

**PROCEEDINGS OF THE WASHINGTON COUNTY BOARD OF SUPERVISORS MEETING
TUESDAY, AUGUST 28, 2018**

Chairperson Abe Miller called the meeting to order at 9:30 a.m. in the Courthouse chambers in regular session. Items on the agenda included the following: public hearing for review of amendments to FY19 Washington County budget; public hearing related to animal confinement feeding operation - Havel Pork Farm, Section 25, Oregon Township; discussion regarding architect, building, and financing options related to Communications project; discussion and action regarding FY19 Washington County budget amendment; discussion and action regarding Resolution 18-41 pertaining to adjustments of appropriations for FY19; acknowledgment of animal confinement feeding operation – Havel Pork Farm, Section 25, Oregon Township; discussion and action regarding Resolution 18-42 related to approval of Bond Purchase Agreement for General Obligation County Communication Equipment Bonds; application for renewal of Class C Liquor License (BW) (beer/wine) with outdoor services and Sunday sales from Marilyn Farms Company, Kalona; application for renewal of Class C Commercial Liquor License (BW) (beer/wine) with outdoor service and Sunday sales from Washington Golf & Country Club; personnel change request – Sheriff; public comment; adjourn. Supervisors Stan Stoops, Jack Seward, Jr., Richard Young, and Bob Yoder were also present.

Others attending were: Mary Zielinski, The News; Dave Hotle, Washington Evening Journal; Zach Ulin, KCII Radio; Michelle Hyman, Deputy County Auditor; Jennifer Lerner, Asst. County Attorney; Jo Greiner, County Recorder; Danielle Pettit-Majewski, County Public Health Director; Cyndie Sinn, County IT/Budget Director; Jacob Thorius, County Engineer; Jeff Garrett, County Treasurer; Shawn Ellingson, County Sheriff's Office; Michael Hart, Northland Securities; Matt Miller, Carl A. Nelson and Company; Rachel Rinner, Knee Deep Solutions; Amber Williams, Board of Supervisors Administrative Assistant; and citizens Charlotte Stalder, Denny Stalder, Karyl Miller, Erica Robison, Mike Murphy, and Les Zickefoose.

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

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

On motion by Young, seconded by Stoops, the Board voted to open a public hearing regarding proposed amendments to the FY 2019 Washington County budget. Auditor Dan Widmer confirmed that notice of the hearing had been properly published and added that the Auditor's office had received no public comment. Deputy Auditor Michelle Hyman provided information on the proposed budget amendment which deals with the purchase of new Communications equipment. There were no comments from those assembled. On motion by Young, seconded by Stoops, the Board voted to close the public hearing.

On motion by Seward, seconded by Stoops, the Board voted to open a public hearing regarding an application for a construction permit application for a confinement feeding operation from Havel Pork Farm, Section 25, Oregon Township (3320 262nd Street, Ainsworth, IA). Plans call for the replacement of a 50 head swine barn with a 224 head gestation barn measuring 61' x 81' with 8' deep pit resulting in a new total capacity of 3,123 head and a new Animal Unit Capacity of 1,042.2 for the entire facility. Auditor Dan Widmer confirmed that notice of the hearing had been properly published and added that the Auditor's office had received no public comment. There were no comments from those assembled. On motion by Seward, seconded by Stoops, the Board voted to close the public hearing.

A lengthy discussion occurred with regard to possible future construction of a building to house Washington County Communications with the discussion centering on an architect, type of building, possible occupants besides Communications, and various financing options. Seward articulated that he had been involved in an informal discussion that occurred during the previous week that included Miller, Bob Josten of Dorsey & Whitney LLP, Michael Hart of Northland Securities, Treasurer Jeff Garrett, and Auditor Dan Widmer. During the discussion Josten described an alternative to Resolution 18-39 which the Board discussed but took no action on at its August 28, 2018 meeting. The proposed resolution included language calling for a special measure to be placed on the November 6, 2018 general election ballot related to public approval for the construction of a Communications building. The alternative described by Josten would involve the County designating the location of the planned building as a rural urban renewal area. Seward described the building project as being in the early stages with plans and total estimated cost yet to be determined as well as a decision as to whether emergency operations would be housed in the facility. The process of establishing an urban renewal area would involve Josten writing an urban renewal plan and in turn submitting a resolution for Board action. A date for a public hearing would be established and after holding that public hearing and adopting a resolution approving the urban renewal plan the Board would then presumably take action to set a date for a hearing on the issuance of general obligations bonds. Included in the notice of bond hearing would be wording instructing that the opportunity exists to file a petition with the county auditor requesting a referendum take place. Such a public notice calling for an election must be published not less than ten days before the date of the hearing, and in order to be valid the petition must be filed no later than the date of the hearing and must contain a number of signatures equal to or greater than ten percent of the number of voters at the last preceding election for President or Governor. A total of 11,092 individuals voted in the general election held November 8, 2016 and thus at least 1,109 signatures would be needed to successfully call for an election regarding the question of whether to construct a building for Communications. It was pointed out that the opportunity to place a special measure on the November 6, 2018 ballot was quite remote since the deadline to do so is August 29, 2018. Young reminded that RACOM is working very diligently at the

present time in order to have the radio equipment completed and shipped by the end of calendar year 2019 which necessitates various decisions, including financing, being made in the near future to ensure the building is completed when the equipment is shipped. Another important factor discussed is the possible loss of \$500,000 in discounts from RACOM if there is a failure to meet various deadlines. Widmer added that the County is presently operating on “borrowed time” with the use of the current equipment. Seward summed up the dilemma that is currently being faced in that the Board needs to move forward to acquire the needed financing while still being mindful of the current risk associated with the current equipment. Seward voiced his perception that the best solution is establishment of an urban renewal area in order to keep the process moving along. Young stressed the importance of completing building plans and determining the estimated cost of the building. Miller opined that he, along with the rest of the present Board members, had created the current problem by addressing equipment issues before plans were in place regarding where the equipment would be located. Miller also stated the general public should have a voice in the matter by way of a public vote. Yoder agreed with Miller. Seward countered by saying individuals do have a voice when they participate in elections and select individuals to make difficult decisions on behalf of the public. He added that those members of the public that he has spoken with hold the opinion that the project is needed and they trust that Supervisors exercise common sense, good judgment, and wisdom when making decisions. It was noted that cooperation from the City of Washington would be needed due to the fact that the planned site for the building is located within city limits and due to plans to designate the area as an urban renewal area. Miller maintained that public opinion seemed to favor construction and in turn he questioned why the matter should not then be voted upon by the public. Seward responded by questioning the need for a public vote if everyone was in favor and he specifically cited the cost of an election, the loss of discounts potentially totaling \$500,000, and construction delays. Young reminded that under the reverse referendum process the public could still have the opportunity to vote. Seward expressed some disagreement with Miller’s earlier assessment that the Board created the current problem and instead maintained that past failures and issues with Communication equipment, which should have alerted prior Boards to more serious issues, went unheeded. Young also disagreed with Miller’s assessment and stated that previous supervisors did the best they could with available resources. Young stated that it is now imperative that decisions must be made at such time as blueprints and estimated costs are available. Stoops added that it seemed that members of the public were more concerned with the question of when the entire project, including the building, would be completed rather than how, in terms of funding, the project would be completed. Stoops continued by saying he failed to see the importance of a vote on whether to build. Miller maintained that if public opinion indeed was overwhelmingly in favor of construction there would be nothing to fear with regard to a public vote. Seward again stressed that public opinion appeared to be in favor of construction and thus a public vote was unnecessary. The Board took no formal action.

On motion by Seward, seconded by Stoops, the Board voted to adopt a budget amendment for FY 2019 pertaining to the purchase of new communications equipment for Washington County Communications.

On motion by Yoder, seconded by Seward, the Board voted by way of roll call vote to approve Resolution 18-41 as follows and to authorize the Chairperson to sign Resolution 18-41 on behalf of the Board.

RESOLUTION 18-41

BE IT RESOLVED by the Board of Supervisors of Washington County, Iowa, that the following adjustments of appropriations as a result of the budget amendment resolution dated August 28, 2018 are approved:

REVENUES			
DEPARTMENT	FUND	SERVICE AREA	AMOUNT
ADDITIONS:			
99 Non Departmental	1530	0220	3,565,000
99 Non Departmental	2030	0055	1,000
			3,566,000
EXPENDITURES			
ADDITIONS:			
99 Non Departmental	1530	0220	3,565,000
			3,565,000

On motion by Stoops, seconded by Young, the Board voted to acknowledge a confinement feeding operation owned and operated by Havel Pork Farm, 3320 262nd Street, Ainsworth, and located in Section 25 of Oregon Township.

On motion by Yoder, seconded by Stoops, the Board voted by way of roll call vote to approve Resolution 18-42 as follows and to authorize the Chairperson to sign Resolution 18-42 on behalf of the Board.

RESOLUTION 18-42

Resolution approving Bond Purchase Agreement for General Obligation County Communication Equipment Bonds, Series 2018A

WHEREAS, the Board of Supervisors (the “Board”) of Washington County, Iowa (the “County”), has heretofore proposed to enter into a loan agreement (the “Loan Agreement”), pursuant to the provisions of Section 331.402 of the Code of Iowa, for the purpose of financing the acquisition of emergency services communication equipment and has published notice of the proposed action and has held a hearing thereon; and

WHEREAS, it has been proposed that the County enter into the Loan Agreement with Northland Securities, Minneapolis, MN (the “Underwriter”) and issue General Obligation County Communication Equipment Bonds, Series 2018A (the “Bonds”) in evidence of its obligations under the Loan Agreement; and

WHEREAS, a certain Bond Purchase Agreement (the "Bond Purchase Agreement") has been prepared setting forth the terms of the Bonds and the understanding between the County and the Underwriter, and it is now necessary to make provision for the approval of the Bond Purchase Agreement;

NOW, THEREFORE, Be It Resolved by the Board of Supervisors of Washington County, Iowa, as follows:

Section 1. The Bond Purchase Agreement is hereby approved in substantially the form as presented to this Board. The Chairperson and County Auditor are hereby authorized and directed to execute and deliver the Bond Purchase Agreement to the Underwriter.

Section 2. All resolutions and orders or parts thereof in conflict with the provisions of this resolution, to the extent of such conflict, are hereby repealed.

Section 3. This resolution shall be in full force and effect immediately upon its adoption and approval, as provided by law.

On motion by Seward, seconded by Yoder, the Board voted to approve an application for a Class C Liquor License (BW) (Beer/Wine) with outdoor services and Sunday sales, effective September 1, 2018 with an expiration date of August 31, 2019, for Marilyn Farms Company, 1385 Nutmeg Avenue, Kalona. County Sheriff Jared Schneider expressed no issues with the application.

On motion by Young, seconded by Stoops, the Board voted to approve an application for a Class C Commercial Liquor License (BW) (beer/wine) with outdoor service and Sunday sales, effective August 28, 2018 with an expiration date of August 27, 2019, for the Washington Golf and Country Club, 1732 Country Club Road, Washington. County Sheriff Jared Schneider expressed no issues with the application.

On motion by Young, seconded by Yoder, the Board voted to acknowledge a personnel change request from the Sheriff for Karen Witzenburg whose employee status will change from full-time to casual part-time on August 30, 2018.

The Board reviewed a report provided by County Engineer Jacob Thorius that listed maintenance activities performed by Secondary Roads staff during the week of August 18, 2018. The list included blading of gravel and dirt roads, hauling rock, cutting brush, mowing and miscellaneous work on paved and gravel road shoulders, replacement of crossroad and entrance pipes, repair of damaged bridge rail, and sign installation. The list also included pouring bridge rail on the 275th St. Bridge project located east of Hoot Owl Hollow, saw and seal work on Highway W47 (Coppock Road), and the pouring of footings and barrel sections on a project involving the removal and replacement of a bridge on Orange Avenue southeast of Richmond with a culvert. The Board took no formal action.

There was no public comment.

At 10:20 a.m. on motion by Stoops, seconded by Young, the Board voted to adjourn.

ATTEST:
August 28, 2018

ABE C. MILLER
Chairperson, Board of Supervisors

DANIEL L. WIDMER
County Auditor