

PROCEEDINGS OF THE BOARD OF SUPERVISORS OF MITCHELL COUNTY, IOWA

Tuesday, February 16, 2010

The Board of Supervisors convened at 8:35 a.m. with all members present. Motion by Marreel, second by Voaklander to include discussion on museum and town celebrations and to approve the amended agenda. All voted aye. Present were Deb Nicklay, Michelle Haacke and Jean Simmet (all media).

Motion by Voaklander, second by Marreel to approve the minutes of the February 9th meeting. Roll call vote: all ayes.

Motion by Marreel, second by Voaklander to approve placing \$28,130.40 in the Land Acquisition and Capital Improvement Fund - FEMA Funds for Mitchell Dam repairs and \$3,725.00 from the Wapsi Trail Asphalt Grant funds. Roll call vote: all ayes.

Items of note: Walk reported on the Mental Health meeting, Voaklander reported on the FMC Landfill meeting and Marreel reported on the NIVC meeting. Received a manure management plan update from Gold Standard Farms, L.C. To be noted that all the employees at the County Care Facility are to receive a wage adjustment effective February 9, 2010.

At 8:45 a.m. the Chair opened the public hearing to consider Junk Vehicle Ordinance No. 42. Public present were Greg Beaver, Nathan Bye, Jay Pedelty, P&Z Director Mark Ross, County Attorney Mark Walk, Leo Meitner, James Johanns and Betty McCarthy. The Chair asked if there any oral or written comments received prior to the hearing. The Auditor and the Board replied that none were received. Betty asked what changes had been made to the previous draft ordinance. The new ordinance says no junk vehicles in some areas of the county. County Attorney Walk reviewed the changes that had been made. Mark Ross stated that the Ag District is still the same. The Public Hearing was closed at 8:47 a.m.

Motion by Marreel, second by Voaklander to waive the first and second readings of the ordinance. Roll call vote: all ayes. Motion by Voaklander, second by Marreel to approve the 3rd reading of the Junk Vehicle Ordinance No. 42. Roll call vote: all ayes. The ordinance will become effective upon publication.

Discussion on the St. Ansgar Museum was tabled until February 23rd.

Discussed the Mitchell County town celebrations. Last year the county contributed \$750.00 to the towns that requested funds. Consensus to use hotel/motel funds in 2010.

Present to discuss the consideration of an offer to enter into voluntary mediation regarding the Road Protection Ordinance No. 41 were members of the Mennonite community, concerned businessmen and citizens. Daniel Zimmerman

read a letter written by State Representative Mark Kuhn asking that the BOS consider entering into voluntary mediation with the Mennonite farmers to work out a compromise on the use of steel wheel tractors on Mitchell County hard surface roads. Nathan Bye stated that he strongly supports mediation. Betty McCarthy stated the Mennonites have brought economic development to the County. Jim Johanns stated that citizens are not allowed to use studded snow tires on their cars and that the Mennonites have rubber tires on their wagons and bicycles. Supervisor Voaklander said that he is committed to stand his ground regarding a compromise to the ordinance. Supervisor Marreel stated why invite more damage to be done to the roads. The Chair asked if there was a motion to go into voluntary mediation and none was made. No action taken.

Present to discuss the minor consumption and social host ordinances were Osage Superintendent Steve Bass, Osage High School Principal Tim Hejhal and Josh Randall. Also present was Rachelle Baillon of KIMT TV3. Jay Pedelty of Prairie Ridge and the Mitchell County Substance Abuse Coalition handed out a 2008 town hall meeting where a survey was taken regarding adult and youth perceptions on alcohol use in our community. Also a comparison of North Iowa Counties response to a 2005 Iowa Youth survey regarding how many days in the past month have youth had 5 or more drinks of alcohol in a row was reviewed. County Attorney Walk pointed out that the fines are more severe under State Law than under the proposed minor consumption ordinance. Discussed penalties and parents attending a diversion class with their children. County Attorney stated that this ordinance says nothing about referrals. Also discussed the social host ordinance. It was stated that there are very few cities or counties who have enacted a social host ordinance. Supervisor Walk stated enacting a new law will not help if attitudes are negative. Everyone needs to obey present law. Principal Hejhal stated that we as adults need to set an example as leaders of the community. Consensus that the Board is willing to look at these ordinances with some new language. County Attorney and Supervisor Voaklander will work on drafting the language.

Present were Rick Gross and Treasurer Carol Zerck for closing procedures associated with the Carpenter Wastewater Improvement Project - \$390,000 Sewer Revenue Capital Loan Notes, Series 2010. Motion by Voaklander, second by Marreel to approve the tax exemption certificate. Roll call vote: all ayes. Motion by Marreel, second by Voaklander to adopt a resolution approving and authorizing a form of loan agreement and authorizing and providing for the issuance of capital loan notes and providing for a method of payment of said notes. Roll call vote: all ayes.

Sheriff Younker presented the January Sheriff report. Motion by Voaklander, second by Marreel to approve the report in the amount of \$29,060.99. Roll call vote: all ayes.

County Engineer Jim Hyde and Assistant County Engineer Rich Brumm reported that the roads department is plowing snow and doing routine work. Reviewed the snow budget and that the expenditures could be more than normal. The Stillwater Bridge has been restricted to one lane traffic. Rich said that the stimulus plans are done and he is working

on plans for the St. Ansgar shop.

Mitchell County dispatchers and jailers were present to discuss future plans for the operation of the jail and a rumor of a reduction in staff. Those in attendance were: Susan Marr, Jen Irvin, Bonnie Morse, Gretchen Castle, Kurt Elliott, Brodie Mitchell, Jason Schmidt, Greta Huebsch, Karri Pilgrim, Rose Hinders, Chuck McNally, Bryan Rogers, Deputy Greg Beaver, Deputy Jeff Huftalin, Osage Police Chief Russ Slight and Gene Evans. It was asked of the Board what the plan was once Mower County no longer was housing prisoners in the Mitchell County Jail. Supervisor Walk explained that it's the Board's duty to manage the budget and to set tax levies. Mitchell County has only been averaging 1 to 3 prisoners a day and the operation needs to be efficient and affordable. The Board wants to come up with a program that is going to work. Mower County expects to open their new jail in October of 2010. It was stated by the audience that one dispatcher and one jailer is needed 24/7 for safety and security purposes. Supervisor Voaklander stated that he would like to see a list of dates with calls and the times of the calls. Jailers stated that on the grave yard shift one person can't do both jobs when you have numerous calls including 911 calls. There is a concern with public safety. Discussed the booking in of prisoners and that sometimes it may take more than two people to accomplish this task. Gene Evans wanted to go on record by saying that the Osage Community Fire Department is in support of needing full-time dispatchers. Deputy Beaver stated that the Sheriff's Department is checking into housing Federal prisoners and also prisoners from Black Hawk County. The Board stated that in Howard, Winnebago and at times, Worth County has just a dispatcher/jailer on duty on the graveyard shift. The Board stated that they are happy to hear Deputy Beaver is working on obtaining outside revenues and would take everything that was said into consideration.

Meeting recessed at 10:34 a.m. and reconvened at 11:15 a.m. with a trip to the Worth County Jail. At 12:05 p.m. Worth County Sheriff Jay Langenbau gave the BOS and the Auditor a tour of the Worth County Jail and the Communications Center. The BOS returned to the Mitchell County Courthouse at 1:35 p.m. The meeting was declared adjourned.

Lowell Tesch - Mitchell County Auditor

Stan Walk – Chair Board of Supervisors