

**OFFICE OF THE COUNTY ADMINISTRATOR**

600 West Fourth Street  
Davenport, Iowa 52801-1003

Office: (563) 326-8702  
Fax: (563) 328-3285  
[www.scottcountyiowa.com](http://www.scottcountyiowa.com)

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November 25, 2014

TO: Board of Supervisors  
From: Dee F. Bruemmer, County Administrator  
RE: Discussion of 2015 State legislative Priorities

We have been working on our 2015 legislative priorities for the last few months. Included is a draft of the issues to be used at our first legislative forum on December 12 with our 10 area legislators. We will go over them at the Committee of the Whole along with the most recent draft of the Urban County Coalition priorities. From your input I will draft the final set for your approval on December 4, 2014.

## **2015 Legislative Priorities**

### **Draft**

#### **Mental Health Funding**

As counties continue to implement Mental Health Redesign that was envisioned in the 2012 legislation (SF 2315), it is important that adequate funding continue to be provided to allow counties to transition to the new regional service system without negatively affecting current services.

- Provide sufficient funds for FY 16 to ensure that counties and MH/DS regions have the resources necessary to provide and manage services.
- Provide sufficient time for regions to develop and start up crisis services. Allow regions to budget over multiple years for the start-up costs.
- Amend the Iowa Code to vest all employment responsibilities for the judicial mental health advocates with the regions.
- Eliminate the requirement that the DHS director approve the region's budget and any subsequent budget amendments. This provision removes local budget control and will cause difficulties in providing stable services. The region should be able to budget and amend its budget to fulfill the approved management plan that is in place.

#### **Infrastructure Funding**

Counties are spending an increasing amount of local tax dollars and utilizing bonding capacity to fund a greater share of the rising costs of maintaining our state's aging transportation infrastructure. The current revenues that come from the Road Use Tax Fund have not kept pace with the increasing cost of construction and maintenance. Over the last several years there has been consensus that more money is needed for the system. Scott County supports the Governor's Transportation 2020 Citizen Advisory Commission recommendations to raise at a minimum, an additional \$215 million annually and hope the legislature will approve funding through various options. That solution could be a fuel tax increase or sales tax on wholesale fuel or a hybrid change of the two taxes.

#### **Unfunded and Underfunded Mandates**

Along with the Urban County Coalition we are advocating that the legislature address two issues which are clear unfunded mandates and shifting of costs from the state to counties.

- Counties must furnish and maintain a courthouse which serves the justice system and provides a workplace for many state employees associated with the court system. However, the State does not contribute to the expense of running the courthouse. It is increasingly difficult to find voters willing to pay for courthouse improvements. In fact, they even are unwilling to provide the funds for the necessary security of the courthouse. In Scott County's case we spent \$438,370 for maintenance and \$806,000 for security in FY14. We will be spending nearly 5 million dollars to renovate the first floor clerk of court areas and magistrate courts to assure greater security for judges and employees in the next two years. We think the funding of these costs should be shared by those who use the court system. We would like the legislature to consider increasing the court fees or allowing a portion of the fees collected to be distributed to counties for courthouse maintenance and security.
- Counties are required to house state offices at local taxpayer expense. Currently the State does not fully reimburse counties for the cost of the agency's operation. In the case of DHS, counties are reimbursed for about 38% of the expenses submitted. Scott County's FY14 DHS non reimbursed expense was \$575,436. In addition Scott County is a regional hub and must pay for services delivered to other counties or for regional administrative costs that should not be funded by the local tax payer. This current situation is a result of consolidating field office operations. The state should eliminate the inequities by fully funding the county costs.

Currently the fee structure for many user based services such as the fees for food inspection services, and the issuance of licenses and permits on behalf of the state, does not cover the cost for providing the service. As a result, these fees have been subsidized by property taxes for many years. Fees should be set based on actual costs.

- As an example, the Scott County Health Department performs several inspections on behalf of the State. Current costs have been calculated for these inspections and the County subsidized the inspections services in FY14 in the amount of \$140,500 because the revenue does not cover the cost. Another example is the Recorder's Office where licenses and vital record fees again do not cover the cost of issuance. Here, for every dollar of revenue the county receives from the state, the county must match by two dollars to fully fund the service. If the legislature would consider a model of funding that could eliminate the property tax subsidy it would allow counties to lower the property tax levy. Fees could be set and be linked to a Consumer Price Index so that the fees can keep pace with rising costs.

**Behavioral Car Transport:** Scott County would like the legislature to fund a three year pilot project through the Department of Human Services to allow Medicaid and Medicare reimbursement for behavioral car transport similar to ambulance reimbursement. Currently there is a shortage of beds for mental health stays and patients are driven across the state daily for services. The only transportation is a fully staffed ambulance service or transport by the Sheriff's department. Neither of these transport methods is cost effective. In conjunction with Scott County's primary ambulance service, Medic, we would like to provide service to the Eastern Iowa Mental Health Region through the use of behavioral cars using EMTs.

**Warrants:** The County is requesting a modification to Iowa Code §804.4 that would permit "County employees serving as Bailiff's" to serve a warrant to an individual in the Courthouse. The state code currently limits this activity to "peace officers". We believe the change would have limited impact to Scott and Clinton Counties as we employ Bailiffs that do not meet the state definition of "peace officers" to perform duties related to security in the Courthouse. This change would prevent a deputy from having to leave the street to perform the task.

**Language Proposal:** §804.4 The warrant may be delivered to any peace officer for execution, and served in any county in the state. **Add:** Additionally a bailiff employed by a County may deliver a warrant while on duty serving as security in a courthouse.

### **Additional Issues**

**TIF Issues:** The recent approval of an urban revitalization area for economic development in Riverdale has brought to light the gross misuse of the legislation. Riverdale has approved a district that includes the Alcoa plant which is the fifth largest taxable assessed value in the County in order to capture the increased value of the recent expansion. The City admits that it has developed the area to take the new taxes from the other taxing jurisdictions. The projects that are mentioned in the plan are street improvements and fire station improvements that should be borne by the local government. We feel Riverdale has misused this tool for economic development and legislation should be drafted to prevent a jurisdiction from creating an urban renewal area if TIF financing was not necessary to create the increase in such valuation.

**REAP Funding:** We would like the Legislature and the Governor to fully fund the program at the 20 million dollar level.

**County Bonding:** Scott County believes that in matters of public finance, counties should be treated in the same manner as cities. We support the provisions which allow counties flexibility in bonding for certain projects that the cities currently enjoy. Under current law, bonds issued for public buildings are authorized as “essential county purpose” bonds if the cost of the building project does not exceed dollar amounts specified in the *Iowa Code*; for Scott County the amount is \$1.2 million dollars. Bonding projects or any upgrade project that exceeds \$1.2 million dollars must be approved by referendum with 60% voter approval. Scott County would like the *Iowa Code* amended to modify the requirements for essential county purpose bonds to mirror the requirements for Iowa’s cities and base bond amount limitations for public buildings on the amount of the bonds issued rather than on the total cost of the project. Essential county purpose bond limitation amounts would apply to the principal amount of the bonds issued rather than the cost of the project.

- **Publications:** Newspaper available for publication is decreasing in the large counties. Scott County is required to publish many items in three newspapers. Currently there are only two publications that meet the definition. Requiring counties to publish in only one newspaper, like cities, would allow counties to negotiate a fairer rate to place notices and minutes. The large counties would continue to elect to publish in more than one paper because of readership.