

PROCEEDINGS OF THE BOARD OF SUPERVISORS OF MITCHELL COUNTY, IOWA

Tuesday, June 26, 2012

The Board of Supervisors convened at 8:30 a.m. with all members present. Also present were Chuck Pajer, Penney Morse, Janeal A. Dunn, Craig Dunn, Betty McCarthy, Lanny Hepner, Pat Hepner, Mary Mills Dunea, David A. Grooters, Kristen Ollenburg, Kathy Showalter, Brenda Dryer and Jim Cross (Media). Motion by Voaklander, second by Walk to approve the agenda. All voted aye.

County Attorney Mark Walk discussed a tax certificate that was sold at a prior County tax sale regarding a property in the City of Osage. It was reported that the city had filed a nuisance action. After further discussion, no action was taken.

A membership by Mitchell County to the Upper Cedar Watershed Management Authority was discussed. According to the 28E agreement, if the county would decide to enter into the agreement, section 12 of the agreement does not allow the county the option to ever withdraw its membership. According to the County's Risk Pool Attorney there are concerns regarding language to the Agreement that the County could find itself bound by unforeseen liabilities. Supervisor Walk feels that the County should be a part of the Authority since the County could contribute to potential flooding. No action was taken.

Supervisor Walk gave an update on the North Iowa Community Growth Pipeline, LLC. A tariff with the Iowa Utility Board is being applied for. Motion by Voaklander, second by Walk to approve Resolution #836-12 agreeing to join the North Iowa Community Growth Pipeline, LLC. Roll call vote: Voaklander and Walk voted aye. Marreel voted nay. Motion carried.

Pledging a commitment by Mitchell County to contribute up to \$75,000 on the proposed gas line was discussed. Supervisor Walk stated that Black Hills Energy and Absolute Energy have stated that they will commit financially. Osage Municipal Utilities and Worth County are considering committing. Motion by Walk, second by Voaklander that Mitchell County commit up to \$75,000 subject to OMU committing a proportionate share. Roll call vote: Walk and Voaklander voted aye. Marreel voted nay. Motion carried.

County Engineer Rich Brumm reported that line painting is near completion. Roads crew is rocking the roads, spraying and mowing ditches. Rich stated that the City of St. Ansgar has requested a guard rail be placed on the corner of West 8th Street and T26. Rich stated he will check on this further. A residential driveway drainage issue was discussed. It was determined that the water is coming off the owners own field. Thus it is the owners own responsibility to maintain the residential driveway.

Motion by Voaklander, second by Walk to approve the minutes of the June 19th meeting. Roll call vote: all ayes.

Motion by Walk, second by Voaklander to approve the FY 2013 Salary Resolution #834-12. Roll call vote: all ayes.

Motion by Voaklander, second by Walk to approve the FY 2013 Appropriations Resolution #835-12. Roll call vote: all ayes.

At 9:30 a.m. the Chair opened the public hearing on the designation of an Urban Renewal Area and on a proposed Urban Renewal Plan amendment. The Chair asked if there had been any oral or written comments received prior to the hearing. The BOS and the Auditor both replied that none had been received. Kristen Oldenburg of the Pappajohn Law Firm and representing the "Friends of the Courthouse" stated that the BOS are rushing into replacing the Courthouse. It is being requested that the BOS reconsider and have another feasibility study done since there is grant money available. The Board should know all their options and do more studies. The proposed resolution to declare a necessity and establish an urban renewal area and finding that the Courthouse and the Annex building is part of a blighted area is a stretch in her opinion. The Chair asked Kristen if she had taken a tour of the Courthouse. She stated that she had walked around. There being no further discussion, the public hearing was closed at 9:34 a.m.

Motion by Voaklander, second by Walk to approve Resolution #837-12 declaring a necessity and establish an Urban Renewal Area, pursuant to Section 403.4 of the Code of Iowa and approve the 2012 Urban Renewal Plan Amendment of the Mitchell County Urban Renewal Area. Roll call vote: all ayes. Supervisor Walk stated that the plan included additional County projects as well as a project in St. Ansgar

Motion by Walk, second by Voaklander to approve granting fireworks permits to the following: David & Beth Bellairs for July 4th, Scott Beyer for July 4th, Donnie Thorson for July 7th and Jessica Carson for July 3rd. Roll call vote: all ayes.

Items of note: Walk reported on two gas line project public meetings and the ISAC District 2 meeting, Voaklander reported on the Economic Development and Courthouse building study committee meetings and Marreel reported on the Wellness and Riceville Community Club meetings. Marreel also attended the ISAC District 2 meeting. Manure management plan updates were received from Jenkins North Finisher Farm owned by Clipper Farms, LLC, Jenkins South Finisher Farm owned by H&R Partnership, Johnson/Tip 6 Nursery Unit and Kiss/Tip 13 Finisher Farm owned by Iowa Select Farms, L.P., Liberty East, Liberty South, Liberty West Finisher Farms owned by Sunray Pork Ltd.

Kathy Showalter of Planscape Partners gave an update on the Valent project. Kathy stated that the transfer of property has been agreed upon by Valent.

Meeting adjourned at 9:58 a.m.

Lowell Tesch - Mitchell County Auditor

Bob Marreel – Chair Board of Supervisors