

Agenda Notice –

**The Mahaska County Board of Supervisors will meet on
Monday, December 6, 2021, at 9:00 a.m.
in the Third-floor conference room of the
Mahaska County Courthouse, 106 South 1st Street, Oskaloosa, IA.**

This meeting may be found at the following live stream link:

https://www.mahaskacounty.org/board_of_supervisors/meetings.php

In addition to this meeting being live-streamed, there will be available an audio-conferencing option for constituents to comment during public comments and any public hearing.

Audio conferencing number: 319-382-2695

Conference ID: 823 724 708#

You will be asked to state your name and press #.

If you call in and do not wish to speak, please be courteous and mute the microphone on your phone.

1. Approve agenda
2. Public Comments
3. Pathfinders update
 - * Ashley Ute; Blake Lough
4. Approve minutes Nov 9, 15 & 22
5. Approve November bills
6. Payroll Change
 - * Sec Rd (2)
7. Discuss and consider request for rebate of taxes
 - * Reagan Outdoor
8. Consider reappointment to City of Pella Board of Adjustment
 - * Jaci Nunnikhoven
9. Authorize signature on plans for HMA overlay on G71 and T39
 - * Project FM-CO62(100)—55-62
10. Review & possible approval of final plans for concrete overlay plans for County Route V5G from New Sharon to County Route T33
11. Review and possible approval of final plans for asphalt overlay plans for County Route G71 from the Marion County line to County Route T39 and on Route T39 from Route G71 north approx. 3.25 mi
12. Review and possible approval of 2022 County Five Year Program Resolution Version 0.1
13. Review and possible approval of Carbon Trail and 240th St Intersection Study including recommendation thereof
14. Employee leave of absence approval
15. Discussion – Contracting with local attorneys to handle court-appointed attorney fees for respondents in substance abuse
16. Approve Homestead, DVH, Military, Agland and Family Farm Credits for 2021 valuations
17. Consider fund for security door quarterly hosting payments
18. Consider consulting services agreement with Shive-Hattery for Courthouse HVAC project
19. Consider change order with Cellsite Solutions LLC for work at all three communication tower sites
20. Consider contract with Central Iowa Tourism Region for allocation in FY22
21. Set public hearing for Ordinance #61
 - * establishing voting precincts of Mahaska County to accommodate redistricting following 2020 census
22. Certify Central Service Cost Allocation Plan for use in FY23
23. Consider Resolution #2021-24

- * To Enter into Settlement Agreements with McKesson Corporation, Cardinal Health, Inc., AmeicsourceBergen Corporation, Johnson & Johnson, Janssen Pharmaceuticals, Inc., Ortho-McNeil-Janssen Pharmaceuticals, Inc., and Janssen Pharmaceutica, Inc., Agree to the Terms of the Iowa Opioid Allocation Memorandum of Understanding and Authorize Entry into that Memorandum of Understanding

24. Authorize signature on Opioid Litigation documents

25. Public Comments

November 9, 2021

The Mahaska County Board of Supervisors met in special session on the above date at 8:30 a.m. in the third floor conference room of the Mahaska County courthouse. Present were the following board members: Chairman – Mark Groenendyk Vice chairman – Steve Wanders; and Member – Chuck Webb. Also present were Joe Lancello, KBOE; Andrew Ritland, Co Atty; Tom Flaherty, Economic Development and Susan Brown, Mahaska County Auditor. Chairman Groenendyk opened the meeting.

It was moved by Webb seconded by Wanders to approve the agenda for today's meeting. All present voted aye. Motion carried.

Public Comments: None

Consultant agreement for possible broadband project was not available and will be tabled to next meeting.

Susan Brown, Mahaska County Auditor and Commissioner of Elections reported that there were 14,824 eligible voters on November 2, 2021 for the Regular City/School Election in Mahaska County of which 2,387 cast a ballot for a 16.10% turnout.

There were 394 absentee ballots requested. Eleven absentee ballots were not returned. One provisional ballot was cast and counted.

This is the second combined statewide city/school election in Iowa. All Mahaska County residents voted at their general election polling places. Results for school districts or cities shared with adjacent counties will be communicated. A second-tier canvass will be held at the November 15, 2021 board meeting for Barnes City and North Mahaska Community School district for which Mahaska County is control county.

There was a tie vote for third member of the University Park City Council seat between Dave Brown and Sarah Kargol. Per Iowa Code the board drew the name of Sarah Kargol from the two to place as third member for this election on the University Park Council.

It was moved by Wanders seconded by Webb to certify the first-tier canvass results as presented from the auditor's office. All present voted aye. Motion carried.

Results of the Regular City/School Election can be found in the permanent election record book in the Mahaska County Auditor's Office.

Public comments: None

It was moved by Wanders seconded by Webb to adjourn. All present voted aye. Motion carried.

Attest: _____

Susan L. Brown
Mahaska County Auditor

Mark Groenendyk – Chairman
Mahaska County Board of Supervisors

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November 15, 2021

The Mahaska County Board of Supervisors met in regular session on the above date at 9:00 a.m. in the third floor conference room of the Mahaska County courthouse. Present were the following board members: Chairman – Mark Groenendyk; Vice chairman – Steve Wanders; and Member – Chuck Webb. Also present were Darin Hite; Joe Lancello, KBOE; Andrew Ritland, Tom Flaherty, Evan Del Val, ISG; Shannon Rabotski, Oskey Herald and Susan Brown, Mahaska County Auditor. Curtis Dean of Smart Source attended via telephone. This meeting was live streamed by Communications Research Institute of William Penn University. Meeting was opened with a moment of silence.

It was moved by Webb seconded by Wanders to approve the agenda for today's meeting. All present voted aye. Motion carried.

Public Comments: None

Evan DelVal of ISG informed the board of a possible pipeline project coming through the county. Navigator Heartland Greenway System Project would be a CO2 pipeline with similar trajectory across Mahaska County as the existing Dakota Access Pipeline. Iowa Utilities Board has not yet approved the project. ISG was inspection service for the Dakota Access and would be able to serve in the same capacity for the Heartland Greenway Project. It was moved by Webb seconded by Wanders to sign letter of intent to contract with ISG to perform pre-construction activities and all construction inspection services related to the proposed Heartland Greenway System pipeline project. All present voted aye. Motion carried.

It was moved by Wanders seconded by Webb to approve minutes of November 1 meeting. All present voted aye. Motion carried.

It was moved by Wanders seconded by Webb to remove the following from Secondary Road payroll: Tim Thornbrugh – November 30, 2021. All present voted aye. Motion carried.

It was moved by Wanders seconded by Webb to approve agreement with Smart Source as consultant for assessing need and creating a request for proposal through a broadband deployment support program. All present voted aye. Motion carried.

A draft for possible Resolution #2021-24 was reviewed.

It was moved by Wanders seconded by Webb to accept 2021 Weed Commissioner's Report. All present voted aye. Motion carried.

It was moved by Wanders seconded by Webb to approve Engbers Acres preliminary and final plat. All present voted aye. Motion carried.

Mahaska County Commissioner of Elections Susan Brown reported the final vote tally in the 2nd tier canvass of the Regular City/School Election held on November 2, 2021 for Barnes City Council seats along with North Mahaska Community School Director District #5. The auditor's office has received vote numbers from Poweshiek County's canvass to add to vote numbers in Mahaska County for the final tally to be certified in Mahaska County as the control county. It was moved by Wanders seconded by Webb to certify second-tier results as presented. All present voted aye. Motion carried.

Results of the Regular/City School Election can be found in the permanent election record book in the Mahaska County Auditor's Office.

It was moved by Webb seconded by Wanders to appoint Mary Sexton and Kathy Butler as Board of Supervisor representatives on the Mahaska County Compensation Board. All present voted aye. Motion carried.

It was moved by Wanders seconded by Webb to reappoint the following four members to the Mahaska County Solid Waste Commission: Alan DeBruin; Ron Terpstra; Russ Hammes and Mark Groenendyk. All present voted aye. Motion carried.

It was moved by Wanders seconded by Webb to accept notice of recount filed with the auditor on November 10, 2021 by candidate Tony Bokhoven for the office of Pella City Council At-Large. All present voted aye. Motion carried.

Public Comments: None

It was moved by Wanders seconded by Webb to adjourn. All present voted aye. Motion carried.

Attest:

Susan L. Brown
Mahaska County Auditor

Mark Groenendyk – Chairman
Mahaska County Board of Supervisors

November 22, 2021

The Mahaska County Board of Supervisors met in special session on the above date at 9:00 a.m. in the third floor conference room of the Mahaska County courthouse. Present were the following board members: Vice chairman – Steve Wanders; and Member – Chuck Webb. Chairman Groenendyk was absent. Also present were Darin Hite; Joe Lancello, KBOE; Andrew Ritland, Tom Flaherty, and Susan Brown, Mahaska County Auditor. Meeting was opened with a moment of silence.

It was moved by Webb seconded by Wanders to approve the agenda for today's meeting. All present voted aye. Motion carried.

Tom Flaherty, Economic Director, presented some background concerning proposed Resolution #2021-24. The county is receiving \$4.3 million dollars of ARP funding and have spent some time looking at options to invest within the guidelines of the American Recovery Plan. The county has already committed to an HVAC system for the courthouse and two other smaller projects. The state currently has a grant available to broadband providers to help with building out broadband to the underserved in counties across the state. The county is interested in seeing fiber expansion here in Mahaska County. This resolution shows a commitment by the county to move forward in partnership with providers. A future request for proposal will be more detailed. It was moved by Webb seconded by Wanders to approve the following resolution. All present voted aye. Motion carried.

**RESOLUTION OF SUPPORT FOR FIBER OPTIC
BROADBAND NETWORK EXPANSION
Resolution #2021-24**

WHEREAS Iowa Governor Kim Reynolds made available federal American Rescue Plan Coronavirus State and Local Fiscal Recovery Funds for broadband expansion in Iowa; and

WHEREAS to distribute these funds, the Office of the Chief Information Officer issued Notice of Funding Availability (NOFA) #007 for the Empower Rural Iowa Broadband Grant Program, and

WHEREAS on October 25, 2021, the Office issued Notice of Funding Availability #007 which begins the Application Acceptance Window for this NOFA until November 22, 2021 at 5:00 CST; and

WHEREAS eligible areas for NOFA #007 funding are identified on the State of Iowa Broadband Map Version 4 (Map V4); and

WHEREAS Mahaska County has received notice of Federal funding allocated under the Coronavirus Local Fiscal Recovery Fund established under the American Rescue Plan Act (ARPA) signed into law on March 11, 2021; and

WHEREAS Sections 602(c)(1) and 603(c)(1) provide that funds may be used to make necessary investments in water, sewer, or broadband infrastructure; and

WHEREAS the Interim Final Rule published by the Department of the Treasury in 31 CFR Part 35 states that within eligible use categories, local governments have flexibility to determine how best to use its allocated funds to meet the needs of its communities and populations for any allowed use, including broadband infrastructure; and

WHEREAS the Department of the Treasury has published additional guidance as responses to Frequently Asked Questions (FAQ), most recently on July 19, 2021; and

WHEREAS the July 19, 2021 FAQ publication Section 6 prescribes additional guidance on how the County can flexibly determine the types of broadband projects, investments, transfers to private entities, and forgivable loans it chooses to make necessary investments in broadband infrastructure that provides reliable and consistent performance, including local hiring provisions that support economic recovery;

THEREFORE BE IT RESOLVED that the Mahaska County Board of Supervisors (“Board”) concurs there are broadband service deficiencies in the areas of the county identified on the State of Iowa Broadband Map V4 (Map V4); and

That there is an economic public purpose to facilitate additional broadband infrastructure investments in Map V4 areas of the County currently lacking fiber optic broadband service; and

That a gap in the capital needed for broadband providers to construct fiber optic networks in Map V4 is a barrier to making broadband infrastructure investments, where competitively-priced broadband service fees cannot adequately repay the debt needing to be issued, nor attract the equity at a reasonable rate of return; and

That Department of the Treasury guidance appears to provide that the Board is duly authorized to define the parameters by which it can incentivize necessary investments in broadband infrastructure that reduce providers’ funding gap, through transfers, grants, and forgivable loans to private entities; and

That the Board hereby allocates \$2 million of its ARPA funding, following the development of an incentive program that restricts any County awards to broadband infrastructure projects and providers that meet at least all the following criteria:

- Demonstrated Financial Capacity - Eligible projects are to be constructed, in whole or in part, using primarily funding from other public or private sources clearly identified prior to program application submittal.
- High-capacity networks - Any consumer (residential, commercial, anchor institutions) within the County and identified as underserved by the current Empower Iowa Broadband Grant Application (NOFA #007), and by the County, shall have access to both internet upload and download speeds of at least 1 gigabit per second (1 Gbps) utilizing a fiber-to-the-premise network no later than

December 31, 2026. Projects must demonstrate how they prioritize first providing wireline (fiber) service, to the most customers, that currently do not have an option at least of 25 Mbps download speed and 3 Mbps of upload speed available at their premise. Preference will be given to fund broadband infrastructure designed to be capable of providing above 1 Gbps-capacity services to currently underserved households and businesses.

- Ubiquitous coverage - 1 Gbps should be available at every premise within Mahaska County currently not served with an all-fiber network. Those not already served by an all-fiber network, hereby deemed by the County to be underserved, will be provided fiber optic network broadband service no later than December 31, 2028, with the cost of constructing these networks and services fully paid by the recipient of County funds.
- Reliability and Customer Service - The solution should provide consumers with an improved customer experience in all aspects, including response times and minimal service issues, which shall be validated by independent pre-construction and post-construction area customer satisfaction survey and speed test results submitted to the County by December 31, 2026. A local physical presence within the County, staffed by at least one local employee, shall be required of the applicant from the time of County award through December 31, 2029.
- Competitive pricing – Retail rates for services offered shall be deemed affordable if priced competitively with other provider options in the County, documented by the applicant. Providers shall participate in federal and state programs that promote affordable access for lower-income families, particularly households with educational needs. The applicant shall file its rates of services and tiers with the County and may not raise them more than 10% through December 31, 2029. Priority will be given to applicants providing retail rate discounts to existing public entities and nonprofits within the County.
- Local references of support - Two (2) resolutions of support for County funding by local governments in communities in which the provider currently provides services.
- Refund agreement – The applicant shall agree to reimburse the County any “other county funds” provided if it does not meet the conditions of the program.
- Contractual Performance Measures – Once funds are appropriated by the County, the applicant and County shall contractually form fair and reasonable bonding, escrow, and other legal mechanisms that ensure project funds by both parties remain unencumbered for constructing infrastructure projects in the manner above.

The allocation contained within this Resolution shall be considered void if no eligible projects have been identified by February 28, 2022.

Approved November 22, 2021

It was noted in the meeting that a cancellation of the request for recount in the Pella City Council At-Large race was received from the candidate who originally filed for the recount.

It is the consensus of the board that steps to move forward with drafting an ordinance to establish voting precincts in the county reflecting changes in legislative districts following the 2020 census be done.

It was moved by Webb seconded by Wanders to adjourn. All present voted aye. Motion carried.

Attest:

Susan L. Brown
Mahaska County Auditor

Steve Wanders – Vice Chairman
Mahaska County Board of Supervisors

MONTH-END EXPENSES NOVEMBER 2021

FUND	DESCRIPTION	Claims	Claims	Claims	Hand Typed	Voided Warrants	Quarterly Transfers	Fund Total
01000	General Basic	36,960.68	36,921.80	244.08	244.08			73,882.48
01009	Local Law Enforcement Grant							-
01010	Courthouse Security							-
01011	Capital Improvement							-
02000	General Supplemental	23,053.77	2,903.92	100.00	100.00			25,957.69
02011	Capital Improvement							-
06000	Pioneer Cemetery							-
07000	Revolving Loan							-
08000	Crime Prevention							-
09000	Maintenance/Repair Law Center	1,308.20	788.00	788.00	788.00			2,096.20
09001	Maintenance/County & City				0			-
10000	MH/MR/DD Services	156.25	243,491.00					243,647.25
11000	Rural Services Basic	3383.88	30420.06					33,803.94
11011	Capital Improvement							-
12000	Recorders Records Management							-
13000	Sheriff's Office Forfeiture							-
13001	Attorney Forfeiture Fund							-
15000	Environmental Learning Center							-
16000	Capital Project-Radio System	7,606.34	4,235.00	41075.00	41075.00			52,916.34
17000	Cedar Township Fire Station							-
20000	Secondary Road	241,694.79	93,328.80			38.97		334,984.62
20001	Secondary Road Bond							-
22000	Public Safety E911							-
23000	E911 Surcharge		4,263.78					4,263.78
27000	REAP							-
28000	Electronic Trans fund Recorder							-
29000	LEC Improvement Fund							-
30000	Local Option Sales Tax							-
35000	Local Option Sales Tax							-
37000	Lost 20% Conservation							-
40000	Debt Service							-
41000	Debt Service/Local Option Sales Tax							-
43000	Cedar Township Fire Station	5542.00						5,542.00
60000	Emergency Management	7128.25	1349.23					8,477.48
65000	Stephens Memorial Animal Shelter							-
66000	Partial Payment/Advance Payment							-
68000	Co. Cons Land Acquisition Trust							-
68001	Co. Cons. Camping Reserve Fund							-
69000	Co. Assessor Agency	10.57	1,727.68					1,738.25
70000	Unclaimed Property							-
77000	Bankruptys Fund							-
80000	Special Appraiser							-
	Sub-Total	326844.73	419429.27	0.00	42207.08	1171.05	0.00	-
	Totals	326844.73	419429.27	0.00	42207.08	1171.05	0.00	787310.03