

PROCEEDINGS OF THE BOARD OF SUPERVISORS OF MITCHELL COUNTY, IOWA

Tuesday, October 20, 2009

The Board of Supervisors convened at 8:30 a.m. with all members present. Also present were Chuck Pajer, Lloyd Z. Nolt, Jonas Z. Leid, Mervin Leid, Rodney Koch, Stanley Ask, Clem Johanns, Clem Johanns, Dean Wright, Karen Wright, Betty McCarthy, Daniel Zimmerman, Larry Hemann, Peter Nolt, Leo Meitner, Lorraine Meitner, Sheriff Curt Younker, Jean Simmet (Media) and Michelle Haacke (Media). Motion by Voaklander, second by Walk to approve the agenda. All voted aye.

Discussed with County Attorney Mark Walk the Mitchell County junk ordinance. Discussed changing the number of junked vehicles that are visible from the road from three to zero. The Board stated that they would like to give this more thought before making any changes.

Discussed with Iowa House District 14 Representative Mark Kuhn the Road Protection Ordinance No. 41. Mark read a letter whereby he stated that Mitchell County farmers with steel wheels are left with two options: #1 abide by Local Ordinance No. 41 and leave their crops standing in the fields or #2 violate Local Ordinance No. 41, harvest their crops, face citation by law enforcement, appear in court and pay fines. He stated that the farmers with steel wheels have chosen option #1. Supervisor Voaklander asked what had changed. Mr. Kuhn proposed engaging in a discussion with the Board Chair, Mitchell County Attorney, Mitchell County Sheriff, two of the Mitchell County farmers with steel wheels, Vicki Dumdei, Iowa Department of Transportation District 2 Engineer and Stan Deardeuff, regional coordinator for the Iowa Mediation Service. The purpose of the meeting would be to try and reach a compromise. County Attorney stated that he had no objection with the Board meeting with the others. After further discussion, motion by Voaklander, second by Walk to schedule a special Board of Supervisors meeting on Thursday, October 22nd. Mark Kuhn will notify the Auditor of the time for the meeting. Roll call vote: all ayes.

County Engineer Jim Hyde and Assistant Engineer Rich Brumm reported that Manatt's is finishing the paving at McIntire. Jim stated that he had received notice of potential more stimulus money available for a road project. Jim submitted 420th Street west of St. Ansgar to the Worth County line as a possible paving project. Discussed the salting of paved roads during the winter season. Roads department is blading the granular roads.

V&K Engineer Tim Moreau reported on Contract 1 for the low pressure sewer collection system for the City of Carpenter. Also present were Jason Petersburg, Sandie Adams, Carpenter Mayor Dennis "Tiny" Johnson and Sanitarian Mark Ross. After review, motion by Voaklander, second by Walk to approve Change Order No. 3. Roll call vote: all ayes.

After review, motion by Voaklander, second by Walk to approve the Ellingson Company's pay application No. 6 - final payment in the amount of \$68,985.18. Roll call vote: all ayes. After review, motion by Walk, second by Voaklander to approve Resolution #761-09 accepting the work. Roll call vote: all ayes.

Contract 2 for the controlled discharge lagoon treatment system was reviewed. Motion by Voaklander, second by Walk to approve R&R Excavating, Inc. pay application No. 3 - final payment in the amount of \$21,853.99. Roll call vote: all ayes. After review, motion by Walk, second by Voaklander to approve Resolution #762-09 accepting the work. Roll call vote: all ayes. Mayor Johnson expressed concern regarding there being no fence around the borrow pit near the lagoon. Sandie Adams will check and see if the Soil and Water Conservation Service could apply for a grant to pay for the additional fencing.

Motion by Walk, second by Voaklander to approve the minutes of the October 13th meeting with an addition. Roll call vote: All ayes.

Motion by Voaklander, second by Walk to approve the claims. Roll call vote: all ayes.

Motion by Voaklander, second by Walk to approve a class "C" Liquor License for the VFW Post #7920. Roll call vote: All ayes.

Motion by Walk, second by Voaklander to approve the Recorder's quarterly report of fees in the amount of 20,206.89. Roll call vote: all ayes.

Motion by Voaklander, second by Walk to approve placing \$189,121.63 in the Land Acquisition and Capitol Improvement Fund from the CAT Grant for the Wapsi Trail and \$100.00 in honor of Dana Fister to the Wapsi Great Western Trail from Alliant Energy. Roll call vote: all ayes.

Items of note: Walk reported on the Conservation and Mental Health meetings, Voaklander reported on the Heartland Insurance and Sister City meetings and Marreel reported on the NCRERC and Planning District meetings. Discussed the heating system at the County Care Facility. Supervisor Marreel reported that the air compressor for the boiler has malfunctioned. Estimates will be sought out from area plumbing and heating companies for needed repairs.

Meeting adjourned at 11:05 a.m.

Lowell Tesch - Mitchell County Auditor

Bob Marreel – Chair Board of Supervisors