

**PROCEEDINGS OF THE WASHINGTON COUNTY BOARD OF SUPERVISORS MEETING
TUESDAY, JANUARY 3, 2023**

At 9:00 a.m. Chairperson Richard Young called to order in regular session a meeting of the Washington County Board of Supervisors which took place in the Washington County Courthouse. Items on the agenda included the following: approval of agenda; public comment related to agenda items; administration of oath of office to newly elected officials and deputies; appointment of 2023 Board of Supervisors Chairperson; a ppointment of 2023 Board of Supervisors Vice-Chairperson; closed session pursuant to Iowa Code Section 21.5(1)(c), to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in litigation; possible action regarding matters discussed in closed session; East Central Iowa Council of Governments (ECICOG) presentation and funding request; Washington County Library presentation and funding request; personnel change request – Office of Sheriff; personnel change requests – Recorder’s Office; approval of Lease Agreement with River Products; Resolution 23-01 regarding Farm-to-Market Review Board application for a portion of Kiwi and Juniper Avenues; review and approval of 28E Agreement regarding the purchase and maintenance of a Weiler W430B Road Widener; Soil Compaction Project funding request; appointment to 8th Judicial District Correctional Board; appointment of various commission, board, and committee members; review and approve Supervisor assignments to various commissions, boards, and committees; department head comment; adjourn. Supervisors Jack Seward, Marcus Fedler, Bob Yoder, and Stan Stoops were also present.

Others attending included Jennifer Wilkerson, KCII Radio; Kalen McCain, SE Iowa Union; Zach Rozmus, County Conservation Director; Jacob Thorius, County Engineer; Erin Campbell, Wellman-Scofield Library; Trevor Shering and Olivia Kahler, Kalona Public Library; Cary Ann Siegfried, Washington Public Library; and citizens Rick Hofer and Gary Murphy. Various other individuals listened and/or watched remotely by way of electronic means.

All motions were passed unanimously by those Supervisors in attendance unless noted otherwise.

On motion by Yoder, seconded by Fedler, the Board voted to approve the agenda after it was amended to include the following: Discussion and possible action regarding the upcoming vacancy created by the resignation of Washington County Attorney John Gish.

During the public comment portion of the meeting Citizen Rick Hofer encouraged public support of libraries and Citizen Gary Murphy urged the public to make a visit to a library in order to see all the things that are available.

Judge Daniel Kitchen administered the oath of office to Assistant County Attorney Jen Lerner, Assistant County Attorney Shane McChurch, Deputy Treasurer Lindsay Adam, Deputy Recorder Erin Yoder, and Deputy Recorder Brandy Bloom.

Stoops moved to nominate Yoder for the position of Chairperson of the Board of Supervisors for calendar year 2023 and Fedler seconded the motion. There was no discussion and hearing no other nominations the Board voted to appoint Yoder as Board of Supervisors Chairperson for calendar year 2023. The vote on the motion was as follows: Aye- Young, Yoder, Stoops, Fedler; Abstain-Seward.

Young moved to nominate Seward for the position of Vice-Chairperson of the Board of Supervisors for calendar year 2023 and Stoops seconded the motion. There was no discussion and hearing no other nominations the Board voted to appoint Seward as Board of Supervisors Vice-Chairperson for calendar year 2023. The vote on the motion was as follows: Aye- Young, Yoder, Stoops, Fedler; Abstain-Seward.

At 9:03 a.m. on motion by Fedler, seconded by Young, the Board voted by way of roll call vote to go into closed session pursuant to Iowa Code Section 21.5(1)(c), to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in litigation.

At 10:05 a.m. the Board returned to open session.

On motion Stoops, seconded by Fedler, the Board voted to direct its legal counsel as directed in closed session.

With regard to an upcoming vacancy created by the resignation of County Attorney John Gish which takes effect January 29, 2023, the Board learned of two available options to fill the vacancy. One option would involve a Special Election to fill the vacancy. The other option would involve the Board of Supervisors appointing an individual to fill the vacancy. Under this option, however, if within 14 days after publication of the notice to appoint or within 14 days after an appointment is made a petition is filed with the County Auditor requesting a special election to fill the vacancy, the appointment is temporary and a special election shall be called. John Gish recommended the Board reach out to Anthony Janney who, according to Gish, is willing and qualified to serve as an Interim County Attorney. Janney served as Interim County Attorney during a large portion of calendar year 2020 when Gish was deployed overseas with the U.S. military. The Board took no formal action.

Tracey Achenbach, Executive Director of the East Central Iowa Housing Trust Fund (ECIHTF),

addressed the Board and described ECIHTF as a 501(c)(3) community-based non-profit organization dedicated to improving the quality of life for individuals by offering innovative and flexible funding in order to expand affordable housing opportunities within Washington, Benton, Iowa, and Jones Counties. Presently Supervisor Bob Yoder and WEDG Director Mary Audia represent Washington County on the ECIHTF Board. ECIHTF offers two major types of programs – one funded with state housing trust fund dollars intended to aid in the creation or preservation of housing for individuals with low-to-moderate income; the other is in cooperation with East Central Iowa Council of Governments (ECICOG) and is funded through Federal Home Loan Bank for the purpose of providing direct financial assistance to low and moderate income homeowners for minor home repair projects. The primary source of funding for ECIHTF is by way of the State of Iowa's Local Housing Trust Fund Program. Since its inception ECIHTF has been awarded over \$3.6 million in State housing trust fund dollars which has also required a local match of nearly \$902,000.00 from the four participating counties. Washington County has provided a total of \$36,392.000 of that local match. For FY24 Achenbach requested funding from Washington County in the amount of \$4,754.00 which compares to \$3,962.00 for FY23. This figure is based on Washington County's population as a percentage of the entire population of the four counties (26.41%) with that figure multiplied by \$18,000.00 which is the minimum local match needed for the state application. The Board took no formal action.

Trevor Shering and Olivia Kahler with the Kalona Public Library, Cary Ann Siegfried with the Washington Public Library, and Erin Campbell with the Wellman-Scofield Public Library provided the Board with a summary of the activities and programs conducted at each of the libraries that comprise the Washington County Public Library Association (WCPLA) during FY22 and that are supported in part by County funding. Such activities and programs included continuing education reimbursement for library staff, enhancements of digital collections and databases, acquisition of movie licenses, and summer reading programs. The Supervisors were also informed that libraries build community, spark curiosity, enhance financial stability, foster a love for reading and learning, level the playing field for people with various backgrounds and income, and serve as good stewards of public funding. During FY22 a total of 57,142 visits were made to the three libraries and there were 109,472 adult items checked out. Also, individuals saved approximately \$1.3 million by borrowing items rather than purchasing them. For FY24 the group requested funding in the amount of \$165,000.00 which is equal to the County funding for current FY23 and equates to \$19.89 per capita based upon Washington County 2020 census figures. Finally, it was shared that presently there are 15,694 cardholders. The complete report is available by contacting the Auditor's office. The Board took no action.

On motion by Seward, seconded by Fedler, the Board voted to acknowledge, and authorize the Chairperson to sign, a personnel change request from the Sheriff for Patrol Deputy Randy Tinnes whose final day of employment occurred December 29, 2022. It was noted that Tinnes is retiring after over 35 years of service to the residents of Washington County and the Board expressed gratitude and best wishes to Tinnes.

On motion by Young, seconded by Fedler, the Board voted to acknowledge, and authorize the Chairperson to sign, a personnel change request from the Recorder for Washington County Recorder Jo Greiner whose final day of employment occurred December 31, 2022. It was noted that Greiner is retiring after more than 25 years of service to the residents of Washington County and the Board expressed gratitude and best wishes to Greiner.

On motion by Fedler, seconded by Young, the Board voted to acknowledge, and authorize the Chairperson to sign, a personnel change request from the Recorder for the hiring of Teresa Mangold as Washington County Recorder effective January 1, 2023, at the annual rate of \$89,629.00. The County Auditor is hereby authorized to issue pay warrants upon proper certification from the Department Head.

On motion by Seward, seconded by Fedler, the Board voted to approve, and authorize the Chairperson to sign, a 28E lease agreement with The River Products Company (Landlord) and Washington County Iowa Engineering and Secondary Roads Department (Tenant). Prior to the vote, County Engineer Jacob Thorius provided a summary of the agreement by stating that per the agreement the Tenant agrees to pay Landlord \$1.00 dollar each month beginning on January 1, 2023 and in return the Tenant shall be allowed to use premises at 2055 Lexington Boulevard, Washington, Iowa, for the storage of aggregate rock along with the necessary personnel and equipment to operate a County aggregate rock stockpile operation. Landlord and Tenant shall mutually agree on a delivered purchase price for requested aggregate items on an annual basis. Tenant may renew the lease for five additional terms of one year each by providing Landlord with written notice of intent to renew. Future renewal terms and conditions shall be identical to the terms of the original 28E agreement.

On motion by Fedler, seconded by Seward, the Board voted by way of roll call vote to approve Resolution 23-01 as follows and to authorize the Chairperson to sign Resolution 23-01 on behalf of the Board.

RESOLUTION 23-01

Farm-To-Market Review Board Application

WHEREAS, a county may apply for modifications to its farm-to-market system to add or subtract mileage from its system, to accept or delete highways gained or lost through jurisdictional transfers, or to change the classification of roads within its system, and

WHEREAS, the Board of Supervisors of Washington County have consulted with their County Engineer and desires to modify its farm-to-market road system to provide continuity of intra-county and intercounty routes, to meet the needs of existing or potential traffic, to better meet land use needs, or to provide a more suitable location for a farm-to-market route, and

WHEREAS, application for modifications to any county's farm-to-market system must be made to the Farm-to-Market Review Board per the requirements of Iowa Code Section 306.6,

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF WASHINGTON COUNTY that this county is formally requesting that the Farm-to-Market Review Board approve the following modifications to its farm-to-market system:

Road segments proposed for addition to the farm to market system:

1. That portion Kiwi Avenue from 170th Street northerly to 155th Street (a total length of approximately 1.75 miles)

Total Mileage added to the Farm to Market System: 1.75 miles

Road segments proposed for deletion from the farm to market system:

1. That portion of Juniper Avenue from 170th Street northerly to 155th Street (a total length of approximately 1.75 miles)

Total Mileage deleted from the Farm to Market System: 1.75 miles

On motion by Seward, seconded by Fedler, the Board voted to approve, and authorize the Chairperson to sign, a 28E Agreement with the counties of Clinton, Henry, Keokuk, Lee, and Mahaska Counties regarding the purchase of a Weiler W430B Road Widener. According to the terms of the agreement, Washington County will front the purchase price of the machine with each of the other counties agreeing to reimburse Washington County for 1/6th of the purchase price with the machine in turn being shared by the six counties. The machine will be used to re-rock and maintain the shoulders of paved roads.

On motion by Seward, seconded by Stoops, the Board voted to contribute \$600.00 to assist in a study of soil compaction commissioned by Iowa State Association of Counties (ISAC). The goal of the study is to assist in the development of procedures and standards to assist in the mitigation of soil compaction on agricultural lands caused by utility construction machinery and vehicles traveling over wet soil.

On motion by Fedler, seconded by Seward, the Board voted to appoint Stoops to a one-year term as the County's representative on the 8th Judicial District Correctional Board with such term to end December 31, 2023.

The Board took up discussion with regard to Supervisor assignments to various commissions, boards, and committees for calendar year 2023 with the Supervisors expressing satisfaction with their current assignments. On motion by Seward, seconded by Fedler, the Board voted to approve calendar year 2023 committee assignments as discussed with no changes from calendar year 2022 committee assignments other than the removal of Young as the County's representative on the Heritage Area Agency on Aging Board and the addition of Washington County Ambulance Services Liaison to the list of assignments for Seward and Stoops.

There was no comment from Department Heads.

At 10:50 a.m. on motion by Fedler, seconded by Young, the Board voted to adjourn.

ATTEST:

January 3, 2023

ROBERT C. YODER, CHAIRPERSON
Washington County Board of Supervisors

DANIEL L. WIDMER
Washington County Auditor