

**PROCEEDINGS OF THE WASHINGTON COUNTY BOARD OF SUPERVISORS MEETING  
TUESDAY, AUGUST 17, 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 21-33 declaring Washington County to be a Second Amendment Sanctuary County; personnel change request - Secondary Roads; discussion and action regarding proposed Iowa DOT Agreement for County Bridge Federal-Aid Swap Funding for BROS-SWAP-C092(115)--SE-92 (Juniper Avenue Bridge replacement project two miles east of Brighton); personnel change request – Ambulance; discussion and action regarding remodeling of Washington County Courthouse; discussion and action regarding remodeling of Building #3 at Orchard Hill complex; discussion and action regarding contract with Martin Gardner Architecture for assessment of county office space; department head comment; adjourn. Supervisors Jack Seward, Jr., Marcus Fedler, Stan Stoops, and Bob Yoder were also present.

Others attending the meeting included Kalen McCain, SE Iowa Union; Mary Zielinski, The News; Jacob Thorius, County Engineer; Jared Schneider and Shawn Ellingson, County Sheriff's Office; Jeremy Peck, County Ambulance Services Director; and Amber Williams, Board of Supervisors Administrative Assistant. Various other individuals listened and/or watched remotely via electronic means.

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 as published.

There was no public comment.

The Board took up discussion of proposed Resolution 21-33 related to declaring Washington County to be a Second Amendment Sanctuary County. Stoops began the discussion by stating he had received nothing but comments in favor of passage of the resolution. Yoder responded stating his Kalona constituents expressed nearly total opposition to the proposed resolution while his Riverside constituents were evenly split in their support and added that passage of the resolution would have no legal standing and would accomplish little or nothing. He then voiced his understanding that the proposed resolution was designed to add U.S. Constitution Second Amendment rights to the Iowa Constitution and he had more faith in the U.S. Constitution than in the Iowa Constitution. When asked by Seward as to the specific objection(s) expressed by citizens of Kalona, Yoder responded that he did not want to get into the specific reasons other than to say such individuals object to weapons of any type or in any situation. Young stated that all of the comments he had received were from individuals in favor of the resolution. On motion by Fedler, seconded by Seward, the Board voted by way of roll call vote to approve Resolution 21-33 as follows and to authorize the Chairperson to sign Resolution 21-33 behalf of the Board.

**RESOLUTION 21-33**

**A RESOLUTION DECLARING WASHINGTON COUNTY, IOWA,  
TO BE A SECOND AMENDMENT SANCTUARY COUNTY**

**WHEREAS**, the Right of The People to Keep and Bear Arms is guaranteed as an individual Right under the Second Amendment to the United States Constitution; and

**WHEREAS**, the Right of The People to Keep and Bear Arms in the legal defense of life, liberty and property is regarded as an inalienable Right of The People of Washington County, Iowa; and

**WHEREAS**, The People of Washington County, Iowa, derive economic benefit from all safe forms of firearms recreation, hunting and shooting conducted within Washington County, using all types of firearms allowable under the United States Constitution and the laws of the State of Iowa; and

**WHEREAS**, the Washington County Board of Supervisors was elected to represent the citizens of Washington County, and have sworn by their Oath of Office to uphold the United States Constitution and the Constitution of the State of Iowa; and

**WHEREAS**, legislation and rules are currently being considered or are expected to be proposed by both the Federal Legislature and the Iowa State Legislature that potentially seeks to infringe on the Constitutionally protected Right of Citizens to Keep and Bear Arms; and

**WHEREAS**, the Washington County Board of Supervisors wants to ensure that the Rights of the citizens of Washington County, Iowa are protected; and

**WHEREAS**, the Washington County Board of Supervisors understands that the Federal Legislature and the Iowa State Legislature cannot be solely trusted to protect citizens' Second Amendment Rights; and

**WHEREAS**, it is desirable to declare that Washington County is a Second Amendment Sanctuary County, as Washington County opposes the enactment of any legislation or the issuance of executive order, that would infringe upon the Constitutional Right of the people of Washington County to Keep and Bear Arms; and

**WHEREAS**, legislation of the Congress of the United States, or of the Iowa General Assembly, or any order promulgated by the Federal or State of Iowa Executives that infringes upon the constitutionally protected natural Right of the people of Washington County, Iowa to Keep and Bear Arms shall not be enforced by any individual employed by the Washington County (Iowa) Sheriff's Department, or any other employee of Washington County, Iowa; and

**NOW, THEREFORE, BE IT RESOLVED** on this 17<sup>th</sup> day of August, 2021, that the Washington County Board of Supervisors hereby declares Washington County, Iowa, to be a Second Amendment Sanctuary County, and hereby states its opposition to the enactment of legislation, the issuance of executive order, or the promulgation of any regulation after the date of adoption of this resolution that would infringe upon the constitutionally protected natural Right of The People of Washington County, Iowa to Keep and Bear Arms.

The vote on the motion: Aye-Young, Seward, Stoops, Fedler; Nay-Yoder.

County Engineer Jacob Thorius presented a personnel change request for Timothy Kleese calling for 80 hours of vacation time to be given to Kleese who was hired as an Assistant Secondary Roads Maintenance Superintendent effective August 17, 2021. Thorius explained that the beginning vacation hours were agreed upon when Kleese accepted the position but were inadvertently overlooked when employment documents were prepared and signed by Kleese on July 26, 2021. Thorius acknowledged that awarding such vacation hours upon hiring is unique but he added he felt doing so was necessary in order to acquire the services of a quality individual. Seward emphasized that the awarding of 80 vacation hours to Kleese at time of hire was a special set of circumstances and was not to be construed as a precedent and he reinforced that Kleese is considered to be in a Secondary Roads management position. On motion by Yoder, seconded by Stoops, the Board voted to acknowledge, and authorize the Chairperson to sign, a personnel change request from Secondary Roads for Assistant Secondary Roads Maintenance Superintendent Timothy Kleese to add 80 hours vacation time to Kleese's vacation bank effective August 17, 2021.

On motion by Seward, seconded by Fedler, the Board voted to approve, and authorize the Chairperson and the Auditor to sign, an agreement with the Iowa DOT for County Bridge Federal-Aid Swap Funding for a bridge replacement project located on Juniper Avenue approximately two miles east of Brighton. Prior to Board action Thorius shared that presently the narrow wooden bridge is deteriorating and is subject to a weight restriction which results in a "dead end" for traffic as well as maintenance purposes. The project, which will include the replacement of the current wooden bridge with a box culvert, will be funded by way of state funds swapped with federal funds which will result in a speedier design process and quicker completion of the project. The cost estimate for the project is approximately \$400,000.00. Thorius added that the project letting date will likely occur in December 2021 with the work taking place sometime during the 2022 construction season.

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 Carrie Ornduff who will assume duties as a full-time non-exempt Paramedic Field Supervisor, effective August 25, 2021, at the rate of \$27.12 per hour.

On motion by Seward, seconded Fedler, the Board voted to authorize the County Attorney to take necessary steps to choose a contractor and work with the Board of Supervisors, Washington County Buildings and Grounds, and the County Engineer to finalize a project floorplan for the Courthouse basement for Board approval. During discussion Auditor Dan Widmer stated his desire that he be specifically named in the motion based on Iowa Code which states that a County Auditor has statutory responsibility for County Buildings and Grounds. Seward responded that in his opinion Widmer was indeed included in the motion due to his position as head of County Buildings and Grounds. Young reminded that asbestos abatement needs to occur no matter what is ultimately determined to be the use for what is now the Board of Supervisor meeting place. Gish listed privacy and security concerns as well as signs of wall and ceiling deterioration as reasons for remodeling. He also stated his intent to use the approximate \$25,000.00 in revenue collected by his staff to offset all, or a large portion of, the renovation expense for his department. There was no other discussion and the motion passed.

A brief discussion occurred regarding the location of a temporary breakroom during such time as the Courthouse basement is under renovation. The Board took no formal action.

On motion by Seward, seconded Fedler, the Board voted to authorize Washington County Buildings and Grounds which includes the County Auditor to take necessary steps to choose a contractor and work with the Board of Supervisors and the County Engineer to finalize a project floorplan, for Board approval, related to relocation of Board of Supervisors operations to Orchard Hill Building 3.

On motion by Seward, seconded by Fedler, the Board voted to approve, and authorize the Chairperson to sign, a proposed engagement letter from Martin Gardner Architecture of Marion, Iowa, to provide a report to include needs assessment, space programming, architectural design services, and estimates of construction costs for relocating various County operations to Orchard Hill Building 3 for the specified fee of \$7,400.00.

There was no discussion from department heads.

At 9:45 a.m. on motion by Yoder, seconded by Fedler, the Board voted to adjourn.

ATTEST:  
August 17, 2021

RICHARD L. YOUNG  
Chairperson, Board of Supervisors

DANIEL L. WIDMER  
County Auditor