

March 30, 2020

14th Day

The Worth County Board of Supervisors met pursuant to adjournment with A.J. Stone, Kenneth J. Abrams and Mark Smeby present.

This was an electronic meeting pursuant to Iowa Code section 21.8 – In circumstances where such a meeting is impossible or impractical due to concerns about COVID-19 and social distancing for the safety of board members and the public. Public access was made available by telephone.

Stone led the meeting in the Pledge of Allegiance.

Unless otherwise indicated, all of the following motions offered at this meeting were carried with the following vote: Ayes: Stone, Abrams and Smeby. Nays: none. Abstentions: none. Absent: none.

Motion by Smeby, second by Abrams, carried to approve the March 30, 2020 agenda.

Motion by Smeby, second by Abrams, carried to approve the March 23, 2020 board minutes.

Motion by Smeby, second by Abrams, carried to approve moving the April 13, 2020 drainage hearings to May 18, 2020.

Motion by Abrams, second by Smeby, carried to approve the secondary roads FY21 DOT budget and program.

Motion by Abrams, second by Smeby, carried to approve the Iowa Department of Transportation Federal-aid Agreement for a Competitive Highway Bridge Program (CHBP) Project No. BROSCHBP-CO98(79)—GA-98 (390th Street over Drainage Ditch).

Motion by Smeby, second by Abrams, carried to approve the Cooperative Agreement for a Competitive Highway Bridge Program (CHBP) Project between Mitchell County, Iowa and Worth County, Iowa; Project No. BRS-CHBP-C066(78)—GB-66 (Balsam Avenue over Rock Creek and BROSCHBP-CO98(79)—GA-98 (390th Street over Drainage Ditch).

Motion by Abrams, second by Smeby, carried to approve Resolution 2020.03.30.4:

RESOLUTION 2020.03.30.4

APPROVAL OF 345th STREET PAVING PROJECT and COUNTY ENGINEER AUTHORIZATION TO SIGN CONTRACT DOCUMENT IN DOC EXPRESS

WHEREAS, the Board of Supervisors of Worth County, Iowa, hereafter referred to as “the Board”, believes the **345th STREET PAVING PROJECT, FM-C098(77)—55-98**, hereafter referred to as “the project” is in the best interest of Worth County, Iowa, and the residents there of. The project is defined as **HMA Resurfacing on 345th Street from Dogwood Ave east to Eagle Ave.**; and

WHEREAS, the Board has sought appropriate professional guidance for the concept and planning for the project and followed the steps as required by the Code of Iowa for notifications, hearings, and bidding/letting; and

WHEREAS, the Board finds this resolution appropriate and necessary to protect, preserve, and improve the rights, privileges, property, peace, safety, health, welfare, comfort, and convenience of Worth County and its citizens, all as provided for in and permitted by section 331.301 of the Code of Iowa; and

IT IS THEREFORE RESOLVED by the Board to accept the bid from **Heartland Asphalt, Inc.**, in the amount of **\$225,202.76** and awards the associated contract to the same;

BE IT FURTHER RESOLVED all other resolutions or parts of resolutions in conflict with this resolution are hereby repealed. If any part of this resolution is adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the resolution or action of the Board as a whole or any part thereof not adjudged invalid or unconstitutional. This resolution shall be in full force and effect from and after the dated of its approval as provided by law;

BE IT FURTHER RESOLVED by the Worth County Board of Supervisors, that, after receiving the necessary contract documents, including but not limited to, the contractor's bond and certificate of insurance, Richard Brumm, the County Engineer for Worth County, Iowa, be and is hereby designated, authorized, and empowered on behalf of the Board of Supervisors of said County to execute the contracts in connection with the afore awarded construction project let through the DOT for this county.

Adopted this 30th day of March, 2020.

The vote on the resolution:

Aye Stone, Abrams, Smeby Nay N/A Abstain N/A

AARON STONE
Chair, Board of Supervisors

Attest: JACKI A. BACKHAUS
County Auditor

Motion by Smeby, second by Abrams, carried to approve Resolution 2020.03.30.5:

RESOLUTION 2020.03.30.5
APPROVAL OF PARTRIDGE AVE. AND 350TH STREET PAVING PROJECT and COUNTY
ENGINEER AUTHORIZATION TO SIGN CONTRACT DOCUMENT IN DOC EXPRESS

WHEREAS, the Board of Supervisors of Worth County, Iowa, hereafter referred to as "the Board", believes the **PARTRIDGE AVE. AND 350TH STREET PAVING** project, **L-78—73-98**, hereafter referred to as "the project" is in the best interest of Worth County, Iowa, and the residents there of. The project is defined as **HMA PAVEMENT-NEW, PARTRIDGE AVE. AND 350TH STREET**; and

WHEREAS, the Board has sought appropriate professional guidance for the concept and planning for the project and followed the steps as required by the Code of Iowa for notifications, hearings, and bidding/letting; and

WHEREAS, the Board finds this resolution appropriate and necessary to protect, preserve, and improve the rights, privileges, property, peace, safety, health, welfare, comfort, and convenience of Worth County and its citizens, all as provided for in and permitted by section 331.301 of the Code of Iowa; and

IT IS THEREFORE RESOLVED by the Board to accept the bid from **Heartland Asphalt, Inc.**, in the amount of **\$329,420.70** and awards the associated contract to the same;

BE IT FURTHER RESOLVED all other resolutions or parts of resolutions in conflict with this resolution are hereby repealed. If any part of this resolution is adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the resolution or action of the Board as a whole or any part thereof not adjudged invalid or unconstitutional. This resolution shall be in full force and effect from and after the dated of its approval as provided by law;

BE IT FURTHER RESOLVED by the Worth County Board of Supervisors, that, after receiving the necessary contract documents, including but not limited to, the contractor's bond and certificate of insurance, Richard Brumm, the County Engineer for Worth County, Iowa, be and is hereby designated, authorized, and empowered on behalf of the Board of Supervisors of said County to execute the contracts in connection with the afore awarded construction project let through the DOT for this county.

Adopted this 30th day of March, 2020.

The vote on the resolution:

Aye Stone, Abrams, Smeby Nay N/A Abstain N/A

AARON STONE
Chair, Board of Supervisors

Attest: JACKI A. BACKHAUS
County Auditor

Motion by Abrams, second by Smeby, carried to approve the purchase of a JD 770 motor grader for \$316,574 as presented by the county engineer.

Motion by Smeby, second by Abrams, carried to approve Resolution No. 2020.03.30.3:

**RESOLUTION TO VACATE A COUNTY ROAD
RIGHT OF WAY**

Worth County

Resolution 2020.03.30.3

WHEREAS, this being the date and time set for the hearing on the proposed vacation and closure of a portion of the right of way of Worth County Secondary Road, described as follows:

All that part of former county road "T"/Wheelerwood Road right of way in the East Half (E ½) of the Northwest Quarter (NW ¼) of the West 50 feet of the Northeast Quarter (NE ¼) of Section Thirty-two (32), Township One Hundred (100) North, Range Twenty-one (21) West of the 5th Principal Meridian, north of the current Wheelerwood Road right-of-way, and South of the current ramp "C" Interstate 35 right-of-way in Worth County, Iowa, as depicted on the drawing on the plat map attached to this resolution*; and,

WHEREAS, the road right-of-way and the actual Wheelerwood Road were relocated in approximately 1975 with the construction of the Interstate 35 highway through Worth County, Iowa, and since that time, the above stated right-of-way has not been utilized as a road right-of-way or used by the citizens or property owners of Worth County, Iowa; and,

WHEREAS, Worth County, Iowa, is the adjoining property owner of the right-of-way that it seeks to vacate and that the vacated right-of-way should be quit claim deeded to Worth County, Iowa, as the owner of the adjoining real estate; and,

WHEREAS, given the lack of impact on either adjoining property owners or users of Wheelerwood Road that this vacation will have, the Iowa Code provides that no publication of notice of vacation of right-of-way is required in the present instance.

NOW, THEREFORE, BE IT RESOLVED by the Worth County Board of Supervisors that the portion of right-of-way described above and on the attached plat is hereby vacated and said right-of-way is reconveyed to Worth County, Iowa, by a Quit Claim Deed executed contemporaneously with this action.

*said plat map is available by request in the office of the Worth County Auditor

AARON STONE
Chair, Worth County Board of Supervisors

Attest: JACKI A. BACKHAUS
County Auditor

Motion by Smeby, second by Abrams, carried to approve Resolution No. 2020.03.30.1

RESOLUTION 2020.03.30.1

WHEREAS, the Worth County Compensation Board meets annually to recommend a compensation schedule for elected officials for the fiscal year immediately following, in accordance with Iowa Code Chapters 331.905 and 331.907, and

WHEREAS, the Worth County Compensation Board met on December, 3, 2019, and made the following salary recommendations for the following elected officials for the fiscal year beginning July 1, 2020:

<u>Elected Official</u>	<u>Current Salary</u>	<u>Proposed Increase</u>	<u>Recommended Salary</u>
Auditor	\$56,706	3.50%	\$58,747
County Attorney	\$62,875	37.16%	\$86,240
Recorder	\$56,760	3.50%	\$58,747
Sheriff	\$72,282	4.00%	\$75,173
Supervisor-Chair	\$31,252	0.00%	\$31,252
Supervisors	\$30,752	0.00%	\$30,752
Treasurer	\$56,760	3.50%	\$58,747

THEREFORE, BE IT RESOLVED that the Worth County Board of Supervisors adopts the salary recommendations for elected officials for the fiscal year beginning July 1, 2020 as recommended by the Worth County Compensation Board.

Approved this 30th day of March, 2020.

WORTH COUNTY BOARD OF SUPERVISORS
Aaron Stone, Chairperson

ATTEST:
Jacki A. Backhaus, Auditor

AYE:
Aaron Stone, Supervisor
Kenneth J. Abrams, Supervisor
Mark Smeby, Supervisor

NAY: N/A

Motion by Abrams, second by Smeby, carried to recess the regular session.

Motion by Abrams, second by Smeby, carried to open the Worth County FY20/21 Budget hearing at 9:00 A.M. The auditor reviewed the budget with the board. There was no public comment.

Motion by Abrams, second by Smeby, carried to close the public hearing at 9:01 A.M.

Motion by Abrams, second by Smeby, carried to reconvene the regular session.

Motion by Smeby, second by Abrams, carried to Resolution No. 2020.03.30.2

RESOLUTION #2020.03.30.2

ADOPTION OF THE WORTH COUNTY

FISCAL YEAR 2020/2021 PROPOSED BUDGET

WHEREAS the Board of Supervisors held a Public Hearing on Monday, March 30, 2020 to receive comments regarding the proposed FY20/21 Budget of expenditures and revenues as was published, per Public Notice, in the March 18 & 19, 2020 issue of the Official County newspapers, The Northwood Anchor and The Manly Junction Signal, and presented at the public hearing on March 30, 2020.

THEREFORE the Board of Supervisors hereby approves the proposed FY20/21 Budget as was presented and published. Budget certification attached.

PASSED AND ADOPTED this 30th day of March, 2020.

Aaron Stone, Chairman
Board of Supervisors

I HEREBY CERTIFY that the foregoing resolution was duly adopted by the Board of Supervisors of Worth County, Iowa, at a regular meeting held on 3/30/20, by the following vote:

AYES: Stone, Abrams, Smeby NAYS: N/A ABSTENTIONS: N/A ABSENT: N/A

ATTEST:

Jacki A. Backhaus
Auditor & Clerk to Board

Motion by Abrams, second by Smeby, carried to approve the budget request for FY21 in the amount of \$5,000.00 by Homeward, Inc.

Motion by Smeby, second by Abrams, carried to acknowledge county receipt of manure management plan annual update from CB Neel & Sons for facility #63839 located in Section 1, Lincoln Township, Cerro Gordo County and facility #63840 located in Section 36, Danville Township, Worth County.

Motion by Abrams, second by Smeby, carried to approve revising the Paid Sick Leave and Expanded Family and Medical Leave Under the Families First Coronavirus Response Act by allowing full pay for all COVID19 reasons for absences during the first two weeks (70-80) hours of available Emergency sick leave.

Motion by Smeby, second by Abrams, carried to adjourn at 9:35 A.M. The next meeting of the Board of Supervisors will be Monday, April 6, 2020 at 8:30 A.M.

Jacki A. Backhaus
Auditor

Aaron Stone
Chairperson