

Supervisors Room, Courthouse
Pocahontas, IA November 1, 2016

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

Members present: Chairman Jeffrey K. Ives, Clarence Siepker, JoAnn Peters, Louis Stauter, Ed Dewey.

The minutes of October 25, 2016 were approved as presented on motion of Peters, seconded by Siepker. Ayes all, motion carried.

The tentative agenda was approved as amended on motion of Peters, seconded by Dewey to include the posted amendment of October 29, 2016 adding Paul Gruefe, HR to discuss the county attorney appointment and review of Section 19, Des Moines Township CAFO Construction. Ayes all, motion carried.

It was moved by Stauter, seconded by Siepker to approve the liquor license renewal for the Fonda Golf Course. Ayes all, motion carried.

It was moved by Peters, seconded by Stauter to approve the contract and authorize the chairman to sign the Contract for JT. Drainage District NO. 18-42 with Rognes Bros, Inc. for \$1,197,664.00 for construction with a completion date of November 11, 2017. Ayes all, motion carried.

It was moved by Peters, seconded by Siepker to acknowledge receipt of the following Manure Management Plan: (1) STRL Kelsey Staiert facility – ID # 64121 located in Section 5, Colfax Township with Kelsey Staiert as owner and contact person. Ayes all, motion carried.

The board next considered the Powhatan Finisher CAFO Construction located in Section 20, Powhatan Township. Chairman Ives advised there is no new information regarding the location of the second tile for this facility.

The Martin Finisher CAFO Construction permit was approved last week, however there have been complaints from neighbors and the county had to grade mud and manure droppings from the gravel roads traveled from the confinement site to the fields for application. The neighbors have questioned if there are sufficient acres for application and there appears to be manure running to a water source. It is requested the DNR needs to return to reevaluate the site and respond to the concerns being heard. It was moved by Siepker, seconded by Dewey to rescind the motion of last week and now hearing the above complaints request additional review by the DNR. Ayes all, motion carried.

Don Etler, P.E. of Bolton and Menk, Inc telephonically presented two proposals for the televising of two drainage tile systems. Etler advised the D.D. 47, Br F tile near Palmer was requested to be televised by the petitioners and the Fairburn Mutual Drain is a tile system without no documentation. The Pipe Detectives, Inc. of West Fargo, ND and Williams Excavation of Ackley, IA were the two contractors.

Etler noted that Pipe Detectives has some elaborate equipment, however, they come from a distance. Etler notes the tile will be opened up approximately every 1000 feet which will help to determine the grade and the depth at each point. Gary Atherton, Drainage Clerk commented the tile at Palmer is going to be junk why waste the money, Etler notes the televising would be good to have and is what is requested by the petitioners. Williams Excavating provides the lower bid of \$22,560.00 for the two systems and Pipe Detectives bid \$27,604.16. It was moved by Peters, seconded by Stauter to approve the low bid of Williams Excavation to televise D.D. 47, Br F only. Ayes all, motion carried. Etler notes that Atherton is to call Don for digging up the tile lines and will be the sole discretion of Etler of where to dig.

The board next considered the resolution for the grievance of Brian Larsen. It was moved by Siepker, seconded by Stauter to approve the resolution. The board called the question with the following recorded vote: Ayes – Siepker, Peters, Stauter, Dewey, Ives; Nays – none. Whereby the resolution is duly adopted to wit:

RESOLUTION 2016 – 11- #14

Even though there is no finding of a contract violation, in the interest of economics and time, the salary of Sergeant Brian Larson will be set at 85% of the Sheriff's salary less \$250. The Union understands and agrees that this settlement does not set a precedent and cannot be used in any future grievance or proceeding. Sergeant Larson's salary will be retroactive to August 24, 2016. The Union will withdraw the grievance.

Jack Moellering, County Engineer advised he failed to place the bids for the parking lot paving of the Community Services Bldg. on the agenda and he has received no bids. He had three suppliers call for the plans.

Moellering provided a map of the classifications of roads throughout the county. Moellering advised he wants to assure the "no snow removal" roads are appropriately identified. He believes with various changes that have occurred the map and reality do not match. Following discussion it was moved by Stauter, seconded by Peters to table action for two weeks with Moellering to provide an updated map and resolution to correctly identify the snow routes for the county. Ayes all, motion carried.

Don Cirks, Road Superintendent advised they have considered the various options for an attachment to the excavator for the clearing of some trees in the road ditch. It was moved by Stauter, seconded by Dewey to approve the purchase of the forestry attachment at a cost of \$21,500.00 and request the company provide a \$2,000.00 discount to this price. Ayes all, motion carried.

Moellering and Cirks describe an incident over the weekend resulting in a call out of a motor grader operator. There was reported a large amount of mud on the road from a manure hauler. The mud was graded to the side of the road and will need to be removed. Moellering advised if it is a small amount of mud or whatever needs to be removed the county eats the cost, however this was an entire

mile of a large amount of mud and we need to consider billing back to the landowner. Moellering will review the ordinance.

Paul Gruefe, HR Director advised he is here in regard to the recruitment of a county attorney. Gruefe acknowledge there were several applications received. These applications remain confidential. Need to determine if the position should be full or part time. The current workload could require two full time attorneys. Wage options were reviewed. The appointment would be for two years and then the individual would be on the ballot to be elected to the position. Currently you have two board members interviewing with the county attorneys. The full board will make the final determination.

Supervisor's weekly reports: Ives attended the MIDAS board meeting. Peters attended the MIDAS board meeting, County Solid Waste Commission and Economic Development as well as sat in on interviews. Siepker attended the UDMO and CSS board meetings and interviews for county attorney. Dewey had interviews and CAFO concerns. Stauter attended the YES Center and CFR board meetings.

There being no further business the board adjourned on motion of Siepker, seconded by Peters.

Jeffrey K. Ives, Chairman

Margene A. Bunda, County Auditor