

Auditor's Office  
Jefferson, Iowa  
May 18, 2015

Greene County Board of Supervisors met at 8:30 a.m. in the courthouse boardroom with all supervisors present: Burkett, Contner, Muir, Richardson, Rudolph.

Motion by Rudolph, second by Contner to approve the agenda. Motion carried unanimously. Motion by Burkett, second by Richardson to approve the minutes of May 11, 2015. Motion carried unanimously.

Don Orris addressed the board during open forum. Orris has agreed to act as a facilitator with the committee working to build a new animal shelter. Orris has already met with city officials and PAWS and was present to emphasize to the supervisors that he has agreed to head up the project with the understanding that the county and all parties are actively committing to a new animal shelter.

Michelle Fields, representing the county's HIPAA committee, related the progress of that committee and discussed the committee's recommendation to contract with Compliancy Group for HIPAA policy management software to be used next fiscal year. The county currently uses ISAC's HIPAA program at a cost of \$1,750 per year. The Compliancy Group program would cost \$3,000 for an initial site, and an addition \$600 for a second site (law enforcement center). The committee believes the Compliance Group's program will better assist the county in maintaining HIPAA compliance.

Motion by Richardson, second by Rudolph to approve two claims for payment. (Ricoh for equipment rent \$287.27 & Wex for fuel credit card \$261.11). Motion carried unanimously.

The Dana property assistance agenda item will be rescheduled for another meeting.

Chair John Muir read a letter from the Iowa Drainage District Association (IDDA) requesting funding assistance for the legal defense of Buena Vista, Calhoun and Sac counties against Des Moines Water Works drainage district lawsuit. The letter urges counties to adopt a resolution and provide funding necessary for the lawsuit. Prior to any action, George Naylor addressed the board about water quality and its importance to the people of Greene County. Supervisor Guy Richardson read the proposed resolution aloud. Motion by Burkett, second by Contner to approve Resolution 2015-05 as follows:

WHEREAS the Des Moines Waterworks has filed suit under the Clean Water Act against drainage districts in Buena Vista, Calhoun and Sac Counties, and;

WHEREAS the suit would seek to regulate agricultural practices which are currently exempt from regulation under the Clean Water Act, and;

WHEREAS the suit, if successful would impose regulatory burdens upon drainage districts and the landowners in those districts, and;

WHEREAS the suit, if successful, would require drainage district trustees to exercise powers that are not legally available to them under existing state law, and;

WHEREAS the suit would irreparably harm drainage rights, operations and row crop production in this county, and;

WHEREAS it is recognized that the suit, while filed against a small number of districts would, if successful, be applicable to all districts in Iowa and in other states, and;

WHEREAS it is recognized that a strong legal defense must be made against the lawsuit, and;

WHEREAS it would be in the best interests of Iowa counties to directly support the legal defense of the drainage districts in Buena Vista, Calhoun and Sac Counties and to have the Iowa Drainage District Association participate in the case if requested by Belin McCormick Law Firm, the attorneys retained by Buena Vista, Calhoun and Sac Counties, in order to represent the interests of all drainage districts in Iowa.

NOW THEREFORE BE IT RESOLVED that the Greene County Board of Supervisors pledges financial support to help fund the legal defense of the drainage districts in Buena Vista, Calhoun and Sac Counties; and it is understood that IDDA will disburse said monies as approved by the Defense Fund Committee as agreed to by the counties and IDDA.

NOW THEREFORE BE IT FURTHER RESOLVED that the financial support will be in the amount of \$5,000/year for three years payable to the IDDA litigation fund for the legal defense of the drainage districts in Buena Vista, Calhoun and Sac Counties. If the lawsuit is resolved in prompt fashion and the second or third years of the financial support is not necessary, the IDDA board will notify the county that the additional financial support is not necessary.

Roll call vote: Aye: Contner, Richardson, Burkett, Rudolph, Muir. Motion carried unanimously.

Additional discussion was held regarding whether the funds would come from drainage district funds or general county funds. A decision was not made at this time.

Treasurer Donna Lawson presented properties with delinquent taxes recommended for tax abatement by the board. Most of the properties are now owned by the county or its cities. Motion by Richardson, second by Rudolph to approve the following properties for abatement of delinquent taxes:

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| Mobile Home 37-W034381 (2015)  | \$ 150   |
| 24/83/31 Lot 1 SE1/4 NE1/4 (2013)  | \$ 27    |
| 24/83/31 Lot 1 NE1/4 SE1/4 (2013)  | \$ 111   |
| 24/83/31 Lot 2 SE1/4 SE1/4 (2013)  | \$ 12    |
| Gallahers – Lot 5 Blk 22 in Jefferson (2011-2013)                        | \$ 1,074 |
| Potter’s Sub-div out lot 1 in Mannings Lot 1<br>in Jefferson (2012-2013) | \$ 66    |

11/83/32 Lot B of Lot 4 & Pt Vac Seward St

|  |          |
|--|----------|
| (Exc pcl A of B of 4) SE1/4 NW1/4 in Scranton (2013)       | \$ 28    |
| Central – Lots 7 & 8 Blk 86 in Grand Junction (2013)       | \$ 50    |
| Churdan: Original Town Blk 2N 76’ Lots 4 & 5 (2012 & 2013) | \$ 240   |
| Orig – S1/2 Lot 209 Blk 26 in Jefferson (2012 & 2013)      | \$ 1,132 |
| Orig – Lot 1 Blk 3 in Scranton (2013)                      | \$ 52    |

Motion carried unanimously.

Annual reviews for Michelle Fields (IT/Drains), Tim Healy (Sanitarian), Wade Weiss (Engineer), Amy Chapman (Custodian), and Mike Wyatt (Custodian) were all scheduled. Each of the individuals requested a closed session in accordance with Iowa Code 21.5 (1i) “To evaluate the professional competency of an individual whose appointment, hiring, performance, or discharge is being considered when necessary to prevent needless and irreparable injury to that individual’s reputation and that individual requests a closed session.”

At 10:00 a.m., motion by Rudolph, second by Contner to hold a closed session for the performance review of Michelle Fields, IT/Drain clerk, as requested by Fields and in accordance with Iowa Code 21.5 (1i). Aye: Burkett, Contner, Muir, Richardson, Rudolph. Motion carried unanimously. The board returned to open session at 10:05 a.m. No action was taken.

At 10:10 a.m., motion by Burkett, second by Contner to hold a closed session for the performance review of Tim Healy, Sanitarian, as requested by Healy and in accordance with Iowa Code 21.5 (1i). Aye: Burkett, Contner, Muir, Richardson, Rudolph. Motion carried unanimously. The board returned to open session at 10:20 a.m. No action was taken.

At 10:25 a.m., motion by Contner, second by Richardson to hold a closed session for the performance review of Wade Weiss, Engineer, as requested by Weiss and in accordance with Iowa Code 21.5 (1i). Aye: Richardson, Burkett, Contner, Muir, Rudolph. Motion carried unanimously. The board returned to open session at 10:30 a.m.

At 10:35 a.m., motion by Contner, second by Rudolph to hold a closed session for the performance review of Amy Chapman, Custodian, as requested by Chapman and in accordance with Iowa Code 21.5 (1i). Aye: Rudolph, Burkett, Contner, Richardson, Muir. Motion carried unanimously. The board returned to open session at 11:00 a.m.

At 11:05 a.m., motion by Contner, second by Burkett to hold a closed session for the performance review of Mike Wyatt, Custodian, as requested by Wyatt and in accordance with Iowa Code 21.5 (1i). Aye: Burkett, Contner, Muir, Rudolph, Richardson. Motion carried unanimously. The board returned to open session at 11:25 a.m., at which time Chair Muir adjourned the meeting.

John J. Muir, Chair BOS

ATTEST: Jane Heun, Auditor