

## **PROCEEDINGS OF THE BOARD OF SUPERVISORS OF MITCHELL COUNTY, IOWA**

Tuesday, September 22, 2009

The Board of Supervisors convened at 8:35 a.m. with all members present. Also present were Charlie Pajer and David Namanny (Media). Motion by Voaklander, second by Walk to include approving payment of invoices for the Carpenter Wastewater project and to approve the amended agenda. All voted aye.

At 8:45 a.m. the Chair opened the public hearing to consider Mitchell County Ordinance No. 41, an ordinance to protect Mitchell County hard surface roads. Members of the public present were: Leo Meitner, Leroy Zimmerman, Daniel Zimmerman, Rodney Koch, Mervin Leid, Jonas Z. Leid, Peter Nolt, County Engineer Jim Hyde, Assistant County Engineer Rich Brumm, Sheriff Deputy Greg Beaver and County Attorney Mark Walk. To be noted that there were no written comments received prior to the hearing. The meaning of Section 4 of the ordinance referring to hard surface roads, but not limited to was questioned. The County Attorney stated that this was legal language. It was stated that there would be no prosecution of anyone traveling on granular surfaced roads with steel wheels. The County Engineer stated that he had received calls from the public with concerns of steel wheeled tractors being operated on the new concrete roads. Upon inspection he found that there were marks on the road. Also, glass beads in the paint on the surface of the road had been fractured shortly after the center lines had been painted. Supervisor Walk stated that the people of this county want good roads and that they want to preserve the integrity of the new road surfaces. After further discussion, the public hearing was closed at 9:17 a.m.

Motion by Walk, second by Voaklander to waive the first and second readings of Ordinance No. 41. Roll call vote: all ayes.

Motion by Voaklander, second by Walk to approve the final reading of Ordinance No. 41, an ordinance to protect Mitchell County hard surface roads. Roll call vote: all ayes. Ordinance No. 41 will become effective upon publication.

County Engineer Jim Hyde and Assistant Engineer Rich Brumm reviewed five bids for the Halvorson Park Bridge. The low bid of \$1,249,778.40 was turned in by Henkel Construction. Motion by Walk, second by Voaklander to approve awarding Contract #BRS-C066(50)--60-66 to Henkel Construction Company with a April 5, 2010 start date and a 125 working day completion. Roll call vote: all ayes. Jim reported that the Roads department had received three bids for installation of culverts for the Otter Creek Bridge on Dancer Avenue. The low bid of \$23,450.00 was turned in by Meek Excavating. Motion by Voaklander, second by Walk to approve awarding the contract to Meek Excavating. Roll call vote: all ayes. Jim stated that the road groomer is here and in operation.

Motion by Voaklander, second by Walk to approve the minutes of the September 15<sup>th</sup> meeting. Roll call vote: all ayes.

Motion by Walk, second by Voaklander to approve the claims. Roll call vote: all ayes.

Motion by Voaklander, second by Walk to approve a Liquor License and Class "B" Beer Permit for the Osage Bowl and Crossover Restaurant. Roll call vote: all ayes.

Items of note: Walk reported on the RC& D meeting and Voaklander reported on the Prairie Ridge meeting.

Motion by Walk, second by Voaklander to approve pay application #5 to the Ellingson Companies for \$23,142.20 and pay application #2 to R & R Excavating for \$96,660.71 for the Carpenter Wastewater Improvement project. Roll call vote: all ayes.

Meeting adjourned at 10:17 a.m.

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Lowell Tesch - Mitchell County Auditor

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Bob Marreel – Chair Board of Supervisors