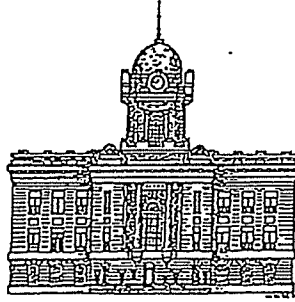


Jasper County, Iowa

Denny Carpenter

Doug Cupples

Brandon Talsma



Board of Supervisors
Courthouse
PO Box 944
Newton IA 50208
Phone 641-792-7016
Fax 641-792-1053

JASPER COUNTY BOARD OF SUPERVISORS MEETING AGENDA

www.co.jasper.ia.us
September 03 2019
9:30 a.m.

Pledge of Allegiance

- Item 1 Engineer – Russ Stutt**
 - a) Level C Roadway Designation Resolution

- Item 2 Treasurer – Doug Bishop**
 - a) Request for Suspension of Taxes and Special Assessments

- Item 3 Sheriff – John Halferty**
 - a) Review of 28E Agreement for CIRT

- Item 4 Approval of Claims for period ending 9/03/2019**

- Item 5 Approval of Board of Supervisors minutes for 8/27/19**

- Item 6 Board Appointments**

PUBLIC INPUT & COMMENTS

LEVEL "C" ROADWAY DESIGNATION RESOLUTION

Number _____

WHEREAS, Jasper County desires to classify a certain stretch of roadway on the area service system to provide for a minimal level of maintenance and access by means of a gate or barrier; and

WHEREAS, the County, after consultation with the County Engineer, has the authority to specify certain roads within the County as Area Service "C" roads pursuant to Iowa Code Section 309.57 (2015) see attached reference Document 1 of 1; and

WHEREAS, Jasper County has received a written request from the land owners, requesting that the Level "B" portion of **Ivory Street between Sections 15&16-80N-18W laying south of the North Skunk River in Kellogg Township in Jasper County, Iowa** be classified as a Level "C" Area Service Road and gates be installed. The south gate will be installed at the south end of the Level "C" roadway. North end will be the river bank.

1. **Blading.** Blading or dragging will not be performed on a regular basis.
2. **Snow and Ice Removal.** Snow and Ice removal will not be performed on a regular basis. Sanding and salting will not be performed on a regular basis.
3. **Bridges.** Bridges on Area Service "C" Roads may not be maintained to carry legal loads but will be posted as appropriate to advise of any load limitations.
4. **Weed, Brush, and Trees.** Mowing or spraying weeds, cutting brush and tree removal will not be performed on a regular basis. Adequate sight distances will not be maintained as on a regular road.
5. **Structures** Bridges and Culverts may not be maintained on a regular basis to carry legal loads. Upon failure or loss, the replacement structures will be for traffic thereon.
6. **Road Surfacing.** There will be no surfacing materials applied to Area "C" Service roads.
7. **Shoulders.** Shoulders will not be maintained.
8. **Crown.** A crown will not be maintained.
9. **Repairs.** There will be no repairs on a regular basis.
10. **Uniform Width.** Uniform width for the traveled portion of the road will not be maintained.
11. **Inspections.** Regular inspections will not be conducted.
12. **Gate.** The gate shall be purchased and installed by the County, and maintained by the County.

WHEREAS, the only persons who will have access rights to the road shall be:

- (1) The owner, lessee, or person in lawful possession of any adjoining land.
- (2) The agent or employee of the owner, lessee or person in lawful possession of any adjoining land.
- (3) Any peace officer.
- (4) Any magistrate.
- (5) Any public employee whose duty it is to supervise the use or perform maintenance of the road.
- (6) Any agent or employee of any utility located upon the road.

THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF JASPER COUNTY that this County does hereby establish the road described as an Area Service "C" road, with restricted access and a minimal level of maintenance.

Enacted this _____ day of _____

Chairperson, Board of Supervisors
Dennis Carpenter

Board Member, Brandon Talsma

Board Member, Doug Cupples

Attest: _____
Auditor, Dennis Parrott

We the land owners of the adjacent property on Ivory Street request to have the Level "B" portion of Ivory St laying between Sections 15 & 16-80-18 south of the North Skunk River deemed to be a Level "C" gated roadway.

We have read the attached Level "C" Resolution and are in agreement with the terms of the Resolution.

Gary L. Altemeier
Gary L. Altemeier

Doris A. Altemeier
Doris A. Altemeier

Anderson Family LC, by Paul Anderson, Manager
Anderson Family LC
Legal Representative Name

Anderson Family LC, by Paul Anderson, Manager
Anderson Family LC
Signature

Nancy LM Crowe

Susan M Morris

We the land owners of the adjacent property on Ivory Street request to have the Level "B" portion of Ivory St laying between Sections 15 & 16-80-18 south of the North Skunk River deemed to be a Level "C" gated roadway.

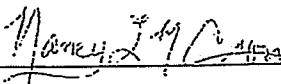
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Gary L. Altemeier

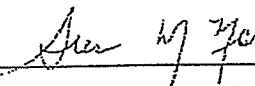
Doris A. Altemeier

Anderson Family LC
Legal Representative Name

Anderson Family LC
Signature



Nancy LM Crowe



Susan M Morris

Jasper County Treasurer
Doug Bishop

Jasper County Board of Supervisors

Iowa Code 427.9 Suspension of Taxes

Please consider this a request for the suspension of taxes and special assessments on the following parcels:

2019/2020 PAYABLE YEARS

NWNT	0827455007	Hobert	\$882.00	\$1730.00
CFCF	1102482008	Peterson	\$850.00	\$10,241.00
NWNT	0828451009	Thomas	\$1778.00	\$7034.00
MNMN	1725427001	Ross	\$738.00	\$738.00

9/3/2019



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Fax: 515-243-2149
www.ahlerslaw.com
Kristine Stone
515.246.0314
kstone@ahlerslaw.com

August 22, 2019

Via Email to:

Chief Robert Bokinsky
Pella Police Department
614 Main St.
Pella, Iowa 50219

Chief Dennis Reilly
Grinnell Police Department
1020 Spring Street
Grinnell, IA 50112

Sheriff John R. Halferty
Jasper County
2300 Law Center Drive
Newton, IA 50208

RE: Review of 28E Agreement for CIRTT

Dear Gentlemen:

Ahlers & Cooney, P.C. represents the City of Pella (Pella) as city attorney and the City of Grinnell (Grinnell) and Jasper County (the County) in various matters including, but not limited to, certain economic development matters, labor and employment matters, and as bond counsel.

We understand that a 28E Agreement between the three entities has been prepared which provides for mutual aid between the parties for emergency and special law enforcement services. As city attorney to Pella, our Firm has been asked to assist with the review and drafting of the 28E Agreement on behalf of Pella. We understand that Grinnell and the County will be represented by their own attorneys in this matter and will not rely on our Firm for any legal advice or representation regarding the 28E Agreement. Should Grinnell or the County seek our advice regarding the 28E Agreement, we will not be able to provide it.

Based on our preliminary review of the 28E Agreement, we do not expect the interests of Pella will be adverse to those of Grinnell or the County. However, since Grinnell and the County are current clients of our Firm, any work that we perform for Pella that would be adverse to Grinnell or the County will create a conflict of interest. Therefore, we cannot represent Pella in this matter unless the Pella City Council, the Grinnell City County and the Jasper County Board of Supervisors agree to waive the conflict.

In the event there are actual disagreements of substance or content between the three parties, we will decline to advise any individual party with respect to such issue. Should an issue

August 22, 2019
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arise for which the three parties cannot reach agreement on your own, we would need to withdraw from further representation with respect to the proposed Agreement.

Please be aware that the Rules of Professional Conduct require that we represent all our clients with diligence and that we protect and maintain their confidences. Accordingly, we will not disclose or use any confidential information that we may have acquired about Grinnell or the County in our prior or ongoing representation of Grinnell or the County to Pella. Similarly, we will not disclose or use any confidential information that we have acquired about Pella as a result of our representation of Pella to Grinnell or the County. This conflict waiver merely allows us to represent Pella in the review and drafting of the 28E Agreement.

In deciding whether to consent, each party should consider how our representation of Pella as described above could or may affect them. For example, clients that are asked to waive or consent to conflicts should consider whether there is any material risk that their attorney will be less diligent on their behalf due to the conflict. Similarly, clients should consider whether there is any material risk that their confidential information or other proprietary matters will be used adversely to them due to the conflict. Although the parties are not required to do so, we recommend that they each seek the advice of a lawyer outside of our Firm if they have any questions or concerns about whether they should sign this conflict waiver.

We do not believe that our obligations of loyalty and confidentiality to Pella, Grinnell and the County will impair our ability to represent Pella in the review and drafting of the 28E Agreement or to represent Grinnell and the County in other unrelated matters including, but not limited to, certain economic development matters, labor and employment matters, and as bond counsel. We believe our Firm will continue to provide competent and diligent representation to all three clients. Although we are asking the parties to waive this conflict of interest so that we can represent Pella in the review and drafting of the 28E Agreement, the parties are not obligated to do so.

We are pleased to answer any further questions that either of you may have about this matter. Please present this letter to your respective governing bodies for their consideration and respond to this request by either signing and returning this waiver letter or informing us that Pella, Grinnell or the County declines to waive this conflict of interest.

Sincerely,

AHLERS & COONEY, P.C.

By *Kristine Stone*

Kristine Stone

August 22, 2019
Page 3

The Pella City Council hereby waives and consents to any actual, potential, or perceived conflict of interest associated with Ahlers & Cooney, P.C.'s representation of the City of Grinnell and Jasper County in its capacity as economic development advisor, labor and employment counsel, and bond counsel for Grinnell and the County.

Dated this ____ day of _____, 2019.

City of Pella:

By: _____
Mayor

August 22, 2019
Page 4

The Grinnell City Council hereby waives and consents to any actual, potential, or perceived conflict of interest associated with Ahlers & Cooney, P.C.'s representation of the City of Pella in the above referenced matter.

Dated this ____ day of _____, 2019.

City of Grinnell:

By: _____
Mayor

August 22, 2019
Page 5

The Jasper County Board of Supervisors hereby waives and consents to any actual, potential, or perceived conflict of interest associated with Ahlers & Cooney, P.C.'s representation of the City of Pella in the above referenced matter.

Dated this ____ day of _____, 2019.

Jasper County:

By: _____
Board Chair

August 27, 2019

Tuesday, August 27, 2019 the Jasper County Board of Supervisors met in regular session at 9:30 a.m. Supervisors Talsma, Cupples and Carpenter present and accounted for; Chairman Carpenter presiding.

Motion by Talsma and seconded by Cupples to open a public hearing on the third reading of Jasper County Ordinance 65 to regulate the operation of All-terrain and Off-road utility vehicles in Jasper County.

YEA: CUPPLES, TALSMA, CARPENTER

Talsma stated that after a year the ordinance would be reviewed. No written comments were received by the Auditor.

Motion by Cupples and seconded by Talsma to close the public hearing.

YEA: TALSMA, CUPPLES, CARPENTER

Motion by Talsma and seconded by Cupples to adopt Jasper County Ordinance 65 to regulate the operation of All-terrain and Off-road utility vehicles in Jasper County.

YEA: CUPPLES & TALSMA, NO: CARPENTER

Engineer Russ Stutt asked the Board to approve a resolution to close W 116th Street S onto road F48 permanently.

Supervisor Cupples asked that the County continue to try and prevent the permanent closing of the road by communicating with an adjoining landowner to acquire enough land that would make the approach to a newly installed bridge on F48 work, therefore not closing W 116th Street S.

Motion by Talsma and seconded by Cupples to adopt Resolution 19-69 to close W 116th Street South due to the construction of a new bridge over Squaw Creek and to allow for further communication with an adjoining landowner to purchase a piece of land that would change the entrance onto County road F48, thus making it possible to keep W 116th Street S open.

YEA: CUPPLES, TALSMA, CARPENTER

A complete copy of the resolution is on file in the Office of the Jasper County Auditor.

Stutt also asked the Board to approve a sign replacement program.

Motion by Talsma and seconded by Cupples to adopt Resolution 19-70 approving a sign replacement program for cities and counties administered by the Iowa DOT.

YEA: CUPPLES, TALSMA, CARPENTER

A complete copy of the resolution is on file in the Office of the Jasper County Auditor.

The Engineer presented his monthly report to the Supervisors which included information on the amount of gravel placed on the roads, bridge replacements, road ditch cleaning, the test road of crushed shingles and calcium chloride.

Tracy Stevens with the U.S. Census Bureau presented to the Board a plan to get local "trusted voices" in the community involved in making sure that everyone participated in the 2020 census. She asked

the Board to appoint a "complete count" committee to head up the awareness program and stressed that there were various paying jobs available for people that wanted to help.

Motion by Talsma and seconded by Cupples to approve the Officer Training Liability Agreements between Jasper County and newly hired Officers Colton Schwenk and Makennah Walters.

YEA: CUPPLES, TALSMA, CARPENTER

Building and Grounds Director Adam Sparks presented to the Supervisors quotes to purchase a transfer switch for the Courthouse and Web upgrade for the HVAC at the jail.

Courthouse Transfer Switch for a Generator:

DPAI Inc.	\$27,900
Kline Electric	\$34,800
Van Maanan Electric Inc.	\$54,889.12

Motion by Talsma and seconded by Cupples to approve the purchase of a transfer switch and instillation at the Courthouse in the amount of \$27,900 from DPAI Inc.

YEA: CUPPLES, TALSMA, CARPENTER

Motion by Talsma and seconded by Cupples to approve the Building Automation System upgrade for HVAC at the jail from AutomatedLogic in the amount of \$13,550.

YEA: CUPPLES, TALSMA, CARPENTER

Motion by Talsma and seconded by Cupples to approve the Recorder's Monthly Report for the period beginning July 1, 2019 and ending July 31, 2019.

YEA: CUPPLES, TALSMA, CARPENTER

Motion by Cupples and seconded by Talsma to approve Board of Supervisors Minutes for 8/20/2019.

YEA: TALSMA, CARPENTER, CUPPLES

There were no Board appointments.

Motion by Cupples and seconded by Talsma to go into closed session in accordance with Iowa Code Section 22.7(50) and the County Policy on Security & Emergency Preparedness.

YEA: TALSMA, CARPENTER, CUPPLES

The Board entered back into open session.

Motion by Talsma and seconded by Cupples to direct the Buildings and Grounds Director to get a cost estimate for implementing certain security measures.

YEA: CUPPLES, TALSMA, CARPENTER

Motion by Talsma and seconded by Cupples to adjourn the Tuesday, August 27, 2019 meeting of the Jasper County Board of Supervisors.

YEA: CUPPLES, TALSMA, CARPENTER