

HARDIN COUNTY BOARD OF SUPERVISORS
MINUTES – SEPTEMBER 8, 2021
WEDNESDAY - 8:02 A.M.
COURTHOUSE LARGE CONFERENCE ROOM

Chair BJ Hoffman called the meeting to order. Also present were Supervisors Reneé McClellan and Lance Granzow; and Jolene Pieters, Michael Pearce, Lee Gallentine, Matt Rezab, Taylor Roll, and Angela Silvey. Attending via Zoom: Cheryl Lawrence, Elaine Loring, Marian Kuper, Julie Duhn, Lisa Whelan, Donna Juber, Connie Mesch, Becca Junker, Jacob Bolson, Quinn Slaven, Curt Groen, Jamie Geisler, and Lori Kadner.

Quinn Slaven presented on Summit Carbon Solutions' project to capture, compress, and liquefy carbon dioxide emissions from 31 ethanol plants in the Midwest, including one in Hardin County, and transport emissions via pipeline to North Dakota for underground storage. Slaven also touched upon the history of Summit Agricultural Group and economic and environmental impacts of the project.

Questions were posed by Times Citizen Reporter Matt Rezab.

Slaven invited the public to attend a hearing on September 13, 2021 in Steamboat Rock to learn more about the project.

At 8:16 a.m., Granzow moved, McClellan seconded to adjourn. Motion carried.

At 9:00 a.m. Hoffman called the regular meeting to order. Also present were Supervisors McClellan and Granzow; and Michael Pearce, Lee Gallentine, Pauline Lloyd, Taylor Roll, Jolene Pieters, Dave McDaniel, Matt Rezab, Joe Donald, Evan Del Val, Machel Eichmeier, Darrell Meyer, and Angela Silvey. Attending via Zoom: JD Holmes, Allison Munro, Elaine Loring, Lori Kadner, Julie Duhn, Donna Juber, Connie Mesch, Curt Groen, Cheryl Lawrence, Kristi Swalve, Lisa Lawler, Laura Cunningham, Megan Harrell, Denise Smith, Mark Buschkamp, and Thomas Craighton.

The Pledge of Allegiance was recited.

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

Granzow moved, McClellan seconded to approve the minutes of September 1, 2021. Motion carried.

McClellan moved, Granzow seconded to approve the September 8, 2021 claims for payment. Motion carried.

Evan Del Val, engineer with ISG Inc., spoke about County inspection requirements tied to the carbon dioxide pipeline coming through the county and ISG Inc.'s services. No action taken.

Utility Permits: None.

Secondary Roads: No update.

Granzow moved, McClellan seconded that the following Resolution No. 2021-38, Resolution to Publish Notice of Letting for Lease of Agricultural Land, be adopted. Granzow asked if the lease allowed hunting, and County Engineer Taylor Roll advised the lease was for agricultural use only. Roll Call Vote: "Ayes" Granzow, McClellan, and Hoffman. "Nays" None. Resolution No. 2021-38 is hereby adopted as follows:

RESOLUTION 2021-38

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

WHEREAS, there are no existing leases for the following agricultural land totaling 8.25 acres, more particularly described as follows:

The SW ¼ of the SE ¼, except the north 225 feet, the west 830 feet, and the south 250 feet, of Section 17, Township 89 North, Range 20 West of the 5th P.M., Hardin County, Iowa.

WHEREAS, the County intends to lease this agricultural land and provide access 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 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, totaling 8.25 acres, more particularly described as follows:

The SW ¼ of the SE ¼, except the north 225 feet, the west 830 feet, and the south 250 feet, of Section 17, Township 89 North, Range 20 West of the 5th 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 14, 2021. The timely received bids will be opened at the 9:00 a.m. Board meeting on October 20, 2021. The top five bidders then will be contacted by the Board with the top amount to allow the top five bidders to raise their bids at a meeting to take place later that day at 12:00 p.m., October 20, 2021 in the large conference room, Hardin County Courthouse, 1215 Edgington Avenue, Eldora, Iowa.

The period of lease shall be for a term of four (4) years commencing on March 1, 2022 and ending on February 28, 2026, with the cash rent to be paid as follows: one-quarter due on or before April 1, 2022; one-quarter due on or before April 1, 2023; one-quarter due on or before April 1, 2024; one-quarter due on or before April 1, 2025. 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.

PASSED AND APPROVED this 8th day of September, 2021.

HARDIN COUNTY BOARD OF SUPERVISORS

ATTEST:

/s/ BJ Hoffman
BJ Hoffman, Chair

/s/ Jolene Pieters
Jolene Pieters, Auditor

McClellan moved, Granzow seconded that the following Resolution No. 2021-39, Resolution to Enter 28E Between Hardin County and Marshall County on Asphalt Resurfacing of County Highway S75, be adopted. Roll Call Vote: "Ayes" McClellan, Granzow, and Hoffman. "Nays" None. Resolution No. 2021-39 is hereby adopted as follows:

**HARDIN RESOLUTION NO. 2021-39
MARSHALL RESOLUTION NO. _____
ENTER 28E BETWEEN HARDIN COUNTY AND MARSHALL COUNTY ON
ASPHALT RESURFACING OF COUNTY HIGHWAY S75**

WHEREAS, THIS AGREEMENT made and entered into this ____ day of _____, 2021, by and between Hardin County, Iowa, (hereinafter “Hardin”), and Marshall County, Iowa, (hereinafter “Marshall”), WITNESSETH:

WHEREAS, the Parties hereto are separate governmental units within the State of Iowa as defined by Section 28E.2, Code of Iowa; and

WHEREAS, Section 28E.3, Code of Iowa, provides that any power or powers, privileges or authority exercised or capable of exercise by a public agency of the State of Iowa may be exercised and enjoyed jointly by a public agency of the State of Iowa having such power or powers, and

WHEREAS, both Parties are responsible for maintaining the public streets and highways within their respective jurisdictions; and

WHEREAS, the Parties hereto are in agreement authorizing Hardin to administer and submit for letting of contract documents for the asphalt resurfacing of County Highway S75 (hereinafter “Project”) through both jurisdictions’ individual Farm to Market Account on behalf of both Parties.

NOW, THEREFORE, IT IS HEREBY MUTUALLY AGREED by and between the parties hereto as follows:

1. Hardin will administer said project and will be the contracting authority per Iowa Dept. of Transportation, on behalf of Hardin and Marshall. Said project is anticipated for construction in 2022.
2. Project is located on County Highway S75 from County Highway E18 (Marshall) north to 310th Street (Hardin).
3. Each county’s Farm-to-Market account shall be responsible for their portion of material costs, divided by the county line. This shall be designated through separate divisions and project numbers on the project plans, as well as separate pay vouchers with the Office of Finance.
4. Hardin shall be responsible for performing all planning and contracting administration of the project without reimbursement.
5. Each county shall be responsible for all survey, engineering, and inspection in their respective counties.
6. Hardin and Marshall agree to save and indemnify and keep harmless, each other against all liabilities, judgements, costs, and expenses which may in any way come against either County or which in any way result from carelessness, neglect, omissions, or any acts of either party or its agents, employees, or workmen in any respect whatsoever.
7. Each party to this Agreement warrants that the execution of the Agreement, in two original copies, has been authorized by the Board of Supervisors of Hardin and Marshall.

- HARDIN COUNTY -

- MARSHALL COUNTY -

/s/ BJ Hoffman

BJ Hoffman, Chairperson
Hardin County Board of Supervisors

ATTEST:

/s/ Jolene Pieters

Jolene Pieters, Auditor
Hardin County Auditor

09/08/21

Date

David Thompson, Chairperson
Marshall County Board of Supervisors

ATTEST:

Marshall County Auditor

Date

McClellan moved, Granzow seconded that the following Resolution No. 2021-40, a resolution accepting bid and awarding contract for Iowa River’s Edge joint trail projects NRT-C042(87)—9G-42 and TAP-R-C042(104)--8T-42, be adopted. Roll Call Vote: “Ayes” McClellan, Granzow, and Hoffman. “Nays” None. Resolution No. 2021-40 is hereby adopted as follows:

RESOLUTION 2021-40

WHEREAS, the Board of Supervisors, hereafter referred to as “the Board”, believes the Iowa River's Edge joint trail projects NRT-C042(87)--9G-42 and TAP-R-C042(104)--8T-42, hereafter referred to as “the project” is in the best interest of Hardin County, Iowa, and the residents thereof. The project is defined as bridge rehabilitation and concrete paving; 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 Hardin 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 Board to accept the bid from Jasper Construction Services, Inc. in the amount of \$1,847,131.75 and awards the associated contract(s) to the same;

BE IT FURTHER RESOLVED that 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 date of its approval as provided by law; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Hardin County, Iowa, that after receiving the necessary contract documents, including but not limited to, the contractor's bond and certificate of insurance, Taylor Roll, the Engineer for Hardin 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.

Dated at Eldora, Hardin County, Iowa, this 8th day of September, 2021.

Board of Supervisors of Hardin County, Iowa

/s/ BJ Hoffman

/s/ Reneé McClellan

/s/ Lance Granzow

ATTEST:

By /s/ Jolene Pieters
County Auditor

Granzow moved, McClellan seconded to set September 22, 2021 at 9:02 a.m. for public hearing on deeding roadways within the unincorporated towns of Abbott and Robertson. Motion carried.

McClellan moved, Granzow seconded to approve the Northeast Iowa Area Agency on Aging 28E Agreement. Motion carried.

After Hoffman read aloud a National Voter Registration Month Proclamation, and Granzow expressed unease with its mention of online voter registration, the following action was taken:

McClellan moved, Granzow seconded to approve the National Voter Registration Month Proclamation. Motion carried.

McClellan moved, Granzow seconded to approve the abatement of 2020 taxes for David and Renee Hoyt on Parcel No. 87-19-07-152-019, Order No. 5929. Motion carried.

Granzow moved, McClellan seconded to approve the Recorder's Monthly Report for August 2021. Motion carried.

McClellan moved, Granzow seconded to approve the Sheriff's Monthly Report for August 2021. Motion carried.

Granzow moved, McClellan seconded to approve the retirement of Kevin Wykle, Truck Driver, effective 12/31/2021. Motion carried.

Granzow moved, McClellan seconded to approve the retirement of Bruce Haskin, Truck Driver, effective 09/30/2021. Motion carried.

McClellan moved, Granzow seconded to approve the hiring of Drake Baade, part-time Correctional Officer, at a rate of \$18.90/hour, effective 09/08/2021. Motion carried.

McClellan moved, Granzow seconded to approve the resignation of Jennifer Kappel, full-time Jailer, effective 09/08/2021. Motion carried.

McClellan moved, Granzow seconded to approve the hiring of Ian N. Showers, part-time Correctional Officer, at a rate of \$18.90/hour, effective 09/08/2021. Motion carried.

Other Business:

Hoffman announced that public comment will return to the agenda under new procedures.

McClellan moved, Granzow seconded to adjourn. Motion carried.

At 10:01 a.m. the meeting was reconvened. Present: Supervisors Hoffman, McClellan, and Granzow; and Pauline Lloyd, Michael Pearce, Kyle Janes, Kent Krause, and Angela Silvey. Attending via Zoom: Dan Tilkes, Julie Duhn, and Amber Wiese.

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

Chair Hoffman opened the public hearing on the Animal Feeding Operation Construction Permit – Schiller Site, Section 3, Alden Township.

Proof of publication was verified by Angela Silvey, Board Secretary.

Kent Krause reviewed the construction permit application. Temporary Sanitarian Dan Tilkes noted the DNR will be surveying from an existing hog site to the proposed hog site to ensure distance is correct.

No written comments were received. Oral comments were heard from Julie Duhn.

Hoffman requested Tilkes provide the survey results to the Board.

There being no other comments or objections, McClellan moved, Granzow seconded to close the public hearing. Motion carried.

At 10:15 a.m. Granzow moved, McClellan seconded to adjourn. Motion carried.

/s/ BJ Hoffman
BJ Hoffman, Chair
Board of Supervisors

/s/ Jolene Pieters
Jolene Pieters
Hardin County Auditor

Chat Log from 9/8/2021

08:46:49 From Hardin County to Owner(Direct Message):

Can we get your name for the record

08:48:49 From Owner to Hardin County(Direct Message):

KATHY STOCKDALE

08:48:58 From Hardin County to Owner(Direct Message):

Thank you

09:05:18 From Donna Juber to Everyone:

Can anyone attend that meeting?

09:07:42 From Donna Juber to Everyone:

Can anyone attend the Steamboat meeting or only landowners who have received a letter?

09:08:59 From Thomas A. Craighton to Everyone:

If these guys find a problem, what is the way to address the issue

09:10:15 From Donna Juber to Everyone:

Thank you

09:20:51 From Julie Duhn to Everyone:

Is Lance saying he does not want to include information concerning online voter registration?