

2019-2020
Guthrie County Board of Supervisors Meeting Minutes
Meeting Place: Guthrie County Courthouse
Guthrie County Board of Supervisors

Guthrie County Board of Supervisors

Regular Session

2 July 2019

The Guthrie County Board of Supervisors met this 2nd day of July, 2019, in regular session in the meeting room at the Guthrie County Courthouse in Guthrie Center, Iowa with the following members present: Mike Dickson, Everett Grasty, Jack Lloyd and Jerome “J.D.” Kuster. Clifford Carney was absent from the meeting.

The meeting came to order at 9:00 a.m.

Motion by Grasty second by Kuster to approve the Agenda for 2 July 2019. Motion carried on a vote: Ayes: 4
Nays: 0.

Brenna Bird, Guthrie County Attorney, joined the meeting and presented Resolution 20-01: Timothy Benton Retirement Resolution. Said Resolution acknowledges Mr. Timothy Benton as a hard-working and dedicated public servant of Guthrie County and further congratulates him on his retirement. In particular, Mr. Timothy Benton has served Guthrie County from September 4, 2012 until his retirement, as Assistant County Attorney. Timothy Benton has worked to ensure the public safety of our community and to pursue justice. Timothy Benton has dedicated his public service career to serving Iowans starting with thirty-five (35) years in the Iowa Attorney General’s Office and then seven (7) years with Guthrie County. Timothy Benton has been an invaluable asset to Guthrie County, Iowa, through his willingness to share his wisdom and years of experience with any Department requesting his opinion and/or assistance. County Attorney wanted to express her gratitude to Benton. She reminded Supervisors that Benton not only retired from County but also the Iowa Attorney General’s Office. County Attorney appreciated his support and willingness to remain with the County Attorney’s Office for six (6) months to help with the transition. County Attorney mentioned the retirement party held for Benton last week. The consensus was Benton did a great deal of good for County. Grasty stated Benton was a valuable employee. Motion by Kuster second by Grasty to adopt Resolution 20-01: Timothy Benton Retirement Resolution. Motion carried on a roll call vote: Ayes: 4 (Dickson, Grasty, Lloyd and Kuster) Nays: 0 Absent: 1 (Carney).

Auditor resubmitted Guthrie County Attorney Office Payroll Change Notice for John Twillmann (New Employee). County Attorney and Auditor assured Supervisors the new salary is accounted for in the Fiscal Year 2019-2020 (FY2020) County Attorney Budget. County Attorney advised she reorganized the office procedures and will no longer utilizes any part-time employees to assist with the preparation of cases and/or dissemination of reports. Furthermore, the documents are filed electronically now. Based on the Chief Deputy Auditor’s calculations, Benton’s final check will be \$12,797.34. This includes \$1,313.60 for his final payroll check. Auditor advised Twillmann’s new salary of \$75,000 will be eighty-six point thirty-eight percent (86.38%) of the County Attorney salary approved by Supervisors in Resolution 19-21: Annual Salary Approved for Elected Officials. County Attorney assured Supervisors the eighty-five percent (85%) limitation set forth in Iowa Code Section 331.904 only applies to a fulltime County Attorney, and she is designated a part-time County Attorney. She emphasized the Iowa Code clearly states fulltime County Attorney. Furthermore, the Iowa Attorney General’s Office agrees with her. In fact, there are a few other Counties in which the part-time County Attorney makes less than the fulltime Assistant County Attorney. Motion by Kuster second by Grasty to approve and sign the Guthrie County Attorney’s Office Payroll Change Notice for John Twillmann (New Employee) authorizing a new salary of \$75,000 per year effective 1 July 2019. Motion carried on a vote: Ayes: 4 Nays: 0.

County Attorney provided a brief Guthrie County Attorney’s Office update. She introduced the new Assistant Guthrie County Attorney, John Twillmann. He started on 1 July 2019 and spent most of the day in Guthrie County District Court. Twillmann gave a brief introduction. He left a corporate counsel position at Rueter’s Equipment. Twillmann lives in West Des Moines, Iowa and graduated from The University of Iowa College of Law. He interned at the

United States Attorney's Office as well as the State of Iowa Appellate Defender's Office. He also clerked for the 6th Judicial District. Twillmann is excited to join the Guthrie County Attorney's Office. County Attorney confirmed Twillmann is a fulltime employee. She is confident he will do a good job. Auditor will prepare the resolution to appoint Twillmann as the Assistant County Attorney for the next regular meeting on Tuesday, 9 July 2019. County Attorney informed Supervisors she continues to upgrade software because some of the old software is not interfacing well with the new computers. Guthrie Center Communications (GCC) also rebuilt a server and upgraded it to a better version. County Attorney informed Supervisors that she is purchasing a new laptop computer and cellular phone for Twillmann.

Supervisors reviewed the Panora Communications Cooperative Service Contract. This Service Contract includes the terms and conditions under which Panora Communications Cooperative will provide certain information and technology services as well as advice and support to Guthrie County, Iowa. It defines the services which will be performed and/or provided as well as the County's responsibilities under the Contract. The initial term corresponds with FY2018 and will renew automatically for an additional one (1) year period on the same terms and conditions, except for contract rates, unless either party gives notice of its intent not to renew the Contract. Andrew Randoll, Chief Executive Office, Panora Communications Cooperative, was present for the discussion. He assured Supervisors the Contract is verbatim the Contract reviewed by Benton and adopted by Supervisors during the previous fiscal year. The Total Contract Rate of \$60,780 will remain the same too. Furthermore, it is incorporated in the FY2020 Information Technology Budget which Curt Thornberry, Technology Development Director, discussed during the regular meeting on Tuesday, 25 June 2019. Schedule 1 Covered Services includes a breakdown of the on-site and off-site support. Randoll stressed this is an important contract, and the Cooperative will do everything it can to assist County. He wants to continue to be a partner and not just a vendor. Supervisors did not have any questions for Randoll. Motion by Grasty second by Dickson to approve and authorize Chair to sign the Panora Communications Cooperative Service Contract with a Total Contract Rate of \$60,780. Motion carried on a vote: Ayes: 4 Nays: 0.

Auditor presented the County Substance Abuse Prevention Services Agreement With New Opportunities Inc. It enables the parties to utilize the County Substance Abuse Prevention Services grant funds in the amount of \$1,788 awarded by the Iowa Department of Public Health (IDPH). There is a three to one (3:1) county match of \$5,364 for a total budget of \$7,152. The parties desire to provide comprehensive substance abuse prevention services including but not limited to those outlined in the "Description of Work" in the grant proposal for FY2020. The Agreement sets forth the Supervisors responsibilities as well as those of New Opportunities. Services will be provided to persons residing within County. The Agreement also sets forth the qualifications of New Opportunities, the Plan as well as the Budget. Auditor advised IDPH already approved it. Motion by Kuster second by Lloyd to approve and authorize Chair to sign the County Substance Abuse Prevention Services Agreement With New Opportunities Inc. Motion carried on a vote: Ayes: 4 Nays: 0.

Supervisors considered the Guthrie County, Iowa Application for the Display of Fireworks submitted by Jason Clark. The operator will be Jason R. Clark. The address of the display is 300 SE 12th Street, Panora, Iowa, and the actual location on the property is the backyard. The date and hours of the display are 6 July thru 13 July 2019 from dusk to 11:30 p.m. Auditor verified the address is outside the city limits. Motion by Grasty second by Lloyd to approve Guthrie County, Iowa Application for the Display of Fireworks submitted by Jason Clark. Motion carried on a vote: Ayes: 4 Nays: 0.

Supervisors reviewed the Liquor License Application (LC0045619) submitted by Iowa Beer Bus/Sassy Slushy for the premises located at 2512 White Pole Road, Casey, Iowa. The application is for a Class "C" Liquor License for a term of five (5) days effective 19 July 2019 thru 24 July 2019. It includes Outdoor Service. Auditor advised it is for RAGBRAI. Motion by Lloyd second by Kuster to approve the Liquor License Application (LC0045619) submitted by Iowa Beer Bus/Sassy Slushy Casey, Iowa. Motion carried on a vote: Ayes: 4 Nays: 0.

Auditor submitted the Iowa Retail Permit Application for Cigarette/Tobacco/Nicotine/Vapor Submitted by Lake Panorama National Resort. The Permit authorizes over-the-counter sales of cigarettes and cigars. The Permit is effective from 1 July 2019 and automatically expires on 30 June 2020 unless suspended or revoked by the State of Iowa. Motion by Grasty second by Dickson to approve the Iowa Retail Permit Application for Cigarette

/Tobacco/Nicotine/Vapor Submitted by Lake Panorama National Resort for the period 1 July 2019 through 30 June 2020. Motion carried on a vote: Ayes: 4 Nays: 0.

Supervisors briefly discussed the progress with the Monteith Road Project. The contractor is fixing spots where the trucks got too close to the edge and cracked the asphalt. Auditor confirmed the new Guthrie County website is active. There were no further discussions regarding any pending county projects.

Auditor presented Resolution 20-02: Guthrie County Salaries and Wages Effective 1 July 2019. Said Resolution certifies the annual base salary of the deputies for each elected official as well as the deputy sheriffs and the assistant county attorney, as set forth in the attached table, to the Auditor. Furthermore, the Resolution certifies the compensation for the additional employees and clerks appointed by the principal county officers as set forth in the attached table. Finally, it directs these salaries and wages shall take effect 1 July 2019. In particular, Iowa Code Section 331.904 states the Board of Supervisors shall certify the annual base salary of the deputies for each elected official as well as the deputy sheriffs and the assistant county attorney to the Auditor. "Base salary" means the basic compensation excluding overtime pay, longevity pay, shift differential pay, or other supplemental pay and fringe benefits. The annual base salaries do not exceed the limitations specified in Iowa Code Section 331.904. The Board also shall set the compensation for the additional employees and clerks appointed by the principal county officers pursuant to Iowa Code Section 331.904(4). Motion by Grasty second by Lloyd to approve Resolution 20-02: Guthrie County Salaries and Wages Effective 1 July 2019. Motion carried on a roll call vote: Ayes: 4 (Dickson, Grasty, Lloyd and Kuster) Nays: 0 Absent: 1 (Carney).

Auditor submitted Resolution 20-03: Resolution Authorizing the Guthrie County Auditor To Issue Payroll Checks Per Iowa Code Section 331.506 Without Prior Board Approval By The Guthrie County Board Of Supervisors. Said Resolution authorizes the Guthrie County Auditor to issue checks for the fixed as well as approved salaries and payrolls for each office/department in Guthrie County without prior approval of the Supervisors during Fiscal Year 2019-2020. Furthermore, the Resolution mandates the Guthrie County Auditor shall comply with all provisions of Iowa Code Section 331.506 and this Resolution when making such payments. Finally, it authorizes said process to commence upon approval of the Resolution. In particular, Iowa Code Section 331.506(3) states the board, by resolution, may authorize the auditor to issue checks to make the following payments without prior approval of the board: a. For fixed charges including, but not limited to, freight, express, postage, water, light, telephone service or contractual services, after a bill is filed with the auditor; b. For salaries and payrolls if the compensation has been fixed or approved by the board. The salary or payroll shall be certified by the officer or supervisor under whose direction or supervision the compensation is earned. The Guthrie County Board of Supervisors fixed as well as approved the salaries and payrolls for each office/department in Guthrie County by adopting Resolution 20-02: Guthrie County Salaries and Wages Effective 1 July 2019 during its regular meeting on 2 July 2019. The Elected Official or Department Head for each office/department certifies the compensation earned by each employee under his or her direction and supervision by signing each employee's "Time Sheet". An officer certifying an erroneous claim against the county is liable on the officer's official bond for a loss to the county resulting from the error pursuant to Iowa Code Section 331.506(5). Motion by Kuster second by Dickson to adopt Resolution 20-03: Resolution Authorizing the Guthrie County Auditor To Issue Payroll Checks Per Iowa Code Section 331.506 Without Prior Board Approval By The Guthrie County Board Of Supervisors. Motion carried on a roll call vote: Ayes: 4 (Dickson, Grasty, Lloyd and Kuster) Nays: 0 Absent: 1 (Carney).

Auditor offered Resolution 20-04: Resolution Authorizing The Periodic Transfer Of Funds From The Guthrie County General Supplemental Fund To The Adair/Guthrie County Emergency Management Commission Fund. Said Resolution authorizes the Guthrie County Auditor to make quarterly transfers of \$19,025.75 from the Guthrie County General Supplemental Fund (Protection/Security Services-Misc Expense: 0002-01-1210-000-486990) to the Adair/Guthrie County Emergency Management Commission Fund (Emer Mngmt Services Agency Funding: 4000-4-69-1210-251100) in September 2019, December 2019, March 2020 and June 2020. The total transfers shall not exceed \$76,103. Furthermore, the Resolution directs the Auditor to notify the Guthrie County Treasurer, Marci Schreck, as well as Robert Kempf, the Adair/Guthrie County Emergency Management Coordinator, upon completion of said transfers. Finally, it authorizes said transfers to begin upon approval of this Resolution. In particular, the Guthrie County Board of Supervisors (Supervisors) budgeted \$76,103.00 in the General Supplemental Fund of the Fiscal Year 2019-2020 (FY2020) Guthrie County Budget to fund its share of the Adair/Guthrie County Emergency Management

Commission (EMC) FY2020 Budget. The Guthrie County Auditor (Auditor) is the fiscal agent for the EMC. Iowa Code Section 331.432 mandates the Supervisors must authorize all inter fund transfers by resolution. The Auditor needs to periodically transfer funds from the General Supplemental Fund (Protection/Security Services-Misc Expense: 0002-01-1210-000-486990) to the EMC Fund (Emer Mngmt Services Agency Funding: 4000-4-69-1210-251100) during FY2020. During the regular meeting on 20 June 2017, the Supervisors directed the Auditor to make these transfers once each quarter. The Auditor shall divide the transfer into four (4) equal sums of \$19,025.75. Motion by Kuster second by Grasty to adopt Resolution 20-04: Resolution Authorizing The Periodic Transfer Of Funds From The Guthrie County General Supplemental Fund To The Adair/Guthrie County Emergency Management Commission Fund. Motion carried on a roll call vote: Ayes: 4 (Dickson, Grasty, Lloyd and Kuster) Nays: 0 Absent: 1 (Carney).

Auditor tendered Resolution 20-05: Resolution Authorizing The Periodic Transfer Of Funds From The Guthrie County General Basic Fund And The Guthrie County Rural Services Fund To The Guthrie County Secondary Roads Fund. Said Resolution authorizes the Guthrie County Auditor to make semi-annual transfers of \$31,613 from the Guthrie County General Basic Fund (To Secondary Road Fund-Misc Expense: 0001-99-0300-000-812990) to the Secondary Roads Fund (General Basic Fund: 0020-0-20-7000-900000) in October 2019 and April 2020. The total transfers shall not exceed \$63,226. Furthermore, the Resolution authorizes the Auditor to make semi-annual transfers of \$962,521 from the Guthrie County Rural Services Fund (To Secondary Road Fund-Misc Expense: 0011-99-0300-000-812990) to the Secondary Roads Fund (Rural Services Basic Fund: 0020-0-20-7000-902000) in October 2019 and April 2020. The total transfers shall not exceed \$1,925,042. In addition, said Resolution directs the Auditor to notify the Guthrie County Treasurer, Marci Schreck, as well as Guthrie County Engineer, Joshua Sebern, upon completion of said transfers. Finally, it authorizes said transfers to commence upon approval of this Resolution. In particular, the Guthrie County Board of Supervisors (Supervisors) budgeted \$63,226 in the General Basic Fund of the Fiscal Year 2019-2020 (FY2020) Guthrie County Budget to transfer property tax revenue pursuant to Iowa Code Section 331.429(1)(a) into the Secondary Roads Fund of the FY2020 Budget. The Guthrie County Board of Supervisors (Supervisors) budgeted \$1,925,042 in the Rural Services Fund of the FY2020 Guthrie County Budget to transfer property tax revenue pursuant to Iowa Code Section 331.429(1)(b) into the Secondary Roads Fund of the FY2020 Budget. Iowa Code Section 331.432 mandates the Supervisors must authorize all inter fund transfers by resolution. The Auditor needs to periodically transfer funds from the General Basic Fund (To Secondary Road Fund-Misc Expense: 0001-99-0300-000-812990) to the Secondary Roads Fund (General Basic Fund: 0020-0-20-7000-900000) during FY2020. The Auditor needs to periodically transfer funds from the Rural Services Fund (To Secondary Road Fund-Misc Expense: 0011-99-0300-000-812990) to the Secondary Roads Fund (Rural Services Basic Fund: 0020-0-20-7000-902000) during FY2020. The Auditor shall divide the transfer from the General Basic Fund into two (2) equal sums of \$31,613. The Auditor shall divide the transfer from the Rural Services Fund into two (2) equal sums of \$962,521. Motion by Grasty second by Dickson to approve Resolution 20-05: Resolution Authorizing The Periodic Transfer Of Funds From The Guthrie County General Basic Fund And The Guthrie County Rural Services Fund To The Guthrie County Secondary Roads Fund. Motion carried on a roll call vote: Ayes: 4 (Dickson, Grasty, Lloyd and Kuster) Nays: 0 Absent: 1 (Carney).

The full text of all Resolutions adopted by the Guthrie County Board of Supervisors after 1 July 2018 are available on the Guthrie County website at <http://guthriecounty.org/government/boards-commissions/board-of-supervisors/agendas-minutes/>.

Motion by Dickson second by Kuster to approve the Minutes from 18 June 2019 subject to the changes made by the Supervisors. Motion carried on a vote: Ayes: 4 Nays: 0.

Motion by Dickson second by Kuster to table the Minutes from 25 June 2019 until the regular meeting on Tuesday, 9 July 2019. Motion carried on a vote: Ayes: 4 Nays: 0.

Motion by Grasty second by Lloyd to approve the Claims from 26 June 2019 – 2 July 2019 in the amount of \$248,257.19. Motion carried on a vote: Ayes: 4 Nays: 0.

Auditor and Supervisors engaged in a salary/wage discussion with Pam Lane, Guthrie County Human Resources Director.

Kuster briefed Supervisors on the New Opportunities Inc. Board Meeting which he attended on Thursday, 27 June 2019. He directed Supervisors to notify New Opportunities of any low-income resident in need of winterization assistance.

There being no further business to come before the Board at this time, the Board adjourned at 11:15 a.m. until its regularly scheduled meeting on Tuesday, 9 July 2019. Motion by Dickson second by Grasty. Motion carried on a vote: Ayes: 4 Nays: 0.

Jack E. Lloyd, Chair
Guthrie County Board of Supervisors

ATTEST: Marci L. McClellan,
Guthrie County Auditor

Guthrie County Board of Supervisors

Regular Session

9 July 2019

The Guthrie County Board of Supervisors met this 9th day of July, 2019, in regular session in the meeting room at the Guthrie County Courthouse in Guthrie Center, Iowa with the following members present: Clifford Carney, Everett Grasty, Jack Lloyd and Jerome “J.D.” Kuster. Mike Dickson was absent from the meeting.

The meeting came to order at 9:00 a.m.

Motion by Grasty second by Carney to approve the Agenda for 9 July 2019. Motion carried on a vote: Ayes: 4 Nays: 0.

Joe Hanner, Guthrie County Conservation Director, joined the meeting and presented the Guthrie County Conservation Board (GCCB) Minutes from the meeting on 10 June 2019.

Jotham Arber, Guthrie County Public Health and Environmental Health Director, joined the meeting to provide a Public Health Department (PH) update. Arber handed out the 2018-2019 Statistics report. He announced PH had numerous good accomplishments this year. In particular, PH maintained a ninety-five percent (95%) immunization rate and saw the health ranking rise from sixty-first (61st) to forty-fifth (45th) out of ninety-nine (99) Counties in the State of Iowa. This means County jumped into the top half of the rankings. Furthermore, PH conducted 1,978 nurse visits along with 3,835 Health Aide visits. There were 2,583 Homemaker visits as well as 548 therapy visits. Over all, PH provided services to 261 families within County. PH also issued 1,424 immunizations and tracked forty-three (43) communicable diseases. PH administered eighty-five (85) Family Support visits to families with children five (5) years of age preparing for preschool or kindergarten. There were 633 HOPES visits too. PH also referred families to other providers for additional resources. PH even handed out 13,350 donated diapers. Finally, PH conducted 600 hours of Emergency Preparedness training, including three (3) Table Top exercises, one (1) Functional exercise and two (2) Full Scale exercises with moving parts as well as equipment. Arber reminded Supervisors that PH will conduct a health fair in conjunction with Panorama Days. PH even received enough donations to purchase a brain bounce house which people can walk through. They also will serve donated ice cream during the event. Additionally, area health care providers will set up booths at the Health Fair. Arber notified Supervisors that he has made several attempts to contact Darci Alt, Chief Executive Officer, Heart of Iowa Region; however, he has not received any response. The theme is mental health and wellness for children as well as adults.

Arber also presented the Environmental Health Department update.

Arber reported both the trucks are working fine at the Transfer Station. The driver currently is hauling three (3) loads per day. Arber notified Supervisors that Jim Hawk Truck Trailers Inc needs to fix the trailer which is out of service. According to Brandon Thompson, Guthrie County Facilities Manager, Jim Hawk plans to fix it today. Kuster verified the trailer is under warranty.

Pam Lane, Guthrie County Human Resources Director, joined the meeting to submit the Update to the Guthrie County Major Medical Plan. This is a Summary of Material Modification that reflects an amendment made to the Guthrie County Major Medical Plan. The amendment takes effect 1 July 2019. In particular, the Out-of-Pocket Calendar Year Maximums increased to \$1,875 per person and \$3,750 per family. Surgical removal of impacted teeth also will be covered eighty/twenty (80/20) subject to the deductible and coinsurance. The Update will be a new attachment to the back of the Major Medical Plan. It specifies revisions to the Plan Features. Lane will provide a Summary of Benefits and Coverage to all employees, so they are aware of the changes. Upon request, she will make a copy of the Employee Benefit Systems (EBS) Notice of Privacy Practices and User Disclaimer available to any employee. Motion by Grasty second by Carney to approve and authorize the Chair to sign the Update to the Guthrie County Major Medical Plan. Motion carried on a vote: Ayes: 4 Nays: 0.

Lane provided a Human Resources Department update. The County will be holding a Department Head meeting tomorrow morning. Grasty and Kuster are planning to attend it. Furthermore, Department Heads will be receiving new website training on Wednesday. Curt Thornberry, Technology Development Director, Guthrie Center Communications (GCC), will provide the training. He will demonstrate how to adjust the Department's portion of the website. Lane is assisting with interviews for open positions. The Guthrie County Recorder, Tristen Richard, conducted interviews for the part-time Clerk position; however, she has not selected a person to fill the position yet. The Secondary Roads Department conducted interviews for the Labor and Grader Operator positions. Joshua Sebern, Guthrie County Engineer, will make offers this week. Lane will be conducting Health Insurance Portability and Accountability Act (HIPAA) training on 11 July 2019 at the Guthrie County Public Health building. All the Departments will be trained except for the Guthrie County Sheriff's Department. The Information Technology (IT) Committee will meet on 24 July 2019, and the Guthrie County Personnel Policy Committee will meet on 31 July 2019. Lane currently is compiling salary information as well as a long-range plan. She will have a document ready in the next few weeks which Supervisors as well as Elected Officials/Department Heads may use as a point of reference.

Sheriff Marty Arganbright, Guthrie County Sheriff, Michael S. Lewis, Institutional Team Leader, Shive Hattery Architecture & Engineering, and Sid Samuels, President, The Samuels Group Inc. joined the meeting to present a Phase Two (2) Guthrie County Jail Project update. Chief Deputy Jeremy Bennett, Deputy Michael Herbert, and Brandon Thompson, Guthrie County Facilities Manager, also were present for the discussion. Lewis explained he updated the cost information and revisited the costs for the full site including the repaving of the Guthrie County Courthouse parking lot. Shive completed these calculations and forwarded the final numbers to Samuels Group. Samuels advised his company was ready to reconcile the figures and received the updated estimate last week. He handed out the Guthrie County Law Enforcement Center Addition Referendum Estimate. Lewis stated the plan is to hold another meeting with the Sheriff and his staff as well as Thompson in a month or so. Samuels explained the column labeled Estimated Cost of Addition lists the cost previously presented to Supervisors. Samuels Group prepared the figures in the column labeled Site Costs based on the new drawings. The Combined Site and Building total of \$8,278,150 includes the original building costs plus the new site costs. The documents prepared by Lewis and Samuels include the initial floor plan and master site plan along with the prices. Supervisors should use these numbers to determine the impact on property taxes. The next step is to determine the implications on the tax base with bond counsel and Auditor. Samuels assured Supervisors there is a four percent (4%) inflation rate built into the total cost. Lewis concurred the total cost does not reflect today's prices because it has been inflated to account for future construction costs. In Samuels' opinion, construction will be a year out considering the design time and bidding process. Grasty confirmed Supervisors need to provide all the necessary information to Auditor by September 2019, if the bond referendum will be held in conjunction with the City/School Election in November. Samuels insisted Supervisors need to know what the project will mean to the taxpayer before they make a decision. They identified the needs and cost. Now, Supervisors need to figure out the impact on taxpayers. If Supervisors seriously want to consider a bond referendum, Samuels will help Supervisors develop a strategy for education. The key is consistent communication. Voters must understand what they are voting on, and this includes Supervisors decision to go to bond referendum as well as the impact on property taxes. Before Supervisors make the final decision, they need to collect the final data and decide the best method to finance the project. In short, Supervisors need to figure out how to move forward. The key is communication. Samuels emphasized every taxpayer should hear the exact same message. The ultimate goal is to educate the taxpayers, so they understand what must be done and how Supervisors intend to do it. Grasty commented the taxpayer will want to know how much it will cost. Lewis referenced the life cycle costs. This

equals the number of staff plus the cost of the project. He recommended Supervisors work with bond counsel to figure out some of these costs. Lewis will put together the graphics. This includes renderings and the site plan. Lewis reminded Supervisors about the ten percent (10%) contingency. He acknowledged the discussion regarding the slightly bigger offices and assured Supervisors it falls within the contingency. The details can be worked through during the next generation of the design. Lewis explained the next generation is a schematic design which will cost twenty percent (20%) of the total fee. In short, it will cost approximately \$100,000 to develop the full detail of the design. Lewis can take this next step now; however, Counties typically go to referendum first to see if the voters support the project. Lewis explained the contingency supports the changes, so the County can make adjustment after the vote. The question becomes how far Supervisors want to go with the project before the vote. Carney asked Thompson if he is comfortable with the site design. In Thompson's opinion, it is a good preliminary design. He is confident the contingency will cover any necessary changes. Samuels advised his company can develop a plan to educate the public. Samuels reiterated the need to flesh out the financial information first. Beverly Wild was present for the discussion. She commented it will not take long for bond counsel to provide the necessary information. Furthermore, it will be helpfully if bond counsel already is familiar with County. She explained the purpose of bond counsel is to ensure the County meets all the specifications. County must follow specific steps and make sure the documents are drafted in accordance with the laws as well as Internal Revenue Service (IRS) regulations. Samuels commented Supervisors must make a decision regarding how to proceed with the assistance of bond counsel.

Kuster left the meeting at 10:36 a.m.

Sheriff provided a brief Guthrie County Sheriff's Department update. The State of Iowa Jail Inspector just completed his annual inspection of the Guthrie County Jail. Furthermore, the jail was full again last night. In fact, some of inmates were sleeping on the floor. The Jail has been very busy, so Supervisors need to keep moving forward with the Jail Project. The Jail Inspector was pleased the fact that County is moving forward with the Project. Deputy Herbert advised the Jail Inspector cited the Jail for the same deficiencies, including lighting, space, safety and using the Dispatchers as jailors. Lloyd agreed there is a problem, and Carney acknowledged there is a need for a new jail.

Supervisors reviewed Resolution 20-06: Resolution Appointing Assistant Guthrie County Attorney. Said Resolution hereby approves the appointment made by Brenna Bird, Guthrie County Attorney. Said appointment being John Twillmann as the Assistant Guthrie County Attorney. Finally, said appointment becomes effective upon passage of this Resolution and will expire on 31 December 2022. In particular, Iowa Code Section 331.758(2) states the Guthrie County Attorney may appoint assistants subject to the requirements of Iowa Code Sections 331.757 as well as 331.903. Iowa Code Section 331.903(1) enables the Guthrie County Attorney to appoint one or more assistants, with approval of the Board of Supervisors, for whose acts the principal officer is responsible. Motion by Grasty second by Lloyd to approve Resolution 20-06: Resolution Appointing Assistant Guthrie County Attorney. Motion carried on a roll call vote: Ayes: 3 (Carney, Grasty and Lloyd) Nays: 0 Absent: 2 (Dickson and Kuster).

The full text of all Resolutions adopted by the Guthrie County Board of Supervisors after 1 July 2018 are available on the Guthrie County website at <http://guthriecounty.org/government/boards-commissions/board-of-supervisors/agendas-minutes/>.

Supervisors considered the Guthrie County, Iowa Application for the Display of Fireworks submitted by Casey Service Club. The operator will be Scott Harkins. The date and hours of the display are 12 July 2019 from 10:15 p.m. to 10:30 p.m. Auditor verified the address is outside the city limits. Motion by Carney second by Grasty to approve the Guthrie County, Iowa Application for the Display of Fireworks submitted by Casey Service Club. Motion carried on a vote: Ayes: 3 Nays: 0.

Supervisors reviewed the Guthrie County Zoning Permits Report through 30 June 2019. There were no questions or comments.

Supervisors did not discuss any pending county projects.

The Supervisors reviewed the Fourth Quarter of Fiscal Year 2018-2019 Budget Report. Auditor announced none of the Departments exceed the FY2019 Amended Budget by Department, Service Area or Amended Appropriations. The

Heart of Iowa Region did exceed its Service Area due to the payroll for Brett Michael, Mental Health Court Advocate. Auditor also provided Supervisors with the Fiscal Year 2019-2020 Budget Report.

Motion by Carney second by Grasty to approve the Minutes from 25 June 2019 subject to the changes made by the Supervisors. Motion carried on a vote: Ayes: 3 Nays: 0.

Motion by Carney second by Grasty to table the Minutes from 2 July 2019 until the regular meeting on Tuesday, 16 July 2019. Motion carried on a vote: Ayes: 3 Nays: 0.

There being no further business to come before the Board at this time, the Board adjourned at 12:14 p.m. until its regularly scheduled meeting on Tuesday, 16 July 2019. Motion by Carney second by Grasty. Motion carried on a vote: Ayes: 3 Nays: 0.

Jack E. Lloyd, Chair
Guthrie County Board of Supervisors

ATTEST: Marci L. McClellan,
Guthrie County Auditor

Guthrie County Board of Supervisors

Regular Session

16 July 2019

The Guthrie County Board of Supervisors met this 16th day of July, 2019, in regular session in the meeting room at the Guthrie County Courthouse in Guthrie Center, Iowa with the following members present: Clifford Carney, Mike Dickson, Everett Grasty, Jack Lloyd and Jerome "J.D." Kuster.

The meeting came to order at 9:00 a.m.

Motion by Grasty second by Kuster to approve the Agenda for 16 July 2019. Motion carried on a vote: Ayes: 5 Nays: 0.

Jotham Arber, Guthrie County Transfer Station Executive Director, and Brandon Thompson, Guthrie County Facilities Manager, joined the meeting to deliver the Guthrie County Transfer Station (TS) update. Arber passed out the Alternative Cost Report Guthrie County Transfer Station. The total agency costs (\$688,999.63) divided by the total hours open (2,200) equals \$313.18 per hour. The calculation demonstrates the amount of revenue TS must generate to justify being open. Arber advised the total direct operation cost is \$656,190.12. The estimated revenue is approximately \$623,000. The total cost borne by County is \$35,000 which equals the revenue less the expense. Arber briefed Supervisors about charge accounts at TS. Arber wants to create a charge account application since there was no formal process in the past. He also wants to run a credit check. Additionally, he wants to limit the maximum balance. The current terms require the account holder to pay within ninety (90) days. Arber wants to reduce the term to sixty (60) days before the account holder is restricted to cash only.

Sheriff Marty Arganbright, Guthrie County Sheriff, and Deputy Michael Herbert joined the meeting to discuss security in the Guthrie County Courthouse. Chief Deputy Jeremy Bennett also was present for the discussion. Auditor passed around the claim for the metal detector. It was purchased August 2016 at a cost of \$3,371. Lloyd inquired about who is manning the metal detector. Lloyd stated he wants it used again.

Sheriff provided a brief Guthrie County Sheriff's Department update. The Jail is full. In fact, there were more suspects arrested pursuant to a search warrant. Grasty confirmed Sheriff's Department still has a drawer full of arrest warrants.

Supervisors did not discuss any pending county projects.

Supervisors reviewed the Guthrie County Secondary Roads Department Payroll Report for 16 June 2019 – 29 June 2019, the Guthrie County Sheriff Deputies Payroll Report for 24 June 2019 – 7 July 2019 as well as the County and Assessor Payroll Reports for 22 June 2019 – 5 July 2019.

There being no further business to come before the Board at this time, the Board temporarily adjourned at 10:30 a.m. until 12:45 p.m. at which time they will resume the regularly scheduled meeting on Tuesday, 16 July 2019. Motion by Kuster second by Grasty. Motion carried on a vote: Ayes: 5 Nays: 0.

The meeting reconvened at 12:45 p.m.

Motion by Grasty second by Carney to approve the Minutes from 2 July 2019 subject to the changes made by the Supervisors. Motion carried on a vote: Ayes: 5 Nays: 0.

Motion by Grasty second by Carney to approve the Minutes from 9 July 2019 subject to the changes made by the Supervisors. Motion carried on a vote: Ayes: 5 Nays: 0.

Auditor reported Thompson requested she issue a check to Wetzel Repair in the amount of \$12,773.02 on 10 July 2019 to reimburse Wetzel Repair for parts purchased on behalf of Guthrie County Transfer Station. Motion by Carney second by Grasty to approve the Claims from 3 July 2019 – 16 July 2019 in the amount of \$809,214.18 as well as the claim for Wetzel Repair in the amount of \$12,773.02 issued by the Auditor on 10 July 2019. Motion carried on a vote: Ayes: 5 Nays: 0.

Barry Monaghan, Chief Business Development Officer, and Chris Carlson, Credit Analyst, Guthrie County State Bank joined the meeting to present a proposal for the public financing of the Guthrie County Law Enforcement Center Addition Project. Mike Underwood, President and Chief Executive Officer (CEO), Guthrie County State Bank also was present for the discussion. Monaghan made the presentation. Supervisors briefly discussed the proposal. Supervisors reached a consensus they like the fact that the proposal works with local banks.

Scott Stevenson, Managing Director, D A Davidson Companies, joined the meeting to submit a proposal for the public financing of the Guthrie County Law Enforcement Center Addition Project. Nate Summers also was present for the discussion.

Chip Schultz, Managing Director, Northland Public Finance, joined the meeting to offer a proposal for the public financing of the Guthrie County Law Enforcement Center Addition Project. Michael Hart also was present for the discussion.

Supervisors discussed the three (3) entities willing to provide the public financing for the Guthrie County Law Enforcement Center Addition Project. Dickson pointed out the interest rate quoted by the Bank is an additional two point twenty-five to two point four percent (2.25-2.4%) higher than the finance companies. In Dickson's opinion, the decision is between Davidson and Northland. Kuster concurred the taxpayers cannot afford to keep the financing local. Grasty mentioned the finance companies are able to lock the interest rate unlike the Bank. In his opinion, it makes a difference. Auditor stated she has no preference. Supervisors agreed that Northland presented well. Supervisors also are content the local banks will be given the opportunity to purchase the general obligation bonds first; even though, Supervisors wanted to keep the financing within the County. Auditor affirmed Northland will give the local banks the first opportunity to purchase the bonds. In Grasty's opinion, it is in the best interest of taxpayers if Supervisors select Davidson or Northland. Kuster thinks Supervisors should engage Northland. Grasty prefers Davidson because they offered a better rate and will offer the bonds to the local banks first. Furthermore, Davidson may have a better market. Carney was impressed by the Iowa Corn Suitability Rating (CSR) Chart prepared by Northland. In Grasty's opinion, both companies will compile such a chart. Dickson stated the bottom line is the interest rate. The real rate quoted by Northland is two point fifty-nine percent (2.59%). The rates between Davidson and Northland are comparable. Grasty agreed Northland gave a nice presentation. Kuster recommended Northland because he liked the presentation. Dickson likes the fact Northland can provide four (4) people to work the project. This way at least one (1) representative should attend each meeting. Furthermore, the smaller company is more personable. Grasty pointed out Davidson is willing to make less money, if it sells the bonds to local banks.

Supervisors agreed both Davidson and Northland did a good job. Grasty likes Davidson's flat hierarchy which enables Stevenson to make decisions. Supervisors agree both Davidson and Northland are equal. Northland is in numerous Counties though. Sheriff recommends Northland. Grasty acknowledged Northland ranks higher in Iowa. Carney pointed out Northland will spread the bonds around. Supervisors think it is a toss-up. Motion by Dickson second by Lloyd to engage Northland Public Finance to provide the public financing for the Guthrie County Law Enforcement Center Addition Project. Motion carried on a vote: Ayes: 5 Nays: 0.

Supervisors considered bond counsel for the Guthrie County Law Enforcement Center Addition Project. Auditor advised the choices are Ahlers & Cooney, P.C. or Dorsey & Whitney LLP. Dickson stated he does not like Robert Josten with Dorsey & Whitney LLP due to issues with the Wind Farm Tax Increment Financing (TIF). In Grasty's opinion, Josten is on point, and those issues were not his fault. Auditor stated she spoke with Josten, and he is willing to serve as bond counsel. She explained Josten will help draft the resolution and ballot language for the bond referendum. Josten confirmed it is possible for Supervisors to include the bond referendum with the City/School Election in November. Finally, Josten stated he does not need to meet with Supervisors at this time. Motion by Carney second by Kuster to engage Robert Josten, Dorsey & Whitney LLP, as bond counsel for the public financing of the Guthrie County Law Enforcement Center Addition Project. Motion carried on a vote: Ayes: 4 (Carney, Grasty, Lloyd and Kuster) Nays: 1 (Dickson).

Auditor will notify Northland and Josten. Furthermore, she will contact Samuels Group as well as Northland and Josten to inquire about the next steps. Auditor will report back to Supervisors during the next regular meeting on Tuesday, 23 July 2019. Sheriff thanked Supervisors as well as Auditor for staying late and keeping the project moving forward.

There being no further business to come before the Board at this time, the Board adjourned at 4:24 p.m. until its regularly scheduled meeting on Tuesday, 23 July 2019. Motion by Dickson second by Carney. Motion carried on a vote: Ayes: 5 Nays: 0.

Jack E. Lloyd, Chair
Guthrie County Board of Supervisors

ATTEST: Marci L. McClellan,
Guthrie County Auditor

Guthrie County Board of Supervisors

Regular Session

23 July 2019

The Guthrie County Board of Supervisors met this 23rd day of July, 2019, in regular session in the meeting room at the Guthrie County Courthouse in Guthrie Center, Iowa with the following members present: Clifford Carney, Mike Dickson, Everett Grasty, Jack Lloyd and Jerome "J.D." Kuster.

The meeting came to order at 9:00 a.m.

Motion by Grasty second by Kuster to approve the Agenda for 23 July 2019. Motion carried on a vote: Ayes: 5 Nays: 0.

Marci Schreck, Guthrie County Treasurer, joined the meeting to present Resolution 20-07: Resolution To Approve Financial Institutions As Depositories Of Public Funds And To Specify The Maximum Amount That May Be Kept In Each Depository As Per IA Code 12C. The Guthrie County Board of Supervisors is required by Iowa Code Section 12C to approve financial institutions as depositories of public funds. Iowa Code Section 12C also requires the Guthrie County Board of Supervisors to specify the maximum amount that may be kept in each depository. Said Resolution approves the following list of financial institutions be used as depositories for Guthrie County. Furthermore, the Resolution authorizes the Guthrie County Treasurer to deposit county funds in the following institutions in amounts not to exceed the specified maximums. Guthrie County State Bank (Guthrie & Panora): \$20,000,000; Farmers State

Bank (Yale): \$5,000,000; First State Bank (Stuart): \$5,000,000; Rolling Hills Bank & Trust (Casey): \$5,000,000; Iowa Savings Bank (Bayard & Coon Rapids): \$5,000,000; Exchange State Bank (Adair): \$5,000,000; Panora State Bank: \$5,000,000; Peoples Trust & Savings Bank (Guthrie Center): \$5,000,000; and Iowa Public Agency Investment Trust: \$5,000,000. The State Auditor requested County adopt this Resolution annually. Treasurer did not change the Resolution, so the amounts are the same as last year. Motion by Carney second by Grasty to adopt Resolution 20-07: Resolution To Approve Financial Institutions As Depositories Of Public Funds And To Specify The Maximum Amount That May Be Kept In Each Depository As Per IA Code 12C. Motion carried on a roll call vote: Ayes: 5 (Carney, Dickson, Grasty, Lloyd and Kuster) Nays: 0.

The full text of all Resolutions adopted by the Guthrie County Board of Supervisors after 1 July 2018 are available on the Guthrie County website at <http://guthriecounty.org/government/boards-commissions/board-of-supervisors/agendas-minutes/>.

Treasurer submitted the Annual Report of Marci Schreck, Guthrie County Treasurer, for the Period of July 1, 2018 – June 30, 2019. She is ready to publish said report. Motion by Grasty second by Carney to approve the Annual Report of Marci Schreck, Guthrie County Treasurer, for the Period of July 1, 2018 – June 30, 2019. Motion carried on a vote: Ayes: 5 Nays: 0.

Treasurer requested the assignment of the Tax Sale Certificate for Parcel Number 0001425100 held by the County. Teresa Belieu currently owns Parcel 0001425100. The parcel is Lot 126 at Diamondhead Lake. Jason Duroe wants the County to sign over the Tax Sale Certificate in exchange for payment of the balance due, \$1,344. Motion by Dickson second by Grasty to assign Guthrie County's Tax Sale Certificate for Parcel Number 0001425100 to Jason Duroe for the balance due, \$1,344. Motion carried on a vote: Ayes: 5 Nays: 0.

Auditor provided a letter from Lynne Hansen, Executive Director, Region XII Regional Housing Authority, requesting the Supervisors reappoint Karen Burchfield as the Guthrie County Representative to the Region XII Regional Housing Authority Board of Directors per the terms of the Joint Power Agreement. Ms. Burchfield is willing to continue as the County's representative. Motion by Lloyd second by Carney to reappoint Karen Burchfield as the Guthrie County Representative to the Region XII Regional Housing Authority Board of Directors for a new term effective 1 October 2019 through 30 September 2020. Motion carried on a vote: Ayes: 5 Nays: 0.

Grasty advised the Iowa Prison Industries/Iowa Association of Councils of Governments Prisoner-Built Housing Program has the space to build the houses; however, it is not ready to begin building yet. The Program still needs to train the prisoners to build the houses.

Auditor submitted the letter regarding the Engagement of Northland Securities as Underwriter. John Twillmann, Assistant Guthrie County Attorney, was present for the discussion. Federal security regulations require County to affirmatively engage Northland in order for it to provide advice on the issuance of municipal securities acting in the capacity of underwriter. County seeks to engage Northland to serve as underwriter for the issuance of General Obligation Law Enforcement Center Bonds, Series 2020. The engagement is nonbinding, and County is under no obligation to undertake the Issue. Northland shall be paid an underwriter's discount not to exceed nine dollars ninety-five cents (\$9.95) per \$1,000. The compensation due shall be deducted from the proceeds at closing. The Letter sets forth the fees paid by Northland and County. If County does not undertake the Issue, Northland agrees to pay its own expenses and receive no fee for any services rendered to County. The Letter also serves as County's acknowledgement of receipt of related disclosures. Twillmann stated he reviewed the Letter. It is a standard form letter to engage an underwriter. The rate and payment terms are a business decision, so Twillmann has no opinion regarding these items. The Letter is in good form and Supervisors may sign it, if Northland is the company Supervisors want to engage as underwriter. Motion by Carney second by Dickson to approve and authorize Chair to sign the Engagement of Northland Securities as Underwriter Letter dated 16 July 2019. Motion carried on a vote: Ayes: 5 Nays: 0.

Auditor opened a discussion about contracting with D A Davidson Companies to fulfill the general obligation bond reporting requirements. The annual fee to address the current reporting requirement is \$500. Auditor will arrange a phone call or meeting with the South Central Iowa Regional 911 Administrator.

Brandon Thompson, Guthrie County Facilities Manager, updated Supervisors concerning pending county projects and repairs.

Joshua Sebern, Guthrie County Engineer, joined the meeting to present the Guthrie County Secondary Roads Department Payroll Change Notice for Garrett Chase (New Employee). Chase ultimately will replace Kevin Kirtley; however, Chase will be the grader operator in the Panora territory. Kelly Kirtley replaced his brother as the grader operator in the Yale territory. Chase will start work next week. Motion by Lloyd second by Kuster to approve and authorize the Chair to sign Guthrie County Secondary Roads Department Payroll Change Notice for Garrett Chase (New Employee) authorizing a wage of twenty-one dollars and sixty-three cents (\$21.63) per hour effective 29 July 2019. Motion carried on a vote: Ayes: 5 Nays: 0.

Sebern offered the Guthrie County Secondary Roads Department Payroll Change Notice for Tracy Foster (New Employee). Foster will replace Joel Herron who resigned from SRD. Foster will be a laborer; however, he also will be a truck driver. Motion by Grasty second by Carney to approve and authorize the Chair to sign Guthrie County Secondary Roads Department Payroll Change Notice for Tracy Foster (New Employee) authorizing a wage of nineteen dollars and fifty-three cents (\$19.53) per hour effective 22 July 2019. Motion carried on a vote: Ayes: 5 Nays: 0.

Engineer provided an impromptu update. Norris Asphalt Paving completed the Monteith Road Project. They just need to remove the Road Closed signs. Lines need to be painted too.

Supervisors opted to table the Minutes from 16 July 2019. Motion by Dickson second by Carney to table the Minutes from 16 July 2019 until the regular meeting on Tuesday, 30 July 2019. Motion carried on a vote: Ayes: 5 Nays: 0.

There being no further business to come before the Board at this time, the Board adjourned at 11:09 a.m. until its regularly scheduled meeting on Tuesday, 30 July 2019. Motion by Dickson second by Carney. Motion carried on a vote: Ayes: 5 Nays: 0.

Jack E. Lloyd, Chair
Guthrie County Board of Supervisors

ATTEST: Marci L. McClellan,
Guthrie County Auditor

Guthrie County Board of Supervisors

Regular Session

30 July 2019

The Guthrie County Board of Supervisors met this 30th day of July, 2019, in regular session in the meeting room at the Guthrie County Courthouse in Guthrie Center, Iowa with the following members present: Clifford Carney, Mike Dickson, Everett Grasty, Jack Lloyd and Jerome "J.D." Kuster.

The meeting came to order at 9:00 a.m.

Motion by Grasty second by Kuster to approve the Agenda for 30 July 2019. Motion carried on a vote: Ayes: 5 Nays: 0.

David Garland, IT Technician, Guthrie Center Communications (GCC), joined the meeting and presented the July 2019 Information Technology (IT) Report. The antivirus software incident statistics are dead-on this year compared to last year. The software caught eight (8) items in July 2019 versus seven (7) items in 2018. Looking back, there were wide swings in the past. The last several months roughly equal 2018. Garland advised IT blocked a domain sending out malicious content in July. IT also is performing an audit to ensure all the computers have the same version of the antivirus software. Since IT upgraded some of the personal computers (PC's), there are different computers with different versions of the software in the network. Garland wants to ensure all the computers capable of utilizing the

same version have it. The current version should update itself every four to six (4-6) hours. Garland explained the antivirus database defines what constitutes malicious content. Therefore, it must be kept up to date. Garland commented the current antivirus software is ranked in the top three (3), and usually is ranked number one (1). Garland stated most computers run version ten (10).

Pam Lane, Guthrie County Human Resources Director, joined the meeting to discuss the Nationwide Investment Lineup Changes. Lane advised Nationwide is updating its investment options. She passed around an informational document. Lane explained Nationwide constantly monitors its investments. It opted to deactivate two (2) plans because the plans no longer meet the investment criteria. In turn, Nationwide added two (2) plans which provide a better investment rate. Lane stated County can opt out.

Lane presented the Guthrie County Recorder's Office Payroll Change Notice for Ronda Weber (New Employee). Recorder hired Weber as the new part-time employee. Lane participated in the hiring process, and it worked well. Auditor confirmed there is no longer a set part-time wage rate. Motion by Grasty second by Carney to approve and authorize the Chair to sign the Guthrie County Recorder's Office Payroll Change Notice for Ronda Weber (New Employee) authorizing a new wage of fourteen dollars (\$14.00) per hour effective 5 August 2019. Motion carried on a vote: Ayes: 5 Nays: 0.

Lane provided a Human Resources Department update. She completed the onboarding process for the new employees at the Guthrie County Secondary Roads Department (SRD). All in all, the onboarding process is going well. She schedules time to complete the process during an employee's first day. The employee fills out all the necessary documents, and Lane reviews the Guthrie County Personnel Policy as well as the employee benefits. Lane also provides the employee with the necessary information to complete the National Incident Management System (NIMS) training. Both the Guthrie County Public Health Department as well as SRD give an employee one (1) day to complete the training.

Joshua Sebern, Guthrie County Engineer, joined the meeting to provide the SRD update. He met with officials from the City of Coon Rapids last week regarding available right-of-way in Herndon. Coon Rapids is trying to connect to the Raccoon River Valley Trail (RRVT) through the use of available right-of-way. The City is within 100 feet of achieving its goal; however, a private landowner holds title to a portion of the old railway. Coon Rapids is trying to gain access through Herndon. Sebern reported he is speaking with Flint Hills Resources about the railroad crossings. The Iowa Department of Transportation (IDOT) approached Sebern regarding the installation of signals and crossbucks at these crossings. Apparently, IDOT has funding available for the project. IDOT thinks these locations are a great candidate for safety enhancements due to the most recent accidents. Recently, there have been two to three (2-3) accidents involving semitrucks and trains. Sebern signed off to apply for the grant. It is a ten percent (10%) local match with ninety percent (90%) State or Federal funds. Sebern spoke with Flint Hills about conducting a study as well as the possibility of installing crossbucks with lights. Flint Hills stated it just heard about the grant. Sebern opted to apply for the grant and see if the County receives it. He will work with the parties later. There are two (2) railroad crossings near Flint Hills; however, Flint Hills does not want lights and crossbucks installed at both crossings. Sebern reported construction is underway on the bridge southeast of the City of Panora on Viceroy Trail. It is a pony truss bridge close to RRVT. Contractor will replace it with a new bridge. The project will be funded with the Wind Farm Tax Increment Financing (TIF). Sebern will have a hard schedule by the end of the day for the patch on County Road N54 (Adair Road). He reported SRD is busy cleaning ditches and hauling dirt. He also announced SRD is staffed fully. Sebern notified Supervisors he will ask Federal Emergency Management Agency (FEMA) for \$600,000 to offset flood damages. SRD measured the rock placed on initial wash outs and quantified it to substantiate this request.

Auditor provided the 4th Quarter Expense Report from the New Opportunities, Inc. – Prevention Program – Iowa Department of Public Health/Iowa Grants.gov Expenditure Report by Month July 2018 – June 2019. Christy Jenkins, Prevention Director, New Opportunities, Inc. prepared said report. The total expenses for this period are \$2,349.06. The State will reimburse Guthrie County for \$587.27 (twenty-five percent (25%)), and the County will match the remaining \$1,761.79 (seventy-five percent (75%)). Auditor will submit the report on the Iowa Grants.gov website upon approval of Supervisors. Motion by Kuster second by Carney to approve the 4th Quarter Expense Report from the New Opportunities, Inc. – Prevention Program – Iowa Department of Public Health/Iowa Grants.gov Expenditure Report by Month July 2018 – June 2019. Motion carried on a vote: Ayes: 5 Nays: 0.

Supervisors reviewed the Year End Report for State Fiscal Year 2018-2019 County Substance Abuse Prevention Grant. Said report sets forth the Service Area, Project Workplan Goals, Objectives and Activities. Christy Jenkins, Prevention Director, New Opportunities, Inc. prepared this final status report. Auditor will submit the report on the Iowa Grants.gov website upon approval of Supervisors. Motion by Grasty second by Kuster to approve the Year End Report for State Fiscal Year 2018-2019 County Substance Abuse Prevention Grant. Motion carried on a vote: Ayes: 5 Nays: 0.

Auditor presented the 2019 Homestead Tax Credit Applications spreadsheets. In accordance with Iowa Code Section 425.3, the Guthrie County Assessor submitted same to the Auditor along with a written recommendation to allow/approve all the applications. Motion by Carney second by Grasty to approve all the 2019 Homestead Tax Credit Applications set forth in the spreadsheet. Motion carried on a vote: Ayes: 5 Nays: 0.

Auditor offered the 2019 Military Exemption Applications spreadsheets. In accordance with Iowa Code Section 425.3, the Guthrie County Assessor submitted same to the Auditor along with a written recommendation to allow/approve all the applications. Motion by Kuster second by Grasty to approve all the 2019 Military Exemption Applications set forth in the spreadsheet. Motion carried on a vote: Ayes: 5 Nays: 0.

Auditor submitted the 2019 Disabled Veteran Homestead Tax Credit Applications along with the associated spreadsheet. In accordance with Iowa Code Section 425.3, the Guthrie County Assessor submitted same to the Auditor along with a written recommendation to allow/approve all the applications. Motion by Kuster second by Lloyd to approve and authorize the Chair to sign all the 2019 Disabled Veteran Homestead Tax Credit Applications set forth in the spreadsheet. Motion carried on a vote: Ayes: 5 Nays: 0.

Auditor provided the 2019 Business Property Tax Credit Applications along with the associated spreadsheet. In accordance with Iowa Code Section 425.3, the Guthrie County Assessor submitted same to the Auditor along with a written recommendation to allow/approve all the applications. Motion by Carney second by Dickson to approve and authorize the Chair to sign all the 2019 Business Property Tax Credit Applications set forth in the spreadsheet. Motion carried on a vote: Ayes: 5 Nays: 0.

Supervisors did not discuss any pending county projects.

Dennis McClain, the new AC/GC School District Superintendent, attended the meeting. He introduced himself to Supervisors. There was a brief discussion regarding the first day of school as well as upcoming activities.

Motion by Grasty second by Dickson to approve the Minutes from 16 July 2019 subject to the changes made by the Supervisors. Motion carried on a vote: Ayes: 5 Nays: 0.

Motion by Carney second by Lloyd to table the Minutes from 23 July 2019 until the regular meeting on Tuesday, 6 August 2019. Motion carried on a vote: Ayes: 5 Nays: 0.

Auditor reported County needs to issue Iowa Public Employees Retirement (IPERs) wage adjustments. During the IPER's audit, the Chief Deputy Auditor was informed that certain elected officials, such as Township Clerks, must be given the opportunity to decline IPERs. Furthermore, IPERs was not being withheld from a couple of employees eligible for the benefit. These past practices were carried forward from previous Auditors. Interest will continue to accrue until County issues the wage adjustments. Motion by Carney second by Lloyd to approve the Claims from 17 July 2019 – 30 July 2019 in the amount of \$231,425.38 as well as the Iowa Public Employees Retirement (IPERs) wage adjustments. Motion carried on a vote: Ayes: 5 Nays: 0.

Supervisors reviewed the Guthrie County Secondary Roads Department Payroll Report for 30 June 2019 – 13 July 2019, the Guthrie County Sheriff Deputies Payroll Report for 8 July 2019 – 21 July 2019 as well as the County and Assessor Payroll Reports for 6 July 2019 – 19 July 2019.

Auditor announced she rolled the Guthrie County Property Taxes for Tax Year 2017-2018 to the Guthrie County Treasurer on Monday, 29 July 2019. She showed Supervisors the summary of the property taxes to be collected in Fiscal Year 2019-2020. Auditor explained the calculations behind each figure. She informed Supervisors the property taxes are available to the public through the County Geographic Information System (GIS) known as Beacon.

There being no further business to come before the Board at this time, the Board adjourned at 11:53 a.m. until its regularly scheduled meeting on Tuesday, 6 August 2019. Motion by Carney second by Lloyd. Motion carried on a vote: Ayes: 5 Nays: 0.

Jack E. Lloyd, Chair
Guthrie County Board of Supervisors

ATTEST: Marci L. McClellan,
Guthrie County Auditor

Guthrie County Board of Supervisors

Regular Session

6 August 2019

The Guthrie County Board of Supervisors met this 6th day of August, 2019, in regular session in the meeting room at the Guthrie County Courthouse in Guthrie Center, Iowa with the following members present: Clifford Carney, Mike Dickson, Everett Grasty, Jack Lloyd and Jerome “J.D.” Kuster.

The meeting came to order at 9:00 a.m.

Motion by Grasty second by Kuster to approve the Agenda for 6 August 2019. Motion carried on a vote: Ayes: 5 Nays: 0.

Brenna Bird, Guthrie County Attorney, joined the meeting to discuss an All-Terrain Vehicle (ATV) and Off-Road Utility Vehicle (UTV) ordinance. John Twillmann, Assistant Guthrie County Attorney, and Sheriff Marty Arganbright, Guthrie County Sheriff, were present for the discussion. County Attorney offered to provide a working draft after the Iowa State Association of Counties (ISAC) Annual Conference later this month. She advised any ordinance must work within the laws of the State of Iowa as well as the powers of County. She pointed out hours of operation may be an issue. Some ordinances restrict operation from sunrise to sunset or an hour before sunrise and an hour after sunset. County Attorney also talked about the numerous definitions for a vehicle. In particular, there may be a difference between an ATV and a “highway” vehicle. Similarly, UTV’s, such as side by sides, may be defined as off-road vehicles only. There also are differences in the way the Iowa Department of Transportation (IDOT) regulates and handles these vehicles. Furthermore, the ordinance must define a roadway as well as the term reckless. County Attorney inquired if Supervisors want to require owners to purchase an identification sticker from the Guthrie County Recorder. The sticker may cost approximately twenty-five dollars (\$25). County Attorney mentioned an ordinance may impose operating restrictions too. She asked about requiring headlights and taillights as well as regulating operation in stream beds. County Attorney insisted an ordinance contain language about operating these vehicles in the road right-of-way and not on private property without permission of the owner. She referenced Iowa Department of Natural Resources (IDNR) regulations too. County Attorney explained a violation of the ordinance will be charged as a simple misdemeanor. The minimum fine will be sixty-five dollars (\$65) and the maximum fine will be \$625. A judge also could impose no more than thirty (30) days in the Guthrie County Jail. Kuster inquired if the offense will be included on a violator’s driving record. County Attorney replied she is unsure about it; however, it will appear on an individual’s criminal history. Carney questioned how these vehicles differ from motorcycles other than many do not have blinkers. County Attorney replied the reasoning rests with IDOT. Lloyd inquired about the speed restrictions. Sheriff replied there are speed limits for ATV and UTV’s. Some can exceed the speed limits while others are not capable of it. County Attorney explained the enforcement is based solely on an ordinance. She talked about the process for creating an ordinance. In particular, County Attorney will draft an ordinance which will be available to public for review and comments. Then, the ordinance will proceed through the adoption process. At this point, she

simply is providing information, so Supervisors may think about it. County Attorney requested Supervisors provide any materials from ISAC. She reiterated the next step is to draft an ordinance for discussion and get input on it.

County Attorney provided a brief Guthrie County Attorney's Office update. Assistant County Attorney completed his first month of employment. County Attorney reported July has been a record setting month. It is the result of law enforcement's work on all fronts. The primary focus is illegal drugs, such as marijuana and methamphetamine. County Attorney's Office opened 127 new cases in July which is the combined total for the months of April, May and June. She observes an ebb and flow of cases over time. The message is County will not tolerate drugs.

County Attorney notified Supervisors that County received a written notice of intent to file litigation against County. It is a basic notification letter stating A. Zane Blessum plans to file a lawsuit against County on behalf of Connie Emgarten in regards to a dog bite incident. Pam Lane, Guthrie County Human Resources Director, reported the matter to Iowa Communities Assurance Pool (ICAP), and ICAP assigned counsel to County. At this time, there has been no formal filing with the Guthrie County District Court. County Attorney recommended Supervisors move into closed session. Motion by Grasty second by Dickson to go into Closed Session to discuss strategy with counsel in matters where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation per Iowa Code Section 21.5(1)(c). Motion carried on a roll call vote: Ayes: 5 (Carney, Dickson, Grasty, Lloyd and Kuster) Nays: 0. The Board of Supervisors went into closed session at 9:27 a.m. All members of the public left the room except for the Supervisors, Auditor, County Attorney, Assistant County Attorney and Lane. The Board of Supervisors came out of closed session at 9:37 a.m.

Twillmann presented Supervisors with a copy of the Notice of Litigation Hold and Record Retention Letter along with a copy of the original correspondence from Blessum. Said Retention letter is a privileged and confidential communication.

Supervisors reviewed the Guthrie County Zoning Permits Reports through 31 July 2019. Kuster confirmed the Permits are public record. There were no other questions.

Supervisors did not discuss any pending county projects.

Lloyd and Kuster will attend the regular, monthly Elected Official/Department Head Meeting in the Public Meeting Room at the Guthrie County Courthouse.

Motion by Carney second by Dickson to approve the Minutes from 23 July 2019 subject to the changes made by the Supervisors. Motion carried on a vote: Ayes: 5 Nays: 0.

Motion by Carney second by Grasty to approve the Minutes from 30 July 2019 subject to the changes made by the Supervisors. Motion carried on a vote: Ayes: 5 Nays: 0.

There being no further business to come before the Board at this time, the Board adjourned at 11:39 a.m. until its regularly scheduled meeting on Tuesday, 13 August 2019. Motion by Kuster second by Dickson. Motion carried on a vote: Ayes: 5 Nays: 0.

Jack E. Lloyd, Chair
Guthrie County Board of Supervisors

ATTEST: Marci L. McClellan
Guthrie County Auditor