

PROCEEDINGS OF THE BOARD OF SUPERVISORS OF MITCHELL COUNTY, IOWA

Tuesday, July 31, 2012

The Board of Supervisors convened at 8:30 a.m. with all members present. Also present were Chuck Pajer, Kari Pilgrim, Penney Morse, Betty McCarthy, Mary Mills Dunea, Algje Slindee, Kristen N. Ollenburg, Marilyn Larson, Philip Lack, Sandra Heckstein, Deo Koenigs, Leroy Steward, Jerry Fisk, Judy Champion, Delmar Austinson, Daniel Sullivan, Sue Virnala, Kathy Showalter, John J. Ross, Tiare Chanel, Shirley Lister, Elizabeth Douglas, Ellen Fox, Ladonna Byrnes, Kristopher Marwin, Melissa Springer, Margaret Smolik, Beth Tuttle (KIMT), Matt Marquardt (North Iowa Today) and Jim Cross (Press News). Motion by Voaklander, second by Walk to approve the agenda. All voted aye.

County Attorney Mark Walk recommended that the BOS issue a refund check to Shawn Ruechel for taxes paid on an abandoned property that the City of Osage took possession of. Motion by Walk, second by Voaklander to issue a check of \$871.50 to Shawn Ruechel for the tax certificate. Roll call vote: all ayes. A possible new steel wheel ordinance was discussed. This will be considered at a future Board meeting.

Supervisor Voaklander reported that the Courthouse selection committee had met and unanimously recommended FEH Associates Inc. of West Des Moines, Iowa as the architect firm to design plans for a new Courthouse. Motion by Voaklander, second by Walk to engage the services of FEH Associates, Inc. Roll call vote: all ayes.

Motion by Walk, second by Voaklander to approve the minutes of the July 24th meeting. Roll call vote: all ayes.

An offer to purchase real estate in the St. Ansgar Industrial Park Second Addition, Lot 3 containing 2.34 acres for a new shop building was reviewed. Mitchell County presently owns Lot 6 in the Industrial Park First Addition. The County is proposing to sell Lot 6 back to Tim Schulz. Removing the fill that was placed on Lot 6 and moving it to Lot 3 was discussed. The County Attorney was directed to amend the offer with this stipulation.

At 8:45 a.m. the Chair opened the public hearing on proposed action to institute proceedings to enter into a loan agreement in a principal amount not to exceed \$6,500,000 for a new courthouse. The Chair asked if the Board had received any oral or written comments prior to the hearing. All three Supervisors stated that they had received many more comments in favor of building a new courthouse versus remodeling the present building. The Auditor reported that his office had received a petition with 784 signatures requesting the BOS to submit to the registered voters of Mitchell County, Iowa, the question of whether bonds should be issued for the purpose of destroying the Mitchell County Courthouse and building a new courthouse, and any other related issues. Attorney Kristen Ollenburg read from a prepared letter stating that with the number of signatures on the petition, that the people will be getting what they want and having the question placed on the General Election ballot. Ms. Ollenburg also stated that the BOS are proceeding in a

hasty manner and should still consider accepting grant money for a historical feasibility study. Supervisor Walk asked if she had read the Skott & Anderson feasibility study. She stated she had read part of it. Judy Champion said that Skott and Anderson never said that the courthouse couldn't be rehabilitated. Betty McCarthy stated that there were 20 people carrying the petition around the county from both sides of the issue and they would like to get all of the facts. Sue Virnala stated that the Courthouse belongs to the tax payers of Mitchell County. Penney Morse stated that \$5 million estimated for renovation may be too low. Mary Dunea asked what the cost was going to be for the architect that was being hired. Supervisor Voaklander stated that bond counsel said the County could proceed. Deo Koenigs said that he had no opinion and was undecided about a new courthouse, but asked if the County would be using tax increment financing (TIF) and if general obligation bonds would be issued. There being no further discussion the public hearing was closed at 9:28 a.m.

County Engineer Rich Brumm reported that the roads department is continuing with the rock run. The bridge on Timber Avenue near McIntire has been removed. The next step is for the pipe to be put in place. Thermal cracks on Cameo Avenue and 480th Street near Otranto are being sealed. Rich is reviewing job applicants and getting quotes for a tractor and mower.

Sanitarian Director Mark Ross reported that the Carpenter lagoon is operating fine. Mark stated that he has liability insurance with coverage up to \$500,000. Supervisor Voaklander expressed a concern that in case of an accident if Mitchell County would be held harmless and if the coverage should be at least \$1 million. Joel will check with the County's insurance company regarding this matter.

Items of note: Voaklander reported on the County Social Services meeting and Marreel reported on the NIVC marketing meeting. A manure management plan update was received from Larry Bissen.

Meeting adjourned at 9:58 a.m.

Lowell Tesch - Mitchell County Auditor

Bob Marreel – Chair Board of Supervisors