

BOARD OF SUPERVISOR'S Regular Meeting
May 19, 2015 - 10:00a.m. Board of Supervisors' Room
Webster County Courthouse

The Board of Supervisors met in Session on the above date with the following members present: Singer, Fletcher, Dencklau, Campbell and Leffler. Absent: None.

Moved by Leffler, seconded by Campbell to approve minutes of the May 12, 2015 regular meeting. Motion carried unanimously.

Moved by Campbell, seconded by Singer to receive and place on file Drainage Repairs for D.D.#34, Branch B. Motion carried unanimously.

Moved by Singer, seconded by Fletcher to approve Cigarette Permit for Coalville Stop-N-Shop, effective July 1, 2015. Motion carried unanimously.

Moved by Fletcher, seconded by Leffler to approve bond for Krug Construction for sewer and septic system installation. (Copy on file in Auditor's office). Motion carried unanimously.

Moved by Leffler, seconded by Campbell to receive and place on file Manure Management Plan Annual Update for HLG, LLC in Section 4, Dayton Township. (Copy on file in Auditor's office). Motion carried unanimously.

Moved by Campbell, seconded by Singer to approve request from the City of Moorland to abatement of interest and penalty in the amount of \$345.00 against Parcel Number 0912382002; a Tax Sale Deed was issued to the City December 5, 2014. Motion carried unanimously.

Moved by Singer, seconded by Fletcher to adopt the following Resolution:

Whereas, the Des Moines Waterworks has filed suit under the Clean Water Act against drainage districts in Buena Vista, Calhoun and Sac Counties, and;

Whereas, the suit would seek to regulate agricultural practices which are currently exempt from regulation under the Clean Water Act, and;

Whereas, the suit, if successful would impose regulatory burdens upon drainage districts and the landowners in those districts, and;

Whereas, the suit, if successful, would require drainage district trustees to exercise powers that are not legally available to them under existing state law, and;

Whereas, the suit would irreparably harm drainage rights, operations and row crop production in this county, and;

Whereas, it is recognized that the suit, while filed against a small number of districts would, if successful, be applicable to all districts in Iowa and in other states, and;

Whereas, it is recognized that a strong legal defense must be made against the lawsuit, and;

Whereas, it would be in the best interests of Iowa counties to directly support the legal defense of the drainage districts in Buena Vista, Calhoun and Sac Counties and to have the Iowa Drainage District Association participate in the case if requested by Belin McCormick Law Firm, the attorneys retained by Buena Vista, Calhoun and Sac Counties, in order to represent the interests of all drainage districts in Iowa.

Now, therefore be it resolved that the Webster County Board of Supervisors pledges financial support to help fund the legal defense of the drainage districts in Buena Vista, Calhoun and Sac Counties; and it is understood that IDDA will disperse said monies as approved by the Defense Fund Committee as agreed to by the counties and IDDA.

Now, therefore be it further resolved that the financial support will be in the amount of \$5,000/year for the three years payable to the IDDA litigation fund for the legal defense of the drainage districts in Buena Vista, Calhoun and Sac Counties. If the lawsuit is resolved in a prompt fashion and the second or third years of the financial support is not necessary, the IDDA board will notify the county that the additional financial support is not necessary.

Dated this 19th day of May 2015.

Webster County Board of Supervisors

s/Keith Dencklau
Chairman of the Board

Motion carried unanimously.

Moved by Fletcher, seconded by Leffler to receive and authorize Chair to sign agreement with McClure Engineering for Engineering Services for the Iowa's Crossroads of Global Innovation Railroad Improvements Phase 2B Webster County, Iowa. (Copy on file in Auditor's office). Motion carried unanimously.

Moved by Leffler, seconded by Campbell to approve and authorize Chair to sign utility permit from Alliant Energy to install underground electric service from 3960 Oak Avenue north approximately 1200 feet to new hog confinement at 3946 Oak Avenue in the Northwest Quarter of Section 33, Township 86 North, Range 28 West, Dayton Township. (Copy on file in Engineer's office). Motion carried unanimously.

Moved by Campbell, seconded by Singer to approve the following Resolution No. 0.3 to Revise Webster County 2015 Five year Construction Program:

Unforeseen circumstances have arisen since adoption of the approved Secondary Road Construction Program, and previous revisions, requiring changes to the sequence, funding and timing of the proposed work plan,

The Board of Supervisors of Webster County, Iowa, in accordance with Iowa Code section 309.22, initiates and recommends modification of the following project(s) in the accomplishment year (State Fiscal Year 2015), for approval by the Iowa Department of Transportation (Iowa DOT), per Iowa Code 309.23 and Iowa DOT Instructional Memorandum 2.050.

The following approved Priority Year projects shall be ADVANCED to the Program's Accomplishment year:

Project Number Local ID TPMS #	Project Location Description of Work	AADT Length	Type Work Fund basis	Prior FY	(\$1,000's of dollars)	
					New amount	Net change
L-791620-73-94 791620; 300 th Street TPMS ID: 20246	On 300 th Street, Over Lateral 2, DD #5, along NLINE S16T87N R29W Construct Precast RCB	80	Box Culverts LOCAL	2017	\$80	\$80
				Total	\$80	\$80

The Following PRE-EXISTING Accomplishment Year projects shall be MODIFIED as follows:

Fund ID	Project Location	AADT	Type Work	Change	Prior FY	New amount	Net change
BROS-C094(621) -8J-94 980460; G-4-1 TPMS ID: 2794	On 160 th Street, Over Soldier Creek, along NLINE S4 T89 R28 Construct Bridge	45 0 MI 343190	Bridges STP-HBP	Change funding	\$170	\$90	-\$80
				Total	\$170	\$90	-\$80

Fund ID	Accomplishment year (\$1000's of dollars)		
	Previous Amount	New Amount	Net Change
Local Funds	\$1,130	\$1,130	\$0
Farm to Market Funds	\$1,050	\$1,050	\$0
Special Funds	\$4	\$4	\$0
Federal Aid Funds	\$1,127	\$1,127	\$0
Total Construction Cost (All Funds)	\$3,311	\$3,311	\$0
Local 020 Construction cost totals (Local Funds + BROS-8J FA funds)	\$1,200	\$1,200	\$0

Recommended:

May 19, 2015 s/Randall J Will
County Engineer

Approved:

May 19, 2015 s/Keith Dencklau
Chair Board of Supervisors

Attest: s/Carol Messerly
County Auditor

Motion carried unanimously.

Moved by Singer, seconded by Fletcher to approve and authorize Chair to sign contract with W & H Coop, which renews the contract terms for one additional year for furnishing diesel motor fuel to Webster County Secondary Road Department from July 1, 2015 to June 30, 2016. (Copy on file in Auditor's office). Motion carried unanimously.

Moved by Fletcher, seconded by Leffler to approve final plans for bridge replacement Project BROSCO94(621)—8J-94 on 160th Street over Soldier Creek and authorize project to be let by Iowa DOT on September 15, 2015 instead of July 21, 2015 due to delay in acquiring necessary right of way requirements. Motion carried unanimously.

At 10:15 A.M. Public Hearing was held on first consideration of Amendment 001 to Ordinance #051, an Ordinance regulating the operation of all-terrain vehicles and off-road vehicles in Webster County, Iowa. No written or oral objections were received, therefore; Chairman Dencklau closed the public hearing.

Moved by Leffler, seconded by Campbell to approve first consideration of Amendment 001 to Ordinance #051, an Ordinance regulating the operation of all-terrain vehicles and off-road vehicles in Webster County, Iowa; and further to waive second consideration and set June 2, 2015 at 10:30a.m. as final consideration of said amendment. Roll call vote: Ayes: Leffler, Campbell, Singer, Fletcher and Dencklau. Nays: None. Motion carried unanimously.

John Dencklau, Insurance Agent presented Worker's Compensation Report complimenting the County on their safety efforts and stressing the continued improvement in the modification factor and good experience bonus.

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

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