

**COUNTY BOARD MINUTES
AUGUST 5 & 6, 2019**

The Board convened on Monday, August 5, 2019, at 9:00 AM with all the members present: Byrne, Tilkes, Zoll, Geerts, and Hackman. The meeting was called to order by Chairman Hackman. Also present were Rick Holthaus, Mark Huegel, and Kellan Heavican-KCZE/The Bull.

Jeff Bernatz present at 9:02 AM.

Motion by Byrne, Seconded by Geerts to approve agenda for August 5 & 6, 2019. Roll Call: All Ayes. Motion Carried.

Motion by Tilkes, Seconded by Byrne to approve board minutes for July 29, 2019. Roll Call: All Ayes. Motion Carried.

No Public comment.

Motion by Zoll, Seconded by Tilkes to open the public hearing at 9:15 AM for FY 2019-2020 county budget amendment. Roll Call: All Ayes. Motion Carried.

No written or verbal comments from the public.

Motion by Geerts, Seconded by Zoll to close the public hearing at 9:16 AM. Roll Call: All Ayes. Motion Carried.

Motion by Tilkes, Seconded by Byrne to adopt and authorize Chairman Signature on the FY 2019-2020 County Budget Amendment and authorize Chairman Signature. Roll Call: All Ayes. Motion Carried.

Motion by Geerts, Seconded by Zoll to approve the Resolution to Amend Departmental Appropriations. Roll Call: All Ayes. Motion Carried. **RESOLUTION TO AMEND DEPARTMENTAL APPROPRIATIONS**
RESOLUTION NO. 08-5-19-36 WHEREAS, the Board of Supervisors approved a Departmental Appropriations on June 17, 2019 for all departments of the fiscal year beginning July 1, 2019 in accordance with Section 331.434, Subsection 6, Code of Iowa, and WHEREAS, the appropriations approved on June 17, 2019 are hereby amended in accordance with the attached sheet for the following reasons: Ambulance: \$165,000.00 for Statement of Understanding for Ambulance for FY 2019-2020; County Betterment: \$25,000.00 for the Theisen's Project; Secondary Road: \$450,000.00 for rock; Capital Projects: \$500,000.00 New Building Project with no increase in current fiscal year taxes. PASSED, APPROVED, AND ADOPTED THIS 5th day of August 2019. AYES: /ss/ Jacob Hackman, Tim Zoll, Steve Geerts, David Tilkes, Jason Byrne. NAYS: ATTEST: /ss/ Joan E. Knoll, Auditor

DEPARTMENT	BEFORE AMENDMENT	INCREASE/ DECREASE	AFTER AMENDMENT
Ambulance	\$ 50,000.00	\$ 165,000.00	\$ 215,000.00
Secondary Road	\$ 6,357,686.00	\$ 450,000.00	\$ 6,807,686.00
Non Departmental	\$ 105,500.00	\$ 25,000.00	\$ 130,500.00
Capital Projects	\$3,250,000.00	\$ 500,000.00	\$ 3,750,000.00

SERVICE AREA:

Public Safety & Legal Serv.	\$ 2,356,135.00	\$ 165,000.00	\$2,521,135.00
Co. Environment & Education	\$ 685,307.00	\$ 25,000.00	\$ 710,307.00
Roads & Transportation	\$5,714,735.00	\$ 450,000.00	\$6,164,735.00
Capital Projects	\$4,010,511.00	\$ 500,000.00	\$4,510,511.00

Motion by Byrne, Seconded by Tilkes to approve the Resolution for Interfund Operating Transfers. Roll Call: All Ayes. Motion Carried. **RESOLUTION NO. 08-05-19-37 A RESOLUTION FOR INTERFUND OPERATING TRANSFERS WHEREAS**, it is desired to authorize the Chickasaw County Auditor to periodically transfer funds from the Local Option Sales and Services Tax County Betterment Fund 0025 to the Ambulance Fund 0031 during the FY 2019-2020 budget year, and **WHEREAS**, said transfer must be in accordance with the Code of Iowa, and **NOW, THEREFORE, BE IT HEREBY RESOLVED** by the Board of Supervisors of Chickasaw County, Iowa, as follows: 1. The transfer from the Local Option Sales and Services Tax County Betterment Fund 0025 to the Ambulance Fund 0031 for the fiscal year beginning July 1, 2019 shall be \$82,500.00. 2. The amount of any transfer shall not exceed available fund balances in the transferring fund. 3. The Auditor is directed to correct her books when said operating transfers are made and notify the Treasurer of the amount of said transfers. **PASSED, APPROVED AND ADOPTED THIS 5th DAY OF AUGUST, 2019, THE VOTE THEREON BEING AS FOLLOWS: AYES: /ss/ Jacob Hackman, Chairman Board of Supervisors, Jason Byrne, Steve Geerts, David Tilkes, Tim Zoll. NAYS: None ATTEST: /ss/ Joan E. Knoll, Chickasaw County Auditor**

Motion by Byrne, Seconded by Tilkes to approve the Resolution for Interfund Operating Transfers. Roll Call: All Ayes. Motion Carried. **RESOLUTION NO. 08-05-19-38 A RESOLUTION FOR INTERFUND OPERATING TRANSFERS WHEREAS**, it is desired to authorize the Chickasaw County Auditor to periodically transfer funds from the Rural Services Basic Fund 0011 to the Ambulance Fund 0031 during the FY 2019-2020 budget year, and **WHEREAS**, said transfer must be in accordance with the Code of Iowa, and **NOW, THEREFORE, BE IT HEREBY RESOLVED** by the Board of Supervisors of Chickasaw County, Iowa, as follows: 1. The transfer from the Rural Services Basic Fund 0011 to the Ambulance Fund 0031 for the fiscal year beginning July 1, 2019 shall be \$82,500.00. 2. The amount of any transfer shall not exceed available fund balances in the transferring fund. 3. The Auditor is directed to correct her books when said operating transfers are made and notify the Treasurer of the amount of said transfers. **PASSED, APPROVED AND ADOPTED THIS 8TH DAY OF AUGUST, 2019, THE VOTE THEREON BEING AS FOLLOWS: AYES: /ss/ Jacob Hackman, Chairman Board of Supervisors, Jason Byrne, Steve Geerts, David Tilkes, Tim Zoll. NAYS: None ATTEST: /ss/ Joan E. Knoll, Chickasaw County Auditor**

Dusten Rolando, Marvin Balk and Melvin Balk present at 9:24 AM.

Motion by Geerts, Seconded by Byrne to approve the Resolution for Economic Development for Theisen Real Estate LLC **RESOLUTION NO. 08-05-19-39 A RESOLUTION FOR ECONOMIC DEVELOPMENT FOR THEISEN REAL ESTATE LLC WHEREAS**, Chickasaw County desires to promote and expand economic development and enhance quality of life for residents within the County; and **WHEREAS**, Theisen Real Estate LLC proposes their expansion and increased employment opportunities with the purchase of real estate in New Hampton, Chickasaw County, Iowa. **WHEREAS**, Chickasaw County Board of Supervisors desires to participate

with \$25,000.00, dollars to assist in the economic development and expansion of Theisen Real Estate LLC. **NOW, THEREFORE, BE IT RESOLVED THAT**, the Chickasaw County Board of Supervisors hereby supports and expresses its receptiveness to economic expansion and development, to promote county economic development and subsequently enhance quality of life for residents through increased tax valuation of the industry. The proposed expenditure will be paid by the Local Option Sales Service Tax portion from County Betterment Fund 0025 to New Hampton Harvester Holdings, LLC on behalf of Theisen Real Estate LLC expansion upon verification of the sale completion. Passed and approved by the Chickasaw County Board of Supervisors this 5th day of August 2019. AYES: /ss/ Jacob Hackman, Chairman Board of Supervisors, Jason Byrne, Steve Geerts, Tim Zoll. NAYS: David Tilkes. ATTEST: /ss/ Joan E. Knoll, Chickasaw County Auditor

Motion by Byrne, Seconded by Tilkes to open the public hearing at 9:32 AM to close, vacate and abandon a road and bridge (Current FHWA Bridge #111070). Roll Call: All Ayes. Motion Carried.

No written or verbal comments from the public.

Motion by Geerts, Seconded by Byrne to close the public hearing at 9:33AM. Roll Call: All Ayes. Motion Carried.

Motion by Byrne, Seconded by Tilkes to approved resolution to close, vacate and abandon a road and bridge (Current FHWA Bridge #111070). Roll Call: All Ayes. Motion Carried. **RESOLUTION NO. 08-05-19-41 A RESOLUTION CLOSING, VACATING AND ABANDONING A ROAD DESCRIBED AS FOLLOWS: A PARCEL OF LAND 40 FEET WIDE COMMENCING ON CENTERLINE OF THE ORIGINAL ESTABLISHED ROAD AT TWO RODS NORTH AND 20 FEET EAST OF THE NORTH WEST CORNER OF THE NORTH EAST QUARTER OF SECTION 1, TOWNSHIP 95N, RANGE 11W, WEST 5TH P.M. IN CHICKASAW COUNTY AND RUNNING THENCE SOUTH TERMINATING AT A POINT 20 FEET EAST AND 2 RODS NORTH OF THE SOUTH WEST CORNER OF THE NORTH WEST QUARTER OF THE NORTH EAST QUARTER OF SECTION 1, TOWNSHIP 95N, RANGE 11W, WEST 5TH P.M. IN CHICKASAW COUNTY; NOTE: THE NORTH TWO RODS OF SAID PARCEL TO BE VACATED ARE LOCATED IN SECTION 36, TOWNSHIP 96N, RANGE 11W, WEST 5TH P.M. IN CHICKASAW COUNTY; THE ORIGINAL ROAD RIGHT OF WAY WAS ESTABLISHED IN BOOK 2, PAGE 12 OF ROAD RECORDS IN THE CHICKASAW COUNTY ENGINEER'S OFFICE AND A BRIDGE (CURRENT FHWA BRIDGE #111070) LOCATED ON THE ROADWAY DESCRIBED HEREIN ABOVE AND AUTHORIZING THE CONVEYANCE OF SAID PROPERTY TO MELVIN BALK AND MARVIN BALK. WHEREAS**, a parcel of land 40 feet wide commencing on centerline at two rods north and 20 feet east of the North West Corner of the North East Quarter of Section 1, Township 95N, Range 11W, West 5th P.M. in Chickasaw County and running thence south terminating at a point 20 feet east and 2 rods north of the South West Corner of the North West Quarter of the North East Quarter of Section 1, Township 95N, Range 11W, West 5th P.M. in Chickasaw County; Note: The north two rods of said parcel to be vacated are located in Section 36, Township 96N, Range 11W, West 5th P.M. in Chickasaw County; the original road right of way was established in Book 2, Page 12 of Road Records in the Chickasaw County Engineer's Office and a bridge (current FHWA Bridge #111070) located on the roadway described herein above is no longer utilized or maintained, and **WHEREAS**, the Board of Supervisors of Chickasaw County, Iowa held a public hearing on August 5, 2019 at 9:30 a.m. and received no written or verbal complaints or objections from the public with regard to the proposed abandonment and vacation of said property and bridge, and **WHEREAS**, the Board of Supervisors of Chickasaw County, Iowa has determined that it is in the best interest of the citizens of Chickasaw County, Iowa to close, vacate and abandon a parcel of land 40 feet wide commencing on centerline at two rods north and 20 feet east of the North West Corner of the North

East Quarter of Section 1, Township 95N, Range 11W, West 5th P.M. in Chickasaw County and running thence south terminating at a point 20 feet east and 2 rods north of the South West Corner of the North West Quarter of the North East Quarter of Section 1, Township 95N, Range 11W, West 5th P.M. in Chickasaw County; Note: The north two rods of said parcel to be vacated are located in Section 36, Township 96N, Range 11W, West 5th P.M. in Chickasaw County; the original road right of way was established in Book 2, Page 12 of Road Records in the Chickasaw County Engineer's Office and a bridge (current FHWA Bridge #111070) located on the roadway described herein above, and **WHEREAS**, Melvin Balk and Marvin Balk are the only adjacent land owners to said parcel of land 40 feet wide commencing on centerline at two rods north and 20 feet east of the North West Corner of the North East Quarter of Section 1, Township 95N, Range 11W, West 5th P.M. in Chickasaw County and running thence south terminating at a point 20 feet east and 2 rods north of the South West Corner of the North West Quarter of the North East Quarter of Section 1, Township 95N, Range 11W, West 5th P.M. in Chickasaw County; Note: The north two rods of said parcel to be vacated are located in Section 36, Township 96N, Range 11W, West 5th P.M. in Chickasaw County; the original road right of way was established in Book 2, Page 12 of Road Records in the Chickasaw County Engineer's Office and a bridge (current FHWA Bridge #111070) located on the roadway described herein above. **WHEREAS**, the Chairman of the Chickasaw County Board of Supervisors and the Chickasaw County Auditor shall be authorized to sign a Quit Claim Deed to a parcel of land 40 feet wide commencing on centerline at two rods north and 20 feet east of the North West Corner of the North East Quarter of Section 1, Township 95N, Range 11W, West 5th P.M. in Chickasaw County and running thence south terminating at a point 20 feet east and 2 rods north of the South West Corner of the North West Quarter of the North East Quarter of Section 1, Township 95N, Range 11W, West 5th P.M. in Chickasaw County; Note: The north two rods of said parcel to be vacated are located in Section 36, Township 96N, Range 11W, West 5th P.M. in Chickasaw County; the original road right of way was established in Book 2, Page 12 of Road Records in the Chickasaw County Engineer's Office and a bridge (current FHWA Bridge #111070) located on the roadway described herein above transferring the property to the appropriate adjacent property owners, Melvin Balk and Marvin Balk. **NOW THEREFORE, BE IT HEREBY RESOLVED** that a parcel of land 40 feet wide commencing on centerline at two rods north and 20 feet east of the North West Corner of the North East Quarter of Section 1, Township 95N, Range 11W, West 5th P.M. in Chickasaw County and running thence south terminating at a point 20 feet east and 2 rods north of the South West Corner of the North West Quarter of the North East Quarter of Section 1, Township 95N, Range 11W, West 5th P.M. in Chickasaw County; Note: The north two rods of said parcel to be vacated are located in Section 36, Township 96N, Range 11W, West 5th P.M. in Chickasaw County; the original road right of way was established in Book 2, Page 12 of Road Records in the Chickasaw County Engineer's Office and a bridge (current FHWA Bridge #111070) located on the roadway described herein above is hereby abandoned and vacated and the Chairman of the Chickasaw County Board of Supervisors and the Auditor are hereby authorized to sign a Quit Claim Deed transferring any interest the County may have had in said a parcel of land 40 feet wide commencing on centerline at two rods north and 20 feet east of the North West Corner of the North East Quarter of Section 1, Township 95N, Range 11W, West 5th P.M. in Chickasaw County and running thence south terminating at a point 20 feet east and 2 rods north of the South West Corner of the North West Quarter of the North East Quarter of Section 1, Township 95N, Range 11W, West 5th P.M. in Chickasaw County; Note: The north two rods of said parcel to be vacated are located in Section 36, Township 96N, Range 11W, West 5th P.M. in Chickasaw County; the original road right of way was established in Book 2, Page 12 of Road Records in the Chickasaw County Engineer's Office and a bridge (current FHWA Bridge #111070) located on the roadway described herein above, to the appropriate adjacent property owners. Board of Supervisors Chickasaw County, Iowa /ss/ Jacob Hackman, Chairman Board of Supervisors. ATTEST: /ss/ Joan E. Knoll, Chickasaw County Auditor

Mark Huegel, Melvin Balk and Marvin Balk left at 9:24 AM.

County Engineer Dusten Rolando met with the Board for a departmental update.

The Board reviewed FY 2019-2020 IDOT Secondary Road Budget.

Motion by Zoll, Seconded by Tilkes to approve the FY 2019-2020 IDOT Secondary Road Budget.

The Board discussed policy for hard surface improvement of roads under Iowa Code 311 (Secondary Road Assessment Districts). Dusten Rolando asked the Board if a petition was filed according To Iowa Code 311 and received by the Board regarding any road upgrade. As of August 5, 2019, the Board has not received a petition. Mr. Rolando informed the Board that he was in contact with the County Attorney's office last week and discussed what the past practice was for upgrading roads which had one hundred (100) percent funding by adjacent landowners. A petition by those adjacent landowners can be presented to the Board for their consideration as per Iowa Code Section 311. The Board then discussed a change in the current practice which may include the length of the project, percentage of each project, and maximum cap per project. Discussion followed. It was the consensus of the Board to set the percentage per project at ten (10) percent, maximum cap per project at \$100,000.00, and have the County Attorney's office draft a policy for hard surface improvement of roads under Iowa Code 311 (Secondary Road Assessment Districts) and defining each project as needed (length of road that is covered).

Conservation Director Brian Moore met with the Board for a departmental update.

Marty Hemann present at 10:14 AM.

Sheriff Marty Hemann met with the Board for a departmental update.

Marty Hemann, Jeff Bernatz, and Kellan Heavican-KCZE/The Bull left at 10:44 AM.

Rick Holthaus left at 11:02 AM.

The Board went into closed session under Iowa Code Section 21.5(1)(J) to discuss the purchase of real estate where premature disclosure could be reasonably expected to increase the price the governmental body would have to pay for that property. Also present were Assessor Ray Armel and Assistant County Attorney Mark Huegel,

Motion by Zoll, Seconded by Tilkes to enter closed session at 11:03AM . Roll Call: All Ayes. Motion Carried.

Discussion followed.

Motion by Geerts, Seconded by Tilkes to exit the closed session at 11:40 AM. Roll Call: All Ayes. Motion Carried.

Rick Holthaus present at 11:40 AM.

Motion by Geerts, Seconded by Tilkes, to authorize the County Attorney's Office to make an Offer to Purchase the real estate discussed in closed session pursuant to Iowa Code Section 21.5 (1) (j) and authorize Chairman Signature on the Offer to Purchase. Roll Call: All Ayes. Motion Carried.

Steve Geerts and Mark Huegel left at 11:41 AM

Land Use Administrator Ray Armel met with the Board to approve a minor subdivision for John Kottke Family Trust.

Motion by Tilkes, Seconded by Zoll to approve resolution for a minor subdivision for John Kottke Family Trust as per the recommendation of Land Use Administrator. Roll Call: Ayes: Tilkes, Zoll, Byrne, and Hackman. Absent: Geerts. Motion Carried. RESOLUTION 08-05-19-40 A RESOLUTION APPROVING THE MINOR SUBDIVISION PLATS OF: PARCEL 2019-26 IN THE NORTH ONE-HALF OF SECTION 26, TOWNSHIP 95 NORTH, RANGE 12 WEST OF THE 5TH P.M., CHICKASAW COUNTY, IOWA AND PARCEL 2019-27 IN THE WEST ONE-HALF OF SECTION 25, TOWNSHIP 95 NORTH, RANGE 12 WEST OF THE 5TH P.M., CHICKASAW COUNTY, IOWA WHEREAS, ON THE 5th DAY of AUGUST, 2019 at a regular meeting by the Board of Supervisors, Chickasaw County, Iowa a minor subdivision plat of PARCEL 2019-26 IN THE NORTH ONE-HALF OF SECTION 26, TOWNSHIP 95 NORTH, RANGE 12 WEST OF THE 5TH P.M., CHICKASAW COUNTY, IOWA AND PARCEL 2019-27 IN THE WEST ONE-HALF OF SECTION 25, TOWNSHIP 95 NORTH, RANGE 12 WEST OF THE 5TH P.M., CHICKASAW COUNTY, IOWA WHEREAS, the minor subdivision plat of PARCEL 2019-26 IN THE NORTH ONE-HALF OF SECTION 26, TOWNSHIP 95 NORTH, RANGE 12 WEST OF THE 5TH P.M., CHICKASAW COUNTY, IOWA AND PARCEL 2019-27 IN THE WEST ONE-HALF OF SECTION 25, TOWNSHIP 95 NORTH, RANGE 12 WEST OF THE 5TH P.M., CHICKASAW COUNTY, IOWA has been considered and should be approved. NOW, THEREFORE, it is hereby resolved by the Board of Supervisors, Chickasaw County, Iowa that said Minor Subdivision Plat be approved, accepted and the Chairman is hereby directed to certify this Resolution of Approval. PASSED AND APPROVED on this 5th DAY of AUGUST 2019. /ss/ Jacob Hackman, Chairman, Board of Supervisors ATTEST: /ss/ Joan E. Knoll, Auditor.

Ray Armel left at 11:50 AM.

Supervisor Tilkes updated the Board on the Northeast Iowa Community Action meeting held on July 29, 2019.

Supervisor Geerts updated the Board on the 911 Service Board, EMA, and Ambulance meeting held on July 30, 2019.

Received and filed in the Auditor's Office MMP Short Form for Annual Updates for Chris Reicks (ID#64786) located at 3060 160th Street, Lawler, IA 52154.

Received and filed in the Auditor's Office MMP Short Form for Annual Updates for Chickasaw Farms LLC (ID #62444) located at 2241 Jasper Avenue, New Hampton, IA 50659.

Received and filed in the Auditor's Office MMP Short Form for Annual Updates for Rosewood Creek LLC (ID #60643) located at 1020 Pembroke Avenue, Lawler, IA 52154..

Received and filed in the Auditor's Office MMP Short Form for Annual Updates for Emeraldbrook LLC 23-97-12 (ID# 69570) located at 1064 Pembroke Avenue, Lawler, IA 52154.

Received and filed in the Auditor's Office MMP Short Form for Annual Updates for Whitetail Path LLC (ID #68297) located at 3348 210th Street, Lawler, IA 52154.

Received and filed in the Auditor's Office MMP Short Form for Annual Updates for Oakdale Lane LLC (ID 69132) located at 1234 Union Avenue, Lawler, IA 52154.

Received and filed in the Auditor's Office MMP Short Form for Annual Updates for Mike Klassen (ID #59679) located at 2130 Exeter Avenue, Ionia, IA 50645.

Received and filed in the Auditor's Office MMP Short Form for Annual Updates for Don Kurtenbach-Section 23 (ID #64997) located at 1685 Victoria Way, Lawler, IA 52154.

Received and filed in the Auditor's Office MMP Short Form for Annual Updates for Terry & Steven Schulz-Weidler Site (ID # 66436) located at 2469 Quinlin Avenue, New Hampton, IA 50659.

Received and filed in the Auditor's Office MMP Short Form for Annual Updates for Gary Gorman (ID #57703) located at 2448 180th Street, New Hampton, IA 50659.

Motion by Zoll, Seconded by Tilkes to adjourn at 11:55 AM. Roll Call: All Ayes. Motion Carried.

The Board convened on Tuesday, August 6, 2019, at 9:00 AM with all the members present: Tilkes, Zoll, Byrne, Geerts, and Hackman. The meeting was called to order by Chairman Hackman. Also present were Braylen Byrne, Dave Gorman, and Rick Holthaus.

Ray Armel present at 9:10 AM.

Laura Van Horn with Prairie View Management met with the Board for a departmental update on the Heritage Residence. Topics included repairs on the water tanks, fire marshal inspection and is up to code, replacing tile and carpet in the building, process of building a smoking shed; parking lot okay, process of the signage repairs, etc. Ms. Van Horn also informed the Board that there are approximately 15 clients at the Heritage and Prairie View Management has approximately 20 employees. The Board also discussed the lease agreement.

Dave Gorman, Laura Van Horn, and Ray Armel left at 9:25 AM.

The Board reviewed claims.

Motion by Byrne, Seconded by Zoll to approve claims. Roll Call: All Ayes. Motion Carried.

Supervisor Hackman updated the Board on the Conservation meeting held on August 5, 2019.

Supervisor Zoll updated the Board on the City of Nashua Council meeting held on August 5, 2019.

Supervisor Byrne updated the Board on the Board of Health meeting held on August 5, 2019.

Received and filed in the Auditor's Office Washington Township Summary of Receipts and Disbursements Report for FY 2018-2019.

Received and filed in the Auditor's Office Bradford Township Summary of Receipts and Disbursements Report for FY 2018-2019.

Received and filed in the Auditor's Office Richland Township Summary of Receipts and Disbursements Report for the FY 2018 -2019.

Motion by Geerts, Seconded by Tilkes to adjourn at 10:13 AM. Roll Call: All Ayes. Motion Carried.

Jacob Hackman, Chairman
Board of Supervisors

ATTEST:

Joan E. Knoll, Auditor