

## REGULAR SESSION

JANUARY 4, 2010

The Union County Board of Supervisors met in regular session on Monday, January 4, 2010. The meeting was called to order at 9:00 a.m. with the following members present: Robert Jansen, Ron Riley, Tom McCann, and Mike King. Bob Brown absent.

**AGENDA:** Motion by King and seconded by McCann to approve the agenda. All voting aye, motion carried.

**CHAIR:** Motion by McCann for Riley to become Chairman. Riley declined the motion of chair, and motion died for lack of second. Motion by Riley and seconded by Jansen to appoint King as chairman. All voting aye, with King abstaining from the vote. Motion carried.

**VICE CHAIR:** Motion by Jansen and seconded by McCann to nominate Riley as Vice Chair. All voting aye, motion carried.

**SUPERVISORS ORGANIZATION RESOLUTION:** Motion by McCann and seconded by Riley to approve **Resolution #17 FY10/11 – BE IT RESOLVED** by the Union County Board of Supervisors that their regular meeting days be set for each Monday of the month and claims will be approved the second and fourth Mondays of each month. Special sessions are to be held on Wednesday when possible. Business will be conducted pursuant to Robert's Rules of Order. No bills will be allowed unless they carry the approval of the officer empowered to order same. That the aid of the Poor must be obtained through the County General Relief Designee (MATURA Action Corporation) or Chair of the Board of Supervisors. That all claims must be itemized in full, with vendor invoice and signed by office head. Claims must be filed in the Auditor's office by noon on Thursday proceeding the weekly session of the Board, acceptions with the discretion of the Board. Approved this 4th day of January, 2010. Roll call vote: McCann, aye. Riley, aye. Jansen, aye. King, aye. Brown, absent. Motion carried.

### **BOARD APPOINTMENTS FOR THE YEAR 2010- APPOINTMENTS MADE BY CHAIRMAN MIKE KING**

**AREA 14 AGENCY ON AGING POLICY BOARD:** Mike King, Alternate-Ron Riley

**HEARTLAND MANAGEMENT ALLIANCE (INNOVATIVE- SIRF):** Ron Riley, Alternate- Bob Jansen

**CRESTON UNION LAW ENFORCEMENT COMMISSION:** Bob Jansen and Tom McCann, Alternate – Mike King and Ron Riley

**SICOG PROJECT BOARD:** Mike King

**MATURA ACTION:** Tom McCann, Alternate-Mike King

**CROSSROADS MENTAL HEALTH:** Tom McCann, Alternate-Bob Brown

**COUNTY BOARD OF HEALTH:** Bob Brown, Alternate-Ron Riley

**UNION CO. ALCOHOL EDUCATION INFORMATION REFERRAL SVC:** Bob Brown, Alternate – Ron Riley

**REGIONAL TRANSIT ADVISORY COMMISSION:** Bob Brown, Alternate-Tom McCann

**ENTERPRISE ZONE:** Mike King

**UNION COUNTY ECONOMIC DEVELOPMENT COMMISSION:** Bob Jansen, Alternate-Mike King

**UNION COUNTY LANDFILL:** Ron Riley, Alternate-Bob Brown

**CITIZENS ADVISORY BOARD:** Tom McCann, Alternate-Bob Brown

**AIRPORT REDISTRICTING COMMISSION:** Tom McCann and Ron Riley

**COUNTY RC&D COMMITTEE:** Tom McCann

**E911 SERVICE BOARD:** Bob Jansen, Alternate-Bob Brown

**IOWA WATERSHED BOARD:** Bob Brown

**EMPOWERMENT BOARD:** Bob Brown, Alternate-Tom McCann

**REAP:** Mike King, Alternate-Bob Jansen

**REGIONAL E911 BOARD:** Bob Jansen, Alternate-John Coulter

**DISASTER SERVICES EMERGENCY MANAGEMENT:** Mike King, Alternate-Ron Riley

**CPC (ADAMS,UNION,CLARKE,ADAIR,TAYLOR):** Bob Jansen, Alternate-Mike King

**MIDWEST OPPORTUNITIES:** Tom McCann

**5TH JUDICIAL COMM. BOARD, DES MOINES:** Mike King, Alternate-Bob Jansen

**ATURA:** Mike King, Alternate-Ron Riley

**DECATORIZATION BOARD:** Bob Brown, Alternate- Ron Riley

**CASE MANAGEMENT ADVISORY BOARD:** Bob Jansen, Alternate- Mike King

**SOUTHWEST IOWA COALITION:** Bob Jansen

**UNION COUNTY PUBLIC FUNDING:** Mike King, Alternate-Ron Riley

**FAMILY TIES:** Tom McCann, Alternate – Bob Jansen

**HEALTH INSURANCE COMMITTEE:** Mike King and Ron Riley,

**WORKFORCE DEVELOPMENT BOARD:** Ron Riley

**DEPARTMENT OF HUMAN SERVICES ADVISORY BOARD:** Bob Brown and Sandy Hysell

**AFTON ZONING BOARD:** Bob Brown

**RWIB – Ron Riley**

**CRESTON SCHOOL CITIZENS ADVISORY BOARD:** Tom McCann, Alternate-Ron Riley

**JUSTICE AND PUBLIC SAFETY:** Mike King

**SOUTHERN IOWA DEVELOPMENT AND CONSERVATION AUTHORITY:** Bob Brown, Alternate- Tom McCann

Roll call vote: McCann, aye. Riley, aye. Jansen, aye. King, aye. Brown, absent. Motion carried.

**ADA BOARD:** Motion by Jansen and seconded by Riley to reappoint the following to the courthouse ADA Board: Bryan Scott, Marsha Parsons, Rick Piel, Sandy Hysell, Paul Boden, Larry Latham, Doug Jones, and Tom McCann. All voting aye, motion carried.

**CONDEMNATION COMMISSION:** Motion by Jansen and seconded by Riley to approve the following to the Condemnation Commission for the year 2010:

**LICENSED REAL ESTATE BROKERS OR SALESMEN:**

Kim Whittington  
Carol John  
Norma Sammons  
Dennis Carter  
Lois Monday  
Korina Loudon  
Jane Lowe  
Rex Spainhower

**BANK AND/OR LOAN AGENCIES:**

David Driskell  
Marlin Neisemier  
Dan Purdum  
Merne Haack

**OWNERS-OPERATORS OF AGRICULTURE PROPERTY:**

Richard Ide  
Hal Dean Morris  
Eddie Ehm  
Ann Moore  
Lucille Wilson

**OWNERS OF CITY PROPERTY:**

Malcom Amos  
Franklin Eighme  
Katie Strider  
Gail Peterson  
Kent Forbes  
Mary Seales

All voting aye, motion carried.

**CONSERVATION BOARD:** Motion by Riley and seconded by McCann to reappoint Paul Downing to the Conservation Board for a five year term. All voting aye, motion carried.

**RC&D (RESOURCE CONSERVATION AND DEVELOPMENT) APPOINTMENT:** Motion by Jansen and seconded by Riley to reappoint Roger Baker and Tom McCann to the RC&D Committee until 2011. All voting aye, motion carried.

**MEDICAL EXAMINERS:** Motion by McCann and seconded by Riley to reappoint Dr. John C. Hoyt and Dr. Daniel S. Walker as Union County Medical Examiners for 2010 and John Stutzman and Laryl Vandenberg as Medical Examiner Investigators for 2010 . All voting aye, motion carried.

**OFFICIAL NEWSPAPERS:** Motion by McCann and seconded by Jansen to designate the Afton Star and Creston News Advertiser as the County's official newspapers. All voting aye, motion carried.

**DEPOSITORY RESOLUTION:** Motion by McCann and seconded by Jansen to approve RESOLUTION #18 FY 10/11 BE IT RESOLVED that the Union County Board of Supervisors of Union County, Iowa approves the following list of financial institutions to be depositories of the Union County funds in conformance with all applicable provisions of Iowa Code Chapters 452 and 453 (1983) as amended by 1984 Iowa Acts, S.F. 2220. The Recorder, Treasurer, Sheriff, Auditor is

hereby authorized to deposit the Union County funds in amounts not to exceed the maximum approved for each respective financial institution as set out below:

LOCATION AND NAME OF DEPOSITORY OFFICE		MAXIMUM BALANCE IN EFFECT UNDER PRIOR RESOLUTION	MAXIMUM BALANCE IN EFFECT UNDER THIS RESOLUTION
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**RECORDER:**

IA St Savings Bank	Creston	150,000.00	150,000.00
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**TREASURER:**

Great Western Bank	Creston	2,000,000.00	3,000,000.00
State Savings Bank	Creston	1,000,000.00	1,000,000.00
First Nat'l Bank	Creston	5,000,000.00	5,000,000.00
Ia St Savings Bank	Creston	7,000,000.00	7,000,000.00
First Federal	Creston	3,000,000.00	2,000,000.00
Ia Public Agency % Norwest Bank	Des Moines	2,000,000.00	1,000,000.00

**SHERIFF:**

First Nat'l Bank	Creston	350,000.00	350,000.00
First Federal	Creston	100,000.00	100,000.00
Ia St Savings Bank	Creston	25,000.00	25,000.00

**AUDITOR:**

First Nat'l Bank	Creston	25,000.00	25,000.00
First Federal	Creston	25,000.00	25,000.00

Approved on this 4th day of January, 2010.

Roll call vote: McCann, aye. Riley, aye. Jansen, aye. King, aye. Brown, absent. Motion carried.

**DEFERRED COMPENSATION BOARD RESOLUTION:** Motion by Riley and seconded by McCann to approve RESOLUTION # 19 FY 10/11- BE IT RESOLVED that the Chairman of the Union County Board of Supervisors, and Sandy Hysell, Union County Auditor, or either one of them acting individually, are hereby authorized to establish a deferred compensation program for participating employees and to perform all acts necessary to fulfill the obligations of Union County relative to said program. The participating employee shall be authorized to sell, assign and endorse for transfer certificates representing stocks, bonds or other securities now registered or hereafter registered as a result of participating in the Union County IA 457 Deferred Compensation Plan. I, Mike King, Chairman of the Union County Board of Supervisors, established under the laws of the State of Iowa, hereby certify that the foregoing is a true copy of a resolution duly adopted by the Board of Supervisors of said County in Iowa, at a meeting duly held the 4<sup>th</sup> day of January, 2010, at which a quorum was present and voting, and that the same has not been repealed or amended, and remains in full force and effect. Roll call vote: McCann, aye. Riley, aye. Jansen, aye. King, aye. Brown, absent. Motion carried.

**MASTER MATRIX RESOLUTION:** Motion by McCann and seconded by Jansen to approve RESOLUTION # 20 FY 10/11. **CONSTRUCTION EVALUATION RESOLUTION- WHERAS**, Iowa Code section 459.304(3) sets out the procedure if a board of supervisors wishes to adopt a "construction evaluation resolution" relating to the construction of a confinement feeding operation structure; and **WHEREAS**, only counties that have adopted a construction evaluation resolution can submit to the Department of Natural Resources (DNR) an adopted recommendation to approve or disapprove a construction permit application regarding a proposed confinement feeding operation structure; and **WHEREAS**, only counties that have adopted a construction evaluation resolution and submitted an adopted recommendation may contest the DNR's decision regarding a specific application; and **WHEREAS**, by adopting a construction evaluation resolution the board of supervisors agrees to evaluate every construction permit application for a proposed confinement feeding operation structure received by the board of supervisors between February 1, 2010 and January 31, 2011 and submit an adopted recommendation regarding that application to the DNR; and **WHEREAS**, the board of supervisors must conduct an evaluation of every construction permit application using the master matrix created in Iowa Code section 459.305, but the board's recommendation the DNR may be based on the final score on the master matrix or may be based on reasons other than the final score on the master matrix; **NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF UNION COUNTY** that the Board of Supervisors hereby adopts this construction evaluation resolution pursuant to Iowa Code section 459.304(3). Approved on this 4th day of January, 2010. Roll call vote: McCann, aye. Riley, aye. Jansen, aye. King, aye. Brown, absent. Motion carried.

**RECORD DESTROY RESOLUTION:** Motion by McCann and seconded by Riley to approve RESOLUTION # 21 FY10/11- The following is a list of records, which are to be destroyed (after appropriate documents are scanned and checked) by burning in accordance with law and as authorized by the Union County Board of Supervisors on January 4, 2010. County records included are:

<u>RECORDS TO BE DESTROYED</u>	<u>RETENTION AFTER AUDIT</u>
Claims through 6/2007	2 yr
Warrants & duplicate warrants through 6/2007	2 yr
Handwritten claims through 6/2007	2 yr
Secondary Roads receipts through 6/2007	1 yr
Payroll time cards through 6/2006	3 yr
Misc. receipts through 6/2007	1 yr
Dog records through 6/2006	1 yr
General ledger, expenditure & revenue ledgers through 01/04	5 yr
Annual reports receipts, expenditures, balances through 01/04	5 yr
Closed Session Tapes 6/1999	10 yr
Mental Health Copies for Claims thru 6/2004	Administrative & legal values ended.
Board Proceedings thru 6/1999	Administrative & legal values ended.
Returned Homestead and Military disallowances through 6/2007	Administrative & legal values ended.
Health Insurance Reports thru 6/2003	Administrative & legal values ended.

Roll call vote: McCann, aye. Riley, aye. Jansen, aye. King, nay. Brown, absent. Motion carried.

**GUTHRIE COUNTY 28E AGREEMENT – SANITATION:** Motion by Riley and seconded by Jansen to reaffirm the sanitation 28E Agreement with Guthrie County. Roll call vote: McCann, aye. Riley, aye. Jansen, aye. King, aye. Brown, absent. Motion carried.

**SET BOUNTY:** Motion by Riley and seconded by Jansen to set the Bounty on gophers at a rate of \$1.00 for both front feet. All voting aye, motion carried.

**AUDITORS REPORT:** Motion by Jansen and seconded by McCann to approve the quarterly Auditors Report in the amount of \$36.05. All voting aye, motion carried.

**HANDWRITTEN CLAIMS:** Motion by Jansen and seconded by McCann to approve the handwritten claim for the Union County Health Insurance in the amount of \$62,064.38 and \$16,244.32. All voting aye, motion carried.

**PUBLIC HEARING:** Public Hearing opened at 10:30 AM regarding the Construction of the Conservation building at 3 Mile Lake. Present were Tom Leson, Doug Jones, Joe Mahew, Michael Hilger. No written or oral comments were received from the public to the Auditor’s Office, Conservation Office, or Board of Supervisors. Public Hearing closed at 10:33 AM.

**SHERIFF’S OFFICE:** Motion by Jansen and seconded by McCann to approve the hiring of 2 part-time jailers Chris Lane and Christie Bristow at \$10.00 per hour, on the recommendation of Sheriff Rick Piel. All voting aye, motion carried.

**ENGINEER:** County Engineer, Steve Akes and County Attorney Tim Kenyon updated the Board of Supervisors on sending and the recording of the easements for Ryan Road. Once all easements are received, and the County accepts them, then the County will take over the responsibility of the road. Also present for the discussion were Brian and Mindy Gutmann. Akes presented and discussed the weekly maintenance and activity report, 2011 Construction program and raising the compensation time cap during bad weather. (The Boards consensus was to leave compensation time at the cap of 40 hours.) **MOTOR GRADER RENTAL:** Motion by Jansen and seconded by McCann to lease a motor grader for 30-60 days from Murphy Tractor, Des Moines IA, and to purchase the plow since a v-plow wouldn’t be included form last weeks motion per Murphy Tractor. All voting aye, motion carried.

**MINUTES:** Motion by Jansen and seconded by Riley to approve the December 28, 2009 minutes. All voting aye, motion carried.

**ADJOURNMENT:** There being no further business, the meeting was adjourned at 12:53 PM.

ATTEST: \_\_\_\_\_  
**SANDY HYSELL, COUNTY AUDITOR**

BY: \_\_\_\_\_  
**MICHAEL J KING CHAIRMAN, BOARD OF SUPERVISORS**