

TIPTON, IOWA

November 30, 2021

The Cedar County Board of Supervisors met in regular session at 8:30 a.m. November 30, 2021, with the following members present: Smith, Bell, Gaul, Kaufmann, and Chairperson Agne.

The Board viewed correspondence from various agencies.

The Board acknowledged receipt of the following correspondence from:
County Treasurer Delaney submitted Raini Chapman has completed her orientation period and is eligible for all benefits, effective November 25, 2021.
Notice of Voluntary Resignation was received for Erica Christian, her last working day is December 10, 2021.
Veteran Affairs Director Hamann provided an update to the Board.

It was noted the following Handwritten Disbursement was issued on November 26, 2021, to the Cedar County Treasurer for Benefits, Inc. for an electronic deposit: #429393 for \$1,498.27-self funded medical claims.

Moved by Sup. Gaul seconded by Sup. Kaufmann to approve the agenda.
Ayes: All

Chairperson Agne addressed the public for comments and there were none.

Moved by Sup. Smith seconded by Sup. Bell to approve the Board Minutes of November 23, 2021.
Ayes: All

Moved by Sup. Kaufmann seconded by Sup. Agne to approve Claim Disbursements #429273 - #429392 paid on November 24, 2021.
Ayes: All

Moved by Sup. Bell seconded by Sup. Kaufmann to approve the work request submitted by Judge Roberts to hang clock and corkboard in the Court Reporters Office.
Ayes: All

Moved by Sup. Smith seconded by Sup. Gaul to approve a five-day liquor license and Sunday sales for Cedar County Fair Association, effective 12/29/2021.
Ayes: All

Moved by Sup. Gaul seconded by Sup. Kaufmann to approve a twelve-month Class C Beer Permit and Class B Wine Permit and Sunday sales for G.G. Brothers (Liberty Travel Plaza).
Ayes: All

The Board reported on Outreach/Committee Meetings they attended.

Recorder Bahnsen met with the Board to discuss a vacancy in her office due to an employee transfer within the county. Bahnsen requested approval to start the hiring process.

Moved by Sup. Smith seconded by Sup. Bell to approve hiring a replacement in the office.
Ayes: All

HIPAA Compliance Officer Tischuk met with the board to discuss a cybersecurity training platform. Tischuk recommended the Board purchase the KnowBe4 cybersecurity training platform. Tischuk informed the Board this service includes quarterly email campaigns to test employee cybersecurity knowledge, responses to a potentially infected email are tracked and a report is generated, employees receive training on how to identify potential attacks, employees receive required periodic security reminders, quarterly management reports are delivered and complete management of the KnowBe4 platform. Discussion was held on the cost of this platform. Sup. Agne reiterated our insurance company is mandating additional requirements to maintain eligible for coverage.

Moved by Sup. Smith seconded by Sup. Kaufmann to approve the KnowBe4 training platform of the annual fee of \$5,150.00.

Ayes: All

Sup. Bell updated the Board on filling the I.T. Director position. Bell stated he has not received a signed acceptance from the applicant due to the applicant is actively looking for housing in the Tipton or Bennett area.

Auditor Dauber updated the Board that she will be presenting options for reprecincting election polling sites soon. Dauber informed the Board of the required public hearing and adopting an ordinance prior to the January 15, 2022, deadline to submit to the Secretary of State.

The scheduled annual meeting with Farm Bureau representatives was not held due to lack of participation.

Sup. Kaufmann read the resolutions regarding the Solid Waste Transfer Station project. Solid Waste Director Crock and West Branch Mayor Laughlin were present. Kaufmann informed the Board a public hearing was held on Tuesday, November 23, 2021, with no attendance from the public. Kaufmann read the following resolution. Discussion was held. Topics discussed were county subcontractors, difference of the bids submitted, soil boring, possible reduction in the proposed facility plans, and funding. Director Crock stated the specs are what we need due to the facility has been running at 150% capacity. Crock further stated we are building a Chevy not a Cadillac therefore, we cannot cut anything from the plans proposed. Sup. Bell agrees on the plans he is just not happy with the engineering firm due to the screw up's and now the county must pay for it when we should of bonded more initially with the low interest rate. Auditor Dauber explained the \$9.7 million bonded was for both projects and were not designated by specific dollar amount per project, therefore when the last project is near completion the Board will decide whether to utilize county funds for the shortfall and be paid back by the debt service fund or bond the amount needed for completion. Bell further stated when both projects, Solid Waste Transfer Station and the 911 Communication, are complete and the shortfall of money is addressed, it is due to the underestimate from the Engineer for the Solid Waste project.

Moved by Sup. Kaufmann seconded by Sup. Agne to approve the following resolution.

Resolution No. 2

**RESOLUTION ADOPTING PLANS, SPECIFICATIONS, FORM OF CONTRACT
AND ESTIMATE OF COST**

Whereas, on the 30th day of November 2021, plans, specifications, form of contract and estimate of cost were filed with the Board of Supervisors for the construction of the Solid Waste Transfer Facility Improvements; and

Whereas, notice of hearing on plans, specifications, form of contract and estimate of cost for said public improvements was published as required by law:

Now, Therefore, Be It Resolved by The Board of Supervisors of Cedar County, Iowa:

Section 1. That the said plans, specifications, form of contract and estimate of cost are hereby approved as plans, specifications, form of contract and estimate of cost for said public improvements, as described in the preamble of this Resolution.

Passed and approved, this 30th day of November 2021.

Ayes: All

Assistant Attorney Blank entered the room. Sup. Kaufmann asked Blank the legalities of not accepting the lowest bid. Blank stated unless you stated in the specifications of the bid to utilize county contractors you must accept the lowest responsive, responsible bid. Sup. Bell assumed that per the discussion at the Supervisor meetings, the bid documents had this. Sup. Kaufmann stated in the future we will ask for assistance regarding bid notices.

Moved by Sup. Gaul seconded by Sup. Smith to approve the following resolution.

Resolution No. 3

RESOLUTION MAKING AWARD OF CONSTRUCTION CONTRACT

BE IT RESOLVED BY THE CEDAR COUNTY, IOWA BOARD OF SUPERVISORS:

Section 1. That the following bid for the construction of certain public improvements described in general as the Solid Waste Transfer Facility Improvements, described in the plans and

specifications heretofore adopted by this Board on November 30, 2021, be and is hereby accepted, the same being the lowest responsive, responsible bid received for said work, as follows:

Contractor: Bill Bruce Builders, Inc. of Eldridge, Iowa

Amount of bid: \$ 1,780,497.00

Section 2. That the Chairperson is hereby directed to execute contract with the contractor for the construction of said public improvements, said contract not to be binding until approved by this Board.

Passed and approved, this 30th day of November 2021.

Ayes: All

Sup. Kaufmann informed the Board on Resolution 4 – Approving Construction Contract and Bond we do not have the information on the bond surety, date of the bond and contract to complete this resolution at this time but requested the board vote to allow the chairperson to sign later.

Moved by Sup. Kaufmann seconded by Sup. Gaul to authorize Chairperson Agne to sign Resolution 4 when the information is available, and document is complete.

Ayes: All

E&Z Director LaRue and Assistant County Attorney Blank met with the board to discuss the former county home property. Sheriff Wethington was present. LaRue informed the board that the Sheriff and himself went to the property and LaRue stated the property is unsecure, a safety hazard, and the building is damaged and unsafe. Sup. Agne asked Blank who is responsible for individuals trespassing onto the property. Blank stated the landowner is responsible, not the county. LaRue has discussed this situation with a relative of the landowner and he is securing the property. Wethington further elaborated that the landowner will post no trespassing signs, install tin over the first floor openings and will work up to the second floor, weather pending. Sup. Bell asked Blank the property owner is responsible for injuries so where does the county factor in at? Blank stated the county does not factor into the situation if the landowner does the mitigation, now if the county was to mitigate then we could be subject to liability due to the county did the work and billed the landowner for the service performed. Sup. Bell suggested Sup. Gaul will contact ECIA and find out whether there are grants for the landowner to mitigate the property. Sup. Bell stated the biggest stress on the county is for the law enforcement department.

Wethington stated it would help if people would stop calling us due to the trespassing and if the building would be torn down. Blank informed Wethington you can stop responding. Sup. Kaufmann asked what can be done about the social media posts that are inviting people to put themselves in a possible dangerous situation? Blank suggested someone comments on the social media post informing them of the situation.

Engineer Fangmann met with the board to request approve on a REC utility permit for new service located at 1515 330th Street.

Moved by Sup. Gaul seconded by Sup. Smith to approve the REC utility permit with a \$100.00 fee applies.

Ayes: All

Recuse: Kaufmann

Discussion was held on the appointments to the EMS Committee. Those present were Lonni Koch, Sandy Heick, Brad Ratcliff, Jane Caes, and Sheriff Wethington. A list of the proposed members was provided to the board. After the discussion the consensus of the board was to appoint a representative from each community on the Executive Board, and an Advisory Committee based on the information that was provided.

Moved by Sup. Bell seconded by Sup. Smith to appoint the following individuals to the Executive Board: Brent Arp – Bennett Ambulance, Clarence Mayor's appointee, Denny Frisch – Durant Ambulance, Lonni Koch – Mechanicsville Ambulance, Sandy Heick – West Branch EMS, Brad Ratcliff – Tipton Ambulance, Linda Coppess – Stanwood Ambulance and the following to the Advisory Committee: Andrew Oberbreckling, Warren Wethington, Jodi Freet, Jill Cinkovich, Barbara Haynes, Marsha Driscoll, Heather Jones, Tamara Wigim, Reece Hall, Tom Dean, and Orville Randolph.

Ayes: All

Moved by Sup. Kaufmann seconded by Sup. Bell to appoint Sandy Heick and Llonni Koch as co-chairs of the Executive Board. Chairperson Agne requested meeting minutes be provided to the Board.

Ayes: All

Moved by Sup. Kaufmann seconded by Sup. Smith to adjourn at 10:32 a.m., to December 7, 2021.

Ayes: All

Cari A. Dauber, Auditor

Steve Agne, Chairperson