

December 3, 2020

Board met in regular session at 8:30 a.m. Members present Merle Doty and Jason Roudabush.

Chairman Roudabush led the pledge of allegiance.

Moved by Doty, 2nd by Roudabush to approve agenda as amended to include approve of Utility Permit #21-17U. 2 ayes. Motion carried.

Moved by Doty, 2nd by Roudabush to approve November 30, 2020 board minutes. 2 ayes. Motion carried.

8:30 a.m. Lyle Brehm, Engineer and Terry Pickett, Assistant to the Engineer met with board to discuss street signs on county rural unincorporated areas.

8:33 a.m. Brian Paul, EMA joined the meeting.

Brehm stated that when he started as engineer for the county, E911 would purchase the street signs and a secondary road worker would install the sign. Brehm stated it has been like this since at least 2003. Paul stated that E911 board feels their focus and responsibility is for the 911-property address signage and maintenance for emergency services equipment. Paul would like to see the county road department take over the purchasing and installation of any needed street/road name signs in unincorporated areas of the county. The board felt it would be best to have signage under the secondary road department. An e-mail from the county attorney stated his opinion was that this responsibility would fall within the scope of the duties of the engineer but ultimately this is an issue for the Board of Supervisors to make a decision.

It was moved by Doty, 2nd by Roudabush to have the responsibility of road/street name signs be with the county secondary road department and no longer be the responsibility of E911 board. 2 ayes. Motion carried.

Brehm stated he is ok with this responsibility and will handle this as he does all other road signs.

Auditor Eilander shared an e-mail received from Ed Savage regarding a parcel of land he is looking to potentially purchase. This parcel was previously accessible using River Road but a portion has been closed and he was inquiring if county would allow access to this parcel. Terry Pickett stated that he has a copy of this e-mail and will respond to Mr. Savage. Brehm stated this is a "C" Level Road and is gated. They would allow the owner of that parcel of land access to open the gate.

Brehm stated that he is amending his construction plan for next year to include resurfacing of 420th Avenue from 20th Street to IA146. His plan is to use money captured from TIF dollars to pay for this project. The resolution will be approved at the board meeting on December 7 to include this project in the construction plan so that Brehm can obtain bids through the DOT.

Moved by Doty, 2nd by Roudabush to approve Utility Permit #21-17U to Windstream Communications for work in Section 12, Jackson Township. 2 ayes. Motion carried.

9:15 a.m. Sandy Ross, Treasurer met with board for quarterly meeting. Ross informed the board that Patty VerSteege provided notice that she plans to retire October 1, 2021. Ross asked the board how far ahead of this retirement date could she hire a replacement. Ross stated she would like to have someone hired by September 1, 2021 to train, especially since that will be tax collection time. Board stated they felt this would be acceptable. Ross further stated things were running smoothly in motor vehicle, driver license and tax offices.

Auditor Eilander and Treasurer Ross requested the board to reconsider for this year adding Christmas Eve as a holiday for county employees. They stated in light of this stressful year, it would be a good moral booster and a way to commend employees for all their hard work. Eilander stated the board previously stated that each elected official/department head could determine their hours for Christmas Eve so she informed that her office will be closed on Christmas Eve, whether a holiday or not. Ross stated the Treasurer's Office will be closed all day as well. Eilander relayed that the Recorder's Office will also be closed and that the Clerk of Court had notified her that their

office will be closed as well. Eilander stated she spoke with the Assessor and was informed that as of now, there would be at least one individual in her office until noon on Christmas Eve. Board advised Auditor Eilander to put this for discussion on the agenda for meeting December 7.

Moved by Doty, 2nd by Roudabush to approve Resolution #2021-12 a Resolution to Fix Date for a Public Hearing on Proposal to Enter into a General Obligation Emergency Communications Loan Agreement and to Borrow Money Thereunder in a Principal Amount not to Exceed \$6,500,000. 2 ayes. Motion carried. Said public hearing is scheduled for December 21, 2020 at 9:00 a.m. and notice to be published in the county official newspapers.

RESOLUTION NO. 2021-12

Resolution to Fix a Date for a Public Hearing on Proposal to Enter into a General Obligation Emergency Communications Loan Agreement and to Borrow Money Thereunder in a Principal Amount not to Exceed \$6,500,000

WHEREAS, the Board of Supervisors of Poweshiek County, Iowa (the "County"), proposes to enter into a General Obligation Emergency Communications Loan Agreement (the "Loan Agreement") and to borrow money thereunder in a principal amount not to exceed \$6,500,000, pursuant to the provisions of Sections 331.402 and 331.441(2)(b)(17) of the Code of Iowa for the purpose of paying the cost, to that extent, of acquiring and installing emergency services communications systems and equipment (the "Project"), and it is now necessary to fix a date of meeting of this Board at which it is proposed to take action on the proposal to enter into the Loan Agreement and to give notice thereof as required by such law;

NOW, THEREFORE, Be It Resolved by the Board of Supervisors of Poweshiek County, Iowa, as follows:

Section 1. The Board shall meet on December 21, 2020, at the boardroom, Poweshiek County Courthouse, Montezuma, Iowa, at 9:00 o'clock a.m., at which time and place a hearing will be held and proceedings will be instituted and action taken to enter into the Loan Agreement.

Section 2. The County Auditor is hereby directed to give notice of the proposed action on the Loan Agreement setting forth the amount and purpose thereof, the time when and place where the said meeting will be held by publication at least once, not less than four (4) and not more than twenty (20) days before the date of said meeting, in a legal newspaper which has a general circulation in the County. The notice shall be in substantially the following form:

NOTICE OF PROPOSED ACTION TO INSTITUTE PROCEEDINGS TO ENTER INTO A LOAN AGREEMENT AND TO BORROW MONEY THEREUNDER IN A PRINCIPAL AMOUNT NOT TO EXCEED \$6,500,000

(GENERAL OBLIGATION)

The Board of Supervisors of Poweshiek County, Iowa, will meet on December 21, 2020, at the boardroom, Poweshiek County Courthouse, Montezuma, Iowa, at 9:00 o'clock a.m., for the purpose of instituting proceedings and taking action to enter into a loan agreement (the "Loan Agreement") and to borrow money thereunder in a principal amount not to exceed \$6,500,000 for the purpose of paying the cost, to that extent, of acquiring and installing emergency services communications systems and equipment.

The Loan Agreement is proposed to be entered into, and bonds will be issued thereunder, pursuant to authority contained in Sections 331.402 and 331.441(2)(b)(17) of the Code of Iowa. The Loan Agreement and the bonds will constitute general obligations of the County.

At that time and place, oral or written objections may be filed or made to the proposal to enter into the Loan Agreement. After receiving objections, the County may determine to enter into the Loan Agreement, in which case, the decision will be final unless appealed to the District Court within fifteen (15) days thereafter.

By order of the Board of Supervisors of Poweshiek County, Iowa.

Melissa Eilander
Poweshiek County Auditor

Section 3. Pursuant to Section 1.150-2 of the Income Tax Regulations (the “Regulations”) of the Internal Revenue Service, the County declares (a) that it intends to undertake the above-referenced Project which is reasonably estimated to cost, in the aggregate, approximately \$6,500,000, (b) that other than (i) expenditures to be paid or reimbursed from sources other than the issuance of bonds, notes or other obligations (the “Bonds”), or (ii) expenditures made not earlier than 60 days prior to the date of this Resolution or a previous intent resolution of the County, or (iii) expenditures amounting to the lesser of \$100,000 or 5% of the proceeds of the Bonds, or (iv) expenditures constituting preliminary expenditures as defined in Section 1.150-2(f)(2) of the Regulations, no expenditures for the Project have heretofore been made by the County and no expenditures will be made by the County until after the date of this Resolution or a prior intent resolution of the County, and (c) that the County reasonably expects to reimburse the expenditures made for costs of the County out of the proceeds of the Bonds. This declaration is a declaration of official intent adopted pursuant to Section 1.150-2 of the Regulations.

Section 4. All resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Section 5. This resolution shall be in full force and effect immediately upon its adoption and approval, as provided by law.

Passed and approved December 3, 2020.

Jason Roudabush, Chairman
Attest: Melissa Eilander, Poweshiek County Auditor

Moved by Doty, 2nd by Roudabush to approve amendment to farm lease agreement dated October 25, 2018 amending the legal description of the land and adjusting the acres and to also authorize the one-year extension clause in the agreement and offer current tenants another year of current lease terms. 2 ayes. Motion carried.

Moved by Doty, 2nd by Roudabush to approve updated job description for Assistant Recorder, Recorder’s Office. 2 ayes. Motion carried.

Moved by Doty, 2nd by Roudabush to approve Resolution #2021-13, a resolution authorizing internal advance to fund urban renewal project costs. 2 ayes. Motion carried.

**RESOLUTION #2021-13
AUTHORIZING INTERNAL ADVANCE TO FUND URBAN RENEWAL PROJECT COSTS**

WHEREAS, the Board of Supervisors (the “Board”) of Poweshiek County, Iowa (the “County”), has established the Poweshiek County Road Improvement Urban Renewal Area (the “Urban Renewal Area”); and

WHEREAS, the Board has identified the need to establish the Poweshiek County Road Improvement Urban Renewal Area Tax Increment Revenue Fund, into which all incremental property tax revenues received from the Urban Renewal Area should be deposited; and

WHEREAS, the Board has also identified certain county road improvements (the “Project”) that should be constructed in the Urban Renewal Area; and

WHEREAS, it has been proposed that the County approve an internal advance of funds in the amount of \$160,540 (the “Advance”) in order to pay the costs of the Project, and the County desires to make the Advance eligible to be repaid from future incremental property tax revenues to be derived from the Urban Renewal Area; and

NOW, THEREFORE, IT IS RESOLVED by the Board of Supervisors of Poweshiek County, Iowa as follows:

Section 1. There is hereby created the Poweshiek County Road Improvement Urban Renewal Area Tax Increment Revenue Fund (the "Tax Increment Fund").

It is hereby directed that One Hundred Sixty Thousand Five Hundred Forty Dollars (\$160,540), be advanced to the Tax Increment Fund from the County Secondary Road Fund for the funding of the Project. The Advance shall be treated as a loan (the "Loan") to the Tax Increment Fund and shall be repaid to the Secondary Road Fund without interest, out of future incremental property tax revenues received into the Tax Increment Fund.

Payments on the Loan are subject to annual appropriation by the Board and to the determination of the Board that there are incremental property tax revenues available for such purpose, which have been allocated to or accrued in the Tax Increment Fund.

Section 2. The Tax Increment Fund is hereby pledged to the repayment of the Loan, and a copy of this Resolution shall be filed in the office of the County Auditor to evidence this pledge. Pursuant to Section 403.19 of the Code of Iowa, the County Auditor is hereby directed to certify, no later than December 1, 2020, the original amount of the Loan as an obligation that is eligible to be repaid from future incremental property tax revenues, and to certify no later than December 1 of each succeeding year any remaining outstanding balance of the Loan.

Section 3. All resolutions or parts thereof in conflict herewith, are hereby repealed, to the extent of such conflict.

PASSED AND APPROVED this 3rd day of December, 2020.

Jason Roudabush, Chairman

Attest: Melissa Eilander, Poweshiek County Auditor

Roudabush stated he attended the Region 6, Iowa Workforce, and HAZMAT meetings this week.

10:06 a.m. Moved by Doty, 2nd by Roudabush to adjourn. 2 ayes. Motion carried.

Melissa Eilander, Poweshiek County Auditor

Jason Roudabush, Chairman

December 7, 2020

Board met in regular session at 8:30 a.m. Members present Merle Doty, Diana Dawley and Jason Roudabush.

Chairman Roudabush led the pledge of allegiance.

Moved by Doty, 2nd by Dawley to approve agenda. 3 ayes. Motion carried.

8:30 a.m. Bart Klaver, County Attorney met with board. Klaver stated the RACOM contract looked ok with him with the changes made regarding the liquidated damages. Dawley inquired about the county project manager and they would verify that Tom Kriegel, Sheriff would serve as the county's project manager.

Klaver stated he received an e-mail regarding pending opioid litigation. Currently Poweshiek County is not involved in any litigation regarding this yet but other counties are participating. Klaver stated the litigation is in early stages. Poweshiek County still has the ability to join this class action law suit. Klaver stated it would be most beneficial to join this litigation. Klaver does not have specifics at this point regarding any financial settlement for the county. He does not feel that opioid use is widespread within Poweshiek County. Board agreed with Klaver and advised him to go ahead with joining the class action lawsuit.

8:50 a.m. Tom Kriegel, Sheriff joined the meeting.

Klaver stated the land transfer with Hicks was ready for completion. The title opinions and deeds are prepared and everything looks in order. The deed was presented to the board chairman for signature. Moved by Dawley, 2nd by Doty to authorize Jason Roudabush, Chairman to sign Warranty Deed for land transfer of Parcel B NE SW, 7-78-14 (Jackson Township). 3 ayes. Motion carried.

Board discussed with Kriegel about being the project manager with the RACOM radio system project and Kriegel stated he wanted to be involved in this capacity during the project.

Doty stated he has a 8th Judicial District meeting this week.

9:15 a.m. Skip Lowe and Lacey Anderson, Bernie Lowe & Associates met with the board via ZOOM to discuss quarterly update on Poweshiek County health insurance.

10:15 a.m. Sandy Ross, Treasurer and Dianna Longhenry, Recorder joined the meeting.

Board discussed hours/closure of county offices and courthouse on December 24, 2020. Ross, Eilander & Longhenry stated they are in favor of declaring this a one-time holiday for all county employees. They felt this would be a good moral booster for the employees and especially in light of this year and all the employees have been dealing with due to COVID. Board discussed that if declare a holiday, sheriff's office employees working that day would fall under overtime and if the secondary road guys were called in due to snow storm, they would fall under overtime. Board also discussed just closing the courthouse due to state offices being closed, which would affect the treasurer and recorder office. Board felt it would probably be best to declare holiday for all employees. Moved by Doty, 2nd by Dawley to approve December 24, 2020 as a holiday for all county employees and this will be for 2020 only. 3 ayes. Motion carried.

Board stated they would be updating the personnel policy within the next year and would look at the holiday schedule at that time and maybe there would be a holiday to exchange for Christmas Eve.

Moved by Dawley, 2nd by Doty to approve Utility Permit #21-18U to Windstream Communications for work in Sections 19 & 30, Bear Creek Township. 3 ayes. Motion carried.

Moved by Doty, 2nd by Dawley to approve 2021 County Five Year Program Resolution 0.2 Poweshiek County Secondary Roads, modification to add project on 420th Avenue from 20th Street to IA-146. 3 ayes. Motion carried.

Moved by Dawley, 2nd by Doty to approve Resolution #2021-14 fund transfer. 3 ayes. Motion carried.

RESOLUTION #2021-14

BE IT RESOLVED THIS 7th day of December 2020 to approve the following fund transfer for FY'21 as follows:

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| • Pow Co Urban Renewal to GO Urban Renewal Old 6 | \$1,554.11 |
| • Debt Services to GO Urban Renewal Old 6 | \$2018.39 |
| • Local Option Sales Tax Revenue Fund to General Obligation LOST Sinking Fund | \$29,709.00 |

FURTHER, the Poweshiek County Board of Supervisors directs the Poweshiek County Auditor to transfer the amounts above in the county financial system dated 11/30/20.

Dated this 7th day of December 2020.

POWESHIEK COUNTY BOARD OF SUPERVISORS

Jason Roudabush, Chairman

Merle Doty, Vice-Chairman

Diana Dawley, Member

Attest: Melissa Eilander, Poweshiek County Auditor

Moved by Doty, 2nd by Dawley to approve Resolution #2021-15 early retirement request for continuation of health insurance by Patricia VerSteege for coverage effective October 1, 2021. 3 ayes. Motion carried.

RESOLUTION #2021-15

The Poweshiek County Board of Supervisors has implemented a Continuation of Coverage-Early Retirement Policy-Poweshiek County Employee Health Plan Trust.

Patricia VerSteege, (has requested continuation of coverage under Option 3 (A), Normal Retirement, effective October 1, 2021.

THEREFORE BE IT RESOLVED THIS 7th day of December 2020 to grant the request for continuation of coverage to Patricia VerSteege effective October 1, 2021. Poweshiek County shall notify the Poweshiek County Auditor's Office of the acceptance. Employee is eligible to receive continuation of coverage for medical, dental and vision insurance benefits through the Poweshiek County Employee Health Plan Trust until becoming Medicare eligible or becoming eligible to receive the disability benefits provisions of the Federal Social Security Act as established under the Health Care Financing Administration guidelines.

Any remaining funds at the time of disposition shall revert to the originating county fund.

Dated this 7th day of December 2020.

POWESHIEK COUNTY BOARD OF SUPERVISORS

Jason Roudabush, Chairman

Merle Doty, Vice-Chairman

Diana Dawley, Member

Attest: Melissa Eilander, Poweshiek County Auditor

11:00 a.m. Moved by Dawley, 2nd by Doty to adjourn. 3 ayes. Motion carried.

Melissa Eilander, Poweshiek County Auditor

Jason Roudabush, Chairman