

May 7, 2019

The Lee County Board of Supervisors met on Tuesday, May 7, 2019, at 9:00 a.m. at the South Lee Courthouse in Keokuk.

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

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 Pflug, seconded by Harlow, to approve the Tuesday, April 23, 2019 Board minutes. Motion carried.

Moved by Pflug, seconded by Larkin, to approve the payment of claims. Motion carried.

Public Input: Shawn Case, Argyle, asked the Board to install a "No Engine Braking" sign near his home. Sheriff Stacy Weber said his department will try and step up enforcement in that area. Case also asked if the County Roads crew could remove trees that were left after the County did clean up after a storm. Case furthermore asked for rock on the road where he resides.

Moved by Fedler, seconded by Pflug, to approve Resolution #2019-61. Roll call: Fedler-aye, Pflug-aye, Larkin-aye, Harlow-aye and Folluo-aye.

RESOLUTION #2019-61

LEE COUNTY BOARD OF SUPERVISORS

APPROVAL OF THE ABATEMENT OF PROPERTY TAXES AS
RECOMMENDED BY THE LEE COUNTY TREASURER AND
IN ACCORDANCE WITH IOWA CODE CHAPTER 445.63

BE IT RESOLVED by the Lee County Board of Supervisors as follows:

Section 1. Iowa Code Section 445.63 states that when taxes are owing against a parcel owned or claimed by the state or a political subdivision of this state and the taxes are owing before the parcel was acquired by the state or a political subdivision of this state, the County Treasurer shall give notice to the appropriate governing body which shall pay the amount of taxes due. If the governing body fails to immediately pay the taxes due, the Board of Supervisors shall abate all of the taxes.

Section 2. The City of Keokuk has requested abatement for the following parcels:

Parcel Amount	Site Address	
044521253110020	1221 Timea St.	\$646.00
044522301540100	604 Grand Ave.	\$624.00
044521253390010	827 Bank St.	\$ 2.00

044521254040080	811 Exchange St.	\$ 56.00
044521254270140	602 Concert St.	\$ 58.00
044521254150170	629 Main St.	\$ 254.00

Section 3. The County Treasurer is hereby directed to strike the amount of property taxes due on these City of Keokuk parcels in accordance with Iowa Code Section 445.63.

Section 4. This Resolution shall take effect upon passage.

Dated this 7th day of May, 2019.

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

Moved by Fedler, seconded by Pflug, to approve Resolution #2019-56.
Roll call: Fedler-aye, Pflug-aye, Larkin-aye, Harlow-aye and Folluo-aye.

Resolution #2019- 56

RESOLUTION SETTING PUBLIC HEARING AND PROPOSING THE SALE OF CERTAIN REAL ESTATE

WHEREAS, Lee County holds Title by way of a Quit Claim Deed on the property with a shed in the unincorporated town of Argyle, legally described below as follows:

A lot Sixty-six (66) by One Hundred Fifty (150) feet in the West Half (W ½) of the Southwest Quarter (SW ¼) of the Northwest quarter (NW ¼) of Section Nine (9), Township Sixty-six (66) North, Range Six (6) West, in the Town of Argyle, bounded as follows: From the Southwest corner of the Northwest Quarter (NW ¼) of Section Nine (9) Township Sixty-six (66) North, Range Six (6) West, North One Hundred Seventy (170.0) feet and East One Hundred Sixty-two (162.0) feet to the point of beginning; thence North One Hundred Fifty (150.0) feet; Thence East Sixty-six (66) feet; thence South One Hundred Fifty (150.0) feet; thence West Sixty-six (66) feet to the point of beginning, containing Two Hundred Twenty-seven thousandths (0.227) acres, more or less

Excepting therefrom:

Commencing at the Southwest corner of the Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼) of said Section 9, thence North for a distance of 170.0 feet, thence N89° 40'E for a distance of 162.0 feet to the point of beginning, thence North for a distance of 80.0 feet, thence N89° 40'E for a distance of 66.0 feet, thence south for a distance of 40.0 feet, thence S89°40'W for a distance of 30.0 feet, thence South for a distance of 40.0 feet, thence S89° 40'W for a distance of 36.0 feet back to the point of beginning, containing 0.094 acres more or less. Township, 66 Range 6.

Note: The West side of the Northwest Quarter (NW ¼) has been assumed to bear due North-South.

And Excepting therefrom

Part of the Northwest ¼ of Section 9, Township 66, Range 6 described as beginning 170 feet North and North 89 degrees 40 minutes East 198 feet from the Southwest corner of said Northwest ¼ of Section 9; thence North 89

degrees 40 minutes East 30 feet; thence North 40 feet; thence South 89 degrees 40 minutes West 30 feet; thence South 40 feet to the point of beginning, containing 0.027 of an acre, more or less, Lee County, Iowa.

WHEREAS, Lee County no longer has a beneficial use for said property and desires to divest itself of the property and solicit sealed bids for the sale of the property; and

WHEREAS, the Lee County Board of Supervisors may accept an appropriate bid for the sale of the property, but does reserve the right to refuse to accept any of the bids.

WHEREAS, NOTICE is hereby provided by the Lee County Board of Supervisors to prospective bidders that the west wall of the structure (which currently has a 2/10 of a feet overhang from the roof that represents a potential aerial encroachment of neighboring property) located on this property, abuts adjoining property to which there is no access or easement for purposes of maintaining the wall of that current structure and the adjoining landowner will not allow access from his property for building maintenance.

NOW THEREFORE BE IT RESOLVED, that the Auditor is instructed to publish notice of public hearing to be held the 21st day of May, 2019, at 9:01 o'clock a.m. in the Conference Room of the Lee County Correctional Facility, 2530 255th Street, Montrose, Iowa, on the issue of the whether the following resolution shall be adopted:

BE IT RESOLVED that the Lee County Board of Supervisors will accept sealed bids on the following described property located in the unincorporated town of Argyle:

A lot Sixty-six (66) by One Hundred Fifty (150) feet in the West Half (W ½) of the Southwest Quarter (SW ¼) of the Northwest quarter (NW ¼) of Section Nine (9), Township Sixty-six (66) North, Range Six (6) West, in the Town of Argyle, bounded as follows: From the Southwest corner of the Northwest Quarter (NW ¼) of Section Nine (9) Township Sixty-six (66) North, Range Six (6) West, North One Hundred Seventy (170.0) feet and East One Hundred Sixty-two (162.0) feet to the point of beginning; thence North One Hundred Fifty (150.0) feet; Thence East Sixty-six (66) feet; thence South One Hundred Fifty (150.0) feet; thence West Sixty-six (66) feet to the point of beginning, containing Two Hundred Twenty-seven thousandths (0.227) acres, more or less

Excepting therefrom:

Commencing at the Southwest corner of the Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼) of said Section 9, thence North for a distance of 170.0 feet, thence N89° 40'E for a distance of 162.0 feet to the point of beginning, thence North for a distance of 80.0 feet, thence N89° 40'E for a distance of 66.0 feet, thence south for a distance of 40.0 feet, thence S89°40'W for a distance of 30.0 feet, thence South for a distance of 40.0 feet, thence S89° 40'W for a distance of 36.0 feet back to the point of beginning, containing 0.094 acres more or less. Township, 66 Range 6.

Note: The West side of the Northwest Quarter (NW ¼) has been assumed to bear due North-South.

And Excepting therefrom

Part of the Northwest ¼ of Section 9, Township 66, Range 6 described as beginning 170 feet North and North 89 degrees 40 minutes East 198 feet from the Southwest corner of said Northwest ¼ of Section 9; thence North 89 degrees 40 minutes East 30 feet; thence North 40 feet; thence South 89 degrees 40 minutes West 30 feet; thence South 40 feet to the point of beginning, containing 0.027 of an acre, more or less, Lee County, Iowa.

BE IT FURTHER RESOLVED that the Lee County Board of Supervisors will accept sealed bids at the Lee County Auditor's office until the 20th day of May, 2019 at 4:30 p.m., and will be opened at public hearing on the 21st day of May, 2019. At that time the Board of Supervisors will determine if any of the sealed bids will be accepted, and, if so, the Chairman of the Board of Supervisors is authorized to sign the Quit Claim deed on behalf of the Lee County Board of Supervisors to effectuate the transfer of said property. Bid should be in a sealed envelope and marked "County Shed Parcel".

BE IT FURTHER RESOLVED that NOTICE is hereby provided by the Lee County Board of Supervisors to prospective bidders that the west wall of the structure (which currently has a 2/10 of a foot overhang from the roof that represents a potential aerial encroachment of neighboring property) located on this property abuts adjoining property to which there is no access or easement for purposes of maintaining the wall of that current structure and the adjoining landowner will not allow access from his property for building maintenance.

Dated and signed this the 7th day of May, 2019.

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

Moved by Larkin, seconded by Harlow, to approve Resolution #2019-57.
Roll call: Larkin-aye, Harlow-aye, Pflug-aye, Fedler-aye and Folluo-aye.

Resolution #2019-57

RESOLUTION SETTING PUBLIC HEARING AND PROPOSING THE SALE OF CERTAIN REAL ESTATE ACTING AS TRUSTEES ON BEHALF OF THE ARGYLE SANITARY DISTRICT

WHEREAS, On August 23, 2011, The Lee County Board of Supervisors, during an open board meeting, after public hearing and discussion, appointed themselves trustees for the Argyle Sanitary District for the unincorporated town of Argyle;

WHEREAS, The Argyle Sanitary District holds Title by way of a Quit Claim Deed on the property legally described below as follows:
Commencing at the Southwest corner of the Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼) of said Section 9, thence North for a distance of 170.0 feet, thence N89° 40'E for a distance of 162.0 feet to the point of beginning, thence North for a distance of 80.0 feet, thence N89° 40'E for a distance of 66.0 feet, thence south for a distance of 40.0 feet, thence S89°40'W for a distance of 30.0 feet, thence South for a distance of 40.0 feet, thence S89° 40'W for a distance of 36.0 feet back to the point of beginning, containing 0.094 acres more or less. Township, 66 Range 6.

Note: The West side of the Northwest Quarter (NW ¼) has been assumed to bear

due North-South.

WHEREAS, The Argyle Sanitary District no longer has a beneficial use for said property and desires to divest itself of the property and solicit sealed bids for the sale of the property; and

WHEREAS, the Argyle Sanitary District may accept an appropriate bid for the sale of the property, but does reserve the right to refuse to accept any of the bids.

NOW THEREFORE BE IT RESOLVED, that the Auditor is instructed to publish notice of public hearing to be held the 21st day of May, 2019, at 9:01 o'clock a.m. in the Conference Room of the Lee County Correctional Facility, 2530 255th Street, Montrose, Iowa, on the issue of the whether the following resolution shall be adopted:

BE IT RESOLVED that the Lee County Board of Supervisors, acting as Trustees for the Argyle Sanitary District will accept sealed bids on the following described property located in the unincorporated town of Argyle. Bid should be in a sealed envelope and marked "Argyle Sanitary District Parcel"

Argyle Sanitary District Property

Commencing at the Southwest corner of the Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼) of said Section 9, thence North for a distance of 170.0 feet, thence N89° 40'E for a distance of 162.0 feet to the point of beginning, thence North for a distance of 80.0 feet, thence N89° 40'E for a distance of 66.0 feet, thence south for a distance of 40.0 feet, thence S89°40'W for a distance of 30.0 feet, thence South for a distance of 40.0 feet, thence S89° 40'W for a distance of 36.0 feet back to the point of beginning, containing 0.094 acres more or less. Township, 66 Range 6.

Note: The West side of the Northwest Quarter (NW ¼) has been assumed to bear due North-South.

BE IT FURTHER RESOLVED that the Argyle Sanitary District will accept sealed bids at the Lee County Auditor's office until 4:30 p.m. the 20th day of May, 2019 and will be opened at public hearing on the 21st day of May, 2019. At that time the Board of Supervisors, acting as Trustees for the Argyle Sanitary District, will determine if any of the sealed bids will be accepted, and, if so, the Chairman of the Board of Supervisors, Acting as Trustee for the Argyle Sanitary District, is authorized to sign the Quit Claim deed on behalf of the Argyle Sanitary District to effectuate the transfer of said property.

Dated and signed this the 7th day of May, 2019.

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

Moved by Fedler, seconded by Pflug, to move the next item on the agenda, Approval of Replacing a Class III Maintenance Worker in Secondary Roads, after Personnel Actions. Motion carried.

Moved by Pflug, seconded by Fedler, to approve Resolution #2019-60.
Roll call: Pflug-aye, Fedler-aye, Harlow-aye, Larkin-aye and Folluo-aye.

Resolution #2019-60

A RESOLUTION OPPOSING SENATE FILE 634

WHEREAS, the Iowa Legislators in the House and Senate have passed Senate File 634, an act relating to local government budgets, and;

WHEREAS, Senate File 634 takes away local control and limits the capacity to deliver services;

WHEREAS, Senate File 634 eliminates the employee benefits fund and requires Iowa Public Employee Retirement System (IPERS) benefits to be included in the General Fund, and;

WHEREAS, the County General fund could be limited by 2 percent growth, and;

WHEREAS, this requirement puts IPERS benefits in competition with other budget priorities; and

NOW THEREFORE, BE IT RESOLVED THAT the Lee County Board of Supervisors oppose Senate File 634 and request Governor Kim Reynolds to veto the bill.

Passed this 7th day of May, 2019 in Keokuk, Iowa.

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

Moved by Pflug, seconded by Harlow, to approve Resolution #2019-58.
Roll call: Pflug-aye, Harlow-aye, Larkin-aye, Fedler-aye and Folluo-aye.

RESOLUTION # 2019-58

WHEREAS, the Lee County Board of Supervisors have contracted with Commerce Bank to establish a county-wide credit card program,

WHEREAS, the Lee County Health Department has requested to participate in this program, increasing the County's revenue share,

WHEREAS, the County's Credit Card Policy states that an amount over \$1,000 has to have the Board of Supervisors approval,

THEREFORE BE IT RESOLVED, the Lee County Board of Supervisors approve the following credit limits:

Becky Worster	\$3,000.00
Mike Shelangoski	\$3,000.00

Dated at Keokuk, Iowa this the 7th day of May, 2019.

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

Moved by Harlow, seconded by Fedler, to approve Resolution #2019-59.
Roll call: Harlow-aye, Fedler-aye, Larkin-aye, Pflug-aye and Folluo-aye.

Resolution # 2019-59

RESOLUTION ABATING CERTAIN TAXES AND DIRECTING THE TREASURER TO REMOVE THE PROPERTY FROM THE COUNTY SYSTEM

WHEREAS, the Lee County Treasurer has submitted a written application for removal of certain mobile homes from the county system and the abatement of the taxes as uncollectible; and

WHEREAS, Section 445.16 provides in its material part:

If the Treasurer determines that it is impractical to pursue collection of the total amount due through tax sale and the personal judgment remedies, the treasurer shall make a written recommendation to the board of supervisors to abate the amounts due. The board of supervisors shall abate, by resolution, the amount due and direct the treasurer to strike the amount due from the county system.

Accordingly,

NOW BE IT THEREFORE RESOLVED, based upon the written request by the Treasurer of Lee County, pursuant to section 445.16 of the Iowa Code, the Board of Supervisors hereby abates the amount due and directs the Treasurer to strike the amount due from the county system on the following mobile homes. The mobile homes shall be removed from the county system.

Hassan I. Hussein
1978 Fleetwood
VIN-0667

1969 RCH
VIN-260s2kd

Dated and signed at Keokuk, Iowa on this the 7th day of May, 2019.

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

Moved by Pflug, seconded by Fedler, to approve a Class C Liquor License with Sunday Sales for Green Bay Bar and Grill, Wever, for the period April 20, 2019 through April 19, 2020. Motion carried.

Moved by Fedler, seconded by Harlow, to approve the following Personnel Actions: step increase for Health Department employee Raegan Swainey, LPN, from Class 4 Step 8 \$22.52/hr. to Class 4 Step 9 \$22.97/hr., effective 4/25/19; step increase for Health Department employee Karen Turnbull, Homecare and Hospice Services Coordinator, from Step 9 \$22.96/hr. to Step 10 \$23.42/hr., effective 4/26/19; step increase for Health Department employee Melissa Park, Hopes Program Manager, from Step 7 \$29.26/hr. to Step 8 \$29.85/hr., effective 6/12/19; promotion for Health Department employee

Michael Shelangoski, from Class 4 Step 4 Environmental Health Inspector \$24.64/hr. to Class 2 Step 4 Environmental Health Program Director \$30.08/hr., effective 5/13/19; transfer for Secondary Roads employee David Newton, from Class III Step 2 Maintenance \$20.84/hr. to Class II Step 2 \$21.08/hr., effective 5/7/19 and full time new hire for the Health Department, Erin Ross, Class 4 Step 2, Registered Dental Hygienist, \$19.15/hr., effective 5/13/19. Motion carried.

Received and filed a Manure Management Annual Update for Knee Deep Solutions in Franklin Township; the County Treasurer's Report of Fees Collected for the month of April 2019 and the County Auditor's Report of Fees Collected for the month of April 2019.

Committee Reports: Larkin reported on an Economic Development Board meeting.

At 9:40 a.m., a motion was made by Pflug, seconded by Fedler, to adjourn. Motion carried.

The next meeting of the Board of Supervisors will be Tuesday, May 14, 2019 at 9:00 a.m. at the Correctional Center.

Gary Folluo, Chairman

Attest: _____

Denise Fraise, Lee County Auditor