

Story County  
Board of Supervisors Meeting  
Minutes

6/14/2016 - Minutes

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

The Board of Supervisors met on 6/14/16 at 10:00 a.m. in the Story County Administration Building.

Members present: Rick Sanders, Wayne E. Clinton, and Marty Chitty, with Sanders presiding. (all audio of meetings available at: [storycountyiowa.gov](http://storycountyiowa.gov))

2. PLEDGE OF ALLEGIANCE:

None

3. PUBLIC COMMENT #1:

None

4. CONSIDERATION OF MINUTES:

I. 6/7/16 Minutes

Clinton moved, Chitty seconded the approval of Minutes. Motion carried unanimously (MCU) on a roll call vote.

5. CONSIDERATION OF PERSONNEL ACTIONS:

I. Action Forms

None

6. CONSIDERATION OF CLAIMS:

I. 6/16/16 Claims

of \$673,269.90 (run date 6/03/16, 35 pages, on file in the Auditor's Office) and authorize the Auditor to issue checks in payments of these claims and payment requests from BooSt School Ready Services (\$7,197.95), BooSt Early Childhood (\$4,105.84), CIDTF (\$149.02), Emergency Management (\$722.23), E911 Surcharge (\$167,906.70), County Assessor (\$8,597.92), City Assessor (\$42,886.54), Holding-Seized Funds (\$0), Case Management (\$0). Clinton moved, Chitty seconded approval of claims. Roll call vote. (MCU)

7. CONSENT AGENDA:

Clinton moved, Chitty seconded to approve the consent agenda with the additional Road Closure(s) #16-64 - #16-65 and Utility Permit #16-97.

I. Consideration Of Agreement Between Communications Engineering Company And Story County Effective 7/1/16 - 6/30/17 At \$33,019.85

II. Consideration Of Contract Between IP Pathways, LLC., And Information Technology For Hardware Maintenance Effective 6/01/16 - 5/31/17 And 8/07/16 - 8/06/17 @ \$17,625.00

III. Consideration Of Application For Permit To Display Fireworks For Albert Brooks, 12894 - 530th Ave., Story City, IA., On July 4, 2016

IV. Consideration Of FY16 Story County Economic Development Group Funding Request As Follows: 1) \$83,898.67 Annual Allocations To Each Community 2) \$1,500.00 For Labor Shed Study 3) \$14,600.00 In Pool Fund Allocation

- V. Consideration Of Renewal Of Iowa Retail Permit Application For Cigarette/Tobacco/Nicotine/Vapor Retail Permit For Ames Golf & Country Club And Ballard Golf & Country Club Effective 7/1/16 - 6/30/17
  - VI. Consideration Of Central Iowa Community Services Statement Of Understanding In Reference Of The 28E Agreement Effective 7/1/16 - 6/30/17 For The Following: Karla Webb, Wendy Schmitz, Melanie Worley, Kathy Johnson, Nikki Sprecher, Tammy Metzger
  - VII. Consideration Of Application For Permit To Display Fireworks For Kevin Kreimeyer, 10377 Hwy 65, Colo, IA., On 7/2/16 And Rain Date On 7/4/16
  - VIII. Acknowledgement Of Submitted Agency Report From University Community Childcare
  - IX. Consideration Of Quotation Between Taser International And Story County At \$2,838.09 For The Purchase Of Three (3) Tasers With Batteries And Holsters
  - X. Consideration Of Renewal Maintenance And Support Agreement Between Safran MorphoTrak And Story County Effective 7/1/16 - 6/30/17 At Of \$5,584.00
  - XI. Consideration Of A Memorandum Of Understanding (MOU) Between The City Of Ames And Story County For The Possible Sharing Of A JAG Program Award In The Amount And Up To \$10,862.00
  - XII. Consideration Of Iowa Communities Assurance Pool (ICAP) Renewal Application For FY 2017
  - XIII. Consideration Of Road Closure Resolution(S): #16-64, 16-65
  - XIV. Consideration Of Utility Permit(S): #16-97  
Roll call vote. (MCU)
8. PUBLIC HEARING ITEMS:  
none
9. ADDITIONAL ITEMS:
- I. Consideration Of Any Necessary Permission Or Permit To Hold An Event For The Bible Reading Marathon At The Administration Building For The Iowa Prayer Caucus Network On Thursday, June 30th At 8:00 AM, And Estimate Ending On Sunday, July 3rd At Approximately 4:00 PM, And Also Access Will Be Needed To Electrical Power For Lighting At Night - Diana Egan  
Diana Egan, Ames, provided on background information on a proclamation signed by the Governor in April supporting a bible-reading marathon in front of all 99 Iowa courthouses. Sanders verified that the readings will not infringe upon the regular business taking place in the Administration Building and stated electrical power will not be provided by the County. Chitty reported on his discussions with Facilities Management. There are some outside electrical access points but provision should be considered on a case-by-case basis. Discussion took place. Clinton questioned if a law enforcement presence would be necessary. Egan stated she would check. Jessica Reynolds, First Assistant County Attorney, stated public property being used by members of the public is not an issue, as long as there is no disruption of or interference with regular business. She agrees with Sanders that providing electricity would be a cost to the taxpayers. Chitty asked Egan if electricity is required. Egan stated no, but she and other participants may have to use benches for sitting. They may not be present overnight. Sanders stated there is no need Board approval to use public space, just acknowledgment. He recommends notifying both the Nevada police department and the Sheriff's Office. Clinton moved, Chitty seconded the acknowledgement of holding the Bible Reading Marathon on public property without electrical power. Sanders asked for comments from the public. None were received. Roll call vote. (MCU)
  - II. Consideration Of Request For Additional Relief For Crestview Residents - Rick Sanders  
Sanders provided information from a recent Board of Health meeting with Crestview residents. He has

been in discussions with Emergency Management. The Iowa Ice Company and Lowes are donating potable water. Deb Schildroth, External Operations and County Services Director, provided additional information about a boil order, donations, and offered assistance. Karla Webb, Director of Community Services, has six pending applications. One resident plans to move his mobile home to Boone County. Paid assistance has been provided to two households. There is no firm cost for moving a mobile home. Sanders reported on back property taxes owed to the County. The County is working to assist residents. Clinton recommends leaving the County funding as is and maximizing other sources of assistance. Chitty stated there remain questions about ownership of the mobile homes. The County offered assistance but not open-ended assistance. It is not appropriate to increase funding. Sanders stated no action is needed. He thanked businesses for their support.

III. Discussion And Consideration Of MICA's Request For Assistance For The Dental Clinic In The Amount Of \$50,000 - Deb Schildroth And Gloria Symons

Deb Schildroth, External Operations and County Services Director, provided background information. Gloria Symons, Health Services Director, stated the request is to bridge a funding gap. The Story County Dental Clinic (SCDC) is implementing strategies to improve revenue streams but requires short-term funding to make it possible. MICA is also asked United Way and Mary Greeley Medical Center for financial assistance. Schildroth provided demographic statistics. Sanders asked about sustainability. He stated he does not think it is appropriate for an annual request. Clinton reported on the MICA Board meeting. Sanders asked about cost and clients which Symons provided. Discussion took place. Schildroth stated ASSET funds are not available. United Way gave the dental clinic \$35,000.00 as a one-time funding. Lisa Markley, Assistant Auditor, stated there are available funds in the service area. Sanders asked Markley if \$35,000.00 was available. Markley stated yes. Sanders moved, Clinton seconded to grant \$35,000.00 in one-time funding to MICA for assistance for the Dental Clinic in FY16. Roll call vote. (MCU)

IV. Discussion And Consideration Of Agreement Between Story County And Dakota Access, LLC For Secondary Roads Haul Road Damages And Permit - Darren Moon

Engineer, reported on the proposed agreement to promptly restore or repair any damages upon completion of the hauling operations. He highlighted portions of the agreement including dust control, bonding, permits, and drainage districts. Clinton spoke about his discussions with Moon regarding permits. Sanders added Conservation permits. Moon stated the County Attorney's Office had reviewed all agreements and recommended approval. Chitty asked about the construction timeline. Moon stated this fall. Clinton moved, Chitty seconded the approval of the Secondary Roads Haul Road Damages Agreement and Permit between Story County and Dakota Access, LLC. Roll call vote. (MCU)

V. Discussion And Consideration Of Waiver Of Liability Between Story County And Dakota Access, LLC - Darren Moon

Engineer, provided background information. DAPL seeks permission to add rock to 303rd Lane, a Level B maintenance road. Any work done to the road by DAPL does not change the road classification or easements of record. The County intends to vacate the road. Moon reported on a prior public hearing about this issue earlier in the calendar year. Chitty asked about emergency services and E911 addressing. Phil Bub, Attorney for DAPL stated agreements with surrounding land owners are in the final stages. Sanders asked if Bub had any questions about the County's position. Chitty asked why DAPL is locating the pumping station here. Bub stated he does not know. Clinton asked Moon for his assessment. Moon stated the agreement is better than the current situation. Clinton moved, Chitty seconded the approval of Waiver of Liability between Story County and Dakota Access, LLC. Roll call vote. (MCU)

Moon provided additional background information for Chitty including pictures of road conditions on 303rd Lane.

10. AGENCY REPORTS:

None

11. DEPARTMENTAL REPORTS:

None

12. OTHER REPORTS:

None

13. PUBLIC FORUM #2:

None

14. LIAISON ASSIGNMENTS & COMMITTEE MEETINGS UPDATES:

None

15. ANNOUNCEMENTS FROM THE SUPERVISORS:

Clinton reported on upcoming meetings with Aging Resources and Juvenile Detention. Chitty thanked everyone for their assistance.

16. Closed Session Per Code Of Iowa §21.5(1)(C), To Discuss Strategies With Council In Matters That Are Presently In Litigation Or Litigation Is Imminent, Where Its Disclosure Would Be Likely To Prejudice Or Disadvantage The Position Of The Governmental Body In That Litigation – Story County Attorney Stephen Holmes And First Assistant Attorney Jessica Reynolds

First Assistant County Attorney Jessica Reynolds reported on the relevant Code provisions to convene a closed session. Clinton moved, Chitty seconded to adjourn for closed session at 11:32 a.m. Roll call vote. (MCU)

The Board reconvened in open session at 12:07 p.m. Clinton moved, Chitty seconded to approve the recommendation of the County Attorney's Office to hire outside counsel to avoid any perception of bias or conflict.

17. ADJOURNMENT:

Chitty moved, Clinton seconded to adjourn at 12:09 p.m. Roll call vote. (MCU)