

PROCEEDINGS OF THE BOARD OF SUPERVISORS OF MITCHELL COUNTY, IOWA

Tuesday, March 31, 2009

The Board of Supervisors convened at 8:30 a.m. with all members present. Also present was Charlie Pajer. Motion by Voaklander, second by Walk to include discuss crack filler and black top for the Fair Grounds, delete meeting at County Care Facility and to approve the amended agenda. All voted aye.

Motion by Walk, second by Voaklander to approve the minutes of the March 24th and 26th meetings. Roll call vote: all ayes.

After discussion, motion by Walk, second by Voaklander to waive the first and second readings of Mitchell County Ordinance #38, an ordinance providing that property taxes levied and collected each year on all property located within the Mitchell County UR-2 economic development district urban renewal project area, Mitchell County, Osage Community School District, and other taxing districts, be paid to a special fund for payment of principal and interest on loans, monies advanced to and indebtedness, including bonds issued or to be issued, incurred by the County in connection with the Mitchell County UR-2 economic development district urban renewal development project. Roll call vote: all ayes.

Motion by Voaklander, second by Walk to approve the third reading of Ordinance #38. Roll call vote: all ayes.

Planning and Zoning Director Mark Ross reported that the P&Z Board had met on March 26, 2009 and had unanimously approved a Zoning District change request from K&H Oil Company for the SW¹/₄ of the SW¹/₄ all in Section 21, Township 98, Range 17, along the 1800th block of Hwy 9 Mitchell County, Iowa. Motion by Walk, second by Voaklander to approve the Zoning District change request from K&H Oil Company. The original AG-Agricultural is changed to Light Industrial. Roll call vote: all ayes.

Motion by Walk, second by Voaklander to approve a resolution ratifying, confirming and approving publication of notice of public hearing. Roll call vote: all ayes.

At 8:45 a.m. the Chair opened the public hearing on the authorization of a loan agreement and the issuance of a note not to exceed \$120,000 Sewer Revenue Capital Loan Note and to evidence the obligation of the issuer. Members of the public present were Tim Moreau, Rick Gross, Carpenter Mayor Dennis Johnson, Tom DeBower, Deputy Auditor Barb Baldwin and Brandon Shaw. The Chair asked the Auditor and the Board if there were any oral or written comments received prior to the hearing. It was replied that none were received. After discussion the public hearing was closed at 8:50 a.m.

Motion by Voaklander, second by Walk to approve a resolution instituting proceedings to take additional action.

Roll call vote: all ayes.

Motion by Voaklander, second by Walk to approve the resolution approving construction contracts and bonds for contract 1 of the Carpenter wastewater collection and treatment improvement project subject to concurrence by the USDA. Roll call vote: all ayes.

Motion by Walk, second by Voaklander to approve the resolution approving construction contracts and bonds for contract 2 of the Carpenter wastewater project subject to concurrence by the USDA. Roll call vote: all ayes.

Motion by Voaklander, second by Walk to approve the notice to proceed for each contract subject to concurrence by the USDA. Roll call vote: all ayes.

Discussed a 28E Service Contract Agreement for the Carpenter wastewater project. Motion by Walk, second by Voaklander to approve the 28E Agreement subject to adding the amounts for property, casualty and liability insurance and monthly maintenance costs to the agreement. Roll call vote: all ayes.

Discussed a sewer use ordinance for the Carpenter sewer system. Motion by Voaklander, second by Walk to waive the first and second readings of the ordinance. Roll call vote: all ayes.

Motion by Walk, second by Voaklander to approve the third reading of the sewer use ordinance for the Carpenter sewer system. Roll call vote: all ayes.

Discussed an ordinance establishing rates and charges for the Carpenter sewer system. Motion by Voaklander, second by Walk to waive the first and second readings of the ordinance. Roll call vote: all ayes.

Motion by Walk, second by Voaklander to set the monthly sewer rate at \$41.00 and the hook up fee of \$2,000.00 and to approve the third reading of the ordinance establishing rates and charges for the Carpenter sewer system. Roll call vote: all ayes.

Discussed with Brandon Shaw a Rural Development application for a cost over run on the Carpenter project. Motion by Voaklander, second by Walk to apply for additional funding and authorize the Chair to sign the application. The funding will consist of a \$70,000 Grant and a loan of \$50,000. Roll call vote: all ayes.

Mitchell County Economic Development Director Brenda Dryer gave an update on road projects for the Industrial Park's at St. Ansgar, Stacyville and Osage. Also present were Stacyville Mayor Harold Isaac, Ivan Wold, Newlin Jensen and Kevin Kolbet. Consensus of the Board to look at future requests separately.

County Engineer Jim Hyde reported that the Secondary Roads Union members voted to work 5 eight hour days during the Summer season rather than 4 ten hour days. Reviewed plans for a new maintenance shop at St. Ansgar. Discussed crack filler and the breaking up of the asphalt surface on County Road T-26 (Glass Ave). Motion by Voaklander, second by Walk to embargo T-26 south of Hwy 9 for ninety (90) days for vehicles that are over a ten (10) ton gross vehicle weight. This is effective immediately. Roll call vote: all ayes. Directed the Engineer to get an estimated cost

for blacktopping the graveled portion of the Fair Grounds.

Motion by Walk, second by Voaklander to approve with no negative comment a resolution supporting an application for an annexation of certain territory into the City of St. Ansgar. Roll call vote: all ayes.

Motion by Voaklander, second by Walk to authorize the Chair to sign the FY 2010 County substance abuse prevention services request for bid form. Roll call vote: all ayes.

Items of note: Voaklander reported on the County Social Services and Juvenile Detention meetings and Marreel reported on the Board of Health meeting. Received manure management plan updates from Halvorson Finisher Farm and Mark Theis Finisher Farm.

Regular meeting recessed at 12:13 p.m.

The Joint 28E Chickasaw/Mitchell Case Management Board convened at 1:00 pm. at the Teluwut Restaurant in Osage. Present from Chickasaw County were Supervisors: Virgil Pickar, Rick Holtaus and John Andersen. Also present were Auditor Joan E. Knoll and Case Management Director Sheila Kobliska.

Sheila reviewed with the Board caseloads, staff review, budget and financial reports for FY's 08-09 and 09-10. Motion by Pickar, second by Walk to approve the FY 2009-2010 TCM budget. Roll call vote: all ayes.

The Board evaluated the TCM director's annual performance evaluation.

Supervisor Walk left at 2:05 p.m. for another meeting.

Discussed changing Megan Darrow's status from Lead Case Manager to Case Manager Supervisor. This will be reviewed further.

After discussion, motion by Holtaus, second by Voaklander to re-appoint Matthew Herrmann and Anita Fay to three year terms on the Case Management Advisory Board. Roll call vote: all ayes.

Motion by Voaklander, second by Pickar to adjourn the meeting at 2:25 p.m. All voted aye.

Lowell Tesch - Mitchell County Auditor

Bob Marreel – Chair Board of Supervisors