

**BOARD OF SUPERVISOR'S Regular Meeting**  
**May 6, 2014 - 10:00a.m. Board of Supervisors' Room**  
**Webster County Courthouse**  
**May 6, 2014**

The Board of Supervisors met in Session on the above date with the following members present: Singer, Fletcher, Campbell, and Leffler. Absent: Dencklau.

Moved by Campbell, seconded by Leffler to approve minutes of the April 29, 2014 regular meeting. Motion carried unanimously.

Moved by Leffler, seconded by Singer to receive and place on file the following Drainage Repairs: D.D.#34; D.D.#145; D.D.#249 and D.D.#314. Motion carried unanimously.

Moved by Singer, seconded by Campbell to approve wage increases for Correctional Officers per union contract as follows: Emily Johnson to \$14.44 per hour effective April 28, 2014; Matthew Valentine to \$14.44 per hour effective April 30, 2014; and Paul Keller to \$15.63 effective May 28, 2014. Motion carried unanimously.

Moved by Campbell, seconded by Leffler to approve request from New Cooperative, Inc. to demolition burn of the old wooden elevator on their Lanyon property; subject to written confirmation that all requirements and recommendations have been met. Motion carried unanimously.

Moved by Leffler, seconded by Singer to approve and authorize Chair to sign Project Development Agreement for HVAC Project at Law Enforcement Center and Courthouse with Johnson Controls. (Copy on file in Auditor's office). Motion carried unanimously.

Moved by Singer, seconded by Campbell to approve and authorize Chair to sign Lease Agreement with Hope Haven, Inc. (Copy on file in Auditor's office).

Moved by Campbell, seconded by Leffler to approve negotiation services with VonBokern Associates for Fiscal Year 2015, Fiscal Year 2016 and Fiscal Year 2017. Motion carried unanimously.

Moved by Leffler, seconded by Singer to approve assignment of Tax Sale Certificate #P12002 (Parcel #1914289015) to the City of Dayton. Motion carried unanimously.

Moved by Singer, seconded by Campbell to approve and authorize Chair to sign utility permits from Wanzek Construction to directional bore electrical lines at Locations 47 through 65 for Lundgren Wind Project. (Copies on file in Engineer's office). Motion carried unanimously.

Moved by Campbell, seconded by Leffler to approve and authorize Chair to sign work in the right of way permits from Wanzek Construction to temporarily modify intersections #15 at 300<sup>th</sup> Street and Madison Avenue and #20 at 340<sup>th</sup> Street and Kansas Avenue to accommodate delivery of turbine components to Lundgren Wind Project. . (Copies on file in Engineer's office). Motion carried unanimously.

Moved by Leffler, seconded by Singer to receive and place on file 6-month wage adjustment for Brad Spencer, Class C Equipment Operator to \$19.23 per hour effective May 12, 2014 per labor agreement. Motion carried unanimously.

Moved by Singer, seconded by Campbell to approve and authorize Chair to sign contract documents with Rognes Brothers Excavating, Inc., Lake Mills, Iowa for bridge replacement project LFM-603340—7X-94 on 390<sup>th</sup> Street between Sections 28 and 33, Gowrie Township. . (Copies on file in Engineer's office). Motion carried unanimously.

On behalf of the County, the Iowa Department of Transportation received the following bids on April 15, 2014 for a Farm to Market Project: Fort Dodge Asphalt Company - \$1,360,937.55 and Mathy Construction Company - \$1,498,667.03.

Moved by Campbell, seconded by Leffler to approve and authorize Chair to sign contract documents with Fort Dodge Asphalt Company, Inc, Fort Dodge, Iowa for hot mix asphalt project STP-S-CO94(101)—5E-94 on Route D43 from Highway 169 west to Union Pacific Railroad Crossing in Callender. . (Copies on file in Engineer's office). Motion carried unanimously.

At 10:30 a.m. a Public Hearing was held on the final consideration to amend Ordinance 046, a zoning ordinance for the unincorporated portion of Webster County, Iowa. No written or oral comments or objections were heard; therefore Chairman Fletcher closed the public hearing.

Moved by Campbell, seconded by Leffler to approve final consideration to amendment to Ordinance 046, a zoning ordinance for the unincorporated portion of Webster County, Iowa as follows:

1. Amend Sec.4.04 to read: Agricultural Preservation District and strike Agricultural Conservation District
2. Re-classify Savage Subdivision lot 13 and Savage Subdivision 2<sup>nd</sup> lots 46-51 and 77-86 to R-2
3. Add language to Section 4.07.03:

The following apply to any residential parcel larger than 3 acres in size:

1. Institutions for academic instruction, clinics, charitable institutions, hospice facility, juvenile residential homes or facilities.

chemical dependency or mental health facilities or other similar institutions or facilities, provided:

2. Public sanitary sewage treatment, water pumping and treatment facilities.

3. Communications and television towers, transmitters, or receivers pursuant to Section 8.01.

4. Country clubs, golf courses, tennis, swimming, jogging, horseback riding, and winter sport facilities.

5. Recreational and camping areas.

6. Bed and Breakfast establishments

7. Public and private parks, forest preserves, and conservation areas.

8. Agricultural farm services such as soil preparation services and veterinary and animal services.

9. Private Horse Stables.

10. Churches, including associated halls and residences.

11. Child Care Center.

12. Child Care Home.

5. Add language to the Conditional Use in all Districts:

Government and Essential Services.

6. Amend Section 4.11.06 2a in the Ag-Industrial District:

All public parking within the AG/I District shall have an asphalt or concrete surface.

7. Add language to Section 4.10.02 # 41 Industrial District:

Educational, research, training and testing facilities related to manufacturing and business services or the development of manufactured products and business services.

Roll call vote: Ayes – Fletcher, Campbell, Leffler and Singer. Nays – none. Dencklau absent.

At 10:45 a.m. a Public Hearing was held on final consideration to amend Ordinance 028, an ordinance prohibiting the unauthorized use of secondary road right-of-way in Webster County, Iowa. (Amendment changes fines for first offense from \$500 to \$750 and for a repeat offense from \$750 to \$1000, which matches current Code of Iowa). No written or oral comments or objections were heard; therefore Chairman Fletcher closed the public hearing.

Moved by Leffler, seconded by Singer to approve final approval of proposed amendment to Ordinance 028, an ordinance prohibiting the unauthorized use of secondary road right-of-way in Webster County, Iowa as follows:

1. Amend Section IV.2. to read: The Unauthorized Use of the County Secondary Road Right-of-Way shall be a County Infraction as defined in Section 331.302(16) of the Code of Iowa.
2. Amend Section IV.3. to read: Pursuant to Section 331.302(16) of the Code of Iowa, the penalty for the Unauthorized Use of the County Secondary Road Right-of-Way in Webster County shall be a civil penalty of seven hundred fifty dollars (\$750.00) for a first offense and one thousand dollars (\$1000.00) for a repeat offense. A violation of this ordinance is not punishable by imprisonment.

Roll call vote: Ayes – Fletcher, Campbell, Leffler and Singer. Nays – none. Dencklau absent.

At 10:45 a.m. a Public Hearing was held on Annexation of Additional Lands into Drainage District #48. For further particulars see Drainage Record Book.

Moved by Campbell, seconded by Leffler to allow claims. Motion carried unanimously.

Moved by Leffler, seconded by Singer to adjourn the meeting. Motion carried unanimously.

s/Carol Messerly  
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Carol Messerly  
Webster County Auditor

s/Clark Fletcher  
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Clark Fletcher  
Chairman, Board of Supervisors