

May 18, 2015

Twenty-first Day

The Worth County Board of Supervisors met pursuant to adjournment with Ken Abrams and Dave Haugen and Merlin Bartz present.

Unless otherwise indicated, all of the following **motions** offered at this meeting were carried with the following vote: Ayes: Haugen, Bartz and Abrams. Nays: none. Abstentions: none. Absent: none

Motion by Haugen, second by Bartz, carried to approve the May 11, 2015 board minutes.

Motion by Bartz, second by Haugen, carried to move #14. Denny Bartz – Public Health Building to #5 on the agenda.

Motion by Bartz, second by Haugen, carried to approve changing the date of the Public Hearing for DD-21 West Main from June 8, 2015 to June 15, 2015 at 10:00 A.M.

Motion by Bartz, second by Haugen, carried to approve scheduling the Public Hearing for DD 46, Lat 9 for June 22, 2015 at 10:00 A.M.

Motion by Bartz, second by Haugen, carried to approve a bid by Karr Tuckpointing in the amount of \$15,898.00 for repairs to the sheriff's section of the courthouse building with funds coming from the FY2015 Capital Projects budget.

Motion by Bartz, second by Haugen, carried to approve Homestead and Military Disallowances as presented by Jody Jones, Assessor.

Motion by Bartz, second by Haugen, carried to approve RESOLUTION #05.18.2015.

RESOLUTION #05.18.2015

Whereas, the Des Moines Waterworks has filed suit under the Clean Water Act against drainage districts in Buena Vista, Calhoun and Sac Counties, and;

Whereas, the suit would seek to regulate agricultural practices which are currently exempt from regulation under the Clean Water Act, and;

Whereas, the suit, if successful would impose regulatory burdens upon drainage districts and the landowners in those districts, and;

Whereas, the suit, if successful, would require drainage district trustees to exercise powers that are not legally available to them under existing state law, and;

Whereas, the suit would irreparably harm drainage rights, operations and row crop production in this county, and;

Whereas, it is recognized that the suit, while filed against a small number of districts would, if successful, be applicable to all districts in Iowa and in other states, and;

Whereas, it is recognized that a strong legal defense must be made against the lawsuit, and;

Whereas, it would be in the best interests of Iowa counties to directly support the legal defense of the drainage districts in Buena Vista, Calhoun and Sac Counties and to have the Iowa Drainage District Association participate in the case if requested by Belin McCormick Law Firm, the attorneys retained by Buena Vista, Calhoun and Sac Counties, in order to represent the interests of all drainage districts in Iowa.

Now, therefore be it resolved that the Worth County Board of Supervisors pledges financial support to help fund the legal defense of the drainage districts in Buena Vista, Calhoun and Sac Counties; and it is understood that IDDA will disperse said monies as approved by the Defense Fund Committee as agreed to by the counties and IDDA.

Now, therefore be it further resolved that the financial support will be in the amount of \$5,000/year for three* years payable to the IDDA litigation fund for the legal defense of the drainage districts in Buena Vista, Calhoun and Sac Counties. If the lawsuit is resolved in a prompt fashion and the second or third years of the financial support is not necessary, the IDDA board will notify the county that the additional financial support is not necessary.

***Payments for years two and three are contingent on annual review by the Worth County Board of Supervisors and subject to annual approval.**

Dated this 18th day of May, 2015.

Worth County Board of Supervisors
Kenneth J. Abrams, Chairman of the Board

Motion by Haugen, second by Bartz, carried to approve Resolution 05.18.2015A.

RESOLUTION 05.18.2015A TO AMEND AND RESTATE THE ELECTRONIC TRANSACTIONS CLEARINGHOUSE 28E AGREEMENT

WHEREAS, Section 10 of the Electronic Transactions Clearinghouse 28E Agreement provides for amendment of the 28E Agreement by resolution of the ISAC Board of Directors, if the amendment is then submitted to a vote of the individual members counties; and

WHEREAS, the 28E Agreement should be amended to provide more flexibility and reflect the broader activities of the 28E entity, including: changing the entity's name to Iowa Counties Technology Services; removing the cap on the number of members of the Advisory Committee; allowing for a fee schedule; and allowing the option to have MHDS Regions and other non-county entities as members.

NOW, THEREFORE, BE IT RESOLVED by the Worth County Board of Supervisors that the Amended and Restated Electronic Transactions Clearinghouse 28E Agreement is hereby approved.

Approved by the Worth County Board of Supervisors on May 18, 2015.
Kenneth J. Abrams, Board Chair; Jacki A. Backhaus, County Auditor

Motion by Haugen, second by Bartz, carried to approve the sheriff's monthly report with the condition that the Board requests to see an itemization of the miscellaneous line item in future reports.

Motion by Haugen, second by Bartz, carried to approve the drainage assessments: DD 1 for \$5,600; DD 2/Main for \$1,000; DD 2/Jensen Lat Main for \$9,000; DD 3 Main for \$2,226; DD4 /Lat 1 for \$5,122; DD 6/Lat 3 for \$13,604; DD 7/Main for \$2,100; DD 7/Lat 7 for \$20,515; DD 8 for \$16,000; DD 11/Main A for \$1,000; DD 11/Main D for \$1,542; DD 11/Main F for \$1,000; DD 11/Lat 58 for \$6,000; DD 11/Lat 67-35 for \$56,000; DD 13/Open Main for \$1,283; DD 13/Lat 3 Ditch for \$1,800; DD 17/Lat 2H for \$1,400; DD 17/Lat 5 for \$15,719; DD 18 for \$3,565; DD 19/Main for \$5,200; DD 21/West Main for \$37,500; DD 23/Main for \$46,000; DD 30 for \$10,200; DD 327/Lat 8 for \$1,245; DD 46/Main for \$8,300; DD 46/Lat 7 for \$1,700; DD 46/Lat 9 for \$11,200; DD 46/Lat 14 for \$12,400; DD 54 for \$1,600.

Motion by Bartz, second by Haugen, carried to approve fireworks permit for Andrew Stowell at 4720 Jonquil Avenue, Northwood after dusk on May 22, May 23, May 24 or May 25, weather permitting.

Bids for lawn mowing at the Waste Water Site were presented by Chris Maiers. Hovey Lawn & Garden proposed \$200/time and Lawns Plus proposed \$50/time. Motion by Bartz, second by Haugen, carried to accept low bid by Lawns Plus for \$50/time.

The following claim was approved:

Reserve Account – Postage/AUD - \$1,500.00

Motion by Haugen, second by Bartz, carried to adjourn at 11:06 A.M. The next meeting of the Board of Supervisors will be Tuesday, May 26, 2015 at 9:00 A.M.

Jacki A. Backhaus, Auditor

Kenneth J. Abrams, Chairperson