

The Monroe County Board of Supervisors met pursuant to adjournment May 19, 2020 with Board of Supervisor members John Hughes (Chairman), Dennis Amoss (Vice-Chairman) and Michael R. Beary present.

Minutes of May 12, 2020, read and signed for approval by Board of Supervisors.

Motion by Amoss and seconded by Beary to approve an economic development assistance sponsorship for Cargill, Incorporated.

All voting aye. Motion carried.

Motion by Amoss and seconded by Beary to approve the following resolution relating to the sponsorship above:

A RESOLUTION OF THE MONROE COUNTY, IOWA BOARD OF SUPERVISORS APPROVING THE APPLICATION OF CARGILL, INC., TO THE IOWA ECONOMIC DEVELOPMENT AUTHORITY HIGH QUALITY JOBS PROGRAM

Project Surfer

WHEREAS, Monroe County, Iowa has received a request from Cargill, Inc., to approve and submit an application to the State of Iowa for the Economic Development High Quality Jobs Program, and

WHEREAS, the program was established to promote Economic Development and Job Creation in the State of Iowa, and

WHEREAS, Monroe County supports activities which promote and facilitate Economic Development within the County of Monroe, and

WHEREAS, in the application, Cargill, Inc. has indicated that they will:

- 1. Create 14 new full-time positions averaging \$77,000 annual salary / year.*
- 2. Provide comprehensive health benefits to its employees.*
- 3. Make a capital investment of approximately \$233,000,000.*

NOW, THEREFORE, BE IT RESOLVED by Monroe County:

- a. The Monroe County Supervisors hereby approves the application of Cargill, Inc. for the purpose of receiving benefits from the High-Quality Jobs Program.*
- b. The Monroe County Supervisors understands the local match requirement of the Iowa Economic Development Authority and hereby approves a local match in the estimated amount of \$5,506,473 through a partial, seven (7) year ad valorem tax exemption under Section 15.332, Code of Iowa on all real property improvements directly related to Cargill, Inc.'s project under the High-Quality Job Creation Act, as follows:*

Year 1	\$1,326,861
Year 2	\$1,194,175
Year 3	\$ 995,146
Year 4	\$ 796,117
Year 5	\$ 597,087
Year 6	\$ 398,058
Year 7	\$ 199,029

- c. *The Monroe County Board of Supervisors hereby authorizes the Chairman to sign the HQJP application on behalf of the County and to take such further actions as deemed necessary in order to carry into effect the provisions of this Resolution.*

PASSED, APPROVED, AND ADOPTED this 19th day of May, 2020.

All voting aye. Motion carried.

Motion by Beary and seconded by Amoss to approve a liquor license and outdoor sales license for Red Barn Saloon & Grille pending submittal of dram shop insurance.

All voting aye. Motion carried.

Motion by Beary and seconded by Amoss to approve Auditor Amanda R. Haran's grant application to the Iowa Secretary of State pursuant to the CARES Act and the Help America Vote Act (HAVA.) The grant is for \$2,400 to purchase supplies to prevent, prepare for, and respond to coronavirus for the 2020 Federal election cycle.

All voting aye. Motion carried.

Motion by Amoss and seconded by Beary to accept \$15,000 donation from Cargill for the purchase of two police canines. Sheriff Dan Johnson said one canine will specialize in explosives and the other in narcotics.

All voting aye. Motion carried.

Motion by Beary and seconded by Amoss to approve the following policies for Monroe County as recommended by Public Health's Dana Cockrell. The policies are required for final approval of the Community Development Block Grant for approximately \$55,000 awarded to Monroe County Public Health. The grants will be used to fund a hospital sterilization room, food banks, laptops and fund extra hours for public health staff. The Affirmative Fair Housing Policy, Code of Conduct Policy, Equal Opportunity Policy, Excessive Force Policy, Procurement Policy and Residential Anti displacement Policy are as follows:

AFFIRMATIVE FAIR HOUSING POLICY

This notice is published pursuant to the requirements of Executive Order 11063 on equal opportunity in housing and nondiscrimination in the sale or rental of housing built with federal assistance, and with Title VIII of the Civil Rights Act of 1968, as amended, which prohibits

discrimination in the provision of housing because of race, color, creed, religion, sex, national origin, disability or familial status.

Monroe County, Iowa advises the public that it will administer its assisted programs and activities relating to housing and community development in a manner to affirmatively further fair housing in the sale or rental of housing, the financing of housing and the provision of brokerage services.

As a recipient of federal funds, no discrimination in housing will result from the application of Community Development Block Grant (CDBG) funds for COVID-19 Response in Monroe County. Monroe County, Iowa shall assist individuals who believe they have been subject to discrimination in housing through the resources of the Iowa Civil Rights Commission or the U.S. Department of Housing and Urban Development.

Monroe County, Iowa has designated the following office as the contact to coordinate efforts to comply with this policy. Inquiries should be directed to the Monroe County Auditor.

CODE OF CONDUCT

PURPOSE

The purpose of this Code of Conduct is to ensure the efficient, fair, and professional administration of federal grant funds in compliance with 2 CFR Part 200.318 and other applicable federal and state standards, regulations, and laws.

APPLICATION

This Code of Conduct applies to all officers, employees, or agents of Monroe County, Iowa engaged in the award or administration of contracts supported by federal grant funds.

REQUIREMENTS

No officer, employee, or agent of Monroe County, Iowa 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:

- a. The employee, officer, or agent;
- b. Any member of his/her immediate family;
- c. His/her partner; or

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

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

FRAUD, WASTE AND ABUSE

Monroe County, Iowa has zero tolerance for the commission or concealment of acts of fraud, waste, or abuse. All officers, employees, or agents shall notify the Monroe County, Iowa of suspected actions. Allegations of such acts will be investigated and pursued to their logical

conclusion, including legal action where warranted. Concerns may be reported to the Monroe County Auditor's Office at, 10 Benton Avenue East, Albia, IA 641-932-2865.

REMEDIES

To the extent permitted by federal, state, or local laws or regulations, violation of these standards may cause penalties, sanctions, or other disciplinary actions to be taken against Monroe County, Iowa's officers, employees, or agents, or the contractors, potential contractors, subcontractors, or their agents.

EQUAL OPPORTUNITY POLICY

It is the policy of Monroe County, Iowa to provide equal opportunity to all employees, applicants and program beneficiaries; to provide equal opportunity for advancement of employees; to provide program and employment facilities which are accessible to the handicapped and to administer its programs in a manner that does not discriminate against any person because of race, creed, color, religion, sex, national origin, disability, age, familial status, political affiliation, citizenship or sexual orientation.

The Chairperson has ultimate responsibility for the overall administration of the affirmative action/equal opportunity program. The total integration of equal opportunity into all parts of personnel and program management is the Chairperson's responsibility. The Chairperson will review all policies and procedures as they affect equal opportunity and affirmative action and ensure compliance with relevant federal and state statutes.

The right of appeal and recourse is guaranteed by Monroe County, Iowa. Any person who feels that he or she has been denied employment, participation, representation, or services in any program administered by Monroe County, Iowa because of race, creed, color, religion, sex, national origin, age, disability, political affiliation, sexual orientation, or citizenship has the right to file an equal opportunity complaint. Information and assistance relative to equal opportunity complaints shall be provided by the Monroe County Auditor's Office, who can be contacted at 641-932-2865.

This Equal Opportunity Policy of the Monroe County, Iowa shall be posted in conspicuous places within the facility, distributed to all employees, contractors and to the persons of all advisory and policy-making groups.

EXCESSIVE FORCE POLICY

WHEREAS, Monroe County, Iowa has received federal funding through the Community Development Block Grant (CDBG) program; and,

WHEREAS, Section 519 of the Department of Veteran Affairs and U.S. Department of Housing and Urban Development, and Independent Agencies Appropriations Act of 1990 requires that all CDBG recipients adopt and enforce a policy to prohibit the use of excessive force by law enforcement agencies within the recipient's jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and

WHEREAS, all recipients of CDBG funds are further required to follow a policy of enforcing applicable state and local laws against physically barring entrances or exits to a facility that is the subject of a nonviolent protest demonstration; and

WHEREAS, Monroe County, Iowa endorses a policy prohibiting the use of excessive force and will inform all law enforcement agencies within its jurisdiction of this policy,

NOW, THEREFORE, BE IT RESOLVED, Monroe County, Iowa hereby prohibits any law enforcement agency operating within its jurisdiction from using excessive force against any individuals engaged in nonviolent civil rights demonstrations. In addition, Monroe County, Iowa agrees to enforce any applicable state or local laws against physically barring entrances or exits from a facility or location that is the subject of a non-violent protest demonstration. Monroe County, Iowa further pledges enforcement of this policy within its jurisdiction and encourages any individual or group who feels that Monroe County, Iowa has not complied with this policy to file a complaint.

Information and assistance relative to excessive force complaints shall be provided by the Monroe County Auditor's Office, 641-932-2865.

PROCUREMENT POLICY

PURPOSE

The purpose of this Procurement Policy is to ensure that sound business judgment is utilized in all procurement transactions and that supplies, equipment, construction, and services are obtained efficiently and economically and in compliance with applicable federal law and executive orders and to ensure that all procurement transactions will be conducted in a manner that provides full and open competition.

APPLICATION

This policy applies to the procurement of all supplies, equipment, construction, and services of and for Monroe County, Iowa related to the implementation and administration of the Community Development Block Grant (CDBG) award. All procurement will be done in accordance with 2CFR Part 200 and Appendix II to Part 200.

POLICY

GENERAL PROCUREMENT PRACTICES

Monroe County, Iowa will adhere to the following general procurement practices: document procurement standards; maintain oversight of contractors to ensure performance in accord with standards; avoid acquisition of unnecessary or duplicative items; encourage procurement or use of shared goods and services; use Federal excess and surplus property when feasible; encourage value-engineering clauses in construction contracts; award contracts only to responsible contractors; limit use of time and materials contracting; and use good administrative judgment to settle all contractual and administrative issues.

COMPETITION

Monroe County, Iowa will provide full and open competition; publishing (in newspaper) ; prohibit use of state or local geographical preferences; develop written procedures for

procurement transactions to ensure competition is not restricted; and ensure that pre-qualified lists are current.

FIVE METHODS OF PROCUREMENT

Procurement under grants shall be made by one of the following methods, as described herein:

(a) micro-purchase; (b) small purchase procedures; (c) sealed bids (formal advertising/published); (d) competitive proposals; (e) noncompetitive proposals.

- A. Micro-purchase includes the acquisition of supplies or services that do not exceed \$3,000 (or \$2,000 for acquisitions for construction subject to Davis-Bacon Act)
- B. Small purchase procedures are relatively simple and informal procurement methods that are sound and appropriate for the procurement of services, supplies, or other property, costing in aggregate not more than \$150,000. If small purchase procedures are used for a procurement under a grant, then a price or rate quotations (minimum of 2) shall be obtained from an adequate number of qualified sources.
- C. In sealed bids (formal advertising), sealed bids are publicly solicited (published) and a firm-fixed-price contract (lump sum or unit price) is awarded to the responsible bidder whose bid, conforming with all of the material terms and conditions of the invitation for bids, is the lowest in price. The sealed bids method is the required method for procuring construction.
 1. In order for formal advertising to be feasible, appropriate conditions must be present, including, at a minimum, the following:
 - a) A complete, adequate and realistic specification or purchase description is available.
 - b) Two or more responsible bidders are willing and able to compete effectively for Monroe County, Iowa's business; and
 - c) The procurement lends itself to a firm-fixed-price contract, and the selection of the successful bidder can be made principally on the basis of price.
 2. When sealed bids are used for a procurement under a grant, the following requirements apply:
 - a) A sufficient time prior to the date set for opening of bids, bids shall be solicited (publicly advertised/published) from an adequate number of known suppliers.
 - b) The invitation for bids, including specifications and pertinent attachments, shall clearly define the items or services needed in order for the bidders to properly respond to the invitation for bids.
 - c) All bids shall be opened publicly at the time and place stated in the invitation for bids.
 - d) A firm-fixed-price contract award shall be made by written notice to that responsible bidder whose bid, conforming to the invitation for bids, is lowest. Where specified

in the bidding documents, factors such as discounts, transportation costs, and life cycle costs shall be considered in determining which bid is lowest. Payment discounts may only be used to determine low bid when prior experience of Monroe County, Iowa indicates that such discounts are generally taken.

- e) Any or all bids may be rejected if there are sound documented business reasons in the best interest of the program.
- D. Procurement by competitive proposals (RFP or RFQ) is normally conducted with more than one source submitting an offer, and either a fixed-price or cost-reimbursable type contract is awarded, as appropriate. Competitive proposals are generally used when conditions are not appropriate for the use of sealed bids. If the competitive proposals method is used for a procurement under a grant, the following requirements apply:
1. Requests for Proposals shall be publicized (publicly advertised/published) and identify all evaluation factors and their relative importance. Any response to publicized requests for proposals shall be honored to the maximum extent practical.
 2. Requests for Proposals shall be solicited from an adequate number of qualified sources.
 3. Monroe County, Iowa shall have a method for conducting evaluations of the proposals received and for selecting awardees.
 4. Awards will be made to the responsible offeror whose proposal will be most advantageous to the procuring party, with price (other than architectural/engineering – no price in RFQ's) and other factors considered. Unsuccessful offerors will be promptly notified in writing.
 5. Monroe County, Iowa should use competitive proposal procedures for qualification-based procurement of architectural/engineering (A/E) professional services whereby competitor's qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The method, where price is not used as a selection factor, can only be used in the procurement of A/E professional services. It cannot be used to procure other types of services (e.g., administration professional services) even though A/E firms are a potential source to perform the proposed effort.
- E. Noncompetitive proposal is procurement through solicitation of a proposal from only one source, or after solicitation from a number of sources, competition is determined inadequate. A noncompetitive proposal means a procurement through either a "sole source," when the Recipient solicits an offer from one source, or a "single source," when the Recipient solicits offers from multiple sources but receives only one or the competition is determined inadequate. Noncompetitive proposals may be used only when the award of a contract is infeasible under small purchase procedures, sealed bids (formal advertising), or competitive proposals. Circumstances under which a contract may be awarded by noncompetitive proposals are limited to the following:

1. The item is available from only a single source;
2. After solicitation of a number of sources, competition is determined inadequate;
3. A public exigency or emergency exists when the urgency for the requirement will not permit a delay incident to competitive solicitation; and
4. The awarding agency (IEDA) authorizes noncompetitive proposals. (Sole or single source procurement for supplies, equipment, construction, and services valued at \$25,000 or more must have prior approval of the Iowa Economic Development Authority).

Sole or single source procurement is unusual and the circumstances and rationale for its use must be fully documented. Additionally, IEDA must approve in advance sole or single source procurement for contracts or purchases valued at \$25,000 or more.

- F. Monroe County, Iowa will provide, to the greatest extent possible, that contracts be awarded to qualified small and minority firms, women business enterprises, and labor surplus area firms whenever they are potential sources.
- G. Any other method of procurement must have prior approval of the Iowa Economic Development Authority.

RECYCLED MATERIALS

Monroe County, Iowa will procure items with recycled content following the requirements of Code of Iowa chapter 8A.315-317 and Iowa Administrative Code chapter 11-117.6(5) — Recycled Product and Content.

BID LANGUAGE - PROCUREMENT OF RECOVERED MATERIALS

Recipients shall include in all request for proposals and bid documents the following language. "The contractor agrees to comply with all the requirements of Code of Iowa chapter 8A.315-317 and Iowa Administrative Code chapter 11-117.6(5) — Recycled Product and Content."

CONTRACT PRICING

- A. The cost plus a percentage of cost and percentage of construction cost method of contracting shall not be used.
- B. Monroe County, Iowa shall perform some form of cost/price analysis for every procurement action, including modifications, amendments or change orders.

PROCUREMENT RECORDS

Monroe County, Iowa 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. Monroe County, Iowa shall make technical specifications and procurement documents available for review upon request.

BONDING REQUIREMENTS

Bonding requirements for construction or facility improvement contracts must meet the federal minimum requirements or receive a determination that the federal interest is adequately protected.

RESIDENTIAL ANTI DISPLACEMENT & RELOCATION ASSISTANCE PLAN POLICY

This Residential Anti-displacement and Relocation Assistance Plan is prepared by Monroe County, Iowa in accordance with the Housing and Community Development Act of 1974, as amended; and HUD regulations at 24 CFR 42.325 and is applicable to our CDBG¹, UDAG and/or HOME-assisted projects.

Minimize Displacement

Consistent with the goals and objectives of activities assisted under the Act, Monroe County will take the following steps to minimize the direct and indirect displacement of persons from their homes: (The application and scope of the Community Development Block Grant for COVID-19 Response in Monroe County will not be affecting housing units or their availability in Monroe County, Iowa.)

- Coordinate code enforcement with rehabilitation and housing assistance programs.
- Evaluate housing codes and rehabilitation standards in reinvestment areas to prevent undue financial burden on established owners and tenants.
- Arrange for facilities to house persons who must be relocated temporarily during rehabilitation.
- Where feasible, give priority to rehabilitation of housing, as opposed to demolition, to avoid displacement.
- If feasible, demolish or convert only dwelling units that are not occupied or vacant occupiable dwelling units (especially those units which are “lower-income dwelling units” (as defined in 24 CFR 42.305).

Relocation Assistance to Displaced Persons

Monroe County, Iowa will provide relocation assistance for lower-income tenants who, in connection with an activity assisted under the [CDBG and/or HOME] Program[s], move permanently or move personal property from real property as a direct result of the demolition of any dwelling unit or the conversion of a lower-income dwelling unit in accordance with the requirements of 24 CFR 42.350. A displaced person who is not a lower-income tenant, will be provided relocation assistance in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and implementing regulations at 49 CFR Part 24.

¹ CDBG programs include: Entitlement Community Development Block Grant (CDBG) Program, State CDBG Program, CDBG Small Cities Program, Section 108 Loan Guarantee Program, CDBG Special Purpose Grants Program, and the Neighborhood Stabilization Program (NSP).

One-for-One Replacement of Lower-Income Dwelling Units

The Monroe County, Iowa will replace all occupied and vacant occupiable lower-income dwelling units demolished or converted to a use other than lower-income housing in connection with a project assisted with funds provided under the [CDBG and/or HOME] Program[s] in accordance with 24 CFR 42.375. Before entering into a contract committing Monroe County, Iowa to provide funds for a project that will directly result in demolition or conversion of lower-income dwelling units, Monroe County, Iowa will make public by publication in a newspaper of general circulation, The Albia Union Republican, and submit to HUD [the State, under the State CDBG and/or HOME Program(s)] the following information in writing:

A description of the proposed assisted project;

The address, number of bedrooms, and location on a map of lower-income dwelling units that will be demolished or converted to a use other than as lower-income dwelling units as a result of an assisted project;

A time schedule for the commencement and completion of the demolition or conversion;

To the extent known, the address, number of lower-income dwelling units by size (number of bedrooms) and location on a map of the replacement lower-income housing that has been or will be provided. NOTE: See also 24 CFR 42.375(d).

The source of funding and a time schedule for the provision of the replacement dwelling units;

The basis for concluding that each replacement dwelling unit will remain a lower-income dwelling unit for at least 10 years from the date of initial occupancy; and

Information demonstrating that any proposed replacement of lower-income dwelling units with smaller dwelling units (e.g., a 2-bedroom unit with two 1-bedroom units), or any proposed replacement of efficiency or single-room occupancy (SRO) units with units of a different size, is appropriate and consistent with the housing needs and priorities identified in the HUD-approved Consolidated Plan and 24 CFR 42.375(b).

To the extent that the specific location of the replacement dwelling units and other data in items 4 through 7 are not available at the time of the general submission, Monroe County, Iowa will identify the general location of such dwelling units on a map and complete the disclosure and submission requirements as soon as the specific data is available.

Replacement not Required Based on Unit Availability

Under 24 CFR 42.375(d), Monroe County, Iowa may submit a request to HUD (or to the State, if funded by the State) for a determination that the one-for-one replacement requirement does not apply based on objective data that there is an adequate supply of vacant lower-income dwelling units in standard condition available on a non-discriminatory basis within the area.

Contacts

The Monroe County Auditor's Office, 641-932-2865, is responsible for tracking the replacement of lower income dwelling units and ensuring that they are provided within the required period. The Auditor's Office is responsible for providing relocation payments and other relocation assistance to any lower-income person displaced by the demolition of any dwelling unit or the conversion of lower-income dwelling units to another use.

All voting aye. Motion carried.

Meeting adjourned.

(John Hughes)
John Hughes, Chairman

ATTEST: (Amanda R. Harlan)
Amanda R. Harlan, Monroe County Auditor