

Story County
Board of Supervisors Meeting
Minutes

7/30/2013 - Minutes

1. CALL TO ORDER: 10:00 A.M.

The Board of Supervisors met on 07/30/13 at 10:00 a.m. in the Story County Administration Building. Rick Sanders, Paul Toot and Wayne E. Clinton with Rick Sanders presiding. (All audio of meetings: www.storycountyia.gov or call the Auditor's Office: (515) 382-7210).

2. PLEDGE OF ALLEGIANCE:

3. PUBLIC COMMENT #1:

None

4. CONSIDERATION OF MINUTES:

I. 7/16/13 Minutes

Clinton moved, Toot seconded the approval of minutes. Roll call vote. (MCU)

5. CONSIDERATION OF PERSONNEL ACTIONS:

I. Action Forms:

1) new hire in CLP effective 7/31/13 for Breanna Grammer @ \$10.85/hr; Alesha Smith @ \$10.85/hr; Amanda Watts @ \$1,452.61/bw; 2) pay adjustment-longevity (union) in a) Secondary Roads effective 8/11/13 for Roger Holland @ \$26.34/hr; b) Sheriff's Office - FY 14 Resolution Correction effective 6/30/13 for Danielle Schmitt @ \$1,418.04/bw; 3) re-evaluation of position in CLP effective 8/11/13 for James Reynolds @ \$1,452.61/bw; Kimberly Nicholas @ \$2001.82/bw; effective 8/9/13 for Mariella Vander Gaast @ \$11.29/hr; effective 8/11/13 for Brittney Harriman @ \$10.99/hr; 3) re-hire in CLP effective 7/31/13 for Joseph Malual @ \$10.85/hr. Clinton moved, Toot seconded the approval of personnel actions. Roll call vote. (MCU)

6. CONSIDERATION OF CLAIMS:

I. 8/1/13 Claims

08/01/13 Claims of \$476,506.04 (run date 07/16/13, 33 pages, on file in the Auditor's Office) and authorize the Auditor to issue checks in payment of these claims and payment requests from BooST School Ready Services (\$25,626.19), BooST Early Childhood (\$1,918.79), CIDTF (\$6,917.04), Homeland Security Region 1 (\$57,390.67), Holding-Seized Funds (\$1,307.00), Emergency Management (\$134.95), E911 Surcharge (\$4,198.59), County Assessor (\$2,180.17), City Assessor (\$4,756.04). Toot moved, Clinton seconded the approval of Claims. Roll call vote. (MCU)

7. CONSENT AGENDA:

Toot moved, Clinton seconded approval of the consent agenda pulling item #3 for discussion and adding Road Closures and Utility Permit as follows:

I. Consideration Of A Letter To Designate The Authorized Representatives To Sign And File Documents On Behalf For Participating In Programs With UDSA, FSA Office, Nevada, IA

II. Consideration Of The Revised FY 14 Projected Story County Case Management Cost Report Effective 7/1/13 - 6/30/14

III. Consideration Of The FY 14 Provider And Program Participation Agreement With Story County Community Life Program Effective 7/1/13 - 6/30/14

Story County Community Life Program - Jail Diversion Intensive Case Management \$60.75/Hr; Supported Community Living - SLS \$10.71/15 Min.; Dietician \$47.00/Hr; Day Habilitation \$3.22/15 Min.; Residential Care Facility \$138.82/Day; Supported Employment \$10.71/15 Min.; Supported Community Living - Enhanced \$8.32/15 Min.; Med Pass \$25.00/Per Pass; Supervised Apartment \$146.81/Daily; Day Habilitation \$63.65/Daily; Health Care Support \$48.82/Hr. Ron Christensen, Community Life Program Director, reported one of the items on the contract is the Jail Diversion Intensive Case Management and this program no longer exist, asking to remove that item and approve amended contract. Clinton moved, Toot seconded the approval with the removal of the Jail Diversion Intensive Case Management. Roll call vote. (MCU)

IV. Consideration Of Quarterly Reports: Recorder's Office And Treasurer's Office

V. Consideration Of Quote From Denco Corp., Mingo, Iowa For Class-A Bridge Deck Repair For Bridge On County Road E26 (Cameron School Road) Over Squaw Creek In The Amount Of \$45,346.44. Proj # BDR-2014

VI. Consideration Of Roadway Maintenance Agreement With IDOT/Iowa State University For Special Maintenance On 520th Avenue (South State Avenue) From 260th Street Northward For 1 1/4 Miles To Oakwood Road. Beginning As Early As Summer 2013 Until October 2014 With The Estimated Cost Of \$25,000.00. Project #BR-810-0(112)-7A-85

VII. Consider Agreement With SimplexGrinnell For Fire Alarm Inspection And Monitoring At The Story County Administration Building From 8/1/13 - 7/31/14 In The Amount Of \$522.00

VIII. Acknowledgement Of Updated Manure Management Plan For 4 Leaf Clover, LLC, Sherman Twp

IX. Consideration Of Class B Native Wine Permit (WBN) Living Quarters For Montage Hair Design Studio, 2519 Meadow Glen Rd, Ames, IA., Effective 10/2/13-10/1/14

- X. Consideration Of Request To Utilize The Parking Lot Including The City Street Directly East With The Access To Power From The Administration Building For The Upcoming Klassy Kruisers Car Show (During The Lincoln Highway Days) On Saturday, August 24th From 6:00 A.m. To 6:00 P.m.
 - XI. Consideration Of CLP Application Of The Calhoun Group Home License
 - XII. Consideration Of 2013 Report Of Commodities Farm Summary
 - XIII. Consideration Of Amendment To Fiscal Agent Agreement Between Story County And BooSt Together For Children ECI Area Effective 7/1/13
 - XIV. Acknowledge Agreement No. 90-85-LRTF-302 (Living Roadway Trust Fund Grant) Between Iowa Department Of Transportation And Story County Conservation Integrated Roadside Vegetation Management For The Purchase Of A Batwing Mower.
 - XV. Consideration Of Lease Between Pitney Bowes Inc. And Story County For Conservation Postage Meter, 7/30/13-7/29/17, @ \$92.27/Month.
 - XVI. Consideration Of Proposal From Ahlers & Cooney, P.C. For Labor Relations Consulting Services And Contract Negotiations
 - XVII. Consideration Of The Purchase From Ames Ford Lincoln For 2014 Ford Truck For Facilities Management @ Of \$26,623.38 (Replacement Of Wrecked Vehicle)
 - XVIII. Consideration Of A Revised Copier Lease Agreement Between The Treasurer's Office And Premier Office Equipment Effective 7/30/13 - 7/30/18 @ \$301.00/Mo. For 60 Mos.
 - XIX. Consideration Of Updated Long Term Disability Policy With Life Insurance Company Of North America Policy Number LK-963772
 - XX. Consideration Of Road Closure(S): #14-01
 - XXI. Consideration Of Utility Permit(S): #14-02
Motion carried unanimously (MCU) on a roll call vote.
8. PUBLIC HEARING ITEMS:
None
9. ADDITIONAL ITEMS:
- I. Acknowledgement Of Application Of New Manure Management Plan And Construction Design Statement For Mud Creek Feeders, LLC., Section 35 Of Collins Twp

Environmental Health Director, reported on the proposed facility, owner, number of hogs, animal unit capacity, which is under the 1,000 animal unit capacity threshold that triggers the Master Matrix, site map, location of facility, and application of manure. Clinton questioned the well plugging that was done this spring and Jaynes stated it was done properly. Jayne reported on application process, interagency review and comments from the following departments: Engineer, County Assessor, Planning & Development and Environmental Health. Jessica Reynolds, Assistant Attorney, reported on background information regarding the legislation that takes home rule out of the Board of Supervisor's hands and gives the DNR all of the permit/facilities authority. Sanders asked for owners comments: none. Members of the public shared their comments:

Evan Burger, Huxley, Rural Community Organizer of Iowa Citizens for Community Improvement, opposes the hog confinement, stated Men's proposal this year is also flawed, according to an Iowa CCI analysis of the Manure Management Plan (MMP), for example, Mens incorrectly claims he owns or rents the fields he wants to spread manure on. There is no proof of any agreement to custom farm those fields with the actual owners. In addition, ownership names on the MMP are not consistent. More than one company can't own the same operation, Iowa CCI members say these flaws in the documents are serious enough that the IDNR should have no choice but to reject Mens' proposal. The Board should comment on the flaws with the application. Clinton asked Mr. Burger to highlight those discrepancies in the application and provide to the clerk.

Speaking in opposition to the hog confinement were: Brenda Brink, Huxley; Jack Troeger, Ames; Scott and Jana Jones, Collins; Jim Loonan, Collins. Clinton gave background information. Sanders commented on the 2-mile notification of property owners within Story County. Toot reported on the process. Loonan reported on 66 signatures that oppose this. Jessica Reynolds reported again on the laws and statutes that take the authority away from the County, leaving the only role as passing on comments from the public and the Board.

Speaking in opposition to the hog confinement were: Rachel & Matt Woods, Collins; John Lengeling, Collins; Juanita Loonan, Collins; Sue Lomp, Ankeny; Deborah Pounka, Ames; Deb Mitchell, Collins; Marylin & Jim Wilson, Collins; John Hilgerson; David Goodner, Des Moines, CCI member.

Eldon McAfee, Attorney for Kyle Mens, Mud Creek Feeders, reported on working with DNR, the MMP issues will be addressed, acknowledging those expressed concerns of the operation plan. Mens and family respect the comments made from the public, and Mens will live by the building, a good family farm operation. Sanders questioned the paper work and asked McAfee to review application. McAfee stated those will be addressed. Clinton asked about the timetable for a statement to the DNR. Jaynes reported on the process, comments from the DNR about the agreements, and clarification of Chapter 65 as application must be submitted 30 days before construction starts. Reynolds again stated the limited role of Board which only receives the Manure Management Plan (MMP) and comments. The Code is clear that the County has no authority and comments from the DNR to the public stating otherwise are contrary to law. Sanders stated he and Reynolds

will visit the DNR representatives. Toot reported on emails received: Angie Carter, Ames, and Jane Wilson opposes the MMP. Clinton requested reaching out to the Collins Community for an evening meeting and to defer action. Sanders stated for the acknowledgement, questions of the mistakes on the application, and the 30 day window. Reynolds stated the 30 days start on July 15, so reminded Board to watch the timeline. Toot requested the mistakes on the application be corrected, McAfee, stated his understanding is the application is correct but will confirm with the DNR. Clinton moved, Toot seconded to take no the action, acknowledgement to have a public hearing at the City of Collins for further action by the Board of Supervisors. Sanders stated he and Reynolds will speak to DNR. Sanders amended to have a meeting at Collins Community Building on August 5th at 6:30 p.m. Lloyd Rasmusson, Colo, requested that the other counties public to be contacted. Clinton stated he will contact the Jasper County Supervisors. Toot requested inviting DNR. Roll call vote. (MCU) Recess @ 11:41 a.m. and reconvene at 11:46 a.m.

- II. Discussion And Consideration Of Motor Grader Quotations - Darren Moon
Engineer, reported on the differences between quotes/bids of Murphy Tractor and Ziegler Equip Caterpillar, and totals with additional equipment @ \$5,280.00 difference. Moon reported on comparison and differences. Sanders commented on leasing tractors, budget, and wait for recommendation from the Capital Improvement Group (CIG). Moon reported on concerns for fuel and savings for the 5 years. Sanders stated the CIG needs that information. Moon stated July 1, 2014, the county must meet EPA Tier 4 requirements. Travis McDow, Ziegler, explained manufacturer timeline for transition Tier 4 machines. Sanders clarified if county makes a decision later this fall, there would be availability for interim machines. McDow concurred. Sanders directed CIG to place this at the top of their agenda, with recommendation to board soon to direct Moon to order 1 machine for purchase or start the lease option. Moon stated contract to go to the Attorney to start review. Sanders stated the County is considering this, run thru the committee for dollars to add up. No action taken by board.
- III. Discussion And Consideration Of Resolution #14-07, Terminating 28E Agreement With City Of McCallsburg For Jurisdiction And Control Of Farm To Market Extensions - Darren Moon
Engineer, reported on transfer jurisdiction and control of Farm to Market Extensions on 7/2004 within the City's corporate limits to the City of McCallsburg and included Dubois Ave (130th St) and 8th St (660th Ave), the City of McCallsburg mutually agree to terminate this 28E agreement last April and return the jurisdiction of the Farm to Market extension back to Story County. Moon commented on Attorney General ruling and the speed limit resolution. Toot reported on keeping the stop signs. Clinton moved, Toot seconded the approval of Resolution #14-07, Terminating the 28E Agreement with the City of McCallsburg for Jurisdiction and Control of the Farm to Market Extensions. Roll call vote. (MCU)
- IV. Discussion And Consideration Of A Plan To Revert The Pavement On Old S27 (650th Ave) Back To Gravel Located In Section 15, Indian Creek Twp. - Darren Moon
Engineer, reported on site maps, no requirement to return this to gravel, location of house, abandoned to the residents (northern portion) and change to level b (the southern portion). Moon reported on the current conditions of the road and asked permission to tear up that one portion of the road. Mike Peevy, 305th stated he would like to keep the east-west portion as it is. Moon reported on a written comment regarding the north stretch and petition not to improve and leave as is, which, according to Moon is not an option due to safety issues and the cost. Sanders questioned the process for Level B, keep the cost down, residents to have access to new S27. Toot moved, Clinton seconded the approval of a plan to revert the pavement on old S27 (650th Ave.) back to gravel. Amend to visit with resident and to vacate the north portion to the residents located in Section 15, Indian Creek Twp. Roll call vote. (MCU)
- V. Consideration Of Resolution #14-05, Assignment Of Fund Balances - Lisa Markley
Assistant Auditor, requested assigning the following dollars for the FY ending 6/30/13: general fund \$9,061 – unused FY13 ASSET dollars; \$60,000 for content management project for a total of \$69,061; general supplemental \$100,000 future purchase of election equipment; rural fund @ \$42,321 uncommitted Local Option Sales Tax; Inmate Commissary fund @ \$83,711.68; County Attorney Fine Collection fund @ \$80,657.76. Markley reported on restricted funds: Conservation Acquisition & Capital projects fund @ \$145,928.05 and Capital Project TIF fund @ \$2,713,698.68. Toot moved, Clinton seconded the approval of Resolution #14-05, Assignment of Fund Balances. Roll call vote. (MCU)
- VI. Consideration Of Workplace Harassment Policy (After Seven-Day Review) - Alissa Wignall
Human Resources Director, reported on the original draft, comments received and changes. Clinton moved, Toot seconded the approval of the Workplace Harassment Policy (After Seven-Day Review). Roll call vote. (MCU)
- VII. Consideration Of Amended Conservation Easement With Steven M. Stoll And Linda D. Stoll - Mike Cox
Conservation Director, reported that Stoll's placed this easement on property in 2003 to protect its conservation values, allowing grantors to construct two non-residential structures on the property protected by the easement. Cox reported the structures will be used to improve the experience of those using the property for enjoyment, and Stoll's wish to maintain the property for its natural resource value. Mr. Stoll's stated prints will be placed for the identification of prairie plants on 3 acres. Clinton moved, Toot seconded the recommendation of the Conservation Board and the approval of the Amended Conservation Easement with Steven Stoll and Linda Stoll. Roll call vote. (MCU)
- VIII. Consideration Of Plans And Authorization To Solicit Bids For Phase I Of The Dakins Lake Expansion - Mike Cox
Conservation Director, reported that bids received for the expansion project exceeded the estimated cost and were rejected, resulting in the development of phase 1 of the project, including the mass grading for the entire project. Cox stated the project has been divided into multiple bid packages in an effort to reduce cost, and the Engineer's Cost Opinion. Cox stated

the bids will be opened on August 13, pending award of a bid, and the Conservation Board did recommend approval.

Sanders stated the 2nd phase that bid gets out in December and be ready to go. Cox stated that was the comment from the Conservation Board. Sanders stated it has to be the same project piece by piece and hopefully get better prices. Toot moved, Clinton seconded the approval of Plans and Authorization to Solicit Bids for Phase 1 of the Dakins Lake Expansion. Roll call vote. (MCU)

- IX. Consideration Of Accounts Specialist Job Description For Community Life Program - Ron Christensen And Alissa Wignall Human Resources Director, reported on an opening in the finance department, study of what is needed for the position, combined jobs. Ron Christensen, Community Life Program Director, reported on the requirements for the cost reporting, which is currently contracted out. Wignall stated grading schedule, current employee for this job. Clinton moved, Toot seconded the approval of the Accounts Specialist Job Description for CLP. Wignall stated this position is being shifted. Sanders stated an additional action form goes with this for the shifting position. Roll call vote. (MCU)

- X. Discussion And Consideration Of Revised Story County Travel Policy (After Seven-Day Review) - Lucy Martin & Alissa Wignall
, Auditor, reported on comments received, background information, and benefits accrued during travel. Martin read EMA Director, Keith Morgan's comments regarding benefits accrued during travel belonging to the Federal Government, as the Dept. of Public Defense had this in their policy and changed it back to all benefits to go to the employee. Martin stated the State Auditors have singled this out during the county's audits. Sanders read the section and clarified. Martin stated to change or modify revised policy. Wignall reported on how the county might handle frequent flyer miles/benefits & the employee by stating the employee cannot use benefits accrued. Toot moved, Sanders seconded to come back with another draft for wording that is workable and enforceable. Roll call vote. (MCU)

10. AGENCY REPORTS:

None

11. DEPARTMENTAL REPORTS:

- I. IRVM - Joe Kooiker
Weed Commissioner, reported on
II. Environmental Health - Margaret Jaynes
Environmental Health Director, report

12. LIAISON ASSIGNMENTS & COMMITTEE MEETINGS UPDATES:

Clinton stated he will reported for Central Iowa Region Service meeting on an upcoming agenda.

13. OTHER REPORTS:

- I. Story County Inventory Report - Lisa Markley
Assistant Auditor, asked if the Board had any questions. The Board all concurred no questions as the documentation is sufficient.

14. PUBLIC FORUM #2:

None

15. ANNOUNCEMENTS FROM THE SUPERVISORS:

16. Closed Session Pursuant To Iowa Code Section 21.5(1)(C) To Discuss Strategy With Counsel In Matters That Are Presently In Litigation Or Where Litigation Is Imminent Where Its Disclosure Would Be Likely To Prejudice Or Disadvantage The Position Of The Governmental Body In That Litigation

Jessica Reynolds, Assistant Attorney, reported on relevant Iowa Code section to convene a closed session. Toot moved, Clinton seconded to adjourn for a closed session @ 12:48 pm. (MCU)

Reconvened the open session @ 1:10 p.m. Reynolds stated the Attorney's Office is asking for a motion to sue Nationwide Allied Insurance and James Lindeman/Cheyenne Lindeman. Toot moved, Clinton seconded approval for the Attorney's Office to file the lawsuit. Roll call vote. (MCU)

17. ADJOURNMENT:

Toot moved, Clinton seconded to adjourn @ 1:11 p.m. Roll call vote. (MCU)