

TIPTON, IOWA

June 20, 2017

The Cedar County Board of Supervisors met in regular session at 8:30 a.m. June 20, 2017 with the following members present: Gaul, Kaufmann, and Chairperson Smith. Sup. Agne and Sup. Bell were absent. Members of the public were also present.

The Board viewed correspondence from various agencies.

The Board acknowledged receipt of the following:

Joshua J. Spies, Lower Cedar Project Director of The Nature Conservancy submitted an update on the formation of the Lower Cedar WMA.

Penny Linden, Administrative Office Assistant of Eastern Iowa MH/DS Region submitted FY18 Annual Service and Budget Plan Regional and the Financial Reports.

May reports and minutes from the April 26th meeting were submitted by Patty Hamann, VA Director.

Notice of retirement was submitted by Becky Severin, Correctional Officer, effective on September 26, 2017.

Correspondence from Roy E. Wright, Deputy Associate Administrator for Insurance and Mitigation FEMA regarding flood insurance.

Chief Deputy Knoche submitted a new hire letter for Joseph McNeill he has been hired as a Deputy Sheriff effective June 19, 2017.

Notice of Voluntary Resignation for Rachelle Ham, Public Health Nurse, effective June 16, 2017.

Correspondence from Jamie Cashman regarding Iowa Supreme Court order.

Manure Management Annual Updates submitted by:

James Wilkins for a site located in Inland Township

Lu Jen Farms, Inc. for a site located at 1830 Hayes Avenue, West Branch

Jeff Salsbery for a site located at 1334 Old Muscatine Road, Tipton

It was noted the following Handwritten Disbursement was issued on to the Cedar County Treasurer for Benefits, Inc. for an electronic deposit: #410976 for \$777.30 -self funded medical claims.

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

Ayes: All

Absent: Agne and Bell

Chairperson Smith addressed the public for comments and there were none.

Moved by Sup. Kaufmann seconded by Sup. Gaul to approve the Board Minutes of June 13, 2017.

Ayes: All

Absent: Agne and Bell

Moved by Sup. Gaul seconded by Sup. Kaufmann to approve Claim Disbursements #410754 - #410975.

Ayes: All

Absent: Agne and Bell:

The Board reported on Outreach/Committee Meetings they attended.

Moved by Sup. Gaul seconded by Sup. Kaufmann to approve and authorize Chairperson Smith to sign the FY17/18 Support Agreement and Information Technology Services Agreement Statement of Work between "Solutions", Inc. and Cedar County.

Ayes: All

Absent: Agne and Bell

Moved by Sup. Kaufmann seconded by Sup. Gaul to approve the FY16/17 Appropriation Resolution, as presented, and authorize Chairperson Smith to sign documentation.

BE IT RESOLVED this 20th day of June 2017, to change the Appropriation made July 1, 2016 for the following department for Fiscal year 2016-2017.

Auditor – From \$377,462 to \$384,462
(207,116 Fund 01000; 384,462 Fund 02000)

Non-departmental – From \$2,963,807 to \$2,956,807
(310,205 Fund 01000; 214,556 Fund 02000; 2,323,046 Fund 11000; 60,000 Fund 27000; 35,000 Fund 28000; 13,000 Fund 28002; 1,000 Fund 34000) (168,263 Fund 01000; 41,488 Fund 02000)

Ayes: All

Absent: Agne and Bell

At 8:45 a.m. Sup. Kaufmann seconded by Sup. Gaul to open the public hearing to consider approving Cedar County Ordinance #60 an ordinance prohibition of fireworks on County-owned Property. The Board reviewed Ordinance #60. There were no written or verbal objections on file. Conservation Director Dauber was present. Discussion was held. Larry Hodgden asked if during a county wide burning ban whether fireworks would apply. Sup. Kaufmann stated that is separate from the Ordinance being considered. Sup. Smith asked Auditor Dauber to discuss this topic with Tim Malott.

Moved by Sup. Gaul seconded by Sup. Kaufmann to approve Ordinance #60-an ordinance prohibition of fireworks on County-Owned Property and to waive the second hearing scheduled for June 27th.

Ayes: All

Absent: Agne and Bell

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

Ayes: All

Absent: Agne and Bell

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

Ayes: All

Absent: Agne and Bell

Engineer Fangmann met with the Board and reviewed the bids for Project # LFM-201704—7X-16.

Moved by Sup. Kaufmann seconded by Sup. Gaul to approve the resolution and award the bid of \$82,686.00 to Iowa Bridge & Culvert, L.C. for project # LFM-201704—7X-16.

RESOLUTION
Cedar County Board of Supervisors

Award of Bid for Project: LFM-201704--7X-16

X46 (Jackson Ave): 140 Jackson Avenue in Section 10, T82N, R-3W in Fremont Township, Single 10'x 6'x 48' R.C.B. Culvert Replacement

BE IT RESOLVED, by the Cedar County Board of Supervisors, as follows:

Section 1: That the bid for LFM-201704--7X-16 be awarded to the low bidder, IOWA BRIDGE & CULVERT, L.C., WASHINGTON, IA for a total cost of \$82,686.00

Section 2: That the chair be authorized to sign the contract documents on behalf of the Board

Section 3: That this resolution shall take effect immediately.

Passed and approved this 20th day of June, 2017:

Ayes: All

Absent: Agne and Bell

Engineer Fangmann discussed the final plans for Project L-201705-73--16. This project will replace the existing bridge with a box culvert on King Avenue in Section 35 of Fremont Township. Discussion was held.

Moved by Sup. Gaul seconded by Sup. Kaufmann to approve the Final Plans for Project L-201705-73—16.

Ayes: All

Absent: Agne and Bell

Moved by Sup. Kaufmann and seconded by Sup. Gaul to set the letting date for Project L-201705-73—16 for July 11, 2017 at 10:30 a.m.

Ayes: All

Absent: Agne and Bell

Engineer Fangmann recommended the Board to approve the step wage increase for Kyle Mente, Engineering Technician I. Mente will complete his one year employment on June 20, 2017.

Moved by Sup. Gaul seconded by Sup. Kaufmann to approve a step wage increase from \$21.24/hr. to \$23.60/hr. for Kyle Mente. Engineering Technician I, effective June 20, 2017.

Ayes: All

Absent: Agne and Bell

Moved by Sup. Gaul seconded by Sup. Kaufmann to open the public hearing on the following petition: Chris Mottinger, 719 South Market St., Solon, IA, (Owner) – Requesting a change in zoning from A-1 Agricultural District to R-1 Suburban Residential District for the purpose of constructing two (2) single family dwellings on property located in Parcels “T” and “J” in the SW ¼, SE ¼, Section 19, T-81N, R-4W, in Cass Township. Said petition is to rezone a total of 2.21 acres on the two (2) parcels which total 10.25 acres more or less. Environmental & Zoning Director LaRue, Engineer Fangmann, Conservation Director Dauber, Sheriff Wethington, Cal Lilienthal and Chris Mottinger were in attendance. No written or verbal objections on file in the Auditor’s Office. Cal Lilienthal submitted a written objection that was distributed to the Board. Mr. Lilienthal is opposed to the rezoning due to the environmental concerns and future development. E&Z Director LaRue stated this petition is for two lots that total 2.21 acres and the rest of the land will remain in an Environmental Conservation Area. Mr. Mottinger stated his claim is to preserve timberland. Mr. Lilienthal said he would feel better if he knew what the plan was to ensure Mr. Mottinger’s vision is protected. Discussion was held. Director Dauber stated he has been contacted by both parties and he stated this area is unique and has a lot of species on it which he would like to see protected. Discussion was held regarding an easement on the land. Mr. Mottinger does not have a problem with that and he would be happy to draw up an easement or rights to access the ground to the Cedar County Conservation Board. Director LaRue mentioned that the owners of the existing parcels be notified. Mr. Mottinger requested the Board to approve his petition on the condition that he will provide documentation. Sup. Kaufmann requested Mr. Mottinger to provide the documentation at next week’s hearing. No decision was made.

Moved by Sup. Gaul seconded by Sup. Kaufmann to close the public hearing.

Ayes: All

Absent: Agne and Bell

Mike Lucassen met with the Board. Engineer Fangmann, Sheriff Wethington, Chief Deputy Knoche and County Attorney Renander were present. Mr. Lucassen provided a copy of a letter that was dated April 2016 and stated nothing is being done. General discussion was held. Chief Deputy Knoche, Sheriff Wethington, Engineer Fangmann and County Attorney Renander addressed Mr. Lucassen on the issues. The general con-census was that all matters have been addressed with Mr. Lucassen and they are civil issues. Sup. Smith stated the Hahn and Siders dispute is a property line dispute, the theft of poles that was reported was investigated and based on the evidence there was not enough to prosecute, the erosion matter is being addressed by the Assistant County Attorney and the County Engineer, and the parking issue has been resolved by the County Engineer. Sup. Smith will no longer entertain these topics other than if there is a change in the status. Mr. Lucassen left the room.

Moved by Sup. Gaul seconded by Sup. Smith to adjourn at 10:20 a.m., to June 27, 2017.

Ayes: All

Absent: Agne and Bell

Cari A. Dauber, Auditor

Dawn Smith, Chairperson