

## **PROCEEDINGS OF THE BOARD OF SUPERVISORS OF MITCHELL COUNTY, IOWA**

Tuesday, November 8, 2011

The Board of Supervisors convened at 8:30 a.m. with Voaklander and Marreel present. Also present were Chuck Pajer, Eli Zimmerman, Dan Zimmerman, Jimmy Reiff, Jonas Leid, Harlan Nolt, Janeal Dunn, Clem Johanns, Rodney Koch, Edwin Jordan, Leo Meitner, Sheriff Curt Younker, Penney Morse, and the following members of the Media: Jim Cross from the Press News, Deb Nicklay from the Globe Gazette and Jean Caspers-Simmit from Agri News. Motion by Marreel, second by Voaklander to approve the agenda. All voted aye.

Supervisor Walk arrived at 8:34 a.m.

County Attorney Mark Walk discussed the Iowa Department of Veterans Affairs program regarding allocation funds for use by the Mitchell County Veterans Affairs office during the 2011 fiscal year. Approximately \$5,000 was not spent this past year and the Iowa VA department will not issue the FY 2012 allocation of \$10,000 until the \$5,000 is returned. It is of the opinion of the County Attorney to not send the funds back for the past fiscal year.

County Attorney Walk reported that property owned by Fred Lacour was once in violation of the Mitchell County Junk Ordinance. The property has been cleaned up and is now for sale. A satisfaction of judgment by the County is being requested in order for the property to be sold. After discussion, motion by Walk, second by Marreel for Mitchell County to file a satisfaction to remove the judgment from the property. Roll call vote: all ayes.

At 8:45 a.m. the Chair opened the public hearing to amend the FY 2012 Mitchell County Budget. The Chair asked if there were any oral or written comments received prior to the hearing. It was reported that none were received. The Chair asked if the public in attendance had any comments and none were received. Supervisor Walk made a clarification regarding the Conservation's department on land acquisition. There being no further comments the public hearing was closed at 8:49 a.m.

Motion by Marreel, second by Walk to approve Appropriations Resolution #812-11. Roll call vote: all ayes.

The proposed hiring of a special investigator for the steel wheel ordinance and a possible meeting with the Mennonite community was discussed. Dan Zimmerman reported that the Pennsylvania Mennonite community has no policy maker. Any change to their policy has to come from people in their group which covers eight states. This would have to start at their home church. Their conference only meets twice a year. Dan also presented a letter to the BOS regarding the Mennonite members and their use of steel wheels on their tractors. It stated that requiring their members to place steel wheels on their tractors is a religious regulation and it reflects their belief in separation from the world. Supervisor Voaklander read a letter from Eloise Kuper stating that she has observed steel wheel tractors traveling on hard

surfaced roads after dark. Supervisor Walk explained that the steel wheel ordinance mirrors the State Law except that the ordinance calls for a larger fine. It was explained that damage done to the hard surface roads shortens the life of the roads and is not acceptable. After further discussion, motion by Marreel, second by Walk to proceed with the special investigator and directing the County Attorney to place an ad in the county newspapers. Roll call vote: all ayes.

County Sheriff Curt Younker reviewed the Sheriff's annual Asset Forfeiture report. After discussion, motion by Walk, second by Marreel to authorize the Chair to sign the report. Roll call vote: all ayes.

County Engineer Rich Brumm reported that the paving project has been completed. Road shouldering and line painting are still to be done. Roads department is putting on snow equipment. The repairing of frost boils was discussed. Edwin Jordan reported on a method he used in his own yard that he said was successful. Rich will check on this for next spring. Ed also requested permission to remove excess dirt that was placed in his road ditch from a project. Consensus to let Ed remove the dirt.

Motion by Marreel, second by Walk to approve the County Engineer Certification Resolution #811-11. Roll call vote: all ayes.

Motion by Marreel, second by Voaklander to approve the minutes of the November 1<sup>st</sup> meeting. Roll call vote: all ayes.

Authorizing the Chair to sign a planning grant agreement between Iowa Homeland Security & Emergency Management Division and Mitchell County was tabled pending review by the County Attorney.

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

Penney Morse gave an update on the Julia Addington event held in Stacyville. She stated that it was a successful event. Penney reported that a private organization has requested to nominate the Mitchell County Courthouse as an endangered building.

Items of note: Marreel reported on the NIVC Board meeting. Effective October 24, 2011, Laura Shoars was hired for dietary at the County Care Facility. Her status is FT-30 and her rate of pay is \$10.00 per hour. Received the October Clerk of Court report in the amount of \$2,105.02. Received a manure management plan update from Christiansen Farms Midwest, LLC.

Meeting adjourned at 10:16 a.m.

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Lowell Tesch - Mitchell County Auditor

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Joel Voaklander – Chair Board of Supervisors