

The Cedar County Board of Supervisors met in regular session at 8:30 a.m. May 30, 2017 with the following members present: Agne, Bell, Gaul, Kaufmann, and Chairperson Smith. Members of the public were also present.

The Board viewed correspondence from various agencies.

The Board acknowledged receipt of the following:

Auditor Dauber regarding the hiring of Angela Driscoll for a Clerk position at \$15.64 effective June 12, 2017.

Certificate of Tax Levy from Iowa Department of Agriculture and Land Stewardship regarding brucellosis and tuberculosis eradication fund.

Conservation Board regarding the hiring of Chris Hatland for seasonal park patrol at \$12.00 effective May 20, 2017.

Nicole Turpin updating Board on CDGB buyout funds.

Manure Management Annual Updates submitted by:

Kenny's Finisher for a site in Iowa Township.

Nur.-Wean Finish for a site on 310th Street, West Branch.

Fohne Inc for a site in Red Oak Township.

It was noted the following Handwritten Disbursement was issued on 5/26/2017 to the Cedar County Treasurer for Benefits, Inc. for an electronic deposit: #410611 for \$3,769.49-self funded medical claims.

Moved by Sup. Agne seconded by Sup. Gaul to approve the agenda.

Ayes: All

Nay: Bell

Chairperson Smith addressed the public for comments: There were none.

Moved by Sup. Bell seconded by Sup. Kaufmann to approve the Board Minutes of May 23, 2017.

Ayes: All

Moved by Sup. Agne seconded by Sup. Gaul to approve Payroll Disbursements #169819-169973 for the period ending 5/20/2017 and to be paid on May 26, 2017.

Ayes: All

The Board reported on Outreach/Committee Meetings they attended.

Moved by Sup. Bell seconded by Sup. Kaufmann to approve Cost Advisory Services, Inc. for cost allocation plan services for a three-year period.

Ayes: All

Auditor Dauber presented to the Board the Aureon Service Agreement. Discussion was held on cost savings and installation of Primary Rate Interface (PRI).

Moved by Sup. Bell seconded by Sup. Gaul to authorize Chairperson Smith to sign the Aureon Service Agreement.

Ayes: All

Mike Lucassen met with the Board. Engineer Fangmann and Chief Deputy Knoche were present. Mr. Lucassen would like more rock on his roadway and blading to be done. Discussion was held. Engineer Fangmann will meet with Mr. Lucassen at his property to discuss these issues. Mr. Lucassen also wanted an update on legal matters with Mr. Hahn. Discussion was held. Chief Deputy Knoche stated it is being handled by Deputy Sorgenfrey and will have him be in contact.

Moved by Sup. Kaufmann seconded by Sup. Gaul to open the 9:00 public hearing on the following petition: Tamra and Daniel Roberts, 611 Mulberry St., Tipton, IA (Contract Buyers) and

Murry & Renee Mente, 1309 Hwy 130, Tipton, IA (Owners) – Requesting a change in zoning from A-1, Agricultural District to R-1, Suburban Residential District for the purpose of constructing a single family dwelling on property located in Lot “A”, in the NW ¼, SW ¼, Section 17, T-80N, R-2W, in Center West Township. Said petition is to rezone 1.26 acres of a 3.75 acre lot. Environmental & Zoning Director LaRue, Engineer Fangmann, Murry Mente, Mark Mente, and Tamra Roberts were in attendance. Discussion was held on the driveway. Engineer Fangmann said the driveway meets all requirements for a minor subdivision. A conditional rezoning was discussed with no decisions made, as it pertained to a different parcel of land than the one being discussed.

Moved by Sup. Agne seconded by Sup. Kaufmann to approve rezoning. Discussion was held. Sup. Bell recused himself due to a conflict of interest. Discussion was held then Sup. Smith and Sup. Kaufmann recused themselves also. Attorney Renander was called for clarification.

Ayes: Agne, Gaul

Recuse: Smith, Kaufmann, Bell

Motion failed.

The Board recessed for five minutes.

County Attorney Renander was present for clarification on last motion. Renander thought that if each Board member can be open and upfront then they could each vote. Discussion was held.

Moved by Sup. Agne seconded by Sup. Kaufmann to approve rezoning.

Ayes: All

Recuse: Bell

Mark Mente felt as if the last vote was preferential due to the connections of the parties.

Moved by Sup. Agne seconded by Sup. Gaul to open the public hearing on the following petition: “The Miracles Can Happen Boys Ranch”, 1608 300th St., Wilton, IA, now known as “The Ranch” (Owner) – Requesting a change in zoning from R-3, Multi-Family Residential District to A-1, Agricultural District, for the purpose of eliminating an un-needed zoning district on property located in Parcel “J” in the E ½, NE ¼, Section 15, T-79N, R-2W, in Sugar Creek Township, consisting of 13.98 acres more or less. Environmental & Zoning Director LaRue, Jim and Cathy Fry were in attendance. No written or verbal objections on file. Board of Adjustments approved a Special Use Permit. Discussion was held. Mr. Fry said they will pay dust control each year.

Moved by Sup. Bell seconded by Sup. Kaufmann to approve the request in change of zoning from R-3 to A-1.

Ayes: All

Chief Deputy Knoche and Sheriff Wethington met with the Board to update the Board on hiring new Deputies. Scott McGlaughlin will start June 2nd and will come with a K-9 and they have offered a position to another individual. Discussion was held.

Engineer Fangmann met with Board to request approval for hiring a Maintenance Worker II position in District 5. Discussion was held.

Moved by Sup. Kaufmann seconded by Sup. Gaul to approve hiring a Maintenance Worker II.

Ayes: All

Engineer Fangmann presented a Quit Claim Deed for an Alley Vacation Resolution in Buchanan RCV2015-3, discussion was held.

Moved by Sup. Bell seconded by Sup. Agne to approved Chairperson Smith to sign the Quit Claim Deed.

Ayes: All

Discussion was held on purchasing right-of-way easements for FY18. Engineer Fangmann distributed and reviewed Agricultural Sales from May 17, 2016 to May 17, 2017. Secondary Roads utilizes the appraisal waiver method to purchase right-of-way. Discussion was held.

Moved by Sup. Bell seconded by Sup. Agne that the following policy be established for purchase of right-of way easements for FY18.

1. Bare land purchased at 4 times the assessed value.
2. Cedar County to replace existing fence.
3. Damages and other items to be considered on an individual basis.

Ayes: All

Engineer Fangmann met with the Board to review plans for the F44 resurfacing project from West Branch to Franklin Avenue. Discussion was held.

Moved by Sup. Kaufmann seconded by Sup. Bell to approve the plans for the County Road F44 resurfacing project.

Ayes: All

Engineer Fangmann reviewed Right-of-Way Contracts for bridge replacement project #L-201705—73-16 in Fremont Township in Section 35.

Moved by Sup. Bell seconded by Sup. Gaul to approve and authorize Chairperson Smith to sign the contract between Cedar County and:

Devon J. and Jessica M. Schott for permanent (.06) and temporary (.03) easements totaling \$757.35.

Ayes: All

Engineer Fangmann discussed the Interstate 80 expansion meeting he attended and gave project updates.

The Board reviewed a Utility Permit from Eastern Iowa Light and Power REC.

Moved by Sup. Gaul seconded by Sup. Bell to approve and authorize Chairperson Smith to sign a Utility Permit Application from Eastern Iowa Light and Power REC to relocate lines on Jackson Ave. and to waive the fee.

Ayes: All

The Board reviewed a Utility Permit from Night Owl.

Moved by Sup. Bell seconded by Sup. Agne to approve and authorize Chairperson Smith to sign a Utility Permit Application contingent upon an insurance certificate from Night Owl to add poles on the Scott-Cedar County line to 332nd St. and \$100 fee.

Ayes: All

CPC Director Tischuk and Public Health Director Caes met with the Board to review CAROSH Compliance Solutions proposal. Discussion was held.

Moved by Sup. Bell seconded by Chairperson Smith to authorize Chairperson Smith to sign the CAROSH contract.

Ayes: All

Auditor Dauber gave the Board the Letter of Authorization and Statement of Work forms from Aureon Services.

Moved by Sup. Gaul seconded by Sup. Bell to authorize Chairperson Smith so sign the Letter of Authorization.

Ayes: All

Moved by Sup. Bell seconded by Sup. Kaufmann to authorize Chairperson Smith to sign the Statement of Work.

Ayes: All

Moved by Sup. Agne seconded by Sup. Kaufmann to convene as the Stanwood Drainage District Board.

Ayes: All

Moved by Sup. Agne seconded by Sup. Kaufmann to return to regular session.

Ayes: All

Sup. Kaufmann got clarification on conflict of interest and the rules governing that are Roberts Rules of Order 11th Edition 11.21-31 page 407 for his vote on Roberts/Mente public hearing.

Moved by Sup. Gaul seconded by Sup. Kaufmann to adjourn at 11:02 a.m., to June 6, 2017.

Ayes: All

Cari Dauber, Auditor

Dawn Smith, Chairperson