

## REGULAR SESSION

June 11, 2012

The Union County Board of Supervisors met in regular session on Monday, June 11, 2012. The meeting was called to order at 9:00 AM with the following members present: Bob Jansen, Lois Monday, Dennis Brown, Ron Riley and Bob Brown.

**AGENDA:** Motion by Riley and seconded by Dennis Brown to approve the Agenda. All voting aye. Motion carried.

**MINUTES:** Motion by Monday and seconded by Dennis Brown to approve the June 4, 2012 minutes. All voting aye. Motion carried.

**OPEN FORUM:** Wayne Hill discussed the possible safety concerns about the wreck on 34 near Afton and the poor visibility at the intersection.

**SPECIAL ASSESSMENT TAX SUSPENSION:** Marjorie McPhillips asked the board for a tax suspension on her special assessment taxes with Lorimor for garbage and sewer. The Board recommended getting on the agenda with the City of Lorimor Council and seeing if they will work out payments and the Board of Supervisors will work with the City of Lorimor.

**ENGINEER:** Steve Akes, County Engineer, presented and discussed the maintenance activity report, spray map, and also discussed the bridge replacement option for 197<sup>th</sup> Street Southeast of Thayer. **Utility Permit:** Motion by Monday and seconded by Riley to approve a Utility Permit with Clarke Electric Cooperative Inc. for installing anchors for 7.2 KV overhead power lines to be installed West into property at 2427 Warbler Ave in Thayer. All voting aye. Motion carried. Motion by Monday and seconded by Dennis Brown for the chair to sign the approval of **RESOLUTION 33 TO MODIFY UNION COUNTY FEDERAL FUNCTIONAL CLASSIFICATION OF HIGHWAYS WHEREAS**, a county may apply for modifications to the federal functional classification of its highways, to add or subtract mileage from its system, to accept or delete highways gained or lost through jurisdictional transfers, or to change the classification of roads within its system, and **WHEREAS**, the Board of Supervisors of Union County has consulted with its County Engineer and desires to modify its federal functional classification of certain highways to provide continuity of intra-county and inter-county routes, to meet the needs of existing or potential traffic, to better meet land use needs, or to provide a more suitable location for a federal route, **NOW THEREFORE BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF UNION COUNTY** that this county is formally requesting that the following changes be approved to its federal functional classification:

Road segments proposed for change from Local to Major Collector:  
180<sup>th</sup> Street from the Adams County line to Cromwell Road. **(0.33 miles)**

Road segments proposed for change from Major Collector to Local:  
181<sup>st</sup> Street from the Adams County line to the WCL of Cromwell. **(0.25miles)**  
181<sup>st</sup> Street in Cromwell from the WCL Cromwell to Cromwell Rd. **(0.12 miles)**

Road segments proposed for change from Minor Collector to Major Collector:  
Cromwell Rd. in Cromwell from 180<sup>th</sup> Street to NCL Cromwell **(0.03 miles)**  
Cromwell Rd. from the NSL Cromwell to 181<sup>st</sup> Street **(0.08 miles)**

The Board of Supervisors of Union County, in lawful session this 11<sup>th</sup> day of June, 2012 hereby adopts this federal functional classification modification resolution. Roll Call Vote: Dennis Brown, aye. Monday, aye. Jansen, aye. Riley, aye. Bob Brown, aye. Motion carried.

Motion by Riley and seconded by Dennis Brown for the chair **RESOLUTION 34 TO MODIFY UNION COUNTY FARM TO MARKET ROAD SYSTEM WHEREAS**, a county may apply for modifications to its farm to market system to add or subtract mileage from its system, to accept or delete highways gained or lost through jurisdictional transfers, or to change the classification of roads within its system, and **WHEREAS**, the Board of Supervisors of Union County has consulted with its County Engineer and desires to modify its farm to market road system to provide continuity of intra-county and inter-county routes, to meet the needs of existing or potential traffic, to better meet land use needs, or to provide a more suitable location for a farm to market route, and **WHEREAS**, application for modifications to any county's farm to market system must be made to the Farm to Market Review Board per the requirements of Code of Iowa Section 306.6, **NOW THEREFORE BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF UNION COUNTY** that this county

is formally requesting that the Farm to Market Review Board approve the following modifications to its farm to market system:

Road segments proposed for addition to the farm to market system:  
180<sup>th</sup> Street from the Adams County line to Cromwell Road.

Total Mileage added to the Farm to Market System: 0.33 miles  
Road segments within city corporate limits as farm to market extensions:  
Total Mileage added to Farm to Market Extension System: 0.0 miles

Road segments proposed for deletion from the farm to market system:  
181<sup>st</sup> Street from the Adams County line to the west corporation line of Cromwell.  
Total Mileage deleted from the Farm to Market System: 0.25 miles

Road segments proposed for deletion from the farm to market extension system:  
181<sup>st</sup> Street from the WCL of Cromwell to Cromwell Rd.  
Total Mileage deleted from the Farm to Market Extension System: 0.12 miles

The Board of Supervisors of Union County, in lawful session this 11<sup>th</sup> day of June, 2012 hereby adopts this farm to market modification resolution. Roll Call Vote: Dennis Brown, aye. Monday, aye. Jansen, aye. Riley, aye. Bob Brown, aye. Motion carried.

**OPEN BIDS FOR GUARDRAIL REPLACEMENT:** The chair opened bids from the following for the guardrail replacement project on Old Highway 34 west of Afton.

Lovewell Fencing, Davenport, IA - \$54,472.00  
West Central Construction, Ida Grove, IA - \$68,821.00  
Dave Gryp Construction, Victor, IA - \$60,997.20

Steve Akes, County Engineer, will look over the bids and the board will approve a bid next week.

**PUBLIC HEARING:** Motion by Monday and seconded by Riley to open the public Hearing at 10:12 AM on 2 New Hog Confinement feeding operations in Grant and Highland Township by Taylor Family Farms LLC. All voting aye. Motion carried. Approximately 51 people were in attendance for the public hearing. Mile Taylor, Tylor Family Farms, spoke to the group on his decision as to why he would like to build the confinements at these locations. Kenny Abel, Jim Garrett, Shanda Deranleau, Vernon Long, Darrin Long, Bob Reynoldson, William Deranleau, Jan Ekeler, Randy McIlravy, Dick Linderman, Bob Deranleau, Murray Shade, Dale Eklund, Debbie Linderman and Karon Finn expressed their concerns and disapproval of the proposed sites for the hog feeding operations. Public Hearing closed at 11:20 AM. Motion by Monday and seconded by Jansen to deny the construction Permit Application for confinement feeding operations from the Taylor Family Farm LLC on both Highland and Grant Sites. Roll Call Vote: Dennis Brown, aye. Monday, aye. Jansen, aye. Riley, aye. Bob Brown, aye. Motion carried.

**CONSERVATION:** Motion by Monday and seconded by Jansen to approve the purchase of a Polaris Ranger ATV for County Conservation as proposed by Doug Jones, County Conservation Manager. All voting aye. Motion carried.

**TROLLEY 28E AGREEMENT:** Motion by Jansen and seconded by Monday to approve **RESOLUTION 35 AGREEMENT UNDER IOWA CODE CHAPTER 28E CREATING THE SOUTHERN IOWA TROLLEY WHEREAS**, Chapter 324A of the Code of Iowa requires that single regional transit system be designed by the counties in each of the regional planning areas designated by the Governor, and **WHEREAS**, the Area XIX Agency on Aging of which the Southern Iowa Trolley has been a part since 1980, will be dissolved by merger with other area agencies on aging effective by July 1, 2013 or sooner; **NOW THEREFORE BE IT REMEMBERED** that for the mutual promises, covenants and considerations herein contained, Adair, Adams, Clarke, Decatur, Ringgold, Taylor and Union Counties have entered into the following agreement under Iowa Code chapter 28E to create the Southern Iowa Trolley to wit:

1. The parties to this Agreement are Adair County, Adams County, Clarke County, Decatur County, Ringgold County, Taylor County and Union County.
2. Additional Counties may join as parties by adoption of a resolution by their Board of Supervisors agreeing to comply with the terms of this agreement, provided the Board of Supervisors of all other Counties which are at the time of application parties to this agreement approve such County or Counties as an additional party or parties.

3. The purpose of this Agreement is to provide efficient use of the transit operation powers of the parties by providing for the individual, joint, several and mutual use of transit services and facilities.
4. A County may withdraw from this Agreement at any time, unless such withdrawal is inconsistent with any outstanding financing obligations, by adoption of a resolution by its Board of Supervisors. In the event of withdrawal, the withdrawing County shall pay its share of any expenses of the Southern Iowa Trolley incurred prior to withdrawal.
5. The Southern Iowa Trolley is hereby created as a separate legal entity, governed by a Board of Trustees upon the terms and conditions as herein set forth.
6. The Southern Iowa Trolley shall have perpetual duration, subject to the terms and conditions of this Agreement.
7. The Southern Iowa Trolley is granted the powers of the Counties which are parties to this Agreement, under Iowa Code chapter 324A and the individual, joint and several home rule and statutory powers of the Counties which are parties hereto necessary to operate a public transportation system within, between and among said counties, including the power to employ a director and such other persons as may be necessary to maintain operations or carry out functions, acquire and hold in its own name real, personal, mixed, tangible and intangible property, including any necessary equipment, vehicles or supplies, and to dispose of such property; enter into contracts to make public improvements as provided by Iowa Code chapter 26 necessary to carry out the Agency's purposes and emergency repairs under Iowa Code section 384.103 (2); receive, accept and expend funds from the United States, State of Iowa, any local government, public or private entity or person; and expend or invest money as needed to carry out this Agreement provided, however, that all investments shall strictly comply with the provisions of Iowa Code sections 12B.10 and 12B.10A through 12B.10C and other applicable law.
8. The power of the Southern Iowa Trolley provided herein are vested in and shall be exercised by a Board of Trustees. The Board of Trustees shall be composed of one person appointed by the Board of Supervisors of each County which is a party to this Agreement. The Board of Trustees shall by majority vote adopt bylaws creating officers for the Southern Iowa Trolley and providing for the internal governance of the Board of Trustees and the Southern Iowa Trolley.
9. In addition to any other powers or authority the Southern Iowa Trolley is specifically empowered to receive any or all assets of the Area XIV Agency on Aging which are proper or useful for the purposes of the Southern Iowa Trolley which may be transferred to the Southern Iowa Trolley and to accept, take, make and convert any such assets of any nature into property and assets of the Southern Iowa Trolley.
10. This Agreement may be terminated by the unanimous agreement of the Parties. Upon termination the assets of the Southern Iowa Trolley will be distributed to Parties on a pro rate basis upon contribution.
11. The Southern Iowa Trolley may charge for its services. The Counties which are Parties to this Agreement shall contribute to the Southern Iowa Trolley an annual amount determined by the Board of Trustees allocated to each county upon a formula weighting the county population by census or 5-year estimate 80 % and the ridership of the previous complete fiscal year 20%.
12. The Southern Iowa Trolley shall not have any power to borrow money or incur debt except to the extent authorized by all the Counties which are Parties to this Agreement.
13. This is the entire Agreement of the Parties. It may not be changed or modified except by written amendment adopted as provided by law.
14. This Agreement supersedes any prior understanding or agreements with regard to the subject matter hereof.

Union County hereby agrees to and accepts the Agreement under Iowa Code Chapter 28E creating the Southern Iowa Trolley. Roll Call Vote: Dennis Brown, aye. Monday, aye. Jansen, aye. Riley, aye. Bob Brown, aye. Motion carried.

**CANVASS OF PRIMARY ELECTION:** Motion by Monday and seconded by Riley to approve the 2012 Primary Election Canvass. Roll Call Vote: Dennis Brown, aye. Monday, aye. Jansen, aye. Riley, aye. Bob Brown, aye. Motion carried.

**CLAIMS:** Motion by Riley and seconded by Jansen to approve claim 114753-114896.

<b>0001 GENERAL BASIC FUND</b>		WEIS	219.03
A-1 WINDOW SERVICE	110.00	WEISSHAAR	166.51
ACCESS SYSTEMS LEASING	264.72	<b>0002 GENERAL SUPPLEMENTAL TTL:</b>	<b>6,212.11</b>
ACS GOVERNMENT	1,100.00		

AFTON STAR ENTERPRISE	612.14	<b>0010 MH-DD SERVICES FUND</b>	
AKIN BUILDING CENTER	2,543.90	ADAMS COUNTY AUDITOR	4,025.11
ALLIANT ENERGY	1,216.10	CROSSROADS MENTAL HLTH	15,785.34
ARAMARK	23.34	IOWA HEALTH PHYSICIANS	598.00
B M SALES	711.40	NEW HORIZONS -	1,182.50
BARKER IMPLEMENT	95.06	<b>0010 MH-DD SERVICES FUND TOTAL:</b>	<b>21,590.95</b>
BODEN	12.21		
BOYD APPLIANCE & TV	280.00	<b>0011 RURAL SERVICES BASIC</b>	
CARD SERVICES	2,770.45	AG SOURCE LABORATORIES	742.20
CARLISLE AUTOMOTIVE REPAIR	61.90	BARKER IMPLEMENT	1,690.75
CLINICAL ASSOCIATES OF AMES	500.00	CRESTON FARM & HOME SUPPLY INC	10.66
CRESTON FARM & HOME SUPPLY	14.65	GREATER REGIONAL	7,870.35
CRESTON MUNICIPAL UTILITIES	272.90	HUSBAND	63.83
CRESTON MUNICIPAL UTILITIES	36.18	IDNR	300.00
CRESTON PUBLISHING CO	1,015.01	IOWA PRISON INDUSTRIES	17.50
CRESTON TRUE VALUE	89.96	TYLER, PHIL & JUDY	70.00
CULLIGAN	23.00	<b>0011 RURAL SERVICES BASIC TOTAL:</b>	<b>10,765.29</b>
D&T MOWING	2,580.00		
ECHO GROUP INC	150.49	<b>0020 SECONDARY ROAD FUND</b>	
FAREWAY STORES	54.73	ADVANCED DRAINAGE SYSTEMS (ADS)	3,485.88
FARMERS COOPERATIVE COMPANY	1,498.51	AFTON STAR ENTERPRISE	17.54
FARMERS ELECTRIC COOP	4,254.47	AGRILAND FS INC	31,444.49
GE CONSUMER FINANCE	237.44	AKIN BUILDING CENTER	40.00
GREEN VALLEY PEST CONTROL	122.20	ALLIANT ENERGY	60.59
GREENLAWN CEMETERY	263.00	ARAMARK	290.35
HOYT DO	466.65	BAUER BUILT TIRE	2,224.48
HYDRO KLEAN INC	1,252.00	CALHOUN-BURNS & ASSOC INC	2,501.66
IOWA PRISON INDUSTRIES	564.30	CARQUEST OF CRESTON	203.40
KELLY'S FLOWERS, GIFTS &	98.93	CRESTON FARM & HOME SUPPLY INC	431.49
LES NELSON INVESTMENTS	586.37	CRESTON PUBLISHING CO	12.99
LESLIE'S DANCE EMPORIUM	66.75	CRESTON TRUE VALUE	44.97
MASTER CARD/ISSB	55.15	FRANKS SERVICE	1,369.00
MASTERCARD/ISSB (IA ST SAV BAN	470.31	FREIGHTLINER OF DES MOINES INC	245.43
MASTERCARD/ISSB (IA ST SAV BAN	15.65	GRAINGER INC	396.50
MATT PARROTT AND SONS	518.23	INNOVATIVE INDUSTRIES	245.00
MEDICAP PHARMACY	13.95	IOWA DEPT OF NATURAL RESOURCES	175.00
O'DANIELS	13.88	IOWA PRISON INDUSTRIES	962.40
OFFICE DEPOT-CATALOG ORDERS	10.36	MC KENNA TRUCK CENTER	51.75
OFFICE MACHINES COMPANY INC	39.00	MIDWEST WHEEL COMPANIES	832.53
PETZNICKS	74.75	NAPA	6,654.58
POKORNY BP & AUTOMOTIVE SERV	120.00	OFFICE MACHINES COMPANY INC	67.99
POLK COUNTY TREASURER	150.00	O'HALLORAN INTERNATIONAL INC	2,535.93
POWERS FUNERAL HOMES	720.00	QUALITY GLASS	303.17
SERVICE TECHS INC	305.95	WASTE MGMT OF CRESTON	65.83
SOUTHERN IA RURAL WATER ASSOC	548.20	ZEE MEDICAL INC	75.50
STAPLES ADVANTAGE	249.99	ZIEGLER INC	492.60
STATE MEDICAL EXAMINER	3,241.10	<b>0020 SECONDARY ROAD FUND TOTL:</b>	<b>55,231.05</b>
STEEN FUNERAL HOME	750.00		
SUPREME CLEANERS	59.50	<b>1520 COUNTY CAPITAL BOND</b>	
UNION CO EMS ASSOCIATION	1,000.00	MID-IOWA ENVIRONMENTAL	1,300.00
UNION COUNTY ENGINEER	884.72	<b>1520 COUNTY CAPITAL BOND:</b>	<b>1,300.00</b>
US POST OFFICE	550.00		
WASTE MGMT OF CRESTON	743.94	<b>1540 CAPITAL ROADS &amp; BRIDGES</b>	
WINDSTREAM	2,136.19	SCHILDBERG CONSTRUCTION INC	138,524.49
<b>0001 GENERAL BASIC FUND TOTAL:</b>	<b>36,619.63</b>	<b>1540 CAPITAL ROADS &amp; BRIDGS TTL:</b>	<b>138,524.49</b>
		<b>4004 LAW ENFORCEMENT CENTER</b>	
<b>0002 GENERAL SUPPLEMENTAL</b>		ALLIANT ENERGY	1,951.20
ADAMS	261.88	ARAMARK	31.16
AFTON STAR ENTERPRISE	336.00	B M SALES	207.50
BODEN	73.47	BOYD APPLIANCE & TV	634.00
BOWERS	132.63	COUNSEL OFFICE & DOCUMENT	14.67
BRYANT	11.25	DATAMAXX APPLIED TECH INC	148.40
BURKHALTER	127.50	FIRST COMMUNICATIONS LLC	173.28
CARTER	153.00	GREEN VALLEY PEST CONTROL	35.00
CHAPMAN	161.50	HOTSY CLEANING SYSTEMS INC	61.20
CIHAK	180.00	IA LAW ENFORCEMENT ACAD	500.00
CONNER	127.50	LESTER	87.14
CRESTON PUBLISHING CO	183.10	MAINSTAY SYSTEMS INC	4,725.00
DAVENPORT	121.88	MASTERCARD/ISSB IA ST SAV BK	640.42
DAVENPORT	180.63	MEYER LABORATORY INC	54.00
DENTON	127.50	OFFICE DEPOT-CATALOG ORDERS	150.36
DILLINGER	153.00	PAUL'S ELECTRIC SERVICE	700.00
EIGHME	213.86	PETZNICKS	197.75
EYBERG	222.36	WASTE MGMT OF CRESTON	121.06

FARGO	127.50	WINDSTREAM	681.67
FLAM	116.25	<b>4004 LAW ENFORCEMENT CENTER:</b>	<b>11,113.81</b>
FRENCH	11.25		
HUBATKA	30.51	<b>4100 COUNTY ASSESSMENT</b>	
HUFFMAN	127.50	PETZNICKS	52.00
HYSELL	99.79	WINDSTREAM	113.00
JAMES	122.78	<b>4100 COUNTY ASSESSMENT:</b>	<b>165.00</b>
KADING	127.50		
KILKENNY	120.00	<b>4960 SANITARY LANDFILL</b>	
KRUSE	210.15	AFTON STAR ENTERPRISE	108.12
LANG	120.00	BARKER LEMAR & ASSOC INC	4,569.62
LOOMIS	136.73	BRIAN GAY CONSTRUCTION	81,282.59
MC FEE	20.13	CASEY'S GEN STORES INC	103.53
MOBERG	161.50	CITY CARTON CO INC	930.50
MOORE	223.66	CRESTON PUBLISHING CO	15.95
NEW LORIMORIAN	64.00	IMWCA	634.00
O'DANIELS	49.19	METRO WASTE AUTHORITY	36,725.49
OSHEL	120.00	OFFICE MACHINES COMPANY INC	99.99
PERRY	161.50	SCHULTES	688.37
RAYMOND	161.50	SWANA	189.00
SCHLAPIA	120.00	WASTE MGMT OF CRESTON	3,603.72
SHERIDAN	30.51	WINDSTREAM	159.61
SIMPSON	125.13	<b>4960 SANITARY LANDFILL TOTAL:</b>	<b>129,110.49</b>
SOUTH	116.25		
TAYLOR	136.00	<b>4965 LANDFILL BOND</b>	
WARD	25.75	KENS TRUCK REPAIR INC	80,074.92
WARD	194.43	<b>4965 LANDFILL BOND:</b>	<b>80,074.92</b>
		<b>GRAND TOTAL:</b>	<b>490,707.74</b>
<b>FUND RECAP:</b>			
<b>0001 - GENERAL BASIC FUND</b>	<b>36,619.63</b>	<b>1520 - COUNTY CAPITAL BOND</b>	<b>1,300.00</b>
<b>0002 - GENERAL SUPPLEMENTAL</b>	<b>6,212.11</b>	<b>1540 - CAPITAL ROADS &amp; BRIDGES</b>	<b>138,524.49</b>
<b>0010 - MH-DD SERVICES FUND</b>	<b>21590.95</b>	<b>4004 - LAW ENFORCEMENT CENTER</b>	<b>11,113.81</b>
<b>0011 - RURAL SERVICES BASIC</b>	<b>10,765.29</b>	<b>4100 - COUNTY ASSESSMENT EXPE</b>	<b>165.00</b>
<b>0020 - SECONDARY ROAD FUND</b>	<b>55,231.05</b>	<b>4960 - SANITARY LANDFILL</b>	<b>129,110.49</b>
		<b>4965 - SANITARY LANDFILL BOND</b>	<b>80,074.92</b>
		<b>GRAND TOTAL</b>	<b>490,707.74</b>

**ADJOURNMENT:** There being no further business, the meeting was adjourned at 2:49 PM.

ATTEST: \_\_\_\_\_  
SANDY HYSSELL, AUDITOR

BY: \_\_\_\_\_  
ROBERT BROWN, CHAIRMAN, BOARD OF SUPERVISORS