

**PROCEEDINGS OF THE WASHINGTON COUNTY BOARD OF SUPERVISORS MEETING
TUESDAY, MARCH 9, 2021**

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; Resolution 21-04 related to release of highway easement to Dale Gonterman Estate; approval of Class B Beer (BB) Liquor License Application - The Kalona Golf Club; approval of ownership change - The Kalona Golf Club; personnel change request - Sheriff; appointment of Tim Anding to vacant position of Oregon Township Trustee; Resolution 21-07 in support of an application from Washington County Ambulance Services for Washington County Riverboat Foundation Grant; Resolution 21-03 related to public highway easement from Bergers, Inc. to Washington County; COVID-19 update; first reading of proposed Washington County Ordinance 21-01 related to Wind Energy and the Assessment of Wind Energy Conversion Property; Authorization for Alternate Signatories for Section 106 Compliance Forms related to CDBG-funded activities; Certification of Compliance with CDBG procurement standards; renewal of contract with CAROSH Compliance Solutions to provide HIPAA compliance assistance; department head comment; official canvass of Washington County Special Election conducted March 2, 2021; adjourn. Supervisors Jack Seward, Bob Yoder, and Stan Stoops were also present.

Others attending were: Sue Meeks, Deputy Auditor; Marissa Reisen, County Emergency Management Coordinator; Jacob Thorius, County Engineer; Roger Shindell, CAROSH Compliance Solutions; Mary Audia, WEDG Director; Amber Williams, Board of Supervisors Administrative Assistant; and citizen Marcus Fedler. 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 Stoops, seconded by Seward, the Board voted to approve the agenda as published.

There was no public comment.

On motion by Seward, seconded by Stoops, the Board voted by way of roll call vote to approve Resolution 21-04 as follows and to authorize the Chairperson to sign Resolution 21-04 on behalf of the Board.

**RESOLUTION NO. 21-04
RELEASE OF HIGHWAY EASEMENT**

[For real estate located in Section 10 Township 74 North Range 7 West]

BE IT RESOLVED, by the Board of Supervisors of Washington County, Iowa that Washington County no longer has need of the following described road easement and does RELEASE and ABANDON to:

The Dale Gonterman Estate

all of Washington County's interest in the easement as shown on the attached plat located in of Section 10, Township 74 North, Range 7 West, Washington County, Iowa and more particularly described as follows:

Commencing at the Southeast Corner of Section 10, Township 74 North, Range 7 West; thence S 88°30'29" W along the South Line of the Southeast 1/4, a distance of 1756.02 feet to the Point Of Beginning; thence continuing S 88°30'29" W along said South Line, a distance of 216.70 feet to the Southeast Corner of a Plat Of Survey recorded in Plat Book 7 on Page 387 in the office of the Washington County Recorder; thence N 03°02'25" W along the East Line of said Plat Of Survey, a distance of 255.69 feet; thence S 32°50'25" E, a distance 124.40 feet; thence 220.73 feet along the arc of a 410.00 foot radius curve, concave Northeasterly, whose 218.07 foot chord bears S 48°15'47" E; to the Point Of Beginning, containing 0.50 acre.

BE IT FURTHER RESOLVED, by the Board of Supervisors of Washington County, that the easement described above is now released and the above-described property is to be transferred to the named individuals on the corresponding Quit Claim Deed for no consideration of said property.

On motion by Seward, seconded by Yoder, the Board voted to approve, and authorize the Chairperson to sign on behalf of the Board, a renewal of a Class B Beer (BB) Liquor License (including Wine Coolers) with Outdoor Services and Sunday Sales for the Kalona Golf Club, 1376 Highway 1 South, Kalona, Iowa, for the period of April 1, 2021 to March 31, 2022. Sheriff Jared Schneider expressed no objection to approval of the application.

On motion by Seward, seconded by Stoops, the Board voted to acknowledge, and authorize the Chairperson to sign on behalf of the Board, a change in ownership for the Kalona Golf Club, 1376 Highway 1 South, Kalona, Iowa.

On motion by Stoops, seconded by Yoder, the Board voted to acknowledge, and authorize the Chairperson to sign, a personnel change request from the Sheriff for Jailer Jopancia Albright whose last day of employment will occur on March 11, 2021.

On motion by Stoops, seconded by Yoder, the Board voted to appoint Tim Anding to fill an unexpired term as Oregon Township Trustee that ends December 31, 2024.

On motion by Seward, seconded by Yoder, the Board voted by way of roll call vote to approve Resolution 21-07 as follows and to authorize the Chairperson to sign Resolution 21-07 on behalf of the Board.

RESOLUTION 21-07

A RESOLUTION OF THE BOARD OF SUPERVISORS OF WASHINGTON COUNTY, IOWA, ACKNOWLEDGING THE APPLICATION FOR THE PURPOSE OF RECEIVING BENEFITS FROM THE WASHINGTON COUNTY RIVERBOAT FOUNDATION.

WHEREAS, the Washington County Riverboat Foundation has grant funds available that target Community Development and Beautification, Economic Development, Art and Education, Human and Social Needs, and

WHEREAS, the Washington County Riverboat Foundation has a grant application cycle that ends March 14, 2021, and

WHEREAS, the Washington County Board of Supervisors is supportive of these targets for improvements to the community and County, and

WHEREAS, one or more applications from Washington County and/or from organizations with projects that will take place on County property, will be submitted to the Washington County Riverboat Foundation by the March 14, 2021, deadline.

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Washington County, Iowa, that Washington County acknowledges the following grant application will be submitted to the Washington County Riverboat Foundation for the March 14, 2021 application cycle:

containment station for safer oxygen refill.

On motion by Seward, seconded by Stoops, the Board voted by way of roll call vote to approve Resolution 21-03 as follows and to authorize the Chairperson to sign Resolution 21-03 on behalf of the Board.

RESOLUTION NO. 21-03 PUBLIC HIGHWAY EASEMENT

[For real estate located in Sec. 14-77-9]

BE IT RESOLVED by the Board of Supervisors of Washington County, Iowa that a Permanent Easement for a Public Highway in Lime Creek Township (14-77-9) dated March 9, 2021, from:

Bergers, Inc., Steven S. Berger, President, & Janice Y. Berger, Secretary

to Washington County, Iowa, be accepted and approved at a cost of \$377.40 and that the alteration in the public highway be established as described in said Easement.

Property in above-mentioned easement is described as:

A permanent right-of-way easement in the SW 1/4 of the SE 1/4 of Section 14, Township 77 North, Range 9 West of the 5th Principal Meridian in Washington County, Iowa described more particularly as follows:

Commencing at the South 1/4 corner of said Section 14; thence N00°24'35"W 59.50 feet along the west line of the SW1/4 of the SE 1/4 to the presently established Iowa DOT highway right-of-way and the point of beginning; thence continuing N00°24'35"W 50.00 feet; thence N89°35'25"E 85.00 feet; thence S00°24'35"E 51.35 feet to the existing Iowa DOT highway right-of-way; thence S89°30'04"W 85.01 feet along the Iowa DOT highway right-of-way to the point of beginning and containing 0.10 acres of which 0.06 acres are existing highway right-of-way.

Public Health Administrator Danielle Pettit-Majewski reported that in Washington County as of 8:45 a.m. on March 9, 2021, a total of 11,293 tests had been conducted to detect for COVID-19 with such tests yielding 2,393 positive results. Positive results in the previous 7 days totaled 6 while positive results in the previous 14 days totaled 15. Meanwhile in Washington County a total of 2,288 individuals have recovered from COVID-19 according to Pettit-Majewski. A total of 608 serology tests have been conducted in Washington County with such tests yielding 118 reactive cases. The Return to Learn percent positivity rate for Johnson and Jefferson County is 3.0% and 3.4% respectively while the Washington County rate is 1.1%. A total of 47 deaths in Washington County have been attributed to COVID-19 while statewide the total is 5,559. At the present time no individuals in Washington County are hospitalized while statewide the total is 179. Long-term care outbreaks in the state total 9 with none in Washington County. The statewide number of vaccines administered in Iowa is 902,070 which includes approximately 6,330 vaccines that have taken place in Washington County.

The Board took up discussion regarding proposed Washington County Ordinance 21-01 related to Wind Energy and the Assessment of Wind Energy Conversion Property. The proposed ordinance pertains to the valuation of the land and equipment on wind farms built in the county. The proposed taxation schedule for wind farms, which is a result of an agreement that the wind energy industry made with the State of Iowa many years ago, calls for no taxable valuation for the first year of operation. The following year the county can tax only 5% of the taxable value and after that the percentage increases an additional 5% each year until a maximum of 30% is reached in year seven. After that the rate remains at 30%. Yoder announced he was struggling with the property tax benefits called for in the proposed ordinance which he characterized as a "sweetheart of a deal". Young reminded Yoder that property tax benefits exist for all property owners in some fashion or another. Stoops emphasized that the Supervisors must consider the local effect of wind mills rather than national affect and he admitted that while he personally finds wind mills "obnoxious" he also understands that wind mills would provide a financial benefit for some landowners. Yoder offered that wind mills would adversely affect roads, property values, and the environment. Seward estimated that 5% of the public comments he had received were from citizens in favor of wind mills while Young estimated 95% of the public comments that he had received were from citizens who favored wind mills. Seward acknowledged that while there were many negatives with regard to wind mills the one positive aspect was the increase in valuations that would in turn yield increased tax revenues for Washington County. However, he cautioned about only giving consideration to tax revenue while ignoring the fact that wind mills are a profit-driven industrial enterprise. He also

stated his opinion that individuals lose their individualism when they align with a wind energy company. According to Seward that wind mills are neither viable nor sustainable without tax benefits and he expressed doubt as to whether wind mills are economically friendly. Young countered that consideration must be given to those who feel that as property owners they have the right to determine how to use their property. Seward replied that he had no issue with an individual property owner independently constructing a wind mill on their property. However, he did offer that an industrial wind mill project stretching over several miles motivated solely by profit should require county approval. Ultimately, on motion by Seward, seconded by Yoder, the Board voted to table further consideration of proposed Washington County Ordinance 21-01 related to Wind Energy and Assessment of Wind Energy Conversion Property until the newly-elected member of the Board of Supervisors is seated.

No discussion occurred and no action was taken with regard to the agenda item entitled Authorization for Alternate Signatories for Section 106 Compliance Forms related to CDBG-funded activities.

No discussion occurred and no action was taken with regard to the agenda item entitled Certification of Compliance with CDBG procurement standards.

On motion by Yoder, seconded by Seward, the Board voted to approve a contract renewal with Carosh Compliance Solutions (CAROSH) to provide Health Insurance Portability and Accountability Act (HIPAA) compliance assistance to Washington County and to authorize the Chairperson to sign the agreement on behalf of the Board. The contract is for one year that begins April 12, 2021, and comes at a cost of \$9,600.00. Prior to the Board's action Roger Shindell, with CAROSH, provided a recap of compliance efforts for the past year. Shindell voiced that while the overall degree of HIPAA compliance is good there are still areas that could be improved upon. Seward expressed appreciation for the efforts of CAROSH in assisting the HIPAA compliance efforts of the County. On motion by Yoder, seconded by Seward, the Board voted to approve a contract renewal with CAROSH to provide HIPAA compliance assistance to Washington County and to authorize the Chairperson to sign the agreement on behalf of the Board.

There was no comment from County Department Heads.

At 10:10 a.m. on motion by Seward, seconded by Stoops, the Board voted to go into recess.

At 10:21 a.m. on motion by Seward, seconded by Stoops, the Board voted to return to open session to canvass the results of the Washington County Special Election conducted March, 2021, as follows:

STATE OF IOWA ABSTRACT OF VOTES

Washington County, Iowa

We, the undersigned Members of the Board of Supervisors and ex-officio County Board of Canvassers for this County, do hereby certify the following to be a true and correct abstract of the votes cast in this County at the Board of Supervisor, District 3 vacancy election held on the 2nd day of March, 2021, as shown by the tally lists returned from the election precincts.

County Supervisor, District 3 TFV - Vote for 1

Marcus Fedler (Rep)	Received ninety-eight (98) votes
Johnathan Hunter Robert Bartholomew (NBP)	Received seventy-two (72) votes
Dwight Miller (NBP)	Received eighty-five (85) votes
Joshua Schreiber (NBP)	Received fifty (50) votes
Candidate Total	Three hundred five (305) votes
SCATTERING	One (1) votes
TOTAL	Three hundred six (306) votes

We therefore declare:

Marcus Fedler duly elected for the office of County Supervisor, District 3 TFV, for the remainder of the unexpired term ending December 31, 2022.

We, the undersigned Members of the Board of Supervisors and ex-officio County Board of Canvassers for this County, do hereby certify the following to be a true and correct abstract of the votes cast in this County at the election for the Highland Community School District Physical Plant and Equipment Levy held on the 2nd day of March, 2021, as shown by the tally lists returned from the election precincts.

For the public measure:

Public Measure A

Shall the Board of Directors of the Highland Community School District, in the Counties of Washington and Johnson, State of Iowa, for the purpose of purchasing and improving grounds; constructing schoolhouses or buildings and opening roads to schoolhouses or buildings; purchasing of buildings; purchase, lease or lease-purchase of technology and equipment; paying debts contracted for the erection or construction of schoolhouses or buildings, not including interest on bonds; procuring or acquisition of libraries; repairing, remodeling, reconstructing, improving, or expanding the schoolhouses or buildings and additions to existing schoolhouses; expenditures for energy conservation; renting facilities under Iowa Code Chapter 28E; purchasing transportation equipment for transporting students; lease purchase option agreements for school buildings or equipment; purchasing equipment authorized by law; or for any purpose or purposes now or hereafter authorized by law, be authorized for a period of ten (10) years, to levy annually, a voter-approved physical plant and equipment property tax not to exceed One Dollar (\$1.00) per One Thousand Dollars (\$1,000) of the assessed valuation of the taxable property within the school district commencing with the levy for collection in the fiscal year ending June 30, 2023,

or each year thereafter?

For the question, there were: Two hundred five (205) votes

Against the question, there were: Fifty-six (56) votes

TOTAL Two hundred sixty-one (261) votes

We therefore declare the public measure:

"Shall the Board of Directors of the Highland Community School District, in the Counties of Washington and Johnson, State of Iowa, for the purpose of purchasing and improving grounds; constructing schoolhouses or buildings and opening roads to schoolhouses or buildings; purchasing of buildings; purchase, lease or lease-purchase of technology and equipment; paying debts contracted for the erection or construction of schoolhouses or buildings, not including interest on bonds; procuring or acquisition of libraries; repairing, remodeling, reconstructing, improving, or expanding the schoolhouses or buildings and additions to existing schoolhouses; expenditures for energy conservation; renting facilities under Iowa Code Chapter 28E; purchasing transportation equipment for transporting students; lease purchase option agreements for school buildings or equipment; purchasing equipment authorized by law; or for any purpose or purposes now or hereafter authorized by law, be authorized for a period of ten (10) years, to levy annually, a voter-approved physical plant and equipment property tax not to exceed One Dollar (\$1.00) per One Thousand Dollars (\$1,000) of the assessed valuation of the taxable property within the school district commencing with the levy for collection in the fiscal year ending June 30, 2023, or each year thereafter?"

to be adopted.

We, the undersigned Members of the Board of Supervisors and ex-officio County Board of Canvassers for this County, do hereby certify the following to be a true and correct abstract of the votes cast in this County at the election held for the City of Washington, Iowa, Ward 3 City Council vacancy on the 2nd day of March, 2021, as shown by the tally lists returned from the election precincts.

City of Washington Council Member Ward 3 TFV - Vote for 1

Haleigh Brockman	Received thirty-nine (39) votes
Illa Earnest	Received one hundred forty-three (143) votes
Candidate Total	One hundred eighty-two (182) votes
SCATTERING	Zero (0) votes
TOTAL	One hundred eighty-two (182) votes

We therefore declare:

Illa Earnest duly elected for the office of City of Washington Council Member Ward 3 TFV for the remainder of the unexpired term ending December 31, 2023.

IN TESTIMONY WHEREOF, we have hereunto set our hands and caused to be affixed the seal of this county by the Clerk of the Board of Supervisors.

Done at Washington, Iowa, the county seat of Washington County, Iowa, this 9th day of March, 2021.

On motion by Yoder, seconded by Seward, the Board voted to accept, as official, the results of the March 2, 2021, Washington County Special Election as canvassed.

At 10:28 a.m. on motion by Seward, seconded by Yoder, the Board voted to adjourn.

ATTEST:
March 9, 2021

RICHARD L. YOUNG
Chairperson, Board of Supervisors

DANIEL L. WIDMER
County Auditor