

PROCEEDINGS OF THE FRANKLIN COUNTY BOARD OF SUPERVISORS

February 24<sup>th</sup>, 2025

The Board of Supervisors met at 8:41AM on Tuesday, February 24<sup>th</sup>, 2025, at the Franklin County Courthouse with Board members Lukensmeyer, McVicker, and Vanness present. Due to technical issues that were unable to be resolved, there was no YouTube broadcast or recording of the meeting. The Auditor will work with the IT Director to rectify this situation before next week’s meeting.

Motion by Lukensmeyer, seconded by McVicker to approve the Agenda as presented. All ayes. Motion carried.

Motion by McVicker, seconded by Lukensmeyer to approve the regular minutes from 2/18/2025. All ayes. Motion carried.

Public Comment & Board Committee Updates: All three Supervisors attended Conference Board last week. Lukensmeyer & McVicker attended Board of Adjustment.

Jay Waddingham, Secondary Roads Engineer, met with the Supervisors to provide them an update on his department.

Aaron Dodd, Sheriff, met with the Supervisor to discuss the proposed wage step plan for the deputies. After discussion, the Supervisors agreed to have the Sheriff move forward with sending updated wage information to the Auditor for FY2026.

Audrey Emery, Human Resource Director, met with the Supervisors to discuss the employee auto liability insurance limits. Currently the required limit is \$200,000. After discussion, the Supervisors decided to leave the limit where it currently is.

The Supervisors also discussed the Health Insurance renewals and partial self-funding renewals for FY2026. After discussion, the Supervisors decided to leave the health insurance plan as is and directed the Auditor to prepare the insurance & partial self-funding numbers for FY2026 to not show any increase from the current budget.

Motion by McVicker, seconded by Lukensmeyer to approve a resolution amending the Franklin County Policy Manual Chapter 2.3 “Franklin County Bidding Requirements & Procedures”. The resolution reads in full:

**RESOLUTION #2025-14**

**AMENDING FRANKLIN COUNTY, IOWA GENERAL POLICIES & PROCEDURES MANUAL**

**WHEREAS**, the Franklin County, Iowa, General Policies & Procedures Manual final copy was presented and approved by the Board of Supervisors on February 21<sup>st</sup>, 2023 **WHEREAS**, the Board of Supervisors are amending Section 2.3 “Franklin County Bidding Requirements & Procedures” **WHEREAS**, as it was approved on February 21<sup>st</sup>, 2023, it read as follows:

**Chapter 2.3 – Franklin County Bidding Requirements & Procedures**

**Policy**

It is the policy of Franklin County to have and use clear and consistent bidding requirements and procedures.

**SCOPE**

This policy is applicable to all bids for the purchase of goods, materials, supplies, and equipment and services, EXCEPT AS REGARDS “Public Improvement” (see Iowa Code 26.2 as amended) that meet the threshold amounts set out in Iowa Code 26.3 and 26.14, as amended. In those situations that meet the threshold of Chapter 26, this policy shall not apply. In those situations where the threshold of the project does not meet that set out in Chapter 26, this policy shall apply. In addition, this policy is applicable to all bids for purchase of goods, materials, supplies, equipment and services, except as regards buildings, roads, bridges, and culvert projects, WHICH shall be governed by Iowa Code Chapters 26, 309, 310, and 314, as amended. The Board of Supervisors shall give prior approval to all bidding projects, except those of \$10,000.00 or less. The Board of Supervisors will accept and open bids unless otherwise indicated in the bid notice or request for proposal. Competitive bidding is not required for professional service contracts. The monetary value of a project should be based upon the responsible department heads’ reasonable estimate on the best evidence available as to the cost of the project in order to determine which procedure will be followed.

**Procedures/Requirements**

I. GENERAL PROCEDURES – This policy will apply to all purchases and construction projects, regardless of whether the project is a “public improvement” as set out in Iowa Code 26.1 and following. The procedure to be followed

will be that set out in Iowa Code 26.1 and following, and Iowa Code 384.103 with the additional provision that it will apply to all purchases. A contract for public improvement must be awarded to the lowest responsible bidder, *with the exception that due cause is provided.*

a. SECONDARY ROAD PROJECTS – Secondary road or bridge construction work and materials for which the Engineer's estimate exceeds \$100,000 except surfacing materials obtained from local pits or quarries shall be governed by the provisions of Iowa Code Chapters 309, 310, 314, as amended.

b. PROJECTS OF \$10,000 OR LESS - When the estimated cost of a purchase or project is \$10,000 or less, no bidding procedure is required. It is suggested that the department head or elected official will use their discretion in authorizing the project or purchase.

c. PROJECTS OF \$10,001 UP TO \$25,000 - When the estimated cost of a purchase or project between \$10,001 up to \$25,000, bidding procedures may be used in which requests for written bids are submitted to at least two prospective bidders unless the County official in charge of said bids states in writing that less than two prospective bidders are available or at the discretion of the Board of Supervisors.

d. PROJECTS OF \$25,001 TO \$100,000 – When the estimated total costs of a project is between the sum of \$25,001 and \$100,000, the County shall submit requests for proposals to prospective bidders. Notice to bidders need not be published. Any applicable bids obtained by the State of Iowa should also be reviewed and considered.

e. PROJECTS EXCEEDING \$100,000 – When the estimated total cost of a project exceeds the sum of \$100,000, the County shall submit requests for proposals and advertise for sealed bids by publishing a notice to bidders as provided in Iowa Code 331.305, as amended. At the hearing, any interested person may appear and file objections to the proposed plans, specifications, contract, or estimated costs of the improvement. After hearing objections, the governing board shall by resolution enter its decision on the project. See Iowa Code 26.1 and following.

f. PUBLIC HEARING – When the estimated total of a prospective bid exceeds the sum of \$100,000, the Board shall not enter into a contract until it has held a public hearing on the proposed plans, specifications, form of contract, and estimated costs, with notice as provided in Iowa Code 331.305 as amended. At the hearing, any interested person may appear and file objections to the proposed plans, specifications, contract, or estimated costs of the improvement. After hearing objections, the governing board shall by resolution enter its decision on the project. See Iowa Code 26.1 and following.

g. PUBLIC IMPROVEMENT AND SECURITY AND PERFORMANCE BONDS – In any project with an estimated value over \$100,000 or more, involving a “public improvement”, meaning any building or construction work, the County shall require a security bond in a minimum amount of five percent (5%) with each bid and a performance bond in the amount of 10 percent (10%) to be submitted with the award of the contract. Bonds are to be cash or by an insurance carrier recognized and approved by the State of Iowa or approved by the County. The County may waive a portion of the performance bond under usual circumstances. See Iowa Code 331.341, 26.1 and following, and Iowa Code Chapter 573, as amended. NOTE: Bid security is not required for the purchase of vehicles.

h. NOTICE TO BIDDERS – Notice to bidders shall be as set out in Iowa Code 26.1 and following, as amended.

i. GENERAL SERVICES CONTRACTS – When the County wishes to purchase an item that has been bid by the State of Iowa, Department of General Services, under the provisions of Iowa Code 8A.311, as amended, the Board, after hearing, may forego any other bidding and accept the terms of the contract entered into by the State with the respective bidder.

j. OPENING BIDS – The Board of Supervisors shall open the bids, announce the amount of the bids, and file all proposals received at the time and place specified in the notice to bidders. The Board may award the contract to the bidder submitting the best bid, or it may reject all bids, fix a new date for receiving new bids, and order publication of a new notice to bidders. The Board of Supervisors reserve the right to accept any bid regardless of “low bid” providing documentation of their reasoning. Bid security furnished by the successful bidder must be retained by the County until the approved contract has been executive and a bond filed by the bidder guaranteeing performance of the contract, and both the contract and the bond have been approved by the County. Checks or bidder bonds of the unsuccessful bidders must be promptly returned to the bidders by the governing body as soon as the successful bidder is determined or within thirty (30) days, whichever is sooner.

k. DELEGATION OF OPENING OF BIDS – When bids or proposals are required to be taken in connection with a bid letting, the County may delegate by resolution to the Auditor, Engineer, or other public office, the duty of receiving and opening bids and announcing the results. The officer shall report the results of the bidding, with the officer's recommendation thereon, to the governing body at its next meeting.

l. EMERGENCY REPAIRS – When emergency repair or replacement is necessary and the delay of advertising and a public letting might cause serious loss or injury to the County, the County shall by resolution make a finding of the necessity to institute emergency proceedings under Iowa Code 384.103, as amended, and shall procure a certificate from a competent registered professional engineer, architect, or professional or expert in the field affected by the emergency, and not a regular employee of the County, certifying that emergency repairs are necessary.

COMPETITIVE BIDDING NOT REQUIRED FOR PROFESSIONAL SERVICE CONTRACTS – Although bidding is preferred when obtaining professional services, this Policy does not require it. Professional services may turn on subject of elements that are not susceptible to formulation in the bidding process. See 1992 Iowa Opinion of Attorney General 190 to City of Clinton v Sheridan, 530 NW2d 690-695 (IA 1995), Iowa Code 331.342(4) as amended.

**WHEREAS**, the Board of Supervisors has chosen to amend Section 2.3 as follows:

**Chapter 2.3 – Franklin County Bidding And Purchasing Requirements And Procedures**

## POLICY

It is the policy of Franklin County to have and use clear and consistent bidding requirements and procedures.

## SCOPE

This policy is applicable to the purchase, contracting and leasing of goods, materials, supplies, equipment and services. If there is a conflict between this policy and Iowa or Federal law, the applicable law will prevail.

The Board of Supervisors shall give prior approval to all bidding projects, except those of \$10,000 or less. The cost of a project or purchase should be based upon the responsible Department Head's reasonable estimate considering the best evidence available.

## PROCEDURES/REQUIREMENTS

- A. **PROJECTS AND PURCHASES OF \$10,000 OR LESS** – When the estimated cost of a purchase or project is \$10,000 or less, no bidding procedure is required. It is suggested that the department head or elected official will use their discretion in authorizing the project or purchase.
- B. **PROJECTS AND PURCHASES OF \$10,001 UP TO \$25,000** – When the estimated cost of a project or purchase is between \$10,001 and \$25,000, bidding procedures shall be used in which requests for written bids are submitted to at least two prospective bidders unless the County official in charge of said bids states in writing that less than two prospective bidders are available or at the discretion of the Board of Supervisors.
- C. **PROJECTS AND PURCHASES OF \$25,001 UP TO \$100,000** – When the estimated total cost of a project or purchase is between the sum of \$25,001 and \$100,000, the County shall submit requests for proposals to prospective bidders. Notice to bidders need not be published. Any applicable bids obtained by the State of Iowa should also be reviewed and considered. If the project is a public improvement subject to Iowa Code Chapter 26, refer to “Security and Performance Bond Requirements” below.
- D. **PROJECTS AND PURCHASES EXCEEDING \$100,000** – When the estimated total cost of a project or purchase exceeds the sum of \$100,000, even if the project is not a “public improvement” as defined in Iowa Code Chapter 26, the County shall advertise for sealed bids and publish a notice to bidders following the procedure set forth for public improvements in Iowa Code Chapter 26.
- E. **PUBLIC HEARING** – When the estimated total cost of a project or purchase, even if the project or purchase is not a “public improvement” as defined in Iowa Code Chapter 26, exceeds the sum of \$100,000, the Board shall not enter into a contract until it has held a public hearing on the proposed plans, specifications, form of contract, and estimated costs, following the procedure set forth in Iowa Code Chapter 26. At the hearing, any interested person may appear and file objections to the proposed plans, specifications, contract, or estimated costs. After hearing objections, the Board shall by resolution enter its decision on the project or purchase.
- F. **SECURITY AND PERFORMANCE BOND REQUIREMENTS** – In any project involving a “public improvement” meaning any building or construction work, the County shall require a security bond in a minimum amount of five percent (5%) with each bid and a performance bond in the amount of ten percent (10%) to be submitted with the award of the contract. Bonds are to be cash or by an insurance carrier recognized and approved by the State of Iowa or approved by the County. The County may waive a portion of the performance bond under unusual circumstances. Such bid and performance bonds shall be required in any public improvement with an estimated value of \$25,000 or more. See Iowa Code §331.341, Chapter 26, and Chapter 573 as amended. NOTE: Bid security not required for the purchase of vehicles.
- G. **NOTICE TO BIDDERS** – Notice to bidders shall conform to the requirements of Iowa code §26.7.
- H. **GENERAL SERVICES CONTRACT** – When the County wishes to purchase an item that has been bid by the State of Iowa, Department of Administrative Services, under the provisions of Iowa Code §8A.311, as amended, the Board may forego any other bidding and accept the terms of the contract entered into by the State with the respective bidder.
- I. **OPENING BIDS** – The Board of Supervisors shall open the bids, announce the amount of the bids, and file all proposals received at the time and place specified in the notice to bidders. The Board may award the contract to the bidder submitting the lowest responsive, responsible bid, or it may reject all bids, fix a new date for receiving new bids, according to notice and other procedural requirements set forth above. Bid bond furnished by the successful bidder must be retained by the County until the approved contract has been executed and a bond furnished by the bidder guaranteeing performance of the contract, and both the contract and the bond have been approved by the County. Bid bonds of the unsuccessful bidders shall be promptly returned to the bidders by the Board as soon as practicable after the successful bidder is determined or within thirty (30) days, whichever is sooner.
- J. **DELEGATION OF OPENING BIDS** – When bids or proposals are required to be taken in connection with a bid letting, the County may delegate by resolution to the Auditor, Engineer, or other public officer, the duty of receiving and opening the bids and announcing the results. The officer shall report the results of the bidding, with the officer's recommendation thereon, to the Board at its next meeting.

- K. EMERGENCY REPAIRS – Emergency purchases & services may be made/obtained by a Department Head or Elected Official following verbal approval of a Board member, if said purchase/service falls within the limits of this policy. What constitutes an emergency is at the discretion of the Board, in consultation with the applicable Department Head or Elected Official.
- L. SECONDARY ROAD PROJECTS – Secondary road, bridge or culvert construction projects and materials, except surfacing materials obtained from local pits or quarries, shall be governed by the provisions of Iowa Code Chapters 309, 310 and 314, as amended.
- M. FEE-BASED SELECTION PROHIBITED – Selection of architectural, landscape architectural, or engineering design services for public improvement shall not be fee-based and is not subject to competitive bid or competitive quotation processes outlined in Iowa Code sections 26.3 and 26.14.

**THEREFORE**, the amended section is effective upon the passing of this resolution.

Roll call vote was as follows, Ayes: Lukensmeyer, McVicker, Vanness; Nays: None. Motion carried and resolution duly adopted.

Motion by Lukensmeyer, seconded by McVicker to approve a request from Franklin County Family Focus to set the clocktower to blue for April's Child Abuse Prevention Month. All ayes. Motion carried.

Motion by McVicker, seconded by Lukensmeyer to approve a resolution authorizing an operating transfer for Home Care. The resolution reads in full:

**RESOLUTION 2025-13**

**A RESOLUTION AUTHORIZING OPERATING & CAPITAL PROJECTS TRANSFERS FOR VARIOUS FRANKLIN COUNTY HOME CARE**

**WHEREAS**, Franklin County, Iowa (the "County"), pursuant to and in strict compliance with all laws applicable to the County, desires to transfer cash from one fund to another for the purposes of supporting several county entities. **WHEREAS**, presently the County has budgeted monies for the following transfer:

| CURRENT FUND                                 | AMOUNT OF TRANSFER | Transfer To                      | REASON FOR TRANSFER        |
|--|--------------------|----------------------------------|----------------------------|
| General Basic Fund<br>01000-10300-814-99-823 | \$16,456.00        | Home Care<br>60202-10000-9000-12 | General Operating Transfer |

**NOW, THEREFORE**, be it resolved by the Board of Supervisors of Franklin County, Iowa, directing the County Auditor to proceed with the general operating transfer, the amount of transfer to the appropriate fund mentioned above, due to the reason mentioned; said transfer is between budgetary funds.

Roll call vote was as follows, Ayes: Lukensmeyer, McVicker, Vanness; Nays: None. Motion carried and resolution duly adopted.

Acting as drainage trustees, Motion by Lukensmeyer, seconded by McVicker to approve the drainage minutes from February 18<sup>th</sup>, 2025. All ayes. Motion carried.

Motion by Lukensmeyer, seconded by McVicker to approve an application for use of a Franklin County Building Space by Senator Chuck Grassley. All ayes. Motion carried.

Motion by McVicker, seconded by Lukensmeyer to approve a resolution authorizing the Auditor's office to stop payment on checks. The resolution reads in full:

**RESOLUTION #2025-15**

**A RESOLUTION AUTHORIZING THE AUDITOR'S OFFICE TO STOP PAYMENT ON CHECKS**

**WHEREAS**, Franklin County has received notice from a vendor that checks have been lost in the mail and said checks show as outstanding:

**GENERAL BASIC FUND – ACCOUNTS PAYABLE**

| Warrant # | Issue Date | Fiscal Year | Name               | Amount  |
|-----------|------------|-------------|--------------------|---------|
| 38128     | 12/26/2024 | 2024/2025   | MidAmerican Energy | \$25.77 |

**CONSERVATION FUND – ACCOUNTS PAYABLE**

| Warrant # | Issue Date | Fiscal Year | Name               | Amount   |
|-----------|------------|-------------|--------------------|----------|
| 38129     | 12/26/2024 | 2024/2025   | MidAmerican Energy | \$32.33  |
| 38130     | 12/26/2024 | 2024/2025   | MidAmerican Energy | \$246.75 |

**BE IT RESOLVED**, the Franklin County Board of Supervisors do order the Auditor to cancel the outstanding checks and credit the amount to the account, which the check was drawn.

Roll call vote was as follows, Ayes: Lukensmeyer, McVicker, Vanness; Nays: None. Motion carried and resolution duly adopted.

Chairman Vanness adjourned the meeting at 9:51AM until Monday, March 3<sup>rd</sup>, 2025 at 8:30AM at the Franklin County Courthouse for a regular session.

ATTEST:

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Chris Vanness, Chairman  
Board

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Katy A. Flint, Auditor & Clerk to the