

West Union, Fayette County, Iowa  
Monday, January 9, 2017

The Board of Supervisors of Fayette County, Iowa, met on January 9, 2017, at 9:00 a.m., at the Fayette County Supervisor's office.

The roll was called showing the following Supervisors present and absent:

Present: Jeanine Tellin, Darrel Dolf & Janell Bradley

Absent: -None-

Motion was made by Dolf and seconded by Bradley to approve the current agenda.

On roll call, all voted aye, none nay, and the motion was carried.

Motion was made by Bradley and seconded by Dolf to approve the minutes of the Tuesday, January 3, 2017 meeting. On roll call, all voted aye, none nay, and the motion was carried.

The following claims were approved:

Advanced Systems, Inc	Supplies	164.75	1
Air Chek, Inc	Supplies	280.00	1
Alliant Energy	Utilities	6382.24	5
Alpine Communications	Service	411.66	1
Arlington, City	Utility	73.17	1
Arnold Motor Supply	Supplies	102.39	1
Bank 1st West Union	Service	50.00	1
Glenn C Beauchamp	Expenses	460.95	1
Birdnow Motor Trade	Service	37.45	1
Black Hawk County	Service	1126.00	1
Bodensteiner Implement	Supplies	286.98	3
Bruening Rock Prod.	Supplies	3280.28	1
California Contractors	Supplies	215.76	1
Car Quest	Supplies	441.82	1
Carpenter Uniform Co.	Wearing Apparel	85.80	1
Cedar Valley Friends	Service	2000.00	1
Century Link	Phone Service	375.83	2
CenturyLink	Phone Service	3786.02	12
CenturyLink	Service	25.29	1
Charley's Quik Shop	Supplies	18.65	1
City of Clermont	Service	104.50	1
Des Moines Stamp Mfg.	Supplies	130.85	1
Dick's Petroleum Co.	Service	1008.21	1
Darrel Dolf	Reimbursement	28.56	1
Don's Phillips 66 Serv.	Service	65.00	1
Don's Truck Sales Inc.	Supplies	2471.15	1
Donohue Law Office	Expenses/Rent	554.93	2
Earthgrains Baking Co., Inc.	Supplies	323.95	1
Easton Water	Service	613.60	3
Fairfield Township	Soldiers Graves	792.00	1
Joel D Fantz	Reimbursement	120.00	1
Fastenal Company	Supplies	818.23	1
Fauser Energy Resources	Supplies	10806.10	1
Fayette Co. Sheriff	Fees	146.74	1
Fayette Publishing	Publications	217.99	2
Gardiner Thomsen, PC	Service	2500.00	1
Gilllund Enterprises	Supplies	202.00	1
Gunderson Lutheran Med Center	Service	519.00	1
Hancor Inc.	Supplies	33.16	1
Hanson Pump Company	Supplies	412.00	1
Hawkeye Interconnect	Service	152.45	1
Hawkeye Telephone	Service	94.23	1
Holiday Inn	Lodging	359.52	1
IACCBE Treasurer	Registration	285.00	1

ICS Jail Supplies, Inc	Supplies	302.66	1
Industrial Supply Solutions	Supplies	909.82	1
Iowa DNR	Fee	175.00	1
IA DOT	Supplies	13176.80	1
Iowa Water Well Assn	Service	65.00	1
Iowa Water Well Assn	Dues	290.00	1
IOWWA	Registration	460.00	1
Iron Mountain	Shredding	59.63	1
ISAC	Dues	409.81	1
Jacobson Supply, LLC	Supplies	3836.00	1
John Deere Financial	Supplies	97.70	1
Kay Park Recreation	Supplies	2628.00	1
Kerndt Brothers Savings Bank	Supplies	80.76	1
Keystone Laboratories Inc.	Supplies	73.00	1
Wilfred Kuennen	Well Abandonment	248.00	1
L & R Manufacturing, LLC	Service	148.00	1
Nathan Lein	Reimbursement	161.70	1
Dan Lett	Service	1483.58	1
Susan Lueder	Reimbursement	127.47	1
Martin Bros. Dist.	Supplies	1943.35	2
Martin Gardner Architecture	Service	904.56	2
City of Maynard	Wa/Sw/Landfill	59.40	1
MCI	Service	146.69	1
MCI Small Business Service	Phone Service	803.88	1
McKee Foods Corporation	Supplies	165.76	1
The Mealey, LLC	Rent	200.00	1
Midwest Cleaning/Alkota	Service	968.44	1
Midwest Wheel Co.	Supplies	103.83	1
Miller-Pearson-Gloe-Burns Beat	Service	1338.28	1
Moss Serv Ctr Inc.	Supplies	754.06	1
C.J. Moyna & Sons, Inc.	Supplies	1311.86	1
NAPA Auto Parts	Supplies	523.03	2
NEI3A	Allocation	750.00	1
Paul Niemann Const. Co.	Rock Products	183.52	1
North American Salt Co.	Supplies	22746.67	1
Northeast IA Dairy Foundation	Allocation	1000.00	1
Northeast Iowa RC&D Inc.	Advertising	294.00	1
Northeast Iowa RC&D Inc.	Pass Through	284525.00	1
Northeast Iowa Telephone Co	Service	132.50	1
Oelwein City Clerk's Office	Service	47.05	1
Oelwein Publishing Company	Publications	155.88	5
Oelwein Veterinary Clinic	Service	25.00	1
Palmer Lutheran Health Center	Services	630.00	1
Peterbilt of La Crosse	Supplies	321.74	1
Postmaster	Supplies	141.00	1
Prairie Farms Dairy	Supplies	550.72	2
The Pumper	Fuel	12.25	1
Quad Co. Firefighters Asssoc.	Dues	350.00	1
Quillin's West Union	Supplies	36.44	2
Reinhart Food Serv.	Supplies	2136.93	1
Rite Price Ofc Supply	Supplies	1043.97	11
Riverview Center	Service	1500.00	1
Sadler Power Train, Inc	Supplies	617.86	1
Saur and Saur	Expenses	791.38	1
Schneider Corp.	Services	2640.00	1
Schumacher Elevator	Service	344.56	1
Seedorff Service Center	Service	36.25	1
Shuck-Britson, Inc.	Services	6719.00	1
Solutions, Inc.	Data Processing	1220.49	1
Spahn & Rose Lumber	Supplies	40.72	2
Superior Welding Sup. Co.	Supplies	35.48	1
Tri Tech Forensics	Supplies	214.38	1
Fayette County Union	Publications	234.39	3
United States Cellular	Phone Service	42.04	1
Waste Mgmt	Service	46.23	1
Wesco Receivables Corp.	Supplies	174.54	1
West Union Hardware	Supplies	8.97	1
City of West Union	Utilities	992.53	3
City of Westgate	Utility	43.80	1
WEX Bank	Fuel	5551.24	2
Wilbur Ford	Service	343.46	1

The Board met with Tim Cummings, Custodian, for an update.

The Board met with Glen Beauchamp and members of the Veterans' Affairs Commission for an update and budget request.

Motion was made by Dolf and seconded by Tellin to appoint Janell Bradley to the Upper Explorerland Regional Planning Commission Executive Board. On roll call, all voted aye, none nay, and the motion was carried.

Motion was made by Bradley and seconded by Dolf to approve the following license: The application of Sam Schmitt Enterprises, Ltd., d/b/a Alpha Tavern for a 12 month Class C Liquor License with Sunday Sales and Outdoor Service for use in Eden Township was submitted and recommendation made that the license be granted. On roll call, all voted aye, none nay, and the motion was carried.

The Board met with Marty Fisher, Sheriff, for an update.

The Board had a conference call with John Danos from Dorsey & Whitney LLP, for a discussion regarding updating the Viafield TIF and also a discussion regarding Essential County Purpose Bonds for Courthouse Parking Lot Project.

Supervisor Dolf introduced the resolution hereinafter next set out and moved its adoption, seconded by Supervisor Bradley; and after due consideration thereof by the Board, the Chairperson put the question upon the adoption of the said resolution and the roll being called, the following named Supervisors voted:

Ayes: Tellin, Dolf & Bradley.

Nays: -None.

Whereupon, the Chairperson declared the resolution duly adopted, as follows:

### ***RESOLUTION NO. 345***

Resolution setting the date for public hearing on proposal to enter into a General Obligation Courthouse Improvement Loan Agreement and to borrow money thereunder in a principal amount not to exceed \$425,000

WHEREAS, the Board of Supervisors (the "Board") of Fayette County, Iowa (the "County"), proposes to enter into a loan agreement (the "Loan Agreement") and to borrow money thereunder in a principal amount not to exceed \$425,000, pursuant to the provisions of Sections 331.402 and 331.441(2)(b)(5) of the Code of Iowa, for the purpose of paying the cost, to that extent, of constructing a parking lot for the County Courthouse campus (the "Project"), and it is now necessary to fix a date of meeting of the Board at

which it is proposed to take action on the proposal to enter into the Loan Agreement and to give notice thereof as required by such law;

NOW, THEREFORE, Be It Resolved by the Board of Supervisors of Fayette County, Iowa, as follows:

Section 1. This Board shall meet on January 23, 2017, at the Courthouse, West Union, Iowa, at 10:00 o'clock a.m., at which time and place a hearing will be held and proceedings will be instituted and action taken to enter into the Loan Agreement.

Section 2. The County Auditor is hereby directed to give notice of the proposed action on the Loan Agreement setting forth the amount and purpose thereof, the time when and place where the said meeting will be held by publication at least once, not less than four (4) and not more than twenty (20) days before the date of said meeting, in a legal newspaper which has a general circulation in the County. The notice shall be in substantially the following form:

NOTICE OF PROPOSED ACTION TO INSTITUTE PROCEEDINGS TO ENTER INTO A LOAN AGREEMENT AND TO BORROW MONEY THEREUNDER IN A PRINCIPAL AMOUNT NOT TO EXCEED \$425,000

(GENERAL OBLIGATION)

The Board of Supervisors of Fayette County, Iowa, will meet on January 23, 2017, at the Courthouse, West Union, Iowa, at 10:00 o'clock a.m., for the purpose of taking public comment, instituting proceedings and taking action to enter into a loan agreement (the "Loan Agreement") and to borrow money thereunder in a principal amount not to exceed \$425,000, for the purpose of paying the cost, to that extent, of constructing a parking lot for the County Courthouse campus.

The Loan Agreement is proposed to be entered into pursuant to authority contained in Sections 331.402 and 331.441(2)(b)(5) of the Code of Iowa and will constitute a general obligation of the County.

At that time and place, oral or written objections may be filed or made to the proposal to enter into the Loan Agreement. After receiving objections, the County may determine to enter into the Loan Agreement, in which case, the decision will be final unless appealed to the District Court within fifteen (15) days thereafter.

By order of the Board of Supervisors of Fayette County, Iowa.

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County Auditor

Section 3. Pursuant to Section 1.150-2 of the Income Tax Regulations (the "Regulations") of the Internal Revenue Service, the County declares (a) that it intends to undertake the above-referenced Project which is reasonably estimated to cost, in the aggregate, approximately \$425,000, (b) that other than (i) expenditures to be paid or

reimbursed from sources other than the issuance of bonds, notes or other obligations (the “Bonds”), or (ii) expenditures made not earlier than 60 days prior to the date of this Resolution or a previous intent resolution of the County, or (iii) expenditures amounting to the lesser of \$100,000 or 5% of the proceeds of the Bonds, or (iv) expenditures constituting preliminary expenditures as defined in Section 1.150-2(f)(2) of the Regulations, no expenditures for the Project have heretofore been made by the County and no expenditures will be made by the County until after the date of this Resolution or a prior intent resolution of the County, and (c) that the County reasonably expects to reimburse the expenditures made for costs of the County out of the proceeds of the Bonds. This declaration is a declaration of official intent adopted pursuant to Section 1.150-2 of the Regulations.

Section 4. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 5. This resolution shall be in full force and effect immediately upon its adoption and approval, as provided by law.

Passed and approved January 9, 2017.

The Board met with the County Librarians for an update and budget request.

A public hearing was held on Monday, Jan. 19, 2017 at 11:30 A.M. at the Fayette County Courthouse, West Union, IA.

Members Present: Janell Bradley, Darrel Dolf and Jeanine Tellin  
Members Absent: none  
Others Present: Michael Miller, Ron Cruise, Travis Blockhus and Catherine Miller

Mr. Dolf made a motion to open the public hearing for Request #401 at 11:30 AM. Mrs. Bradley seconded the motion. Minutes from the Thurs., Jan. 5, 2017 Planning & Zoning Commission meeting were reviewed.

#400, Rachel Kirchhoff Estate, Sumner, IA is requesting a waiver of a subdivision ordinance to split an existing 106.45-acre parcel into 4 to 5 parcels. Three parcels were split in 2007. Parcel A is a 3.57-acre parcel to Mr. Miller, Parcel C is a 26.40-acre parcel and Parcel D is a 34.03-acre parcel. The affected property is Parcel #1318300006 located in the W ½, Section 18, Fremont Township in an Agricultural (AG) Zoning District with a physical address of 24757 – 110th Street, Sumner, IA 50674. Request was changed to a waiver to reduce paperwork and expense.

Mrs. Bradley made a motion to close the public hearing. Mr. Dolf seconded the motion. The public hearing closed at 11:35 AM. Mr. Dolf made a motion to approve this request with a covenant recorded that requires the land use remains as ag. Mrs. Bradley seconded the motion. All members present voted yes.

Mr. Dolf made a motion to open the public hearing for Request #402 at 11:36 AM. Mrs. Bradley seconded the motion.

#402, Farmers Win Cooperative, Hawkeye, IA, is requesting approval to place a 63,000-gallon nh<sub>3</sub> anhydrous ammonia tank to replace an existing 12,000-gallon tank. The affected property is parcel #0619100007 located in the SE ¼, SE ¼, NW ¼, Section 19, Windsor Township located in a Heavy Industrial (MH) Zoning District with a physical street address of 21622 Rose Road, Hawkeye, IA 52147.

Mrs. Bradley made a motion to close the public hearing. Mr. Dolf seconded the motion. The public hearing closed at 11:40 AM. Mr. Dolf made a motion to approve this request as presented. Mrs. Bradley seconded the motion. All members present voted yes.

Mrs. Bradley made a motion to open the public hearing for Request #404 at 11:46 AM. Mr. Dolf seconded the motion.

#404, Debra Reiling, Clermont, IA is requesting a waiver of the subdivision ordinance to split an existing 86.85-acre parcel into 3 parcels. A parcel of 10.00 acres (m/l), and a parcel of 17.75 acres (m/l), and the remaining parcel will be 59.10 acres (m/l). Affected property is Parcel #0324200008, located in the NE ¼, Section 24, Dover Township in an Agricultural (AG) & Conservation Floodplain (CFP) Zoning District with a physical address of 7336 Great River Road, Clermont, IA 52135.

Mr. Dolf made a motion to close the public hearing. Mrs. Bradley seconded the motion. Mrs. Bradley made a motion to approve this request as presented. Mr. Dolf seconded the motion. All members present voted yes.

In other business Commission member terms. Harold Gieselman will not continue to serve. Al Albrecht and Collin Jensen will serve for another term. Election of Officers. Doug Martin was appointed Chairperson and Mark Nelson as Vice Chair/Secretary, and the Commission approved an increase to the accessory building height restriction from 20' to 26'.

The public hearing adjourned at 11:50 AM.

The Board met with Mallory Marlatt for a Turkey River Recreational Corridor update and budget request.

The Board met with Joel Fantz, County Engineer, for an update.

Luke Bowdish had an Assistant to the Engineer – Bridge Inspection Education and Training Pay Scale Evaluation on 1/9/2017 - \$0.30 per hour increase based on milestones completed. Luke's wage will increase from \$24.16 to \$24.46 per hour.

The Board had a conference call with Josh Demmer and Joel Logan for a presentation regarding an energy review and potential rebates.

The Board worked on Departmental Budgets.

The Board adjourned.

Upon request, this information could be made available in large print, and/or computer disk.

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Lori Moellers  
County Auditor

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Jeanine Tellin  
Chair of the Board