

Chairman Mark Behrens convened the adjourned session with Feucht, Koedam, Birkey, and Herman present. Motion carried assumes unanimous vote unless otherwise stated.

The minutes of the June 23 and June 25, 2020 meetings were reviewed. Motion made by Supervisor Feucht to approve minutes, seconded by Supervisor Herman. Motion carried.

Attorney Shayne Mayer requested to call Nicky at the State DOT to confirm the possibility of the County entering into an interim agreement with DGR for the current A34 and K30 road projects. Nicky at DOT confirmed that it would be acceptable for DGR to be our Interim engineer. DGR will provide proof of experience with bid letting and construction.

Justin Christensen stated DGR sent a master agreement to Attorney Mayer. It should cover everything that might come up with in the A34 and K30 projects. The Master agreement would be put in place so the County and DGR do not have to continuously approve a new agreement for every project.

Knudson gave an update on the Lester project. Sidewalks are being poured, retaining wall piece is done, road piece on main is being worked on. Tentatively scheduled to pave from Hwy 9 to railroad tracks on July 7<sup>th</sup>.

Knudson stated that after reviewing the A34 project survey he does not feel the survey is correct, it is rotated. He recommends redoing the survey which will push us back. The contractor has 45 working days on the project so when it gets pushed back, they will be into liquidated damages. Cole spoke with the contractor and found out the contractor bid the project at nominal mill, which is the less expensive way to do the road. Christensen stated they felt the survey could have some points off but feel they will be able to correct this issue quickly. Christensen also stated DGR would need to have help from the road crew to monitor the road construction during the project. Christensen also stated that they would like to stake this road while Cole is still here and can help get this done. Feucht stated he wishes to move forward with DGR as consultant to keep this project moving. Motion by Feucht to accept master agreement with DGR for professional services for Lester K30 and A34, second by Birkey. All aye votes, motion carried.

One bid was received from JEO for the 3 bridge projects (70Y, 73Y and 79Y). Knudson stated preconstruction meeting is tomorrow and we will need to continue to move forward if we hope to finish this year. The Board agreed Knudson should continue with the preconstruction meeting on July 2<sup>nd</sup> for 70Y. The Board also requested DGR to provide a bid for consulting on the bridge projects as well.

Attorney Mayer requested the Board move into closed session per Iowa Code Section 21.5(1)(c) to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation. Motion by Herman second by Jerry Birkey to enter closed session 9:43 AM. Rollcall vote: District 1 Feucht Support, District 2 Koedam Support, District 3 Behrens Support, District 4 Birkey Support, and District 5 Herman Support. Motion carried.

Motion by Birkey, second by Herman to leave closed session. Rollcall Vote: District 1 Feucht Support, District 2 Koedam Support, District 3 Behrens Support, District 4 Birkey Support, and District 5 Herman Support. Motion carried. The Board left closed session at 10:07 AM.

Motion by Herman to let Knudson negotiate with Dixon Construction concerning liquidated damages on Bridge projects (95), (113), and (118) in regards to pushing back the starting date on Bridge 70Y, second by Koedam. Motion carried.

Attorney Mayer requested the Board move into closed session per Iowa Code Section 21.5(1)(c) to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation. Motion by Herman, second by Birkey to enter closed session 10:22 AM. Rollcall vote: District 1 Feucht Support, District 2 Koedam Support, District 3 Behrens Support, District 4 Birkey Support, and District 5 Herman Support. Motion carried.

Motion by Birkey, second by Koedam to leave closed session at 10:39 AM. Rollcall vote: District 1 Feucht Support, District 2 Koedam Support, District 3 Behrens Absent, District 4 Birkey Support, and District 5 Herman Support. Motion carried.

Attorney Mayer stated that she is still researching the procurement of headhunter services for the engineer position. Table until July 7<sup>th</sup>, 2020.

Discussion was had regarding calling Doug Julius to see if he would be interested in helping as our interim engineer for the bridge projects only with the consideration that Knudson will stay and help on these bridge projects. More discussion will be done at the July 7<sup>th</sup> meeting regarding Knudson remaining with the county to help with these projects.

Supervisor correspondence: Koedam - Mid Sioux board meeting; Birkey and Behrens attended the Sioux Rivers mental health meeting; and Feucht commented on the Lyon County Conservation revenue is up compared to last year.

There being no further business there was a motion by Herman, seconded by Birkey to adjourn. Motion carried.

NOTE: These minutes are as recorded by the Clerk to the Board of Supervisors and are subject to Board approval at the next regular meeting.