

PROCEEDINGS OF THE FRANKLIN COUNTY BOARD OF SUPERVISORS

January 3rd, 2022

The Board of Supervisors met at 8:30AM on Monday, January 3rd, 2022, at the Franklin County Courthouse with Board members Nolte, McVicker, & Vanness in attendance.

Auditor Flint led the Pledge of Allegiance.

Motion by Vanness, seconded by Nolte to approve the Agenda with the removal of the 9:30 appointed as that will be rescheduled. All ayes. Motion carried.

Motion by Vanness, seconded by Nolte to appoint McVicker as Board Chairman for 2022. All ayes. Motion carried.

Motion by Nolte, seconded by McVicker to appoint Vanness as Board Vice-Chairman for 2022. All ayes. Motion carried.

Motion by Nolte, seconded by Vanness to approve the Board Minutes dated 12/27/2021 with. All ayes. Motion Carried.

Amanda Ragan, Iowa Senate District 27 joined the Board via Zoom to discuss items prior to the next legislative session including federal funds and budgeting, redistricting, changes to Public Health funding, CO2 pipelines, and drainage issues. Assessor, Carissa Sisson, was also present to discuss a couple items that affect her department.

Jay Waddingham, County Engineer, met with the Board and gave an update on his department.

Gabe Johanns, IT & GIS Director, was not present to meet with the Board due to some technical issues in the county requiring his attention.

Public Comment & Board Committee Reports: None

Ashley Roberts, Public Health Director, met with the Board and provided an update on her department.

The Board held brief discussion regarding a damage claim in DD4-118. A joint meeting with Wright County will be scheduled to settle the claim.

Motion by Nolte, seconded by Vanness to approve a resolution for Construction Evaluation. The resolution reads as follows:

**RESOLUTION #2022-1
CONSTRUCTION EVALUATION RESOLUTION**

WHEREAS, Iowa Code section 459.304(3) sets out the procedure if a board of supervisors wishes to adopt a "construction evaluation resolution" relating to the construction of a confinement feeding operation structure; and **WHEREAS**, only counties that have adopted a construction evaluation resolution can submit to the Department of Natural Resources (DNR) an adopted recommendation to approve or disapprove a construction permit application regarding a proposed confinement feeding operation structure; and **WHEREAS**, only counties that have adopted a construction evaluation resolution and submitted an adopted recommendation may contest the DNR's decision regarding a specific application; and **WHEREAS**, by adopting a construction evaluation resolution the board of supervisors agrees to evaluate every construction permit application for a proposed confinement feeding operation structure received by the board of supervisors between February 1, 2022 and January 31, 2023 and submit an adopted recommendation regarding that application to the DNR; and **WHEREAS**, the board of supervisors must conduct an evaluation of every construction permit application using the master matrix created in Iowa Code section 459.305, but the board's recommendation to the DNR may be based on the final score on the master matrix or may be based on reasons other than the final score on the master matrix; **NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF FRANKLIN COUNTY** that the Board of Supervisors hereby adopts this construction evaluation resolution pursuant to Iowa Code section 459.304(3).

Roll call vote was as follows, Ayes: McVicker, Nolte, Vanness. Motion carried and resolution duly adopted

Motion by Vanness, seconded by Nolte to approve the issuance of a statement and letter against Eminent Domain in Regards to CO2 Pipelines. All ayes. Motion carried. The statement is as follows:

On this day, January 3rd, 2022 the Franklin County Board of Supervisors passed a unanimous motion to submit official comment for the docket regarding the Summit & Navigator CO2 pipeline. Both pipelines are tentatively planned to go through Franklin County. Representing the Franklin County landowners, we are requesting the Iowa Utilities Board to deny the use of Eminent Domain for Summit, Navigator, and other CO2 pipelines. We feel is important to keep the control of Franklin County land in the owner's possession.

Motion by Vanness, seconded by Nolte to approve a resolution pertaining to Investigation of Drainage Districts Per Request. The resolution reads as follows:

RESOLUTION 2022-3

FRANKLIN COUNTY INVESTIGATION OF DRAINAGE DISTRICTS PER REQUESTS

NOW, ON THIS 3RD DAY OF JANUARY 2022, THE FOLLOWING RESOLUTION WAS PRESENTED TO THE BOARD OF SUPERVISORS ACTING AS DRAINAGE DISTRICT TRUSTEES: **WHEREAS**, SAID TRUSTEES BELIEVE THAT IT IS IN THE BEST INTERESTS OF DRAINAGE DISTRICTS THAT INDIVIDUALS, LANDOWNERS, OR ENTITIES MAKING REQUESTS FOR DISTRICT INVESTIGATION OF REPAIRS BE RESPONSIBLE FOR THE COSTS OF THOSE INVESTIGATIONS IN THE EVENT THAT THE SOURCE OF THE NEED FOR REPAIRS WOULD-BE PRIVATELY-OWNED TILE AND NOT PART OF THE DRAINAGE DISTRICT FACILITIES OR NO PROBLEM IS FOUND AND THE DRAINAGE DISTRICT FACILITY IS ANYTHING OTHER THAN OPEN DITCH. **BE IT RESOLVED** THAT IN THE EVENT ANY INDIVIDUAL OR ENTITY MAKES A REQUEST TO THE DRAINAGE DISTRICT TO INVESTIGATE PROPOSED REPAIRS WHICH REQUIRE THE DISTRICT TO EXPEND FUNDS TO DETERMINE THE LOCATION OF NEEDED REPAIRS, FEASIBILITY OF REPAIRS, OR ANY OTHER COSTS INCURRED IN CONNECTION WITH INVESTIGATING THE REQUEST AND THAT IN THE EVENT IN THE COURSE OF INVESTIGATION IT IS DISCOVERED THAT THE DRAINAGE TILE OR RELATED STRUCTURES NEEDING REPAIR ARE NOT UNDER THE DRAINAGE DISTRICT'S CONTROL, THEN THE INDIVIDUAL, LANDOWNER, OR ENTITY REQUESTING THE INVESTIGATION SHALL BE RESPONSIBLE FOR PAYMENT OF ANY EXPENSES INCURRED BY THE DISTRICT. IF SAID INVESTIGATION RESULTS IN NO PROBLEM DISCOVERED, SAID REQUESTOR IS RESPONSIBLE FOR PAYMENT OF ANY EXPENSES INCURRED BY THE DISTRICT. THIS DOES NOT APPLY TO DRAINAGE DISTRICT FACILITIES THAT ARE OPEN DITCHES. IF THE INVESTIGATION IN THE DISTRICT FINDS A PROBLEM WITH DISTRICT FACILITIES, THEN SAID DISTRICT WILL BE RESPONSIBLE FOR PAYMENT OF ANY EXPENSES INCURRED BY THE DISTRICT AS ALLOWED BY IOWA CODE. THE BOARD OF SUPERVISORS ACTING AS DRAINAGE DISTRICT TRUSTEES AUTHORIZE THE FRANKLIN COUNTY AUDITOR TO PREPARE THE NECESSARY FORM FOR THE INDIVIDUAL, LANDOWNER, OR ENTITY TO EXECUTE PRIOR TO ANY INVESTIGATION (EXCEPT OPEN DITCHES) IN A FORM NECESSARY TO CARRY OUT THE INTENT OF THIS RESOLUTION.

Roll call vote was as follows, Ayes: McVicker, Nolte, Vanness. Motion carried and resolution duly adopted.

Federal rate for 2022 is 58.5 cents per mile. Motion by Vanness, seconded by Nolte to set the rate of Employee Mileage Reimbursement at 53.5 cents per mile. All ayes. Motion carried.

Motion by Vanness, seconded by Nolte to approve a resolution terminating the 28E Agreement with Precinct Atlas & IPAC. The resolution reads as follows:

RESOLUTION 2022-2

RESOLUTION TERMINATING AGREEMENT WITH IPAC

A resolution by Franklin County to terminate its use of Iowa Precinct Atlas Consortium ("IPAC").

WHEREAS, the Franklin County Board of Supervisors approved Resolution 2013-23 dated the 10th day of June 2013, and Franklin County signed the 28E Agreement for IPAC on the shortly thereafter. **WHEREAS**, the above-referenced 28E Agreement, pursuant to Section 3.2, requires termination be submitted to the Board of Supervisors and termination to be accomplished by resolution. **WHEREAS**, the Franklin County Board of Supervisors deems it necessary to terminate the 28E Agreement between Franklin County and IPAC, thereby also terminating its use of IPAC. Pursuant to 28E Agreement Section 3.3, this resolution shall be effective immediately upon passage. **WHEREAS**, the Franklin County Board of Supervisors deems it desirable to instead utilize Tenex electronic pollbook software and devices due to the products features and cost, and Franklin County approved the use of Tenex products on September 13th, 2021. **NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF FRANKLIN COUNTY** that the Board of Supervisors hereby adopts this resolution to terminate the 28E Agreement between Franklin County and IPAC per the terms of the 28E Agreement.

Roll call vote was as follows, Ayes: McVicker, Nolte, Vanness. Motion carried and resolution duly adopted.

Motion by Nolte, seconded by Vanness to approve a resolution Naming Depositories as Per Iowa Code Sections 12C. The resolution reads as follows:

Resolution 2022-4

RESOLUTION NAMING DEPOSITORIES AS PER IOWA CODE SECTIONS 12C

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

The FRANKLIN COUNTY TREASURER is hereby authorized to deposit the Franklin 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
First Bank Hampton	Hampton, IA	20,000,000	20,000,000

First Security Bank & Trust	Charles City, IA	9,000,000	9,000,000
United Bank & Trust Co.	Hampton, IA	9,000,000	9,000,000
Green Belt Bank & Trust	Iowa Falls, IA	9,000,000	9,000,000
Iowa Public Agency Investment Trust	Des Moines, IA	4,500,000	4,500,000

CERTIFICATION: I hereby certify that the foregoing is a true and correct copy of a resolution of the FRANKLIN 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.

Roll call vote was as follows, Ayes: McVicker, Nolte, Vanness. Motion carried and resolution duly adopted.

Motion by Vanness, seconded by Nolte to approve the installation of a Security Camera in the Franklin County Elections Room. All ayes. Motion carried. The cost of the camera will be covered by a grant.

Motion by Nolte, seconded by Vanness to approve the following list of appointments of Board of Supervisor Representative to Boards & Commissions. All ayes. Motion carried.

Committee/Organization	Nolte	McVicker	Vanness
Mental Health Inst-Cherokee		Representative	Alternate
Board of Health	Representative	Alternate	
Central Iowa Juvenile Detention		Representative	Alternate
Community Action	Alternate		Representative
Community Action Shelter	Alternate		Representative
Conservation	Alternate		Representative
Convention & Visitors Bureau		Representative	Alternate
DECAT	Representative	Alternate	
DHS Advisory	Representative		
DNR Matrix	Alternate	Alternate	Alternate
E911	Representative	Alternate	
Elderbridge Agency on Aging	Alternate		Representative
EMA	Representative	Alternate	Alternate
FCDA		Alternate	Representative
F.C. Safety Committee			Representative
F.C. Security Committee			Representative
HAZMAT	Representative		Alternate
Homeward Housing Trust	Alternate		Representative
Integrated Roadside Mgmt.	Alternate		Representative
Long Time Recovery	Representative		Alternate
Morlee Watershed		Representative	
NIACOG	Representative	Alternate	
NoRisc	Representative	Alternate	
North Iowa Landfill*		Alternate	
REAP		Alternate	Representative
Regional Mental Health-CICS	Representative	Alternate	Alternate
Second Judicial District		Representative	Alternate
T21-Transportation	Representative		Alternate
Workforce Development	Alternate	Representative	
*North Iowa Landfill Representative – Jay Waddingham			

Motion by Nolte, seconded by Vanness to adjourn at 11:12AM until Monday, January 10th, 2022, at 8:30AM at the Franklin County Courthouse. All ayes. Motion carried.

ATTEST:

Michael Nolte, Chairman

Katy A Flint, Auditor & Clerk to the Board