

LINN COUNTY BOARD OF SUPERVISORS  
CEDAR RAPIDS, LINN COUNTY, IOWA  
MONDAY, FEBRUARY 13, 2017 9:00 A.M.

The Board met in session at the Linn County Jean Oxley Public Service Center.  
Present: Chairperson Oleson, Vice Chairperson Harris, Supervisors Rogers (via phone),  
Houser and Walker. Board members voting "AYE" unless otherwise noted.

Chairperson Oleson called the meeting to order.

Motion by Harris, seconded by Walker to approve minutes of February 7, 2017 as  
printed.

The Board discussed directing Linn County's lobbyist declaration for House Study Bill  
93 relating, in part, to voter registration and voter identity verification.

Auditor Miller stated that he is overall opposed to it in its present form. There are  
some things he can live with but is against voter id. E-pollbooks would require  
property tax dollars from Linn County.

Discussion continued regarding voter fraud in Linn County which Auditor Miller stated  
there is very low business risk and intent is lacking. When asked if the bill would  
make it harder to vote he stated yes and there are no dollars allocated for education.

Chairperson Oleson recognized Auditor Miller and staff already performing quality  
control and didn't know if this bill solves the issues.

Supervisor Walker thanked Miller for the work he put in investigating the bill and  
encourages Miller to share his insight and wisdom with Secretary Pate.

The Board agreed to register against HSB93 and will draft a document for approval on  
Wednesday.

The Board discussed communication to the state legislature regarding House Study Bill  
84, a bill relating to collective bargaining.

Darrin Gage, Dir. of Policy & Admin., stated that Linn County registered against this  
bill Friday. Supervisor Houser requested that this item be on the agenda for the  
Board to take additional action including sending a letter or a resolution.

Earlene Anderson, AFSCME, stated that this bill will affect all public sector  
employees along with everything that has been bargained for in good faith since the  
contracts began in Linn County. It limits the amount of money that they can bargain  
for and will take away the county's ability to bargain on health insurance. She feels  
that there will be another bill that comes out at a later date that will dictate what  
public employees will pay for health insurance. The bill doesn't leave a lot of  
discretion for counties to work with employees and will reduce their standard of  
living and it will hurt the community. It will also hurt the relationship between the  
local government and employees.

Discussion continued regarding the section of the bill prohibiting payroll deduction  
for union dues. Chairperson Oleson compared union deductions to charitable campaigns  
which take no additional administrative time. He stated that this is political  
payback and has nothing to do with public policy.

Supervisor Houser added that he thinks there are legislative members who don't  
understand the implications of this bill.

Rick Moyle, Hawkeye Labor Council, stated that this will affect public safety  
employees as well since the dues checkoff is eliminated for them. That is proof in  
his mind that this is a blatant attack on labor. He agrees with Oleson's comments  
that this is political payback and Branstad made it about healthcare. These bills are  
terrible and are bad for working families, Linn County and the State of Iowa.  
Legislators should be ashamed of themselves along with anyone that backs these bills.  
He encourages the Board to send a letter and emails. He thanked the Board for their  
stand against the bills.

Supervisor Harris stated that he is against this legislation. This is an awful and  
scary step back in a partnership they have promoted with the folks that work in Linn  
County. He is more than willing to sign a resolution.

Motion by Houser, seconded by Walker to adopt Resolution 2017-2-22

WHEREAS, House File 291 and Senate File 213 (the proposed legislation), as introduced  
in the Iowa General Assembly, relate to multiple public employment matters; and,  
WHEREAS, the proposed legislation restricts the scope of negotiations for most public  
employees to only the subject of base wages; and,  
WHEREAS, if enacted, the proposed legislation will codify the existence of different  
classes of public employees by continuing to allow public safety employees to bargain  
for subjects that will be excluded from the scope of negotiations for other public  
employees; and,  
WHEREAS, if enacted, the proposed legislation will make it unduly burdensome for  
bargaining units that do not represent public safety employees to continue to exist by

prohibiting payroll deductions for dues, requiring expensive annual recertification elections and increasing the number of votes required for recertification; and, WHEREAS, if enacted, the proposed legislation will weaken long-standing civil service protections for public safety employees by substantially changing the standards for discipline; and, WHEREAS, if enacted, the proposed legislation will inhibit due process, based solely on a person's status of being a public employee, by eliminating the right for public safety employees to receive a hearing with a civil service commission or the court system; and, WHEREAS, if enacted, the proposed legislation will erode the confidentiality of public employee personnel records by requiring the disclosure of information related to employee discipline, demotion or discharge; and, WHEREAS, the legislation that created Iowa Code Chapter 20 relating to public employment collective bargaining was based on compromise and passed with bi-partisan support from members of both parties and was signed by Governor Robert Ray; and, WHEREAS, the first section of Iowa Code Chapter 20 states that it is the public policy of the state to promote harmonious and cooperative relationships between government and its employees; and, WHEREAS, since the enactment of public employment collective bargaining legislation in 1974, the overwhelming majority of contracts have been approved without arbitration; and, WHEREAS, the Linn County Board of Supervisors believes passage of the proposed legislation will have a direct and immediate negative impact on public employees. NOW, BE IT THEREFORE RESOLVED the Linn County Board of Supervisors hereby opposes the passage of HF 291 and/or SF 213 and encourages legislators to vote against the proposed legislation.

The Board discussed communication to the state legislature regarding House Study Bill 92, a bill relating to the state prohibiting counties and cities from establishing certain regulations.

Chairperson Oleson stated that this is a pre-emption bill (civil rights issues, paper/plastic sacks and minimum wage). The Board is registered against it.

Gage explained that this bill goes well beyond minimum wage. It affects citizens and counties doing anything in the field of civil rights.

Motion by Rogers, seconded by Houser to oppose HSB92 and direct staff to prepare a resolution.

Discussion: Supervisor Houser stated that this bill undermines the intent of the constitutional change with the Home Rule authority.

Discussion continued regarding the possibility of a multi county lawsuit with regard to minimum wage.

Vote: All Aye

Dawn Jindrich, Budget Dir., discussed Fiscal Year 2018 budget decisions. She asked the Board what their decision is for the county wide levy rate.

Motion by Oleson, seconded by Houser to approve the FY18 budget with zero change in the levy rate; 3% raises for non-collective bargaining unit (management) employees; remainder of the money to be placed at the discretion of the Budget Dir. in Economic Development, CIP or any other area she deems necessary to be ratified at the time the budget is approved.

Discussion: Supervisor Harris stated that he is in favor of passing a two cent reduction in the levy rate and using the balance for a three percent raise for management. He agrees with the discussion on Economic Development and CIP at the Budget Director's discretion. He is opposed to the motion.

Chairperson Oleson stated that he cannot lower the levy. There are too many potential obligations with lowering the levy rate by two cents. He is not opposed to a tax decrease but it isn't responsible in Oleson's mind.

Supervisor Rogers stated that they have alternatives in the Economic Development Fund for the \$200,000. There are mechanisms that could meet the Towner Terrace commitment that would leverage millions of other dollars.

Supervisor Houser brought up the Commercial and Industrial Backfill that will be phased out in 2019 and Jindrich added that it is a phase out and not an elimination.

Supervisor Walker stated that while he would love to reduce the levy rate he thinks it is most prudent that they maintain the levy since they have future obligations they should be thinking about. He wouldn't want to reduce the levy for one year and then raise it the next.

Supervisor Harris stated that he is happy with the concept of the yo yo effect on the levy rate. They have the opportunity to pass on the levy rate reduction with the understanding that it may go up in a year or two.

Supervisor Houser added that when bringing on debt service with the bonds for clean water through Conservation the two cent reduction can be used towards that debt service. Jindrich stated that it won't make much of a difference.

VOTE: Oleson, Houser, Walker - Aye Harris, Rogers - Nay

PUBLIC COMMENT:

Earlene Anderson, AFSCME, stated that the bill is separating certain groups such as police, fire, highway patrol (they perform great services taking their lives in their own hands) but correctional officers, nurses and teachers are being excluded. All public sector jobs are important and each one carries a danger. The bill excluding public safety and limiting is a divide and conquer approach.

Auditor Miller addressed concerns related to the budget and the high water rock (notified Supervisor Harris). The rock is owned by the state and while they are discussing unfunded mandates, the Board is sending mixed signals when they are spending money on a rock the state ones. Miller asked that the Board look at what the state did to the county before paying for it. Is it a priority to spend \$8,000 to raise or correct a rock that may get moved again the next time they have a flood or flood walls are put up?

Brandon Pflanzner, Iowa Professional Fire Fighters, thanked the Board for their support in passing a resolution. The bill limits the civil service aspect and gives the Fire Chief the power to fire them. They could also be fired for a dress code violation. It also takes away the district court, simply for being a public employee, they lose the ability to appeal any decision to the district court. He appreciates that they are exempt from the scope of bargaining but they are staying together as one.

Matt Woerner, Cedar Rapids Fire Captain, thanked the Board for their stance on the collective bargaining bill. This is more of a divide and conquer situation. He is speaking from his experience in the 20 years he has been at the fire dept. and the input process with collective bargaining has strengthened their relationship with management. Everyone he has spoken to from their bargaining unit are against this bill.

Scott Smith, 5012 110<sup>th</sup> Street, Solon, stated that he is representing the Centers for Workers Justice of Eastern Iowa. He thanked the Board for their support opposing all three of the bills. They do no good for turning out to vote and they do no good for the public employees that do a tremendous job in the county and the entire state. It's a travesty that this Republican majority in the house and senate wants to take a national agenda from a political organization. This is just an example of the labor harmony that survives and succeeds in Linn County.

Joe Stutler, 2647 29<sup>th</sup> Ave, Marion, thanked the Board for opposing HSB92. He is speaking against the bill from a civil rights perspective. He is a disabled war veteran and worries about others with disabilities and minorities. He put his life on the line and this bill will have a direct immediate impact on the City of Marion which is his community. He explained that on March 3<sup>rd</sup> of last year a landlord did not want to rent to people who received benefits and only wanted to rent to people that earned their money. If money is obtained legally it can't be discriminated against the source. He gave an example of two one dollar bills and how one is valueless because it came from veteran's money due to a disability and the other bill came from W2 earned wages. He finds it despicable that Republicans want to squash civil rights in his community. He put his life on the line for his country only to have Republicans tell him there is something wrong with him and his money isn't any good.

Supervisor Oleson, as a Board member, to the fire fighters and other class of employees that are somewhat exempted this time. He thinks the message in between the lines to them and in law enforcement (fire fighters know what he means) when he says the legislature is saying to them "watch their six" because they will be next.

Supervisor Houser thanked everyone that attended today's meeting and showed their support for the Board's position. The Board will fight until the end.

Supervisor Walker stated that with HSB92 and the collective bargaining reform they are creating different classes of people and workers. As a student from history, he finds it appalling that the state legislature is seeking to codify difference classes of people and workers. He hopes that the majority of citizens and residents will see it for what it is and that is a shameless attempt to divide people and pit people against people. The Board is standing against it.

Motion by Houser, seconded by Harris to approve Employment Change Roster (Payroll Authorizations) as follows:

AUDITOR'S OFFICE

Voter Outreach Coord.	Edwin Valladares	Termination/resignation 2/9/17
Accounting Analyst	Rhonda Betsworth	New emp 3/6/17 38A \$24.56/hr. Repl B. Wood

FACILITIES DEPARTMENT

Custodian	Guillermo Ricardo Jaramillo Gonzalez
	New emp PT 2/13/17 10A \$15.73+\$ .25 Repl R. Slattery

Center Aide                    Jessica Johnson            Step increase 2/3/17 51D \$15.18-51E \$15.97

Page 4  
February 13, 2017

PUBLIC HEALTH

Environ. Health Spec. Brianna Gabel            End of Probation 2/16/17 39A \$26.44-39B \$27.81

COMMUNITY SERVICES

Intake Tech                    Alissa Gunsolly            Temp increase in hr.'s 2/1/17 55D \$20.26/hr. 35 hr./wk.

Motion by Houser, seconded by Harris to approve ACH in the amt. of \$47,452.73.

The Board received and placed on file the following correspondence: "A Sweeping Attack on Home Rule" and ALEC's Greatest Hits".

Supervisor Harris stated that a majority of the Board will be attending NACo on February 27<sup>th</sup> and 29<sup>th</sup> so they will cancel the Board meetings on those days. There will be a meeting on March 1<sup>st</sup> and at least one Board member will need to call in for that meeting.

Motion by Houser, seconded by Harris to go into closed session to discuss pending litigation, pursuant to Code of Iowa 21.5(1)(c).

Oleson - Aye            Rogers - Aye            Harris - Aye            Houser - Aye            Walker - Aye

Motion by Houser, seconded by Harris to go out of closed session.

Oleson - Aye            Harris - Aye            Houser - Aye            Walker - Aye

Motion by Houser, seconded by Harris to approve Claims #70593963-#70594004 in the amt. of \$2,051,996.93.

Adjournment at 10:28 a.m.

Respectfully submitted,

JOEL D. MILLER, Linn County Auditor  
By: Amanda Hoy, Executive Assistant

Approved by:

BRENT OLESON, Chairperson  
Board of Supervisors