One such case is alleged to have advanced criminal forensic science in efforts to identify a burned body and bring the perpetrator to justice. (46) More cases of interest are perhaps a subject of future article.



The daily work, year in and year out of course, is what the office is truly about; constantly balancing the demands and expectations of the community within the relatively stable, yet constantly evolving duties of the office. Historically, for example, the office prosecuted crime upon the English sovereign design, that a matter was criminal because it disrupted the peace of the community, which caused a government interest; the interests of the victims being deemed a separate “civil” matter between the parties. This concept has relatively recently begun to erode, first with requirements that the criminal prosecutor seek victim restitution from the offender of the crime within the criminal prosecution, followed by more recent – and appropriate – requirements to engage the victim of crimes in the process of seeking justice.

The balancing of justice comes with balancing the needs of an office, from adequate staffing, including issues of part time county attorneys and their private practices, (47) to assistants, stenographers. (48) Further, to provide current technology for effective operations –to telephones, to Xerox machines, to computers. (49) With the evolution of our culture, such questions are constantly evolving. (50)

The “History” of the County Attorney in Iowa continues to evolve, with perhaps a seemingly never-ending list of “duties” (51) now numbering in excess of 70, including the fundamental provisions to prosecute crime and advise county officers.

(39) - (51) Please find a full bibliography at [www.iowacounties.org](http://www.iowacounties.org).



# Affiliate Feature - County Attorneys

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## The County Attorney's Role in our Criminal Justice System

County attorneys are the chief law enforcement officer of their county, and we are also criminal prosecutors. As such, we have a major and multifaceted role in our criminal justice system. Finding the truth, following the law, doing the right thing – all while protecting the community at large, are the essential purposes of the county attorney. We have both an investigative and prosecutorial function within the criminal justice system.

First, county attorneys have an investigative function in our justice system. We work in cooperation with local law enforcement to find the truth in criminal investigations. We have the legal authority to issue county attorney subpoenas pursuant to Iowa Rule of Criminal Procedure 2.5(6) both pre-indictment and post-indictment. We assist and advise local law enforcement during the investigative process. In Story County, there is a 24-hour on-call county attorney who is available to local law enforcement officers at all stages of criminal investigations. The standard for charging a person with a crime is a probable cause standard. This differs greatly from the standard for conviction which is a higher, beyond a reasonable doubt, standard. It is essential for a county attorney to fully understand the difference in these standards and to work with their law enforcement agencies in the context of these standards.

Next, county attorneys have a prosecutorial function. We prosecute crimes against offenders and represent the people of the state of Iowa in those prosecutions. This begins with exercising our charging authority by either (1) convening a grand jury or (2) charging via trial information. In Story County we charge via trial information. After a charge is brought, it is our job to participate pre-trial by recommending appropriate bond amounts for incarcerated defendants as their case makes its way through our criminal justice system. We follow the legal reasons set forth in the Iowa Code for requesting bond which includes: the scope and nature of the charges against the defendant, whether the defendant is a flight risk, and whether the defendant poses a danger to the community if released. The presiding Judge has the final decision on setting bond amounts for defendants. As the county attorney, we make recommendations on bond to the judge. Next, the decision to make a plea offer to a defendant is part of the discretionary function of a county attorney. A defendant is not entitled to a plea offer. Practically, however, we understand that there is not enough time nor enough resources to take every case to a jury trial. As such, we identify cases where plea offers are appropriate and extend plea offers to resolve cases without overusing public resources. These decisions take in factors such as the criminal history of the defendant, the nature of the pending charges against the defendant, and the strength of the case against the defendant. The adult offender system has a twofold goal, punishment and rehabilitation. The prosecutor keeps these goals in mind when making a proposed plea offer. We work to reduce recidivism by making sentencing recommendations that address issues at the core of the criminal behavior. The majority of criminal cases are resolved via plea offer. For cases in which a defendant does not accept the plea offer or for cases in which no plea offer is made, a jury trial will usually commence. As a county attorney, it is our job to find the truth and to do justice. This means not only presenting our case in a persuasive manner to the jury, but it also means making sure that criminal defendants receive a fair trial. Further, it is our job to make sure that crime victims are given the statutory rights that Iowa law conveys upon them. It is also our job to make sure that crime victims get the services and justice they need and deserve. However, we are not the attorney or advocate for the crime victim. The prosecutor represents the people of the state of Iowa and our duty goes beyond proving our case beyond a reasonable doubt and extends to a larger duty of guaranteeing that both the state and the defendant receive a fair trial, and that the crime victim is not left out of the process.

The multifaceted roles of a county attorney in our criminal justice system make for both rewarding and challenging experiences. Communication with everyone involved is essential, from law enforcement to crime victims, to witnesses, to defense attorneys, to jurors. As a career prosecutor, I have found prosecution to be truth in action. Serving as the Story County Attorney has been the honor and privilege of my professional life.



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# Affiliate Feature - County Attorneys

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## Working with Your County Attorney

The general duties of the county attorney can be found in Iowa Code §331.756, which contains 85 items. Various other statutes throughout the Iowa Code add to the list of duties for the county attorney, but this Code Section is a good place to start with and contains most of the cross references. Like all county officials and employees, county attorneys have many and varying responsibilities!

The county attorney obviously has extensive prosecutorial duties, but the two county attorney duties that are likely most important to all of you can be found in subsections 6 and 7 of Iowa Code §331.756, which states:

“Commence, prosecute, and defend all actions and proceedings in which a county officer, in the officer’s official capacity, or the county is interested or a party.”

“Give advice or a written opinion, without compensation, to the board and other county officers and to township officers, when requested by an officer, upon any matters in which the state, county, or township is interested, or relating to the duty of the officer in any matters in which the state, county, or township may have an interest, but the county attorney shall not appear before the board at a hearing in which the state or county is not interested.”

In a nutshell, this means the county attorney is your attorney for purposes of your actions as a county official. For various reasons, however, the county may find itself with a legal situation where it is prudent to hire outside counsel. This process is set up for the county attorney to take the lead in making that determination.

When determining who can hire outside counsel, you must first determine if the issue in question is a statutory duty of the county attorney.

**If it is a statutory duty**, then there are a couple of statutes governing the process for retaining outside counsel on a matter:

- 1) Iowa Code §331.759, which provides that when legal proceedings have commenced, a county attorney may ask the court to withdraw from the case for cause. If the court allows it, the court appoints an attorney to serve in place of the county attorney.
- 2) Iowa Code §331.754, which provides that:
  - in the case of absence, sickness, or disability of the county attorney (and assistant county attorneys) the board of supervisors may appoint an attorney to act as the county attorney;
  - if the county attorney and all assistant county attorneys are disqualified because of a conflict of interest from performing duties and conducting official business in a juvenile, criminal, contempt, or commitment proceeding which requires the attention of the county attorney, the chief judge may appoint an attorney to act as county attorney in the proceeding;
  - The board of supervisors may appoint an attorney to act as county attorney in a civil proceeding if the county attorney and all assistant county attorneys are disqualified because of a conflict of interest from performing duties and conducting official business.

If neither of these statutes applies, then an Attorney General opinion determined outside counsel can still be appointed by the Board of Supervisors at the request of the county attorney.

For example, there may be situations in which the county attorney is requested to advise the county on one particular matter in which a conflict of interest exists. Or, a matter may arise where litigation is not pending but may be imminent, and because of a conflict of interest the county attorney feels a professional responsibility to withdraw from the case immediately.

Consequently, it is our opinion that, absent other relevant statutory provisions, the board of supervisors is authorized pursuant to home rule authority to appoint a private attorney to serve as a replacement for the



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county attorney. See Iowa Constitution, article III, §39A; Iowa Code Ch. 331 (1981). We believe this result is further supported by practical considerations. First, we recognize the need for flexibility in the day-to-day operation of the county attorney's office. Second, we do not believe the legislature intended that the authority of the district court be invoked in every instance where a private attorney must be appointed to replace the county attorney, or that the district court become intimately involved in the day-to-day operation of the county attorney's office, especially when the court may have no official involvement with a matter in which a private attorney is acting as representative of the county.

...

We further note that the responsibility for determining when a private attorney should replace the county attorney in a particular matter generally lies with the county attorney. For example, the question of whether a conflict of interest exists is left to the professional judgment of the county attorney. See Canon 5, Iowa Code of Professional Responsibility for Lawyers. In the event the county attorney concludes a conflict is present and §§331.754(1) and 331.759 are inapplicable, he or she should request that the board of supervisors appoint a replacement. We recognize that there may be limited situations, such as unexpected sickness, where the county attorney is unable to advise the supervisors regarding the need to hire a replacement and the supervisors must act alone. Nonetheless, it is our opinion that generally neither the board of supervisors nor any other county officer has independent authority to appoint a private attorney to serve as representative of the county. A contrary conclusion could effectively result in the supervisors interfering in the operation of the county attorney's office at their discretion, a result certainly not intended by the legislature.

1982 Iowa Op. Atty. Gen. 517, 1982 WL 524855 (Iowa A.G.)(emphasis added).

If the answer is that the matter is **not a statutory duty of the county attorney**, you can talk to them about whether or not they'd be willing to take it on, but they are not obligated to do so. In those instances, you may also choose to retain outside counsel.

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## Technology and the Future in the County Attorney's Office

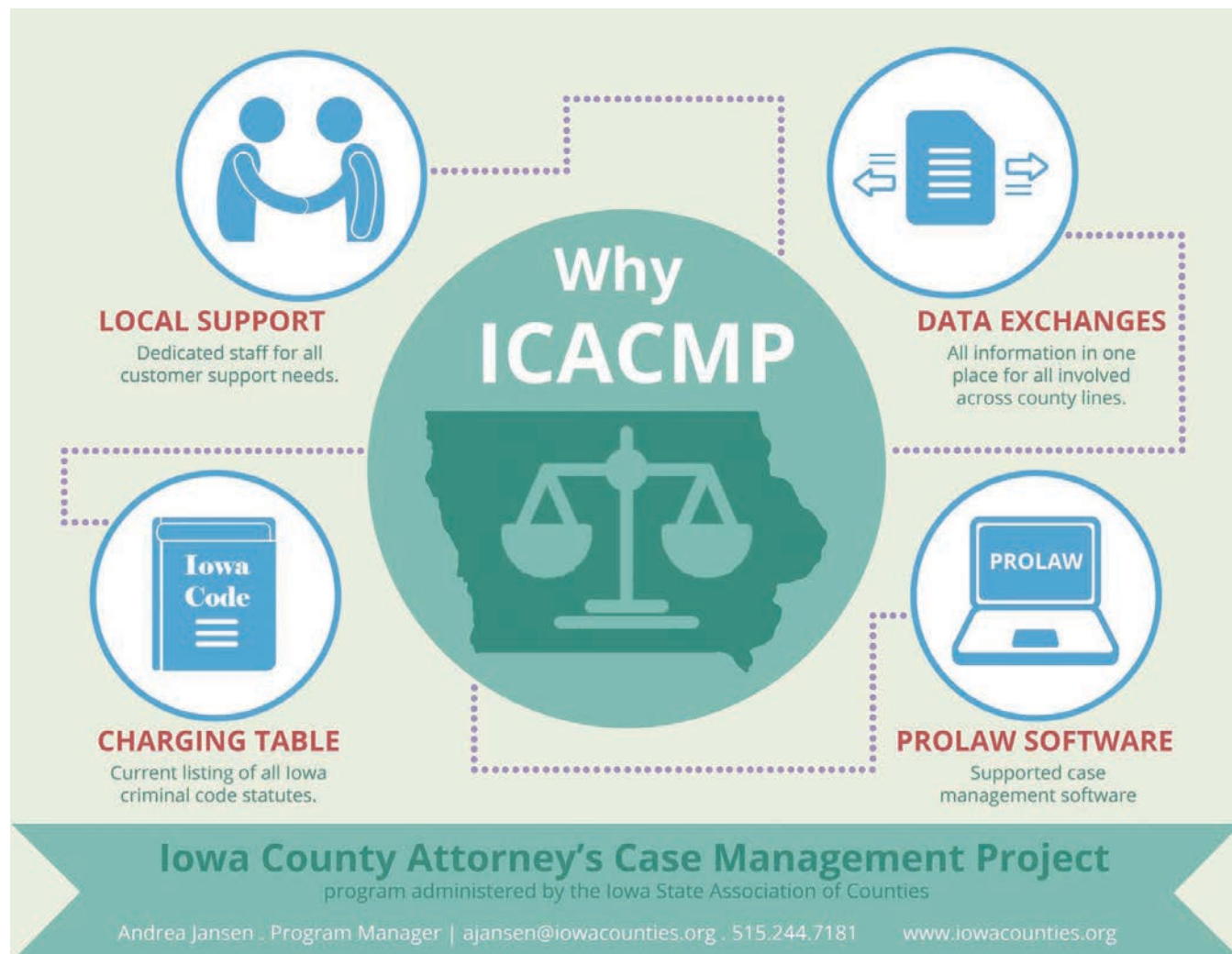
Since starting my position with the Iowa County Attorney's Case Management Project (ICACMP) almost two years ago, I have been in awe with the amount of work and tasks that county attorneys are held responsible for. It is no wonder that about 15 years ago a group of county attorney offices joined forces and started to research how they could maximize efficiencies. They were quick to realize that technology was the best answer, and they started their journey to find a solution. As it turns out, they were innovative in their approach and their Project has continuously grown to include more than 50 counties and over 400 users! Some of the same ideas that were developed then are still applicable today including: collaboration, case management software, and data exchanges.

Case management software has been and will continue to be a crucial component of the future of county attorney offices. This is due to the myriad of deadlines, documentation requirements, scheduling duties, etc. for which these offices are accountable. Tracking and managing this in conjunction with the coordination of external individuals and agencies is much more organized with calendaring software. Contact management is substantially easier too. Have a contact that is frequently changing addresses or phone numbers? This is much easier to



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# Affiliate Feature - County Attorneys

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manage when all contact information is central and contained in one record. Reporting is another feature that case management software provides. Pulling key data points on deadlines and milestones can help manage workloads and assure that all targets are met. Furthermore, pulling reports on the types of cases or the volume of cases being worked on each month are extremely helpful for budget planning and staff management. Ease of access to cases/files from anywhere is another benefit. Depending on the county's IT infrastructure, there are several ways that attorney staff can access casefiles while offsite. The storage of the documentation and various case-related materials can be kept electronically. Paper files are bulky and the physical storage of the files over many years is costly. In addition, paper files can only be accessed by one staff person at a time. Case management systems also allow for multiple staff members to access the information on a case concurrently allowing for more efficiencies. Approximately 60% of the state has an active case management system in place, and we are excited to see this number grow to 100% in the future.

Data exchanges are also an important component of the future of county attorney's offices. Once a supported case management system is in place, you can expand on that and look at automatically importing/exporting data to and from other external agencies. Iowa's Criminal Justice Information Sharing Program (CJIS) supports standardized electronic exchange of information among all justice partners in the state, as the graphic on the previous page depicts. Prior to these data exchanges there were many different data entry points of the same data. By sharing the data, all agencies can access information that has already been entered in by another agency.

## ICACMP Membership Benefits and Resources

In addition to the many benefits you receive as a member of the Iowa County Attorney's Case Management Project (ICACMP), we want to highlight three areas that offer continuous ongoing support:

**On-site Visits:** A major component of the on-site visit is to partner with you to stay connected. By traveling to your work environment, we are able to work together, side-by-side, allowing us to better understand your needs and help provide solutions to your questions. When conducting the on-site visit, we aim to trouble shoot any issues you might be experiencing, gain an understanding of how your office is utilizing Prolaw, and share tips and tricks we have learned about navigating the software. It also grants us the opportunity to address your training needs, provide updates on the Project, and serve as your liaison with Thomson Reuters. If we are not able to find a solution during the visit, we will submit a support ticket to our team back at the office.

**Support Tickets:** We have created a support ticketing site led by a dedicated team working to find a solution to your Prolaw software needs. The purpose of the support ticketing site is threefold. The first objective is to track the amount of support requests the Project receives. The second is to break the requests down into type and what users are needing assistance with. Thirdly, we review trends and implement support strategies based on this data. Support continues to be the largest amount of time that staff spend from both a technical and business standpoint, so the insight from this data is important. You can submit a ticket by visiting the ICACMP support suite at <https://prolawsupport.iowacounties.org> or by sending an email to [prolawsupport@iowacounties.org](mailto:prolawsupport@iowacounties.org).

**Trainings:** We know it is often difficult to get away from the office, so, based on feedback from our members, we are creating on-demand webinar trainings for users to access at their convenience. These individual webinars will allow our users to receive personalized training on specific topics. We have completed webinars for New Users and are currently creating webinars to assist with: Documents, Queries, and Reports. Look for even more advanced trainings in the near future.

To learn more about the training webinars or any other ICACMP topics, please feel free to reach out to any of us with questions, comments or suggestions at any time. Our contact information is: Andrea Jansen, Program Manager, [ajansen@iowacounties.org](mailto:ajansen@iowacounties.org); Bailey Krebs, IT Specialist, [bkerbs@iowacounties.org](mailto:bkerbs@iowacounties.org); and Molly Steffen, Support Coordinator, [msteffen@iowacounties.org](mailto:msteffen@iowacounties.org).



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The ISAC Annual Conference is our biggest event of the year! We bring together county officials and employees from every county in Iowa for this two and a half day educational conference.

Don't forget that this year's Scholarship Golf Fund-raiser is being held the Tuesday prior to the conference. Arrive a day early and support the scholarship program!

There's also a ton to do in Des Moines. See the next two page for ideas provided by Catch Des Moines.



## Conference Wide Entertainment Event and Workshops

### Mainframe Studios | August 23

5:30 pm - 7:30 pm

Don't miss ARTS + EATS + TUNES, this year's conference wide entertainment event being held at Mainframe Studios. A wide variety of artists will open their studios to ISAC members for watching demos, learning, shopping, eating, drinking, listening to music, and MORE!

### Free Shuttle | 5:00 pm - 8:00 pm

Two shuttles will run on continuous loops between the Hilton, Marriott, and Mainframe Studio. The drop off/pick up location will be clearly marked with signage.

## Workshops | Pre-registration is required

The following Workshops will be available during the event. A separate registration is required on the ISAC website and limited seating is available.

### Try Your Hand at Painting

**Artist:** Jess Quinn

**Studio:** 428

**Time:** 5:30 pm and 6:30 pm

**About:** Learn from the best! Jess guides you through creating a 4x4 inch mini flower painting. Choose the color and style to suit your taste. Take home a treasure.

**Cost:** \$15

### Personalized Greeting Cards

**Artist:** The Red Door Press

**Studio:** 120

**Time:** 5:30 pm and 6:30 pm

**About:** Don't miss this very unique opportunity to create personal greeting cards using handset type. Tammy and Adam Winn own one of the most unique letterpress studios in the nation. Come get to know their technique and take home a memento of your own creation.

**Cost:** \$35

### Glass Blowing Demonstration

**Title:** Glass Blowing Demonstration

**Artist:** JJ Gaffers

**Studio:** LL02

**Time:** 5:30 pm and 6:30 pm

**About:** Are you ready for a show? Jesse Bogenrief grew up around glass, but might just ask you for help! Take a seat on his bleachers and enjoy an interactive experience where you will learn about the history of glass blowing while sharing laughs and witnessing a vase appear from sand.

**Cost:** \$5

### The Stone Age is Here

**Artist:** Light the Earth

**Studio:** 102

**Time:** 5:30 pm and 6:30 pm

**About:** Kim and Johh Novotny are stone hunters! Learn about the collection, fabrication and finishing of stone art. Surprises are in store as Kim and John Novotny share how ordinary rocks aren't so ordinary after all.

**Cost:** Free

### Abstract Painting and Whiskey Tasting

**Artist:** Tim Hugunin

**Studio:** 460

**Time:** 6:30 pm

**About:** Come join Tim's live painting demonstration while enjoying a sip of whiskey! Meet the artist and learn about his process of combining acrylic paint, metal dust and sand to make a one-of-a-kind piece of art.

**Cost:** \$10



# COMMUNITY SERVICE PROJECT

Community Support Advocates (CSA) is a non-profit that provides services to individuals and families impacted by disabilities in central Iowa. Through its Momentum Program, CSA is partnering for growth and resiliency through the arts. They believe in the transformative power of art. Art is a tool that can build confidence, inspire hope, and develop resilience. The Momentum Program is designed to provide free art opportunities to underserved populations impacted by disability, brain injury, or mental health diagnosis. CSA's services include an annual art competition and exhibition, free workshops, and open studio space.

Please bring any of the following items or cash to donate as part of our Community Service Project:

- Acrylic paint (at least in primary colors)
- Watercolor paints
- Oil Pastels
- Paint Brushes
- Drawing Pencil Sets
- Painters Tape
- Double Sided Tape
- Other needed items can be found on the Momentum Amazon Wish List (link on website)



## Free Professional Photos

ISAC will be offering a professional photographer free of charge for all attendees to have an updated head shot taken. Photos will be available via download after the conference.

Photos will be taken on a first come, first served basis from 11:30 am - 4:00 pm on Thursday, August 23 in meeting room 304 on the meeting room level of the convention center.



## ISAC EDUCATIONAL SEMINARS

Wednesday, August 22  
9:00 am - 10:15 am

### Creeping Encroachment on Home Rule (Meeting Room 302-304)

Iowa is a Home Rule state which means that local governments have local authority and control over decision making. Recent measures taken by the Iowa legislature have been encroaching on local control, but during this presentation you will learn that this isn't just an Iowa problem. County association executives will discuss the issue and where local governments can go from here. \*\*\*This seminar will feature graphic recording!

### Driving Performance Through Employee Engagement (Meeting Room 307-309)

Robert Lavigna, Director, Institute for Public Sector Employee Engagement will focus on:

- What employee engagement is and why it matters, particularly in government;
- Why measuring employee engagement is critically important, how to measure and analyze the level of engagement, and how to act on the results;
- The results of a national benchmark survey on the levels of employee engagement in both the public and private sectors; and
- What public sector organizations have done to improve - and sustain - engagement and to build culture of engagement.

Wednesday, August 22  
10:30 am - 11:45 am

### Prevent! Detect! Respond! (Off-site)

Attendees will shuttle to and be given an in depth look at the OCIO Information Security Division's security operation center and cybersecurity strategy.

### Employee Engagement: A Deeper Dive (Meeting Room 307-309)

Robert Lavigna will continue in this follow-up session by exploring employee engagement in more detail. In this hands-on workshop, participants will discuss barriers to engagement, how to analyze engagement survey data, and the role of leadership in driving higher levels of engagement. Attendees will also assess their own level of engagement, and do individual action planning. \*\*\*This seminar will feature graphic recording!





# ENJOY DOWNTOWN

## SCIENCE CENTER OF IOWA

[sciowa.org](http://sciowa.org)

This dynamic 110,000 square-foot facility features six interactive learning areas, live programs and hands-on activities encouraging learning and fun for all ages. It houses the only fully functional clear toilet in the Northern Hemisphere.



## IOWA HALL OF PRIDE

[iowahallofpride.com](http://iowahallofpride.com)

All Iowa students, K-12, are admitted free to the Iowa Hall of Pride. Filled with dozens of hands-on interactive exhibits, Iowa Hall of Pride tells the stories of Iowa's communities and their heroes. It's fun for kids, adults and families.



## GREATER DES MOINES BOTANICAL GARDEN

[dmbotanicalgarden.com](http://dmbotanicalgarden.com)

More than a place for plants, the Botanical Garden is a place for people. The center's 15,000 exotic plants, special events, interactive display greenhouse make it an ideal stop. It's among the best examples of American Victorian Second Empire architecture.



## PAPPAJOHN SCULPTURE PARK

[desmoinesartcenter.org](http://desmoinesartcenter.org)

The 4.4 acre sculpture park located in Downtown Des Moines features 28 works of art donated by John and Mary Pappajohn from their renowned personal collection of contemporary sculptures. The sculptures are valued at more than \$42 million.



## DOWNTOWN FARMERS' MARKET

[desmoinesfarmersmarket.com](http://desmoinesfarmersmarket.com)

The Downtown Farmers' Market presents 300 Iowa producers, offering fresh fruit, vegetables and so much more. Come for the freshness and stay for the fun! It is rated as one of the country's top Farmers' Markets.



## HISTORIC EAST VILLAGE

[eastvillagedesmoines.com](http://eastvillagedesmoines.com)

Historic East Village is a progressive, pedestrian friendly neighborhood featuring eclectic local flair. The East Village is a hub of activity with annual festivals, diverse nightlife scene, beautiful streetscape and restored historic properties.



## BRENTON SKATING PLAZA

[brentonplaza.com](http://brentonplaza.com)

From November to March, Brenton offers people of all ages the chance to ice skate in the open air, under the stars. A fun, recreational experience for families and individuals of all ages.

## STATE HISTORICAL MUSEUM OF IOWA

[iowaculture.org](http://iowaculture.org)

Iowa's history lives on in this modern granite and glass structure at the foot of the State Capitol. Unique, permanent and temporary exhibits explore the people, places, events and issues of Iowa's past.

## DES MOINES CIVIC CENTER

[civiccenter.org](http://civiccenter.org)

Des Moines Civic Center of Greater Des Moines presents the best live professional theater direct from Broadway. Shows including "The Lion King," "Wicked," "Mama Mia" and "Rent" have all graced the Civic Center stage.







## SUMMER FAVORITES

### Adventureland Park and Adventure Bay:

In addition to more than 100 rides, shows and attractions, the Altoona amusement park expanded to a water park with water slides, the longest lazy river in the state and plenty more fun in the sun.



**Gong Fu Tea:** The owners travel throughout the world to hand-select the loose leaf teas found in this one-of-a-kind, Asian-inspired teahouse that features selections such as Silver Needle tea from China's Fujian province.

Friday night fireworks at the **Iowa Cubs:** What better way to end the workweek than with a relaxing night at Principal Park, followed by a spectacular fireworks display lighting up the night sky?

### Horseback riding at Jester Park:

Take a one-hour guided trail ride past Saylorville Lake and through the peaceful, secluded woods of Jester Park.



### Meredith Corporation Test Gardens:

Tour the beautifully designed gardens where the publishing giant evaluates plants and gardening techniques for its flagship publication, Better Homes and Gardens.

**Living History Farms:** Learn all about Iowa's agricultural history through the many historical interpreters who dress and play the part of pioneer farmers, craftsmen and other individuals in this outdoor living museum.



### Boone & Scenic Valley Railroad:

Travel north to Boone for a scenic ride through the Des Moines River Valley on one of the railroad's excursion trains.

Take a hot air balloon ride at the **National Balloon Classic:** Soar over the skies of Central Iowa during this world-class ballooning event in Indianola.

**Boating at Saylorville Lake:** Rent a pontoon boat from the Saylorville Lake Marina and spend a long summer day soaking up the sun and exploring the 26,000-acre lake.

### Music at Simon Estes Riverfront Amphitheater:

Nitefall on the River, the long-running summer concert series on the east bank of the Des Moines River downtown, plays to all ages as they relax on lawn chairs and blankets, and enjoy the backdrop of the city skyline and twinkling stars.



Tour the **Salisbury House and Gardens:** This 42-room English Tudor-style mansion, built in the 1920s, holds a collection of 10,000 pieces of art and antiques.

### Paddle boarding at Gray's Lake:

Enjoy the downtown skyline from this popular spot. Paddleboard, kayak, canoe or sail. The rental options are endless and affordable.



**Raygun:** This apparel shop in Des Moines' Historic East Village carries its own line of edgy T-shirt designs featuring slogans such as "Des Moines: French for 'The Moines'" and "Iowans: The Few, The Proud, The Extremely Attractive."

**Terrace Hill** tours: Plan a visit to this ornate Victorian mansion that is home to Iowa's governor and his family.

Apple Store, Sephora, Coach and Anthropologie at **Jordan Creek Town Center:** No need to head to Chicago or New York. West Des Moines' Jordan Creek Town Center brings the big names to Iowa.

Rock climbing at **Climb Iowa:** Families, groups and individuals of all skill levels can engage their inner adventurer at one of the Midwest's largest indoor climbing facilities.

**MB2 Raceway:** MB2 Raceway is the country's fastest Indoor Go-Karting Center. Race up to 45mph in their electric go-karts!





# NACo News

## NACo Western Interstate Region (WIR) Conference

"If people sat outside and looked at the stars each night, I'll bet they'd live a lot differently." - Calvin

No, not John Calvin the French theologian, but Calvin from the comics strip "Calvin and Hobbes." Hobbes asks, "How so?" Calvin says, "Well, when you look at infinity, you realize that there are more important things than what people do all day."

That is not to say that what we do is not important at all because it is. And I attended an important Western Interstate Region meeting in Blaine County Idaho's Sun Valley Resort. My wife and I went out early to visit our 16-month-old granddaughter just east of Seattle – Clementine Virginia Johnson Houser. Then I had to cut out and head to the conference. It was probably the first time I was reluctant to go to a NACo board meeting! I met Pottawattamie County Supervisor Scott Belt in Boise, rented a car, and drove for two and half hours in the rain to Sun Valley. I had to shuttle from my check-in to my lodgings, and the driver gave me a quick history of the resort. It was built in the late 30's and was the hot spot for celebrities at the time. Ski lifts at that time just pulled skiers back up the mountain. Skis still in the snow. An engineer friend of the owner was working on the Panama Canal and observed bananas being loaded on a ship via a cable system. He brought that concept back to Sun Valley where the first chair lift in the world was installed.



**Melvyn Houser**

Pottawattamie County Auditor

[melvyn.houser@pottcounty-ia.gov](mailto:melvyn.houser@pottcounty-ia.gov)



The first day of the conference was consumed by the Ag and Rural Affairs Steering Committee. Legislative staffer Arthur Scott gave an update on the Farm Bill. The House thought they had enough votes to pass their rendition, but, as you know by now, it failed. The Senate version was still in Committee. SNAP, as always, is the contentious issue. Add in immigration reform, and they have even more contention. The current bill expires in September. So, they have a lot of work to do. NACo has a nice document on their website regarding the Farm Bill and rural issues.

We also had a panel of speakers talking about Blaine County's efforts to grow the local food system. One of them, Ken Meter, is an old acquaintance of mine from when I was involved with the Regional Food Systems

Working Group. Ken is still working across the country helping rural communities assess their local economies and promote a local food system. It was good to see him again. Another panelist, Ally Long, said "A local food system is a powerful lever for change." Chris Kasner, the chef, gave us a breakdown of his \$262k spent on food: \$61k for fish, \$40k from a local vendor, \$32k from a national vendor, and \$128k from local producers. "Buying local is the right way to do things," he says. Later we took a farm tour. In the rain. We stopped at a grower who has some really cool small machinery to help him plant and harvest. He uses an old Maytag to spin dry the greens. Sad to see them gone from Iowa, but the cheese is back! Oh, sorry. I digress. But the coolest thing there was the stained-glass windows in the green house. They were salvaged from grandma's house in Vermont. A nice artistic touch. Next stop was Bloom Community Farm. This nonprofit's mission was concerned more with social change and health benefits than making a profit. People were able to work at the farm in exchange for veggies. They also partner with the hospital dietitians who do healthy eating workshops there. Luckily it didn't rain while we were at the farms, but it did on the way back.

Now for the most important reason for my trip to Blaine County. At the Board of Director's meeting finance and audit reports were given and approved. Legislative Affairs staffer Hadi Sedigh gave an update on Hill activities. Infrastructure funding has stalled but isn't dead. A number of bills regarding the opioid crisis were introduced including one that would lift the 16-bed limit on treatment centers. He also reported on the Farm Bill, remote sales tax, and FEMA disaster deductibles. Hadi was stepping in for Legislative Director Deb Cox and did an outstanding job. NACo has such great staff! Brian Namey asked for and received board approval of NACo's partnership with the Multi State Information Sharing and Analysis Center (MS-ISAC). This is a new

member benefit that can help counties with cyber security. Executive Director Matt Chase gave his report, highlighting NACo's advocacy efforts and the Stepping Up initiative regarding the mentally ill in overcrowded jails. Over 400 counties have adopted a Stepping Up resolution, and Iowa has more counties signed on than any other state. I should mention that Director Chase will be attending and speaking during ISAC's Annual Conference this August.

Did you know that 80% of Americans cannot see the Milky Way? Blaine County and the surrounding area is the first in the United States to be designated as a Dark Sky Reserve. At the conference-wide event we were treated to a show put on by LUMA. They travel worldwide promoting the awareness of and detriments of light pollution. The reading material that was handed out was very informative on the effects of artificial light at night. It affects our health, the environment, aesthetics, sky glow and star viewing. Local governments, especially cities should be adopting policies and procedures to eliminate this problem. I hope those western state Supervisors appreciate what they have above them. This is what science writer Timothy Ferris says about losing the night sky. "The loss of the night sky is most troubling for our children. Whole generations of kids in cities and suburbs are growing up seldom, if ever, having seen the Milky Way and what a sky full of thousands of stars might look like." Too bad for me that it kept raining while I was there.

Some of you may or may not know that Black Hawk County Auditor and NACo Board member Grant Veeder has been the resident limerick writer for both the ISAC and NACo boards. The verses always involve something of significance or a happening at the conference. I asked if he needed some inspiration and suggested the rainy weather. He naturally didn't take my advice, but he did write the following just for me in about five minutes. So, with his permission and without further ado:

Our conference is in high terrain  
In Sun Valley, County of Blaine  
We'd have so much fun  
In Sun Valley sun  
But we're getting Sun Valley rain.

Despite the rainy weather and my time away from Clementine, it was a good informative conference. And it is always good to reconnect with my NACo friends. Next stop is in Davidson County, Tennessee. I hope to see some of you there.

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# Keep Iowa Beautiful

## Feeding the World

Farming at the best of times is still a challenge! My dad grew up on a horse-powered family farm, and he taught me to respect farming and nature. All my life I have done my best to live this credo, keeping the balance between the needs of people and those of nature. Dad tells me about clearing weeds in the corn with a horse-drawn cultivator until the corn was so high you couldn't see the horse anymore. Small family farms, hedgerows, minimal use of chemicals, and diverse crops all helped maintain the equilibrium of man and nature working together.

We still need to feed the world, but over the years keeping the balance becomes an ever-increasing challenge. One of my grandfather's favorite sayings was, "If a little bit is good, a whole lot must be better!" This was certainly true with he and other farmers in their use of DDT and other chemicals. There was no malicious intent here, they were just doing the best they could with what was recommended at the time. But the spraying of pesticides and the loss of habitat with larger farms has wreaked havoc on the pollinator populations, most notably bees and butterflies.



While most of the grains are pollinated by the wind, many fruits and vegetables rely heavily on insects. According to Iowa State University Extension and Outreach there are some 30,000 bee colonies in Iowa that pollinate around \$92 million in crops annually and produce over 3 million pounds of honey. As you can see, bees are a key player in a healthy agroecosystem.

But it's not just the agriculture industry that has led to this collapse in bee populations. Expansive suburban development after WWII with the requisite neatly kept lawns shares the blame. Overuse of chemicals is rampant here as well, since most homeowners see dandelions, creeping Charlie, violets, and clover as weeds to be obliterated accordingly. Unfortunately, those are often the first foods that bees feed on in the spring.

The Monarch Butterfly has also been adversely affected by these practices with the population declining by 95% over past years. Chip Taylor, Director of Monarch Watch ([www.monarchwatch.org](http://www.monarchwatch.org)) explains, "Monarch butterfly populations are declining due to loss of habitat. To assure a future for monarchs, conservation and restoration of milkweeds need to become a national priority." Monarch Watch promotes *Monarch Waystations*, places that provide resources necessary for monarchs to produce successive generations and sustain their migration with milkweed and native flowers.

And it wasn't just bees and butterflies impacted by the change in farming practices and lawn care. The bald eagle was also a victim of our over-exuberance. It's good to see these majestic bird populations on the rise because of increased awareness and changes in our behavior. We can do the same for our pollinators.

Everyone everywhere can be part of the solution! The agriculture industry has already started to change to become more pollinator-friendly. Homeowners can save time and money by putting some of the lawn into prairie or pollinator gardens. You can plant milkweed and native flowers in a pot on your porch if you don't have a yard. Every little bit will help. We can continue to feed the world while being good stewards of this earth. And the good news is that you don't have to do it alone, there are people who want to help you. The following can provide direct support or local referrals: Iowa DNR – <http://www.iowadnr.gov/Conservation/Iowas-Wildlife/Pollinators>; Iowa DOT – <https://iowadot.gov/Irtf/home>; ISU Extension – <https://monarch.ent.iastate.edu>; Monarch Research Project – <http://monarchzones.org>; Monarch Watch – <https://monarchwatch.org>; Pheasants Forever – <http://pheasantsforever.org/Habitat/findBiologist.aspx>; and Trees Forever – <http://www.treesforever.org>.



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## 2018 Calendar

### July 2018

- 12-13 ICEA Midyear Conference (Ames)
- 13-16 NACo Annual Conference (Nashville, Tennessee)
- 25-27 Auditors Annual Conference (Iowa City)

### August 2018

- 21 ISAC Scholarship Golf Fundraiser (Toad Valley Golf Course, Pleasant Hill)
- 22 ISAC LPC Retreat (Veterans Memorial Community Choice Credit Union Convention Center, Des Moines)
- 22-24 ISAC Annual Conference (Veterans Memorial Community Choice Credit Union Convention Center, Des Moines)

### September 2018

- 16-19 ISSDA Jail School (Holiday Inn Des Moines Airport)
- 20 ISAC LPC Meeting (ISAC Office)

### October 2018

- 3-5 ISAC Board of Directors Retreat (Johnson County)
- 3-5 Iowa Environmental Health Association Fall Conference (West Des Moines Marriott)
- 21-24 Assessors Fall Conference (Holiday Inn Des Moines Airport)
- 24 Iowa Stepping Up Summit (Hy-Vee Hall, Des Moines)

### November 2018

- 15-16 ISAC Board of Directors Meeting (ISAC Office)

### December 2018

- 2-5 ISSDA Winter School (Holiday Inn Des Moines Airport)
- 12-14 Iowa County Engineers Conference (Veterans Memorial Community Choice Credit Union Convention Center, Des Moines)

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

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- Dedicated Service and Support Team



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