

July 1, 2019

The Mahaska County Board of Supervisors met in regular session on the above date at 9:00 a.m. in the third floor conference room of the Mahaska County courthouse. Present were the following board members: Chairman – Mark Groenendyk; Vice chairman – Steve Wanders and Member – Steve Parker. Also present were Angie Holland, Oskey Herald; RD Keep, The Sun; Joe Lancello, KBOE; Paul Greufe, PJ Greufe and Assoc.; Russ VanRenterghem, Sheriff; Scott Miller; Matt McCain; Brent DeRonde; Andrew Ritland, Attorney; Darin Hite; Tom Flaherty; Carrie VandeRee; Emily Brown; Sandy Bailey; Reid Stevens and Susan Brown, Mahaska County Auditor. This meeting was live streamed by Communications Research Institute of William Penn University.

Chairman Groenendyk opened the meeting at 9:00 a.m. with a moment of silence.

It was moved by Wanders seconded by Parker to approve the agenda for today's meeting with the following notation: Item #13 and Item #14 should read Approve Resolution #2019-26 and Approve Resolution #2019-27 respectively. All present voted aye. Motion carried.

Public Comments: None

It was moved by Parker seconded by Wanders to go into public hearing regarding the proposed Cedar Township Fire Station loan agreement. All present voted aye. Motion carried. There were no comments written or oral. It was moved by Parker seconded by Wanders to close public hearing. All present voted aye. Motion carried.

It was moved by Wanders seconded by Parker to approve the following resolution. All present voted aye. Motion carried.

RESOLUTION NO. 2019-31

**Expressing Intent to Enter Into Loan Agreement
and to issue Fire Station Bonds**

WHEREAS, the Board of Supervisors of Mahaska County, State of Iowa, has heretofore proposed to enter into a Loan Agreement (the "Loan Agreement") in a principal amount not to exceed \$355,000, pursuant to the provisions of Sections 331.402 and 359.45 of the Code of Iowa, for the purpose of financing a portion of the cost of construction of a fire station for Cedar Township (the "Project"), and has published notice and held a hearing on the proposal; and

WHEREAS, the County intends to enter into the Loan Agreement and to issue such Bonds in the future in an amount not to exceed \$355,000 (the "Bonds");

NOW, THEREFORE, Be It Resolved by the Board of Supervisors of Mahaska County, Iowa, as follows:

Section 1. The Board of Supervisors hereby expresses its intent to enter into the Loan Agreement and issue the Bonds in the future and further declares that this resolution shall constitute the “additional action” required by Section 331.402 of the Code of Iowa.

Section 2. All resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Passed and approved July 1, 2019.

It was moved by Wanders seconded by Parker to approve the minutes of June 17 & 19. All present voted aye. Motion carried.

It was moved by Parker seconded by Wanders to approve the bills for the month of June in total \$1,901,361.82. All present voted aye. Motion carried.

It was moved by Parker seconded by Wanders to appoint Darrin Alderson to Veterans Affairs Commission for term beginning August 1, 2019 through June 30, 2021. All present voted aye. Motion carried.

It was moved by Wanders seconded by Parker to approve 777 business property tax credit applications as recommended by assessor, both currently active and new for 2018 values for property taxes collected in FY20. All present voted aye. Motion carried.

It was moved by Parker seconded by Wanders to accept the auditor’s 4th quarter report. All present voted aye. Motion carried.

It was moved by Parker seconded by Wanders to remove Kathy Anderson from sheriff department payroll effective July 12, 2019; as she is retiring. All present voted aye. Motion carried.

It was moved by Wanders seconded by Parker to add Chelsey Johnson to sheriff department payroll as civil clerk effective July 8, 2019. Beginning salary \$32,000/yr then \$33,000/yr after successfully completing three month probation period. All present voted aye. Motion carried.

It was moved by Parker seconded by Wanders to approve 28E agreement with Rose Hill for 1 hour of police protection from sheriff dept at \$42.00/hr. All present voted aye. Motion carried.

It was moved by Wanders seconded by Parker to approve the following resolution for operating transfers for FY 19-20. All present voted aye. Motion carried.

Resolution# 2019-25
Secondary Road Fund Transfers from General and Rural Services Fund

WHEREAS, IT IS DESIRED TO AUTHORIZE THE AUDITOR TO PERIODICALLY TRANSFER FUNDS FROM THE GENERAL BASIC FUND AND RURAL SERVICES BASIC FUND TO THE SECONDARY ROAD FUND DURING the 2019-2020 budget year, and **WHEREAS,** said transfer must be in accordance with section 331.432 of the Code of Iowa,

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF MAHASKA COUNTY, IOWA as follows:

- Section 1.** The total maximum transfer from the General Basic Fund to the Secondary Road Fund for the fiscal year beginning July 1, 2019 shall not exceed the sum of \$200,720 and the total maximum transfer from the Rural Services Basic Fund to the Secondary Road Fund for the fiscal year beginning July 1, 2019 shall not exceed the sum of \$2,265,655.
- Section 2.** On the quarterly basis after being notified of the apportionment of current property taxes, state replacement against levied property taxes, mobile home taxes, military services tax credit replacements, or livestock credit replacements to the General Basic or Rural Services Basic Funds, the auditor shall order a transfer from said fund to the Secondary Road Fund.
- Section 3.** The amount of the transfer required by Section 2 shall be equal to the apportionment made under Section 2 to the General Basic or Rural Services Basic Fund, respectively, multiplied by the ratio of said fund total maximum transfer to the Secondary Road Fund, to the sum of said fund's total current property tax levy, total mobile home taxes, total military service tax credit replacements and total livestock credit replacements.
- Section 4.** Notwithstanding the provisions of sections 2 and 3 of the resolution, total transfers shall not exceed the amounts specified in Section 1.
- Section 5.** Notwithstanding the provisions of sections 2 and 3 the amount of any transfer shall not exceed available fund balances in the transferring fund.
- Section 6.** The auditor is directed to correct his/her books when said operating transfers are made and to notify the treasurer and county engineer of the amounts of said transfers.

Dated this 1st day of July, 2019

It was moved by Parker seconded by Wanders to approve the following resolution appropriating budgeted funds at 100% for FY 19-20. All present voted aye. Motion carried.

Resolution #2019-26
APPROPRIATIONS RESOLUTION

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

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of Mahaska County, Iowa as follows:

SECTION 1. The amounts itemized by the fund and department or office on the following schedule are hereby appropriated from the resources of each fund as itemized, to the department or office listed.

SECTION 2. Subject to the provisions of other county procedures and regulations, and applicable state law, the appropriations authorized under Section 1 shall constitute authorization for the department or officer to make expenditures or incur obligations from the itemized fund, effective July 1, 2019.

SECTION 3. In accordance with section 331.437, Code of Iowa no department or officer shall expend or contract to expend any money or incur any liability, or enter into any contract which by its terms involves the expenditures of money for any purpose in excess of the amounts appropriated pursuant to this resolution.

SECTION 4. If at any time during the 2019/2020 budget year the auditor shall ascertain that the available resources of a fund for that year will be less than said fund's total appropriations, he/she shall immediately so inform the board and recommend corrective action.

SECTION 5. Auditor shall establish separate accounts for the appropriations authorized in section 1, each of which account shall indicate the amount of appropriations, the amounts charged thereon, and the unencumbered balance. The Auditor shall report the status of accounts to the applicable departments and officers quarterly during the 2019/2020 budget year.

SECTION 6. The appropriations authorized to the resolution lapse at the close of business on June 30, 2020.

APPROPRIATIONS: Non departmental-\$9,502,755; (General Basic Fund-\$858,660; Capital Improvement Fund-\$20,000; General Supplemental-\$1,114,945; Revolving Loan Fund- \$159,490; Rural Services Basic Fund-\$2,299,155; Capital Project – Radio System-\$4,591,473; NW Urban Renewal Area – TIF-\$54,198; Debt Service Fund – Radio System-\$350,636; Debt Services Fund – NW Urban Renewal Area-TIF-\$54,198); **Board**

of Supervisors-\$224,710; (General Basic Fund-\$224,710); **Auditor**-\$405,930; (General Basic Fund-\$180,673; General Supplemental-\$225,257); **Treasurer**-\$491,528; (General Basic Fund-\$491,528); **Attorney**-\$554,500; (General Basic Fund-\$554,500); **Sheriff**-\$1,361,108; (General Basic Fund-\$1,056,457; Rural Services Basic-\$304,651); **Recorder**-\$188,606; (General Basic Fund-\$167,106; Records Management Fund-\$21,500); **Sheriff's Forfeiture**-\$10,040; (General Basic Fund \$40; Sheriff Forfeiture Fund-\$10,000); **Courthouse Annex**-\$20,108; (General Basic Fund-\$20,108); **GIS Coordinator**-\$94,622; (General Basic Fund-\$70,806; General Supplemental-\$23,816); **Engineer**-\$7,377,703; (Rural Services Fund-\$0; Secondary Road Fund-\$7,377,703) **Vet Affairs**-\$84,225; (General Basic Fund-\$62,942; General Supplemental-\$21,283); **County Conservation**-\$1,018,835; (General Basic Fund-\$495,121; Reap-\$40,000; Lost 20% Conservation 11-08-16-\$164,633; Debt Service/ELC Project-\$164,633; Co Cons Land Acq-\$128,448; Co Cons Camping Reserve Fund-\$26,000); **Public Health Nursing**-\$239,700 General Basic Fund-\$239,700); **Roadside Vegetation Management**-\$477,381; (Rural Services Fund-\$477,381); Capital Improvement \$0); **Community Services**-\$155,923; (General Basic Fund-\$142,776; General Supplemental Fund-\$13,147); **Medical Examiner**-\$36,160; (General Basic Fund-\$36,160); **Correctional Services**-\$1,094,653; (General Basic Fund-\$836,773; Courthouse Security Fund-\$1,720; General Supplemental-\$256,160); **District Court**-\$141,732; (General Basic Fund-\$141,732; **Libraries**-\$123,218; (Rural Services Fund-\$123,218); **Mahaska Building**-\$6,841; (General Basic Fund-\$6,841; Capital Improvement-\$0); **Environmental Services**-\$137,701; (Rural Services Basic-\$137,701); **Pioneer Cemeteries**-\$5,000; (Pioneer Cemetery Fund-\$5,000); **Crime Prevention**-\$58,845; (General Basic Fund-\$58,845); **Law Enforcement Center**-\$171,416; (Maintenance/Repair Law Center Fund-\$171,416; Maintenance/County & City-\$0); **Courthouse**-\$158,316; (General Basic Fund-\$140,917; General Supplemental-\$17,399); **Information Technology**-\$203,919; (General Basic Fund-\$187,585; General Supplemental-\$16,334; Capital Improvement - \$0); **Driver's License**-\$129,460; (General Basic Fund-\$85,764; General Supplemental-\$43,696); **Substance Abuse**-\$27,330; (General Basic Fund-\$155; General Supplemental-\$27,175); **Mental Health**- \$1,153,955; (Mental Health Services Fund-\$1,153,955;) **Human Services Administration**-\$72,550; (General Basic Fund-\$72,550); **Operating Transfers-Part of Non departmental**-\$3,504,082; (General Basic Fund-\$363,597; Capital Improvement Fund-\$20,000; General Supplemental Fund-\$33,000; Rural Services Fund-\$2,274,155; Capital Project – Radio System-\$759,132; NW Urban Renewal Area-TIF-\$54,198) **Operating Transfers-Part of Conservation**-\$164,633; (Lost 20% Conservation-\$164,633)

Dated this 1st day of July, 2019

It was moved by Wanders seconded by Parker to approve the following resolution approving capital improvement plan, assign funds and approve transfers for FY 19-20. All present voted aye. Motion carried.

Resolution Number 2019-27
A RESOLUTION APPROVING FY20 CAPITAL IMPROVEMENT PLAN
AND TO ASSIGN FUNDS AND APPROVE TRANSFERS

BE IT RESOLVED BY THE MAHASKA COUNTY BOARD OF SUPERVISORS to:

1. Approve the attached 15-year Mahaska County Improvement Plan:

2. Approve the following transfers to the Capital Improvement Fund:

General

Courthouse Buildings and Grounds	\$25,000
Courthouse HVAC	\$111,544
Mahaska Building roof repair	\$5,000
Courthouse Server (AS400)	\$6,000
County Phone System	\$5,333
Jail Control Panel	\$20,000
Disaster Recovery	\$10,000

General Supplemental

Countywide Voting System	\$33,000
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Rural Services

Sanitarian Replacement Vehicle	\$3,500
IRVM Replacement Vehicle	\$5,000

3. Assign the following:

General

Courthouse buildings and grounds	\$111,067
Courthouse HVAC	\$111,544
Mahaska Building roof repair	\$7,741
Courthouse Server (AS400)	\$30,018
County Phone System	\$15,999
Jail Control Panel	\$20,000
Disaster Recovery	\$10,000
Conservation Tractor	\$50
Total Assigned:	\$306,419

General Supplemental

Countywide Voting System	\$99,000
Total Assigned:	\$99,000

Rural Services

Sanitarian Replacement Vehicle	\$8,761
IRVM Replacement Vehicle	\$20,000
Total Assigned:	\$28,761

PASSED, APPROVED AND ADOPTED this _____ day of _____, 2019

**MAHASKA COUNTY CAPITAL IMPROVEMENT PLAN:
FY 20-FY35**

Courthouse Buildings and Grounds

Previous Appropriation:	\$86,067
Funding Years:	N/A (Previously Funded)

Cost: \$25,000 per year
Completion: As Needed
Description: Courthouse Buildings and Grounds Repairs and Improvements – Collect until \$225,000
Fund Source: General Basic
Account No.: TBD

Courthouse HVAC

Previous Appropriation: \$0
Funding Years: FY20-FY27
Cost: \$111,544 1st year – then \$100,000/yr
Completion: TBD
Description: Courthouse HVAC – Collect until \$700,000
Fund Source: General Basic
Account No.: TBD

Mahaska County Building Roof Repair (DHS)

Previously Appropriation: \$2,741
Funding Years: FY17-FY26
Cost: \$5,000 per year
Completion: TBD
Description: Repair to Mahaska Building Roof
Fund Source: General Basic
Account No.: 01011 09100 614 43

Jail Control Panel

Previous Appropriation: \$0
Funding Years: FY20-FY25
Cost: \$20,000 per year
Completion: TBD
Description: Replacement – Target FY25 Replacement
Fund Source: General Basic
Account No.: TBD

Disaster Recovery

Previous Appropriation: \$0
Funding Years: FY20-FY24
Cost: \$10,000 per year
Completion: TBD
Description: Equip. and Software for computer disaster recovery
Fund Source: General Basic
Account No.: TBD

Courthouse Server

Previous Appropriation: \$24,018
Funding Years: FY17-FY23
Cost: \$6,000 per year
Completion: As Needed
Description: Replacement Cost for Courthouse Server –Target FY'23 replacement for \$33,000
Fund Source: General Basic

Account No.:	01011 09110 636 52 481
County Phone System	
Previous Appropriation:	\$10,666
Funding Years:	FY18-FY32
Cost:	\$5,333 per year
Completion:	As Needed
Description:	Replacement Cost for County wide phone system – Target FY’32 replacement for \$80,000
Fund Source:	General Basic
Account No.:	01011 09100 614 00 322
Countywide Voting System	
Previous Appropriation:	\$66,000
Funding Years:	FY18-FY20
Cost:	\$33,000 per year
Completion:	As Needed
Description:	Replacement Cost for Countywide voting system – Target FY’21 replacement for \$100,000
Fund Source:	General Supplemental
Account No.:	02011 08000 636 02 115
Conservation Tractor	
Previous Appropriation:	\$50
Funding Years:	FY16-FY17
Cost:	\$25,000 one year
Completion:	Purchase in FY17 at \$50,000
Description:	Funding for tractor
Fund Source:	General Basic
Account No.:	01011 06110 636 22
Sanitarian Vehicle	
Previous Appropriation:	\$5,261
Funding Years:	FY16-FY23
Cost:	\$3,500 per year
Completion:	As Needed
Description:	Replacement for vehicle in FY23 for \$28,000
Fund Source:	Rural Basic
Account No.:	11011 03020 636 44
IRVM Vehicle	
Previous Appropriation:	\$15,000
Funding Years:	FY17-FY26
Cost:	\$5,000 per year
Completion:	As Needed
Description:	Replacement for vehicle in FY26 for \$50,000
Fund Source:	Rural Basic
Account No.:	11011 06010 636 24

Discussion held prior to approval of FY20 salaries in response to concern by the board of proposed large increase to two deputy sheriff salaries. County’s HR consultant

Paul Greufe proposed a compensation study to evaluate all county positions, comparing to market including indirect benefit costs. This would offer consistency and could be completed by next budget cycle. Sheriff VanRenterghem informed the agreements with newly hired deputies for “top out” were verbal and put in place with the previous sheriff. He feels both are hard-working deputies that deserve to be topped out because of experience. County Attorney reviewed Iowa Code for who has authority for setting non-exempt sheriff deputy salaries. Deputy DeRonde reiterated that he was started on the 3rd anniversary step of the union scale and previous sheriff told him it would then be three years for him to get to top out. He does not want to pay price for “broken system”. Board discussed at budget sessions that these salaries would have to fall within the total budget for the department and to do so other items may need to be cut.

It was moved by Parker seconded by Wanders to approve the following salaries for fiscal year 2019-2020 as set and approved in the adoption of the county budget for 2019-2020 on March 4, 2019. All present voted aye. Motion carried. (At the February 4, 2019 board meeting it was moved by Wanders seconded by Parker to reduce the recommendation of the Compensation Board by 50% for Mahaska County elected officials wage in fiscal year 19-20. Recommendation was 8% for Sheriff; 6% for Attorney; 3% for Auditor, Recorder, Treasurer and Supervisors. With 50% percent reduction Sheriff will receive 4%; Attorney, 3% and all other elected officials 1.5% pay increase for fiscal year 19-20. All present voted aye. Motion carried.)

Elected Officials: Attorney-\$98,150; Auditor-\$60,650; Recorder-\$58,790; Sheriff-\$79,650; Supervisors-\$34,270; Treasurer-\$59,500; Attorney’s Office –Assistant County Attorney- Cami Eslick -\$60,000; Trevor Rubenzer -\$54,000; Terri Menninga-\$30.34/hr-part time; Administrative Assistant- Jeannette Newendorp-\$53,529; Administrative Assistant-Lorraine Sinnott-\$43,092; Auditor’s deputies- Jody Van Patten-85%; Tracey Versteegh-60% of the auditor’s salary; Elections Administration-Teresa Paige-85% of the auditor’s salary; Precinct Election Officials-\$10.00 per hour; Recorder’s deputy-Amy Molyneux-80% of the recorder’s salary; Sheriff’s Office-Civil Clerk- Renee Steinke-\$51,500; Civil Clerks- Kathleen Anderson-\$39,934; Brandi Brown-\$35,928; Reserve Officer-Dennis Dursky-\$12.00 per hour; Reserve Officer Transporters-\$10.00 per hour; Sheriff’s Deputies-Scott Miller-\$67,703; Randy Poe-\$62,165; Matt McCain-\$62,165; Doug McMillan-\$62,165; Jesse Sanders-\$62,165; Brent DeRonde-\$62,165; Ben Johnston-\$52,530; Brian Rainey-\$51,500; David Wilke-\$51,500; Adult Corrections-Jail Administrator-Larry Septer-\$58,309; Jailers-Sr. Jailer-Kevin Durian-\$50,276; Sr. Jailer-Talisa Voss-\$46,960; Robert Draughn Jr.-\$45,877; Tara Walters-\$38,092; Tricia McElderry-\$41,409; Christy Brown-\$40,304; Khandi Tucker-\$34,000; Trevor Mabee-\$30,000; Cori Flatt-\$30,000; Gabrielle Selzer-\$30,000; Dane Smith -\$13.00 per hour; Treasurer’s deputies-Treasurer Management Dept.- Shauna Hol-79% of the treasurer’s salary; Emily Scholtus-67% of the Treasurer’s salary; Motor Vehicle License Dept.- Theresa Haworth-84%; Tracey Gilliland-74%; Faith Powless-67% of the treasurer’s salary; Driver’s License Dept.- Suzy Richards-74%; Jonathon Angove -62% of the treasurer’s salary; Information Technology- Darin Hite-\$55,745; GIS Coordinator- Brian Knudtson-\$52,201; Veterans Affairs-Director-Curt Grandia- \$36,067; Commission Board members- Joe Durian-\$585; Ted Smith-\$585; Julie Wells-\$585; Kurt Kollasch -585.00;

Conservation Department-Conservation Director-David Sedivec-\$66,295; Administrative Assistant- Dorothy Wedgewood-\$40,157; Naturalist-Laura DeCook-\$47,190; Park Technician-Jason Ryan-\$41,365; Park Ranger-Tommy VanRenterghem-\$43,565; Building Maintenance Department-Maintenance Director-Troy Bemis-\$22.29 per hour(40% law center and 60% courthouse); Law Center Custodian- Steve Scholtus-part-time- \$12.61 per hour; Courthouse Custodian- June Almond-\$13.44 per hour; ADA Coordinator-Troy Bemis-\$500; Safety Coordinator-Troy Bemis-\$1,200; Environmental Services- Sanitarian-Eric Dursky-\$52,530; General Relief Director-Kim Newendorp-\$37,104; CDS- Director-Heather Gross-\$58,543; Roadside Vegetation Management-Roadside Vegetation Manager-Benjamin Hoskinson-\$51,064; Roadside Assistant-Barb VanPatten-\$15.50 per hour part-time; Engineer Office-County Engineer-vacant; Assistant to the Engineer-Michael Rodwell-\$29.55 per hour; Office Manager-Deborah Walling-\$21.05 per hour; Secondary Road Department-Road Foreman-Ed Goemaat-\$28.06 per hour; Dozer Operator-Dan Major-\$23.15 per hour; Equipment Operators-Zach Neff-\$23.15 per hour; Truck Driver -Randall Brostrom-\$22.60 per hour; Bill Swink, Jr.-\$22.60 per hour; Truck Driver/Operator - Timothy Thornbrugh-\$22.92 per hour; Mechanic Level I-Gary Rust-\$24.13 per hour; Mechanic Level II-Don VanDonselaar-\$24.72 per hour; Blade Operators-Rick Cady-\$23.15 per hour; Scott Gilliland-\$23.15 per hour; Jacob Bell-\$23.15 per hour; Doug Rodwell-\$23.15 per hour; Mike Taylor-\$23.15 per hour; Joshua Thornbrugh-\$23.15 per hour; Bryan Weber-\$23.15 per hour; Shawn Schippers-\$23.15 per hour; Brad VanderLinden-\$23.15 per hour; Aaron Patterson-\$23.15 per hour; Andrew Rust-\$23.15 per hour; Cody Padgett-\$23.15 per hour; Engineering Technician IV-Reid Stevens-\$25.00 per hour; Truck Driver/Laborer- Scott VanGilst-\$22.60 per hour; Shawn Ridenour-\$22.60 per hour; Travis Johnston-\$22.60 per hour; Pat Scanlon-\$22.60 per hour; Sign Manager-Dennis Houser-\$23.15 per hour.

It was moved by Groenendyk seconded by Wanders to rescind motion approved at previous meeting to prepare contract for Economic Development position and instead offer the full-time position on an at-will basis to Tom Flaherty effective July 1, 2019 at \$100,000/yr in salary. All present voted aye. Motion carried.

It was moved by Wanders seconded by Parker to accept presented three year proposal from PJ Greufe & Associates LLC for human resource services currently in place and including a compensation study at a cost of \$2,100 per month. All present voted aye. Motion carried.

It was moved by Wanders seconded by Parker to approve wellness program recommendation from insurance committee. Screening days are August 27 & 28, 2019 with cost of \$90.00 per participant being paid from Mahaska Co Health Plan Trust. PSA testing will be available for men 50 years and older for an additional \$45 each. Screening is available for employee spouse at their own cost. All present voted aye. Motion carried.

It was moved by Parker seconded by Wanders to authorize signature and bind coverage for crime policy through Travelers Indemnity Company, three years at \$495/yr. All present voted aye. Motion carried.

Reid Stevens, Secondary Road, presented three resolutions pertaining to policies needed for participation in federal aid (FEMA). A disaster declaration was made earlier this year in the county. It was moved by Parker seconded by Wanders to approve the following resolution. All present voted aye. Motion carried.

RESOLUTION
TO AMEND PROCUREMENT POLICY OF MAHASKA
COUNTY ENGINEER / SECONDARY ROADS DEPARTMENT
PERTAINING TO FEDERAL PROGRAM FUNDING

RESOLUTION No. 2019-28

PURPOSE

The purpose of this procurement policy is to ensure that sound business judgement is utilized in all procurement transactions and that supplies, equipment, construction and services are obtained efficiently and economically and in compliance with applicable federal and state law and executive orders and to ensure that all procurement transactions will be conducted in a manner that provides full and open competition. These procedures will ensure that all solicitations incorporate clear and accurate descriptions of the technical requirements for the goods or services being procured. Chapter 26 and Section 331.341 of the Iowa Code will be followed on all applicable purchases. All other appropriate sections of the Iowa Code shall also apply.

APPLICATION

This policy applies to the procurement of all supplies, equipment, and construction and services of and for Mahaska County that include any federal program funding. In regards to any such federal programs, all procurement will be done in accordance with 2 CFR; Part 200. Chapter 26 and Section 331.341 of the Iowa Code will be followed on all applicable purchases. All other appropriate sections of the Iowa Code shall also apply. When federal requirements conflict with local or state requirements, the federal requirement, or most restrictive requirement will be followed.

POLICY

METHODS OF PROCUREMENT

Procurement under grants shall be made by one of the following methods, as described herein: (a) small purchase procedures; (b) sealed bids (formal advertising); (c) competitive proposals; (d) noncompetitive proposals.

- A. Micro-Purchase Procedures 200.320(a)
 - i. The acquisition of supplies or serves, the aggregate dollar amount of which does not exceed the micro-purchase threshold - \$10,000 (200.67)
 - ii. To the extent practicable, must distribute micro-purchases equitably among qualified suppliers
 - iii. May be awarded without soliciting competitive quotations if the non-Federal entity considers the price to be reasonable
- B. Small Purchase Procedures 200.320(b)

- i. Are those relatively simple and informal procurement methods for securing services, supplies, or other property that does not cost more than the simplified acquisition threshold - \$250,000 (200.88)
 - ii. Price or rate quotations are to be obtained from an “adequate number” of qualified sources
- C. Sealed Bidding (formal advertising) 200.320(c)
 - i. Lowest priced, responsive, responsible, bidder WINS
 - ii. The preferred method for construction when sealed bidding is “feasible”, which is when certain conditions are present
 - iii. Bids must be solicited from an “adequate number of known suppliers”, providing them sufficient response time before date for the opening of bids
 - iv. Bids will be opened at the time and place prescribed in the invitation for bids
 - v. Must publicly advertise the invitation for bids
 - vi. Bids must be opened publicly
 - vii. Other procedural requirements at 200.320(c)(2)
- D. Competitive Proposals 200.320(d)
 - i. Used when conditions are not appropriate for the use of sealed bids
 - ii. The appropriate method when more than one source is expected to submit an offer and either a fixed-price or cost-reimbursement type contract is awarded
 - iii. Awards will be made to the responsible firm whose proposal is most advantageous to the program, with *price* and other factors considered
 - iv. Requests for proposals *must be publicized* and identify all evaluation factors and their relative importance
 - v. Proposals must be solicited from an adequate number of qualified sources
 - vi. Must have written method for conducting technical evaluations of the proposals received and for selection of the contract
- E. Noncompetitive Proposals 200.320(f)
 - i. Procurement through solicitation of a proposal from only one source and may be used only when one or more of the following circumstances apply:
 - a. **One Source:** the item is available only from a single source
 - b. **Exigency/Emergency:** an exigency or emergency will not permit a delay resulting from competitive solicitation
 - c. **Awarding Agency Approval:** the Federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the non-Federal entity
 - d. **Inadequate Competition:** after the solicitation of a number of sources, competition is determined inadequate

CONTRACTING WITH SMALL AND MINORITY BUSINESSES, WOMEN’S BUSINESS ENTERPRISES, AND LABOR SURPLUS AREA FIRMS (200.321)

- A. Assuring that small and minority businesses, and women’s business enterprises are solicited whenever they are potential sources;
- B. Placing qualified small and minority businesses and women’s business enterprises on solicitation lists;
- C. Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women’s business enterprises;

- D. Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises;
- E. Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and
- F. Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in paragraphs (a) through (e).

CONTRACT PRICING (200.323)

- A. The cost plus a percentage of cost and percentage of construction cost method of contracting shall not be used.
- B. Mahaska County shall perform some form of cost/price analysis for every procurement action, including contract modifications, amendments, or change orders. Mahaska County shall make an independent estimate prior to receiving a bid or proposal.
- C. Mahaska County shall negotiate profit as a separate element of the price for each contract in which there is no price competition and in all cases where cost analysis is performed. In determining a fair and reasonable profit, Mahaska County must consider the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance and the industry profit rates in the surrounding geographical area.

PROCUREMENT RECORDS

Mahaska County shall maintain records sufficient to detail the significant history of a procurement, including the rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price.

(200.324)

- (a) Mahaska County must make available, upon request of the Federal awarding agency or pass-through entity, technical specifications on proposed procurements where the Federal awarding agency or pass-through entity believes such review is needed to ensure that the item or service specified is the one being proposed for acquisition.
- (b) Mahaska County must make available upon request, for the Federal awarding agency or pass-through entity pre-procurement review, procurement documents, such as requests for proposals or invitations for bids, or independent cost estimates, when:
 - (1) Mahaska County's procurement procedures or operation fails to comply with the procurement standards in this Part;
 - (2) The procurement is expected to exceed the Simplified Acquisition Threshold and is to be awarded without competition or only one bid or offer is received in response to a solicitation;
 - (3) The procurement, which is expected to exceed the Simplified Acquisition Threshold, specifies a "brand name" product;
 - (4) The proposed contract is more than the Simplified Acquisition Threshold and is to be awarded to other than the apparent low bidder under a sealed bid procurement; or
 - (5) A proposed contract modification changes the scope of a contract or increases the contract amount by more than the Simplified Acquisition Threshold.
- (c) Mahaska County is exempt from the pre-procurement review in paragraph (b) of this section if the Federal awarding agency or pass-through entity determines that its procurement systems comply with the standards of this Part.

(1) Mahaska County may request that its procurement system be reviewed by the Federal awarding agency or pass-through entity to determine whether its system meets these standards in order for its system to be certified. Generally, these reviews must occur where there is continuous high-dollar funding, and third party contracts are awarded on a regular basis;

(2) Mahaska County may self-certify its procurement system. Such self-certification must not limit the Federal awarding agency's right to survey the system. Under a self-certification procedure, the Federal awarding agency may rely on written assurances from Mahaska County that it is complying with these standards. Mahaska County must cite specific policies, procedures, regulations, or standards as being in compliance with these requirements and have its system available for review.

AWARDED CONTRACTS

- A. Mahaska County will not award a contract to a party listed as debarred, suspended, or otherwise excluded in the System for Award Management (SAM). www.sam.gov (200.213)
- B. Contracts awarded shall contain the applicable contract provisions described in 2 CFR 200.326 and Appendix II to Part 200.
- C. Mahaska County will maintain written standards of conduct covering conflicts of interest and must provide for disciplinary action to be applied for violations of such standards as defined in 2 CFR 200.318 (c) (1).

No officer, employee, or agent of the Mahaska County shall participate in the selection, award, or administration of a contract supported by federal grant funds, if a conflict of interest, real or apparent, would be involved. Such a conflict would arise when:

The employee, officer, or agent;

Any member of his/her immediate family;

His/her partner; or

An organization which employs, or is about to employ any of the above; has a financial or other interest in the firm selected for award.

Mahaska County officers, employees, or agents shall neither solicit nor accept gratuities, favors, or anything of monetary value from contractors, potential contractors, or subcontractors.

To the extent permitted by federal, state, or local law or regulations, violation of these standards may cause penalties, sanctions, or other disciplinary actions to be taken against Mahaska County's officers, employees, or agents.

Passed and adopted this 1st day of July, 2019.

It was moved by Wanders seconded by Parker to approve the following resolution. All present voted aye. Motion carried.

RESOLUTION No. 2019-29 MAHASKA COUNTY CONFLICT OF INTEREST POLICY

In addition to State of Iowa, and Local codes, applicable to Conflict of Interest, the following policy, pertaining to Federal Funds shall be applicable.

Per 2 CFR Part 200.112 Conflict of Interest

The Federal awarding agency must establish conflict of interest policies for Federal awards. Mahaska County must disclose in writing any potential conflict of interest to the Federal awarding agency or pass-through entity in accordance with applicable Federal awarding agency policy.

And per 2 CFR Part 200.318 (c)(1) General Procurement Standards

Mahaska County must maintain written standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award and administration of contracts. No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest.

Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.

The officers, employees, and agents of Mahaska County may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. However, Mahaska County may set standards for situations in which the financial interest is not substantial or the gift is an unsolicited item of nominal value. The standards of conduct must provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents of Mahaska County.

To the extent permitted by federal, state, or local laws or regulations, violations of these standards may cause penalties, sanctions, or other disciplinary actions to be taken against officers, employees, or agents.

Passed and adopted this 1st day of July, 2019.

It was moved by Wanders seconded by Parker to approve the following resolution. All present voted aye. Motion carried.

**MAHASKA COUNTY
FRAUD REPORTING POLICY**

RESOLUTION No. 2019-30

2 CFR Part 200
200.113 Mandatory disclosures.

The non-Federal entity or applicant for a Federal award must disclose, in a timely manner, in writing to the Federal awarding agency or pass-through entity all violations of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award. Non-Federal entities that have received a Federal award including the

term and condition outlined in Appendix XII—Award Term and Condition for Recipient Integrity and Performance Matters are required to report certain civil, criminal, or administrative proceedings to SAM. Failure to make required disclosures can result in any of the remedies described in §200.338 Remedies for noncompliance, including suspension or debarment.

If the county department or employee learns of a violation of federal criminal law involving fraud, bribery, or gratuity potentially affecting a federal grant, the department or employee must report the violation to:

the department head and/or the county auditor

The above named is/are responsible for reporting the violation to the relevant federal agency or pass-through agency in writing and in a timely manner.

Passed and adopted this 1st day of July, 2019.

It was moved by Parker seconded by Wanders to allow set back variance at 401 Wilson St, Lacey (J DeBoef). All present voted aye. Motion carried.

Sandy Bailey, MidwestOne Bank, gave a presentation informing the board about the Walter L. McQuiston Trust which accepts applications for funding of community projects that promote public meeting places. The application deadline for this year is August 1 and County Attorney Ritland asked the board to submit any ideas from the county that could possibly be funded through this trust.

Public comments: None

It was moved by Wanders seconded by Parker to adjourn. All present voted aye. Motion carried.

Attest: _____
Susan L. Brown
Mahaska County Auditor

Mark Groenendyk – Chairman
Mahaska County Board of Supervisors