

Fremont County 2019 Resolutions

RESOLUTION NO. 2019-1

WHEREAS, motion was made by Hickey to appoint Terry Graham, Board Chairman and Randy Hickey as Board Vice Chairman.

WHEREAS, the Board Chairman may make motions and vote as any other member of the Board.

BE IT HEREBY RESOLVED by the Fremont County Board of Supervisors this 2nd day of January, 2019, that Supervisor Graham is appointed Board Chairman and Supervisor Hickey is appointed to the position of Vice-Chairman.

ATTEST:

/s/Dee Owen,
Fremont County Auditor

/s/ Terry Graham, Chairman
/s/ Randy Hickey
/s/ Dustin Sheldon

aye
aye
aye

RESOLUTION NO. 2019-2

BE IT HEREBY RESOLVED by the Fremont County Board of Supervisors this 2nd day of January, 2019, that the 2019 committee appointments are as follows:

Supervisor Sheldon – Welcome Center Board, West Central Development, Landfill Commission, Local Emergency Response, Southwest Iowa Juvenile Emergency Services Board, Loess Hills Alliance, and Safety Committee.

Supervisor Hickey – DECAT Board, DHS Service Advisory Board, Emergency Management Commission, Waubonsie Mental Health, Regional Planning Affiliate Board, Board of Health, Clarinda Mental Health Center Advisory Board, Workforce Development, and REAP Commission.

Supervisor Graham – Tourism Board, Loess Hills Authority, Hungry Canyons Authority, Hungry Canyons Alliance, Southwest Iowa Transit, Southwest Iowa Planning Council, Fourth Judicial 28E Board, and Zion Recovery Board, SCIA, and Local Emergency Response.

Graham, Hickey, and Sheldon appointed to E911 Board with one vote.

Motion was made by Hickey.

ATTEST:

/s/Dee Owen,
Fremont County Auditor

/s/ Terry Graham, Chairman
/s/ Randy Hickey
/s/ Dustin Sheldon

aye
aye
aye

Fremont County 2019 Resolutions

RESOLUTION NO. 2019-3

BE IT HEREBY RESOLVED by the Fremont County Board of Supervisors this 2nd day of January, 2019, that the Board will hold its regular meetings on Tuesday of each week in the office of the Fremont County Courthouse, Sidney, Iowa, commencing at 9:00 a.m. until business is concluded.

Motion made by Hickey.

ATTEST:

/s/Dee Owen, Fremont County Auditor	/s/ Terry Graham, Chairman /s/ Randy Hickey /s/ Dustin Sheldon	aye aye aye
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RESOLUTION NO. 2019-4

BE IT HEREBY RESOLVED by the Fremont County Board of Supervisors this 2nd day of January, 2019, that the Sidney Argus-Herald and The Hamburg Reporter be designated as the County's official newspapers for 2019.

Motion to approve made by Graham.

ATTEST:

/s/Dee Owen, Fremont County Auditor	/s/ Terry Graham, Chairman /s/ Randy Hickey /s/ Dustin Sheldon	aye aye aye
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Motion made Hickey to table the Eminent Domain Compensation Commission Resolution to find replacement members for two positions. Motion carried unanimously.

Motion made by Hickey to approve the following resolutions:

RESOLUTION NO. 2019-5

BE IT HEREBY RESOLVED by the Fremont County Board of Supervisors this 2nd day of January 2019, that the following individuals shall be approved as staff for the Office of the Fremont County Treasurer, as requested by Fremont County Treasurer Alise Snyder. The effective date of appointment shall be January 2, 2019: Tricia Martin – Deputy Treasurer, Jordan Kirkpatrick – Deputy Treasurer, & Carissa Buttercase – Deputy Treasurer.

Motion made by Hickey.

ATTEST:

/s/Dee Owen, Fremont County Auditor	/s/ Terry Graham, Chairman /s/ Randy Hickey /s/ Dustin Sheldon	aye aye aye
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Fremont County 2019 Resolutions

RESOLUTION NO. 2019-6

BE IT HEREBY RESOLVED by the Fremont County Board of Supervisors this 2nd day of January 2019, that the following individuals shall be approved as staff for the Office of the Fremont County Recorder, as requested by Fremont County Recorder Jenny McAllister. The effective date of appointment shall be January 2, 2019: Pam Daniels – Deputy Recorder & Tarah Berry – Deputy Recorder.

Motion made by Hickey.

ATTEST:

/s/Dee Owen,
Fremont County Auditor

/s/ Terry Graham, Chairman

aye

/s/ Randy Hickey

aye

/s/ Dustin Sheldon

aye

RESOLUTION NO. 2019-7

WHEREAS, Fremont County has experienced a temporary vacancy in the position of Deputy County Attorney; and

WHEREAS, the temporary vacancy is scheduled to end February 25, 2019, when the Deputy County Attorney Tyler Loontjer returns from military training; and

WHEREAS, a Special Prosecutor is required for previously scheduled hearings on January 23, 2019 in Fremont County that conflict with other previously scheduled hearings at which the County Attorney must be present;

WHEREAS, the County Attorney may require the assistance of a licensed attorney for other matters during the Deputy's military leave;

BE IT RESOLVED BY THE FREMONT COUNTY BOARD OF SUPERVISORS that any attorney of the Pottawattamie County Attorney Office's, is appointed to assist the Fremont County Attorney, at her discretion for any task that may benefit Fremont County, with reasonable attorney fees as authorized by the District Court, effective January 1, 2019, and expiring February 24, 2019, not to exceed the sum budgeted for the Deputy County Attorney during that period of time.

Motion by Hickey and carried unanimously.

ATTEST:

/s/Dee Owen,
Fremont County Auditor

/s/ Terry Graham, Chairman

aye

/s/ Randy Hickey

aye

/s/ Dustin Sheldon

aye

Fremont County 2019 Resolutions

RESOLUTION NO. 2019-8

BE IT HEREBY RESOLVED by the Fremont County Board of Supervisors this 8th day of January 2019, that the 2019 utilities as certified to the Auditor by the Iowa State Department of Revenue and Finance be approved, collected, and disposed of as regular taxes, according to taxing district.

Motion to approve made by Hickey.

ATTEST:

/s/Dee Owen,
Fremont County Auditor

/s/ Terry Graham, Chairman aye
/s/ Randy Hickey aye
/s/ Dustin Sheldon aye

RESOLUTION NO. 2019-9

RESOLUTION APPOINTING EMINENT DOMAIN COMPENSATION COMMISSION

BE IT HEREBY RESOLVED by the Fremont County Board of Supervisors this 8th day of January, 2019, that the following persons are appointed as members of the Eminent Domain Compensation Commission for the year 2019.

BANKERS:

Chris Johnson Sidney, IA 51652
Kent Claiborne Hamburg, IA 51640
Colleen Jurey Sidney, IA 51652
Justin Ewalt Hamburg, IA 51640
Grant Schaaf Randolph, IA 51649
Cindy Gregg Hamburg, Iowa 51640
Jay Longinaker Randolph, IA 51649

PROPERTY OWNERS:

Pat Sheldon Percival, IA 51648
Willis Moyer Sidney, IA 51652
Nancy Newlon, Thurman, IA 51654
Joni Hickey Thurman, IA 51654
Twila Larson Sidney, IA 51652
Gerald Head Imogene, IA 51645
James D. Doyle Farragut, IA 51639

REAL ESTATE:

Denise Hammer Tabor, IA 51653
Gene Hines Hamburg, IA 51640
Dan Holliman Hamburg, IA 51640
Nancy Vanatta Sidney, IA 51652
Jenna Gregory Sidney, IA 51652
Dale Rogers Percival, Iowa 51648
Doug Shirley Sidney, IA 51652

FARMERS:

John Askew Thurman, IA 51654
Lynn Handy Percival, IA 51648
H. Frances Lorimor Sidney, IA 51652
Dave Roberts Sidney, IA 51652
Sara Holt Sidney, IA 51652
Keith Schaaf Randolph, IA 51649
Steve Lorimor Farragut, IA 51639

Motion to approve made by Sheldon.

ATTEST:

/s/Dee Owen,
Fremont County Auditor

/s/ Terry Graham, Chairman aye
/s/ Randy Hickey aye
/s/ Dustin Sheldon aye

Fremont County 2019 Resolutions

RESOLUTION NO. 2019-10

RESOLUTION ABATING TAXES ON LAND OWNED BY CITY OF FARRAGUT

WHEREAS, the City of Farragut now owns certain property in Farragut, Fremont County, Iowa, Parcel Number for the concerned property is: 420420220000000, described as Lot 2 and South 30 ½ feet of Lot 25 in U.D. Coy's Second Addition to Town of Farragut, Fremont County, Iowa, according to the recorded plat thereof.

WHEREAS, the property is now owned by the City of Farragut and therefore should not be on the tax rolls according to Section 427.1(2), Code of Iowa,

IT IS HEREBY RESOLVED that the above described property shall be listed as exempt on the tax list of the Fremont County Auditor. Further, all current and delinquent real property taxes are abated under Iowa Code Section 445.63.

BE IT FURTHER resolved that the Auditor and Treasurer shall enter such change orders required to abate these taxes.

Motion made by Sheldon to approve resolution.

Dated this 15th day of January 2019.

ATTEST:

/s/Dee Owen,
Fremont County Auditor

/s/ Terry Graham, Chairman
/s/ Randy Hickey
/s/ Dustin Sheldon

aye
aye
aye

RESOLUTION NO. 2019-11

RECORD OF HEARING AND DETERMINATION ON THE BUDGET AMENDMENT And CHANGE OF APPROPRIATIONS

On this 29th day of January 2019, the Fremont County Board of Supervisors met in session for the purpose of amending the current operating budget adopted March 13th, 2018. The notice and time and place of hearing was published on January 10th & January 11th, 2019. The amendment was taken up and considered and taxpayers heard for or against the amendment as follows and amendment passed unanimously:

<u>Expenditures</u>	<u>From</u>	<u>To</u>	<u>Difference</u>
Public Safety & Legal Services	3,091,457	3,207,676	116,219
Physical Health & Social Services	302,325	303,466	1141
Capital Projects	459,000	2,350,237	1,891,237
Total	3,852,782	5,861,379	2,008,597

Revenues

Intergovernmental (SRO)	4,266,628	4,335,460	68,832
Long Term Debt Proceeds (ISICS)	104,648	1,995,885	1,891,237
Total	4,371,276	6,331,345	1,960,069

Appropriations

Sheriff	2,063,839	2,180,058	116,219
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Sanitation	31,709	32,850	1,141
Capital Projects	459,000	2,350,237	1,891,237
Total	2,554,548	4,563,145	2,008,597

Amendment for ISICS Radio bond proceeds & expenses, Sanitation payroll adjustment, School Resource Officer expense & revenue.

Motion to approve made by Hickey

ATTEST:

/s/Dee Owen,
Fremont County Auditor

/s/ Terry Graham, Chairman	aye
/s/ Randy Hickey	aye
/s/ Dustin Sheldon	aye

RESOLUTION NO. 2019-12

BE IT HEREBY RESOLVED by the Fremont County Board of Supervisors this 19th day of February, 2019 that the following change in appropriation be made.

Expenditures

Increase	02000-01500-425-30	\$	55.00
Increase	02000-01620-425-31-9	\$	1,000.00
Decrease	02000-01100-113-04-10	\$	1,055.00

Motion to approve made by Hickey.

ATTEST:

/s/Dee Owen,
Fremont County Auditor

/s/ Terry Graham, Chairman	aye
/s/ Randy Hickey	aye
/s/ Dustin Sheldon	aye

Fremont County 2019 Resolutions

RESOLUTION NO. 2019-13

A RESOLUTION AUTHORIZING DISBURSEMENT OF HOTEL AND MOTEL TAX PROCEEDS

WHEREAS, Iowa Code Chapter 423A allows the Board of Supervisors by resolution to impose and collect a hotel and motel tax in the unincorporated areas of Fremont County, and such authority was granted by a special election held on December 6, 2005; and

WHEREAS, proceeds from such tax are or will be received by Fremont County, Iowa, for economic development, tourism and recreation, as allocated by the Board;

BE IT RESOLVED BY THE FREMONT COUNTY BOARD OF SUPERVISORS

That for the fiscal years of 2019-2020 through 2020-2021, monies received shall be disbursed as follows:

1. 25% to Tourism/Recreation
25% to Welcome Center
2. 50% Economic Development

Motion to approve was made by Sheldon.

Dated: February 19, 2019.

ATTEST:

/s/Dee Owen,
Fremont County Auditor

/s/ Terry Graham, Chairman aye
/s/ Randy Hickey aye
/s/ Dustin Sheldon aye

RESOLUTION NO. 2019-14

WHEREAS, the Fremont County Compensation Board meets annually to recommend a compensation schedule for elected officials for the fiscal year immediately following, in accordance with Iowa Code Chapters 331.905 and 331.907, and

WHEREAS, the Fremont County Compensation Board met on December 12, 2018, and made the following salary recommendations for the following elected officials for the fiscal year beginning July 1, 2019:

Elected Official	Current Salary	Proposed Increase	Recommended Salary
Auditor	\$52,598	2%	\$53,650
County Attorney	\$70,300	2%	\$71,706
Recorder	\$52,598	2%	\$53,650
Sheriff	\$67,704	2%	\$69,059
Supervisors	\$30,391	2%	\$30,999
Treasurer	\$52,598	2%	\$53,650

THEREFORE, BE IT RESOLVED that the Fremont County Board of Supervisors approves the following salary adjustments for the following elected officials for the fiscal year beginning July 1, 2019.

Fremont County 2019 Resolutions

Approved this 12th day of March, 2019.

FREMONT COUNTY BOARD OF SUPERVISORS

ATTEST:

/s/Dee Owen,
Fremont County Auditor

/s/ Terry Graham, Chairman
/s/ Randy Hickey
/s/ Dustin Sheldon

aye
aye
aye

RESOLUTION NO. 2019-15

RESOLUTION FOR APPROPRIATIONS

WHEREAS, it is desired to make appropriations for each of the different officers and department for the fiscal year beginning July 1, 2019, in accordance with Section 331.434, Subsection 6, Code of Iowa.

THEREFORE, be it resolved by the Fremont County Board of Supervisors on this 12th day of March, 2019, the following:

1. The amounts itemized by fund and department on the attached schedule are hereby appropriated from the resources/funds as shown.
2. Subject to the provisions of other county procedures and regulations, and applicable state law, the appropriations authorized under number 1 shall constitute an authorization for the department/officer listed to make expenditures or incur obligations from the itemized fund, effective July 1, 2019.
3. In accordance with 331.437, Code of Iowa, no Department/Officer shall incur any liability in excess of the amount appropriated to this resolution.
4. If, at any time during the 2019/2020 budget year the Auditor ascertains that the available resources of a fund will be less than said fund's total appropriations, he/she shall immediately inform the Board and recommend appropriate corrective action.
5. The Auditor shall establish separate accounts for the appropriations authorized in number 1. The Auditor shall report the status of such accounts to the applicable Departments/Officers monthly during the 2019/2020 budget year.
6. All appropriations authorized pursuant to this resolution lapse at the close of business on June 30, 2020. The above and foregoing resolution was adopted by the Fremont County Board of Supervisors on Tuesday, March 12, 2019.

The Fremont County Board of Supervisors, meeting in session on this 12th day of March, 2019, do hereby resolve to appropriate the amounts itemized by department for the fiscal year 2019-20.

All appropriations authorized pursuant to this resolution lapse at the close of business June 30, 2020:

Board of Supervisors 182,431
Auditor 278,518
Treasurer 293,633
County Attorney 265,118
Sheriff 2,137,517
Recorder 230,115

Medical Examiner 35,000
Court Administration 800
District Court 3,000
County Library 31,891
Communications 526,506
Courthouse 138,075

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County Farm 10,000	Data Processing 189,970
General Assistance 24,138	Elections 91,525
Local Option Tax Fund 262,649	Bonds (LEC & ISICS) 602,375
Secondary Road 4,867,000	Mental Health Services 173,700
Veterans Affairs 62,051	Juvenile Court Services 131,150
Conservation Board 323,157	Home Health 147,411
Health Board/Sanitation 38,579	Emergency Management 95,205
Weed Eradication 6,620	Landfill 55,736
Social Services 21,900	Non-Departmental 2,546,722

GRAND TOTAL 13,772,492

Motion made by Hickey.

PASSED AND APPROVED, this 12th day of March, 2019.

ATTEST:

/s/Dee Owen, Fremont County Auditor	/s/ Terry Graham, Chairman /s/ Randy Hickey /s/ Dustin Sheldon	aye aye aye
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RESOLUTION NO. 2019-16

ADOPTION OF BUDGET AND CERTIFICATION OF TAXES

Fiscal Year July 1, 2019—June 30, 2020

At the meeting of the Board of Supervisors of Fremont County, held during public hearing as required by law, on March 12, 2019, the proposed budget for July 1, 2019 to June 30, 2020 was adopted as summarized and tax levies voted on all taxable property of this County.

The property tax levies will be levied as follows:

GENERAL	BASIC	3.75000
GENERAL	SUPPLEMENTAL	2.20000
MH-DD	SERVICES	0.28441
RURAL	BASIC	3.30000
DEBT SERVICE 0.98817		

And approved a 2.00% increase for the Attorney, Auditor, Recorder, Treasurer, Sheriff, and Supervisors as follows:

Attorney	71,706
Auditor	53,650
Recorder	53,650
Treasurer	53,650
Sheriff	69,059
Supervisors	30,999

Motion made by Hickey and approved March 12, 2019.

Fremont County 2019 Resolutions

ATTEST:

/s/Dee Owen,
Fremont County Auditor

/s/ Terry Graham, Chairman
/s/ Randy Hickey
/s/ Dustin Sheldon

aye
aye
aye

RESOLUTION #2019-17

RESOLUTION PROCLAIMING A COMPREHENSIVE SCHEDULE OF CIVIL PENALTIES FOR VIOLATIONS OF MANDATORY EVACUATION AND MANDATORY CURFEW PROVISIONS

WHEREAS, Fremont County, Iowa, including both incorporated and unincorporated areas thereof, is currently experiencing flooding of historic proportions; and

WHEREAS, the Governor of Iowa has proclaimed a state of disaster emergency in Fremont County due to said flooding and related consequences therefrom;

WHEREAS, Fremont County may, pursuant to its home rule authority, exercise any power and perform any function it deems appropriate to protect and preserve the rights, privileges and property of the county and/or its residents, and to preserve and improve the peace, safety, health, welfare, comfort, and convenience of its residents; and

WHEREAS, the Fremont County Board of Supervisors has determined that it is necessary to order the mandatory evacuation of, and order mandatory curfews for, certain areas of unincorporated Fremont County in order to protect or preserve life and property; to assist in disaster mitigation, response, and recovery; and to generally preserve and improve the peace, safety, health, welfare, comfort, and convenience of its residents.

NOW, THEREFORE BE IT RESOLVED by the Fremont County Board of Supervisors that due to the current flooding in Fremont County, Iowa, where there is proclaimed to be a civil emergency, in which the Chairman of the Board of Supervisors has responded, and may further respond, by issuing Orders of Mandatory Evacuation for any part of unincorporated Fremont County the Chairman deems advisable as necessary to protect or preserve life and property; to assist in disaster mitigation, response, and recovery, this order shall be made in writing and communicated in such a manner as to reasonably apprise the affected residents and the general public of the specific location of the areas to be evacuated and shall indicate the date and time by which the said areas shall be evacuated; and

BE IT FURTHER RESOLVED that ingress and egress to and from an area subject to an Order of Mandatory Evacuation shall be limited to authorized law enforcement, emergency management personnel, and other authorized government officials; and

BE IT FURTHER RESOLVED that the Chairman of the Board of Supervisors, may issue an Order of Mandatory Curfew for any part of unincorporated Fremont County the Chairman deems advisable as necessary to protect or preserve life and property; to assist in disaster mitigation, response, and recovery; or as necessary to otherwise carry out the purposes of this ordinance; and

BE IT FURTHER RESOLVED that any such Order of Mandatory Curfew shall be in writing, communicated in such a manner as to reasonably apprise the affected residents and the general public of the specific times and locations of the curfew, and shall indicate the date and times in which said curfew shall be in effect; and

BE IT FURTHER RESOLVED that exemptions to the curfew order shall be limited to authorized law enforcement, emergency management personnel, and other necessary government officials and those individuals authorized and/or directed by law enforcement, emergency management personnel, and other authorized government officials; and

BE IT FURTHER RESOLVED that it shall be the duty of the County Sheriff to administer and enforce this resolution in accordance with its provisions; and

BE IT FURTHER RESOLVED that the penalties for violating the provisions of this resolution shall be as set forth hereinafter:

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WHEREAS, the Fremont County Board of Supervisors met on March 18, 2019, to consider and approve said Schedule of Civil Penalties.

NOW, THEREFORE, BE IT RESOLVED BY THE FREMONT

COUNTY BOARD OF SUPERVISORS

The Fremont County Board of Supervisors hereby adopt the following Schedule of Civil Penalties:

Civil Penalties Authorized for Violation of

Mandatory Evacuation Order or Order for Mandatory Curfew

A violation of an Order for Mandatory Evacuation, or an Order for Mandatory Curfew, may result in a county infraction, punishable by civil penalties in the amount of Seven Hundred Fifty Dollars (\$750.00) for the first offense and One Thousand Dollars (\$1,000.00) for a second or subsequent offense.

Said Resolution becomes effective upon passage, approval and publication as provided by law.

Dated this 18th day of March, 2019.

ATTEST:

/s/Dee Owen,
Fremont County Auditor

/s/ Terry Graham, Chairman
/s/ Randy Hickey
/s/ Dustin Sheldon

aye
aye
aye

RESOLUTION NO. 2019-18

BE IT HEREBY RESOLVED by the Fremont County Board of Supervisors this 19th day of March, 2019, that the following individual shall be approved as a Dispatcher/Jailer for the Fremont County Sheriff's Department, as requested by Fremont County Sheriff Kevin Aistrope. The effective date of employment shall be March 5, 2019:

Sandra Hook

Motion was made by Sheldon.

ATTEST:

/s/Dee Owen,
Fremont County Auditor

/s/ Terry Graham, Chairman
/s/ Randy Hickey
/s/ Dustin Sheldon

aye
aye
aye

Fremont County 2019 Resolutions

RESOLUTION NO. 2019-19

BE IT HEREBY RESOLVED by the Fremont County Board of Supervisors this 19th day of March, 2019, that the following individual shall be approved as a Dispatcher/Jailer for the Fremont County Sheriff's Department, as requested by Fremont County Sheriff Kevin Aistrope. The effective date of employment shall be February 13, 2019:

Amanda Driever

Motion was made by Sheldon.

ATTEST:

/s/Dee Owen,
Fremont County Auditor

/s/ Terry Graham, Chairman
/s/ Randy Hickey
/s/ Dustin Sheldon

aye
aye
aye

RESOLUTION NO. 2019-20

BE IT HEREBY RESOLVED by the Fremont County Board of Supervisors this 19th of March, 2019, that the following individual shall be approved as a Dispatcher/Jailer for the Fremont County Sheriff's Department, as requested by Fremont County Sheriff Kevin Aistrope. The effective date of employment shall be February 16, 2019:

Sheryl Hanson

Motion was made by Sheldon.

ATTEST:

/s/Dee Owen,
Fremont County Auditor

/s/ Terry Graham, Chairman
/s/ Randy Hickey
/s/ Dustin Sheldon

aye
aye
aye

RESOLUTION NO. 2019-21

BE IT HEREBY RESOLVED by the Fremont County Board of Supervisors this 19th day of March, 2019, that the following individual shall be approved as a Deputy for the Fremont County Sheriff's Department, as requested by Fremont County Sheriff Kevin Aistrope. The effective date of employment shall be March 14, 2019:

Evan Olony Ruse - Deputy

Motion was made by Sheldon.

ATTEST:

/s/Dee Owen,
Fremont County Auditor

/s/ Terry Graham, Chairman
/s/ Randy Hickey
/s/ Dustin Sheldon

aye
aye
aye

Engineer Dan Davis met with the board regarding his 2020 IDOT Secondary Roads Budget and 5-Year Program. Davis discussed the various roads in need of repair due to the flooding and winter conditions and the funding for these projects. Motion by Hickey to approve the 2020 Secondary Roads Budget and 5-Year Program. Motion carried unanimously.

Fremont County 2019 Resolutions

Davis also discussed SF184 and presented a resolution for signing regarding this Senate File. The forestry industry would like to raise the load weight for all roads. Davis explained the consequences that this could have on the roads in Fremont County. Motion by Hickey to sign the resolution opposing SF 184. Motion carried unanimously.

FREMONT COUNTY BOARD OF SUPERVISORS

Resolution #2019-22

A RESOLUTION OPPOSING SENATE STUDY BILL 1045 AND SENATE FILE 184 PASSED BY THE SENATE COMMITTEE ON TRANSPORTATION

WHEREAS, the Transportation Committee in the Iowa Senate has passed House Study Bill 1045 (SF 184) which would amend and make changes to Iowa Code Chapter 321 related to transportation of indivisible loads and raw forestry products on primary and non-primary highways, and;

WHEREAS, Fremont County owns and maintains nonprimary highways, and is fiscally and legally responsible for the nonprimary highways within the County, and;

WHEREAS, Fremont County owns and maintains 127 structures classified as bridges by the National Bridge Inspection Standards, and;

WHEREAS, many of the bridges owned by Fremont County are aging and structurally deficient or functionally obsolete, and;

WHEREAS, current funding is not adequate to replace or rehabilitate these bridges at the rate their conditions are deteriorating, and;

WHEREAS, the nonprimary roads and bridges owned by Fremont County serve a critical need for residents, agricultural users, businesses, schools, post offices, and emergency responders, and;

WHEREAS, the proposed bill would allow the Iowa Department of Transportation to issue annual permits to forestry industry haulers for loads up to 130,000 pounds on nonprimary highways throughout Iowa, without knowledge of or notice given to the agencies which own these highways and the structures thereon, and;

WHEREAS, bridges within Fremont County have been designed for loads that were legal on Iowa roads at the time of their construction, and bridges have only been rated or posted with weight restrictions for loads that are currently legal on roads, and;

WHEREAS, each bridge within Fremont County is unique based on its age, design, and current condition, and;

WHEREAS, load rating to ensure safe passage of loads greater than 80,000 pounds would be unique for each load on each individual bridge, and;

WHEREAS, the traversing of Fremont County bridges by loads up to 130,000 pounds without the County being afforded the knowledge of or the ability to restrict each occurrence, would result in gradual and possibly sudden failure of bridges within the County, and;

WHEREAS, Fremont County would likely bear legal and financial liability for subsequent failure of its bridges, even if such failures are caused by loads they did not permit, and;

WHEREAS, Fremont County is not financially able to repair or replace bridges which would be subject to accelerated deterioration by increased loads, and;

WHEREAS, Fremont County and its residents, farmers, businesses, schools, post offices, and emergency responders, would be subjected to undue operational and economic hardships by further degradation of its road system and the structures thereon;

Fremont County 2019 Resolutions

THEREFORE BE IT RESOLVED, that the Fremont County Board of Supervisors strongly urges all Iowa lawmakers to vote in opposition to this legislation.

Resolved this 19th day of March, 2019.

FREMONT COUNTY BOARD OF SUPERVISORS

/s/Dee Owen,
Fremont County Auditor

/s/ Terry Graham, Chairman

/s/ Randy Hickey

/s/ Dustin Sheldon

aye

aye

aye

RESOLUTION NO. 2019-24

Board Member Randy Hickey introduced the following Resolution entitled "RESOLUTION FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$825,000 GENERAL OBLIGATION CAPITAL LOAN NOTES OF FREMONT COUNTY, STATE OF IOWA (FOR ESSENTIAL COUNTY PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF", and moved that the same be adopted. Board Member Dustin Sheldon seconded the motion to adopt. The roll was called and the vote was,

AYES: Graham, Hickey, Sheldon

Whereupon, the Chairperson declared the resolution duly adopted as follows:

RESOLUTION FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$825,000 GENERAL OBLIGATION CAPITAL LOAN NOTES OF FREMONT COUNTY, STATE OF IOWA (FOR ESSENTIAL COUNTY PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF

WHEREAS, it is deemed necessary and advisable that Fremont County, State of Iowa, should provide for the authorization of a Loan Agreement and issuance of General Obligation Capital Loan Notes, to the amount of not to exceed \$825,000, as authorized by Sections 331.402 and 331.443, of the Code of Iowa, for the purpose of providing funds to pay costs of carrying out essential county purpose project(s) as hereinafter described; and

WHEREAS, the Loan Agreement and Notes shall be payable from the Debt Service Fund; and

WHEREAS, before a Loan Agreement may be authorized and General Obligation Capital Loan Notes issued to evidence the obligation of the County thereunder, it is necessary to comply with the provisions of the Code of Iowa, as amended, and to publish a notice of the proposal and of the time and place of the meeting at which the Board proposes to take action for the authorization of the Loan Agreement and Notes and to receive oral and/or written objections from any resident or property owner of the County to such action.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF FREMONT COUNTY, STATE OF IOWA:

Section 1. That this Board meet in the Board Room, County Courthouse, 506 Filmore Street, Sidney, Iowa, at 9:30 A.M., on the 16th day of April, 2019, for the purpose of taking action on the matter of the authorization of a Loan Agreement and issuance of not to exceed \$825,000 General Obligation Capital Loan Notes, for essential county purposes, the proceeds of which notes will be used to provide funds to pay the costs of improvements and extensions to the landfill facilities of the Fremont County Sanitary Landfill Commission.

Section 2. The Auditor is authorized and directed to proceed on behalf of the County with the negotiation of terms of a Loan Agreement and the issuance of General Obligation Capital Loan Notes, evidencing the County's obligations to a principal amount of not to exceed \$825,000, to select a date for the final approval thereof, to cause to be prepared such notice and sale information as may appear appropriate, to publish and distribute the same on behalf of the County and

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this Board and otherwise to take all action necessary to permit the completion of a loan on a basis favorable to the County and acceptable to the Board.

Section 3. That the Auditor is hereby directed to cause at least one publication to be made of a notice of the meeting, in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in the County. The publication to be not less than four clear days nor more than twenty days before the date of the public meeting on the issuance of the Notes.

Section 4. The notice of the proposed action to issue notes shall be in substantially the following form:

NOTICE OF MEETING OF THE BOARD OF SUPERVISORS OF FREMONT COUNTY, STATE OF IOWA, ON THE MATTER OF THE PROPOSED AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$825,000 GENERAL OBLIGATION CAPITAL LOAN NOTES OF THE COUNTY (FOR ESSENTIAL COUNTY PURPOSES), AND THE HEARING ON THE ISSUANCE THEREOF

PUBLIC NOTICE is hereby given that the Board of Supervisors of Fremont County, State of Iowa, will hold a public hearing on the 16th day of April, 2019, at 9:30 A.M., in the Board Room, County Courthouse, 506 Filmore Street, Sidney, Iowa, at which meeting the Board proposes to take additional action for the authorization of a Loan Agreement and the issuance of not to exceed \$825,000 General Obligation Capital Loan Notes, for essential county purposes, to provide funds to pay the costs of improvements and extensions to the landfill facilities of the Fremont County Sanitary Landfill Commission. Principal and interest on the proposed Loan Agreement will be payable from the Debt Service Fund. At the above meeting the Board shall receive oral or written objections from any resident or property owner of the County to the above action. After all objections have been received and considered, the Board will at the meeting or at any adjournment thereof, take additional action for the authorization of a Loan Agreement and the issuance of the Notes to evidence the obligation of the County thereunder or will abandon the proposal to issue said Notes.

This notice is given by order of the Board of Supervisors of Fremont County, State of Iowa, as provided by Sections 331.402 and 331.443 of the Code of Iowa.

Dated this 26th day of March, 2019.

/s/ Dee Owen
County Auditor, Fremont County,

State of Iowa

PASSED AND APPROVED this 26th day of March, 2019.

ATTEST:

/s/ Dee Owen
County Auditor

/s/ Terry Graham
Chairman

RESOLUTION NO. 2019-25

BE IT HEREBY RESOLVED by the Fremont County Board of Supervisors this 9th day of April 2019, that Kris Henneman and Mike Allen shall be appointed as golf course part-time seasonal help, and remove Dallas Moores and Jerry Moores, as requested by Fremont County Conservation Board. The rate of pay shall be \$8.83 per hour. The effective date of employment shall be April 10th, 2019.

Motion to approve made by Sheldon.

ATTEST:

/s/Dee Owen,
Fremont County Auditor

/s/ Terry Graham, Chairman
/s/ Randy Hickey

aye
aye

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/s/ Dustin Sheldon

aye

RESOLUTION NO. 2019-26

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF Fremont, Iowa

That the Board of Supervisors of the County of Fremont Iowa hereby make the following resolution.

WHEREAS, a resolution has been passed and adopted entitled "Resolution Approving and Authorizing the Execution of a Certain Joint Exercise of Powers Agreement for the Purpose of Creating a Multi-County Housing Authority."

NOW, THEREFORE, Pursuant to the provision of Chapter 28E. Code of Iowa, and by virtue of our office as Supervisors, we hereby appoint Twila Larson for Three years, as the one (1) person to serve as Commissioner of the Southern Iowa Regional Housing Authority, representing the County of Fremont Iowa, and to serve for the number of years appearing after his name, respectively, from the ninth day of April, 2019.

IN WITNESS WHEREOF, I have hereunto signed my name as Chairman of the Board of Supervisors of the County of Fremont, Iowa and caused the official corporate seal of said County of Fremont Iowa to be attached hereto this 16th day of April, 2019.

/s/ Terry Graham

Chairman of the Board of Supervisors
Fremont County, Iowa

ATTEST:

/s/ Dee Owen
Clerk

Resolution NO. 2019-27

The full text of this resolutions is available in the Auditor's office.

Resolution NO. 2019-28

The full text of this resolutions is available in the Auditor's office.

RESOLUTION NO. 2019-29

BE IT HEREBY RESOLVED by the Fremont County Board of Supervisors this 16th day of April 2019, that the following order for destruction of noxious weeds be effective immediately.

1. That each owner and each person in the possession or control of any land in Fremont County shall cut, burn, spray, or otherwise destroy all noxious weeds thereon and shall prevent weed seeds from blooming or coming to maturity, and shall keep said lands free from such growth of any other weeds as shall render the streets or highways adjoining said land unsafe for public travel.

Noxious weeds shall be cut, burned, sprayed, or otherwise destroyed on or before the following dates and as often thereafter as is necessary to prevent seed productions:

Group 1: June 1, 2019 - for Leafy Spurge, Perennial Peppergrass, Sour Dock, Sheep Sorrow, Canada Thistle, Russian Knapweed, Buckhorn, Wild Mustard, Musk Thistle, Bull Thistle, and all other species of thistle

Group 2: July 1, 2019 - for Field Bindweed, Wild Carrot

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Group 3: August 1, 2019- for Horse Nettle, Perennial Sow Thistle, Quack Grass, Butter Print, Puncture Vine, Cocklebur, Hemp, Shatter Cane, Wild Sunflower, and Palmer Amaranth

2. That each owner and person in the possession or control of any lands in Fremont County, infested with any noxious weeds, including Quack Grass, Perennial Sow Thistle, Canada Thistle, Field Bindweed, Horse Nettle, Leafy Spurge, Perennial Peppergrass, Russian Knapweed, Hemp, any species of Thistle, and Palmer amaranth shall adopt a program of weed destruction described by the Weed Commissioner, which in five years may be expected to destroy and will immediately keep under control such infestations of said noxious weeds.

3. That if the owners or persons in possession/control of any land in Fremont County fail to comply with the foregoing order, the Weed Commissioner shall cause this to be done and the expense of said work, including costs of serving notice and other costs, if any, to be assessed against the land and the owners thereof.

ATTEST:

/s/Dee Owen,
Fremont County Auditor

/s/ Terry Graham, Chairman

aye

/s/ Randy Hickey

aye

/s/ Dustin Sheldon

aye

RESOLUTION NO. 2019-30

RESOLUTION DIRECTING THE ACCEPTANCE OF A PROPOSAL TO PURCHASE \$805,000 (Dollar Amount Subject to Change) GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2019A

WHEREAS, Fremont County, sometimes hereinafter referred to as the County, is a political subdivision duly incorporated, organized and existing under and by virtue of the Constitution and laws of the State of Iowa; and

WHEREAS, it is deemed necessary that the County should enter into a Loan Agreement and borrow the amount of \$805,000 (Dollar Amount Subject to Change) as authorized by Sections 331.402 and 331.443, Code of Iowa as amended; and

WHEREAS, a proposal has been received from Northland Securities; and

WHEREAS, it is the intention of this Board of Supervisors to enter into a Loan Agreement in accordance with said proposal dated April 23, 2019.

NOW THEREFORE, BE IT RESOLVED, BY THE BOARD OF SUPERVISORS OF FREMONT COUNTY, STATE OF IOWA:

Section 1. That this Board of Supervisors does hereby accept the attached proposal of Northland Securities of Minneapolis, Minnesota, and takes additional action to permit the entering into of a Loan Agreement.

Section 2. The Chairperson and County Auditor are authorized and directed to proceed on behalf of the County to enter into such Loan Agreement, to negotiate the final terms of a Loan Agreement to take all action necessary to permit the entering into of a Loan Agreement on a basis favorable to the County and acceptable to the Purchaser, and to proceed to meet the conditions of this accepted proposal.

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

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/s/ Randy Hickey
Vice-Chairperson, Board of Supervisors

ATTEST:

/s/ Dee Owen
County Auditor

Honorable County Board
Fremont County, Iowa

Dear Board Members:

We understand that you desire to issue \$800,000 General Obligation Capital Loan Notes, Series 2019A (the "Bonds"). Accordingly, we propose as follows:

We agree to purchase \$800,000 General Obligation Capital Loan Notes, Series 2019A to be dated May 15, 2019 and to mature June 1, 2023 - 2032. We agree to pay for the Bonds \$794,449.00 plus accrued interest, if any, to the date of settlement.

The Bonds are to be payable at UMB Bank, N.A., Kansas City, Missouri, as paying agent and registrar. Interest is to be payable on December 1, 2019 and semiannually thereafter. The Bonds will have the following interest rates and will mature or be subject to mandatory redemption on June 1 in the years and amounts as follows:

2023	\$70,000	2.25 %	2028	\$80,000	3.00 %
2024	75,000	2.25	2029	80,000	3.00
2025	75,000	2.45	2030	85,000	3.00
2026	75,000	2.45	2031	90,000	3.00
2027	80,000	2.45	2032	90,000	3.00

All Bonds will be Book Entry and in multiples of \$5,000. The average interest rate is 2.8017% and the TIC is 2.8833%.

Mandatory Redemption: This issue shall have three term bonds maturing June 1, 2024 (2023 and 2024 maturities), June 1, 2027 (2025 through 2027 maturities) and June 1, 2032 (2028 through 2032 maturities) which will have mandatory redemptions equal to the annual principal due as stated above.

Optional Redemption: Bonds maturing in the years 2029 through 2032, inclusive, are callable at the option of the Issuer in whole or in part on June 1, 2028, and on any date thereafter, at a price of par plus accrued interest.

This contract is made for prompt acceptance and subject to the approval of Ahlers & Cooney, P.C. (Bond Counsel) of Des Moines, Iowa, as to the legality and regularity of all proceedings taken in the issuance of the Bonds.

The Issuer agrees to pay the expenses of registering the Bonds and the fee of Bond Counsel, recognized municipal bond attorneys, in furnishing the necessary proceedings required to authorize the issuance of the Bonds.

Northland Securities, Inc. (the "Underwriter") agrees to assist the Issuer in establishing the issue price of the Bonds. For this purpose, the Issuer shall treat the initial offering price to the public of each maturity as the issue price of that maturity under the "hold-the-offering-price" rule. The Underwriter shall execute and deliver to the Issuer at closing an "issue price" or similar certificate, together with the supporting pricing wires or equivalent communications, substantially in the form attached hereto as Exhibit A, with such modifications as may be appropriate or necessary, in the reasonable judgment of the Underwriter, the Issuer and Bond Counsel, to accurately reflect the initial offering price or prices to the public of the Bonds.

Fremont County, Iowa

\$800,000 General Obligation Capital Loan Notes, Series 2019A

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The Underwriter confirms that it is the sole Underwriter of the Bonds and has offered the Bonds to the public on or before the date of this Bond Purchase Agreement at the offering price or prices (the "initial offering price"), or at the corresponding yield or yields, set forth in Exhibit A, attached hereto. The Issuer and the Underwriter agree that the restrictions set forth in the next sentence shall apply, which will allow the Issuer to treat the initial offering price to the public of each such maturity as of the sale date as the issue price of that maturity. So long as the hold-the-offering-price rule remains applicable to any maturity of the Bonds, the Underwriter will neither offer nor sell unsold Bonds of that maturity to any person at a price that is higher than the initial offering price to the public during the period starting on the sale date and ending on the earlier of the following:

- (1) the close of the fifth (5th) business day after the sale date; or
- (2) the date on which the Underwriter has sold at least 10% of that maturity of the Bonds to the public at a price that is no higher than the initial offering price to the public.

The Underwriter shall notify the Issuer when it has sold 10% of that maturity of the Bonds to the public at a price that is no higher than the initial offering price to the public, if that occurs prior to the close of the fifth (5th) business day after the sale date.

The Underwriter acknowledges that sales of any Bonds to any person that is a related party to the Underwriter shall not constitute sales to the public for purposes of this section.

No Advisory or Fiduciary Role. Fremont County, Iowa ("Issuer") acknowledges and agrees that: (i) the transaction contemplated by this contract is an arm's length, commercial transaction between the Issuer and Northland Securities, Inc. ("NSI") in which NSI is acting solely as a principal and is not acting as a municipal advisor, financial advisor or fiduciary to the Issuer; (ii) NSI has not assumed any advisory or fiduciary responsibility to the Issuer with respect to the transaction contemplated hereby and the discussions, undertakings and procedures leading thereto (irrespective of whether NSI has provided other services or is currently providing other services to the Issuer on other matters); (iii) the only obligations NSI has to the Issuer with respect to the transaction contemplated hereby are those expressly set forth in this contract and those set forth in applicable law and administrative rules and regulations, including but not limited to MSRB Rule G-17; and (iv) the Issuer has consulted its own legal, accounting, tax, financial and other advisors, as applicable, to the extent it has deemed appropriate.

Respectfully submitted this 22nd day of April, 2019.

NORTHLAND SECURITIES, INC.
By: Michael Harlander, Managing Director, Head of Institutional Sales

The foregoing proposal was duly accepted by the Fremont County Board, Iowa, at 9:21 a.m. this 23rd day of April, 2019.

By: /s/ Randy Hickey
Board Vice-Chair

Attest: /s/ Dee Owen
County Auditor

CERTIFICATE
STATE OF IOWA)
) SS
COUNTY OF FREMONT)

I, the undersigned County Auditor of Fremont County, State of Iowa, do hereby certify that attached is a true and complete copy of the portion of the records of the County showing proceedings of the Board, and the same is a true and complete copy of the action taken by the Board with respect to the matter at the meeting held on the date indicated in the attachment, which proceedings remain in full force and effect, and have not been amended or rescinded in any way; that meeting and all action thereat was duly and publicly held in accordance with a notice of meeting and tentative agenda, a copy of which was timely served on each member of the Board and posted on a bulletin board or other prominent place easily accessible to the public and clearly designated for that purpose at the principal office of the

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Board pursuant to the local rules of the Board and the provisions of Chapter 21, Code of Iowa, upon reasonable advance notice to the public and media at least twenty-four hours prior to the commencement of the meeting as required by law and with members of the public present in attendance; I further certify that the individuals named therein were on the date thereof duly and lawfully possessed of their respective County offices as indicated therein, that no Board vacancy existed except as may be stated in the proceedings, and that no controversy or litigation is pending, prayed or threatened involving the incorporation, organization, existence or boundaries of the County or the right of the individuals named therein as officers to their respective positions.

WITNESS my hand and the seal of the Board hereto affixed this 23rd day of April, 2019.

/s/ Dee Owen
County Auditor, Fremont County, State of Iowa

Motion made by Hickey to pass **Resolution No. 2019-31** Appointing Paying Agent, Note Registrar, and Transfer Agent, Approving the Paying Agent and Note Registrar and Transfer Agent Agreement and Authorizing the Execution of the Agreement. Motion carried unanimously. **Complete Resolution Available upon Request to Fremont County Auditor.**

Motion made by Hickey to pass **Resolution No. 2019-32** Approving and Authorizing a form of Loan Agreement and Authorizing and Providing for the Issuance and Levying a Tax to pay the Notes; Approval of the Tax Exemption Certificate. Motion carried unanimously. **Complete Resolution Available upon Request to Fremont County Auditor.**

RESOLUTION 2019-33

BE IT HEREBY RESOLVED by the Fremont County Board of Supervisors that the following salaries be in effect commencing on the 1st day of July, 2019, for the supervisory and non-union personnel in the Secondary Road Department.

MAINTENANCE SUPERINTENDENT: \$24.20 per hour salary
ADMINISTRATIVE ASSISTANT: \$20.40 per hour salary
ASSISTANT TO ENGINEER: \$29.43 per hour salary
ENGINEER: \$95,186.00 salary

Motion is hereby made by Hickey to adopt this resolution.

Dated this 14th day of May, 2019.

ATTEST:

/s/Dee Owen, Fremont County Auditor	/s/ Terry Graham, Chairman /s/ Randy Hickey /s/ Dustin Sheldon	aye aye aye
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Motion by Graham to approve the following resolution regarding segregation of duties. Motion carried unanimously.

RESOLUTION NO. 2019-34

SEGREGATION OF DUTIES Policy

A RESOLUTION of Fremont County, Iowa Adopting a Segregation of Duties for Officers, Employees, and Agents.

INTRODUCTION

State and federal policies require that accounting transactions be authorized according to sound management practices. One of the most basic, yet most important principles of sound management is that of segregation of duties.

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Segregation of duties is critical because it ensures separation of different functions and defines authority and responsibility over transactions. Segregation of duties is critical to effective internal control; it reduces the risk of both erroneous and inappropriate actions.

The fundamental premise of segregated duties is that an individual should not be in a position to initiate, approve, and review the same action. Also, the accounting/reconciling function, and the asset (e.g., money, inventory) custody function should be separated among employees. These are called incompatible duties when performed by the same individual.

POLICY STATEMENT

Responsible administrators must consider the principle of segregation of duties when designing and defining job duties. They must implement processes and control procedures that, to the extent feasible, segregate duties among employees and that include effective oversight of activities and transactions.

Maintaining segregation of duties is especially challenging for units with small numbers of employees. When these functions cannot be separated, more reliance must be placed on administrative oversight. A detailed supervisory review of activities involving finances, inventory, and other assets is required as a compensating control activity.

Passed and adopted this 21st day of May, 2019.

ATTEST:

/s/Dee Owen,
Fremont County Auditor

/s/ Terry Graham, Chairman	aye
/s/ Randy Hickey	aye
/s/ Dustin Sheldon	aye

RESOLUTION NO. 2019-35

BE IT HEREBY RESOLVED by the Fremont County Board of Supervisors this 4th day of June, 2019, that the following transfer of funds be approved and made: \$600,907.00 from the Rural Services Basic Fund, share of Rural Services taxes, to the Secondary Road Fund and \$54,499.00 property tax relief of local option taxes, from the Rural Services Basic Fund to the Secondary Road Fund.

Motion to approve transfer made by Hickey.

ATTEST:

/s/Dee Owen,
Fremont County Auditor

/s/ Terry Graham, Chairman	aye
/s/ Randy Hickey	aye
/s/ Dustin Sheldon	aye

Motion was made by Hickey to approve the following Resolution 2019-35. Motion carried unanimously.

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RESOLUTION NO. 2019-36

BE IT HEREBY RESOLVED by the Fremont County Board of Supervisors this 4th day of June, 2019, that the following transfer of funds be approved and made: \$9,486.45 from the TIF Rebate Fund, to the LMI Assistance Fund, as stated in the Waubonsie Ridge Agreement.

Motion to approve transfer made by Hickey.

ATTEST:

/s/Dee Owen,
Fremont County Auditor

/s/ Terry Graham, Chairman

/s/ Randy Hickey

/s/ Dustin Sheldon

aye

aye

aye

Motion by Hickey to approve the following tax abatement resolution for the City of Tabor. Motion carried unanimously.

RESOLUTION NO. 2019-37

RESOLUTION ABATING TAXES ON LAND OWNED BY CITY OF TABOR

WHEREAS, the City of Tabor now owns certain property in Tabor, Fremont County, Iowa, Parcel No. 480480080000000 and 480480080010000, described as: LT 6 & PT LTS 1-4 BEG NW COR LT 1, E 85.99', S 119.5', W 86.03', ETC., City of Tabor, Fremont County, Iowa, according to the recorded plat thereof.

WHEREAS, the property is now owned by the City of Tabor and therefore should not be on the tax rolls according to Section 427.1(2), Code of Iowa,

IT IS HEREBY RESOLVED that the above described property shall be listed as exempt on the tax list of the Fremont County Auditor. Further, all current and delinquent real property taxes are abated under Iowa Code Section 445.63.

BE IT FURTHER resolved that the Auditor and Treasurer shall enter such change orders required to abate these taxes.

Dated this 4th day of June, 2019.

Motion by Hickey and carried unanimously.

ATTEST:

/s/Dee Owen,
Fremont County Auditor

/s/ Terry Graham, Chairman

/s/ Randy Hickey

/s/ Dustin Sheldon

aye

aye

aye

Motion by Hickey to rescind Resolution 2018-9 and replace it with Resolution No. 2019-38 due to additions to the previous resolution. Motion carried unanimously.

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RESOLUTION NO. 2019-38

RESOLUTION RESCINDING RESOLUTION 2018-9

RESOLUTION NO. 2018-9

A RESOLUTION PETITIONING THE GOVERNOR OF IOWA AND THE STATE LEGISLATURE TO ADDRESS THE FAILINGS OF THE MASTER MATRIX

WHEREAS, the Fremont County Board of Supervisors, has been presented with several applications for permits to construct concentrated animal feeding operation (CAFO) in Fremont County, Iowa; and,

WHEREAS, CAFOs in Iowa have proliferated at a rate and number likely unanticipated by the authors of the 2002 Matrix; and,

WHEREAS, the Fremont County Board of Supervisors, has attempted to provide pertinent information regarding the siting of CAFO's in Fremont County, Iowa; and,

WHEREAS, the current legislation and regulation applies the use of a Master Matrix that has failed to adequately differentiate between the geography, water sources and other critical considerations throughout different regions within the State; and,

WHEREAS, the failure to properly take into consideration information within the knowledge of local sources, has highlighted the failings of the Master Matrix to protect the air, water, health, "quality of life" and economic interests of the citizens we were elected to represent; and,

WHEREAS, the inadequacies of the Master Matrix in its present form have been scientifically documented and legislative remedies are needed.

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

1. The Fremont County Board of Supervisors do hereby petition the Governor of Iowa and the State Legislature to address the failings of the Master Matrix to protect the air, water, health, "quality of life" and economic interests of the citizens we were elected to represent.
2. The Fremont County Board of Supervisors formally requests that the IDNR be directed to suspend any issuance of any additional CAFO construction permits until such time as corrective new legislation regarding the Master Matrix can be adopted.

PASSED AND ADOPTED this 6th day of February, 2018.

FREMONT COUNTY BOARD OF SUPERVISORS
/s/ Randy Hickey
Chairman

Attest: /s/ Dee Owen
County Auditor

Motion to approve made by Hickey.

ATTEST:

/s/Dee Owen,
Fremont County Auditor

/s/ Terry Graham, Chairman
/s/ Randy Hickey

aye
aye

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/s/ Dustin Sheldon

aye

The board considered the revised Resolution No. 2019-39 regarding the failings of the Master Matrix and petitioning the Governor and Legislature to act on those failings. Motion by Graham to approve the revised resolution. Motion carried unanimously.

RESOLUTION NO. 2019-39

A RESOLUTION PETITIONING THE GOVERNOR OF IOWA AND THE STATE LEGISLATURE TO ADDRESS THE FACTORY FARM AND WATER CRISIS IN IOWA

WHEREAS, CAFOs in Iowa have proliferated at a rate and number likely unanticipated by the authors of the 2002 Matrix, resulting in an influx of medium and large CAFO'S large enough to require manure management plan; and,

WHEREAS, we recognize the important contributions of independent family farms and that the corporate factory farm model does not support independent family farms; and,

WHEREAS, the Fremont County Board of Supervisors, have stated that they feel powerless to make changes in the CAFO applications or deny them when confronted with pertinent information regarding the hazards to the public of CAFO's in Fremont County, Iowa; and,

WHEREAS, the Fremont County Board of Supervisors has often forwarded the public's concerns about CAFO placements to the Department of Natural Resources (DNR) with little consequence to the CAFOs; and

WHEREAS, the air pollution from CAFOs travels beyond the CAFO site impacting the quality of life in the surrounding neighborhoods, causing property values to decline, resulting in lower tax revenue and resale values of people's investments in their homes; and,

WHEREAS, the odors, nitrates, and bacteria that result from CAFOS negatively impacts community initiatives in Fremont County to increase tourism around the rivers and lakes; and,

WHEREAS, corporations that build CAFOs are subsidized by the public when they benefit from the Pollution Control Exemption Tax; when they put roofs over manure pits; pay lower agricultural taxes rather than corporate rates; utilize federal subsidies found in the Farm Bill for buildings; pay lower water and utility rates; cause other land owners to carry the inequitable tax burdens for road repairs caused by heavy traffic and potential water degradation; and,

WHEREAS, the current legislation and regulation that applies to the use of a Master Matrix has failed to adequately differentiate between the geography, water sources and other critical considerations throughout different regions within the State; and,

WHEREAS, the failure to properly take into consideration information within the knowledge of local sources, has highlighted the failings of the Master Matrix to protect the air, water, health, "quality of life" and economic interests of the citizens we were elected to represent; and,

WHEREAS, the inadequacies of the Master Matrix in its present form have been scientifically documented and legislative remedies are needed.

NOW, THEREFORE, BE IT RESOLVED THAT THE FREMONT COUNTY BOARD OF SUPERVISORS:

Do hereby petition the Governor of Iowa and the State Legislature to address the failings of the Master Matrix to protect the air, water, health, "quality of life" and economic interests of the citizens we were elected to represent.

Do hereby petition the Governor of Iowa and the State Legislature to institute local control so that counties can determine the appropriate siting and environmental protection requirements for CAFOs, as the Master Matrix has failed to protect our community during its 16-year existence.

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Formally request that the DNR be directed to place a moratorium on any additional CAFO construction permits until there are fewer than 100 impaired waterbodies in the state of Iowa.

PASSED AND ADOPTED this 4th day of June, 2019.

ATTEST:

/s/Dee Owen,
Fremont County Auditor

/s/ Terry Graham, Chairman
/s/ Randy Hickey
/s/ Dustin Sheldon

aye
aye
aye

RESOLUTION NO. 2019-40

RECORD OF HEARING AND DETERMINATION ON THE BUDGET AMENDMENT And CHANGE OF APPROPRIATIONS

On this 11th day of June 2019, the Fremont County Board of Supervisors met in session for the purpose of amending the current operating budget adopted March 13th, 2018. The notice and time and place of hearing was published on May 30th & May 31st, 2019. The amendment was taken up and considered and taxpayers heard for or against the amendment as follows and amendment passed unanimously:

<u>Expenditures</u>	<u>From</u>	<u>To</u>	<u>Difference</u>
-			
Public Safety & Legal Services	3,207,676	3,321,304	113,628
Physical Health & Social Services	303,466	317,663	14,197
County Environment & Education	472,969	1,275,768	802,799
Roads & Transportation	4,283,000	5,225,000	942,000
Total	8,267,111	10,139,735	1,872,624

Revenues

Intergovernmental (Home Health)	4,335,460	4,349,657	14,197
Charges for Services (SO Grant)	292,845	297,045	4,200
Miscellaneous (Insurance)	79,561	197,339	117,778
Long Term Debt Proceeds (Landfill)	1,995,885	2,790,334	794,449
Total	6,703,751	7,634,375	930,624

Appropriations

Sheriff	2,063,839	2,180,058	113,628
Secondary Roads	4,742,000	5,684,000	942,000
Conservation	288,722	297,072	8,350
Home Health	144,627	158,824	14,197
Non-Departmental (Landfill Bond)	2,810,519	3,604,968	794,449
Total	10,049,707	11,922,331	1,872,624

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Amendment for Landfill bond proceeds, Home Health shortfall, insurance claims & expenses for Conservation and Sheriff's Office.

Motion to approve made by Sheldon.

ATTEST:

/s/Dee Owen, Fremont County Auditor	/s/ Terry Graham, Chairman /s/ Randy Hickey /s/ Dustin Sheldon	aye aye aye
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Motion made by Hickey to approve the following Resolution 2019-41. Motion carried unanimously.

RESOLUTION NO. 2019-41

BE IT HEREBY RESOLVED by the Fremont County Board of Supervisors this 25th day of June 2019, that the Auditor be authorized to cancel outstanding warrants that are over one year old.

Motion made by Hickey

ATTEST:

/s/Dee Owen, Fremont County Auditor	/s/ Terry Graham, Chairman /s/ Randy Hickey /s/ Dustin Sheldon	aye aye aye
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Motion made by Hickey to approve the following Resolution 2019-42. Motion carried unanimously

RESOLUTION NO. 2019-42

BE IT HERBY RESOLVED by the Fremont County Board of Supervisors this 25th day of June 2019 that the following change in appropriations be made:

Expenditures

Increase	02000-09000-113-01-10	\$2,251.00
Decrease	02000-09020-113-03-10	\$1,147.00
Decrease	02000-09010-113-02-10	\$1,104.00

Motion made by Hickey

ATTEST:

/s/Dee Owen, Fremont County Auditor	/s/ Terry Graham, Chairman /s/ Randy Hickey /s/ Dustin Sheldon	aye aye aye
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Motion made by Hickey to approve the following Resolution 2019-43. Motion carried unanimously.

Fremont County 2019 Resolutions

RESOLUTION NO. 2019-43

Resolution Authorizing Appropriations to County Offices and Departments FY 2019/2020

Resolution to appropriate 100% of the budgeted amounts for expenditures deemed necessary to all Budgetary Funds/Departments FY 2019/2020, as published in the Notice of Public Hearing Budget Estimate on February 28 & March 1, 2019.

Motion made by Hickey.

PASSED AND APPROVED, this 25th day of June, 2019.

ATTEST:

/s/Dee Owen,
Fremont County Auditor

/s/ Terry Graham, Chairman
/s/ Randy Hickey
/s/ Dustin Sheldon

aye
aye
aye

RESOLUTION NO. 2019-44

BE IT HEREBY RESOLVED by the Fremont County Board of Supervisors this 16th day of July 2019, that Lonnie Shanno, Mike Livingston, and Nathan Grove shall be appointed as golf course part-time seasonal help, as requested by Fremont County Conservation Board. The rate of pay shall be \$8.83 per hour. The effective date of employment shall be July 16th, 2019.

Motion to approve made by Sheldon.

ATTEST:

/s/Dee Owen,
Fremont County Auditor

/s/ Terry Graham, Chairman
/s/ Dustin Sheldon

aye
aye

RESOLUTION TO ACCEPT REQUEST FOR QUALIFICATIONS FOR BRIDGE DESIGN

WHEREAS, the Fremont County Secondary Roads Department made a Request for Qualifications to design a bridge to span Waubonsie Ditch on June 7th, 2019, and

WHEREAS, one (1) response was received for Bridge Design Replacement

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Fremont County that a contract for design be negotiated with HGM Associates, INC. of Council Bluffs, IA.

Motion to approve made by Hickey.

Approved this 23rd day of July, 2019.

ATTEST:

/s/Dee Owen,
Fremont County Auditor

/s/ Terry Graham, Chairman
/s/ Randy Hickey

aye
aye

Fremont County 2019 Resolutions

Motion by Hickey to sign the following resolution approving an interim golf course superintendent. Motion carried unanimously.

Resolution No. 2019-45

RESOLUTION TO ACCEPT REQUEST FOR QUALIFICATIONS FOR BRIDGE DESIGN

WHEREAS, the Fremont County Secondary Roads Department made a Request for Qualifications to design a bridge to span Waubonsie Ditch on June 7th, 2019, and

WHEREAS, one (1) response was received for Bridge Design Replacement

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Fremont County that a contract for design be negotiated with HGM Associates, INC. of Council Bluffs, IA.

Motion to approve made by Hickey.

Approved this 23rd day of July, 2019.

ATTEST:

/s/Dee Owen,
Fremont County Auditor

/s/ Terry Graham, Chairman
/s/ Randy Hickey

aye
aye

RESOLUTION NO. 2019-46

BE IT HEREBY RESOLVED by the Fremont County Board of Supervisors this 23rd day of July 2019, that Janice Shanno shall be appointed as golf course full-time Interim Course Superintendent, as requested by Fremont County Conservation Board. The rate of pay shall be \$20.65 per hour, \$1,548.70 per pay period. The effective date of employment shall be July 15th, 2019.

Motion to approve made by Hickey.

ATTEST:

/s/Dee Owen,
Fremont County Auditor

/s/ Terry Graham, Chairman
/s/ Randy Hickey

aye
aye

Fremont County 2019 Resolutions

RESOLUTION NO. 2019-47

RESOLUTION TO ACCEPT LOW BID AND AWARD CONSTRUCTION CONTRACT

WHEREAS, the Fremont County Secondary Roads Department held a letting for construction projects on July 23, 2019, and

WHEREAS, one (1) bid was received for L-7-5-2-73-36 for 10'x0 x 10'-0 RCB culvert with 10'x51' Flume and basin,

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Fremont County that the contract be awarded to Gus Construction of Casey, IA, for the low bid of \$302,984.00. The cost of this project shall be paid from Local Funds.

Motion to approve made by Sheldon.

Approved this 31st day of July, 2019.

ATTEST:

/s/Dee Owen,
Fremont County Auditor

/s/ Terry Graham, Chairman
/s/ Randy Hickey
/s/ Dustin Sheldon

aye
aye
aye

RESOLUTION NO. 2019-48

BE IT HEREBY RESOLVED by the Fremont County Board of Supervisors this 7th day of August 2019, that Kris Henneman, shall be appointed as Golf Course Superintendent, with a starting salary of \$38,000 as requested by Fremont County Conservation Board. The effective date of employment shall be August 5th, 2019.

Motion to approve made by Sheldon.

Approved this 7th day of August, 2019.

ATTEST:

/s/Kristi O'Neal
Fremont County Assistant Auditor

/s/ Terry Graham, Chairman
/s/ Randy Hickey
/s/ Dustin Sheldon

aye
aye
aye

Fremont County 2019 Resolutions

RESOLUTION NO. 2019-49

BE IT HEREBY RESOLVED by the Fremont County Board of Supervisors this 7th day of August 2019, that Janice Shanno, shall be appointed as golf course part-time seasonal help, as requested by Fremont County Conservation Board. The rate of pay shall be \$8.83 per hour. The effective date of employment shall be August 12th, 2019.

Motion to approve made by Sheldon.

Approved this 7th day of August, 2019.

ATTEST:

/s/Kristi O'Neal	/s/ Terry Graham, Chairman	aye
Fremont County Assistant Auditor	/s/ Randy Hickey	aye
	/s/ Dustin Sheldon	aye

RESOLUTION NO. 2019-50

BE IT HEREBY RESOLVED by the Fremont County Board of Supervisors this 28th day of August 2019, that Shane Pitts shall be appointed as golf course part-time seasonal help, as requested by Fremont County Conservation Board. The effective date of employment shall be August 29th, 2019.

Motion to approve made by Sheldon.

Approved this 28th day of August, 2019.

ATTEST:

/s/Kristi O'Neal	/s/ Terry Graham, Chairman	aye
Fremont County Assistant Auditor	/s/ Randy Hickey	aye
	/s/ Dustin Sheldon	aye

Motion by Hickey to approve the following tax abatement resolution for the City of Sidney. Motion carried unanimously.

Fremont County 2019 Resolutions

RESOLUTION NO. 2019-51

RESOLUTION ABATING TAXES ON LAND OWNED BY CITY OF SIDNEY

WHEREAS, the City of Sidney now owns certain property in Fremont County, Iowa, Parcel No. 280280101020000, described as: 400' X 560' Tract SE NW, Fremont County, Iowa, and Parcel No. 280280602030000, described as: .40AC Tract SW NE, Fremont County, Iowa according to the recorded plat thereof.

WHEREAS, the property is now owned by the City of Sidney and therefore should not be on the tax rolls according to Section 427.1(2), Code of Iowa,

IT IS HEREBY RESOLVED that the above described property shall be listed as exempt on the tax list of the Fremont County Auditor. Further, all current and delinquent real property taxes are abated under Iowa Code Section 445.63.

BE IT FURTHER resolved that the Auditor and Treasurer shall enter such change orders required to abate these taxes.

Dated this 28th day of August, 2019.

Motion to approve made by Hickey.

ATTEST:

/s/Kristi O'Neal Fremont County Assistant Auditor	/s/ Terry Graham, Chairman /s/ Randy Hickey /s/ Dustin Sheldon	aye aye aye
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RESOLUTION NO. 2019- 52

RESOLUTION APPROVING THE ASSIGNMENT OF CERTIFICATE OF PURCHASE AT TAX SALE TO THE FOLLOWING:

WHEREAS, The City of Thurman, Iowa, P.O. Box 149, Thurman, Iowa, 51654, is desirous of obtaining a certificate of tax sale purchase for \$584.00 for the following:

Parcel Number 490490045000000, Tax Sale Certificate number 2017-422 – East 32' OF W 60' OF LTS 7 & 8 BLK G, in the Town of Thurman, Fremont County, Iowa, according to the recorded plat thereof.

WHEREAS, Fremont County is desirous of avoiding the expense of tax redemption procedure, and

WHEREAS, the transfer of said certificate of tax purchase to the City of Thurman, P.O. Box 149, Thurman, IA, 51654, is in the better interest of the County and is in the better interest of the City of Thurman, Thurman, Iowa, to eliminate any form of liability to Fremont County, now

THEREFORE, it is hereby resolved that the Chairman of the Board of Supervisors is authorized and directed to execute the assignment of certificates of tax purchases of this real estate upon receipt of payment.

IT IS SO RESOLVED, this 18th day of September 2019.

ATTEST:

/s/ Dee Owen, Fremont County Auditor	/s/ Terry Graham, Chairman /s/ Dustin Sheldon	aye aye
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Fremont County 2019 Resolutions

RESOLUTION NO. 2019-53

ASSIGNMENT OF CERTIFICATE OF TAX SALE PURCHASE

Fremont County does hereby transfer the certificate of tax sale purchase regarding the described real estate to The City of Thurman, P.O. Box 149, Thurman, Iowa, 51654, as follows: East 32' OF W 60' OF LTS 7 & 8 BLK G, in the Town of Thurman, Fremont County, Iowa, according to the recorded plat thereof. The county shall endorse the tax sale certificate as necessary to complete this assignment upon receipt of payment of \$584.00.

Dated this 18th day of September 2019.

ATTEST:

/s/ Dee Owen
Fremont County Auditor

/s/ Terry Graham, Chairman

STATE OF IOWA, FREMONT COUNTY SS:

On this 18th day of September, 2019, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Terry Graham, to me personally known, who being by me duly sworn, did say that he is a member of the Fremont County Board of Supervisors and that said instrument was signed on behalf of the Fremont County Board of Supervisors and hereby acknowledge the execution of the foregoing instrument to be the voluntary act and deed of the Fremont County Board of Supervisors, by it and by his voluntarily executed.

/s/ Kristi O'Neal
Notary Public in and for the State of Iowa

RESOLUTION NO. 2019-54

RESOLUTION TO ACCEPT LOW BID AND AWARD CONSTRUCTION CONTRACT

WHEREAS, the Fremont County Secondary Roads Department held an emergency letting for construction projects on October 1, 2019, and

WHEREAS, two (2) bid was received for J64 GRADING ER-CO36(82) - - 58-36,

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Fremont County that the contract be awarded to MOYA,C.J. & SONS, INC. OF ELKADER, IOWA, for the low bid of \$1,396,624.40. The cost of this project shall be paid from Federal Aid and Farm to Market Funds.

Motion to approve made by Hickey.

Approved this 3rd day of October, 2019.

ATTEST:

/s/ Dee Owen,
Fremont County Auditor

/s/ Terry Graham, Chairman
/s/ Randy Hickey

aye
aye

Fremont County 2019 Resolutions

RESOLUTION NO. 2019-55

RECORD OF HEARING AND DETERMINATION ON THE BUDGET AMENDMENT

And CHANGE OF APPROPRIATIONS

On this 27th day of November 2019, the Fremont County Board of Supervisors met in session for the purpose of amending the current operating budget adopted March 12th, 2019. The notice and time and place of hearing was published on November 14th & November 15th, 2019. The amendment was taken up and considered and taxpayers heard for or against the amendment as follows and amendment passed unanimously:

Expenditures	From	To	Difference
Roads & Transportation	4,399,000	5,045,000	646,000
Physical Health & Social Services	304,411	305,450	1,039
Interprogram Services	2,146,620	2,153,320	6,700
Debt Service	677,005	700,215	23,210
Capital Projects	468,000	848,942	380,942
Total	7,995,036	9,052,927	1,057,891

Revenues			
Intergovernmental	4,784,913	6,248,364	1,463,451
Total	4,784,913	6,248,364	1,463,451

Appropriations			
Roads	4,867,000	5,653,000	786,000
Treasurer	293,633	297,833	4,200
Veteran's Affairs	62,051	63,090	1,039
Non-Departmental	3,244,302	3,510,954	266,652
Total	8,466,986	9,524,877	1,057,891

Amendment for ISICS Radio project final payments, Landfill bond payment, VA state grant payback, Road Expense due to flooding, Treasurer insurance change, Revenues for FEMA & State Reimbursements.

Motion to approve made by Hickey.

ATTEST:

/s/Dee Owen
Fremont County Auditor

/s/ Terry Graham, Chairman
/s/ Randy Hickey
/s/ Dustin Sheldon

aye
aye
aye

Fremont County 2019 Resolutions

RESOLUTION NO. 2019-56

BE IT HEREBY RESOLVED by the Fremont County Board of Supervisors this 4th day of December, 2019, that the following transfer of funds be approved and made: \$605,418.00 from the Rural Services Basic Fund, share of Rural Services taxes, to the Secondary Road Fund and \$47,593.00 property tax relief of local option taxes, from the Rural Services Basic Fund to the Secondary Road Fund.

Motion to approve transfer made by Sheldon.

ATTEST:

/s/Dee Owen
Fremont County Auditor

/s/ Terry Graham, Chairman

/s/ Randy Hickey

/s/ Dustin Sheldon

aye

aye

aye

Motion was made by Hickey to approve the following Resolution 2019-57. Motion carried unanimously.

RESOLUTION NO. 2019-57

BE IT HEREBY RESOLVED by the Fremont County Board of Supervisors this 4th day of December, 2019, that the following transfer of funds be approved and made: \$8,161.28 from the TIF Rebate Fund, to the LMI Assistance Fund, as stated in the Waubonsie Ridge Agreement.

Motion to approve transfer made by Hickey.

ATTEST:

/s/Dee Owen
Fremont County Auditor

/s/ Terry Graham, Chairman

/s/ Randy Hickey

/s/ Dustin Sheldon

aye

aye

aye

Fremont County 2019 Resolutions

RESOLUTION NO. 2019-58

BE IT HEREBY RESOLVED by the Fremont County Board of Supervisors this 11th day of December, 2019, that the following holidays shall be observed by the Fremont County Courthouse Offices during the 2020-year.

New Year's Day	Wednesday	January 1, 2020
President's Day	Monday	February 17 2020
Good Friday	Friday	April 10, 2020
Memorial Day	Monday	May 25, 2020
Independence Day	Friday	July 3, 2020
Labor Day	Monday	September 7, 2020
Veteran's Day	Wednesday	November 11, 2020
Thanksgiving	(Thurs. & Fri.)	November 26 & 27, 2020
Christmas	(Thurs. & Fri.)	December 24 & 25, 2020

Motion by Graham and carried unanimously.

ATTEST:

/s/Dee Owen
Fremont County Auditor

/s/ Terry Graham, Chairman
/s/ Randy Hickey

aye
aye