

**PROCEEDINGS OF THE WASHINGTON COUNTY BOARD OF SUPERVISORS MEETING
TUESDAY, MARCH 21, 2017**

Chairperson Richard Young called the meeting to order at 9:30 a.m. in the Courthouse chambers in regular session. Items on the agenda were: public hearing regarding animal confinement feeding operation identified as Louis Miksch & 3M's LLC, Section 11, Marion Township; acknowledgment of confinement feeding operation identified as Louis Miksch & 3M's LLC, Section 11, Marion Township; discussion and possible action regarding Health Insurance Portability and Accountability Act (HIPAA) compliance; approval of Iowa DOT Federal-Aid Agreement for BROS-C092(74)--5F-92 (275th St bridge replacement project west of Hoot Owl Hollow); acknowledgement of county road painting quotes; discussion and possible action regarding enforcement of obstructions in Washington County road right-of-way; Washington County Recycling update; Resolution 17-13 regarding Washington County Riverboat Grant application from Washington County Conservation. Supervisors Stan Stoops, Bob Yoder, and Abe Miller were present. Supervisor Jack Seward was absent.

Others attending were: Xiomara Levens, Washington Evening Journal; Mary Zielinski, Kalona News; Sally Hart, KCII Radio; Jacob Thorius, County Engineer; Danielle Pettit-Majewski, County Public Health Director; Jeff Garrett, County Treasurer; Jared Schneider and Shawn Ellingson, County Sheriff's Office; Steve Anderson, County Conservation Director; Cyndie Sinn, County IT/Budget Director; Lynn Whaley, WEMIGA Waste Systems; Amber Williams, Board of Supervisors Administrative Assistant; and citizens Bette Brant, Les Zickefoose, Bill Miller, Karyl Miller, Jason Litwiller, Francis Litwiller, and Tom Duwa.

All motions were passed unanimously by those supervisors in attendance unless noted otherwise.

On motion by Stoops, seconded by Yoder, the Board voted to approve the agenda as published.

On motion by Miller, seconded by Yoder, the Board voted to open a public hearing regarding expansion of an existing animal confinement feeding operation identified as Louis Miksch & 3M's LLC, Section 11, Marion Township, 2449 275th Street, Washington, Iowa. Upon completion of the planned expansion, the revised animal unit capacity will be 1,984, or 4,960 head. Auditor Dan Widmer confirmed that notice of the public hearing had been properly published and he added that the Auditor's office had received no public comment. There were no comments from those assembled. On motion by Miller, seconded by Yoder, the Board voted to close the public hearing.

On motion by Miller, seconded by Stoops, the Board voted to acknowledge the expansion of a confinement feeding operation owned by Louis Miksch & 3M's LLC, Section 11, Marion Township, 2449 275th Street, Washington, Iowa.

The Board did not discuss nor take action regarding Washington County compliance with the Health Insurance Portability and Accountability (HIPAA) Act.

County Engineer Jacob Thorius presented a proposed agreement between Washington County and the Iowa Department of Transportation for the purpose of financing transportation improvement projects on streets and highways in Iowa with Federal Surface Transportation Block Grant funds. Specifically, the proposed agreement relates to an estimated \$1 million project that would result in the replacement of a bridge located on 275th street west of Hoot Owl Hollow. Thorius stated the bridge, in its current condition, carries a weight limit which often results in citizens having to utilize a 10 mile detour. Thorius expects the project to take place next year. The portion of the eligible project costs reimbursed by way of federal funds is limited to 80% of eligible costs with the County responsible for paying for all projects costs not reimbursed with federal funds. Such unreimbursed costs include, but are not limited to, administrative, monitoring, and fees associated with bonds or loans. On motion by Miller, seconded by Stoops, the Board voted to approve the bridge replacement project as presented for 275th Street west of Hoot Owl Hollow.

Thorius informed the Board that four quotes had been received for routine road centerline painting as follows.

Vogel Traffic Services, Orange City, IA bid \$13.75 per gallon.
Kamline Highway Markings, Gilbert, IA bid \$13.90 per gallon.
Iowa Plains Signing, Inc., Slater, IA bid \$14.08 per gallon.
LL Pelling Inc., Cedar Rapids, IA bid \$16.00 per gallon.

In answer to a question from Miller, Thorius stated the price per gallon includes all costs, including materials and labor, and added that the paint included in each quote meets Department of Transportation specifications. It is estimated that approximately 2,500 gallons of paint will be used with a gallon covering approximately 343.7 feet. Based on the low quote positive experience with Vogel over the past 10 years, Thorius recommended the supervisors approve the quote from Vogel. On motion by Yoder, seconded by Stoops, the Board voted to approve the bid of \$13.75 per gallon received from Vogel Traffic Services, Orange City, IA for routine road centerline painting.

The Board took up discussion of enforcement concerning County right-of-way obstruction specifically with regard to a situation whereby two separate individuals own land along a dead end road. According to Miller, one of the landowners does not want the road vacated while the other landowner is indifferent. Also, as has been the case for a number of years, the two individuals are the only ones who use the road. Thorius stated that vehicles, including semi-trailers, are often parked on the road which in turns creates difficulty in grading and maintaining the road. Thorius encouraged the Board to make a decision whether to enforce the road right-of-way. Miller suggested that priority instead be given to other County road concerns which he deemed as more important than enforcement of the County right-of-way on a dead end road. In response, Thorius stated that a letter to an individual in violation of the County right-of-way requires minimal effort and again encouraged the Board to make a decision on the matter at hand. Discussion ensued regarding enforcement of the County right-of-way. When questioned by Stoops as to whether the portion of road currently under discussion could be vacated, Thorius replied that Iowa Code calls for the Board of Supervisors to make the ultimate

decision as to whether a County road is vacated. Thorius also advised that damages may be payable if road vacation results in real estate becoming land locked. While discussion continued, the Board ultimately took no formal action.

Lynn Whaley, of WEMIGA Waste Systems, briefed the Board on activity at the Washington County Recycling Center for the month of February 2017. For the month, the facility processed 65.09 landfill tons, 26.14 recyclables tons, 29 appliances, 52 televisions and other electronic devices, no tires, and four gallons of used oil. Whaley explained that while presently ashes are not being accepted, he was still investigating the possibility of obtaining a separate container for the disposal of ashes. Whaley also informed the Board that he was pursuing repair of fencing that was damaged by recent high winds. The Board took no formal action.

On motion by, seconded by, the Board voted by way of roll call vote to approve Resolution 17-13 as follows and to authorize the Chairperson to sign Resolution 17-13 on behalf of the Board.

RESOLUTION 17-13

A RESOLUTION OF THE BOARD OF SUPERVISORS OF WASHINGTON COUNTY, IOWA, ACKNOWLEDGING THE APPLICATION FOR THE PURPOSE OF RECEIVING BENEFITS FROM THE WASHINGTON COUNTY RIVERBOAT FOUNDATION.

WHEREAS, the Washington County Riverboat Foundation has grant funds available that target Community Development and Beautification, Economic Development, Art and Education, Human and Social Needs, and

WHEREAS, the Washington County Riverboat Foundation has a grant application cycle that ends April 5, 2017, and

WHEREAS, the Washington County Board of Supervisors is supportive of these targets for improvements to the community and County, and

WHEREAS, one or more applications from Washington County and/or from organizations with projects that will take place on County property, will be submitted to the Washington County Riverboat Foundation by the April 5, 2017 deadline,

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Washington County, Iowa, that Washington County acknowledges the following grant application will be submitted to the Washington County Riverboat Foundation for the April 5, 2017 application cycle:

landscaping of Willow Pond and Kewash Nature Trail

At 10:10 a.m. on motion by Stoops, seconded by Yoder, the Board voted to adjourn.

ATTEST:

MARCH 21, 2017

RICHARD L. YOUNG
Chairperson, Board of Supervisors

DANIEL L. WIDMER
County Auditor