

PROCEEDINGS OF THE BOARD OF SUPERVISORS OF MITCHELL COUNTY, IOWA

Tuesday, May 28, 2024

The Board of Supervisors convened at 8:30 a.m. with all members present. Also, present were Tom rolfes, Jerry Reshetar, Amanda Baer, Keith Pitzen, Jenny Backer, Allen Vayra, Cathy Penney, Aaron Murphy, Ryan Stephen, and Rich Brumm. The meeting was made available by video via "Go to Meeting". Motion by Wherry, second by Frein to approve the agenda. All voted aye.

Motion by Wherry, second by Hartogh to approve the minutes of the May 21st meetings and claims. Supervisor Mayer and Supervisor Hendrickson approve all claims except one for PlanScape Partners. Roll call vote: all voted aye.

County Attorney Murphy sent an email last week regarding the wind ordinance. Murphy can send the draft of the ordinance to the Board. Murphy believes the ordinance reads fine, but the county in which Mitchell County based their ordinance on, is in litigation right now. Supervisor Mayer stated the wind company is vested because they have been paying landowners. Supervisor Wherry said the Board developed a moratorium letting the wind company know an ordinance is coming. Amanda Baer discussed the setback distances are what the wind company requested. Baer and Murphy have a meeting tomorrow with the wind company to review the ordinance. Baer's recommendation was to hold off on sending the Board the ordinance draft in case Baer must rework things. Baer suggested the commission is trying to work with the wind company to avoid lawsuits.

County Sheriff Beaver was not available.

There was no department head discussion.

County Engineer Rich Brumm said Secondary Roads will use their floating holiday on July 5, 2024. Brumm explained what insurance will be covering on the salt shed. Supervisor Mayer asked about the potholes on South Elliott Street in Mitchell. Engineer Brumm is purchasing a 6-way dozer blade for their skid loader. Motion by Wherry, second by Frein to approve Statement of Completion and Final Acceptance of Work for STP-S-C066(84) - - 5E-66. Roll call vote: all voted aye.

Supervisor Hendrickson provided requested details on the increasing the liability amount. Hendrickson explained that employees are covered under workmen's comp, Public Health employees are covered under their personal vehicle insurance, and if a non-employee is hurt in a company vehicle, they are insured up to \$75,000. Motion by Mayer to approve increasing the liability insurance to \$7 million. Motion died for a lack of a second.

Supervisor Wherry stated the HVAC Pay Request Application #24 was in the claims for this morning. Wherry likes to provide this information ahead of a claim session, but this time, he was not able to as it was not received in time.

Osage Co-Op is adding to the dry fertilizer plant. They are running into the issue of not having enough space. Osage Co-Op is requesting an 80% rebate for 10 years. Supervisor Wherry asked where the not to exceed amount comes from, Jenny Backer suggested John Danos or Ahlers Cooney to complete the paperwork. Motion by Wherry, second by Hartogh to approve Osage COOP Elevator TIF proposal and Jenny Backer to contact John Danos. Roll call vote: Hartogh, Frein, Wherry, Mayer ayes, Hendrickson abstained as he does work with them.

Motion by Mayer, second by Hartogh to approve Construction Loan Program for Sam & Cylea Heimer for \$20,000. Roll call vote: all voted aye.

Motion by Hartogh, second by Frein to approve In-Fill Lot Application for Dawson Ring for \$8,075. Roll call vote: all voted aye.

Motion by Mayer, second by Wherry to approve the payment in lieu of taxes waiver request. Roll call vote: all voted aye.

Hartogh reported on Conservation, Mayer reported on North Iowa Community Action, and Central Iowa Juvenile Detention, Hendrickson reported on County Social Services, and Heartland Insurance, and Frein reported on FMC-Early Childhood, and Mitchell County Economic Development Commission. Wherry had nothing to report. Received the Clerk of Court Report for April in the amount of \$2,256.46. Received manure management plan updates from Mark Patterson, Ruehlow 1 LLC, and Ruehlow 3 LLC. To be noted that \$763,023 is to be transferred from Rural Basic Fund to Secondary Roads Fund. To be noted that \$30,000 is to be transferred from General Basic Fund to Conservation Land Acquisition Trust Fund. There were no public comments.

Hendrickson adjourned the meeting at 9:26 a.m.

Rachel Foster – Mitchell County Auditor

Mark Hendrickson – Chair Board of Supervisors