

PROCEEDINGS OF THE BOARD OF SUPERVISORS OF MITCHELL COUNTY, IOWA

Tuesday, February 7, 2012

The Board of Supervisors convened at 8:30 a.m. with all members present. Also present were many members of the public. Media present were Jim Cross, Jean Simmit and Channel TV 3 News. Motion by Voaklander, second by Walk to include discussion on the Fire Marshall report and update on the FY 2013 County budget and to approve the amended agenda. All voted aye.

A resolution allowing the Counties of Grundy and Tama to join the 28E Intergovernmental Agreement for Mental Health and Disability Service Network called County Social Services was reviewed. Motion by Voaklander, second by Walk to approve Resolution #817-12 allowing Grundy and Tama Counties to join the County Social Services consortium pending a review by County Attorney Walk. Roll call vote: all ayes.

County Attorney Mark Walk reported on the Iowa Supreme Court ruling on the Mitchell County road protection ordinance. He stated that numerous items were addressed. This decision was regarding Ordinance #41 which was more restrictive. The County amended this ordinance in 2010. The new ordinance is now Ordinance #44. Steel wheeled tractors can now travel on paved roads as long as they don't violate the ordinance. County Attorney said that the County will charge violators under Ordinance #44 and the State Law. If the new ordinance is challenged, the Department of Transportation Engineers will be called in for another opinion. The consensus of the Board is to protect the county roads. Appealing the decision of the Iowa Supreme Court was discussed. County Attorney stated that chances are slim that the US Supreme Court would hear the case. Motion by Walk, second by Voaklander to not pursue the constitutionality. Roll call vote: all ayes.

A recent report from the State Fire Marshall was discussed. County Attorney stated that this is a public document and should be released to the press.

County Engineer Rich Brumm reported that two bridges in the County have been closed due to failed inspections done by WHKS bridge inspectors. One bridge is on Windfall Avenue east of McIntire and the other is on Primrose Avenue north of 490th Street. Rich stated that at a later date the county will be receiving a 100 mile paving award. A utility light has been installed at the intersection of Walnut Avenue and Hwy 9. Other utility lights are being considered at the intersection of Walnut Avenue and 430th Street and for the parking area at Hwy 9 and Foothill Avenue.

Motion by Voaklander, second by Walk to approve the minutes of the January 31st meeting. Roll call vote: all ayes.

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

Items of note: Marreel reported on the NIVC Board meeting. A manure management plan update from Kuper Hog

Site #2 LLC was received. Effective January 29, 2012, Lanicka Decker completed her med manager class and received a wage increase to \$11.00 per hour. Effective January 30, 2012, Cheryl Huebner was hired as a FT-40 employee at the County Care Facility and her rate of pay is \$16.00 per hour.

Deputy Auditor Barb Baldwin reported on the Mental Health/Disability Levy for the FY 2013. The State of Iowa plans to cut \$7 Million of funding to the MH/D department. Mitchell County would lose \$31,000. Mitchell County's current levy is \$1.139 per \$1,000 of valuation. There is consideration on having all Iowa counties levy at the same tax rate.

Meeting adjourned at 10:45 a.m.

Lowell Tesch - Mitchell County Auditor

Bob Marreel – Chair Board of Supervisors