

**PROCEEDINGS OF THE WASHINGTON COUNTY BOARD OF SUPERVISORS MEETING
TUESDAY, MAY 24, 2022**

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; proposed labor agreement between Washington County and Chauffeurs, Teamsters and Helpers Local Union 238; personnel change request – Ambulance; revision to Washington County Ambulance Services Policy Manual; discussion and possible approval of 28E Agreement for Preparation and Submittal of 2022 USDOT Bridge Investment Program (BIP) Grant Application; Washington County Secondary Roads Department FY2022 Iowa DOT Budget Amendment; review bids and award contract for Elm Avenue Grading project FM-C092(119)--55-92 on Elm Avenue from 250th Street north 3 miles to Highway 92; Resolution 22-18 to authorize County Engineer to sign Doc Express contract documents related to Elm Avenue Grading project FM-C092(119)-55-92 on Elm Avenue from 250th street north 3 miles to Highway 92; Letter of Credit from Washington State Bank related to Citizen Convenience Center (Recycling Center) Permit Application; and department head comment. Supervisors Marcus Fedler, Jack Seward, Jr., Bob Yoder, and Stan Stoops were also present.

Other individuals in attendance included Sam McIntosh, KCII Radio; Kalen McCain, SE Iowa Union; Jeremy Peck, County Ambulance Director; Shawn Ellingson, Chief Deputy Sheriff; Jacob Thorius, County Engineer; and Mary Audia, WEDG Director. Various other individuals participated remotely.

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

On motion by Seward, seconded by Fedler, the Board voted to approve the agenda after it was amended to include the following: (1) Acknowledge K-9 donation and (2) approval of various documents, including Resolution 22-19, related to application for letter of credit from Washington State Bank.

There was no public comment related to agenda items.

On motion by Seward, seconded by Yoder, the Board voted to approve a labor agreement between Washington County and Chauffeurs, Teamsters and Helpers Local Union 238 (Law Enforcement) for the period of July 1, 2022 to June 30, 2025 and to authorize the Chairperson to sign the agreement on behalf of the Board.

On motion by Yoder, seconded by Fedler, the Board voted to acknowledge, and authorize the Chairperson to sign, a personnel change request from Washington County Ambulance Services for Michael Long who will begin duties as a full-time non-exempt Paramedic on June 15, 2022 at the rate of \$22.98 per hour. The County Auditor is hereby authorized to issue pay warrants upon proper certification from the Department Head.

On motion by Fedler, seconded by Seward, the Board voted to approve a revision of the dress code for employees of Washington County Ambulance Services with such revision to be a part of the Washington County Ambulance Services Employee Handbook. Washington County Ambulance Services Director Jeremy Peck explained the biggest change involves new wording that states that all clothing that is distributed to ambulance employees remains the property of WCAS and must be surrendered when employment ends.

On motion by Seward, seconded by Fedler, the Board voted to approve a 28E Agreement related to the Preparation and Submittal of 2022 USDOT Bridge Investment Program (BIP) Grant Application. Prior to the vote County Engineer Jacob Thorius explained that the 28E Agreement was between the Iowa County Engineers Association Service Bureau (ICEASB) and eight counties including Washington County. Per the agreement, the ICEASB and the Counties enter into an Agreement to provide cooperative action to contract for Professional Consultants Services to assemble and submit a BIP Grant application. Each of the eight counties shall share equally in the cost and be responsible for 1/8 of the total actual costs for professional services rendered for their respective individual bridge project. Approval of the BIP Grant would enable Washington County to complete a \$7.75 million bridge project spanning the Skunk River at Dogwood Avenue.

On motion by Yoder, seconded by Fedler, the Board voted to approve an amendment to the FY22 Iowa Department of Transportation Budget and to authorize the Chairperson to sign pertinent documents on behalf of the Board.

County Engineer Jacob Thorius presented the following bids for the completion of a project known as the Elm Avenue Grading project FM-C092(119)--55-92 on Elm Avenue from 250th Street north 3 miles to Highway 92. The bids were as follows:

<u>BIDDER</u>	<u>BIDDER ADDRESS</u>	<u>BID AMOUNT</u>
Reilly Construction Co., Inc.	Ossian, IA	\$682,635.36
Cornerstone Construction & Excavating, LLC.	Washington, IA	\$677,760.15
Peterson Contractors, Inc.	Reinbeck, IA	\$665,893.86
Cole Construction Co., Inc.	Keosauqua, IA	\$649,044.81
DeLong Construction, Inc.	Washington, IA	\$549,605.50

Thorius stated that the Engineer's estimate, in the amount of \$490,000.00, had been completed several months earlier prior to the increase in fuel costs. On motion by Fedler, seconded by Yoder, the Board voted to accept the bid received from DeLong Construction, Washington, Iowa, in the amount of \$549,605.50 for the Elm Avenue Grading project FM-C092(119)--55-92 on Elm Avenue from 250th Street north 3 miles to Highway 92.

On motion by Fedler, seconded by Yoder, the Board voted by way of roll call vote to approve Resolution 22-18 as follows and to authorize the Chairperson to sign Resolution 22-18 on behalf of the Board.

**RESOLUTION 22-18
APPROVAL OF ELM AVENUE GRADING and COUNTY ENGINEER
AUTHORIZATION TO SIGN CONTRACT DOCUMENT IN DOC EXPRESS**

WHEREAS, the Board of Supervisors of Washington County, Iowa, hereafter referred to as "the Board", believes the Elm Avenue grading project FM-C092(119)--55-92, hereafter referred to as "the project", is in the best interest of Washington County, Iowa, and the residents there of. The project is defined as a regrading and surfacing of Elm Avenue from 250th street, north 3 miles to Highway 92; and

WHEREAS, the Board has sought appropriate professional guidance for the concept and planning for the project and followed the steps as required by the Code of Iowa for notifications, hearings, and bidding/letting; and

WHEREAS, the Board finds this resolution appropriate and necessary to protect, preserve, and improve the rights, privileges, property, peace, safety, health, welfare, comfort, and convenience of Washington County and its citizens, all as provided for in and permitted by section 331.301 of the Code of Iowa; and

IT IS THEREFORE RESOLVED by the Board to accept the bid from DeLong Construction, Inc. in the amount of \$549,605.50 and awards the associated contract to the same;

BE IT FURTHER RESOLVED all other resolutions or parts of resolutions in conflict with this resolution are hereby repealed. If any part of this resolution is adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the resolution or action of the Board as a whole or any part thereof not adjudged invalid or unconstitutional. This resolution shall be in full force and effect from and after the dated of its approval as provided by law;

BE IT FURTHER RESOLVED by the Washington County Board of Supervisors, that, after receiving the necessary contract documents, including but not limited to, the contractor's bond and certificate of insurance Jacob Thorius, the County Engineer for Washington County, Iowa, be and is hereby designated, authorized, and empowered on behalf of the Board of Supervisors of said County to execute the contracts in connection with the afore awarded construction project let through the DOT for this county.
Letter of Credit from Washington State Bank related to Citizen Convenience Center (Recycling Center) Permit Application;

Auditor Dan Widmer briefed the Board on the application process for renewal of the Washington County Citizen's Convenience Center (WCCCC) Permit. Renewal of the permit is required in order for the WCCCC to continue to operate. One component of the overall application is a resolution certifying that there are specific funds available to adequately cover final cleanup costs in the event that the WCCCC should close. Widmer explained that a problem arose because both the current FY22 budget, as well as the FY23 budget, call for \$5,000.00 to be set aside for potential cleanup costs while such cleanup costs were recently estimated to be \$5,250.00 by County Engineer Jacob Thorius when the application was being completed. Such a discrepancy is problematic. After researching the matter Widmer recommended an irrevocable letter of credit be prepared by Washington State Bank in the amount of \$5,250.00 for the exclusive purpose of meeting financial assurance requirements required by the Iowa Department of Natural Resources. Discussion ensued with Widmer responding to procedural questions related to the proposed letter of credit. On motion by Seward, seconded by Fedler, the Board voted to approve a letter of credit in the amount of \$5,250.00 to be issued by the Washington State Bank, Washington, Iowa, to the Iowa Department of Natural Resources on behalf of Washington County for closure care of the Washington County Recycling Center located at 2170 Lexington Boulevard, Washington, Iowa.

On motion by Fedler, seconded by Yoder, the Board voted by way of roll call vote to approve Resolution 22-19 as follows and to authorize the Chairperson to sign Resolution 22-19 on behalf of the Board.

ORGANIZATION BORROWING RESOLUTION 22-19

By the Board of Directors of Washington County, a County Government, hereafter called "Organization" whose principal place of business is located at PO Box 889, Washington, IA 52353.

RESOLVED, THAT ANY of the officers of this Organization from time to time holding the following offices of this Organization: Chairman is authorized for and on behalf of this Organization:

- (1) to arrange for the borrowing and to borrow from time to time money from Washington State Bank ("**Lender**") and to give written instructions to Lender regarding the same;
- (2) to execute and deliver to Lender, from time to time, notes and loan agreements evidencing such debts in such amounts, with such maturities, at such rates of interest and upon such terms and conditions as said officer(s) deem(s) proper;
- (3) to pledge, assign, mortgage or otherwise grant a security interest in any or all real property, fixtures, tangible or intangible personal property, or any other assets of this Organization, to execute and deliver to Lender such security agreements, assignments, mortgages, financing statements, hypothecations, agreements not to encumber and other agreements as may be requested by Lender from time to time with such promises, warranties, representations and conditions as said officer(s) deem(s) proper and to guarantee and/or secure the obligations of others to Lender, and to perform such acts required of the Organization in such agreements or otherwise to perfect such security interests, including the deposit of such property with Lender (and to withdraw and make substitutions of same from time to time);
- (4) to endorse or assign with or without recourse and deliver to Lender for discount, negotiation, deposit, application to loan balances or for collateral purposes, notes, drafts, checks, certificates of deposit, acceptances, chattel paper, accounts, commercial and other business paper now owned or hereafter acquired by this Organization;
- (5) to execute and deliver to Lender applications, agreements and other instruments for the issuance by Lender of letters of credit for the account

of this Organization;

(6) to execute and deliver subordinations, guarantees or other financial undertakings to Lender; and

(7) to do or authorize others acting on behalf of the Organization to do all other things necessary or appropriate to the authority granted by this Resolution. The signature(s) of any such officer(s) appearing on any of the foregoing shall be conclusive evidence of that officer's approval thereof.

FURTHER RESOLVED that the custodian of the records of this Organization be and hereby is authorized and directed to certify to Lender the foregoing Resolution and that the provisions thereof are in conformity with the Articles of Incorporation, Constitution, Charter, Bylaws and/or rules of this Organization and to provide the names and to provide specimen or facsimile signatures if requested of the person(s) authorized therein and that the foregoing Resolution and the authority thereby conferred shall remain in full force and effect until this Organization notifies Lender to the contrary in writing, and Lender may conclusively presume that such Resolution and signature(s) are in effect and that the persons identified therein from time to time as officers of the Organization have been duly elected or appointed to and continue to hold such offices. Receipt of any such notice shall not affect any actions taken by Lender prior thereto.

FURTHER RESOLVED, that this Organization assumes full responsibility and holds harmless Lender for any and all payments made or any other actions taken by Lender in reliance upon the signatures (whether original, facsimile, digital or electronic) of any person or persons holding the offices of this Organization designated above regardless of whether or not the use of the signature was unlawful or unauthorized and regardless of by whom or by what means the purported signature may have been affixed to any instrument and for refusing to honor any signatures not provided to Lender, and that this Organization agrees to indemnify Lender against any and all claims, demands, losses, costs, damages or expenses suffered or incurred by Lender resulting from or arising out of any such payment or other action, including reasonable attorneys' fees and legal expenses.

I hereby certify that I am the custodian of the records and seal (if any) of the above-named Organization organized under the laws of Iowa ; that the foregoing is a true and correct copy of resolutions duly adopted in accordance with law and the Articles of Incorporation,, Bylaws, Constitution, Charter and/or rules of said Organization by unanimous consent, or at a meeting of a quorum of its governing body on 05.24.2022, and that said resolution, not being in conflict with those Articles, Constitution, Charter or Bylaws, are now in full force and effect. The Organization has received a completed copy of this document

s/RICHARD L. YOUNG, CHAIRPERSON
Washington County Board of Supervisors

On motion by Yoder, seconded by Fedler, the Board voted to acknowledge a donation to the Washington County Sheriff's K-9 fund from John Leedy, Kalona, in the amount of \$50.00.

There was no department head comment.

At 9:52 a.m. on motion by Yoder, seconded by Fedler, the Board voted to adjourn.

ATTEST:
MAY 24, 2022

RICHARD L. YOUNG, CHAIRPERSON
Washington County Board of Supervisors

DANIEL L. WIDMER
County Auditor