

August 26, 2010

The Board met in regular at 8:30 A.M. Members present: Lamoyne Gaard, Ellie Snook and Doug Shutts.

Moved by Shutts, 2<sup>nd</sup> by Snook to approve the following Driveway & Entrance permits: #10-22E to Mark Dimit, Section 34, Sheridan Township; #10-23E to Arlyn VanMaanen, Section 30, Sugar Creek Township; #10-24E to Teresa Freshour, Section 24, Warren Township and #10-25E to Bill VanWaus, Section 2, Warren Township. 3 ayes. Motion carried.

Moved by Snook, 2<sup>nd</sup> by Shutts to approve Construction permit #10-28C to Merle Doty to reshape ditch in Section 23, Grant Township. 3 ayes. Motion carried.

Moved by Snook, 2<sup>nd</sup> by Shutts to accept with regret, the resignation of Brian Brown, Conservation Commission effective August 31, 2010. 3 ayes. Motion carried.

9:00 A.M. Rebecca Petig, Assistant County Attorney joined the meeting. Rebecca discussed lease between Poweshiek County and Rozendaal Rentals for DHS office space.

9:10 A.M. Conference call with Ed Herman, DHS regarding ICN and phone service being moved from Rozendaal building to Dale Lamb office space. It was decided to wait until further information is received to move the lines.

9:15 A.M. Don Lain, Liberty National Life Insurance gave an insurance presentation. Supervisors will not participate in the plan at this time.

9:30 A.M. A public hearing was held on the matter of the proposed authorization of a Lease Agreement with Baystone Financial Group not to exceed \$93,960.90 for a general county purpose, bearing interest at a rate not to exceed 4.177% per year. Said lease to be issued for the purpose of providing funds to pay costs of equipping the Sheriff's Department with a Chevy 1500 Silverado Crew Cab 4WD, a Chevy Tahoe 2WD and a Chevy Tahoe 4WD. Principal and interest on the purposed Lease Agreement shall be payable from the Rural Services Basic Fund. This hearing by the order of the Board of Supervisors as provided by Section 331.402 of the Code of Iowa. Moved by Snook, 2<sup>nd</sup> by Shutts to enter into a public hearing. Present: Lamoyne Gaard, Ellie Snook and Doug Shutts, Supervisors; Diana Dawley, Auditor; Tom Sheets, Sheriff; Rebecca Petig, Assistant County Attorney and Doug Kies, Deputy Sheriff. Lamoyne gave an overview of the proposed financial lease agreement and then asked for comments. Auditor stated she felt it would be in the best interest of the County to return to a cash basis to purchase County vehicles. Ellie Snook and Lamoyne Gaard agreed this is a onetime 4 year lease agreement. Lamoyne said considering the County Budget we are only spending \$25,978.42 the first year, lessening the initial cash outlay. Tom stated the first payment could be paid within one year from the signing of the lease, making payment possible after taxes are collected. Auditor said she had given Baystone Financial all information required for completion of the application. Hearing no further comments it was moved by Shutts, 2<sup>nd</sup> by Snook to close the public hearing. Moved by Shutts, 2<sup>nd</sup> by Snook to proceed with Financial Lease Agreement between Baystone Financial Group and Poweshiek County. Gaard-aye. Snook-aye. Shutts-aye. Motion carried.

Moved by Snook, 2<sup>nd</sup> by Shutts to authorize Lamoyne Gaard, as Chairman to grant approval for Sheriff's Reserve Blaine Ronald Shutts to carry weapons as required by Iowa Code Section 80D.7. 3 ayes. Motion carried.

Tom Sheets, Sheriff presented resignation from Sixta Hernandez, part-time administrative clerk at the Sheriff's office effective September 7<sup>th</sup>, 2010.

Moved by Shutts, 2<sup>nd</sup> by Snook to approve the minutes of August 23, 2010. 3 ayes. Motion carried.

10:00 A.M. Julie Bowers, Dick Bowers, Diane Eakins and Bill Bushong joined the meeting to discuss the Skunk River Bridge in Sugar Creek Township. The Bridge fell into the river after the flooding the second week in August. Julie stated the NSRGA had to decide whether to stand by the agreement and get a plan in place or let it go. They have decided to continue the project. Julie stated she has contacted the Corp of Engineers and will have plans drawn up for removing the bridge and plan to remove some trees along the river. Ellie and Lamoyne stated that Mark Vavroch, Conservation Director will need to decide what trees are removed. Julie stated they went to the Conservation Board and if they can't get past the first part they will let the project go. Julie stated the plans will be done by a licensed engineer. Doug stated that no one but the Contractors will be on the work site. Julie stated she received a call from Arlene Stillwell, Oskaloosa who said the bridge has been called the McDowell Bridge which is incorrect. The bridge is actually the McIntyre Bridge. The NSRGA spoke about placing the bridge at a different location and Julie said Bill Bushong, Montezuma is working on ideas for access over the Skunk River. After discussion it was moved by Snook to authorize Lamoyne Gaard, as Chairman to sign Millgrove Access Wildlife Area Land Lease, Site work proposal #1 and McDowell Bridge—Purchase Agreement for the Rights of Restoration. Doug Shutts asked for further discussion before passage of the motion. Doug stated that Michael Mahaffey, County Attorney has additional wording regarding the lease that should be added as an addendum. The wording added is: At the present time, the bridge in question is in the river, having broken loose from its moorings. No restoration work shall begin until Poweshiek County deems the restoration area safe for the purpose of the work to be performed. Only contractors and subcontractors shall be allowed to work on the restoration project. After discussion it was moved by Snook to authorize Lamoyne Gaard, as Chairman to sign amended Purchase Agreement for the Rights of Restoration to include the above wording as Addendum #1, approve the Site work proposal #1 and approve the Millgrove Assess Wildlife Area Land Lease. Gaard-aye. Snook-aye. Shutts-aye. Motion carried.

10:30 A.M. Lana Taylor, Treasurer joined the meeting. Lana discussed Code of Iowa Chapter 384.84(4)(a)(1) regarding rates or charges for the services of sewer systems, storm waste collection, water, solid waste disposal or any of these services, if not paid as provided by ordinance of the board of directors of the rural water district are a lien upon the property or premises by any of these services upon certification to the county Treasurer that the rates or charges are due. Lana said she had been contacted by Poweshiek Water who said they are treated like a city according to code and may request the Treasurer put a lien on property with delinquent water bills. Lana had contacted Michael Mahaffey, who agreed with the interpretation of the Code. After explanation the Board of Supervisors agrees that this is a reasonable request and allowable by Code for the Treasurer to place a lien against property due to nonpayment of water bills.

10:42 A.M. Steve George and Joe Fuller, Fremont Farms appeared before the Board. Steve gave an update on the wind break at Fremont Farms which includes 684 trees, stated 2 of the 3 new houses are up and explained use of the eggs from Fremont Farms.

10:55 A.M. Doug Shutts left the meeting.

11:25 A.M. Moved by Snook, 2<sup>nd</sup> by Gaard to adjourn. 2 ayes. Motion carried.

August 30, 2010

The Board of Supervisors met in regular session at 8:30 A.M. Members present: Doug Shutts and Ellie Snook.

Moved by Snook, 2<sup>nd</sup> by Shutts to approve Driveway & Entrance permit #10-26E to Mike Klein, Section 6, Scott Township. 2 ayes. Motion carried.

Moved by Snook, 2<sup>nd</sup> by Shutts to approve Utility permit #10-18U to Interstate Power & Light for buried line in Sections 14 and 23, Chester Township. 2 ayes. Motion carried.

Lamoyne Gaard joined the meeting.

8:32 A.M. Matthew McCain and Todd Cummings, Colonial Life Insurance, Pella gave a presentation to the Supervisors on their life insurance benefits plan.

Moved by Shutts, 2<sup>nd</sup> by Snook to approve the following claims:

Dept of Public Defense	\$ 184.00
Fareway Stores, Inc.	\$ 48.84
Henry M Adkins & Son, Inc.	\$6,175.00
ICIT	\$ 45.00
Mid American Energy	\$ 260.63
Montezuma State Bank	\$ 31.20
Quality Construction	\$9,607.80
Three Sisters Fabric	\$ 36.25
United States Cellular	\$ 98.05
VISA	\$1,076.58

3 ayes. Motion carried.

Supervisors reviewed SPD from First Administrators regarding tobacco addiction treatment. After discussion it was moved by Snook, 2<sup>nd</sup> by Shutts to approve draft with exclusion regarding tobacco addiction treatment. 3 ayes. Motion carried.

Moved by Snook, 2<sup>nd</sup> by Shutts to approve Resolution #2643 abating taxes of \$114.00 on the following parcels now owned by Poweshiek County Conservation:

#460-3457100	Parcel C, NE SW & NW SE 1.40 acres Montezuma Aglands
#460-3472900	Lots 8 & 9 Ex N1 Rd Gov Lot 11 NW SW 9.26 ac Montezuma Aglands

3 ayes. Motion carried.

Supervisors received the August Veteran's Affairs Report from Director Roger Cox.

9:00 A.M. Moved by Snook, 2<sup>nd</sup> by Shutts to enter into a public hearing for the purpose of public comment regarding amendments to the August 21, 2006 Poweshiek County Zoning Ordinance. Shutts-aye. Snook-aye. Gaard-aye. Motion carried. The Ordinance amendments pertain to Commercial and Non-commercial wind energy conversion systems. Present: Lamoyne Gaard, Ellie Snook, Doug Shutts, Supervisors; Diana Dawley, Auditor; Carroll Smith, Zoning Administrator; Bev Malloy, Recorder and Vince Johnson, Trade Winds Representative. Hearing was electronically recorded. No written or oral comments were received at the Auditor's office since the publication of Public hearing notice in official newspapers. Discussion followed regarding setbacks from public right of way, railroads, power line structures and property lines. Vince will discuss amendment with Reed Bartels, Tradewinds and return a written response to the Supervisors by September 1.

9:16 A.M. Moved by Snook, 2<sup>nd</sup> by Shutts to end the public hearing on amendment to the Zoning Ordinance regarding wind turbines. Snook-aye. Shutts-aye. Gaard-aye. Motion carried.

Lamoyne discussed conversation with Ed Herman, DHS regarding hookup to ICN lines at the Lamb building for DHS use. Hookup will be available when the office is moved. Moved by Shutts, 2<sup>nd</sup> by Snook to approve hookup placement in Dale Lamb rental office space, but will not be active until DHS employees are moved. 3 ayes. Motion carried.

9:37 A.M. Marty Wymore, Region 6 Planning Commission joined the meeting. Marty discussed the Region 6 Housing Trust Fund Summary. Proposed 2010 Application IFA funds available for Poweshiek County are \$53,088. Local County match would be \$13,272., of which \$3,318 would be In-kind funds. This expenditure of \$9,954. would be for FY12', so funds could be budgeted in the next fiscal year. Supervisors will discuss further before making a decision.

10:37 A.M. Moved by Shutts, 2<sup>nd</sup> by Snook to adjourn. 3 ayes. Motion carried.

---

Diana Dawley, Poweshiek County Auditor

---

Lamoyne Gaard, Chairman