

PROCEEDINGS OF THE BOARD OF SUPERVISORS OF MITCHELL COUNTY, IOWA

Tuesday, September 1, 2009

The Board of Supervisors convened at 8:35 a.m. with all members present. Also present were Charlie Pajer, Claudia Lacour, Kurt Meyer, Loren Meyer, Betty McCarthy and Michelle Haacke (Media). Motion by Voaklander, second by Walk to approve the agenda. All voted aye.

Members of the Osage American Legion and Ladies Auxiliary Post 278, VFW and Ladies Auxiliary Post 7920 were in attendance to present a lithograph copy of the Constitution of the United States to the Board of Supervisors. Representing the Legion was National Executive Committeeman John Ross, Ladies Auxiliary members Lois Weipert, Betty McCarthy and Jane Rowe. Representing the VFW were Robert Fickness, Leo Meitner, Herb Werner, Charlie Pajer and Ladies Auxiliary member Wilma Fickess. The copy of the Constitution is to honor all veterans and will be on public display in the main hallway of the Courthouse.

Motion by Voaklander, second by Walk to approve the minutes of the August 25th meeting. Roll call vote: All ayes.

Discussed with County Attorney Mark Walk a claim that a county employee's HIPAA rights were infringed upon. It was reported the employee discussed their private information in front of others and then was upset that others further discussed and passed on what was first publicly disclosed. When a person publicly discloses information it then is public knowledge. It was recommended that employees don't discuss any of their medical problems with others.

A letter authorizing the purchase of a new fire truck by the East Lincoln Township for the Riceville Fire Department was considered null and void.

After discussion, motion by Walk, second by Voaklander to authorize the Chair to sign Resolution #760-09 stating that the BOS takes no position on a notice of voluntary annexation of property into the City of Stacyville. Roll call vote: all ayes.

Discussed the Sheriff Department K-9 dog. It was reported that there have been concerns from the public that the K-9 dog has attacked other dogs and in this process bit a person. County liability is a major concern. The Board expressed concerns on how the dog was purchased and the soliciting of private funds for the dog. Members of the public say tax monies should be used for public purposes since donation funds are limited and many worthy groups have a need for limited private donations. The Board will request Sheriff Younker to provide the names of all who may have been involved in any issue with the K-9 dog and the Board will conduct its own investigation. Also discussed with County Attorney possibility of the Board to pass county ordinances prohibiting the ownership of a drug dog and the private solicitation of

funds when county tax monies should be used.

Discussed with County Engineer Jim Hyde and Assistant Engineer Rich Brumm the bridge that collapsed over Otter Creek. Also present were Loren and Kurt Meyer. The Engineer stated that the bridge is posted at 9 ton single lane gross vehicle weight and has an average of 25 vehicles per day. Discussed options for replacing the bridge and estimated costs. The incident is being investigated by the Sheriff's department.

Discussed a property nuisance in the Village of Mona. If not cleaned up in two weeks the County will enter the property and do the clean up. The property owner will be assessed the costs for the clean up on their property taxes.

Jim reported that the cold-in-place is done on T-26 and paving will begin again on Wednesday by Little Cedar. Discussed the joint Worth/Mitchell Drainage District 1 & 22. Engineer said that questions pertaining to the drain should be directed to him.

Discussed a request from the City of Stacyville for financial assistance associated with their RISE Road project. This project was previously agreed upon. Motion by Walk, second by Voaklander to contribute \$80,000 from the Secondary Road Fund to assist with the project. Roll call vote: all ayes.

Conservation Director Milt Owen gave an update on the Wapsi Great Western bike trail project and reviewed a request for reimbursement from the State of Iowa for invoices totaling \$756,486.46 pertaining to the project. Motion by Voaklander, second by Walk to authorize the Chair to sign a letter to the Iowa Dept. of Economic Development requesting the reimbursement. Roll call vote: all ayes.

Motion by Walk, second by Voaklander to approve V & K Invoices #5 & #15 in the amount of \$3,609.85 for professional services for the Carpenter wastewater improvement project. Roll call vote: all ayes.

Items of note: Walk reported on the Mental health and the ISAC Rural Affairs Steering Committee meetings and Voaklander reported on the County Social Services meeting. Received manure management plan updates from Myron & Ross Kuper, Maple Lawn Pork, LLC, TC Pork II, Inc, Rottink Finisher Farm and Pro-Net Farms, Inc. Received the FY 08-09 Mitchell County Agricultural Extension Education Operating Fund. The net balance as of June 30, 2009 is \$36,851.94.

Reviewed quotes for a car to be used by County departments for meetings attended outside of the county. Mileage will be checked for the last two years on what the present county cars have been driven before making a decision.

Reviewed a quote for floor tile in the main hallway of the courthouse. This was put on hold for the present time.

Meeting adjourned at 11:32 a.m.

Lowell Tesch - Mitchell County Auditor

Bob Marreel – Chair Board of Supervisors