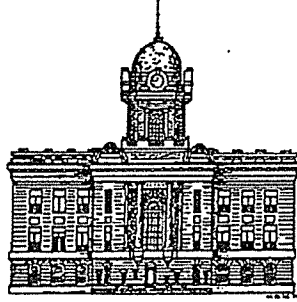


# Jasper County, Iowa

**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.jasperia.org](http://www.jasperia.org)

**November 12th 2019**

**9:30am**

**Pledge of Allegiance**

- Item 1            Approval of Claims for Period Ending 11/12/19**
  
- Item 2            Engineer – Russ Stutt**
  - a) Project Funding Resolution**
  - b) Approve DOT Agreement for Transfer of Public Road Jurisdiction**
  - c) Approve final design agreement with Calhoun-Burns**
  
- Item 3            Treasurer – Doug Bishop**
  - a) Request to Approve Suspension of Taxes**
  
- Item 4            ISG Field Services**
  - a) Resolution of Completion**
  
- Item 5            Amendment to the Business Property Lease of the Public Health Building**
  
- Item 6            Approval of Board of Supervisors minutes for 11/05/19**
  
- Item 7            Board Appointments**

### **PUBLIC INPUT & COMMENTS**

**2:00pm Canvas city school election**

November 12, 2019

**Resolution to Modify, a Project**

**Resolution to Revise JASPER  
County 2020 Five Year Road  
Program**

**Resolution No. \_\_\_\_\_**

Funding Changes have arisen since adoption of the original approved Secondary Road Construction Program (Program), and previous revisions, requiring changes to the sequence, funding, or timing of the proposed work plan,

The Board of Supervisors of Jasper County, Iowa, in accordance with Iowa Code section 309.22, initiates and recommends modification of the following project(s) in the accomplishment year FY 2020, for approval by the Iowa Department of Transportation (Iowa DOT), per Iowa Code section 309.23 and Iowa DOT Instructional Memorandum 2.050.

The following PRE-EXISTING Accomplishment Year project in the Program's Accomplishment year: FY 2020

Project Number Local ID TPMS #	Project Location Description of work Section-Township-Range	AADT Length FHWA #	Type Work Fund basis	Proposed Funding	Accomplishment year (\$1000's of dollars)		
						Prior amount	
BRS-C0540(116)—60-50 O11-PWA527 TPMS ID: 27021	F48 over Squaw Creek west of Colfax Bridge Replacement S11:T79:R21	1250  030380	320 Bridges Rural Major Collector	FEDERAL FM		\$1200 \$300	
Totals						\$1500	

The following PRE-EXISTING Accomplishment Year projects shall be MODIFIED as follows:

Project Number Local ID TPMS #	Project Location Description of work Section-Township-Range	AADT Length FHWA #	Type Work Fund basis	Modification(s) applied:	Accomplishment year (\$1000's of dollars)		
					Previous Amount	New amount	Net change
BRS-SWAP-C050(116)— FF-50 O11-PWA527 TPMS ID: 27021	F48 over Squaw Creek west of Colfax Bridge Replacement S11:T79:R21	1250  030380	320 Bridges Rural Major Collector	FEDERAL FM SWAP	\$1200 \$ 300	\$1500	
Totals					\$1500	\$1500	+ \$0

Enacted this 12th day of November 2019

\_\_\_\_\_  
Chairman, Board of Supervisors  
Dennis Carpenter

Attest: \_\_\_\_\_  
Auditor, Dennis Parrott

August 2013

IOWA DEPARTMENT OF TRANSPORTATION  
Agreement for  
Transfer of Public Road Jurisdiction

County	Jasper
Project No.	TJ-065-4(168)--2M-50
Iowa DOT	
Agreement No.	2020-TJ-001
Commission Order No.	

This Agreement entered into by and between the Iowa Department of Transportation, hereinafter designated the "STATE", and Jasper County, Iowa, a Local Public Agency, hereinafter designated the "LPA"; and in consideration of these premises and the mutual covenants hereinafter set forth, it is hereby agreed as follows:

WITNESSETH, that

1. In accordance with the provisions of Iowa Code Sections 313.2 and / or 306.42, the STATE hereby agrees to transfer jurisdiction of the following public road segment(s), including all structures and right-of-way, to the LPA:  
  
**That portion of U.S. 65 from Sta. 1006+57 north to Sta. 1044+50, a length of approximately 0.72 miles, as shown on Exhibit A attached.**
  - a. The LPA agrees to accept the road segment(s) described in this Agreement into its road system and maintain them in accordance with all applicable laws, regulations and administrative rules.
  - b. The LPA and the STATE have examined the physical condition of the public road segment(s) described in this Agreement and have agreed that:
    - i. The road segment(s) shall be transferred in its(their) present condition.
    - ii. The STATE shall transfer funds to the LPA, in the amount of \$300,000 which represents the estimated cost to full-width Hot Mix Asphalt (HMA) resurface 3.5 inches on the proposed roadway segment, as described herein.
  - c. The transfer of jurisdiction of the public road segment(s) described in this Agreement shall take place following the execution of this agreement by both the LPA and the STATE as follows:
    - i. The LPA shall assume jurisdiction of the public road segment(s) described in this Agreement upon receipt of the initial payment from the STATE, and upon written notification to the LPA (by certified mail) of the time and date of the STATE's intention to transfer.
2. The LPA has inspected the public road segment(s) described in this Agreement and agrees to accept said road subject to the conditions set forth herein. In accordance with Iowa Code Section 306.42(6), neither the LPA nor the STATE shall be held liable for any claim for damage for any act or omission relating to the design, construction, or maintenance of the public road segment(s) described this Agreement that occurred prior to the effective date of the transfer.
3. The STATE shall transfer to the LPA by quit-claim deed all its legal or equitable title or interest in the right-of-way, except as noted in Section 4 following, of the public road segment(s) described in this Agreement. The LPA shall accept said deed, pursuant to Iowa Code Section 306.42.

August 2013

4. If the STATE has acquired access rights by warranty deed for the public road segment(s) described in this Agreement, the LPA shall not, within 150 feet of the edge of any at-grade intersecting primary highway, either alter those rights or allow any new access.
5. In accordance with Iowa Code Section 313.2, the attached notice of intent to execute this agreement has been published in the newspaper(s) designated by the LPA as the official newspaper(s) of general circulation within the county. If applicable, a hearing has been held and the Board of Supervisors has reexamined the merits of execution of this agreement as required by Iowa Code Section 313.2.
  - a. The cost to publish said notice shall be jointly borne by the LPA and the DOT.
  - b. The DOT shall be responsible for maintaining proof of publication.
6. Once the transfer of jurisdiction is complete, the LPA shall be responsible for signing the road segment. Procedures to modify the secondary route numbering system are outlined in Instructional Memorandum (IM) 4.01. The LPA shall also be responsible for any requests to modify the Farm to Market (FM) road system as outlined in IM 4.210 and 4.220.
7. If any section, provision, or part of this Agreement is found to be invalid or unconstitutional, such finding shall not affect the validity of the Agreement as a whole or any section, provision, or part thereof not found to be invalid or unconstitutional.
8. This Agreement shall be executed in two counterparts, each of which shall constitute but one and the same instrument.
9. This Agreement including referenced exhibits, constitutes the entire Agreement between the LPA and the STATE concerning this transfer of jurisdiction. Representations made before the signing of this Agreement are not binding, and neither party has relied upon conflicting representations in entering into this Agreement. Any change or alteration to the terms of this Agreement must be in the form of an addendum to this Agreement. Said addendum shall become effective only upon written approval of the STATE and the LPA.

August 2013

**IN WITNESS THEREOF**, each of the parties hereto has executed agreement No. 2020-TJ-001 as of the date shown opposite its signature hereafter.

**BOARD OF SUPERVISORS OF JASPER COUNTY:**

By: \_\_\_\_\_ Date \_\_\_\_\_, 20\_\_\_\_.  
Chairperson

I, \_\_\_\_\_, certify that I am the Auditor of the County, and that  
\_\_\_\_\_, who signed said Agreement for and on behalf of the  
County was duly authorized to execute the same by virtue of a formal motion passed and adopted by the  
County on  
on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

**ATTEST:**

By: \_\_\_\_\_  
County Auditor

**IOWA DEPARTMENT OF TRANSPORTATION:**

By: \_\_\_\_\_ Date \_\_\_\_\_, 20\_\_\_\_.  
Scott A. Dockstader  
District Engineer  
District 1

August 2013

**NOTICE OF INTENT TO  
EXECUTE AGREEMENT FOR  
TRANSFER OF PUBLIC ROAD JURISDICTION**

In accordance with Iowa Code Section 313.2, notice is hereby given that the Iowa Department of Transportation and Jasper County, Iowa, intend to enter into an agreement whereby the public road segments described as:

**That portion of U.S. 65 from Sta. 1006+57 north to Sta. 1044+50, a length of approximately 0.72 miles,**

will be transferred from the State of Iowa to Jasper County which will accept the above public road segments into its secondary road system.

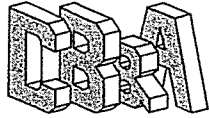
If, within ten (10) days after the publication of this notice, one hundred or more residents of Jasper County request by petition or in writing that a hearing be held in regard to such agreement, the Board of Supervisors and the Iowa Department of transportation shall hold a hearing not more than seven days after receiving the petition or written instrument, and based upon evidence presented at such hearing shall re-examine the merits of executing such agreement and make a decision in regard to it.

In absence of such petition in writing, the Iowa Department of Transportation and the Board of Supervisors of Jasper County, Iowa, intend forthwith to enter such agreement.

A copy of the intended agreement is on file in the Board Office and with the County Auditor at the Jasper County Court House, Newton, Iowa.

Dennis Parrott  
**Jasper County Auditor**





**CALHOUN-BURNS AND ASSOCIATES, INC.**  
BRIDGES ♦ STRUCTURES ♦ TRANSPORTATION

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November 1, 2019

Russell Stutt, P.E.  
Jasper County Engineer  
910 N. 11<sup>th</sup> Avenue, East  
Newton, IA 50208

**RE: SUPPLEMENTAL AGREEMENT FOR FINAL DESIGN SERVICES  
BRIDGE O-11 OVER SQUAW CREEK  
BRS-C050(116)--60-50 (FHWA 030380)  
JASPER COUNTY  
CB&A No. 2016214**

Dear Mr. Stutt:

This Supplemental Agreement is submitted in accordance with our current Consulting Engineering Contract dated August 19, 2016, and your recent request for final design services for Bridge No. O-11 over Squaw Creek located in Section 11 of Washington Township.

As previously discussed with you, we expect a new custom curved Continuous Concrete Slab (CCS) bridge 120'-0 long and 30'-0 wide, will be the most economical and appropriate replacement at this site. The new bridge and associated grading are expected to cost about \$690,000.00 to construct.

The preliminary design drawings, which constitute the initial submittals, have been sent to you and other review agencies as appropriate. We will complete the final design computations, perform final detailing and submit the final project plans to you and the DOT for letting.

We propose to perform the final design work for the following fees:

**V.B. ROAD PLANS**

FINAL DESIGN:	LUMP SUM = \$	3,400.00
FINAL DETAILING:	LUMP SUM = \$	3,210.00

**V.C. BRIDGE PLANS**

FINAL SUPERSTRUCTURE DESIGN:	LUMP SUM = \$	8,910.00
FINAL SUPERSTRUCTURE DETAILING:	LUMP SUM = \$	8,320.00
FINAL SUPERSTRUCTURE DRAFTING:	LUMP SUM = \$	7,910.00
FINAL SUBSTRUCTURE DESIGN:	LUMP SUM = \$	7,740.00
FINAL SUBSTRUCTURE DETAILING:	LUMP SUM = \$	6,340.00
FINAL SUBSTRUCTURE DRAFTING:	LUMP SUM = \$	6,160.00



Russell Stutt, P.E.  
November 1, 2019  
Page 2

FINAL COORDINATION / SUBMITTALS/  
SIDE ROAD INVESTIGATION:

AT HOURLY RATES  
(ESTIMATED AT \$6,000.00)

GENERAL SERVICES DURING CONSTRUCTION:  
(WAVE EQUATIONS CURVES, FALSEWORK REVIEW)

AT HOURLY RATES  
(ESTIMATED AT \$1,800.00)

All provisions of the original contract remain in effect except as modified by this supplemental agreement.

Please review this submittal and, if it is acceptable, obtain the required County signatures on both copies. Email an executed copy to Sarah Okerlund, P.E., Local Systems Field Engineer – Central Region at the Iowa DOT for approval of payment from your Farm-to-Market Road Fund. Please email us a fully executed copy to our office. We are ready to complete the work on this important project for you and Jasper County.

Sincerely,

**APPROVED FOR JASPER COUNTY:**

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MILTON C. CLEMENSON, P.E,  
VICE PRESIDENT

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BOARD OF SUPERVISORS – CHAIR

**IOWA DEPARTMENT OF TRANSPORTATION**  
ELIGIBLE FOR PAYMENT (FM FUNDS):

**ATTESTED BY:**

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SARAH OKERLUND, P.E.  
LOCAL SYSTEMS FIELD ENGINEER-CENTRAL REGION

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JASPER COUNTY AUDITOR

**DATE:** \_\_\_\_\_

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 parcel:

2019/2020 PAYABLE YEARS

NWNT	1303202020	HEATER	\$674.00	\$674.00
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11/12/2019

**RESOLUTION**

Moved by \_\_\_\_\_ Seconded by \_\_\_\_\_

THAT THE FOLLOWING RESOLUTION BE ADOPTED:

WHEREAS, by letter dated (insert date received), Dakota Access, LLC informed the \_\_\_\_\_ County, Board of Supervisors that construction of the Dakota Access Pipeline was mechanically completed on May 15, 2017;

WHEREAS, Iowa Code § 479B.30 requires the \_\_\_\_\_ County Board of Supervisors to determine when construction of a pipeline is complete for purposes of landowners petitioning the Board of Supervisors for a compensation commission to determine damages arising from construction of the pipeline;

NOW THEREFORE BE IT RESOLVED, that the \_\_\_\_\_ Board of Supervisors does hereby determine that construction of the Dakota Access Pipeline in \_\_\_\_\_ County has been completed for the purposes of Iowa Code § 479B.30.

Approved this \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_ County

\_\_\_\_\_  
Chairperson

**Attest:**

\_\_\_\_\_  
**Dennis K. Parrott, Auditor**

## Amendment to the Business Property Lease

For the Property know as 114 W. 4<sup>th</sup> St. S., Newton Iowa 50208

THIS LEASE AMENDMENT, is entered into on this date \_\_\_\_\_ by Van Dee, Inc. (Landlord) and Jasper County (Tenant) in accordance with Section 26 of the original lease that states: None of the covenants, provisions, terms or conditions of this lease shall be modified, waived or abandoned, except by a written instrument duly signed by the parties.

### PREMISES AND TERM.

The Landlord in consideration of the rents, agreements and conditions herein contained, leases to the Tenant and Tenant leases from the Landlord, according to the terms of this lease, the following described "premises", situated in Jasper County, Iowa:

The North 2400 square feet of Lot 5 in Block 18 of the Original Plat of newton, Jasper County, Iowa.

Locally known as: 114 W. 4<sup>th</sup> St. S., Newton, Ia. 50208

With the improvements thereon, and all rights, easements and appurtenances, which, more particularly, includes the space and premises as may be shown on "Exhibit A", is attached, *shall run indefinitely, until the lease is terminated. Any termination notice must be given, in writing, at least 30 days in advance of Jasper County's departure from the building.*

EFFECTIVE THIS \_\_\_\_\_ DAY OF NOVEMBER, 2019

VANDEE, INC.

JASPER COUNTY

\_\_\_\_\_  
\_\_\_\_\_  
Landlord

\_\_\_\_\_, Tenant  
Chairman, Jasper County  
Board of Supervisors

Attest:

\_\_\_\_\_  
Auditor

November 5, 2019

Tuesday, November 5, 2019 the Jasper County Board of Supervisors met in regular session at 9:30 a.m. with Supervisors Carpenter and Cupples present and accounted for, Talsma was absent; Chairman Carpenter presiding.

Motion by Cupples, seconded by Carpenter to amend the agenda to include the Shive Hattery Professional Services Agreement to remove the concrete planters on the South side of the Courthouse.

YEA: CARPENTER, CUPPLES

Motion by Cupples, seconded by Carpenter to open the public hearing: Jasper County Tanning Ordinance.

YEA: CUPPLES, CARPENTER

Motion by Cupples, seconded by Carpenter to close the public hearing: Jasper County Tanning Ordinance.

YEA: CARPENTER, CUPPLES

Motion by Cupples, seconded by Carpenter to wave the second and third readings of the Jasper County Tanning Ordinance.

YEA: CARPENTER, CUPPLES

Motion by Cupples, seconded by Carpenter to adopt: Jasper County Tanning Ordinance 66.

YEA: CUPPLES, CARPENTER

Nick Fratzke, Planning and Zoning, presented a resolution for Plat of West County Line Subdivision.

Motion by Cupples, seconded by Carpenter to adopt Resolution 19-83 Plat of West County Line Subdivision. A complete copy of the resolution is on file in the Office of the Jasper County Auditor.

YEA: CUPPLES, CARPENTER

Russ Stutt, Engineer, presented a Resolution vacating a Level "B" portion of N 99<sup>th</sup> Ave W.

Motion by Cupples, seconded by Carpenter to adopt Resolution 19-84 Level "B" portion of N 99<sup>th</sup> Avenue W. A complete copy of the resolution is on file in the Office of the Jasper County Auditor.

YEA: CARPENTER, CUPPLES

Stutt presented a Resolution vacating a Level "B" portion of Johnson St.

Motion by Cupples, seconded by Carpenter to adopt Resolution 19-85 Level "B" portion of Johnson St. A complete copy of the resolution is on file in the Office of the Jasper County Auditor.

YEA: CUPPLES, CARPENTER

ISG Field Services presented a Resolution of Completion to the Board. There were 135 items on the punch list. Presently there are 3 outstanding items: 2 county road and 1 private landowner. Carpenter and Cupples agreed to table the Resolution until next week, to seek more information on the matter. No action was taken.

Motion by Cupples, seconded by Carpenter to approve the Professional Services Agreement with Schneider Geospatial for the Auditors office.

YEA: CARPENTER, CUPPLES

Motion by Cupples, seconded by Carpenter to adopt Resolution 19-86, a hiring resolution certifying the following appointment to the Auditor for payroll implementation:

<u>DEPARTMENT</u>	<u>POSITION</u>	<u>EMPLOYEE</u>	<u>PAY RATE</u>	<u>RANGE/STEP</u>	<u>EFFECTIVE DATE</u>
Elderly Nutrition	Sub Diswasher "3rd Cook"	Marcy Kingery	\$10.26	Hire-in Non- Progressive Union Scale	11/06/19

YEA: CARPENTER, CUPPLES

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

Dennis Simon, Human Resources, presented the proposed Holiday Schedule for 2020.

Motion by Cupples, seconded by Carpenter to approve the Holiday Schedule for 2020.

YEA: CUPPLES, CARPENTER

Simon also presented the Auxiant Contract.

Motion by Cupples, seconded by Carpenter to approve the Auxiant Contract.

YEA: CARPENTER, CUPPLES

Motion by Cupples, seconded by Carpenter to approve the Voluntary Annexation, parcel 11.12.278.013, for the City of Colfax.

YEA: CARPENTER, CUPPLES

John Halferty, Sheriff, presented the Alcoholic Beverages Division Tobacco Compliance Check Contract.

Motion by Cupples, seconded by Carpenter to approve the Alcoholic Beverages Division Tobacco Compliance Check Contract.

YEA: CUPPLES, CARPENTER

Denise Allan, Recorder, presented a Copier Maintenance Agreement for approval.

Motion by Cupples, seconded by Carpenter to approve the Copier Maintenance Agreement.

YEA: CARPENTER, CUPPLES

Michelle Smith came to request an update regarding using county buildings for homeless heating and cooling centers. The Board requested Michelle work with Jody Eaton, CPC/MH Director and Becky Pryor, BOH Director, to see what type of programs are already in place. No other action was taken.

Motion by Cupples, seconded by Carpenter to approve the Claims for periods ending 10/29/19 & 11/03/19.

YEA: CARPENTER, CUPPLES

Motion by Cupples, seconded by Carpenter to approve the 10/22/2019 Board of Supervisors minutes.

YEA: CUPPLES, CARPENTER

There were no new board appointments.

Adam Sparks, Maintenance, presented a contract for Shive Hattery Professional Services Agreement to remove the concrete planters on the South side of the Courthouse. Brandon Talsma was called and put-on speaker phone.

Motion by Cupples, seconded by Carpenter to approve the Shive Hattery Professional Services Agreement to remove the concrete planters on the South side of the Courthouse.

YEA: NONE

NAY: TALSMAS, CARPENTER, CUPPLES

Motion by Cupples, seconded by Talsma to go into closed session.

YEA: CUPPLES, TALSMAS, CARPENTER

Motion by Cupples, seconded by Talsma to come out of closed session.

YEA: CARPENTER, TALSMAS, CUPPLES

Motion by Cupples, seconded by Carpenter to adjourn the November 5<sup>th</sup>, 2019 meeting of the Jasper County Board of Supervisors.

YEA: CARPENTER, CUPPLES

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Teresa Arrowood, Deputy Auditor

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Denny Carpenter, Chairman