

**PROCEEDINGS OF THE WASHINGTON COUNTY BOARD OF SUPERVISORS MEETING
TUESDAY, JUNE 11, 2019**

Chairperson Bob Yoder called the meeting to order at 9:00 a.m. in the Courthouse chambers in regular session. Items on the agenda included the following: approval of agenda; personnel change request – Treasurer; personnel change requests – Communications; personnel change request – Sheriff; Resolution 19-22 regarding Consent to Assignment of Trustee Agent Agreements; Escrow Agent Agreements; and/or Paying Agent and Registrar and Transfer Agent Agreements; Washington County Recycling update – Lynn Whaley, WEMIGA; discussion and possible action on Contract for Services at the Washington County Rural Solid Waste and Recycling Center; Resolution 19-23 regarding Appointment of Assistant County Attorney; personnel change request – County Attorney; Resolution 19-24 regarding preliminary official statement for General Obligation County Communication Facility and Equipment Bonds, Series 2019A; Resolution 19-25 regarding application for Washington County Riverboat Foundation Mini-Grant funding; discussion regarding John Greiner request for road upgrade from Class B to Class A; public comment; adjourn. Supervisors Jack Seward, Abe Miller, Stan Stoops, and Richard Young were also present.

Others attending were: Sally Hart, KCII Radio; Mary Zielinski, The News; Gretchen Teske, Washington Evening Journal; Cyndie Sinn, County IT/Budget Director; Cara Sorrells, County Communications Director; Jeff Garrett, County Treasurer; John Gish, County Attorney; Marissa Reisen, County Emergency Management Coordinator; Jo Greiner, County Recorder; Lynn Whaley, WEMIGA Waste Systems; and citizens Charlotte Stalder, Karyl Miller, Bill Miller, John Greiner, and Denny Stalder.

All motions were passed unanimously unless noted otherwise.

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

On motion by Seward, seconded by Miller, the Board voted to acknowledge, and authorize the Chairperson to sign, a personnel change request from the Treasurer for Deputy Treasurer Shelly Reed-Wulf whose final day of employment in the Treasurer's office will occur June 14, 2019.

On motion by Miller, seconded by Young, the Board voted to acknowledge, and authorize the Chairperson to sign, a personnel change request from Communications for the hiring of Shelley Reed-Wulf as a full time non-exempt employee, effective June 15, 2019, at the rate of \$23.50 per hour for 1st shift hours, \$23.85 per hour for 2nd shift hours, and \$24.00 per hour for 3rd shift hours. Effective July 1, 2019 Reed-Wulf will be compensated at the rate of \$24.07 per hour for 1st shift hours, \$24.42 per hour for 2nd shift hours, and \$24.57 per hour for 3rd shift hours.

On motion by Young, seconded by Seward, the Board voted to acknowledge, and authorize the Chairperson to sign, a personnel change request from Communications for Tammy Heflin whose final day of employment occurred May 26, 2019.

On motion by Seward, seconded by Stoops, the Board voted to acknowledge, and authorize the Chairperson to sign, a personnel change request from Communications for Lydia Powers whose final day of employment will occur June 30, 2019.

On motion by Miller, seconded by Young, the Board voted to acknowledge, and authorize the Chairperson to sign, a personnel change request from the Sheriff involving a rate change from \$22.87 per hour for Tyler Kleese to a bi-weekly rate of \$1,829.13, effective May 23, 2019.

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

RESOLUTION 19-22

CONSENT TO ASSIGNMENT OF TRUSTEE AGENT AGREEMENTS; ESCROW AGENT AGREEMENTS; AND/OR PAYING AGENT AND REGISTRAR AND TRANSFER AGENT AGREEMENTS

WHEREAS, the Board of Supervisors of Washington County, Iowa (the "County"), has adopted certain resolutions (the "Resolutions") duly authorizing and providing for the issuance of certain bonds, notes or other obligations (collectively, the "Outstanding Obligations"); and

WHEREAS, pursuant to the Resolutions, the County appointed Bankers Trust Company, Des Moines, Iowa ("Bankers Trust"), as the registrar and paying agent for the Outstanding Obligations and approved the execution of Paying Agent and Registrar and Transfer Agent Agreements with Bankers Trust with respect to the Outstanding Obligations; and

WHEREAS, in connection with the issuance of certain Outstanding Obligations, the County may have also entered into certain Trustee Agent Agreements and/or Escrow Agent Agreements with Bankers Trust; and

WHEREAS, UMB Bank, n.a. ("UMB") will acquire the corporate trust business of Bankers Trust, and any existing Trustee Agent Agreements; Escrow Agent Agreements; and Paying Agent and Registrar and Transfer Agent Agreements (collectively, such Agreements are hereinafter referred to as the "Agreements") between the County and Bankers Trust will be assigned by Bankers Trust to UMB; and

WHEREAS, Bankers Trust and UMB have requested that the County consent to the assignment of the agreements;

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

Section 1. The County hereby consents to the assignment of the Agreements from Bankers Trust to UMB. The Chairperson and the County Auditor are hereby authorized to execute such documents as may be necessary to carry out the assignment of the Agreements, including the "Acknowledgment to Assignment" that has been prepared by Bankers Trust and presented to the County.

Section 2. The effective date of the assignment of the Agreements shall be as set forth in the Acknowledgment to Assignment.

Section 3. To the extent that the County has continuing disclosure requirements pursuant to Rule 15c2-12 of the Securities Exchange Act relative to the Outstanding Obligations, the County will cause a notice of the assignment of the Agreements to be posted on the MSRB Electronic Municipal Market Access (EMMA).

Section 4. All resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Lynn Whaley, on behalf of WEMIGA Waste Systems, briefed the Board on recent activity at the Washington County Recycling Center. During the month of May 2019 WEMIGA processed 87.7 landfill tons, 9.61 tons of paper, 2.46 tons of plastic, 8.12 tons of cardboard, 24.3 recyclable tons, 8 appliances, 29 televisions and other electronic devices, 18 tires, and 13 gallons of used oil. Total landfill tons for the month of April 2019 were 84.83. Whaley commented that the Iowa Department of Natural Resources had issued a renewal permit for the Washington County Recycling Center which will allow the facility to act as a solid waste citizen convenience center for a three year period ending May 19, 2022. The Board took no formal action. The complete report is available in the office of the Washington County Auditor.

The Board held a brief discussion regarding a new contract with WEMIGA Waste Systems for operating the Washington County Rural Solid Waste and Recycling Center. The current contract expires on June 30, 2019. County Attorney John Gish, who is preparing the new contract, shared that some wording changes still needed to occur and thus the final draft of the contract was not yet ready for Board discussion or formal action. The Board took no formal action.

On motion by Miller, seconded by Young, the Board voted by way of roll call vote to approve Resolution 19-23 as follows and to authorize the Chairperson to sign Resolution 19-23 on behalf of the Board.

RESOLUTION 19-23

APPOINTMENT OF ASSISTANT WASHINGTON COUNTY ATTORNEY

WHEREAS, pursuant to Chapter 331.903(1) of the Code of Iowa (2018), the number of deputies or assistants for each county officer shall be determined by the Board of Supervisors and the number and approval of each appointment shall be adopted by a resolution and recorded in the minutes of the Board.

WHEREAS, Washington County Attorney John Gish requests and recommends an additional assistant county attorney be appointed.

BE IT HEREBY RESOLVED by the Washington County Board of Supervisors this 11th day of June, 2019 that the following individual be approved and appointed as Assistant County Attorney for the Washington County Attorney's Office, and further that the number of assistant Washington County Attorneys is increased to 2.

Shane McChurch

On motion by Seward, seconded by Stoops, the Board voted to acknowledge, and authorize the Chairperson to sign, a personnel change request from the County Attorney for the hiring of Shane McChurch as a full-time exempt Assistant County Attorney, effective August 5, 2019, at a salary of \$55,374.93. The County Auditor is hereby authorized to issue pay warrants upon proper certification from the Department Head.

On motion by Seward, seconded by Young, the Board voted by way of roll call vote to approve Resolution 19-24 as follows and to authorize the Chairperson to sign Resolution 19-24 on behalf of the Board.

RESOLUTION 19-24

Approving preliminary official statement for General Obligation County Communication Facility and Equipment Bonds, Series 2019A

WHEREAS, the Board of Supervisors of Washington County, State of Iowa, has heretofore proposed to enter into General Obligation Loan Agreements (the "Loan Agreements"), pursuant to the provisions of Section 331.402 of the Code of Iowa, for the purposes of acquiring emergency services communication equipment and constructing a facility to house the County emergency communications and operations center, and has published notices and held hearings on the proposals; and

WHEREAS, the County intends to enter into a Loan Agreement and to issue General Obligation County Communication Facility and Equipment Bonds at this time in an amount not to exceed \$6,915,000 (the "Bonds"); and

WHEREAS, a preliminary official statement (the "Preliminary Official Statement") has been prepared in connection with the sale of the Bonds, and it is now necessary to make provision for the approval of the Preliminary Official Statement and to authorize its use by Northland Securities, Inc.

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

Section 1. The use by Northland Securities, Inc. of the Preliminary Official Statement relating to the Bonds, in substantially the form as has been presented to and considered by the Board of Supervisors, is hereby approved, and Northland Securities, Inc. is hereby authorized to prepare and use a final Official Statement for the Bonds substantially in the form of the Preliminary Official Statement, but with such changes therein as are required to conform the same to the terms of the Bonds and the resolution, when adopted, providing for the issuance of the Bonds, and the County Auditor is hereby authorized and directed to execute a final Official Statement for the Bonds, if requested. The Preliminary Official Statement as of its date is deemed final by the County within the meaning of Rule 15(c) (2)-12 of the Securities and Exchange Commission.

Section 2. All resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

On motion by Stoops, seconded by Seward, the Board voted by way of roll call vote to approve Resolution 19-25 as follows and to authorize the Chairperson to sign Resolution 19-25 on behalf of the Board.

RESOLUTION 19-25

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 June 12, 2019, 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 June 12, 2019 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 June 12, 2019 application cycle:

water rescue equipment update

Citizen John Greiner addressed the Board regarding a one quarter mile portion of 285th Street extending west from the intersection of 285th Street and Ivy and ending at a dead end point. Greiner owns property at the location and is planning to build a home at the dead end point of 285th Street and is seeking to have the one quarter mile portion of 285th Street upgraded from its current Class B designation to a Class A designation. According to Greiner such an upgrade would allow for school bus service to his future home, doorstep mail service, and County road maintenance responsibility. Greiner referred to Chapter 30 of the Washington County Code of Ordinances which outlines the classification of County roads. Specifically Greiner cited Chapter 30.09 which states that the Board may consider reclassification of a level B or level C road to a level A road if a petition, signed by affected land owners willing to pay all costs of improving an established road to minimal level A standards as defined in Chapter 30.09, is presented to the Supervisors along with the completion of the actual upgrade to level A. Greiner asked for assurance that the road would be reclassified to level A if all the aforementioned requirements are met. He also stated that property owners that would be affected by a change in road classification had given verbal approval of the change. Greiner outlined the various standards listed in Chapter 30.03 that cover road and bridge standards for new or complete reconstruction projects and opined that the code standards did not appear to be problematic. However he did express concern with the final standard in Chapter 30.03 which stated that the typical minimum right of way will be 50 feet from center line on each side. Greiner shared that in talking with County Engineer Jacob Thorius he had been informed by Thorius that the right of way must be 100 feet but Greiner maintained that 30.03 refers to a typical road right of way and in turn shared the formal definition of typical as being "routine, accustomed, or average" and added the definition does not include words such as "must be" or "required". The current right of way is 62.2 feet according to Greiner as is Ivy with many other County roads having much less than a 100 feet right of way. Greiner queried the Board whether approval of his desired road plans and permission to undertake the project on 285th Street would be granted if he returned with a signed petition of support from neighboring landowners. In answer to a question from Miller, Greiner estimated the chances of a hog confinement building being built in the area to be 50% at most. Greiner stated that he would pay the entire cost of the project. Stoops directed Greiner to begin efforts to prepare the necessary petition and obtain signatures. Seward stated his opinion that the 100 feet right of way requirement was more applicable to new road construction rather than the type of road reconstruction currently being discussed. Seward continued by expressing his opinion that Greiner's proposal meets the standards of Class A roads in the area. Miller expressed agreement with Seward although he voiced concern about the possibility of future construction of one or more hog confinement buildings. The Board took no formal action.

During the public comment at the conclusion of the meeting Emergency Management Coordinator Marissa Reisen announced that on the prior day of June 10 Iowa Governor Kim Reynolds had issued a disaster proclamation for Washington County, along with two other counties, in response to severe weather beginning May 17 and continuing. The proclamation allows state resources to be utilized to respond to and recover from the effects of severe weather and activates the Iowa Individual Assistance Grant Program for qualifying Washington County residents along with the Disaster Case Management Program.

At 9:43 a.m. on motion by Seward, seconded by Young, the Board voted to adjourn.

ATTEST:
June 11, 2019

ROBERT C. YODER
Chairperson, Board of Supervisors

DANIEL L. WIDMER
County Auditor