

The Office of Mills County Auditor
Carol Robertson
Mills County Courthouse
Glenwood, IA

The Board of Supervisors met this 16th day of November 2021, at the Mills County Courthouse in Glenwood with Supervisors Richard Crouch, Lonnie Mayberry, and Carol Vinton present.

Motion by Vinton, seconded by Mayberry to approve the November 16, 2021, with an amendment to add a change order for Leick Construction for 17690 Kane Avenue, buyout property. Consent Agenda and Accounts Payables, and minutes from November 9, 2021, as presented. There were no liquor license renewals. Motion carried on a vote: Ayes: 3, Nays: 0

Mills County Engineer Jacob Ferro, Larry Hurst & Gabe Barney of EMA, Sheriff Travis Oetter & Josh England, Chief Deputy joined the session as requested by Supervisors. Supervisor Crouch thought it would be a good opportunity prior to inclement weather to discuss the County Snow Removal Policy. This policy is one used by the majority of Counties throughout Iowa. The hours of when Secondary Roads crews will plow snow and discuss what would constitute an emergency. This discussion was done so that all entities dealing with snow removal would be on the same page and understand protocol. This was not an action item only for discussion.

Mills County Engineer Jacob Ferro was next on agenda. There were no utility permits. General discussion items were as follows; the Engineer asked if there was a legal requirement to have a land line in all their shops. The line in the Malvern shop was cut sometime back and in talking with CenturyLink it would cost \$3,460.08. put in a replacement line. Since Ferro is new, he did not know if this would be a requirement. Since all Secondary Roads employees carry personal cell phones that are not paid for by the County, would this be an option to reimburse them if they needed to make calls, provide a stipend, cell phones by the department, or do, we just need to put in the line. The board felt that the cost of the line was quite expensive and wondered why it would cost that much when there was already a line there to the Fair board office. This will be investigated a little more before determining a solution. The second item up for discussion was putting in a replacement garage over in the new Secondary Roads shop/office area. Ferro stated that he had been told to get costs to put this in and asked if the ARPA funds could be used. Ferro stated his budget would be tight since the retainage for the new Secondary Roads building had not been budgeted in the current budget. The preliminary costs Ferro received were as follows; a building 30x40x10 would cost approximately \$60,000 which did not include insulation or concrete and a larger building that would be able to house the Sign truck & supplies 60x108x16 with insulation and concrete would cost around \$200,000. The board asked him to get a few more firm bids because the felt it made more sense to build the bigger building as it can accommodate their current needs and address expansion as well. The board will research to also determine if this would be a project that ARPA funds could be used or would need to come from another area.

Julie Lynes Public Health Administrator joined the session for her scheduled appointment to discuss Public Health updates. Lynes shared that there have been 72 new Covid cases in the last 14 days and we are setting at a 19.88% positivity rate. Public Health has given out 400 Moderna booster shots. On Friday, the Glenwood School District will receive booster shots for all employees from 3-6 pm at Kaufman Hall. This will be the last time they will be doing clinics at this facility; they will offer them at their current office moving forward. Lynes also stated the Hy-Vee pharmacy has Moderna, Pfizer and J&J booster shots and Kohlls Pharmacy in Malvern also carries the boosters. Lynes also stated that Public Health would not be vaccinating the 5-11-year old's, they felt that was something that should be done at their primary care physicians.

Jolene Esary, Deputy HR/Accounting Specialist, joined the session at this time during discussion of President Biden's mandate requiring employers with 100+ employees to comply with the vaccine mandate. However, Iowa is one of that States that filed suit and currently things are on hold in the court system, date of compliance is January 4th. Depending on what is decided by the courts Lynes felt it was important that we have a policy ready to be put in place. Esary received a template from our HR attorney Michael Galloway that was shared with the board. If

we are forced to comply with the mandate, we will have something to keep the County from being fined.

Jim & Monica Hughes, Mark Hughes, David Hughes & Bob Hughes joined the session at this time for their scheduled appointment. Tyler Loontjer, Assistant County Attorney also joined the session at this time. Hughes is requesting a zoning district change for property he owns in section 11 of Oak township. Hughes is requesting the change from an LH to AR zone. This zoning change would allow 3 acre lots to become 2 acre lots in the Loess Hills. Hughes shared his development plan that would have 104 homes which he said would bring in 20-40 million in tax dollars to the County as well as bring in up to 100 students into the school system. Mark Hughes stated they are only 66' from the AR zone which is just across the street. Supervisor Crouch asked Assistant County Attorney Loontjer if this should be a public hearing since they were requesting a district change and Loontjer responded he did not think so but was unsure. Crouch also shared concerns he had received from others in that area as far as taking down more of the Loess Hills instead of protecting them. Hughes suggested that each property should be looked at separately. There had been some concerns addressed at the Planning and Zoning board meeting regarding the dirt being used as a dirt borrow. Hughes said it is not the intent to take the dirt from the property but if it is needed for a house or garage, he would sell it. The feeling was that too many people were concerned that it would become a dirt borrow and that is not the intent of his subdivision. He also mentioned that there is a development being done in Pottawattamie County that is planning to have rural water to it and that water will also be coming down to the Oak township area which would also benefit the development that is being done by Craig Nakamoto. Nakamoto already has water but the plans for GMU to put a water tower on property near his development would better serve the area. Supervisor Mayberry said he does not have a problem regarding this request because the ground is currently in row crop, so no trees or other vegetation would be removed. Mayberry also said he does not wish to lose any more development to Pottawattamie County. Supervisor Vinton had concerns and asked about the compaction of the dirt and if Hughes would still be able to build on those parcels without the zoning change. Hughes stated he could but would not be able to build as many homes. Vinton asked for time to research a little more before making a decision on this request and felt that if this was approved the County would need to get some guidelines set for future development requests. Hughes told Vinton he needed an answer today and Mayberry explained that GMU was meeting tomorrow and they are determining the sizing of the waterline. Hughes explained this development is a win for both the school district and the County by providing more homes. Hughes is planning \$400,000 homes which will help the County's tax base. Motion by Mayberry to approve the zoning change request from LH to AR zone for the four parcels in Oak township owned by Jim Hughes, seconded by Vinton. Ayes:2 and Crouch abstained by stating he would like to see a policy put in place first.

Holly Jackson and Audra Krueger from Building and Zoning were present to update the board on current permit status. Jackson reported that the Zoning Board of Adjustment would be meeting this week to consider two conditional use permits, 1 variance for a retail service on a piece of property that is being sold and split for commercial use of store fronts and the other half for multi-residential. This property is in the flood plain. A third item on the agenda was a proposed addendum on Thieschafer's property due to covid. The Planning & Zoning board met and would be proposing some ordinance changes by adding sawmill definitions. Jackson also reported they had received some funding on a couple of soil extraction permits. Krueger and Jackson also asked for guidance from the Board of Supervisors on how to proceed with violations of individuals that had not gotten permits for structures that are being built and approved permits that have altered the intent of the permitted use. Since there are no inspections being done, how can they enforce those after receiving notification of a violation. The Board gave permission for the Building & Zoning Department to schedule a verification review at the property. Upon verification, a citation could be issued. Discussion was held regarding revisions of violation and penalty amounts. Supervisor Mayberry stated that he would like to see this department become more self sufficient and all board members agreed the violation and penalty fees needed to be increased. Jackson & Krueger are to investigate the complaints and follow protocol to issue the citations for the infraction.

Treasurer Jill Ford came before the board to request an Auditor Adjustment 21-01 due to an error that was made by the Assessor when the property was split and the house was placed on the wrong parcel. The Auditor adjustment will provide the changes in taxation for a deduction of \$2,860 for Lindsey Zastrow. Ford had talked with both owners and they were aware of the

adjustments that were being made. Motion by Mayberry, seconded by Vinton to approve Auditor Adjustment 21-01. Motion carried on a vote: Ayes: 3, Nays: 0

Motion by Vinton, seconded by Mayberry to approve Auditor Adjustment 21-02 for David & Ashley Lawrence to add the dwelling to their parcel and adjust their taxes with an increase of \$2,860 with credit given for amounts already paid. Motion carried on a vote: Ayes: 3, Nays: 0

Motion by Vinton, seconded by Mayberry to authorize the Chair to sign two policy amendment changes for SWIPCO for the buyout properties. Motion carried on a vote: Ayes: 3, Nays: 0

Motion by Mayberry, seconded by Vinton to approve the Leick Construction change order on property at 17690 Kane Ave. in the amount of \$6,765. Motion carried on vote: Ayes: 3, Nays: 0.

Motion by Mayberry seconded by Vinton to approve Resolution #21-42 to amend the Articles of Agreement with WIWDA. Motion carried on a vote: Ayes: 3, Nays: 0 Roll Call: Mayberry-Aye, Crouch-Aye, Vinton-Aye

RESOLUTION 21-42

PROVIDING FOR THE AMENDMENT OF THE ARTICLES OF AGREEMENT WHICH FORMED THE WORKFORCE DEVELOPMENT CHIEF ELECTED OFFICIAL CONSORTIUM FOR THE WORKFORCE INNOVATION AND OPPORTUNITY ACT OF 2014

WHEREAS Mills County previously signed a resolution to approve the Articles of Agreement creating the Workforce Development Chief Elected Official Consortium (CEO) together with 17 other counties in western and southwestern Iowa, known as the "Western Iowa Workforce Development Area" or WIWDA; and,

WHEREAS a quorum of the CEO has been difficult to meet, hindering the ability of the CEO to conduct business and provide for smooth operation of the WIWDA; and,

WHEREAS, at their September 2021 meeting the CEO discussed proposing to the member counties an amendment to the Articles of Agreement to reduce the required quorum from a supermajority (three-fifths or 11 members) to having a minimum of seven members (one-third + 1).

NOW, THEREFORE BE IT RESOLVED by the Mills County Board of Supervisors that it does hereby agree to amend Article 5C of the Articles of Agreement which formed the WIWDA Chief Elected Official Consortium to read as follows:

- C. A quorum of the member counties is required to conduct a meeting. A quorum is defined as one plus one-third of the members.

Passed and approved this 16th day of November 2021.

There being no further business to come before the Board, they adjourned to meet on November 23, 2021.

Richard Crouch, Chair

ATTEST:

Carol Robertson, Auditor