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FOR THE YEAR 2013  
BOARD OF SUPERVISOR'S MINUTE BOOK  
CHEROKEE COUNTY, IOWA  
MAY 7, 2013

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The Cherokee County Board of Supervisors met in regular session on Tuesday, May 7, 2013 with Mark Leeds, Dennis Bush, Rick Mongan, Jeff Simonsen, and Ginger Walker present. Dave Skou, Jeff Friedrichsen, Dave Scott, Ben Shuberg, and Ryan Kolpin were also in attendance. Unless otherwise indicated, all votes were offered as follows: Ayes – Simonsen, Mongan, Bush, Walker, Leeds; Nays – none; Abstentions – none.

Motion by Walker, seconded by Bush to approve the agenda. Motion carried.

Motion by Mongan, seconded by Bush to approve the minutes of the previous meeting. Motion carried.

Lisa Langlitz, Community Services Director, reported on the shifting of job duties for her staff and requested an increase in wages for an employee who will be taking on more of a supervisory role.

Motion by Mongan, seconded by Walker to approve a wage authorization from \$16.35 to \$17.35 for Dena Dungan, Case Manager Supervisor, effective July 1, 2013. Motion carried.

Jason Kline, Auditor's Election Assistant, presented an election equipment disposal certification form for the board's consideration. The County Auditor's Office must submit an annual listing of current certified election equipment and report purchases or deletions of inventory to the Secretary of State's Office.

Motion by Simonsen, seconded by Mongan to authorize the chairman to sign a HAVA Election Equipment Disposal Certification which states "The County hereby certifies that the total quantity of election equipment purchased solely or partially with funds received from the Federal Government or State of Iowa in order to comply with the Help America Vote Act (HAVA) of 2002 has been disposed of as reported in the detailed election equipment record maintained by the County Auditor and filed with the Secretary of State's Office. The County further certifies that the sale price or trade-in value of each piece of equipment had a fair market value of less than \$5,000 per unit." Motion carried.

Dave Skou, 911 Director, reported that he had applied for a State of Iowa E911 Program Grant that would cover half the cost of replacing the 911 phone system in the Communications Center and recently received a letter verifying "the request for Wireless E911 Carryover Funds in the amount of \$45,491.00 to replace customer premise equipment has been approved." Skou informed the supervisors that he would no longer need financial assistance from the county to complete the phone upgrade. The supervisors thanked Skou for his efforts in obtaining grant funds and for planning ahead to address potential hardware needs to keep the county functioning at optimal levels.

Dave Shanahan, County Engineer, discussed hiring seasonal outside labor positions and possibly employing an engineering intern for the summer. Leeds requested that Shanahan consider structuring his seasonal positions with wages similar to those of seasonal positions in the Conservation Department.

The supervisors reviewed proposed changes to lease agreements with the State of Iowa for office space at the Cherokee Mental Health Institute.

Motion by Simonsen, seconded by Walker to approve amendments to facility lease agreements as drafted by the State of Iowa for leased office space of the 3<sup>rd</sup> Judicial District Juvenile Court Officers and DHS Child Welfare Social Workers. Motion carried.

The supervisors discussed the role of the county in funding the Emergency Management Services Department (EMS). Ben Shuberg, EMS Coordinator, had previously said the county supervisors do not have control over the Emergency Management Fund since it is governed by a separate commission. Bush apologized to Shuberg saying that he has done research and found that the Code of Iowa states that the Board of Supervisors has no direct authority over the EMS budget including how the funds will be spent. The code allows for the following methods of funding the local emergency management budget: 1.) Countywide special levy; 2.) Per capita allocation of city and county funds; 3.) Allocation computed on each jurisdiction's total assessed valuation in the county; 4.) Voluntary share allocation. Bush stated that he is willing to take the heat for the decisions he makes and the budgets he is responsible for but he does not want to take the heat for budget decisions he is not responsible for.

Bush offered a motion that the County no longer fund Emergency Management through the General Fund effective October 1, 2013. Bush explained this gives the EMS Commission six months to determine how they want to fund their budget by other means allowed by Iowa Code. Bush emphasized that the EMS Commission needs to answer to the public for their budget decisions and not rely on the County Board of Supervisors to defend an expenditure that they have no control over.

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Walker stated that the Iowa Code says the EMS Commission has to determine what funding method the agency uses and the idea is they would come up with an equitable solution to fund the department. Walker suggested the county can work with the commission on the funding issue, but the County can't just say that it's not going to pay for this in the middle of a fiscal year. Bush contended that voluntary is just that, and if the EMS Commission says the County is going to pay for it 100%, then it's not voluntary. Mongan asked if the County is currently funding the EMS 100% without any support from the cities. Bush had asked Shuberg for legal documents or agreements showing that the county agreed to voluntarily fund 100% of the EMS budget. Shuberg has not been able to find any paperwork and past minutes do not include reference to any funding agreements. Simonsen added that the Emergency Management position started as a fully funded grant program and as the grant monies dried up, the county assumed payment of the budgeted expenses. Mongan stated that he was not ready to act on the motion on the table because he needed to research the issue before making any decisions. Bush reported that he had received a verbal opinion from the County Attorney that the Board of Supervisors could cease voluntary funding of the EMS. Bush also contacted the Iowa State Association of Counties' Legal Counsel for their opinion of the funding question but has not received a response. Simonsen agreed that a decision could be postponed since the expense of fully funding the EMS was already in the county's budget for 2013/2014. Bush reminded the supervisors that when they asked him to stand up before the State Appeal Board and defend the County's budget, they all agreed that they would look at expense items in a thoughtful manner and seriously consider what areas the County could make reductions or find alternative funding options. Walker got the impression that the supervisors are trying to fix something that isn't broken and reassured the other supervisors that as the County's representative on the EMS Board, she will definitely take the issue to the Commission. Mongan advised Walker that the Commission needs to work through this and come back to the Board of Supervisors with options before the county makes any decisions.

Bush amended his prior motion to say as of June 30, 2014, the County will no longer voluntarily fund Emergency Management through the General Fund.

Ryan Kolpin, County Attorney, interjected that he didn't believe the Board of Supervisors has the authority to refuse to fund the expense after their budget has been certified. Kolpin added that based on everyone's budgets already being certified, he didn't think the county can force any other entity to fund it in their 2013/2014 budget.

Simonsen seconded Bush's amended motion to end the County's voluntary funding of Emergency Management on June 30, 2014. Chairman Leeds called for further discussion and hearing none, called for a vote of the motion on the table. Motion carried with Walker voting nay.

There being no further business, Chairman Leeds adjourned the meeting at 10:17 a.m.

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Attest: \_\_\_\_\_

Mark Leeds, Chairman

Kris Glienke, County Auditor