

PUBLIC NOTICE
Boone Co. BOS 3.10.2021

WEDNESDAY, MARCH 10TH, 2021

Duffy called the meeting to order at 8:30 a.m. with all members present. Kretzinger moved Zinnel seconded the motion to approve March 3rd, 2021 minutes. NO: None; YES: Duffy, Zinnel & Kretzinger. Motion carried.

Zinnel moved Kretzinger seconded motion to approve the agenda as posted. NO: None; YES: Duffy, Zinnel & Kretzinger. Motion carried.

Kretzinger moved Zinnel seconded motion to approve pay adjustment for Colin Prouty, PRN Jailer to \$19.71 per hour effective April 4, 2021. NO: None; YES: Duffy, Zinnel & Kretzinger. Motion carried.

Zinnel moved Kretzinger seconded motion to table the hiring of Richard Johnson, Part-Time Recycling Assistant, at \$14.00 per hour effective March 10, 2021. NO: None; YES: Duffy, Zinnel & Kretzinger. Motion carried.

Zinnel moved Kretzinger seconded the motion to accept the retirement of Harold Craig Wallace, Secondary Roads Equipment Operator, effective April 30, 2021. NO: None; YES: Duffy, Zinnel & Kretzinger. Motion carried with many thanks for his years of service.

Zinnel moved Kretzinger seconded the motion to adopt a Corrected Resolution 21-08, To Authorize Financial Assistance for Reflections Glass & Mirror Inc. NO: None; YES: Duffy, Zinnel & Kretzinger. Motion carried.

**RESOLUTION 21-08
ACTION TO AUTHORIZE FINANCIAL ASSISTANCE FOR REFLECTIONS GLASS & MIRROR INC. LOCATED IN COLFAX TOWNSHIP**

Resolution for authorizing financial assistance for construction of a sales and glass repair facility, located in Boone County, Iowa

RESOLUTION SUMMARY: TO PROVIDE FINANCIAL ASSISTANCE PURSUANT TO CHAPTER 404 OF THE CODE OF IOWA.

WHEREAS, Boone County has received an Application from BA Commercial LLC, proposing to build a commercial facility in SW 1/4 of Section 1 of Colfax Township on Parcel B thereof and requesting property tax abatement as per schedule defined in Section 404.3.(2) of the Code of Iowa to assist in the construction of a service facility at their Boone County location.

WHEREAS, the Application has been reviewed by Boone County Auditor Diane Patrick, County Attorney Matt Speers and Boone County Assessor Paul Overton, who after said review have submitted a Report to the Board including a recommendation, and

WHEREAS, the above referenced Report to the Board sets forth the proposed construction and its economic benefits, plus a proposal for property tax abatement as provided in Section 404.3.(2) of Code of Iowa, and

WHEREAS, BA Commercial LLC intends to invest \$723,644 in construction of this facility, the abatement will only be on assessable improvements.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF BOONE COUNTY, IOWA AS FOLLOWS:

SECTION ONE: That Boone County accepts the Report to the Board noted above and its recommendation for economic incentives to be provided to and wholly endorses this project. The following described real estate is hereby designated as the Boone County Urban Revitalization Area:

Outlot H of Gene Harris Second Subdivision, except Lot One (1) of Outlot H of Gene Harris Second Subdivision of part of the South Half (S1/2) of the Southwest Quarter (SW1/4) of Section One (1), Township eighty-three (83) North, Range Twenty-five (25) West of the 5th P.M., Boone County, Iowa, as shown on the Plat of Survey recorded in Plat Book 30, Page 245 of the Boone County Iowa records

SECTION TWO: Boone County finds that the economic development of the area is necessary in the interest of public welfare for the residents of Boone County and that the area meets the criteria of sections 404.1- 404.1(4) in that it is an area which is appropriate as an economic development area as designated in Section 403.17 in that it is "an area appropriate for commercial and industrial enterprises". In addition, Boone County has prepared a proposed plan for the designated revitalization area which includes:

The legal description, as set forth above

The existing assessed valuation of the real estate in the proposed area, listing the land and building values separately

A list of names and addresses of the owners of record of the real estate

The existing zoning classifications and district boundaries and the existing and proposed land uses within the area

There are no proposals for improving or expanding county services within the area

The revitalization is applicable to all of the property assessed as specified in this Resolution

That there are no persons or businesses will be displaced as a result of the improvement

The tax exemption schedule authorized in section 404.3(2) that shall be used is as set forth in the Report to the Board

Furthermore, the county has scheduled a public hearing and notified all owners of record

of real property located with the proposed and area. In addition to notice by publication, notification was given by ordinary mail to the last known address of the owners of record- such notices were given 30 days before the public hearing

The public hearing has been held

No second public hearing was required pursuant to section 404.2 (5)

SECTION THREE: Boone County, Iowa will offer the incentives set forth in Section 404.3.2 of Code of Iowa which provides for a partial abatement of assessed property value over a period of ten years, however, this period will be reduced by 2 years due to late filing, for a total of 8 years. Pursuant to Addendum to Resolution No. 60-38, the Exemption shall be allowed for the same number of years remaining in the exemption schedule selected as would have been remaining had the claim for exemption been timely filed.

As a result, for the first year of exemption, the exemption will start as if it was the third year pursuant to Iowa Code 404.3(2)(c)-(j) (Iowa Code 2019), and will follow this schedule:

For the first year, sixty percent.

For the second year, fifty percent.

For the third year, forty percent.

For the fourth year, forty percent.

For the fifth year, thirty percent.

For the sixth year, thirty percent.

For the seventh year, twenty percent.

For the eighth year, twenty percent.

SECTION FOUR: That this Resolution shall be in full force and effect from and after its passage and approval in the manner provided by law.

PASSED AND APPROVED THIS 10th day of March, 2021

Kretzinger moved Zinnel seconded motion to approve waiving tipping fee for 65 tons of municipal solid waste for City of Boone for June 7th – 18th, 2021. NO: None; YES: Duffy, Zinnel & Kretzinger. Motion carried.

Board reviewed and placed on file Report of the Commission of Veteran Affairs for the 4th Quarter of 2020.

Kretzinger moved Zinnel seconded motion to approve signing 2021 Homestead Tax Credit and 2021 Disabled Vet Homestead Tax Credit Applications, as recommended by County Assessor. NO: None; YES: Duffy, Zinnel & Kretzinger. Motion carried.

Homestead: Gail Ackerman, 631 10th St, Boone; William Dodd, 720 W 1st St, Boone; Don J. Hunt, 2099 290th St, Madrid (Garden Twshp); Howard & Laura Staber, 1527 Hancock Dr, Boone; Collette Stotts, Mark & Susan Yutzy, 631 W Division St, Ogden; Benjamin & Analissa Kautza, 1405 Lowell Circle, Boone; Lisa & Patrick Volk, 2144 200th St, Boone (Jackson Twshp); Kelly & Jodi Pearson, 515 W 22nd St, Boone (Des Moines Twshp); Brittney & Levi Graver, 1407 285th Lane, Madrid (Douglas Twshp); Daryl & Lila Kruse, 728 Fremont, Boone; Micaela & Jacob Krause, 303 W 22nd St, Madrid; Samuel & Michelle Hiscocks, 452 Fairview Dr, Madrid; Phillip Hall, 1209 Meridian St, Boone; Kimberly Desher, 1400 22nd St, Boone; Parker & Makayla Niemier, 610 W 5th St, Madrid; Bailee Biersner & Justin Nelson, 1128 Union St, Boone; Wesley & Rachel Onken, 302 SW 3rd St, Ogden; Joseph Saunders, 211 Marshall St, Boone; Jess Huenekens, 104 Carroll St, Boone; Christopher & Samantha Gaskill, 1216 Country Club Dr, Boone; Joel Lambert, 723 120th St, Pilot Mound (Pilot Mound Twshp); David Maach, 520 S Delaware St, Boone; Kyle & Dana Hanna, 1318 Noble Lynx Dr, Boone (Worth Twshp); Rose Hollingsworth, 1322 W 2nd St, Boone; Brett & Jennifer Putz, 516 S Clinton St, Boone; Jamie & Nicole Stubbe, 921 16th St, Boone; Jennifer Nelson, 128 Clinton St, Boone.

Zinnel moved Kretzinger seconded motion to approve 2021 Applications for property tax exemptions for Wildlife Habitat; Forest Cover; Rivers/Streams Banks and Wet Lands; and Open Prairie as recommended by Boone County Assessor. NO: None; YES: Duffy, Zinnel & Kretzinger. Motion carried.

Kretzinger moved Zinnel seconded motion to approve signing Auditor's Adjustments for 2019 Business Property Tax Credits, as recommended by Boone County Assessor. NO: None; YES: Duffy, Zinnel & Kretzinger. Motion carried.

Zinnel moved Kretzinger seconded motion to adopt Resolution 21-14, New Schedule of Fees for the Department of Planning & Development, Department of Health & Sanitation. NO: None; YES: Duffy, Zinnel & Kretzinger. Motion carried.

RESOLUTION NO. 21-14

Resolution for adoption of new Schedule of Fees for the Department of Planning and Development Department and Health and Sanitation

Resolution Summary: Boone County will increase fees periodically as a means of equalizing fee standards.

WHEREAS, The Planning and Development Department has established a need for increased fees to balance the Consumer Price Index of services and an irregular fee structure among other similar departments across the state, and

WHEREAS, Boone County believes that fees should reflect, as accurate as possible, the cost of supplying services, and

WHEREAS, Boone County establishes the following schedule of fees for the Planning and Development Department:

SCHEDULE OF FEES

Last Amended on March 10th, 2021

Zoning Permit

Permit fees are figured on the rough valuation of construction. Below are the estimated cost per sq foot. The square footage of construction is multiplied by the valuation and the permit fee is figured.

Type of Non-Farm Use Valuation per sq ft.

Residential Wood Frame Dwelling \$60.00

Residential Basement Area \$30.00

Residential Dwelling Addition \$45.00

Residential Accessory Structure (greater than 120 sq. ft.) \$30.00

Residential Accessory Pole Building (unfinished inside).....\$18.00

Residential Deck (attached to permanent structure) \$25.00

Residential New Modular Home (factory built).....\$60.00

Commercial & Industrial (includes agricultural related businesses)\$60.00

** Fee for Construction Below \$35,000 are shown as follows:

Up to \$10,000 >>>> \$30.00 Minimum

\$10,001 to \$35,000 >>>> \$35.00 Minimum

**** Maximum Fee Amount for Construction:

\$1,250.00 Maximum

Double permit fees for all construction started without a valid permit.

Other Misc Fees/Permits [Flat Fees]

Mobile Home/Trailer (D.O.T. VIN No. on chassis).....\$75

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|---|-------|
| E 911 Addressing w/ Sign/Hardware, including delivery..... | \$50 |
| E 911 Flag Mount Sign Replacement | \$15 |
| E 911 Flag Mount Hardware Replacement | \$15 |
| Home Occupations & Home Based Businesses..... | \$75 |
| Flood Plain Review (includes County Tile Review)..... | \$30 |
| Swimming Pool Water Test..... | \$5 |
| Passport Photos (when available) | \$10 |
| Planning & Zoning Board Application Fees | |
| Variance | \$100 |
| Rezoning (map or text amendment) | \$200 |
| Conditional Use Processing Fee (a.k.a. special exception) | \$150 |
| Board of Adjustment Appeal | \$200 |
| Tower Fees | |
| Cellular Tower..... | \$500 |
| Temporary Meteorological | \$250 |
| Commercial WECS | \$500 |
| Residential WECS | \$250 |

Land Division Applications

Land Division Applications..... \$40.00

Subdivision: 3 or more lots: Preliminary Plat (\$325 flat fee plus \$10 per lot) \$325 (+10/lot)

Subdivision: 3 or more lots: Final Plat..... \$125

Street Sign Administration & Installation Fee/intersection
 \$125.00 |

Health and Sanitation

Septic Permit (including perc test, permit, and final inspection).....
 \$200.00 |

Perc Test/Site Evaluation.....
 \$75.00 |

Additional site visit (each).....
 \$25.00 |

Requested System (Sand Filter, Peat Filter, Mound or Mechanical) - permit only.....
 \$125.00 |

Well Permits
 \$75.00 |

Salvage Yard Permit.....
 \$100.00 |

Radon Test Kits.....
 |

Actual Cost – (Currently: Short Term - \$ 8 Mailing \$ 4 Long Term \$ 25)

Lead Water Test
 \$ 60.00 |

(not covered by Grants to Counties program).....
 \$ 60.00 |

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF BOONE COUNTY, IOWA AS FOLLOWS:

SECTION ONE: That Boone County shall, and it does hereby, approve a new Schedule of Fees as noted hereinabove.

SECTION TWO:

That this Resolution shall be in full force and effect upon adoption. PASSED AND APPROVED THIS 10th day of March, 2021.

Discussion on 28E Agreement & funding for Communications Center- Matt Speers & Gregg Elsberry were also present.

Stacy Tharp, Human Resources Director gave a Departmental Update.

Zinnel moved Kretzinger seconded motion to approve adding critical insurance to the open enrollment selection. NO: None; YES: Duffy, Zinnel & Kretzinger. Motion carried.

Kretzinger moved Zinnel seconded motion to enter into closed session at 8:45 a.m. NO: None; YES: Duffy, Zinnel & Kretzinger. Motion carried.

Closed session Pursuant to Iowa Code 21.5(i); To evaluate the professional competency of an individual

whose appointment, hiring, performance, or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session.

Kretzinger moved Zinnel seconded motion to resume open session at 9:03 a.m. NO: None; YES: Duffy, Zinnel and Kretzinger. Motion carried.

John Roosa, Landfill Administrator & Doug Luzbetak, HLW Engineering were present.

Duffy opened the Public Hearing at 9:05 am on the Phase 8-R Expansion project at the Boone County Sanitary Landfill. No comments written or oral were presented. Kretzinger moved Zinnel seconded motion to close the meeting at 9:09 am. NO: None; YES: Duffy, Zinnel & Kretzinger. Motion carried.

Zinnel moved Kretzinger seconded the motion to adopt Resolution 21-12, Approving plans, specifications, form of contract and estimated cost for the Phase 8-R Expansion Project for Boone County, Iowa. NO: None; YES: Duffy, Zinnel & Kretzinger. Motion carried.

**RESOLUTION 21-12
RESOLUTION APPROVING PLANS, SPECIFICATIONS, FORM OF CONTRACT AND ESTIMATED COST FOR THE PHASE 8-R EXPANSION PROJECT FOR BOONE COUNTY, IOWA**

WHEREAS, there was placed on file in the office of the Auditor of Boone County, Iowa proposed plans and specifications, proposed form of contract and estimated cost for a public improvement for Boone County, Iowa, known as the Phase 8-R Expansion project, and that the public notice of hearing on such plans, specifications and form of contract was duly published as required by law in time for the hearing now before the Boone County Board of Supervisors.

WHEREAS, written objections to the plans, specifications and form of contract have been called for and no such written objections have been filed with the Boone County Board of Supervisors, and oral objections being called for and no oral objections being made in open meeting, it is the decision of the Boone County Board of Supervisors that such plans, specifications, form of contract and estimate of cost should be approved.

NOW, THEREFORE, BE IT RESOLVED BY THE Boone County Board of Supervisors, that the plans, specifications, form of contract and estimated cost heretofore placed on file and upon which public notice has been duly given are now adopted and approved as the plans, specifications, form of contract and estimate of cost for the Phase 8-R Expansion project for Boone County, Iowa.

Passed this 10th day of March, 2021, and signed this 10th day of March, 2021.

Kretzinger moved Zinnel seconded motion to adopt Resolution 21-13, Accepting bid and authorizing the award of contract for the Phase 8-R Expansion Project for Boone County, Iowa. NO: None; YES: Duffy, Zinnel & Kretzinger. Motion carried.

**RESOLUTION 21-13:
ACCEPTING BID AND AUTHORIZING THE AWARD OF CONTRACT FOR THE PHASE 8-R EXPANSION PROJECT FOR BOONE COUNTY, IOWA**

WHEREAS, notice to bidders has been duly given as required by law for the Phase 8-R Expansion Project for Boone County, Iowa, as described in the plans and specifications therefore, and

WHEREAS, there has been filed with the Boone County Board of Supervisors in response to the notice to bidders referred to above, certain proposals for the construction of the above designated improvement with the required bid bond accompanying each proposal from the following bidders, to-wit:

| | |
|---|-----------------------|
| Name & Address of Bidders | Amount of Bid |
| <u>Rognes Bros. Excavating Inc., Lake Mills, IA</u> | <u>\$1,564,889.00</u> |
| <u>Iowa Earth Works, Huxley, IA</u> | <u>\$1,647,766.00</u> |
| <u>Steger Construction, Inc., Dyersville, IA</u> | <u>\$1,872,184.00</u> |
| <u>CJ Moyna & Sons, Elkader, IA</u> | <u>\$2,136,443.00</u> |
| <u>JB Holland Const., Inc., Decorah, IA</u> | <u>\$2,169,553.70</u> |

After consideration of all bids filed, it was determined by the Boone County Board of Supervisors that the bid submitted by Rognes Brothers Excavating, Inc. fully complies with the bidding requirements and constitutes the lowest responsible bid for the public improvement as herein outlined.

NOW, THEREFORE, BE IT RESOLVED BY THE BOONE COUNTY BOARD OF SUPERVISORS:

Section 1- That the bid of Rognes Brothers Excavating, Inc. be and the same is hereby accepted for the construction of the improvements as described in the plans and specifications therefore, as previously ordered by the Boone County Board of Supervisors, and that the contract for the construction of same is now awarded to said Contractor in the total amount of One million, five hundred sixty-four thousand, eight hundred eighty-nine and no/100 Dollars (\$1,564,889.00).

Section 2 – The Chair and Secretary of the Boone County Board of Supervisors, are hereby authorized and directed to execute the contract with the Contractor for the public improvement as is herein referred to, and that upon the Contractor filing the required bond that the said bond and contract be submitted for final approval as provided by law.

Section 3 – The final settlement upon the contract, as referred to herein with said Contractor, shall be upon the basis of the unit prices as are set forth in the bid of said Contractor and for the actual quantities for each item of materials furnished or work performed in the Construction of this public improvement. The said contract is subject to all of the conditions as are contained in the resolution ordering construction of this improvement, the notice to bidders, the terms of the bidders written proposal, the plans and specifications as are provided therefore, all of which are made a part of this resolution and the said bidders contract by reference as though the same were set out herein verbatim and in specific detail.

Section 4 – This resolution as now adopted shall be in full force and binding effect upon the Boone County Board of Supervisors, upon the final signature of the completed contract by the successful bidder and the approval of the Contractor's surety bond by the Boone County Board of Supervisors.

Passed this 10th day of March, 2021 and signed this 10th day of March, 2021.

Gregg Elsberry, County Sheriff, gave a Departmental Update.

Scott Kruse, County Engineer gave a Departmental Update. Zinnel moved Kretzinger seconded motion to approve signing contract for Project No. GRS-21 for Guardrail Spraying with Brush & Weed Control Specialists, Inc for \$4,518.25, signing contract for Project No. WS-21 for Weed Spraying with Brush & Weed Control Specialists, Inc for \$36,590.50 and signing contract for Project No. BS-21 for Brush Spraying with Brush & Weed Control Specialists, Inc for \$50,160.00. NO: None; YES: Duffy, Zinnel & Kretzinger. Motion carried.

Mike Galloway, Ahlers & Cooney was present by phone. Kretzinger moved Zinnel seconded motion to enter into closed session at 10:30 a.m. NO: None; YES: Duffy, Zinnel and Kretzinger. Motion carried.

Closed Session Pursuant to Iowa Code 20.17 (3)- "Negotiating sessions, strategy meetings of public employers, mediation, and the deliberative process of arbitrators shall be exempt from the provisions of chapter 21. However, the employee organization shall present its initial bargaining position to the public employer at the first bargaining session. The public employer shall present its initial bargaining position to the employee organization at the second bargaining session, which shall be held no later than two weeks following the first bargaining session. Both sessions shall be open to the public and subject to the provisions of chapter 21. Parties who by agreement are utilizing a cooperative alternative bargaining process may exchange their respective initial interest statements in lieu of initial bargaining positions at these open sessions. Hearings conducted by arbitrators shall be open to the public."

Kretzinger moved Zinnel seconded motion to resume open session at 10:50 a.m. NO: None; YES: Duffy, Zinnel and Kretzinger. Motion carried.

Budget Workshop with Auditor Diane Patrick.

Kretzinger moved Zinnel seconded the motion to adjourn the meeting. NO: None; YES: Duffy, Zinnel & Kretzinger. Motion passed. Chairman Duffy adjourned the meeting at 11:55 a.m.

Approved this 17th day of March, 2021.

Published in the Ogden Reporter on Wednesday, Mar. 24, 2021