

County Government in Iowa

County governments serve as administrative agents of the state government. They are created by the State and may be eliminated by the State. Thus, the State legislature has plenary power over the 99 counties that have been established in Iowa. The only powers that the counties may exercise are those delegated to them by the legislature.

The Iowa Constitution of 1857 guarantees the territorial integrity of counties in that no county boundaries may be changed until such a revision has been approved by a majority vote of the electorate in any county affected. Similarly the Constitution protects a county from the legislature's arbitrary changing of the county seat.

The only county government office in Iowa that is provided in the state constitution is that of county attorney. All other county offices have been created by acts of the state legislature. Thus, they could conceivably be eliminated by any session of the Iowa General Assembly, while it would require a constitutional amendment to do away with the county attorney's position in each of the 99 counties.

Since the counties were established by state action with no participation by the residents of the

areas involved, and because they serve as administrative agents of the state, they are commonly classified as quasi corporations as contrasted with municipal corporations. The latter are voluntary governmental units unlike the involuntary status of the counties.

The county board of supervisors is the semi-policy making agency for county government in Iowa. The board is composed of three, five, or as many as seven popularly elected supervisors. The number is determined by the voters of the county; most counties have three, but the number of counties with five member boards is nearly as great.

In 1838 the first Territorial Legislature authorized the first county board to be activated. This board was known as the board of county commissioners and was created as a "body corporate and politic." The county judge system, whereby one man was elected to be the chief administrative officer, was used for several years but the present county board of supervisors was established in 1860. By state statute the county auditor serves as the secretary of the board of supervisors and the members elect a chairman each year from their own ranks.

The board's powers and duties may be placed in three general categories: finance, property control, and supervision of county employees.

THE PRINCIPAL COUNTY OFFICERS IN IOWA

OFFICER	METHOD OF SELECTION	TERM OF OFFICE
County Board of Supervisors (3-5-7)	Popularly elected (at large by districts) Partisan ballot	3 years (Terms Staggered)
County Attorney	Popularly elected	2 years
County Sheriff	Popularly elected	4 years
Clerk of District Court	Popularly elected	4 years
County Auditor	Popularly elected	4 years
County Treasurer	Popularly elected	4 years
County Recorder	Popularly elected	4 years
County Board of Education	Popularly elected	6 years (Terms staggered)
County Superintendent of Schools	Appointed by Board of Education	3 years
County Engineer	Appointed by Board of Supervisors	3 years
County Assessor	Appointed by County Conference Board	4 years
County Medical Examiner	Appointed by Board of Supervisors	2 years
County Home Steward	Appointed by Board of Supervisors	Indefinite
County Board of Review	Appointed by County Conference Board	4 years
County Board of Social Welfare	Appointed by County Board of Supervisors	1 year

POWERS AND DUTIES OF THE BOARD
OF SUPERVISORS

FINANCIAL CONTROLS

1. Settle all accounts of the county.
2. Settle all claims against the county.
3. Manage and control the county school fund.
4. Purchase materials and supplies needed by county officers.
5. Fix compensation of officers and employees of the county in lieu of state regulation.
6. Fix the final property tax levy for county government maintenance.

PROPERTY CONTROL

1. Control use of all county's corporate property.
2. Supervise care and management of county property.
3. Insure all county buildings.
4. Acquire necessary real estate for county use.
5. Sell any land no longer used and needed by the county.
6. Authorize disposal of records no longer needed.

SUPERVISION OF COUNTY PERSONNEL

1. Require periodic reports from all county officers.
2. Remove any county official for failure to comply with directives.
3. Appoint any county official where no other means is provided by law.

Finance Administration

No one officer in county government in Iowa can be held accountable for the administration of the finances of the county because the responsibility is divided among the county treasurer, county

auditor, county assessor, and the county board of supervisors. Consequently, improvements in fiscal management have been slow and a considerable amount of "passing-the-buck" is sometimes found in some counties. The supervisors do not have discretionary powers in the county tax levy, but act more as a ministerial agency assembling the financial budgets requested by the various county offices. The state statute is specific in the number of funds that may be levied and also specific in the maximum amount that may be levied in each of the separate funds. The board of supervisors does some financial coordination and establishes, after holding public hearings, the tax rate to be assessed against the real and personal property within the county.

Unfortunately no one officer can be pointed to as the financial officer of Iowa county governments. With the shared responsibility the fiscal management suffers from lack of modern methods and accounting techniques.

Law Enforcement

Three popularly elected officials, one appointed officer, and a group of laymen recruited as a county grand jury constitute the officials administering the county law enforcement in each of Iowa's 99 counties. This system is as old as the state itself and has had little improvement in the last one hundred years. The cooperation among the agents of law enforcement (the county attorney, the county

sheriff, the clerk of district court, and the appointed medical examiner) is primarily on a voluntary basis with no one individual exercising any legal power of coordination or supervision over the other law enforcement officials. Thus, in the second half of the Twentieth Century, with the network of modern highways and the universal use of the automobile, the methods employed by the criminals have changed and advanced but not the county administrative organization for law enforcement. In spite of the archaic administrative machinery many county law enforcement agencies are operating efficiently.

Other County Government Activities

Two of the most important county activities are concerned with maintenance of secondary roads within the county and the county public welfare program. Both of these functions are carried on with some supervision by state authorities, much more so in the latter than in the county engineer's department. The county engineer, who is appointed by the county board of supervisors, must be a licensed or registered civil engineer. He has general charge of the construction, maintenance, and repair of all bridges and highways within the county that are under the control of the county board. The annual county road program must be submitted to the State Highway Commission and be approved by that agency before it can be executed. Usually the number of employees who are

supervised by the county engineer in his department is larger than in any other county office.

The county welfare board is appointed annually by the board of supervisors and it directs the operation of the county welfare agency. The county welfare director must be approved by the state merit system council and the state department of social welfare. Most of the funds expended by this agency are from grants by the state and federal government and are distributed under rules and regulations outlined by the appropriate state and federal bureaus.

County Government Reorganization

The greatest progress in the area of reorganizing county government has been in the position of county superintendent of schools. Several counties have taken advantage of the opportunity allowed by recent state legislation that enables two or more counties to jointly employ a county superintendent. Greater use of this statute will probably be occurring in the future. The legislature has also established a method wherein two or more of the county offices within a single county may be consolidated. However, the method is so cumbersome that no county office consolidation has as yet been successfully completed and in fact in only one instance has the question been placed to a vote of the people. The procedure involves the filing of petitions which are signed by twenty-five percent of the number of voters in the last election re-

questing that two specified offices be consolidated. The question is then voted upon by the electorate of the county and fifty-one percent of those voting must favor the combining of the offices.

Little interest, other than among academicians, has been evident for the utilization of a county manager system of government for Iowa counties. The plan, which has been extensively used in California, is similar to the council-manager plan which is employed in a number of Iowa cities.