

REGULAR SESSION

JANUARY 3, 2011

The Union County Board of Supervisors met in regular session on Monday, January 3, 2011. The meeting was called to order at 9:00 a.m. with the following members present: Robert Jansen, Ron Riley, Lois Monday, Bob Brown and Dennis Brown.

AGENDA: Motion by Robert Jansen and seconded by Bob Brown to approve the agenda. All voting aye, motion carried.

CHAIR: Motion by Bob Brown and seconded by Robert Jansen to nominate Ron Riley as Chairman. All voting aye, motion carried.

VICE CHAIR: Motion by Lois Monday and seconded by Robert Jansen to nominate Bob Brown as Vice Chairman. All voting aye, motion carried.

ATTORNEY: Tim Kenyon, County Attorney, reviewed the open meetings laws and open records laws per Iowa Code Chapter 21 and 22 with the Board of Supervisors

MASTER MATRIX RESOLUTION: Motion by Bob Brown and seconded by Robert Jansen to approve **RESOLUTION # 20 FY 10/11. CONSTRUCTION EVALUATION RESOLUTION- WHEREAS**, 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, 2011 and January 31, 2012 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 3rd day of January, 2011. Roll call vote: Lois Monday aye, Robert Jansen aye, Bob Brown aye, Dennis Brown aye, and Ron Riley aye. Motion carried.

DEFERRED COMPENSATION BOARD RESOLUTION: Motion by Robert Jansen and seconded by Dennis Brown to approve **RESOLUTION # 21 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, Ron Riley, 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 3rd day of January, 2011, 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: Robert Jansen aye, Lois Monday aye, Bob Brown aye, Dennis Brown aye, and Ron Riley aye. Motion carried.

DEPOSITORY RESOLUTION: Motion by Bob Brown and seconded by Dennis Brown to approve **RESOLUTION #22 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 and Auditor are 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
RECORDER:		
IA St Savings Bank Creston	150,000.00	150,000.00
TREASURER:		
Great Western Bank Creston	3,000,000.00	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	6,000,000.00
Ia St Savings Bank Creston	7,000,000.00	8,000,000.00
First Federal Creston	2,000,000.00	2,000,000.00
Ia Public Agency Des Moines	1,000,000.00	1,000,000.00
% Norwest Bank		
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 3rd day of January, 2011.

Roll call vote: Dennis Brown aye, Bob Brown aye, Lois Monday aye, Robert Jansen aye, and Ron Riley aye. Motion carried.

RECORD DESTROY RESOLUTION: Motion by Bob Brown and seconded by Robert Jansen to approve **RESOLUTION # 23 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 the law and as authorized by the Union County Board of Supervisors on January 3, 2011. County records included are:

<u>RECORDS TO BE DESTROYED</u>	<u>RETENTION AFTER AUDIT</u>
Claims through 6/2006	2 yr
Warrants & duplicate warrants through 6/2006	2 yr
Handwritten claims through 6/2006	2 yr
Secondary Roads receipts through 6/2006	1 yr
Payroll time cards through 6/2005	3 yr
Misc. receipts through 6/2006	1 yr
Dog records through 6/2006	1 yr
General ledger, expenditure & revenue ledgers through 01/03	5 yr
Annual reports receipts, expenditures, balances through 01/03	5 yr
Closed Session Tapes 6/1998	10 yr
Mental Health Copies for Claims thru 6/2003	Administrative & legal values ended.
Board Proceedings thru 6/1997	Administrative & legal values ended.
Returned Homestead and Military disallowances through 6/2006	Administrative & legal values ended.
Health Insurance Reports thru 6/2002	Administrative & legal values ended.

Roll call vote: Robert Jansen aye, Lois Monday aye, Bob Brown aye, Dennis Brown aye and Ron Riley aye. Motion carried.

SUPERVISORS ORGANIZATION RESOLUTION: Motion by Bob Brown and seconded by Dennis Brown to approve **Resolution #24 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 3rd day of January, 2011. Roll call vote: Robert Jansen aye, Lois Monday aye, Bob Brown aye, Dennis Brown aye and Ron Riley aye. Motion carried.

GUTHRIE COUNTY 28E AGREEMENT – SANITATION: Motion by Bob Brown and seconded by Robert Jansen to reaffirm the sanitation 28E Agreement with Guthrie County. Roll call vote: Dennis Brown aye, Bob Brown aye, Lois Monday, Robert Jansen aye and Ron Riley aye. Motion carried.

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

RECORDER'S APPOINTMENT: Motion by Lois Monday and seconded by Bob Brown to approve Phyllis Burkhalter as Deputy Recorder as recommended by Union County Recorder Paula White. Roll Call Vote: Dennis Brown aye, Bob Brown aye, Lois Monday aye, Robert Jansen aye, and Ron Riley aye, motion carried.

TREASURER'S APPOINTMENTS: Motion by Robert Jansen and seconded by Dennis Brown to approve Jenny Wheeler as Deputy Treasurer, Ellen Jensen as Deputy, and Stacey Mohr as Drivers License Deputy as recommended by Union County Treasurer, Kelly Busch. Roll Call Vote: Robert Jansen aye, Lois Monday aye, Bob Brown aye, Dennis Brown aye and Ron Riley aye. Motion carried.

CONSERVATION BOARD: Motion by Bob Brown and seconded by Robert Jansen to reappoint Steve Malzahn to the Conservation Board for a five year term. All voting aye, motion carried.

MEDICAL EXAMINERS: Motion by Lois Monday and seconded by Robert Jansen to reappoint Dr. John C. Hoyt and Dr. Daniel S. Walker as Union County Medical Examiners for 2011 and John Stutzman and Laryl Vandenberg as Medical Examiner Investigators for 2011 . All voting aye, motion carried.

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

VETERAN AFFAIRS BOARD: Motion by Dennis Brown and seconded by Robert Jansen to reappoint Gary O'Daniels and John Parkins to the Veteran Affairs Board for a Three (3) year term. All voting aye, motion carried.

DODGE TOWNSHIP CLERK: Motion by Dennis Brown and seconded by Lois Monday to reappoint Shirley Loomis as the Dodge Township Clerk. All voting aye, motion carried.

JONES TOWNSHIP CLERK: Motion by Bob Brown and seconded by Lois Monday to reappoint Lysa Ward as the Jones Township Clerk. All voting aye, motion carried.

BOARD APPOINTMENTS FOR THE YEAR 2010- APPOINTMENTS MADE BY CHAIRMAN RON RILEY:

AREA 14 AGENCY ON AGING POLICY BOARD: Robert Jansen, Alternate-Dennis Brown

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

CRESTON UNION LAW ENFORCEMENT COMMISSION: Lois Monday and Dennis Brown, Alternate – Robert Jansen and Ron Riley

SICOG PROJECT BOARD: Robert Jansen

MATURA ACTION: Dennis Brown, Alternate-Ron Riley

CROSSROADS MENTAL HEALTH: Lois Monday, Alternate-Ron Riley

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-Lois Monday

ENTERPRISE ZONE: Lois Monday

UNION COUNTY ECONOMIC DEVELOPMENT COMMISSION: Dennis Brown, Alternate-Robert Jansen

UNION COUNTY LANDFILL: Ron Riley, Alternate-Dennis Brown

CITIZENS ADVISORY BOARD: Dennis Brown, Alternate-Bob Brown

AIRPORT REDISTRICTING COMMISSION: Lois Monday and Ron Riley

COUNTY RC&D COMMITTEE: Dennis Brown

E911 SERVICE BOARD: Robert Jansen, Alternate-Bob Brown

IOWA WATERSHED BOARD: Bob Brown

EMPOWERMENT BOARD: Bob Brown, Alternate-Lois Monday

REAP: Dennis Brown, Alternate-Bob Brown

REGIONAL E911 BOARD: Robert Jansen, Alternate- Bige Fienhage

DISASTER SERVICES EMERGENCY MANAGEMENT: Ron Riley, Alternate-Lois Monday

CPC (ADAMS,UNION,CLARKE,ADAIR,TAYLOR): Robert Jansen, Alternate-Ron Riley

MIDWEST OPPORTUNITIES: Lois Monday

5TH JUDICIAL COMM. BOARD, DES MOINES: Dennis Brown, Alternate-Robert Jansen

ATURA: Ron Riley, Alternate-Lois Monday

DECATORIZATION BOARD: Bob Brown, Alternate- Ron Riley

CASE MANAGEMENT ADVISORY BOARD: Robert Jansen, Alternate- Ron Riley

SOUTHWEST IOWA COALITION: Robert Jansen

UNION COUNTY PUBLIC FUNDING: Ron Riley, Alternate-Dennis Brown

FAMILY TIES: Lois Monday, Alternate – Bob Brown

HEALTH INSURANCE COMMITTEE: Ron Riley and Robert Jansen

WORKFORCE DEVELOPMENT BOARD: Lois Monday

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

AFTON ZONING BOARD: Bob Brown

RWIB – Lois Monday

CRESTON SCHOOL CITIZENS ADVISORY BOARD: Ron Riley

SOUTHERN IOWA DEVELOPMENT AND CONSERVATION AUTHORITY: Bob Brown, Alternate-Robert Jansen

Roll call vote: Robert Jansen aye, Lois Monday aye, Bob Brown aye, Dennis Brown, and Ron Riley aye. Motion carried.

SHERIFF: Motion by Lois Monday and seconded by Bob Brown to approve the purchase of a card printer for weapons permits on the recommendation of Sheriff Rick Piel. All voting aye, motion carried.

FICA RESOLUTION: Motion by Bob Brown and seconded by Lois Monday to approve **Resolution #26 FYR 10-11**, WHEREAS, it is desired to transfer monies from the Assessor FICA Fund to the Assessor Expense Fund, for 10-01-2010 thru 12-31-2010 and whereas, said operating transfer is in accordance with section 331.432, Code of Iowa. NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Union County, Iowa, as follows: SECTION 1. The sum of \$1,414.76 is ordered to be transferred from the Assessor FICA Fund to the Assessor Expense Fund, effective 01-03-2011. SECTION 2. The Auditor is directed to correct her books accordingly and to notify the Treasurer of this operating transfer, accompanying the notification with a copy of this resolution and the record of its adoption. THE ABOVE AND FOREGOING RESOLUTION was adopted by the Board of Supervisors of Union County, Iowa on 01-03-2011. Roll call vote: Robert Jansen aye, Lois Monday aye, Bob Brown aye, Dennis Brown aye, and Ron Riley aye, motion carried.

IPERS RESOLUTION: Motion by Robert Jansen and seconded by Lois Monday to approve **Resolution #27 FYR 10-11**, WHEREAS, it is desired to transfer monies from the Assessor IPERS Fund to the Assessor Expense Fund, for 10-01-2010 thru 12-31-2010 and whereas, said operating transfer is in accordance with section 331.432, Code of Iowa. NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Union County, Iowa, as follows: SECTION 1. The sum of \$1,327.06 is ordered to be transferred from the Assessor IPERS Fund to the Assessor Expense Fund, effective 01-03-2011. SECTION 2. The Auditor is directed to correct her books accordingly and to notify the Treasurer of this operating transfer, accompanying the notification with a copy of this resolution and record of its adoption. THE ABOVE AND FOREGOING RESOLUTION was adopted by the Board of Supervisors of Union County, Iowa, on 01-03-2011. Roll call vote: Dennis Brown aye, Bob Brown aye, Lois Monday aye, Robert Jansen aye, and Ron Riley aye, motion carried.

SICOG: Tim Ostroski updated the Board on contracts that the County has with the State of Iowa. Motion by Robert Jansen and seconded by Bob Brown to authorize the chair to sign the change signature card for the three state grants. All voting aye, motion carried.

APPROPRIATIONS RESOLUTION: Motion by Bob Brown and seconded by Robert Jansen to approve **Resolution #28 FY 10/11**, NOW on this 3rd day of January, 2011, the matter of amending the fiscal year 2010-2011 appropriations comes before the Union County Board of Supervisors. WHEREAS it is now necessary to amend the fiscal year 2010-2011 appropriations for these changes, in accordance with section 331.434(6) of the Code of Iowa. BE AND IT IS HEREBY RESOLVED that the appropriations for the following departments are amended for fiscal year 2010-2011 as follows:

DEPARTMENT	PRIOR APPRO	INCREASE	AMENDED APPRO
General Services	1,152,159	1,389,547	2,541,706
Human Services	153,344	63,000	216,344

These changes are effective on the 22nd day of November 2010, after the public hearing. Roll call vote: Bob Brown aye, Dennis Brown aye, Robert Jansen aye, Lois Monday aye, and Ron Riley aye, motion carried.

APPROPRIATIONS RESOLUTION: Motion by Robert Jansen and seconded by Bob Brown to approve **Resolution #29 FY 10-11**, NOW on this 3rd day of January 2011, the matter of establishing fiscal year 2010-2011 appropriations comes before the Union County Board of Supervisors. WHEREAS it is desired to make appropriations for each of the different offices and departments for the fiscal year half beginning January 1, 2011, and WHEREAS such action is in accordance with Section 331.434(6) of the Code of Iowa. BE AND IT IS HEREBY RESOLVED by the Board of Supervisors of Union County as follows: SECTION 1. The amounts itemized by office or department on the attached schedule are hereby appropriated from the county's resources as so itemized, to the office or department listed in the first column on the same line of the attached schedule. This represents 100% of the office's or department's total fiscal year 2010-2011 budget 50% is to appropriated the first half of the fiscal year and **50% is to appropriated at the second half of the fiscal year**. SECTION 2. Subject to the provisions of county procedures and regulations, and

applicable state law, the appropriations authorized under Section 1 shall constitute authorization for the office or department listed to make expenditures or incur obligations effective July 1, 2010. Section 3. In accordance with Section 331.427 of Code of Iowa, no office or department shall expend or contract to expend any money or incur any liability, or enter into a contract to expend any money or incur any liability, or enter into any contract which by its terms involves the expenditure of money for any purpose in excess of the amounts appropriated pursuant to this resolution. Section 4. If at any time during the 2010-2011 budget year, the auditor shall ascertain that the available resources for that year will be less than the total appropriation, she shall immediately so inform the Board and recommend appropriate corrective action. Section 5. The auditor shall establish separate accounts for the appropriations authorized in Section 1, each of which account shall indicate the amount of the appropriation, the amounts charged thereto, and the unencumbered balance. The auditor shall report that status of such accounts to the applicable offices and departments monthly during the 2010-2011 budget year. Section 6. All appropriations authorized pursuant to this resolution shall lapse at the close of business on Jun 30th, 2011. Roll call vote: Robert Jansen aye, Lois Monday aye, Bob Brown aye, Dennis Brown aye, and Ron Riley aye, motion carried.

MINUTES: Motion by Bob Brown and seconded by Robert Jansen to approve the December 27, 2010 minutes. All voting aye, motion carried.

RECESSED for Lunch at 11:37 AM
RECONVENED from Lunch at 1:00 PM

ENGINEER: County Engineer, Steve Akes, presented and discussed the maintenance activity report and the 5 year construction programs and fiscal year construction programs for 2011-2012.

ADJOURNMENT: There being no further business, the meeting was adjourned at 2:40 PM.

ATTEST: _____
SANDY HYSELL, COUNTY AUDITOR

BY: _____
RON RILEY, CHAIRMAN, BOARD OF SUPERVISORS