

# PROCEEDINGS OF THE BOARD OF SUPERVISORS OF MITCHELL COUNTY, IOWA

Tuesday, January 4, 2021

The Board of Supervisors convened at 8:30 a.m. with all members present. Also, present were Greg Beaver, Rich Brumm, Keith Horgen, Aaron Murphy, Kathie Blake, Sheri Penney, Amanda Baer, Randy Conrad, Jessica Hemann, Nick Hemann, Gayle Nelson, Dave Hartogh, Andrew VanBeek, Tara Schwarck, Denny Hemman, Jean Hemann, Jeff Olson, Jane Olson, and Paul Boerjan. Due to COVID 19 the meeting was made available by video via "Go to Meeting". Motion by Hendrickson, second by Frein to approve the agenda. All voted aye.

Motion by Mayer, second by Wherry to approve the minutes of the December 28<sup>th</sup> & 29<sup>th</sup> meetings. Roll call: all voted aye.

Motion by Hendrickson, second by Smolik to approve Mayer as Chairperson and Wherry as Vice-Chair of the Board of Supervisors. Roll call: all voted aye.

Motion by Smolik, second by Hendrickson to set the following office days for Supervisors to be available in the Courthouse – Wherry on Monday's, Hendrickson on Tuesday's, Smolik on Wednesday's, Frein on Thursday's, and Mayer on Friday's. Roll call: all voted aye.

Motion by Frein, second by Smolik to approve the following committee and board appointments: Animal-Feeding Operation Complain Investigations – Frein District 5, Wherry District 1, Smolik District 2, Mayer District 3, and Hendrickson District 4; Area Agency on Aging County Advisory Committee – Frein with Hendrickson as alternate; Assessor's Conference Board – Frein, Wherry, Smolik, Mayer, and Hendrickson; Board of Health – Mayer with Smolik as alternate; Board of Supervisors Appointee to NIACOG Board – Tracy Church as the non-elected person and Rick Bodensteiner as Mitchell County's City appointee; Central Iowa Detention – Mayer with Smolik as alternate; County Emergency Management Commission – Smolik with Wherry as alternate; County Social Services 28E Governing Board – Hendrickson with Mayer as alternate; E911 Board – Smolik with Wherry as alternate; FMC DECAT Governance Board – Frein with Hendrickson as alternate; FMC – ECI – Frein with Hendrickson as alternate; FMC Landfill – Smolik with Wherry as alternate; Heartland Insurance Rick Pool Trustee – Hendrickson with Mayer as alternate; Homeward – Wherry with Frein as alternate; Local Elected Officials Board – Hendrickson with Mayer as alternate; Mitchell County Conservation Board – Mayer with Smolik as alternate; Mitchell County Economic Development Commission – Frein with Hendrickson as alternate; Mitchell County Fair Board – Frein with Hendrickson as alternate; Mitchell County Wellness – Hendrickson with Mayer as alternate; NIACOG Board – Wherry with Frein as alternate; NIACOG commission – Smolik with Wherry as alternate; NIACOG Revolving Loan Committee – Shannon Paulus; North Central Regional Emergency Response Commission – Smolik with Wherry as alternate; North Iowa Community Action Organization – Mayer with Smolik as alternate; North

Iowa Juvenile Detention Services – Wherry with Frein as alternate; North Iowa Long Term Disaster Recovery Committee – Mayer with Smolik as alternate; North Iowa Port Authority – Wherry with Frein as alternate; North Iowa Regional Housing Authority – Tracy Church; Northeast Iowa Local Workforce Development – Hendrickson with Mayer as alternate; REAP Committee – Wherry with Frein as alternate; Safety Committee – Smolik and Hendrickson; Second Judicial District Department of Correctional Services – Wherry with Frein as alternate; Shell Rock Watershed – Hendrickson with Mayer as alternate; Sister City – Shannon Paulus; Substance Abuse Coalition Board – Mayer with Smolik as alternate; T-21 (Region 2 Policy Board) – Wherry with Frein as alternate; Upper Cedar Watershed – Wherry with Frein as alternate; Upper Wapsi Watershed – Smolik with Wherry as alternate; Valent BioSciences – Frein with Hendrickson as alternate. Roll call: all voted aye.

Motion by Wherry, second by Hendrickson to authorize the County Auditor to issue warrants in payment of all county payroll, Iowa Public Employee's Retirement, Social Security, Health Insurance and approved claims. Roll call: all voted aye.

Motion by Smolik, second by Hendrickson to designate St. Ansgar Enterprise Journal and the Mitchell County Press News as the official Newspapers for Mitchell County for 2022 and to appoint Enterprise Media Group, Publisher of the Enterprise Journal, as an agent to serve notice of expiration of Right of Redemption and to be the legal publication when one publication is required. Roll call: all voted aye.

Motion by Smolik, second by Mayer to designate Rich Brumm, Mitchell County Engineer, to be authorized and empowered on behalf of the Board of Supervisors to execute the certification of completion of work and final acceptance thereof in accordance with plans and specifications, therefore in connection with all Farm to Market Construction projects in the County. Roll call: all voted aye.

Motion by Wherry, second by Frein to designate maximum rates that are allowed to be reimbursed to County Employees for meeting expenses: room – actual reasonable cost, a total per day of meals not to exceed \$30.00; and mileage reimbursement at the Feder Rate (\$0.585 per mile). Individual meals may exceed the amount allowed if the price included meeting room expense and shall be so indicated on the receipt. No meals will be reimbursed without a receipt. Appointments of Supervisors to various boards shall constitute approval for necessary expenses at those board meetings incurred throughout the calendar year 2022. County Supervisors using a personal cell phone to conduct county business may receive a monthly stipend of \$30.00 for partial monthly billing costs. Roll call: all voted aye.

Motion by Frein, second by Mayer to appoint Dr. Kelly Ross the Mitchell County Medical Examiner for 2022 with Dr. Jeff Nasstrom, Dr. Benson Hargens, and Dr. Megan Peterson as Deputies with the coroner's fee to be \$100.00 plus mileage at the current county rate. Roll call: all voted aye.

Motion by Wherry, second by Smolik to provide the following assurances to the Iowa Department of Transportation according to provisions of the 1970 Uniform Relocation Assistance and Land Acquisition Policies Act:

1. It is the policy of Mitchell County to acquire right-of-way in accordance with Title III of said 1970 Act as amended by the Title IV, and applicable state laws.

2. It is the policy of Mitchell County to provide relocation assistance benefits in accordance with Title II of said 1970 Act as amended by Title IV, and applicable State Laws.

3. Mitchell County will contact the Iowa Department of Transportation for assistance as needed to assure compliance with applicable laws which are summarized in the instructions entitled "uniform Manual, Real Property Acquisition and Relocations Assistance." Roll call: all voted aye.

Motion by Hendrickson, second by Frein to establish a rate of 1.9 times the assessed valuation in acquisition of Right of Way for local road projects and damages for fence removal at the rate of \$9,00 per rod for woven fence and \$7,00 per rod for barbed wire play \$150 per acre crop damage allowance. Roll call: all voted aye.

Motion by Smolik, second by Hendrickson to approve the 2022 Mitchell County dues and/or Contributions to the following organizations: NIACOG dues @ \$0.87/capita (rural only) \$3,863.67, Region 2 Transit assessment @ \$1.78/capita \$18,805.70, and NCRERC dues @ \$0.81/capita \$8,557.65. Roll call: all voted aye.

Motion by Wherry, second by Mayer to appoint to the Mitchell County Land Compensation Commission for 2022 (Iowa Code 6B.4) the following:

Licensed Real Estate Brokers: Dale Blakestad, Lisa Pollard, Clarence Kruse, Bob Muller, Kevin Kolbet, Phil Kolbet, Janean Kolbet

Owner-Operator of Agricultural Property: Paul Groth, Russ Bissen, Curtis TerHark, Deanna Eastman, Jack Edgington, Dean Theis, Rodney Kunz, Pete Thome, Karl Theis

Owner of City or Town Property: Ton Heard, Richard Brown, Jerry Dunlay, L. Dean Pohren, Kelvin Palsic, Gordon Anderson

Persons having Knowledge of Property Values: Scott Brandau, Rodney Patterson, Jake Koenigs, Bill Denner, Dean Wright, Tim Schulz

County Attorney Murphy discussed his opinion on the venues south of Osage, and the vote should go back to the Board of Adjustment. Murphy has not seen any insurance paperwork from Midwest Engineering.

County Sheriff Beaver said the holidays were busy, but everything went fine. Beaver also stated the Orchard Mayor gave notice to the owner that gives a deadline that the property needs to be cleaned up before citation.

Auditor Foster asked for department heads to contact her to begin having employees test the new timeclock system. Wherry asked for an agenda to be posted for the Planning & Zoning meeting happening

tomorrow evening. Wherry brought to the attention that we have not given money towards Foster grandparents since 2016.

Beaver asked for an update on electronic time clocks. Foster discussed the customization that is being done to make the transition smoother.

County Engineer Rich Brumm discussed the Hwy 105 bridge that needs to be repaired and is looking into temporary traffic control. Brumm stated the new grader has not showed up; however, Caterpillar has loaned one in the meantime. Engineer Brumm gave a Balsam bridge update. Brumm stated there is a 22-30% increase for new signs from Prison Industries.

Amanda Jacobs discussed the Board of Adjustment meeting that happened last week. Jessica Hemann answered some questions that citizens had, as well as reading the initial letter she had prepared describing the venue plans. Motion by Hendrickson to approve the Venue south of Osage. Motion died for a lack of a second. The vote will go back to the Board of Adjustments after the proper public notice has been completed.

Motion by Smolik, second by Wherry to approve the Opioid Litigation Settlement. Roll call: all voted aye.

Andrew VanBeek from Midwest Engineering gave an update on the HVAC upgrade. Andrew did state bidding will end at 3:00 p.m. on February 9, 2022.

Items of Note: Mayer reported on Substance Abuse Coalition and Board of Adjustment, Wherry, Smolik, Hendrickson, and Frein reported on Board of Adjustment. There were no public comments.

Motion by Frein, second by Wherry to adjourn the meeting. All voted aye. Meeting adjourned at 11:47 a.m.

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Rachel Foster – Mitchell County Auditor

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Michael Mayer – Chair Board of Supervisors