

CHICKASAW COUNTY

October 4th, 2021

The Board convened on Monday, October 4th, 2021, at 9:00 AM with all members present Byrne, Holthaus, Hackman, Zoll, and Kuhn in the Boardroom located on the second floor of the Courthouse, New Hampton, Iowa. The meeting was called to order by Chairperson Holthaus. County Attorney David Laudner, Jordan Gansen, Sheriff Martin Hemann, Terry Johnson, and Auditor Stephanie Mashek.

Motion by Hackman, Second by Zoll to approve the agenda for October 4th, 2021. Roll Call: All Ayes. Motion Carried.

Motion by Byrne, Second by Hackman to approve the minutes from September 27th, 2021. Roll Call: Ayes- Byrne, Hackman, Kuhn, Zoll, and Holthaus. Motion Carried.

9:05 AM No Public Comment

Motion by Hackman, Second by Byrne to remove the two filing cabinets in the bid process within the minutes of September 20th, 2021, that was accepted in a bid from Brad Schwickerath. Roll Call: All Ayes. Motion Carried.

Hackman stated as an FYI that the renter of the county farm would like some trees trimmed and would like it on a future agenda item. Chair advised the board secretary to include this agenda item for next week's agenda.

9:10 AM Martin Hemann and Jordan Gansen discussed the jail inspection and current status of inmates. The jail inspection was compliant. Hemann read verbatim part of the report, "Chickasaw County is a well maintained facility and an older facility that does not meet the needs of the county." Hemann discussed that the jail currently has nine inmates and anyone that is in jail longer than seven consecutive days are required to have recreation time. Hemann conveyed that the indoor recreation space is not a secured area between the cell and the indoor recreation room. Hemann pointed out that we have several new jails around Chickasaw County that have space but lack the staffing at times.

Roman Lensing present at 9:19 AM.

Hemann discussed the option of having the jail as a holding facility and discussed projections of expenses of transferring inmates to other facilities versus building a new jail. Hemann suggested to the board to create a one-to-three-year plan to address the needs that are not being met by our current jail. Discussion on a 28E with other counties in the same judicial system for housing inmates as an option.

Kelly Tepstra, member of media, and Joan Knoll present at 9:28 AM.

Hemann stated that they are working with the insurance company to obtain a new vehicle. The other new vehicle will be outfitted by Racon in the near future. Discussion on inmates serving their time since COVID postponed that process. Hemann said the process of hiring of a dispatcher has commenced and currently has one applicant. Continued discussion on what guidelines would need to be met of a new jail facility versus transferring the inmates to another facility.

Gansen and Hemann left at 9:36 AM.

9:36 AM Discuss the open position of County Engineer.

Tepstra, Knoll, and Johnson left at 9:37 AM.
Mike Galloway present via phone at 9:37 AM.

Motion by Hackman, Second by Kuhn to enter into closed session at 9:37 AM with County Attorney David Laudner and Human Resource Attorney Mike Galloway. Roll Call: Ayes- Hackman, Kuhn, Byrne, Zoll, and Holthaus. Motion Carried.

Possible closed session pursuant to Iowa Code Section 21.5(1)(i) "[t]o evaluate the professional competency of an individual whose appointment, hiring, performance, or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session."

Motion by Hackman, Second by Kuhn to end closed session at 10:21 AM. Roll Call: Ayes- Hackman, Kuhn, Byrne, Zoll, and Holthaus. Motion Carried.

Galloway left at 10:21 AM.

Motion by Hackman, Second by Zoll to direct Human Resource Attorney, Mike Galloway, to draft a contract for the County Engineer position. Roll Call: Ayes- Hackman, Zoll, Kuhn, Byrne, and Holthaus. Motion Carried.

Terry Johnson and Kelly Tepstra present at 10:22 AM.

10:30 AM Roman Lensing provided an update for the road department.

Motion by Hackman, Second by Zoll to approve the Permission to Enter Premises Agreement for Project FHWA BR#111181 with Dan Carolan and authorize Chairperson's signature. Roll Call: Ayes- Hackman, Zoll, Kuhn, Byrne, and Holthaus. Motion Carried.

Motion by Hackman, Second by Byrne to approve the Permission to Enter Premises Agreement for Project FHWA BR#111181 with Tim Denner and authorize Chairperson's signature. Roll Call: Ayes- Hackman, Zoll, Kuhn, Byrne, and Holthaus. Motion Carried.

Motion by Hackman, Second by Byrne to approve the Iowa Department of Transportation agreement for county bridge federal-aid SWAP funding for Chickasaw County bridge replacement project (BROS-SWAP-CO19(107)-FE-19) and authorize Chairperson's signature. Roll Call: Ayes- Hackman, Byrne, Kuhn, Zoll, and Holthaus. Motion Carried.

Discussion on Lensing maintaining a time sheet to be provided to the board for review.

10:30 AM David Laudner provided a department update. Laudner would like to maintain the working relation with the Anderson Law Firm for the month of October and re-visit the 28E Agreement.

Lensing left at 10:32 AM.

Hackman asked Laudner if he is going to represent the autonomous boards due to past issues that have arisen. Laudner stated that his initial opinion is that he would not represent the E-911, Ambulance Council, and EMA autonomous boards. Laudner in the past, in his previous position, has represented the Conservation board, Board of Health, and Veteran's Affair. Discussion on the Summit Pipeline contract with the county. Laudner asked about a solar ordinance and if the board desired to establish one. The consensus is to pursue creating a solar ordinance.

Motion by Hackman, Second by to approve Resolution 10-04-21-54 for the addendum to agreement for temporary county attorney services between Chickasaw County and the Anderson Law Office. Roll Call: Ayes- Hackman, Zoll, Byrne, Kuhn, and Holthaus. Motion Carried. **RESOLUTION 10-4-21-54 ADDENDUM TO AGREEMENT FOR TEMPORARY COUNTY ATTORNEY SERVICES BETWEEN CHICKASAW COUNTY AND THE ANDERSON LAW OFFICE** COMES NOW the Chickasaw County Board of Supervisors and David Laudner, Chickasaw County Attorney (hereinafter identified as "Chickasaw County") and the Anderson, Wilmarth, Van Der Maaten, Belay, Fretheim, Gipp, Evelsizer Olson, Lynch & Zahasky Law Office (hereinafter identified as "Anderson Law Office") and state: WHEREAS, Chickasaw County and Anderson Law Office entered into a 28E Agreement that was recorded with the Iowa Secretary of State on August 12, 2021, as Instrument No. 2021-1845; and, WHEREAS, said 28E Agreement was scheduled to expire upon the hiring and beginning of work by the new County Attorney for Chickasaw County; and, WHEREAS, Chickasaw County has hired David Laudner as Chickasaw County Attorney and Mr. Laudner has begun work as of September 30, 2021; and, WHEREAS, the parties desire to amend the existing 28E Agreement to have Anderson Law Office provide Assistant County Attorney services to the Chickasaw County Attorney's Office on a temporary basis. NOW THEREFORE THE PARTIES DO AGREE AS FOLLOWS: 1. The 28E Agreement shall not expire as of September 30, 2021. 2. the 28E Agreement is amended to provide that Anderson Law Office will furnish such services as Assistant County Attorney to the Chickasaw County Attorney's Office as are requested by the Chickasaw County Attorney. 3. The Anderson Law Office will be compensated for said services as provided under the terms of the original 28E Agreement. 4. Any provision of Assistant County Attorney services shall continue until terminated (a) by mutual agreement, (b) by either Party on 20 days-notice, or (c) commencement of services by an Assistant Chickasaw County Attorney, whichever is earlier. 5. This Agreement shall be effective as of September 30, 2021. PASSED AND APPROVED ON THIS 4th day of October 2021. /s/Richard Holthaus, Chairperson to the Board of Supervisors. ATTEST: /s/Stephanie Mashek, Chickasaw County Auditor.

Discussion on streaming the board meetings. Consensus of the board is to look into streaming the board meetings. Kuhn will continue to discuss this with our IT provider.

Committee Assignment Update:

Hackman attended the Pathway's Behavioral Services on September 27th, 2021.

Member of media left at 11:17 AM.

Jeff Bernatz present at 11:19 AM.

Committee Assignment Update:

Byrne attended the Turkey River Watershed meeting on September 30th, 2021.

Joan Knoll present at 11:21 AM.

Discussion on Byrne representing the City of Lawler and the county for the Turkey River Watershed and if a conflict exists. Laudner advised it would be in both parties best interest to only have Byrne represent one entity.

11:30 AM Jeff Bernatz provided a Communication Tower Project update. The civil company for the tower project was here on September 28th and visited the tower sites. Walk through of Lawler and Nashua. Testing protocol took place last week and passed successfully. The week of October 18th would be the subscriber training. Bernatz continues to work on the transfer of equipment agreements.

Roman Lensing present at 11:31 AM.

Fredericksburg and Nashua tower sites have eye wash stations and fire extinguishers. The New Hampton tower sites needs to have an eye wash station installed. Bernatz will address this issue and look into whether or not the jail building requires one due to having batteries on site.

Lensing discussed ordering five steel doors and requested quotes from ten different vendors. Only four vendors replied back with a quote. Lensing asked how the board would like to proceed with that purchase. The consensus is to acknowledge the purchase since it will be over \$2,500.

Lensing and Bernatz left at 11:43 AM.

Chair declared a recess at 11:46 AM.

The board reconvened at 12:12 PM with all Board members present Holthaus, Kuhn, Zoll, Hackman, and Byrne. Also present were County Attorney David Laudner, Penny Andorf, and Auditor Stephanie Mashek.

12:15 AM Penny Andorf discussed the Park View Mobile Court. Andorf had reached out to the property manager and was advised that the mobile home in question is being torn apart by Wednesday October 6th, 2021.

Terry Johnson present at 12:16 AM.

Discussion on creating a Nuisance Ordinance and the logistics of implementing such an ordinance.

Motion by Hackman, Second by Zoll to adjourn at 12:48 PM. Roll Call: All Ayes. Motion Carried.

Richard Holthaus, Chairperson
Board of Supervisor

ATTEST:

Stephanie Mashek, Secretary of the Board