

**PROCEEDINGS OF THE WASHINGTON COUNTY BOARD OF SUPERVISORS MEETING  
TUESDAY, APRIL 25, 2017**

Chairperson Richard Young called the meeting to order at 9:30 a.m. in the Courthouse chambers in regular session. Items on the agenda were: discussion and possible action regarding 28E Agreement with Southeast Iowa Link (SEIL) Mental Health and Disability Services; discussion and possible action regarding tobacco use and e-cigarette use on County property; discussion and action regarding bids for Nutmeg Ave grading project L-J-088; monthly report – WEMIGA, quarterly report – Auditor; personnel change request – Sheriff; Class B Native Wine Liquor License Application – Revasser Winery, Ainsworth; secondary road use request – Marion Avenue Baptist Church, Washington; fireworks permit – Marion Avenue Baptist Church, Washington; open discussion; closed session pursuant to 21.5(1)(c) to discuss strategy for imminent litigation. Supervisors Stan Stoops, Bob Yoder, Abe Miller and Jack Seward, Jr., were also present.

Others attending were: Sally Hart, KCII Radio; Xiomara Levsen, Washington Evening Journal; Mary Zielinski, Kalona News; Jacob Thorius, County Engineer; John Gish, County Attorney; Jeff Garrett, County Treasurer; Jennine Wolf, County Environmental Health Director; Shawn Ellingson, County Sheriff’s Office; Jo Greiner, County Recorder; Cyndie Sinn, County IT/Budget Director; Amber Williams, Board of Supervisors Administrative Assistant; and citizens Les Zickefoose, Charlotte Stalder, Denny Stalder, Tom Duwa, and Bette Brant.

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

On motion by Stoops, seconded by Yoder, the Board voted to approve the agenda as published.

Seward began the discussion regarding proposed Resolution 17-16 related to approval of a Southeast Iowa Link (SEIL) Region Amended 28E Agreement. He highlighted one change contained in the proposed 28E agreement which would allow SEIL to hire one or more employees to process claims for payment. Presently each of the eight counties that make up SEIL process claims with many, if not all such claims, paid by the same provider. By having such claims processed by SEIL it is believed that increased efficiency would result. However, Seward stressed that there are no specific plans at this time for SEIL to hire such staff. Responding to Miller, Seward stated that in the previous year there was sufficient carry-over in the SEIL operating fund and thus the \$1 per capita funding amount was not necessary. Seward also pointed out that approval of Resolution 17-16 would authorize him, in his position Washington County Supervisor and SEIL Governance Board designee, to sign the finalized Amended 28E agreement on behalf of Washington County. On motion by Miller, seconded by Stoops, the Board voted by way of roll call vote to approve Resolution 17-16 as follows and to authorize the Chairperson to sign Resolution 17-16 on behalf of the Board.

**RESOLUTION 17-16**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF WASHINGTON COUNTY APPROVING SOUTHEAST IOWA LINK (SEIL) REGION 28E**

**WHEREAS**, The Iowa Legislature has passed and the Iowa Governor has signed SF2315 An Act relating to Redesign of Publicly Funded Mental Health and Disability Services; and

**WHEREAS**, SF2315 expresses the intent of the legislature that Mental Health and Disability Services shall be provided by counties operating together as Regions; and

**WHEREAS**, the Washington County Board of Supervisors has participated in the initial SEIL 28E Agreement as a member county; and

**WHEREAS**, the Washington County Board of Supervisors has been engaged in the development of the SEIL Region 28E amended document; and

**WHEREAS**, the Counties of Des Moines, Henry, Jefferson, Keokuk, Lee, Louisa, Van Buren, and Washington have completed the 28E Agreement Amended document with unanimous approval and satisfaction from the SEIL Governing Board Directors,

**BE IT RESOLVED** that Washington County approves the SEIL Mental Health and Disability Services Region amended 28E.

**BE IT FURTHER RESOLVED** that Washington County hereby authorizes Jack Seward, (Board of Supervisor/Governance Board designate) to authorize and sign the finalized Amended 28E Agreement on behalf of Washington County.

The Board resumed discussion regarding tobacco use and e-cigarette use on County property. County Attorney John Gish informed the Board that per Iowa Code, smoking is prohibited in government buildings and on government grounds which would include the area around the west Courthouse entrance. Thus, according to Gish, no formal Board action is required. However, this prohibition does not extend to e-cigarettes or chewing tobacco. Seward was curious as to the penalty for a violation of such code to which Gish answered there is a small penalty but he was unsure of the exact monetary amount. The Board took no formal action.

County Engineer Jacob Thorius presented the Board with three bids for Nutmeg Avenue grading project L-J-088 involving improvements to Nutmeg Avenue from 12<sup>th</sup> Street North to 200<sup>th</sup> Street. The bids were received as follows:

<u>Bidder</u>	<u>Option A</u>	<u>Option B</u>
McCulley Culvert Inc., Barnes City	\$266,042.90	\$229,344.15
DeLong Construction, Washington	\$227,669.50	\$194,434.50
Cornerstone Excavating, Washington	\$248,604.50	\$229,415.75

Thorius stated that Option A includes both the hauling and placing of rock while Option B includes only placement of rock. The Engineer’s estimate for the project was \$289,524.15 for Option A and \$241,278.15 for Option B. Thorius added that his research indicated that the County could haul the necessary rock more economically than any of the bidders and thus he recommended that the Board accept the bid from DeLong Construction for Option A in the amount of \$227,669.50. On motion by Seward, seconded by Yoder, the Board voted to accept the bid for Nutmeg Avenue grading project L-J-088 from DeLong Construction, Inc., Washington, in the amount of \$227,669.50 for Option A and to authorize the Chairperson to sign pertinent documents and the County Engineer to execute the contract.

Lynn Whaley, of WEMIGA Waste Systems, was not in attendance and thus the Board took no action related to the operation of the Washington County Recycling Center by WEMIGA Waste Systems.

On motion by Seward, seconded by Miller, the Board voted to acknowledge receipt of the County Auditor's report for the 3<sup>rd</sup> quarter of FY 2016-17 and to authorize the Chairperson to sign the report on behalf of the Board. The report, presented by County Auditor Dan Widmer, reflected revenues for the quarter in the amount of \$1,507.50. Of this total, \$1,350.00 resulted from transfer fees, \$145.00 from sale of plat books, \$5.50 from reimbursement for copies, \$1.00 from GIS services, and \$6.00 from sale of E911 maps. The complete report is available in the office of the Washington County Auditor.

On motion by Yoder, seconded by Seward, the Board voted to approve, and authorize the Chairperson to sign, a personnel change request from the County Sheriff for the hiring of Michael Cope as a casual part-time jailer with an effective hire date of April 26, 2017 and at the rate of \$16.20 per hour. The County Auditor is hereby authorized to issue pay warrants upon proper certification from the Department Head.

On motion by Miller, seconded by Yoder, the Board voted to approve an application from Awe Winery LLC, 1749 Yucca Avenue, Ainsworth for a Class B Native Wine Permit to include outdoor service with an effective date of April 21, 2017, and an expiration date of March 20, 2018. County Sheriff Jared Schneider expressed no issues with the application.

On motion by Miller, seconded by Stoops, the Board voted to approve, and authorize the Chairperson to sign, a secondary road use request form received from Marion Avenue Baptist Church, Washington, for 2610 Nutmeg Avenue on May 11, 2017 from 8:00 p.m. until 10:30 p.m.

On motion by Stoops, seconded by Yoder, the Board voted to approve, and authorize the Chairperson to sign, an application for a fireworks permit from Marion Avenue Baptist Church, Washington, for May 11, 2017 from 8:00 p.m. until 10:30 p.m. with no rain date. The display will take place at 2610 Nutmeg Avenue, Washington. County Sheriff Jared Schneider expressed no objection to the application.

There was no public comment from those gathered.

At 10:01 a.m. on motion by Seward, seconded by Miller, the Board voted by way of roll call vote to go into closed session per Code of Iowa Chapter 21.5(1)(c) – to discuss strategy for imminent litigation.

At 10:40 a.m. the Board returned to open session. Upon motion by Seward, seconded by Stoops, the Board voted to direct the County Attorney to answer any legal petition filed against Washington County in order to protect and preserve the legal position of Washington County.

At 10:41 on motion by Stoops, seconded by Seward, the Board voted to adjourn.

ATTEST:  
April 25, 2017

RICHARD L. YOUNG  
Chairperson, Board of Supervisors

DANIEL L. WIDMER  
County Auditor