

December 23, 2019

The Lee County Board of Supervisors met on Monday, December 23, 2019, at 9:00 a.m. at the Correctional Center.

Present: Gary Folluo, Rick Larkin, Ron Fedler and Rich Harlow.

All votes are unanimous unless otherwise indicated.

The Board opened the meeting by reciting the Pledge of Allegiance.

Moved by Fedler, seconded by Larkin, to approve the agenda. Motion carried.

Moved by Harlow, seconded by Larkin, to approve the Tuesday, December 17, 2019 Board minutes. Motion carried.

Moved by Fedler, seconded by Harlow, to approve payment of claims. Motion carried.

There was no Public Input.

Merle Whiteside, Roseville, Illinois, approached the Board with a request to pass a resolution showing support for a petition to enact a legal holiday for Native American Indians. It was decided to put it on the next Board Agenda.

Moved by Fedler, seconded by Harlow, to receive the Compensation Board's recommendation of a three percent across the board raise for Elected Officials. Motion carried.

Moved by Fedler, seconded by Harlow, to approve an addition to the Personnel Policy regarding Federal Motor Carrier Safety Administration new required regulations. Motion carried.

Moved by Larkin, seconded by Fedler, to approve Forest Mitigation Monitoring by EOR Iowa, Boone, for the Lost Creek Bridge Project. Motion carried.

Moved by Harlow, seconded by Larkin, to approve Resolution #2019-115. Roll call: Harlow-aye, Larkin-aye, Fedler-aye and Folluo-aye. Motion carried.

RESOLUTION FOR ESTABLISHING SPEED LIMITS

Resolution #2019-115

WHEREAS, the Board of Supervisors is empowered under authority of the Iowa Code Sections 321.255 and 321.285 of the Code of Iowa, to determine upon the basis of an engineering and traffic investigation, that the speed limit of any secondary road is greater than is reasonable and proper under the conditions existing, and may determine and declare a reasonable and proper speed limit, and

WHEREAS, such an investigation has been requested and has been completed by the Iowa Department of Transportation at request of the Lee County Engineer. Said investigation recommended a speed of 45 mph

WHEREAS, Iowa Code Section 321.285 also provides that the lawful speed in any residential district shall be 25 mph, and that area is in fact a residential area, the Lee County Engineer's recommendation is for the speed limit to be 25 mph as reasonable and proper under the conditions and circumstances of that area.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF LEE COUNTY that the speed limit of 25 mph be established and appropriate signs be erected at the location described as follows: 320th Street from 150 feet west of 176th Avenue eastward to IA 27

Resolution adopted this 23rd day of December, 2019.

/s/ Gary Folluo, Chairman. Attest: /s/ Denise Fraise, Lee County Auditor.

Moved by Larkin, seconded by Fedler, to approve Resolution #2019-114.
Roll call: Larkin-aye, Fedler-aye, Harlow-aye and Folluo-aye.

Resolution #2019-114

RESOLUTION REGARDING E-CIGARETTE USAGE AND PUBLIC HEALTH

WHEREAS, In December of 2018, the Surgeon General issued an advisory on e-cigarette use among youth in the United States, declaring the use an epidemic and called for "aggressive steps to protect our children from these highly potent products that risk exposing a new generation of young people to nicotine".;

WHEREAS, e-cigarette aerosol contains harmful chemicals/substances, including nicotine, heavy metals, formaldehyde, acrolein, cancer-causing chemicals, volatile organic compounds and ultrafine particles; and

WHEREAS, the Iowa Department of Public Health is working with the CDC, FDA, other state and local health departments and clinical partners to investigate a nationwide outbreak of e-cigarette, or vaping, product use-associated lung injury (EVALI).

WHEREAS, according to the Iowa Department of Public Health, as of November 20, 2019, 2,290 cases of EVALI reported to CDC from 49 states, the District of Columbia, and 2 U.S. territories, with 47 confirmed deaths in 25 states and the District of Columbia. Since August 2019, there have been 49 reported cases and no reported deaths in Iowa.

WHEREAS, the Lee County Board of Supervisors join the Lee County Health Department, the Iowa Department of Public Health, and others across the State and Country in the belief, based on the statistics available, that the use of e-cigarettes is a public health hazard and should be prohibited in state and local smoke-free air regulations and tobacco/nicotine-free policies in an effort to assist in addressing this public health epidemic by reducing e-cigarette use.

NOW THEREFORE BE IT RESOLVED that the Lee County Board of Supervisors hereby approves this resolution and joins in the effort to assist in addressing the public health epidemic by including e-cigarette use in smoke-free air ordinances and tobacco/nicotine-free policies in an effort to promote the reduction of e-cigarette use.

Dated and signed at Montrose, Iowa on this the 23rd day of December, 2019.

LEE COUNTY BOARD OF SUPERVISORS. /s/ Gary Folluo, Chairman; /s/ Rick Larkin, Vice-Chair; /s/ Ron Fedler, Member; and /s/ Rich Harlow, Member. Attest: /s/ Denise Fraise, Lee County Auditor. Motion carried.

Moved by Larkin, seconded by Fedler, to approve a change to the Personnel Policy regarding E-Cigarette usage. Motion carried.

Moved by Larkin, seconded by Fedler, to approve Resolution #2019-117. Roll call: Larkin-aye, Fedler-aye, Harlow-aye and Folluo-aye.

RESOLUTION # 2019 - 117

INTERFUND TRANSFER FROM RURAL BASIC TO SECONDARY ROADS FOR FISCAL YEAR 2019/2020

Whereas, it is desired to authorize the County Auditor to transfer sums from the Rural Basic Fund to the Secondary Roads Fund during the 2019-2020 budget year, and

Whereas, said transfers must be in accordance with Chapter 331.432 of the Code of Iowa.

Now, Therefore, Be It Resolved, by the Lee County Board of Supervisors as follows:

Section 1. The total amount to be transferred for fiscal year ending June 30, 2020 is \$2,313,484.

Section 2. Within seven working days of being notified of the current amount in said Fund, the County Auditor shall order a transfer from said funds.

Section 3. Notwithstanding the provision of Section 2, of this Resolution, total transfers shall not exceed the amount in Section 1.

Section 4. Notwithstanding the provisions of Section 2, the amount of any transfer shall not exceed available fund balances in the transferring of funds.

Section 5. At the discretion of the County Auditor, fund transfers can be allocated periodically during the fiscal year depending on fund balances.

The County Auditor has determined the amount to transfer on December 23, 2019 is as follows:

Rural Basic Fund to Secondary Roads Fund **\$578,371.00.**

Section 6. The County Auditor is directed to correct her books when said operating transfers are made and to notify the Treasurer of the amounts transferred.

Dated at Montrose, Iowa on the 23rd day of December, 2019.

LEE COUNTY BOARD OF SUPERVISORS. /s/ Gary Folluo, Chairman; /s/ Rick Larkin, Vice-Chair; /s/ Ron Fedler, Member; and /s/ Rich Harlow, Member. Attest: /s/ Denise Fraise, Lee County Auditor. Motion carried.

Moved by Fedler, seconded by Larkin, to approve five tax abatement resolutions.

RESOLUTION NO. 2019-112

WHEREAS, the Board of Supervisors of Lee County has by Ordinance Number VI-11 adopted a plan for a County-wide Urban Revitalization Tax Exemption District in Lee County, Iowa; and,

WHEREAS, Iowa Code Section 404.4 provides for prior approval of eligibility for a tax exemption by the governing body of the County;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF LEE COUNTY, IOWA, that they hereby approve the application of: Scott Coursey 3109 170th Street Fort Madison IA 52627

For exemption from taxation according to the provisions of Iowa Code Section 404.3, §3. Said applications shall be forwarded to the County Assessor for review pursuant to the provisions of Section 404.5 Code of Iowa.

PASSED AND APPROVED this 23rd day of December, 2019.

LEE COUNTY BOARD OF SUPERVISORS. /s/ Gary Folluo, Chairman; /s/ Rick Larkin, Vice-Chair; /s/ Ron Fedler, Member; and /s/ Rich Harlow, Member. Attest: /s/ Denise Fraise, Lee County Auditor. Motion carried.

RESOLUTION NO. 2019-113

WHEREAS, the Board of Supervisors of Lee County has by Ordinance Number VI-11 adopted a plan for a County-wide Urban Revitalization Tax Exemption District in Lee County, Iowa; and,

WHEREAS, Iowa Code Section 404.4 provides for prior approval of eligibility for a tax exemption by the governing body of the County;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF LEE COUNTY, IOWA, that they hereby approve the application of: Rolanda Pridemore 3139 Mississippi River Road Montrose IA 52639

For exemption from taxation according to the provisions of Iowa Code Section 404.3, §3. Said applications shall be forwarded to the County Assessor for review pursuant to the provisions of Section 404.5 Code of Iowa.

PASSED AND APPROVED this 23rd day of December, 2019.

LEE COUNTY BOARD OF SUPERVISORS. /s/ Gary Folluo, Chairman; /s/ Rick Larkin, Vice-Chair; /s/ Ron Fedler, Member; and /s/ Rich Harlow, Member. Attest: /s/ Denise Fraise, Lee County Auditor. Motion carried.

RESOLUTION NO. 2019-116

WHEREAS, the Board of Supervisors of Lee County has by Ordinance Number VI-11 adopted a plan for a County-wide Urban Revitalization Tax Exemption District in Lee County, Iowa; and,

WHEREAS, Iowa Code Section 404.4 provides for prior approval of eligibility for a tax exemption by the governing body of the County;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF LEE COUNTY, IOWA, that they hereby approve the application of: Robert and Susan Umthun 3051 Westwood Drive Fort Madison IA 52627

For exemption from taxation according to the provisions of Iowa Code Section 404.3, §3. Said applications shall be forwarded to the County Assessor for review pursuant to the provisions of Section 404.5 Code of Iowa.

PASSED AND APPROVED this 23rd day of December, 2019.

LEE COUNTY BOARD OF SUPERVISORS. /s/ Gary Folluo, Chairman; /s/ Rick Larkin, Vice-Chair; /s/ Ron Fedler, Member; and /s/ Rich Harlow, Member. Attest: /s/ Denise Fraise, Lee County Auditor. Motion carried.

RESOLUTION NO. 2019-118

WHEREAS, the Board of Supervisors of Lee County has by Ordinance Number VI-11 adopted a plan for a County-wide Urban Revitalization Tax Exemption District in Lee County, Iowa; and,

WHEREAS, Iowa Code Section 404.4 provides for prior approval of eligibility for a tax exemption by the governing body of the County;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF LEE COUNTY, IOWA, that they hereby approve the application of: Joe Mosena 3421 Sorenson Road Wever IA 52658

For exemption from taxation according to the provisions of Iowa Code Section 404.3, §3. Said applications shall be forwarded to the County Assessor for review pursuant to the provisions of Section 404.5 Code of Iowa.

PASSED AND APPROVED this 23rd day of December, 2019.

LEE COUNTY BOARD OF SUPERVISORS. /s/ Gary Folluo, Chairman; /s/ Rick Larkin, Vice-Chair; /s/ Ron Fedler, Member; and /s/ Rich Harlow, Member. Attest: /s/ Denise Fraise, Lee County Auditor. Motion carried.

RESOLUTION NO. 2019-119

WHEREAS, the Board of Supervisors of Lee County has by Ordinance Number VI-11 adopted a plan for a County-wide Urban Revitalization Tax Exemption District in Lee County, Iowa; and,

WHEREAS, Iowa Code Section 404.4 provides for prior approval of eligibility for a tax exemption by the governing body of the County;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF LEE COUNTY, IOWA, that they hereby approve the application of: Stanley and Susan Dohrn 2227 Carbide Lane Keokuk IA 52632

For exemption from taxation according to the provisions of Iowa Code Section 404.3, §3. Said applications shall be forwarded to the County Assessor for review pursuant to the provisions of Section 404.5 Code of Iowa.

PASSED AND APPROVED this 23rd day of December, 2019.

LEE COUNTY BOARD OF SUPERVISORS. /s/ Gary Folluo, Chairman; /s/ Rick Larkin, Vice-Chair; /s/ Ron Fedler, Member; and /s/ Rich Harlow, Member. Attest: /s/ Denise Fraise, Lee County Auditor. Motion carried.

Moved by Fedler, seconded by Harlow, to approve a step increase for Secondary Roads employee Kevin Stuekerjuergen, Road Maintenance Foreman-North, from \$26.82/hr. to \$27.57/hr., effective 1/9/20; step increase for Conservation employee Clayton Steele, Naturalist, from \$22.88/hr. to \$23.55/hr., effective 11/28/19 and new hire for Sheriff's Office-Berl Wilcox III, part-time Courthouse Security, \$17.50/hr., effective 1/2/20. Motion carried.

Received and filed the Recorder's Report of Fees Collected for October and November.

Committee Reports: Harlow reported on an Employee Safety Committee meeting. Larkin reported on a Workforce Development matter and a Landfill Commission meeting. Folluo reported on a Regional Planning Commission meeting.

At 9:45 a.m., a motion was made by Fedler, and seconded by Harlow, to adjourn. Motion carried.

The next meeting of the Board of Supervisors will be Thursday, January 2, 2020 at 9:00 a.m. at the Correctional Center.

Gary Folluo, Chairman

Attest: _____
Denise Fraise, Lee County Auditor