



**HARDIN COUNTY**  
**Board of Supervisors**

**September 25, 2019**

1. 10:00 A.M. Call To Order  
Courthouse Large Conference Room
2. Pledge Of Allegiance
3. Approval Of Agenda
4. Approval Of Minutes

Documents:

[09-16-2019\\_MINUTES.PDF](#)

[09-18-2019\\_MINUTES.PDF](#)

5. Approval Of Claims For Payment

Documents:

[VENDOR PUBLICATION REPORT 9-25-19.PDF](#)

6. Utility Permits & Secondary Roads Department
7. Taylor Nederhoff And Corey DeBerg, Re: Request For Development Agreement For Timbers Edge Wedding & Event Center
8. Agreement Between County And Elaine Frerichs (Motion To Enter)

Documents:

[AGREEMENT - COUNTY AND FRERICHS.PDF](#)

9. Resolution To Cancel Outstanding Warrants

Documents:

[RESOLUTION TO CANCEL OUTSTANDING WARRANTS FY19-20.PDF](#)

10. Resolution To Publish Notice Of Letting For Lease Of Agricultural Land

Documents:

[RESOLUTION TO PUBLISH NOTICE OF LETTING FOR LEASE OF AGRICULTURAL LAND.PDF](#)

11. Resolution For Tax Abatement
12. Change Of Status - Sheriff's Office

Documents:

[CHANGE OF STATUS - SHERIFF.PDF](#)

13. Application For Use Of Courthouse Grounds

Documents:

[APPLICATION FOR USE OF HARDIN COUNTY COURTHOUSE GROUNDS.PDF](#)

14. Review Marshall-Hardin County Public Environmental Health/Planning And Zoning Administrator Agreement

Documents:

[MARSHALL-HARDIN PUBLIC ENVIRONMENTAL HEALTH-PLANNING AND ZONING ADMINISTRATOR AGREEMENT.PDF](#)

15. Public Comments

Documents:

[HARDIN COUNTY POLICY FOR PUBLIC COMMENT.PDF](#)

16. Other Business

17. Adjournment/Recess

HARDIN COUNTY BOARD OF SUPERVISORS  
MINUTES – SEPTEMBER 16, 2019  
MONDAY – 6:00 P.M.  
ALDEN LEGION HALL, ALDEN

Chair Reneé McClellan called the meeting to order. Also present were Supervisors Lance Granzow and BJ Hoffman; and Kent Krause, Parker Krause, Bob Hutchcroft, Vickie Hutchcroft, Mary Pisney, Susan DeVries, Tim Windelow, Bob Juber, Donna Juber, Brenda Brink, Bob Havens, Julie Duhn, Jan Wann, Curt Groen, Lori Krause, Kyle Janes, Jessica Sheridan and Micah Cutler.

The Pledge of Allegiance was recited.

Hoffman moved, Granzow seconded to approve the agenda. Hoffman announced the Board's recommendation on the CAFO construction permit application up for discussion will be moved to the September 18, 2019 regular Board meeting. Motion carried.

The Chair opened the public hearing on the Animal Feeding Operation Construction Permit Application – Corner Pork Site, Section 27, Alden Township.

Kent Krause, of Pinnacle, reviewed the construction permit application.

Jessica Sheridan, Environmental Health Specialist, spoke and raised a question about the proposed hog site potentially being located near alluvial soils. Krause advised a floodplain determination from the DNR had been applied for, and there will be no approvals until that determination has been made.

McClellan stated she received one email from Amy Haas-Gray. Oral comments were heard from Donna Juber and Julie Duhn. No other comments or objections were received.

The Chair closed the public hearing.

Hoffman moved, Granzow seconded to adjourn. Motion carried.

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Reneé McClellan, Chair  
Board of Supervisors

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Jessica Lara  
Hardin County Auditor

HARDIN COUNTY BOARD OF SUPERVISORS  
MINUTES – SEPTEMBER 18, 2019  
WEDNESDAY - 10:00 A.M.  
COURTHOUSE LARGE CONFERENCE ROOM

Chair Reneé McClellan called the meeting to order. Also present were Supervisors Lance Granzow and BJ Hoffman; and Mark Buschkamp, Angela De La Riva, Donna Juber, Justin Ites, Micah Cutler, Lydia Reichenbacher, Curt Groen, Taylor Roll, Machel Eichmeier, Dave Dunn, Dave Mitchell, Megan Mollenbeck, Lori Kadner, Julie Duhn, Sarah Brown, and Angela Silvey.

The Pledge of Allegiance was recited.

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

Hoffman moved, Granzow seconded to approve the minutes of September 11, 2019. Motion carried.

Granzow moved, Hoffman seconded to approve the September 18, 2019 claims for payment. Motion carried.

Utility Permits: None.

Secondary Roads Department:

Taylor Roll, County Engineer, advised that asphalt patching is underway.

Hoffman moved, Granzow seconded to approve the application for fireworks permit submitted by Shawna See, for September 28, 2019, at 18547 R Avenue, Iowa Falls. Motion carried.

Hoffman moved, Granzow seconded to approve that the Chair sign the letter requesting Iowa Governmental Health Care Plan to review the County's current Wellmark plan and provide an IGHCP quote. Motion carried.

Discussion was held on the process of and timeline for awarding the lease of county farm ground. Hoffman moved, McClellan seconded to approve that Granzow consult with County Attorney Darrell Meyer on the content of all lease-related documents prior to soliciting for bids. Motion carried.

Granzow advised he received an email from Cindy Garza, Iowa DNR, advising that a 30-day extension was requested for and granted to Corner Pork Site for the purpose of obtaining a final floodplain determination. Hoffman moved, Granzow seconded to table the recommendation to the DNR on Animal Feeding Operation Construction Permit Application - Corner Pork Site, Section 27, Alden Township, until the County is contacted by the DNR. Motion carried.

Hoffman moved, Granzow seconded to approve a request from Walters & Johnson to assign tax sale certificates. Motion carried.

Hoffman moved, Granzow seconded that the following Resolution No. 2019-37, Agreement for Assignment of Certificates of Purchase at Tax Sale, be adopted. Roll Call Vote: "Ayes" Hoffman, Granzow, and McClellan. "Nays" None. Resolution No. 2019-37 is hereby adopted as follows:

HARDIN COUNTY RESOLUTION NO. 2019-37

AGREEMENT FOR ASSIGNMENT OF CERTIFICATES OF PURCHASE  
AT TAX SALE

The undersigned County of Hardin, State of Iowa, by authority of the Board of Supervisors of Hardin County, Iowa, hereinafter referred to as the "County"; and

Name of Offering Party, hereinafter referred to as "Dilley", hereby enter into the following agreement for the assignment of certain certificates of purchase at tax sale.

WHEREAS, the County is the owner of Certificate of Purchase of Tax Sale No. 15269-002 for parcel 881927155001 and Certificate of Purchase of Tax Sale No. 15268-001 for parcel 881928283002 of real property located in the City of Steamboat Rock, Hardin County, Iowa, described as:

ALL THAT PART OF LOTS 1, 2, AND 3 EXCEPT THE WEST 16 FEET OF SAID LOT 3, BLOCK 36, ORIGINAL TOWN, STEAMBOAT ROCK, HARDIN COUNTY, IOWA, LYING NORTH OF THE M. & ST. L. (NOW CHICAGO AND NORTHWESTERN TRANSPORTATION COMPANY) RAILROAD RIGHT-OF-WAY; AND ALL OF LOTS 3 AND 4, BLOCK 9, ROBINSONS ADDITION TO STEAMBOAT ROCK, HARDIN COUNTY, IOWA, LYING NORTH OF THE M. & ST. L. (NOW CHICAGO AND NORTHWESTERN TRANSPORTATION COMPANY) RAILROAD RIGHT-OF-WAY.

WHEREAS, the County acquired the aforementioned tax sale certificates as public bidder on the tax sale per Iowa Code section 446.19 and the County desires to assign said certificate to Dilley for the amount of \$3,196.00, which reflects the principal amount of tax due of \$3,196.00 and the assignment fee of \$20.00 on the following conditions:

1. Said certificates may not be sold or assigned to a third party without prior written approval of the Board of Supervisors; and
2. In the event of a redemption by any party, all tax certifying bodies shall receive their proportionate interest; and

WHEREAS, the County agrees that should no party entitled by law to redeem said certificates in fact properly redeem said certificates and Dilley follows all statutory requirements for issuance of tax sale deed, the County Treasurer shall be authorized to issue said tax sale deed as contemplated by Chapters 447 and 448 of the Code of Iowa.

NOW THEREFORE, IT IS HEREBY AGREED that Hardin County shall and hereby does assign to Brandon Dilley the Certificate of Purchase at Tax Sale No. 15269-002 for parcel 881927155001 and Certificate of Purchase of Tax Sale No. 15268-001 for parcel 881928283002, the same to be signed by the Treasurer after receiving payment by Dilley of the sum of \$3,196.00, including the fee of \$20.00 as contemplated by Iowa Code section 446.31, provided that such assignment shall be without compromise as to the total amount due and provided further in the event of redemption by any party, all tax levying and certifying bodies having an interest in the funds represented by said Certificate of Purchase at Tax Sale No. 15269-002 for parcel 881927155001 and Certificate of Purchase of Tax Sale No. 15268-001 for parcel 881928283002 shall receive their proportionate share of any amount so received upon redemption.

Dated this 18<sup>th</sup> day of September, 2019

HARDIN COUNTY, IOWA

By: Reneé McClellan  
Renee McClellan, Chairperson  
Board of Supervisors

Attest:

/s/ Jessica Lara  
Jessica Lara, Hardin County Auditor

Dated this 12 day of September, 2019

/s/ Brandon Dilley  
Brandon Dilley

Hoffman moved, Granzow seconded the cancellation of the October 2, 2019 regular Board meeting, as the Supervisors will be attending the ISAC County Budgeting and Property Tax Seminar in Ames. Motion carried.

Public Comments:

Julie Duhn had questions regarding a meeting about Secondary Roads held Sept. 4, 2019. Megan Mollenbeck, Hansen Family Hospital, provided an update on the hospital. Machel Eichmeier, County Treasurer, announced that citizens can now attempt enter the Courthouse via the east entrance.

Other Business: None.

Granzow moved, Hoffman seconded to adjourn. Motion carried.

At 1:00 p.m. the Board met with members of the Ackley City Council and Ackley Development Commission. Present were Supervisors Reneé McClellan, Lance Granzow, and BJ Hoffman; and Erik Graham, Pat Daggs, Judy Crawford, John Enslin, Pat Hurt, Kelly DeBerg, Angela De La Riva, Dave Mitchell, Doug Lindaman, Jeff Frazier, and Angela Silvey.

The meeting was held to clarify County Economic Development Director Angela De La Riva's job responsibilities to the Ackley area as well as to the remainder of the county.

Attendees read the Economic Development Director job description, after which the following topics were discussed:

1. Adding Enterprise Zones to the job description
2. Re-delegating City administrative work
3. Establishing office hours in communities
4. Candidates for the County advisory group
5. Funding to the ADC per 28E Agreement
6. Projects in the Ackley Industrial Park
7. Encouraging Franklin County investment in Ackley

The meeting concluded at 1:55 p.m.

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Reneé McClellan, Chair  
Board of Supervisors

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Jessica Lara  
Hardin County Auditor

**Claims Paid- September 25, 2019**

AgVantage FS	\$1,480.71
Alison Steiner	\$45.00
Alliant Energy	\$3,181.15
Angela De La Riva	\$865.79
Barb Kreimeyer	\$15.00
Bill Ibeling	\$15.00
Black Hawk Sprinklers Inc.	\$417.00
CenturyLink	\$16.92
CenturyLink	\$918.11
City of Iowa Falls	\$31.43
Coleman Moore Co.	\$6,006.00
Connie J Mesch	\$179.95
Delbert C Kreimeyer	\$15.00
Fast Lane Motor Parts LLC	\$351.84
Franklin Rural Elec Co-Op	\$25.26
Gehrke Inc.	\$4,779.00
Gehrke Quarries, Inc.	\$86,966.40
Gillund Ent.	\$411.16
GovConnection, Inc	\$907.83
Hardin Co Extension	\$175.00
Hardin Co Tire & Service Inc	\$61.69
Hiway Truck Equipment Inc.	\$351.51
Hy-Vee	\$131.40
Innovative Ag Services	\$186.00
Iowa Falls Fire Extinguisher	\$304.95
ISAC	\$140.00
Jessica A Lara	\$556.84
Jim Bartling	\$15.00
Jody L Mesch	\$40.00
John Campbell	\$41.49
John Deere Financial	\$1,248.05
King Const. & Overhead Door Inc	\$196.10
Lawson Products Inc	\$808.46
Linn Adams	\$69.54
Marla Kay Williams	\$220.75
Martin Marietta Aggregate	\$2,227.76
Marvin Williams	\$45.00
McKesson Medical Surgical	\$316.66
Megan DiCesare	\$150.00
Midland Power Cooperative	\$1,940.80
Mindy R McLeland	\$24.03
Neil Hadley	\$15.00
O'Reilly Auto Parts Inc	\$59.97
Patricia Warmbier	\$25,000.00
Petroblend	\$4,851.26
Pinecrest Mobile Home Park	\$295.00
Priority Dispatch	\$298.00
Professional Office Services Inc	\$5,604.32
Quality Automotive Inc	\$479.75
R Comm Wireless	\$3,000.00
RC Systems- Waterloo Office	\$510.00
Reliable1	\$1,499.28
Shane's Collision & Auto Body	\$565.73
Shield Pest Control	\$70.00
Steven Perry	\$45.00
Storey Kenworthy	\$510.96
Summit Food Service LLC	\$3,820.06
Superior Welding Supply	\$140.42
Times Citizen	\$359.66
Timothy Dreier	\$258.96
Treasurer State of Iowa	\$13,073.00
VISA	\$1,109.18
Windstream Communications	\$1,160.36

**Grand Total**

**\$178,605.49**

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**Renee McClellan, Chair  
Board of Supervisors**

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**Jessica Lara  
Hardin County Auditor**



## **AGREEMENT**

THE AGREEMENT, made and entered into this \_\_\_\_\_ day of September, 2019, by and between Elaine Frerichs (hereinafter referred to as “Frerichs”) and Hardin County, Iowa, (hereinafter referred to as “County”).

WITNESSETH:

WHEREAS, the parties are in disagreement as to whether a roadway easement across a portion of Frerichs’ property can be used as a public canoe access and for public recreation purposes or is necessary for road use purposes, and

WHEREAS, the parties are in agreement that an easement for access to the existing water hydrant is necessary for public safety, and

WHEREAS, the parties are in agreement that the approach to the water hydrant will require substantial rehabilitation, and

WHEREAS, the parties have reached an agreement in resolution of these issues:

In consideration of the terms and conditions as set forth herein the parties agree as follows:

1. The County will rehabilitate the approach area to the existing water hydrant, and Frerichs shall permit entry upon her land for such purpose, and Frerichs will not interfere with or frustrate the County rehabilitation efforts.
2. Upon completion of the County’s rehabilitation of the approach area to the existing water hydrant, the County shall determine the dimension and legal description of an easement sufficient to provide the County and its designee(s) access to and maintenance and use of the water hydrant.
3. Once the County has determined the legal description required for the easement, the County will release to Frerichs all other portions of an existing easement no longer used for roadway purposes and not needed for the use and maintenance of the water hydrant the current easement particularly described as follows:

Commencing at the Northwest Corner of the Southwest One-quarter (SW1/4) of the Southeast One-quarter (SE1/4) of Section Twelve (12). Township Eighty-eight (88) North, Range Twenty (20) West of the 5<sup>th</sup> P.M., Hardin County, Iowa; thence East 752.1 feet; thence South 105.9 feet to the point of beginning; thence N77°27'W 226.1 feet; thence

S84° 415'40"E 69.1 feet; thence S87°07'E 100.1 feet; thence East 200.0 feet; thence N87°07'E 138.1 feet; thence S81°28'30"W 289.1 feet to the Point of Beginning.

4. This easement shall be personal to the County, and shall not run with the land, however, during the easement, the County shall be allowed to authorize other emergency organizations access to the water hydrant and approach area for maintenance and emergency use and all shall have the right to remove any obstacle, natural or otherwise, that hinders or impedes access to, and integrity of, the hydrant and approach.
5. Frerichs shall not block or obstruct or alter the approach or water hydrant without the County's written approval, and shall bear the cost of rehabilitation if she does.
6. The County shall not promote or encourage the site as a recreational access, and shall post signs to that effect both west and east of the existing bridge at the site.
7. The County shall post signage prohibiting parking on the gravel road within 300 feet to the west of the bridge adjacent to the site for safety and emergency access, and similar signage east of Frerichs' field entrance east of the bridge site at a point ultimately determined by the County.
8. Frerichs shall hold the County and the County designees harmless for the condition of the water hydrant and land subject of the easement.
9. The County shall have the right to abandon the easement at will.
10. By signing below, each of the undersigned attests to having authority to enter this agreement.

The parties hereto, their heirs, legal representatives, successors and assigns release the other party, its heirs, legal representative, successors and assigns from any and all liability, claims, demands, costs, charges and expenses relating to the public canoe or recreational access or purported public canoe and/or recreational access previously claimed by Hardin County along the south side of the bridge adjacent to and within Frerichs' real estate. This release covers all claims either party had, or have, or may have in the further, know or unknown against the other party, its heirs, legal representatives, successors or assigns based upon the foregoing dispute.

Dated: \_\_\_\_\_, 2019

\_\_\_\_\_  
Elaine Frerichs

Dated: \_\_\_\_\_, 2019

\_\_\_\_\_  
Hardin County, Iowa by:  
Renee McClellan, Chair  
Board of Supervisors

RESOLUTION

WHEREUPON Board Member \_\_\_\_\_ moved that the following Resolution be adopted:

RESOLUTION NO. 2019 - \_\_\_\_\_

CANCELATION OF OUTSTANDING WARRANTS  
2019/2020 FISCAL YEAR

WHEREAS, The Board of Supervisors, pursuant to Section 331.554(7), Code of Iowa, warrants outstanding for more than one year shall be canceled by the Auditor and the amounts of the warrants shall be credited to the fund upon which the warrants were drawn.

NOW, THEREFORE, be it resolved by the Board of Supervisors of Hardin County, Iowa, the County Auditor is authorized to cancel the following warrants which are outstanding for more than one year:

0001 General Fund:

#167894	02/22/2017	Lucas Wagner	\$ 40.00
#170482	06/28/2017	Grundy Co Memorial Hospital	\$ 290.00
#171231	07/19/2017	Sherman Cemetery Assn	\$ 128.00

0011 Rural Services Basic Fund:

#170867	07/05/2017	Union Public Library	\$1341.01
#172941	10/11/2017	Mike Broer	\$ 60.00

0020 Secondary Roads Fund:

#165128	10/12/2016	H-E Parts Distribution	\$ 360.50
#166417	12/14/2016	Bauer Built Tire	\$ 60.00

0033 LOST Comm Better/Econ Development Fund:

#166317	11/30/2016	Sushant Pujari	\$ 406.19
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4010 E-911 Surcharge Fund:

#174307	12/13/2017	CenturyLink	\$ 56.32
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0100 Drainage Control Fund:

#170431	06/23/2017	David Schwartz	\$ 381.66
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BE IT FURTHER RESOLVED, the amounts of the above canceled warrants shall be credited to the fund upon which the warrants were drawn.

The motion was seconded by Board Member \_\_\_\_\_ and after due Consideration thereof, the roll was called and the following Board Members voted:

AYES: \_\_\_\_\_  
NAYS: \_\_\_\_\_  
ABSENT: \_\_\_\_\_  
ABSTAIN: \_\_\_\_\_

Whereupon, the Chair of the Board of Supervisors declared said Resolution duly passed  
And adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Renee McClellan, Chairman  
Hardin County Board of Supervisors

ATTEST:

\_\_\_\_\_  
Jessica Lara  
Hardin County Auditor

Where upon Board Member \_\_\_\_\_ moved that the following resolution be adopted:

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION TO PUBLISH NOTICE OF LETTING FOR LEASE OF AGRICULTURAL LAND**

**WHEREAS**, the County has given notice of termination of the existing leases for the following agricultural land totaling approximately 151.5 acres, more or less, in two tracts, described as follows:

All of the E  $\frac{1}{2}$  of the SW  $\frac{1}{4}$  of Section 26, Township 88, Range 20 South of the Railroad; All of the W  $\frac{1}{2}$  of the SE  $\frac{1}{4}$  of Section 26, Township 88, Range 20 South of the Railroad, except Parcel A located in the SE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  and the SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  as found in survey recorded as year 2000, document 1300 in the office of the Hardin County Recorder. The garden tract, the cemetery, the building site, the wildlife area enclosed by multiflora hedge, communications tower, wetland area and the seepage bed are excluded.

And

The NW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 29, Township 88 North, Range 19 West of the 5<sup>th</sup> P.M., Hardin County, Iowa.

**WHEREAS**, the County intends to lease this agricultural land to the highest bidder; and

**WHEREAS**, Iowa Code requires that notice of letting bids be published;

**NOW THEREFORE, BE IT RESOLVED** by the Board of Supervisors of Hardin County, Iowa, that the Hardin County Board of Supervisors shall take bids on lease of agricultural land described above herein; and the County Auditor shall publish notice the below notice:

**NOTICE OF LETTING FOR LEASE OF AGRICULTURAL LAND  
BY HARDIN COUNTY, IOWA**

To Whom It May Concern:

You and each of you are hereby notified that sealed cash rent bids will be received by the Hardin County Board of Supervisors for the cash rent lease of agricultural land in Hardin County, Iowa, containing 151.5 acres, more or less, in two tracts, described as follows:

All of the E  $\frac{1}{2}$  of the SW  $\frac{1}{4}$  of Section 26, Township 88, Range 20 South of the Railroad; All of the W  $\frac{1}{2}$  of the SE  $\frac{1}{4}$  of Section 26, Township 88, Range 20 South of the Railroad, except Parcel A located in the SE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  and the SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  as found in survey recorded as year 2000, document 1300 in the office of the Hardin County Recorder. The garden tract, the cemetery, the building site, the wildlife area enclosed by multiflora hedge, communications tower, wetland area and the seepage bed are excluded.

And

The NW ¼ of the NW ¼ of Section 29, Township 88 North, Range 19 West of the 5<sup>th</sup> P.M., Hardin County, Iowa.

The sealed bids should be on a per acre basis. Said bids must be received in the Hardin County Auditor's Office, 1215 Edgington Avenue, Suite 1, Eldora, IA 50627, in a sealed envelope on or before 4:00 p.m. on October 8, 2019, 2019. The timely received bids will be opened at the Board meeting on October 9, 2019. The top five bidders then will be contacted by the Board with the top bid amount to allow the top five bidders to raise their bids through 4:00 P.M., October 16, 2019. The lease will be awarded to the highest bidder.

The period of lease shall be for a term of two (2) years commencing on March 1, 2020 and ending on February 28, 2022, with the cash rent to be paid as follows: One-quarter due on or before April 1, 2020; one-quarter due on or before November 1, 2020; one-quarter due on or before April 1, 2021, one-quarter due on or before November 1, 2021. A copy of the lease document can be obtained from the Auditor's Office.

The Board reserves the right to reject any and all bids.

The motion was seconded by Board Member \_\_\_\_\_ and after due consideration thereof, the roll was called and the following Board Members voted:

Ayes:

Nays:

Absent:

Abstain: none

Whereupon, the Chair of the Board of Supervisors declared said Resolution duly passed and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Renee' McClellan, Chair  
Board of Supervisors

Attest:

\_\_\_\_\_  
Hardin County Auditor



# HARDIN COUNTY

## Courthouse

HARDIN COUNTY COURTHOUSE  
1215 EDGINGTON AVE.  
ELDORA, IA 50627

**FILED**

SEP 19 2019

HARDIN COUNTY AUDITOR

### HARDIN COUNTY Employee Change of Status Report

Please enter the following change(s) as of 09/21/2019  
Date

Name: AMY ROBB

Department: COMMUNICATIONS

Address: \_\_\_\_\_

Position: DISPATCH

Fund: 0001-05-1040-000-10006

Salary/Hourly Rate: 16.76

Weekly Scheduled Hours: \_\_\_\_\_

This position is:  Exempt  Non-Exempt

Status:  Full-time  Permanent Part-time  Temporary/Seasonal Part-time

Reason of Change:

- Hired
  - Promotion
  - Demotion
  - Pay Increase
  - Leave of Absence
  - Resignation
  - Retirement
  - Layoff
  - Discharge
- Dates \_\_\_\_\_

Other: PROMOTION FROM PART TIME TO FULL TIME WITH WAGES STARTING AT \$16.76 EFFECTIVE 9/21/2019

Dates of Employment: \_\_\_\_\_ to \_\_\_\_\_  
From To

Last Day of Work \_\_\_\_\_  
(if applicable)

Beyond the last day of work, the following vacation time was (or will be paid): \_\_\_\_\_ to \_\_\_\_\_  
From To

Authorized by: *Daniel G. Davis*  
Elected Official or Department Head

18 SEP 19  
Date

Authorized by: \_\_\_\_\_  
Board of Supervisors

\_\_\_\_\_  
Date

## Application for Use of Hardin County Courthouse Grounds

### Event

Date of Use	10/6/2019
End Date	10/6/2019
Time Requested	2:15 PM - 3:45 PM
Name of Event:	Life Chain
Type of Event:	Pro-life

### Organization Information

Group Requesting Use:	Hardin Co. Life Chain
Name of Person Responsible:	Ken Nason
Address:	21231 220th St, Hubbard, IA 50122
Phone #:	
Fax:	<i>Field not completed.</i>

Email:

Has this organization used the Courthouse grounds for other events?	Yes
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If yes, please list functions and dates:	Life Chain last 27 years in fall
--	----------------------------------

### Event Details

Courthouse Grounds Area	the sidewalk north of courthouse
Is the event open to the general public?	Yes
Number of participants expected:	20
What equipment will be	people will each hold one poster with pro-life message



used on the Courthouse grounds?

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When will the equipment be set up? 2:15 p.m.

---

If held outside, will food be served for a fee? No

---

If yes, has the appropriate Health Department permit been obtained? No

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A liability insurance policy naming Hardin County as an "additional insured" is required in the amount of: *Field not completed.*

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Does this group have liability insurance to cover this event? Yes

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(Section Break)

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I have read the Policy for Use of Courthouse Grounds. I understand that Courthouse grounds will be left in a clean and neat condition after use. I am liable for all damages, expenses, and loss caused by any person who attends or participates in this scheduled event. By signing this application, I agree to defend and hold harmless the County regarding any damage which may occur as a result of this scheduled function.

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Electronic Signature of Applicant By selecting this option the applicant indicates agreement with and understanding of the application process, policies, and requirements.

---

Date 9/19/2019

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**For County Use Only**

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*Paul D. Pate*  
 Secretary of State  
 State of Iowa

# 28E Agreement

FOR OFFICE USE ONLY:

FILED

M511948

8/22/2019 9:03:56 AM

**PLEASE READ INSTRUCTIONS ON BACK BEFORE COMPLETING THIS FORM**

**Item 1.** The full legal name, organization type and county of each participant to this agreement are:

	Full Legal Name	Organization Type	*County
Party 1	Marshall County	County	Marshall
Party 2	Hardin County	County	Hardin
Party 3			
Party 4			
Party 5			

*\*Enter "Other" if not in Iowa*

**Item 2.** The type of Public Service included in this agreement is: 560 Planning  
(Enter only one Service Code and Description) Code Number Service Description

**Item 3.** The purpose of this agreement is: *(please be specific)*  
 Hardin County is helping out Marshall County in the interim in Public Environmental Health and Planning and Zoning Department until they can hire a permanent person for this positions.

**Item 4.** The duration of this agreement is: *(check one)*  Agreement Expires 10/13/2019  Indefinite Duration  
[mm/dd/yyyy]

**Item 5.** Does this agreement amend or renew an existing agreement? *(check one)*  
 **NO**  
 **YES** Filing # of the agreement: \_\_\_\_\_  
(Use the filing number of the most recent version filed for this agreement)  
 The filing number of the agreement may be found by searching the 28E database at: <http://sos.iowa.gov/28e>.

**Item 6.** Attach two copies of the agreement to this form if not filing online.

**Item 7.** The primary contact for further information regarding this agreement is: *(optional)*

LAST Name Gassman FIRST Name Lisa  
 Title Lisa R Gassman Department Lisa R Gassman  
 Email lgassman@marshallcountytia.gov Phone 6417546330

No Fee



Recorded: 08/20/2019 at 03:26:21 PM

Amt: Page 1 of 4

Revenue Tax:

Marshall County Iowa

Nan Benson County Recorder

File 2019-00004205

Space Above this Line Reserved for Recorder

Marshall-Hardin County Public Environmental/ Planning and Zoning Administrator

Document Type

28E Agreement

Preparer information (Name, Address & Phone):

Lisa R. Gassman

1 E. Main Street

Marshalltown, IA 50158

641-754-6330

Return To (Name & Address):

Marshall County Board of Supervisors

1 E. Main Street

Marshalltown, IA 50158

Taxpayer Information (Name & Address):

Grantor(s):

Grantee(s):

Legal description:

## Marshall-Hardin County

### Public Environmental Health/Planning and Zoning Administrator Agreement

This Contract and Agreement pursuant to Iowa Code Section 28E, is made and entered into this 20<sup>th</sup> day of August, 2019, by and between Marshall County, Iowa (hereinafter referred to as Marshall) and Hardin County, Iowa (hereinafter referred to as Hardin). This agreement shall be known as the Marshall-Hardin County Public Environmental Health/Planning and Zoning Administrator Agreement and each county shall adopt resolutions of this agreement. The Public Environmental Health/Planning and Zoning Administrator shall be (hereinafter referred to as Administrator). This agreement does not contemplate and shall not be construed to limit or expand the powers of the participating counties, except as expressly stated in the agreement.

The purpose of said agreement is to establish a working mechanism between the two participating counties so that the agencies may jointly utilize the services of the Hardin County Iowa Environmental Health and Zoning Administrator. Pursuant to said purpose it is agreed as follows:

- Marshall County does not currently employ a Public Environmental Health/ Planning and Zoning Administrator and shall contract with Hardin County for a period beginning July 15, 2019 and ending when Marshall County employs a Public Environmental Health/ Planning and Zoning Administrator.
- The Administrator shall have full control of all public environmental health, planning and zoning processes and permitting for Marshall County.
- Both Marshall and Hardin Counties desire and need the services of an Administrator to serve in these capacities in accordance with each county's code of ordinances.
- The Administrator shall devote his or her time and talents to the interests of both Marshall and Hardin counties.
- The Administrator shall file a bond suitable to each Board of Supervisors. All fees incurred by filing said bonds shall be paid by the respective counties.
- Marshall County shall carry workmen's compensation on the Administrator for injuries sustained while carrying out duties specific to Marshall County.
- Marshall County shall pay Hardin County \$30.00/hr. and mileage reimbursement at the current 2019 mileage rate for the duties of the Administrator.
- Marshall County shall timely notify Hardin County when a Marshall County Public Environmental Health/ Planning and Zoning Administrator has been hired and can start and perform the duties of Administrator.
- This agreement may be amended or revised at any time only by written approval of all parties involved.

- This agreement shall supersede all provisions of previous agreements and any such agreements presently existing shall become null and void.
- This agreement shall expire on October ~~31~~, 2019, unless extended or otherwise amended in writing by all parties involved. *JRG per phone call with Angela Silvey on 8-15-19*
- Either County may terminate this agreement for any reason in written notice 30 days prior to termination.

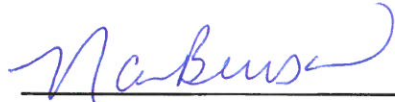
The Administrator shall be in charge of the Public Environmental Health/ Planning and Zoning Department of each county. The Administrator may delegate duties to employees of the respective counties in consultation with the respective Board of Supervisors. The Administrator shall be indemnified and saved harmless by the respective county for any and all actions taken against said county, its Board of Supervisors or the Administrator, due to actions performed by the Administrator during the course of official duties for either county. Each county shall defend all such actions arising from that county and pay all judgements rendered in regards to the actions of the Administrator in that county. Each county shall acquire insurance as deemed necessary to accomplish the same.

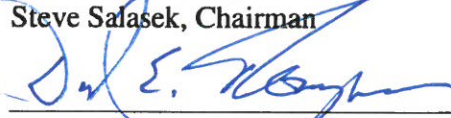
Signed this 20<sup>th</sup> day of August, 2019

Marshall County Board of Supervisors

Marshall County Auditor and Recorder

  
 Steve Salasek, Chairman

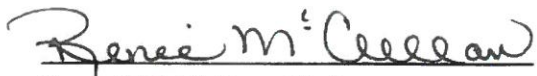
  
 Nan Benson


  
 Dave Thompson, Vice Chairman

  
 Bill Patten, Member

Hardin County Board of Supervisors

Hardin County Auditor

  
 Renee' McClellan, Chairman

  
 Jessica Lara

  
 Lance Granzow, Vice Chairman

  
 B.J. Hoffman, Member

Where upon Board Member BJ Hoffman moved that the following resolution be adopted:

**RESOLUTION NO. 2019-32**

**MARSHALL-HARDIN COUNTY PUBLIC ENVIRONMENTAL HEALTH/PLANNING AND ZONING ADMINISTRATOR AGREEMENT**

**WHEREAS**, Iowa Code Chapter 28E authorizes governmental entities such as Hardin County and Marshall County to enter into agreements to provide public services; and

**WHEREAS**, Marshall County currently is without an environmental health/planning and zoning administrator due to the recent death of the previous administrator; and

**WHEREAS**, Marshall County has requested it and Hardin County enter an agreement to utilize Hardin County's administrator on a temporary basis; and

**WHEREAS**, Hardin County desires to be assist Marshall County under the circumstances and will be compensated by Marshall County;

**NOW THEREFORE, BE IT RESOLVED** by the Board of Supervisors of Hardin County, Iowa, that Hardin County adopts the attached agreement, to be executed by at least a majority of the Hardin County Board of Supervisors, and directs the Hardin County Auditor to also execute the agreement, and further directs the Hardin County Public Environmental Health/Planning and Zoning Administrator, Jessica Sheridan, to deliver to the Marshall County Supervisors a copy of this resolution and the executed agreement.

The motion was seconded by Board Member Granzow and after due consideration thereof, the roll was called and the following Board Members voted:

Ayes: Hoffman, Granzow, McClellan  
Nays: none  
Absent: none  
Abstain: none

Whereupon, the Chair of the Board of Supervisors declared said Resolution duly passed and adopted this 15th day of August, 2019.

Renee McClellan  
Renee McClellan, Chair  
Board of Supervisors

Attest:  
Jessica Lara  
Jessica Lara  
Hardin County Auditor


## HARDIN COUNTY'S POLICY

### FOR PUBLIC COMMENT


1. The "Public Comments" section of the agenda is your opportunity to address items not on the agenda. A speaker may speak to one (1) issue per meeting for a maximum of three (3) minutes. Official action cannot be taken by the Board at that time, but may be placed on a future agenda or referred to the appropriate department. Keep items germane and refrain from personal or slanderous remarks.
2. The public may address any item on the agenda after recognition by the Chair. State your name, address, and group affiliation (if appropriate). You may speak one (1) time for a maximum of three (3) minutes.

Adopted this 1st day of July, 2009.

HARDIN COUNTY BOARD OF SUPERVISORS

  
Jim Johnson, Chair

  
Erv Miller, Member

  
Ed Bear, Member