

PROCEEDINGS OF THE BOARD OF SUPERVISORS OF MITCHELL COUNTY, IOWA

Tuesday, January 3, 2023

The Board of Supervisors convened at 8:30 a.m. with all members present. Also, present were Paul Boerjan, Keith Horgen, Brenda Miller, Sandy Offen, Laura Huisman, Greg Beaver, Aaron Murphy, Rich Brumm, Terri Tesch, and Lowell Tesch. The meeting was made available by video via "Go to Meeting". Motion by Wherry, second by Hendrickson to approve the agenda. All voted aye.

Motion by Frein, second by Wherry to approve the minutes of the December 27th meeting. Roll call: all voted aye.

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

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

Motion by Hendrickson, second by Mayer to approve the following committee and board appointments: Animal-Feeding Operation Complain Investigations – Frein District 5, Wherry District 1, Hartogh 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, Hartogh, Mayer, and Hendrickson; Board of Health – Mayer with Hartogh as alternate; Board of Supervisors Appointee to NIACOG Board – Tracy Scharper as the non-elected person and Brock Water as Mitchell County's City appointee; Central Iowa Detention – Mayer with Hartogh as alternate; County Emergency Management Commission – Hartogh with Wherry as alternate; County Social Services 28E Governing Board – Hendrickson with Mayer as alternate; E911 Board – Hartogh with Wherry as alternate; FMC DECAT Governance Board – Frein with Hendrickson as alternate; FMC – ECI – Frein with Hendrickson as alternate; FMC Landfill – Hartogh with Wherry as alternate; Heartland Insurance Rick Pool Trustee – Hendrickson with Mayer as alternate; NIACOG Housing Trust Fund – Wherry with Frein as alternate; Local Elected Officials Board – Hendrickson with Mayer as alternate; Mitchell County Conservation Board – Mayer with Hartogh 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 – Hartogh with Wherry as alternate; NIACOG Revolving Loan Committee – Shannon Paulus; North Central Regional Emergency Response Commission – Hartogh with Wherry as alternate; North Iowa Community Action Organization – Mayer with

Hartogh as alternate; North Iowa Juvenile Detention Services – Wherry with Frein as alternate; North Iowa Long Term Disaster Recovery Committee – Mayer with Hartogh as alternate; North Iowa Port Authority – Wherry with Frein as alternate; North Iowa Regional Housing Authority – Tracy Scharper; Northeast Iowa Local Workforce Development – Hendrickson with Mayer as alternate; REAP Committee – Wherry with Frein as alternate; Safety Committee – Hartogh 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 Hartogh as alternate; T-21 (Region 2 Policy Board) – Wherry with Frein as alternate; Upper Cedar Watershed – Wherry with Frein as alternate; Upper Wapsi Watershed – Hartogh with Wherry as alternate; Valent BioSciences – Frein with Hendrickson as alternate. Roll call: all voted aye.

Motion by Mayer, second by Frein 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 Hendrickson, second by Hartogh to designate St. Ansgar Enterprise Journal and the Mitchell County Press News as the official Newspapers for Mitchell County for 2023 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 Frein, second by Hartogh 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 Mayer, second by Hendrickson 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 (\$0.655 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 2023. 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 2023 with Dr. Jeff Nasstrom, Dr. Benson Hargens, and Dr. Megan Peterson as Deputies, and Kevin Crowe and Jessica Clayton as MEI's 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 Frein 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 Mayer, second by Hartogh to approve the 2023 Mitchell County dues and/or Contributions to the following organizations: NIACOG dues @ \$0.95/capita (rural only) \$4,216.10, Region 2 Transit assessment @ \$1.93/capita \$20,390.45, and NCRERC dues @ \$0.86/capita \$9,085.90. Roll call: all voted aye.

Motion by Frein, second by Mayer to appoint to the Mitchell County Land Compensation Commission for 2023 (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 stated his trial in Cresco has been continued. Murphy expects another judge to be assigned to the Kephart case on January 25, 2025, at 9:00 a.m. Supervisor Hendrickson asked about departments following the handbook. Attorney Murphy stated that the handbook is more of a guideline, and the elected officials and autonomous boards can have their own handbooks.

County Sheriff Beaver purchased a truck last week from Billion in Iowa City. The truck cost \$48,600, Beaver had budgeted \$45,000 however his budget is fine. Sheriff Beaver still has 2023 on order with Karl Chevrolet. Beaver had to terminate an employee after Christmas. Sheriff Beaver received a call from Riceville's pro tem mayor, Sal Gomez, to extend their contract another 30 days. Motion by Mayer, second by Hendrickson to extend services to Riceville through January 31, 2023. Roll call vote: all voted aye.

Supervisor Wherry stated he received two funding requests that will need to be added to next week's agenda. Wherry received an email from Andrew Van Bleek requesting changes per the fire marshal.

County Engineer Rich Brumm submitted the final plans for the Hwy 105 bridge. Brumm stated Title VI needs to be updated with Wherry's contact information. Engineer Brumm stated the crews are scratching the gravel roads and the salt shed is getting thin. Supervisor Mayer asked about the potholes by the railroad in Toeterville. Supervisor Wherry was wondering about saving the River Road before it dies.

Motion by Hendrickson, second by Mayer to appoint Brenda Miller, Janet Borcharding, Sandy Offen, and Terri Tesch to the Mitchell County Public Health Board. Roll call vote: all voted aye.

Items of Note: Mayer reported on Mitchell County Public Health. Wherry, Hartogh, Hendrickson, and Frein had nothing to report. Keith Horgen stated handbooks are getting a bad name.

Motion by Frein, second by Mayer to adjourn the meeting. All voted aye. Meeting adjourned at 9:59 a.m.

Rachel Foster – Mitchell County Auditor

James Wherry – Chair Board of Supervisors