

**CHICKASAW COUNTY**  
**September 27, 2021**

The Board convened on Monday, September 27<sup>th</sup>, 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. Also present were Auditor Stephanie Mashek and Terry Johnson.

Motion by Kuhn, Second by Hackman to approve the agenda for September 27<sup>th</sup>, 2021. Roll Call: All Ayes. Motion Carried.

Dave Gorman and Bob Fenske, member of media, present at 9:02 AM.

Motion by Kuhn, Second by Byrne to approve the minutes from September 20<sup>th</sup>, 2021. Roll Call: All Ayes. Motion Carried.

9:05 AM No public comment.

Megan Gleason and Rick Kramer present at 9:15 AM.

Motion by Hackman, Second by Kuhn to approve the Easement between Chickasaw County and the City of New Hampton for the Tribe Trail. Roll Call: Ayes- Hackman, Byrne, Kuhn, Zoll, and Holthaus. Motion Carried.

Gleason and Kramer left at 9:18 AM.

Gorman discussed the need to remove the tree on the west side of the courthouse property. Consensus of the board is to allow the removal of the tree using our custodial staff and hire someone to grind the stump.

Gorman left at 9:23 AM.

Board reviewed claims.

Committee Assignment Update:

Kuhn attended virtually the Iowa Northland Regional Housing Council meeting on September 23, 2021.

Hackman attended the CSS on September 22, 2021.

Discussion on the need to train Chickasaw County employees in HIPPA, Information Technology, and Sexual Harassment through the Heartland Insurance Company.

Committee Assignment Update:

Zoll attended the Heartland Insurance Risk Pool meeting on September 16, 2021.

Ray Armel present at 9:42 AM.

Chris Galligan, David Schultz, Sara Freilinger, Sue Breitbach, and Shirley Troyna present at 9:45 AM.

9:45 AM David Schultz from Luana Savings Bank to discuss the stability of deposits and loans. Schultz addressed the negative articles against Luana Savings Bank and clarified that the facts were not completely disclosed. Schultz ensured the board, with written public information, that there is no risk for public funds or personal funds.

Schultz, Galligan, and Frelinger left at 10:24 AM.

Breitbach discussed the tax abatements.

Motion by Hackman, Second by Zoll to approve Resolution 09-27-21-49. Roll Call: Ayes- Hackman, Zoll, Kuhn, Byrne, and Holthaus. Motion Carried. **RESOLUTION 09-27-21-49 ABATING PROPERTY TAXES ON PARCEL 191318376010 FAIRWAY OUTDOOR ADVERTISING** WHEREAS, the property taxes due for the year 2020 Assessment on Parcel 191318376010, owned by Fairway Outdoor Advertising, are to be abated. WHEREAS, the property is located in Nashua, Parcel 191318376010, Legal: 08-95-14, Billboard located at Nashua, IA, Iowa DOT # 5029. The taxes for the Assessment year 2020 to be abated are \$ 152.00. The County Treasurer is requesting these taxes be abated as the Assessor has documentation that the Billboard had been removed in 2019 but not reported to the Assessor's office. NOW, THEREFORE, BE IT RESOLVED, this board is in agreement by their motion on September 27, 2021 and directs the treasurer to abate all taxes due. PASSED AND APPROVED on this 27<sup>th</sup> DAY of SEPTEMBER, 2021. /ss/ Richard Holthaus, Chairperson to the Board of Supervisors. ATTEST: /ss/ Stephanie Mashek, Board Secretary

Lisa Welter present at 10:26 AM.

Motion by Hackman, Second by Byrne to approve Resolution 09-27-21-50. Roll Call: Ayes- Hackman, Byrne, Kuhn, Zoll, and Holthaus. Motion Carried. **RESOLUTION 09-27-21-50 ABATING PROPERTY TAXES ON PARCEL 191006351001 HOLY FAMILY CEMETERY ASSOCIATION** WHEREAS, the property taxes due for the year 2020 Assessment on Parcel 191006351001 owned by Holy Family Cemetery Association be abated. WHEREAS, the property is located in New Hampton Corporation, Parcel 191006351001, Legal: Lot 12 and part of Lots 3 and 4 of Lot 13 of the Irregular Survey of the SW ¼ described as commencing at the southwest corner of Lot 12 of the Irregular Survey of the SW ¼, thence North 18 rods to the northwest corner of said Lot 12, thence West 4.444 chains, thence South 18 rods to a point 4.444 chains west of the place beginning on the south line of Lot 3 of Lot 13 of the Irregular Survey, thence East to place of beginning, containing two acres and one acre of land lying immediately north of and adjoining said Lot 12 and said two acre tract above described which said acre shall be 8.888 chains east and west and commencing at the northeast corner of said Lot 12 (the old Catholic Cemetery) and be of uniform width it's whole length across said two above described tracts; All in the SW ¼ of Section 6, Township 95 North, Range 12 East of the 5<sup>th</sup> P.M., in Chickasaw County, Iowa. The taxes for the Assessment year 2020 to be abated are \$ 1,826.00. The County Treasurer is requesting these taxes be abated as the Assessor has documented this parcel is used as a cemetery but was not exempted from taxation for the 2020 assessment year payable 2021-2022. NOW, THEREFORE, BE IT RESOLVED, this board is in agreement by their motion on September 27, 2021 and directs the treasurer to abate all taxes due. PASSED AND APPROVED on this 27<sup>th</sup> DAY of SEPTEMBER, 2021. /ss/ Richard Holthaus, Chairperson to the Board of Supervisors. ATTEST: /ss/ Stephanie Mashek, Board Secretary

Motion by Hackman, Second by Kuhn to approve Resolution 09-27-21-51. Roll Call: Ayes-Hackman, Kuhn, Byrne, Zoll, and Holthaus. Motion Carried. **RESOLUTION 09-27-21-51 ABATING PROPERTY TAXES ON PARCEL 191007126128 CITY OF NEW HAMPTON** WHEREAS, the property taxes due for the year 2020 Assessment on Parcel 191007126128 owned by the City of New Hampton be abated. WHEREAS, the property is located at 426 Prospect, Parcel 191007126128 Legal: Lot 21 of the Subdivision of Lot One (except the West 54 feet thereof) of the Irregular Survey of the NW1/4 of Section 7, Township 95 North, Range 12 West of the 5<sup>th</sup> P.M. in the City of New Hampton. The taxes for the year 2020 to be abated are \$ 8.00. The County Treasurer is requesting these taxes be abated as the Assessor has documented that this is a vacant lot and is not used for any purpose as this is located in the flood zone. NOW, THEREFORE, BE IT RESOLVED, this board is in agreement by their motion on September 27, 2021 and directs the treasurer to abate all taxes due. PASSED AND APPROVED on this 27<sup>th</sup> DAY of SEPTEMBER, 2021. /ss/ Richard Holthaus, Chairperson to the Board of Supervisors. ATTEST: /ss/ Stephanie Mashek, Board Secretary

Motion by Hackman, Second by Zoll to approve Resolution 09-27-21-52. Roll Call: Ayes- Hackman, Kuhn, Byrne, Zoll, and Holthaus. Motion Carried. **RESOLUTION 09-27-21-52 ABATING PROPERTY TAXES ON PARCEL 191007251295 MUNICIPAL LIGHT PLANT** WHEREAS, the property taxes due for the year 2020 Assessment on Parcel 191007251295 owned by New Hampton Municipal Light Plant be abated. WHEREAS, the property is located in New Hampton Corporation, Parcel 191007251295, located at 112 E Main Street. Legal: Lot 6 and the West 26 Feet of Lot 7, Block 11, New Hampton, Chickasaw County, Iowa. The taxes for the year 2020 to be abated are \$ 4,234.00. The County Treasurer is requesting these taxes be abated as the Assessor has documented that the city acquired this property in December of 2019 and this parcel should have been entered to an exempt status. NOW, THEREFORE, BE IT RESOLVED, this board is in agreement by their motion on September 27, 2021 and directs the treasurer to abate all taxes due. PASSED AND APPROVED on this 27<sup>th</sup> DAY of SEPTEMBER, 2021. /ss/ Richard Holthaus, Chairperson to the Board of Supervisors. ATTEST: /ss/ Stephanie Mashek, Board Secretary

10:39 AM Lisa Welter provided an update on COVID. Fifteen additional COVID cases since September 24, 2021. Five of those cases were vaccinated. Guidance states that there is ten days of quarantine if someone is positive with COVID. Discussion on implementing a COVID policy and the legal side of repercussion. No action taken.

Breitbach and Armel left at 10:55 AM.

Dusty Rolando and Roman Lensing present at 10:58 AM.

Jeff Bernatz present at 10:58 AM.

Welter left at 10:58 AM.

Motion by Hackman, Second by Byrne to approve claims in the amount of \$2,009.30. Roll Call: All Ayes. Motion Carried.

11:00 AM Jeff Bernatz provided Communication Tower Project update. Today they are doing the two mile testing. Law enforcement is done with installations. Bernatz stated that they have a maintenance agreement for the generators. Bernatz stated that he has been in contact with the custodial staff and they sprayed the weeds at the main tower location.

Gorman present at 11:02 AM.

Gorman stated that there was no set agreement on the maintenance of weeds at the tower sites. Kuhn stated that it should be on the next E-911 meeting agenda and Bernatz agreed. Consensus of the board is to have the E-911 board to discuss the maintenance of the three tower sites for weeds. Holthaus asked that an update be provided to the board after the discussion.

Hackman asked about the maintenance of the air conditioner at the anchor site. Bernatz said there is no current contract for maintenance.

Motion by Hackman, Second by Zoll to approve the Radio Communication Equipment Lease between Chickasaw County and Northeast Iowa, EMS, INC. with the addition of three attachments and the completion of the notary's signature on page 5 of 5 and authorize chairperson's signature. Roll Call: Ayes- Hackman, Zoll, Byrne, and Holthaus. Kuhn, abstained. Motion Carried.

Hackman stated that \$1 needs to be paid to the Chickasaw County Treasurer for the easement.

Holthaus asked Gorman at what frequency are areas being sanitized. Gorman stated they do sanitize at least once a week. Consensus of the board is to have the custodial staff wipe down the entrance door handles daily.

Gorman left at 11:15 AM.

Discussion on mobiles for radio communication equipment for Secondary Road department. Bernatz will follow up on how many devices Secondary Road department should receive. Bernatz asked if the board was comfortable if the new radio would not be installed in the old command center and just wait to install the new radio into the new command center in the future. This would impact the signing off of the project and the exception of the new command center install. Consensus is to allow the install in the new command center to take place at a later date.

Troyna left at 11:22 AM.

Board looked over claims.

Bernatz, Byrne and Holthaus left at 11:24 AM.

Zoll left at 11:25 AM.

Holthaus, Zoll, Byrne, and Mike Kennedy present at 11:28 AM.

Motion by Hackman, Second by Kuhn to approve claims in the amount of \$932.47. Roll Call: All Ayes. Motion Carried.

11:30 PM Dusty Rolando discussed the purchase agreement with William Randolph. Zoll asked what condition the ditches are in at this time. Rolando stated that they will be barricading the road and creating a roadway from the east with the addition of rock to the road.

Motion by Hackman, Second by Byrne to approve the purchase agreement for permanent right of way on 110<sup>th</sup> Street extension west of Odessa Ave with William Randolph for 4.01 acres in the amount of \$31,300.00 and authorize chairperson's signature. Roll Call: Ayes- Hackman, Byrne, Kuhn, Zoll, and Holthaus. Motion Carried.

Rolando provided a road department activities update and stated they do not feel they will meet the \$2 million dollar requirement from FEMA from the flooding. Byrne asked for an update on the Boyd blacktop. Roman stated that they anticipate the work on Boyd Blacktop to commence in October. B48 bridge work started last week after the delayed start date. Roman stated that it is a \$1,000 per day for liquidated damages. Hackman asked what concerns Ryan and Heather Rausch had on the Kenwood Avenue bridge. John Murray had met with the Rausch's to address their concerns.

John Murray present at 12:00 PM.

David Laudner present via phone at 12:00 PM.

Motion by Hackman, Second by Zoll to acknowledge the resignation of County Engineer, Dusty Rolando, and effective October 1, 2021. Roll Call: Ayes- Hackman, Zoll, Kuhn, Byrne, and Holthaus. Motion Carried.

Murray left at 12:02 PM.

12:00 PM Motion by Hackman, Second by Kuhn to approve the Resolution 09-27-21-53 to appoint David Laudner as Chickasaw County Attorney pursuant to Iowa Code Section 69.14A(1)(a) effective September 30, 2021 to fill a vacancy with the term ending December 31, 2022. Roll Call: Ayes- Hackman, Kuhn, Byrne, Zoll, and Holthaus. Motion Carried.

**RESOLUTION NO. 09-27-21-53 RESOLUTION APPROVING APPOINTMENT OF CHICKASAW COUNTY ATTORNEY WHEREAS**, the Chickasaw County Board of Supervisors desires to appoint a new County Attorney to fill the vacancy resulting from the resignation by Jennifer Schwickerath; and **WHEREAS**, the Chickasaw County Board of Supervisors has proceeded pursuant to Iowa Code § 69.14A to fill the vacancy; and, **WHEREAS**, the Chickasaw County Board of Supervisors desires to appoint David Laudner as Chickasaw County Attorney with a start date of September 30, 2021 **WHEREAS**, the Board of Supervisors desires to confirm the appointment in writing as required by Iowa Code § 69.10.

**NOW, THEREFORE, BE IT RESOLVED BY THE CHICKASAW COUNTY BOARD OF SUPERVISORS: 1.** Pursuant to Iowa Code §§ 69.14A and 69.10 the Chickasaw County Board of Supervisors appoints David Laudner as Chickasaw County Attorney with a start date of September 30, 2021. **2.** The Chickasaw County Attorney shall file a certificate

of appointment with the Chickasaw County Auditor. **PASSED AND ADOPTED** this 27<sup>th</sup> day of September 2021. /ss/ Richard Holthaus, Chairperson to the Board of Supervisors. ATTEST: /ss/ Stephanie Mashek, Board Secretary

Laudner left at 12:08 PM.

Discussion on interim Chickasaw County Engineer. Rolando stated that Chickasaw County is fortunate to have another licensed engineer in Lensing. Hackman asked if Holthaus heard anything from Floyd County on an update regarding 28E Agreement and how they will proceed. Holthaus stated he had heard from Floyd County and provided the update. Discussion on salary and vacation for the interim engineer position.

Mike Galloway present via phone at 12:30 PM.

Motion by Hackman, Second by Kuhn to appoint Lensing as the interim Chickasaw County Engineer effective October 1<sup>st</sup>, 2021 at 4:31 PM with a salary of \$100,000.00 and allow the accrual of his vacation to remain the same. Roll Call: Ayes- Hackman, Kuhn, Byrne, Zoll, and Holthaus. Motion Carried.

Kuhn asked if the Secondary Road department is caught up on having the county engineer sign off on projects. Rolando stated that he has been working with Lensing on satisfying those projects requiring a signature.

Fenske left at 12:50 PM.

Kennedy, Rolando, and Lensing left at 12:55 PM.

Motion by Hackman, Second by Byrne to approve claims in the amount of \$82,295.53. Roll Call: All Ayes. Motion Carried.

Motion by Hackman, Second by Zoll to approve the claim for \$750.00. Roll Call: All Ayes. Motion Carried.

Committee Assignment Update continued:

Zoll attended a Corrections meeting on September 17, 0221.

Zoll redeemed a CD and reinvested at the same financial institution for the FMC Landfill September 14, 2021.

Discussed a priority work list for the Chickasaw County Attorney's office.

Motion by Hackman, Second by Kuhn to adjourn at 1:11 PM. Roll Call: All Ayes. Motion Carried.

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Richard Holthaus, Chairperson  
Board of Supervisor

ATTEST:

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Stephanie Mashek, Secretary of the Board