

Supervisors Room, Courthouse
Pocahontas, Iowa
August 21, 2018

The Board of Supervisors of Pocahontas County, Iowa, met in regular session pursuant to adjournment.

Members present: Chairman, Jeffrey Ives; Supervisors, Clarence Siepker, Louis Stauter, Ed Dewey, and JoAnn Peters; and Auditor, Kelly Jepsen.

The minutes of August 14, 2018 were approved as presented on motion by Dewey, seconded by Peters. Ayes all, motion carried.

It was moved by Stauter, seconded by Siepker, to approve the tentative agenda with striking Ann Beneke, Attorney for the City of Laurens, Parcel 01-22-357-005. Ayes all, motion carried.

Russ Jergens, Zoning Administrator, explained that the Board of Adjustments met on Monday, August 13, 2018, and approved both the variance and the special use Permit for Mid-American's repowering project. It was moved by Dewey, seconded by Siepker, to acknowledge the action of the Pocahontas County Board of Adjustments. Ayes all, motion carried.

Brady Evans & Matt Caldwell, from Mid-American, detailed their repowering project and presented an agreement that stipulates that Mid-American will repair roads and drainage tiles that they damage while working on the repowering project. The Board will review the agreement and take action next week.

It was moved by Peters, seconded by Dewey, to acknowledge receipt of Manure Management Plans: (1) Hog Guy Farms LLC-Kim's Site – ID# 61834 located in the SW SW, Sec. 20 Cedar Township with John Esler as owner & contact person. Ayes all, motion carried.

It was moved by Stauter, seconded by Dewey, to accept the resignation of April Wadle, full time nurse, effective August 24, 2018 and thank her for her service. Ayes all, motion carried.

It was moved by Peters, seconded by Siepker, to approve payment to Hudson Law Firm for legal services on Jt. DD 35-37 and Jt. DD 173-67 in the amount of \$60.00 each. Ayes all, motion carried.

It was moved by Stauter, seconded by Dewey, to approve the Recorder's July Report of Fees Collected. Ayes all, motion carried.

The Iowa DNR has made a preliminary determination that Intern Farms, LLC has met the legal criteria to be issued a construction permit. It was moved by Siepker, seconded by Peters, to sign the waiver letter and adopt the following resolution. The chairman called the question with the following recorded vote: Ayes – Siepker, Peters, Ives, Stauter, Dewey; Nays-none. Whereby the Chairman declared the resolution duly adopted to-wit:

RESOLUTION 2018-08-#20

APPROVAL OF WAIVER OF POCAHONTAS COUNTY'S RIGHT TO APPEAL ISSUANCE OF FINAL CONSTRUCTION PERMIT FOR THE CONSTRUCTION OF CONFINED ANIMAL FEEDING OPERATION BY THE IOWA DEPARTMENT OF NATURAL RESOURCES.

BE IT RESOLVED by the Pocahontas County Board of Supervisors as follows:

- Section 1. The Pocahontas County Board of Supervisors has received notice from the Iowa Department of Natural Resources (DNR) that the Delaware Finisher Site has been issued a draft permit for two new 2500 head deep pit swine finisher confinement buildings for a new swine finisher confinement facility.
- Section 2. The Pocahontas County Board of Supervisors reviewed the construction permit application and the manure management plan and determined that both appeared to be in compliance with the requirements of the Master Matrix Code Section 459 and Iowa DNR rules and recommended approval of said application on July 24, 2018.
- Section 3. The Pocahontas County Board of Supervisors hereby waives its right to appeal the issuance of the final permit within the fourteen (14) day limit from the time of receipt of notice of the issuance of the draft permit.
- Section 4. The Pocahontas County Board of Supervisors encourages the Iowa DNR to issue the Final Permit immediately upon notification of this waiver.
- Section 5. The Pocahontas County Board of Supervisors authorizes the Board Chairman to notify the Iowa DNR of this waiver.
- Section 6. This resolution shall take effect immediately.

At 11:00 a.m., the Board proceeded to a bid letting for joint sealing. One bid was received. It was from Barga Inc. from Mountain Lake, MN in the amount of \$263,988.77. After discussion, it was moved by Peters, seconded by Dewey, to accept the bid from Barga Inc. in the amount of \$263,988.77 for 24.5 miles of joint sealing. Ayes all, motion carried.

Jack Moellering, County Engineer, did not receive any bids for the pavement markers. He will do another bid letting in the Spring.

Moellering and the Board discussed different road projects and road concerns.

Weekly meetings: Ives– drainage concerns and property inspections; Stauter–Yes Center and drainage concerns; Siepker–Jail committee, drainage concerns and County Social Services concerns; Dewey–Pro-Coop meeting; and Peters–Jail committee and drainage concerns.

There being no further business, the Chairman declared the meeting adjourned.

Jeffrey Ives, Chairman

Kelly Jepsen, Auditor