

April 7, 2015

The Lee County Board of Supervisors met on Tuesday, April 7, 2015, at 9:00 a.m. at the Correctional Center.

Present: Ron Fedler, Rick Larkin, Gary Folluo, Matt Pflug and Don Hunold.

All votes are unanimous unless otherwise indicated.

The Board opened the meeting by reciting the Pledge of Allegiance.

Moved by Hunold, seconded by Pflug, to approve the agenda with one change, removing approval of a step increase for a PSAP employee. Motion carried.

At 9:01 a.m., Fedler opened a public hearing for comments on the County incurring noncurrent debt to purchase new voting equipment. There were no oral or written comments received preceding the meeting and no comments from those in attendance at the meeting. At 9:05 a.m., it was moved by Larkin, seconded by Folluo, to close the public hearing. Roll call: Larkin-aye, Folluo-aye, Pflug-aye, Hunold-aye and Fedler-aye. Motion carried.

Moved by Pflug, seconded by Folluo, to approve Resolution #2015-74. Roll call: Pflug-aye, Folluo-aye, Hunold-aye, Larkin-aye and Fedler-aye.

Resolution #2015-74

FINAL RESOLUTION ON A PROPOSAL FOR NONCURRENT DEBT

WHEREAS, Section 331.479, Code of Iowa provides:

Before the board may institute proceedings for the incurrence of debt for the purposes listed in section 331.478(2), a notice of the proposed action, including a statement of the amount, a purpose and form of the debt, the proposed time of liquidation and the time and place of the meeting in which the board proposes to take action to authorize the debt shall be published as provided in section 331.305. At the meeting, the board shall receive oral or written objections from any resident or property owner of the county. After all objections have been received, the board, at that meeting or at the date which it adjourned, may take additional action to authorize the debt or abandon the proposal; and

WHEREAS, Section 331.477 defines current debt as a debt payable from a resource which will have accrued in a fund by the end of the physical year in which the debt is incurred. A noncurrent debt is any other debt; and

WHEREAS, Electronic Systems and Software has proposed selling to the Lee County Auditor's office certain election equipment set forth in a purchase agreement, to purchase the equipment and services listed for a price, including trade-in of \$198,810 payable in three equal installments of \$66,270.00 payable July 1, 2015, and July 1, of 2016 and 2017; and

WHEREAS Lee County has held the public hearing as required by §331.478 and published notice thereof in accordance with §331.305.

NOW THEREFORE BE IT RESOLVED that the Lee County Board of Supervisors hereby authorizes the proposed noncurrent debt as set forth in the purchase agreement.

Dated and signed at Montrose, Iowa on this the 7th day of April, 2015.

LEE COUNTY BOARD OF SUPERVISORS. /s/ Ron Fedler, Chairman; /s/ Matt Pflug, Vice-Chair; /s/ Don Hunold, Member; /s/ Gary Folluo, Member and /s/ Rick Larkin, Member.
Attest: /s/ Denise Fraise, Lee County Auditor. Motion carried.

Moved by Folluo, seconded by Larkin, to approve the Tuesday, March 24, 2015 Board minutes. Motion carried.

Moved by Hunold, seconded by Larkin, to approve the payment of claims. Motion carried.

Public Input-Tracy Leoni, Taylor Ridge, Illinois, encouraged the Supervisors to pass a resolution calling for a constitutional amendment to restore the right to limit campaign contributions. Speaking in support of this resolution were Tom Gardner, Keokuk; Tom Cale, Fort Madison and Tracy VanHynning, Fort Madison.

The Board held a discussion on safety policies and procedures at the County Buildings. Safety Committee Vice Chair Nikki Sugars will work with the Maintenance Department on getting prices on exit devices for the two courthouses and the administrative building. She will also schedule active shooter training for employees. These items will be brought back to the next Board meeting for approval.

Moved by Folluo, seconded by Pflug, to approve Resolution #2015-75. Roll call: Folluo-aye, Pflug-aye, Hunold-aye, Larkin-aye and Fedler-aye.

Resolution #2015-75

RESOLUTION CALLING FOR A CONSTITUTIONAL AMENDMENT TO RESTORE THE RIGHT TO LIMIT SPENDING ON OUR ELECTIONS AND FOR LEGISLATIVE ACTION TO ASSURE THE ENTITIES AND PERSONS SPENDING SIGNIFICANT SUMS IN OUR ELECTIONS ARE KNOWN TO THE PUBLIC.

WHEREAS, the United States Supreme Court recognized in *Austin vs. Michigan Chamber of Commerce* (1990) the threat to a republican form of government posed by "the corrosive and distorting effects of immense aggregations of wealth are accumulated with the help of the corporate form and that have little or no correlation to the public's support for the corporations political ideas, and

WHEREAS, the United States Supreme Court in *Citizens United vs. the Federal Election Commission* (2010) reversed the decision in *Austin*, and presents a serious threat to self-government by rolling back legal limits on corporate spending in the electoral process allowing unlimited corporate spending to influence elections, candidate selection, policy decisions and sway votes; and

WHEREAS, the United States Supreme Court held in *Buckley vs. Valeo* (1976) that the appearance of corruption justified limits on contributions to candidates, but it wrongly rejected other fundamental interests that the Board of Supervisors find compelling such as creating a level playing field and ensuring that all citizens, regardless of wealth, have an opportunity to have their political view heard; and

WHEREAS, money is property, it is not speech; and

WHEREAS, Article V of the United States Constitution empowers and obligates the people of the states of the United States of America to use the constitutional amendment process to correct those egregiously wrong decisions of the United States Supreme Court that go to the heart of our democracy and the republican form of self-government.

NOW, THEREFORE, BE IT RESOLVED that it is the position of the Lee County Board of Supervisors that corporations do not have the same constitutional rights as natural persons do and that because money is not speech, limits on political spending will promote the goals of the First Amendment by ensuring that all citizens, regardless of wealth, have an opportunity to have their political views heard.

BE IT RESOLVED that Lee County, Iowa hereby includes in its federal legislative agenda support for efforts to pass an Amendment to the United States Constitution related to campaign finance reform and ending the false doctrine of corporate constitutional rights and by sending a copy of this resolution to each federal legislator representing Lee County, Iowa, respectfully urges Iowa's Congressional delegation to prioritize

congressional proposal of an amendment to the United States Constitution addressing the threats to representative government identified in this resolution so that the states may ratify it.

BE IT FURTHER RESOLVED that Lee County, Iowa, hereby calls upon the Iowa State Legislature to pass a law requiring full and timely disclosure of all sources of major campaign contributions over \$200 in Iowa elections.

PASSED AND ADOPTED by the Board of Supervisors on the 7th day of April, 2015.

LEE COUNTY BOARD OF SUPERVISORS. /s/ Ron Fedler, Chairman; /s/ Matt Pflug, Vice-Chair; /s/ Don Hunold, Member; /s/ Gary Folluo, Member and /s/ Rick Larkin, Member. Attest: /s/ Denise Fraise, Lee County Auditor. Motion carried.

Moved by Folluo, seconded by Hunold, to approve hiring a part-time correctional officer. Motion carried.

Moved by Pflug, seconded by Folluo, to approve a contract with Shields Auction Service for auction services at the April 18, 2015 Tax Auction. Motion carried.

Moved by Pflug, seconded by Larkin, to approve a Request for Proposal for Employment Testing and Work Injury Rehabilitation Program Services. Motion carried.

Moved by Pflug, seconded by Hunold, to approve the following Personnel Actions: step increase for Health Department employee Gwennan Harshbarger, Home Care Aide, from \$11.94/hr. to \$12.18/hr. and Companion, from \$9.51/hr. to \$9.70/hr., effective 4/8/2015 and reclassification for Health Department employee Rosa Haukedahl, from Class 4 Step 3 Environmental Inspector \$17.40/hr. to Class 2 Step 1 Environmental Program Director \$23.21/hr., effective 4/8/2015. Motion carried.

Received and filed the Lee County Recorder's Report of Fees Collected for the months ending January 31, 2015 and February 28, 2015 and Manure Management Plan Annual Updates for Schwartz Farms in Marion Township; Donnellson Site in Charles Township and Fullenkamp Farms in Marion Township.

Committee Reports: Folluo reported on a Lee County Extension event and a Southeast Iowa Regional Planning meeting. Larkin reported on a retirement reception for Health Department employee Diane Septer and a Fort Madison Partners meeting regarding improvements on the highway going through Fort Madison. Fedler reported on a Juvenile Detention Commission meeting.

At 10:20 a.m., a motion was made by Folluo, seconded by Hunold, to adjourn. Motion carried.

The next meeting of the Board of Supervisors will be Tuesday, April 14, 2015, at 9:00 a.m. at the Correctional Center.

Ron Fedler, Chairperson

Attest: _____

Denise Fraise, Lee County Auditor