

HARDIN COUNTY BOARD OF SUPERVISORS
ORGANIZATIONAL MEETING
MONDAY, JANUARY 3, 2022 - 9:00 A.M.
COURTHOUSE LARGE CONFERENCE ROOM

The 2022 Organizational Meeting of the Hardin County Board of Supervisors was called to order by Jolene Pieters, Auditor. Present: Lance Granzow, Renee McClellan, BJ Hoffman, Jolene Pieters, Michael Pearce Taylor Roll, Machel Eichmeier, Dave McDaniel, Matt Jones, Darrell Meyer. Attending via Zoom: Wes Wiese, Connie Mesch, Lori Kadner, Julie Duhn, and Donna Juber.

The Pledge of Allegiance was recited.

The floor was opened for nominations for Chair of the Board for calendar year 2022. It was moved by Renee McClellan, seconded by Lance Granzow to appoint BJ Hoffman as the 2022 Chair. No other nominations were received. Roll Call Vote: "Ayes" McClellan, Granzow, and Hoffman abstained. "Nays" None. Motion carried.

It was then moved by McClellan, seconded by Hoffman appointing Lance Granzow as the 2022 Vice-Chair. Motion carried.

Granzow moved, McClellan seconded to approve the agenda as posted. Motion carried.

Granzow moved, McClellan seconded that Board member appointments to various boards from 2021 carry over to 2022, with the exception of the Northeast Iowa Response Group Board alternate. Motion carried.

Boards and County representatives are as follows:

Emergency Management	McClellan
Emergency Management Alternate	Granzow
Hardin Co. Solid Waste Commission	Granzow
Hardin Co. Solid Waste Commission Alternate	Hoffman
Hardin County EMS Council	Hoffman
Hardin County EMS Council Alternate	McClellan
Iowa Workforce Board	Granzow
Mid-Iowa Community Action	McClellan
Mid-Iowa Community Action Alternate	Hoffman
Region Six Planning Commission	Granzow
Region Six Planning Commission Alternate	Hoffman
Second Judicial District Bd. of Directors	McClellan
Second Judicial District Alternate	Hoffman
Heartland Insurance Risk Pool Board	Granzow
Heartland Insurance Risk Pool Alternate	Jolene Pieters
Juvenile Detention Center Commission	Granzow
Juvenile Detention Center Alternate	McClellan
Northeast Iowa Response Group Board	Hoffman
Northeast Iowa Response Group Bd. Alternate	Thomas Craighton & Lyle Jeske
Hardin County Firemen's Association	Hoffman
Hardin Co. Firemen's Assoc. Alternate	Granzow
E-911 Board Representative	McClellan
E-911 Board Alternate	Granzow
Board of Health	McClellan
Board of Health Alternate	Granzow
Decategorization Board	McClellan
Decategorization Board Alternate	Granzow
Senior Issues	Hoffman
Senior Issues Alternate	McClellan
Greenbelt Home Care	Hoffman
Greenbelt Home Care Alternate	Granzow
Central Iowa Community Services Board	Hoffman

Central Iowa Comm. Services Board Alternate	Granzow
Iowa River Trail - Hardin Commission	McClellan
Iowa River Trail - Hardin Commission Alternate	Granzow

McClellan moved, Granzow seconded authorizing attendance by County employees to meetings set up by the Iowa State Association of Counties (ISAC) for the year 2022, and that expenses of those attending be paid by the County. The Courthouse shall remain open on the day(s) of the meetings. Motion carried.

Granzow moved, McClellan seconded to close the Courthouse on the following days in 2022 for holidays. Motion carried.

Martin Luther King Jr. Day	January 17, 2022
Memorial Day	May 30, 2022
Independence Day	July 4, 2022
Labor Day	September 5, 2022
Veterans Day	November 11, 2022
Thanksgiving	November 24 & 25, 2022
Christmas	December 26 & 27, 2022
New Year's Day	January 2, 2023

McClellan moved, Granzow seconded to approve the following newspapers as legal newspapers for Hardin County for 2022: Times-Citizen, Ackley World Journal, and Herald Ledger. Motion carried.

Granzow moved, McClellan seconded to approve the appointment of Trent Lambert to the County Conservation Board. This is a five-year term commencing January 1, 2022. Motion carried.

Hoffman asked to table the appointment of the ex-officio member to the County Conservation Board. This is a one-year term commencing January 1, 2022 and the appointments to the County Board of Health. These are three-year terms commencing January 1, 2022. McClellan moved, Granzow seconded. Motion carried.

McClellan moved, Granzow seconded to approve the appointments of Jim Johnson, Mary Schwarck, and Tim Rogers to the MH/DS Advisory Board. These are three-year terms commencing January 1, 2022. Motion carried.

McClellan moved, Granzow seconded to table the appointment to fill a vacancy on the MH/DS Advisory Board. This is for the remainder of the term ending December 31, 2022. Motion carried.

Granzow moved, McClellan seconded to approve the appointment of Ben Speck to the Zoning Adjustment Board. This is a five-year term commencing January 1, 2022. Motion carried.

McClellan moved, Granzow seconded to appoint the following individuals as members of the Hardin County Board of Condemnation for a term of one year commencing January 1, 2022. Granzow stated that if any of these members would like to be removed from this board or of anyone would like to be on this board to fill the vacancies, they should contact the Board of Supervisors. Motion carried.

FARMERS

Everett Harms
 Bill Lawless
 Steve Perry
 Don Hauser
 Neil Hadley
 John Kix

PROPERTY OWNERS

Steve Mannerter
 Harold J. Muller
 Scott Earl Williams
 Kenneth Butt
 Chris Renihan
 Jeremiah Andrews

REAL ESTATE

Ed Bear
Brad Fjelland
Mike Nissly
Carl Stevens
Gene Steelman
Marilyn Reinertson
Leon Herndon

BUSINESS PEOPLE

John Zoske
Rosanne Primus
Greg Salvo
Carla Gunderson
Troy McDonald
Brent Perry

Granzow moved, McClellan seconded to approve the appointment of Kathy Houck to the Pioneer Cemetery Commission. This is a three-year term commencing January 1, 2022. Motion carried.

McClellan moved, Granzow seconded to approve the appointment of Paul Martin as Weed Commissioner. Motion carried.

Granzow moved, McClellan seconded to approve the appointment of Eric Nielsen to the Prairie Rivers of Iowa Resource Conservation and Development Board. Motion carried.

McClellan moved, Granzow seconded to table the appointment of a Concord Township Trustee for the remainder of a term ending December 31, 2024. Motion carried.

Granzow moved, McClellan seconded setting Wednesdays at 9:00 a.m. for the 2022 Board of Supervisors regular meetings. Motion carried.

McClellan moved, Granzow seconded to approve the Medical Examiner Investigator Services Agreements with Thomas Craighton, Eric Eugenio, and Marla Williams effective January 1, 2022 through January 1, 2023 at \$300.00 per case. Motion carried.

Granzow moved, McClellan seconded that Resolution No. 2022-01, Resolution Naming Depositories as Per Iowa Code Section 12C, be adopted. Roll Call Vote: “Ayes” Granzow, McClellan, and Hoffman. “Nays” None. Motion carried. Resolution No. 2022-01 is hereby adopted as follows:

RESOLUTION NO. 2022-01
RESOLUTION NAMING DEPOSITORIES AS PER IOWA CODE SECTION 12C

BE IT RESOLVED, that the BOARD OF SUPERVISORS of HARDIN COUNTY, IOWA, approves the following list of financial institutions to be depositories of the HARDIN COUNTY funds in conformance with all applicable provisions of Iowa Code Chapter 12C.

The HARDIN COUNTY OFFICERS are hereby authorized to deposit the Hardin County funds in amounts not to exceed the maximum approved for each respective financial institution as set out below.

Depository Name	Location of Home Office	Maximum Balance in effect under prior Resolution	Maximum Balance in effect under this Resolution
Treasurer			
Hardin County Savings Bank	Eldora	20,000,000	20,000,000
Great Western Bank – Eldora	Marshalltown	15,000,000	15,000,000
Green Belt Bank & Trust	Iowa Falls	15,000,000	15,000,000
Iowa Falls State Bank	Iowa Falls	10,000,000	10,000,000
GNB Bank - Ackley	Grundy Center	10,000,000	10,000,000
Security State Bank	Hubbard	5,000,000	5,000,000
United Bank & Trust – Alden	Sheffield	5,000,000	5,000,000
Security State Bank	Radcliffe	5,000,000	5,000,000
GNB – Iowa Falls	Grundy Center	5,000,000	5,000,000
Green Belt Bank & Trust – Eldora	Iowa Falls	15,000,000	15,000,000
Wells Fargo Bank – (IPAIT)	Des Moines	15,000,000	15,000,000
Peoples Savings Bank - Cleves	Wellsburg	500,000	500,000
Recorder			
Hardin County Savings Bank	Eldora	500,000	500,000
Sheriff			

Great Western Bank – Eldora	Marshalltown	500,000	500,000
Hardin County Savings Bank – Commissary	Eldora	100,000	100,000
Inmate Commissary		100,000	100,000
Hardin County Savings Bank – Forfeiture	Eldora	100,000	100,000
Federal Forfeiture		100,000	100,000
Security State Bank - DARE	Hubbard	2,000	2,000
Hardin County Public Employees Health Plan Trust			
Hardin County Savings Bank	Eldora	500,000	1,000,000
Green Belt Bank & Trust	Iowa Falls	500,000	500,000
Hardin County Flexible Benefits			
Hardin County Savings Bank	Eldora	50,000	50,000

Whereupon, the Chair of the Board of Supervisors declared said Resolution duly passed and adopted this 3rd day of January, 2022.

BJ Hoffman, Chair
Hardin County Board of Supervisors

CERTIFICATION. I hereby certify that the foregoing is a true and correct copy of a resolution of the HARDIN COUNTY BOARD OF SUPERVISORS adopted at a meeting of said public body, duly called and held on the 3rd day of January, 2022, a quorum being present, as said resolution remains of record in the minutes of said meeting, and it is now in full force and effect.

Dated this 3rd day of January, 2022.

/s/ Jolene Pieters
Jolene Pieters
Hardin County Auditor

Granzow moved, McClellan seconded to approve the Investment Policy. Motion carried.

McClellan moved, Granzow seconded that the following Resolution No. 2022-02, Embargo Resolution, be adopted. Roll Call Vote: “Ayes” Granzow, McClellan, and Hoffman. “Nays” None. Motion carried. Resolution No. 2022-02 is hereby adopted as follows:

**RESOLUTION #2022-02
Hardin County Embargo Resolution**

WHEREAS: The Board of Supervisors is empowered under authority of Section 321.236(8), 321.255 and 321.471 to 321.473 of the Code of Iowa to prohibit the operation of vehicles upon Secondary Roads or to impose restrictions as to weight of vehicles to be operated upon said secondary roads, except farm tractors as defined in Section 321.1, Subsection 7, for a total period not to exceed ninety days in any one calendar year, whenever any said highway by reason of deterioration, rain, snow or other climatic conditions will be seriously damaged or destroyed unless the use of vehicles thereon is prohibited or the permissible weights thereof reduced, and

WHEREAS: Severe weather conditions have caused certain secondary roads to be incapable of bearing the customary traffic thereon without undue damages,

NOW, THEREFORE, BE IT RESOLVED by the Hardin County Board of Supervisors that the County Engineer be authorized to order any of the Secondary Roads closed to vehicles in excess of five (5) tons per axle, wherever he deems it necessary and for the period of time deemed expedient (not to exceed 90 days), by erecting signs in accordance with Section 321.472.

BE IT FURTHER RESOLVED that the County Engineer may grant permits of exemption upon a showing that there is a need to move to market farm produce of a type subject to rapid spoilage or loss of value or to move any farm feeds or fuel for home heating purposes.

Passed and approved this 3rd day of January, 2022.

BJ Hoffman, Chair
Board of Supervisors

ATTEST:

/s/ Jolene Pieters
Jolene Pieters
Hardin County Auditor

McClellan moved, Granzow seconded that the following Resolution No. 2022-03, Resolution for Temporary Road Closures, be adopted. Roll Call Vote: “Ayes” Granzow, McClellan, and Hoffman. “Nays” None. Motion carried. Resolution No. 2022-03 is hereby adopted as follows:

RESOLUTION FOR TEMPORARY ROAD CLOSURES
Hardin County Resolution No. 2022-03

WHEREAS, Section 306.41 of the Code of Iowa provides that:

“The agency having jurisdiction and control over any highway in the state, or the chief engineer of said agency when delegated by such agency, may temporarily close sections of a highway by formal resolution entered upon the minutes of such agency when reasonably necessary because of construction, reconstruction, maintenance or natural disaster and shall cause to be erected “road closed” signs and partial or total barricades in the roadway at each end of the closed highway section and on the closed highway where that highway is intersected by other highways if such intersection remains open. Any numbered road closed for over forty-eight hours shall have a designated detour route. The agency having jurisdiction over a section of highway closed in accordance with the provisions of this section, or the persons or contractors employed to carry out the construction, reconstruction, or maintenance of the closed section of highway, shall not be liable for any damages to any vehicle that enters the closed section of highway or the contents of such vehicle or for any injuries to any person that enters the closed section of highway, unless the damages are caused by gross negligence of the agency or contractor.

Nothing herein shall be construed to prohibit or deny any person from gaining lawful access to the person’s property or residence, nor shall it change or limit liability to such persons.”

NOW, THEREFORE BE IT RESOLVED by the Hardin County Board of Supervisors that the County Engineer is hereby authorized through December 31, 2022, to temporarily close Hardin County Secondary Roads as necessary and allowed by law with the actual dates of closure to be determined by the County Engineer as follows:

1. For Construction and Reconstruction: Any project as described in the approved County Secondary Road Construction Program and any approved supplements thereto.
2. For Emergency Closure for Maintenance and Natural Disaster Purposes: Any route deemed necessary by the County Engineer.

Passed and adopted this 3rd day of January, 2022.

BJ Hoffman, Chairperson
County Board of Supervisors

ATTEST: /s/ Jolene Pieters
Jolene Pieters
Hardin County Auditor

1/3/2022
Date

Granzow moved, McClellan seconded to approve the change of status for the Sheriff's Department. Motion carried.

McClellan moved, Granzow seconded to approve the claims of payment. Motion carried.

Utility Permits: None.

Secondary Roads Department: Engineer Taylor Roll gave an update on equipment.

The second reading of the Ordinance regarding ditch mowing in rights-of-way. County Attorney Meyer discussed the wording of the ordinance. Motion failed to approve the second reading of the ditch mowing rights-of-way ordinance. Granzow moved, McClellan seconded to approve to change the wording of the ordinance and have a first reading of the ordinance on the agenda for the next meeting.

McClellan moved, Granzow seconded to approve the second reading of the Ordinance Regulating Livestock at Large and waive the third and final reading of the Ordinance Regulating Livestock at Large. Roll Call Vote: "Ayes" Granzow, McClellan, and Hoffman. "Nays" None. Motion carried. Ordinance 2022-49 is hereby adopted as follows:

**HARDIN COUNTY
ORDINANCE 2022-49
AN ORDINANCE REGULATING LIVESTOCK AT LARGE**

Purpose A regulation relating to livestock running at large, establishing consequences for livestock and owner, and providing reasonable rights of notice and hearing before the imposition of penalties.

The Hardin County Board of Supervisors hereby adopts the following ordinance to wit:

1.1 Definitions

1.1 (01) "Livestock" means an animal belonging to the bovine, caprine, equine, ovine, or porcine species; ostriches, rheas, or emus; farm deer or poultry.

1.1 (02) "At Large" means off the premises of the owner and not under the control of a competent person, restrained within a trailer, or housed in a veterinary hospital or kennel.

1.1 (03) "Owner" means the person who holds title to livestock or who is primarily responsible for the care and feeding of the livestock as provided by the titleholder.

2.1 Violations

2.1 (01) At Large Prohibited. It is unlawful for livestock to run at large within Hardin County.

2.1 (02) Damage or Interference. It is unlawful for livestock to unlawfully pass upon the premises of another thereby causing damage to, or interference with the premises, property or livestock of another.

3.1 Penalties

3.1 (01) After receiving two prior warnings of violations of this Ordinance from any law enforcement official, any owner violating this Ordinance or any amendment or supplement thereto, may be found guilty of a simple misdemeanor which is punishable by a fine of not more than six hundred twenty-five dollars (\$625) or by imprisonment of not more than thirty (30) days.

3.1 (02) After receiving two prior warnings of violations of this Ordinance from any law enforcement official, the owner may, in the alternative, be found guilty of a county infraction punishable by a civil penalty of not more than seven hundred and fifty dollars (\$750), of if there has been a prior conviction for a violation of this Ordinance, then by a civil penalty not to exceed one thousand dollars (\$1,000).

3.1 (03) Nothing in this Ordinance shall be construed to prevent a landowner or local authority from taking custody of livestock as provided by Chapter 169C of the Iowa Code.

4.1 Applicability

4.1 (01) Provisions contained herein are applicable to all unincorporated areas of Hardin County.

5.1 Severability of Provisions

5.1 (01) If any section, paragraph, clause or provision of this ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this ordinance.

6.1 Regulation Effective Upon Publication

6.1 (01) This ordinance being deemed essential and imperative for the preservation of the public health, shall be in force and effect from and after its passage and publication as provided by law.

1st reading: 12/29/21
2nd reading: 01/03/22
3rd reading: Waived

Passed and approved this ____ day of _____, 2022.

HARDIN COUNTY BOARD OF SUPERVISORS

BJ Hoffman, Chair

Renee McClellan

Lance Granzow

Attest: _____
Jolene Pieters, Auditor

Granzow moved, McClellan seconded to approve the Title VI Non-Discrimination Agreement 2022. Motion carried.

Other Business: McClelland moved, Granzow seconded to have the Auditor publish Ordinance 2022-____, Regulating Livestock at Large. Roll Call Vote: “Ayes” Granzow, McClellan, and Hoffman. “Nays” None. Ordinance 2022-____ will become effective when published.

Granzow moved, McClellan seconded to adjourn. Motion carried.

BJ Hoffman, Chair
Board of Supervisors

/s/ Jolene Pieters
Jolene Pieters
Hardin County Auditor