

**BOARD OF SUPERVISOR'S Regular Meeting**  
**March 22, 2016 - 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 Dencklau, seconded by Leffler to approve minutes of the March 15, 2016 regular meeting. Motion carried unanimously.

Moved by Leffler, seconded by Singer to receive and place on file the following Drainage Repairs: D.D.#130, D.D. #341 and D.D.#181. Motion carried unanimously.

Moved by Singer, seconded by Fletcher to approve merit pay increase for Krystal Steck from \$1,180.80 to \$1,233.94 effective pay period dated April 29, 2016, per recommendation of Child Support Recovery Unit Supervisor. Motion carried unanimously.

Moved by Fletcher, seconded by Dencklau to approve pay increase for Sarah Feldmann from \$21.67 per hour to \$22.47 per hour, effective November 26, 2015, for Deborah Schmehr from \$18.86 per hour to \$19.66 per hour, effective December 20, 2015, and for Emily Elkin from \$20.13 per hour to \$20.93 per hour effective January 2, 2016; per Community Services Case Management salary schedule. Motion carried unanimously.

Moved by Dencklau, seconded by Leffler to approve appointment of Nick Carlson to the Conservation Board effective March 22, 2016 to serve the balance of Brad Luke's term per his resignation. Motion carried unanimously.

Moved by Leffler, seconded by Singer to receive and place on file Manure Management Plan Updates as follows: Keaton Mosher MSHR in Section 3, Fulton Township; Burke Farm in Section 32, Freedom Township (Hamilton County); Mike and Katie Kauffman in Section 33, Dayton Township; Mary's Site in Section 6, Clay Township; and Corner's site in Section 35, Fulton Township. (Copies on file in Auditor's office). Motion carried unanimously.

Moved by Singer, seconded by Fletcher to approve and authorize Chair to sign Quit Claim Deed to Joe Tuel for Lot Nine (9) and Lot Ten (10) in Block Two of Orris Subdivision to Lehigh Incorporated, Webster County, Iowa, per resolution adopted on January 5, 2016. Motion carried unanimously.

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

**A RESOLUTION APPROVING THE ADOPTION OF PROCEDURES AND CONDITIONS FOR THE LOCATION OF UNDERGROUND PIPELINES IN DRAINAGE/LEVEE DISTRICT RIGHT-OF-WAYS.**

**WHEREAS**, the Webster County Drainage Board on the 22<sup>nd</sup> day of March 2016 presented the Procedures and Conditions for the Location of Underground Pipelines in Drainage/Levee District Right-of-Ways for consideration.

**WHEREAS**, the Board of Supervisors on the 22<sup>nd</sup> day of March 2016, did approve the Procedures and Conditions for the Location of Underground Pipelines in Drainage/Levee District Right-of-Ways.

**THEREFORE, BE IT HEREBY RESOLVED**, that the Procedures and Conditions for the Location of Underground Pipelines in Drainage/Levee District Right-of-Ways be approved.

Passed and adopted this 22<sup>nd</sup> day of March 2016.

s/Mark Campbell, Chair Person

Attest: s/Carol Messerly, Auditor

Motion carried unanimously.

Moved by Dencklau, seconded by Leffler to adopt the following Resolution:

## RESOLUTION SETTING CROSSING FEE FOR DAKOTA ACCESS, LLC

**WHEREAS**, Dakota Access, LLC has presented the Board of Supervisors with preliminary plans for the installation of an underground oil pipeline that will traverse approximately 19 miles in Webster County; and

**WHEREAS**, said pipeline will have 24 separate crossings of Drainage District tiles or ditches; and

**WHEREAS**, pursuant to the procedures and Condition for the location of underground pipelines previously adopted by Webster County, the Board has authority to access a Crossing Fee for said pipeline project.

### **NOW THEREFORE, IT IS RESOLVED THAT:**

1. The Board hereby sets the Crossing Fee at \$7,500.00 per crossing, for a total fee of \$180,000.00.
2. That said fee shall be payable in full prior to the issuance of the Crossing Easement under the provisions of the Procedures and Conditions.
3. That Webster County shall be responsible for all charges heretofore incurred with MHF Engineering for services in reviewing the preliminary plans for said pipeline, and any of said charges that have previously been paid by Dakota Access shall be a credit against the Crossing Fee established herein.

Passed and adopted this 22<sup>nd</sup> day of March 2016.

s/Mark Campbell, Chair Person

Attest: s/Carol Messerly Auditor

Motion carried unanimously.

The Board discussed with Dennis Jones the proper procedure for filling vacancies on the Coleman Water and Coleman Sanitary Boards. No action taken.

Todd Miller discussed Solar Farms. No action taken.

Moved by Leffler, seconded by Singer to approve and authorize Chair to sign contract documents with Peterson Contractors, Inc., Reinbeck, Iowa for the following three tied bridge replacement projects: L-090702—73-94 on Garfield Avenue approximately 1400 feet south of 110<sup>th</sup> Street; L-602720—73-94 on 380<sup>th</sup> Street approximately 800 feet east of Dakota Avenue; LFM-883205—7X-94 on Nelson Avenue approximately 2600 feet south of 270<sup>th</sup> Street. Motion carried unanimously.

Moved by Singer, seconded by Fletcher to approve and authorize Chair to sign contract document with Midwest Contracting, LLC, Marshall, Minnesota for the following five tied bridge replacement projects: L-070110—73-94 on 100<sup>th</sup> Street approximately 700 feet east of Xavier Avenue; L-073360—73-94 on 150<sup>th</sup> Street approximately 3500 feet east of Union Avenue; L-082307—73-94 on Quail Avenue approximately 1500 feet north of 140<sup>th</sup> Street; L-671674—73-94 on River Road approximately 3000 feet north of Highway 175; L-973408—73-94 on Vasse Avenue approximately 1200 feet north of 220<sup>th</sup> Street. Motion carried unanimously.

Moved by Fletcher, seconded by Dencklau to approve and authorize Chair to sign permits from Richard Stark to install 12-inch sub-drain across Union Avenue 2570 feet north of 160<sup>th</sup> Street and 10-inch sub-drain across Union Avenue 1830 feet north of 160<sup>th</sup> Street, all between Sections 32 and 33, Township 90 North, Range 27 West, Newark Township; and to drain property all within Drainage District #4 in accordance with tile crossing policy. Motion carried unanimously.

Moved by Dencklau, seconded by Leffler to adopt the following resolution:

### **UPDATING WEIGHT LIMIT EMBARGOES ON BRIDGES**

**WHEREAS**; the Board of Supervisors is empowered under authority of Code of Iowa Sections 321.236 Sub.(8), 321.255 and 321.471 to 321.473 to prohibit operation of vehicles or impose limitations as to the weight thereof on designated highways or highway structures under their jurisdiction, and

**WHEREAS**; the Webster County Engineer has caused to be completed the Structural Inventory and Appraisal of certain Webster County bridges in accordance with the National Bridge Inspection Standards, and it has been determined that they are inadequate for two-lane roads at the allowable operating stresses.

**WHEREAS;** the Webster County Board of Supervisors approved a list of bridges with vehicle and load limits on November 3, 2015 and said list needs to be updated due to recent bridge inspections and replacements.

**THEREFORE, BE IT RESOLVED** by the Webster County Board of Supervisors that vehicle and load limits signs be erected advising of the permissible maximum weights thereof for the 50 bridges listed on attached Exhibit A dated March 16, 2016.

This resolution will be in effect when the signs have been erected.

**PASSED AND APPROVED** this 22nd day of March 2016.

s/Mark Campbell, Chair, Webster County Board of Supervisors

Attest: s/Carol Messerly, Webster County Auditor

Motion carried unanimously.

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

At 1:15p.m. a Public Hearing was held for Joint Drainage District #11 Webster & #11 Hamilton Counties, Iowa; Main Open Ditch, Lateral 1 and Lateral 2. The Joint Board of Supervisors, acting as Trustees will meet to hold hearing on the Engineer's Report for cleanout and repair of said Drainage District. For further particulars see Drainage Record Book.

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