

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., January 2, 2009 with the following members present: Boedeker, Deerberg, Moeller, Bell and Weih.

The Board recited the Pledge of Allegiance.

Sup. Weih turned the meeting over to Auditor Gritton. Auditor Gritton called the meeting to order and asked for a secret ballot for the position of Chairperson. By the results of the balloting, Auditor Gritton determined Sup. Bell is the chairperson for 2009. Chairperson Bell asked for a secret ballot for the position of Chairperson Pro Tem. By the results of the balloting, Chairperson Bell determined that Sup. Boedeker is the Chairperson Pro Tem for 2009.

The Board viewed a Veteran Affairs Commission report for the month ended 12-23-08, submitted by Patty Hamann, Secretary.

The Board viewed an update from the Iowa Tourism Office dated 12-30-08.

The Board acknowledged receipt of correspondence and an ad for the sale of salt, from the City of Mechanicsville.

The Board acknowledged receipt of correspondence from The Tipton Conservative, Sun News and West Branch times requesting that their newspapers be designated as official newspapers for the County for 2009.

The Board acknowledged receipt of Manure Management Plan Annual Updates for Lance Schiele and Samuelson & Son.

The Board acknowledged receipt of correspondence from Sheriff Wethington and Auditor Gritton regarding appointments after the General Election.

The Board acknowledged receipt of correspondence from Connie Knutsen, Director of Medical Examiner Investigations regarding the Examiner's Team for 2009.

The Board acknowledged receipt of correspondence from Law Seminars International regarding a Real Estate Joint Ventures Conference scheduled for February 19 & 20, 2009.

The Board acknowledged receipt of correspondence from Mike Wentzien, Supervisors' Lobbyist regarding TIME21 concerns.

The Board acknowledged receipt of correspondence from the Iowa Department of Economic Development regarding Main Street Iowa Application Workshops scheduled for January 13-15, 2009.

The Board acknowledged receipt of correspondence from Associated Industries of Missouri regarding 2009 seminars.

The Board acknowledged receipt of correspondence from Gail Kuhle of the East Central Intergovernmental Association and Tammy Norman of the Iowa State Association of Counties regarding infrastructure projects and needs.

The Board acknowledged receipt of correspondence from the East Central Intergovernmental Association regarding potential stimulus initiative projects.

The Board noted correspondence from Assessor Lett regarding the hiring of Ali Manson for the Deputy Assessor position at an annual salary of \$38,938.20 effective 1-5-09.

Chairperson Bell made the following Board committee appointments:

BOARD COMMITTEE APPOINTMENTS FOR 2009

Board of Health	-Boedeker, Weih
Co. Decategorization Policy Board	-Moeller, Weih
Community Action of Eastern Iowa	-Deerberg
County Shop	-Deerberg, Boedeker
Consortium	-Boedeker, Bell
Crimestoppers	-Weih, Deerberg
CCEDCO (2 votes)	-Bell, Boedeker, Weih, Moeller, Deerberg
Drainage District	-Moeller, Boedeker
Emergency Management	-Bell, Weih
E911 Service Board	-Bell, Weih
Eastern Iowa Rural Utility Services	-Boedeker
ECIA Board	-Deerberg, Weih
Fair Board	-Moeller, Weih
Highway 30 Coalition	-Deerberg, Moeller
Insurance	-Boedeker, Deerberg
ISTEA/ECICOG	-Boedeker
Law Enforcement Center	-Bell, Deerberg
CEO/Workforce Development	-Boedeker, Bell
MECCA	-Moeller, Bell
MEIMHC Board	-Boedeker
MH Institute Adv.	-Moeller, Bell
MH Advisory Board for the County Management Plan	-Weih, Moeller
R.E.A.P. Comm.	-Moeller
R.C. & D.	-Bell, Weih
River Bend Transit	-Weih, Bell
Safety	-Boedeker
Seventh Judicial	-Moeller, Boedeker
Solid Waste Disposal	-Deerberg
Systems Unlimited	-Deerberg, Boedeker

Moved by Sup. Boedeker seconded by Sup. Deerberg to approve and adopt the following resolution:

RESOLUTION TO AUTHORIZE THE COUNTY ENGINEER TO CLOSE ANY
SECONDARY ROAD FOR THE PURPOSE OF CONSTRUCTION OR ROUTINE
MAINTENANCE PROCEDURES DURING 2009

WHEREAS, the Cedar County Board of Supervisors is concerned about tort liability and traffic safety involved during construction and maintenance on the secondary road system, and

WHEREAS, they are further interested in accommodations for the traveling public, adjacent landowners and related users during construction and maintenance operations.

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Cedar County, meeting in lawful session, on this 2nd day of January, 2009, to temporarily close sections of highways in Cedar County's road system when necessary because of construction, maintenance or natural disaster.

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

Moved by Sup. Weih seconded by Sup. Boedeker to approve and adopt the following resolution:

RESOLUTION
2009

BE IT RESOLVED by the Board of Supervisors of Cedar County, Iowa that Robert D. Fangmann, the County Engineer of Cedar County, Iowa, be and is hereby designated, authorized, and empowered on behalf of the Board of Supervisors of said County to

execute the certification of completion of work and final acceptance thereof in accordance with plans and specifications in connection with all Farm-to-Market and federal or state aid construction projects in this county.

Ayes: Boedeker, Deerberg, Moeller, Weih, Bell

Moved by Sup. Boedeker seconded by Sup. Moeller to appoint the following individuals to the East Central Iowa Council of Governments Region 10 Transportation Committees:

Policy Committee: Dennis Boedeker, Representative

Jon Bell, Alternate

Wayne Deerberg, Alternate

Technical committee: Doug Boldt, Representative

Richard Kordick, Representative

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

Moved by Sup. Boedeker seconded by Sup. Deerberg to name Rick Christensen as the Cedar County Weed Commissioner for 2009 and authorize Chairperson Bell to sign the Certification Form for the Iowa Department of Agriculture and Land Stewardship.

Ayes: Boedeker, Deerberg, Moeller, Weih, Bell

Moved by Sup. Weih seconded by Sup. Moeller to authorize Auditor Gritton to destroy the following documents: Iowa Department of Transportation Farm-to-Market Road Fund Quarterly statements for the period of 1/1/2002 thru 12/31/2002.

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

Moved by Sup. Boedeker seconded by Sup. Moeller to name the following as the official designated newspapers for Cedar County for 2009:

1. West Branch Times
2. The Sun News and Advertiser
3. The Tipton Conservative and Advertiser

Ayes: Boedeker, Deerberg, Moeller, Weih, Bell

Moved by Sup. Weih seconded by Sup. Boedeker to make the following Board of Supervisors' representative appointments for 2009: 1)Sup. Moeller to serve on the Seventh Judicial District Board, with Sup. Boedeker as the alternate; 2) Sup. Weih to serve on the Board of Directors of River Bend Transit, with Sup. Bell as the alternate; 3)Sup. Deerberg as the voting member on the Solid Waste Executive Board; 4)Sup. Boedeker to serve on the Heartland Insurance Board of Trustees, with Sup. Deerberg as the alternate; and 5)Sup. Deerberg to serve on the Highway 30 Coalition, with Sup. Moeller as the alternate.

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

Moved by Sup. Deerberg seconded by Sup. Boedeker to authorize Chairperson Bell to sign a Payment Voucher for the quarter ending 12-31-08 to the Iowa Department of Public Health concerning substance abuse funding.

Ayes: Boedeker, Deerberg, Moeller, Weih, Bell

Moved by Sup. Boedeker seconded by Sup. Weih to leave the following rate structure in place for 2009 for Medical Examiner services in Cedar County:

On scene base fee: \$75.00 per hour (plus mileage per Cedar County allowance.)

Investigative casework (post-scene time): \$40.00/hour

Director fees: \$20.00/hour (Hours consumed maintaining the inner workings of the Cedar County Medical Examiner's Office.)

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

Moved by Sup. Moeller seconded by Sup. Deerberg to approve and adopt the following resolution, authorize Chairperson Bell to sign the same, and designate the Cedar County Environmental Director, Phil La Rue to accept Construction Permit Applications on behalf of the Board:

CONSTRUCTION EVALUATION RESOLUTION

WHEREAS, Iowa Code Section 459.304(3) sets out the procedure if a Board of Supervisors wishes to adopt a “construction evaluation resolution” relating to the construction of a confinement feeding operation structure; and

WHEREAS, only counties that have adopted a construction evaluation resolution can submit to the Department of Natural Resources (DNR) an adopted recommendation to approve or disapprove a construction permit application regarding a proposed confinement feeding operation structure; and

WHEREAS, only counties that have adopted a construction evaluation resolution and submitted an adopted recommendation may contest the DNR’s decision regarding a specific application; and

WHEREAS, by adopting a construction evaluation resolution the Board of Supervisors agrees to evaluate every construction permit application for a proposed confinement feeding operation structure received by the Board of Supervisors between February 1, 2009 and January 31, 2010 and submit an adopted recommendation regarding that application to the DNR; and

WHEREAS, the Board of Supervisors must conduct an evaluation of every construction permit application using the master matrix created in Iowa Code Section 459.305, but the Board’s recommendation to the DNR may be based on the final score on the master matrix or may be based on reasons other than the final score on the master matrix;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF CEDAR COUNTY that the Board of Supervisors hereby adopts this construction evaluation resolution pursuant to Iowa Code Section 459.304(3).

Ayes: Boedeker, Deerberg, Moeller, Weih, Bell

Moved by Sup. Weih seconded by Sup. Moeller to appoint Patrick Ihns to the Veteran Affairs Commission to fill the expired term of Dick Moon. The new term will expire on 12-31-2011.

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

Moved by Sup. Boedeker seconded by Sup. Deerberg to appoint Keith Whitlatch to the Judicial Magistrates’ Commission to fill the expired term of Janice Mather. The new term will expire on 12-31-2014.

Ayes: Boedeker, Deerberg, Moeller, Weih, Bell

Moved by Sup. Weih seconded by Sup. Deerberg to appoint Sup. Dennis Boedeker to the Board of Health for a term that expires on 12-31-2011.

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

Moved by Sup. Moeller seconded by Sup. Boedeker to approve the following appointments for 2009:

BOARDS AND COMMISSIONS 2009

AIRPORT ZONING BOARD-6 yr
Rick Sawyer 12-31-2012
James Rohlf 12-31-2012

BOARD OF HEALTH-3 yr

Dr. Edward Speer 12-31-2010
Dr. Charles Carroll 12-31-2011
Dennis Bodeker 12-31-2011
Pat Powers 12-31-2011
Linda Beck 12-31-2009

MAGISTRATES' COMMISSION-6 yr

Wayne Brown 12-31-2014
Keith Whitlatch 12-31-2014
Phyllis Lenschow 12-31-2014
John Kuehnle
Alan Bohanan

BOARD OF REVIEW – Assessor

Merlin Conrad – Bennett, Iowa
John Dornfeld – Tipton, Iowa
Sue Hall – Tipton, Iowa
Carla Fowler, Secretary

MEDICAL EXAMINER TEAM-1 yr

Keith Krewer, MD-Chief Medical Examiner
Ruth Macke, MD-Deputy Medical Examiner
Erica Peterson, MD-Deputy Medical Examiner
Vladimir Adloff, MD-Deputy Medical Examiner
Jeffrey T. Schowinsky, MD-Dep. Medical Examiner
Lileah Harris, MD-Deputy Medical Examiner
Connie Knutsen-Director,
Medical Examiner Investigations
Dave Askelson, PAC-Medical Examiner Investigator
Mike Dauber-Medical Examiner Investigator

VETERAN AFFAIRS-3 yr

Virgil Kruckenberg 12-31-2010
Patrick Ihns 12-31-2011
John Sauer 12-31-2009
Marlin Hillyer 12-31-2010
Bruce Jeffries 12-31-2009
Patty Hamann, Sec.

CIVIL SERVICE COMMISSION – 6 yr

Lee Beine 8-15-2013 – County Attorney appointment
Wayne Brown 8-17-2009 – Supervisors' appointment
David Ferguson 8-15-2011 – Supervisors' appointment

CONSERVATION BOARD-5 yr

Leon Steinhagen 12-31-2012
Dick Maske 12-31-2013
Marnell Scheeper 12-31-2009
Jean Driscoll 12-31-2010
Wesley Moeller 12-31-2011
Mike Dauber, Executive Director

EASTERN IOWA REGIONAL HOUSING AUTHORITY - 2 yr

Ken Muller 1-7-2010

EASTERN IOWA REGIONAL UTILITY SERVICE SYSTEMS 3 yr

Dennis Boedeker 12-31-2011

ZONING BOARD OF ADJUSTMENT-5 yr

Forest Johnson 12-31-2012
Chuck Hoy 12-31-2012
Bill Lenker 12-31-2013
Claudia Beyer 12-31-2009
Ray Penningroth 12-31-2010

PLANNING & ZONING COMMISSION-3 yr

Joel Brown 12-31-2010
Dave Schuett 12-31-2011
Marty Moylan 12-31-2009
Jody Yutesler 12-31-2010
John Dornfeld 12-31-2011
Julie Schroeder 12-31-2011
Carl Kohrt 12-31-2010

COMPENSATION BOARD

Heather Streffling 6-30-2011 – County Attorney's representative
Nancy Wood 6-30-2009 – Auditor's representative
Carl Kohrt 6-30-2009 – Supervisors' representative
Keith Whitlatch 6-30-2011 – Sheriff's representative
Jerry Grings 6-30-2009 – Supervisors' representative
Paula Shelton Werling 6-30-2009 – Recorder's representative
Courtenay Villhauer 6-30-2011 – Treasurer's representative

Fulwider Agency in the past. Discussion was held. It was the consensus of the Board that the Auditor should contact Judy Funk to ask what the Heartland Insurance Risk Pool could provide. The Auditor left the room and later returned to tell the Board that Judy Funk indicated Arthur J. Gallagher & Co. would broker the policy. They will submit an estimate to the Auditor. This matter will be discussed at the Board's next meeting.

Moved by Sup. Boedeker seconded by Sup. Moeller to approve the Board Minutes of December 29, 2008.

Ayes: Moeller, Deerberg, Boedeker, Weih, Bell

General discussion was held.

The Board prepared the FY09/10 budget for the Board of Supervisors.

Moved by Sup. Boedeker seconded by Sup. Moeller to approve Payroll Checks #134384-#134547 for the period ending 12-27-2008 and to be paid on 1-2-09.

Ayes: Boedeker, Deerberg, Moeller, Weih, Bell

It was noted Handwritten Check #368705 dated 12/30/08 was issued to the Cedar County Treasurer in the amount of \$614.11, for an Administrative Solutions, Inc. flex claims electronic deposit.

It was noted Handwritten Check #368706 dated 12/30/08 was issued to the Cedar County Treasurer in the amount of \$2,560.63, for an Administrative Solutions, Inc. partial self funded claims electronic deposit.

It was noted Handwritten Check #368707 dated 12/30/08 was issued to the Cedar County Treasurer in the amount of \$588.45, for an Administrative Solutions dental claims electronic deposit.

On motion, the Board adjourned at 10:50 A.M., to January 5, 2009.

Cari Gritton, Auditor

Jon E. Bell, Chairperson

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., January 5, 2009 with the following members present: Boedeker, Deerberg, Moeller, Weih and Chairperson Bell.

The Board recited the Pledge of Allegiance.

A public hearing was held at 8:30 a.m. to review/consider the following petition: Jerry Lawrence, 2306 Baker Avenue, West Branch, Iowa (Owner) – Requesting a change in zoning from M-2 Heavy Industrial to R-1 Suburban Residential for the purpose of adjusting a property line boundary 22 feet to create a compliant side yard on property located in Parcel B in the NW ¼, NW ¼, Section 32, T-79N, R-4W, in Springdale Township, consisting of 0.16 acres more or less.

Phil La Rue, Zoning Director and Jerry Lawrence were in attendance. Chairperson Bell read the legal notice. Mr. La Rue noted there are no written or verbal objections on file. The petition was addressed. Discussion was held.

Moved by Sup. Moeller seconded by Sup. Boedeker to approve the petition by Jerry Lawrence, West Branch (Owner), as defined above, and to waive the second hearing scheduled for 1-8-09.

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

The hearing concluded at 8:35 a.m.

Brief discussion was held with Phil La Rue regarding the flood plain area.

Chris Wiebel, Engineering Technician II met with the Board to discuss awarding a bid for the King Avenue bridge project #BROS-C016(73)—8J-16. She reviewed the project and recommended awarding the bid to Jim Schroeder Construction for an amount of \$347,178.84. The percentage of Federal funding will be 80%.

Moved by Sup. Weih seconded by Sup. Moeller to award the bid to Jim Schroeder Construction for project #BROS-C016(73)—8J-16.

Ayes: Boedeker, Deerberg, Moeller, Weih, Bell

Representatives of the County Libraries met with the Board for a FY2009-2010 funding review. Those in attendance were: Vicki Mohr (Lowden), Denise Smith (Tipton), Lily Lau (East Central Library Services), Nick Shimmin (West Branch), Sandi Brunscheen (Clarence), Marilyn Goodman (Stanwood), Marilyn Jackson (Stanwood) and Judy Hartman (Mechanicsville). Documentation was presented. Vicki Mohr addressed the Board. A proposed contract was presented. The funding request is \$80,000, which is a \$10,000 increase. Discussion was held. No decisions were made.

Phil La Rue, Environmental & Zoning Director met with the Board for a FY2009-2010 budget review. He has added funds for a new Assistant position. This individual would do restaurant inspections, etc. La Rue said he needs to be in the office more. The Board of Health has requested that La Rue's work hours be increased to 40/week. La Rue would like to discuss some items at the time of his annual performance review. Discussion was held. Phil La Rue would like to use a Land Evaluation & Site Assessment Program when the County's Geographic Information System is complete. He didn't budget an amount for a third vehicle, if he is allowed to hire an Assistant. Sup. Bell questioned whether a third vehicle would be needed if La Rue is in the office more and since Todd Swick works part-time. Further discussion was held regarding La Rue's request to hire an additional employee and the Board of Health's request that he work 40 hours/week. No decisions were made.

Mary Dorris, Director; Amy Wehde, Deputy Director; and Carolyn Wood, Office Manager of the Cedar County Public Health Department met with the Board for a

FY2009-2010 budget review. The Local Health and Homemaker budgets were reviewed. Discussion was held.

Moved by Sup. Moeller seconded by Sup. Boedeker to approve the Board Minutes of January 2, 2009.

Ayes: Weih, Moeller, Deerberg, Boedeker, Weih

Patty Hamann, General Assistance Director, Veteran Affairs Secretary and H.I.P.A.A. Compliance Officer met with the Board for FY2009-2010 budget reviews. Review and discussion were held.

Sup. Moeller left the meeting at 11:33 a.m.

Auditor Gritton met with the Board to discuss the selection of a Governmental Accounting Standards Board Statement 45 (GASB45) actuarial service provider. Gritton noted the County needs to hire someone to evaluate the post-employment benefits. Dan Lett and Ali Manson entered the room while discussion was in progress. Discussion was held. Gritton asked the Board for their recommendation. Supervisors attending the I.S.A.C. District Supervisors meeting in January will discuss the matter with other County Supervisors.

Dan Lett introduced Ali Manson, the new Deputy Assessor, to the Board.

On motion, the Board adjourned at Noon, to January 8, 2009.

Cari Gritton, Auditor

Jon E. Bell, Chairperson

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., January 8, 2009 with the following members present: Boedeker, Deerberg, Moeller, Weih and Chairperson Bell. Tim Malott observed.

The Board recited the Pledge of Allegiance.

The Board viewed expense and revenue summary reports for the period ending 12-31-08, submitted by Auditor Gritton.

The Board viewed a "County Auditor's Report of Fees Collected" for the quarter ending 12-31-08.

The Board viewed correspondence from Deputy Sheriff Jay Johnson requesting that Cody Wanek be approved to serve as a Reserve Deputy.

The Board viewed a newsletter from Aerial Services, Inc. dated 1-6-09.

The Board viewed a January 2009 GreeNetwork news issue.

The Board viewed a newsletter dated January 8, 2009 from the Iowa Department of Economic Development regarding industry opportunities.

The Board acknowledged receipt of correspondence from Mike Wentzien, Supervisors' Lobbyist regarding January 6th talking points for Legislators.

The Board acknowledged receipt of the minutes of the November 17, 2008 meeting of Volunteer Services of Cedar County.

The Board acknowledged receipt of a copy of correspondence to the Mental Health Advisory Board members regarding services and funding.

The Board acknowledged receipt of correspondence from Auditor Gritton regarding GASB45 providers.

The Board acknowledged receipt of correspondence from Jessica Clinton, Loss Control Representative for Alternative Risk Services regarding scheduled web seminars.

Julie Tischuk, Director of the Cedar County Case Management Department met with the Board to review the FY2009-2010 budget. Connie Fett, Community Services Director/CPC Administrator and Jennifer Boedeker, Case Management Office Manager were in attendance. The budget was reviewed and discussion was held.

Jennifer Boedeker left the room.

Connie Fett, Community Services Director/CPC Administrator reviewed the budgets for Mental Health and the Community Services Office. Review and discussion were held. Fett presented and reviewed budget information. Tim Malott left the room while discussion was in progress. Fett told the Board there's currently not enough funds to pay all of the mental health bills. There are outstanding bills totaling approximately \$166,000. Fett reviewed a revenue comparison report. She recommended that the Board set a time to discuss waiting lists, the budget, etc. Further discussion was held regarding the budget, funding sources, services and possible waiting lists. Sterling Benz entered the room while discussion was in progress. Chairperson Bell told Fett to put together a plan/proposal, and then come back to meet with the Board.

County Attorney Benz asked the Board about their availability for a trial concerning the Alan and Simone Hansen rezoning petition.

Moved by Sup. Moeller seconded by Sup. Deerberg to approve the Board Minutes of January 5, 2009.

Ayes: Bell, Moeller, Deerberg, Boedeker, Weih

Moved by Sup. Weih seconded by Sup. Moeller to approve the request for Cody Wanek to serve as a Reserve Deputy for the Sheriff's Department.

Ayes: Boedeker, Deerberg, Moeller, Weih, Bell

Moved by Sup. Moeller seconded by Sup. Weih to appoint Scott Hobart to the Service Area Advisory Board.

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

Discussion was held regarding the request by the Courthouse Head Custodian to install a janitorial sink in the lower level of the Courthouse. The sink would be placed in the storage room used by Public Health. The Board reviewed a bid proposal from Albaugh P.H.C. Inc. for labor and installation in the amount of \$552.00. The bid does not include the cost of a sink and faucet. Discussion was held.

Moved by Sup. Boedeker seconded by Sup. Moeller to approve the bid proposal by Albaugh P.H.C. Inc. in the amount of \$552.00.

Discussion was held. Bob Klemme, Head Custodian joined the discussion. He told the Board he could purchase a sink and faucet at Menards for around \$68.00.

Ayes: Moeller, Deerberg, Weih, Boedeker, Bell

The Board agreed to allow the purchase of the sink and faucet at Menards.

Sherry Snyder and Sandy Harmel met with the Board to discuss FY2009-2010 funding for the Cedar County Historical Society. They presented and reviewed documentation. Discussion was held. Sterling Benz entered the room while discussion was in progress. A request was made for the same amount of funding as they received in FY2008-2009. No decision was made.

County Attorney Benz told the Board that the trial date concerning the Hansen zoning petition will be June 22nd at 9:00 a.m.

Engineer Fangmann met with the Board to review a Utility Permit Application for Iowa Telecom for service at 2028 300th Street.

Moved by Sup. Moeller seconded by Sup. Weih to approve and authorize Chairperson Bell to sign the Utility Permit Application as requested by Iowa Telecom.

Ayes: Boedeker, Deerberg, Moeller, Weih, Bell

Engineer Fangmann gave project updates. General discussion was held.

Moved by Sup. Moeller seconded by Sup. Deerberg to approve Claim Checks #368708-#368863.

Ayes: Boedeker, Deerberg, Moeller, Bell, Weih

It was noted Handwritten Check #368864 dated 1/8/09 was issued to the Cedar County Treasurer in the amount of \$2,595.85, for an Administrative Solutions, Inc. flex claims electronic deposit.

It was noted Handwritten Check #368865 dated 1/8/09 was issued to the Cedar County Treasurer in the amount of \$747.44, for an Administrative Solutions, Inc. partial self funded claims electronic deposit.

It was noted Handwritten Check #368866 dated 1/8/09 was issued to the Cedar County Treasurer in the amount of \$549.00, for an Administrative Solutions dental claims electronic deposit.

On motion, the Board adjourned at 11:20 A.M., to January 12, 2009.

Cari Gritton, Auditor

Jon E. Bell, Chairperson

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., January 12, 2009 with the following members present: Boedeker, Deerberg, Moeller, Weih and Chairperson Bell.

The Board recited the Pledge of Allegiance.

The Board viewed Legislative news from Patrick Murphy, Speaker of the House.

The Board viewed correspondence from Auditor Gritton regarding a payroll change for Bob Klemme, Courthouse Custodian.

The Board viewed a report of fees collected for December 2008 submitted by the Clerk of the District Court.

The Board acknowledged receipt of an investment report from Treasurer Jedlicka.

The Board acknowledged receipt of correspondence from Steve H. Murdock, Director, United States Department of Commerce regarding the 2010 Census and a request for a list of “emergency and transitional shelters for people experiencing homelessness, soup kitchens, and regularly scheduled mobile food vans”.

Engineer Fangmann met with the Board for a FY2009/2010 budget review for the Secondary Road Department. He has budgeted an amount for G.P.S. equipment. Discussion was held.

Sup. Weih left the room.

The Engineer presented and reviewed a contract and bond with Jim Schroeder Construction concerning a King Avenue bridge replacement project #BROS-C016(73)—8J-16.

Moved by Sup. Boedeker seconded by Sup. Moeller to approve and authorize Chairperson Bell to sign a contract and bond with Jim Schroeder Construction in the amount of \$347,178.84 concerning project #BROS-C016(73)—8J-16.

Ayes: Boedeker, Deerberg, Moeller, Bell

Absent: Weih (out of room)

Paul Greufe, the County’s Human Resources consultant, met with the Board to discuss compensation time payouts to department heads, pre-employment physicals and work screen physicals. Phil La Rue, Environmental & Zoning Director; Engineer Fangmann; Connie Fett, Community Services Director and Patty Hamann, General Assistance Director & Veteran Affairs Secretary were in attendance. Paul Greufe noted that at the current time, a job offer is made contingent on passing a pre-employment physical. The prospective employees are basically receiving a vital signs physical, which Greufe felt is not great. He recommended physicals that focus on the duties of specific positions. Greufe felt that would limit Workers’ Compensation injuries and reduce liabilities. Progressive Rehabilitation is interested in performing these types of physicals. Their charge would be \$50. Greufe’s recommendation is to remove the vital signs physical and have employees go to Progressive Rehabilitation for work screen physicals. He suggested itemizing what positions are to be tested and then talking further with Progressive Rehabilitation. Sup. Boedeker wondered if drug testing should be done. Mr. Greufe noted that subject was brought up at a recent meeting he attended with department heads. He advised that what is in place now is, if there is reasonable suspicion an employee could be tested. Greufe asked what the Board’s thoughts are on requesting that all potential new hires pass a drug screening. He didn’t know what that cost would be. It was noted the Secondary Road employees with a CDL driver’s license are already being randomly tested. Discussion continued. Mr. Greufe noted the options of only requiring potential new hires to pass a drug screening, requiring individuals for more physically demanding positions to have a work screen physical and/or random drug testing of

current employees. In the near future Greufe will be coming back to meet with the Board regarding the options. Further discussion was held. The Board agreed that Greufe should move forward with obtaining information. Discussion was held regarding the possibility of compensation time payouts to department heads. Mr. Greufe noted the Environmental & Zoning Director has a contract. He reviewed the contract with the Board which indicates La Rue is eligible to accumulate compensation time under certain conditions and the time is to be used within the same pay period. La Rue currently has 145.5 hours of compensation time. He believes that about three-fourths of that time is related to the 2008 flood event. Greufe felt this matter opens up the discussion on exempt or non-exempt status. Chairperson Bell felt tasks were assigned to Phil La Rue that are not a normal part of his job duties. He doesn't want to open the County up to paying compensation time to exempt employees per se. Mr. Greufe felt they could compensate for compensation time related to the flood, but they should be consistent. Greufe asked if there has been discussion with Phil, was there a promise to pay and are there others in this same situation? Chairperson Bell noted one former employee was paid due to a contract. Discussion continued. Chairperson Bell again noted that Phil La Rue was told to do some things during the flood event. Greufe asked if the expectation was to compensate him, and was there discussion with anyone else? Chairperson Bell stated it was not discussed. Sup. Moeller indicated other department heads that worked during the flood event were performing duties as they do in their jobs. Further discussion was held. Phil La Rue noted he has to keep using his vacation time also. Paul Greufe told the Board he asked Phil La Rue about his willingness to get rid of his employment contract. La Rue indicated he would be willing to do that. It was noted that if 75% of La Rue's compensation time balance is paid, that would bring his compensation time balance to 46.5 hours. Greufe noted the gross payout amount to La Rue would be approximately \$3,000. He recommended treating everyone fairly. Paul Greufe would like to talk to the Department of Labor about the exempt/non-exempt issue. It is his understanding that department heads are exempt and cannot earn overtime. He suggested this may be the time to clean up any compensation time that department heads have on the books. Other than supervising a certain number of employees, Greufe felt that other criteria for exempt status is when department heads have considerable autonomy and/or if they are the boss. It was the consensus of the Board that Paul Greufe should contact the Department of Labor, meet with department heads that have an employment contract about the possibility of doing away with their contract, try to obtain a more accurate number of hours concerning Phil La Rue's compensation time due to the flood, and then report back to the Board.

Auditor Gritton met with the Board for FY2009-2010 budget reviews for the following: Auditor's office, Nondepartmental, District Court, Substance Abuse, Human Resources, Courthouse and Data Processing. Bob Klemme, Head Custodian was in attendance. The budget for the Courthouse was reviewed. The Auditor has budgeted funds for an additional custodian. She feels that there is not enough time for one custodian to get everything done. During discussion concerning utilities, Mr. Klemme told the Board that the gas for the Courthouse is designated as Industrial Interruptible, and he recommended changing the designation to Residential each summer after the boiler has been turned off. Klemme would also like to reduce the size of the dumpster, which would save money. The Board had no objections. Some other items placed in the budget are: tree trimming and new exterior doors. Discussion was held. Mr. Klemme left the room.

Auditor Gritton reviewed the District Court, Substance Abuse, Human Resources, Auditor's Office and Nondepartmental budgets. Discussion was held. Gritton then presented proposed fund balance information for the Board to review. The Auditor left the room.

Bev Penningroth, Assistant Administrator to the Auditor reviewed the FY2009-2010 Data Processing budget. Discussion was held.

Moved by Sup. Boedeker seconded by Sup. Deerberg to approve the Board Minutes of January 8, 2009.

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

The Board agreed that the Courthouse beverage and snack expenditures and revenues are to be placed in the General Fund.

On motion, the Board adjourned at 11:45 A.M., to January 15, 2009.

Cari Gritton, Auditor

Jon E. Bell, Chairperson

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., January 15, 2009 with the following members present: Boedeker, Moeller, Deerberg and Chairperson Bell. Sup. Weih was absent.

The Board recited the Pledge of Allegiance.

The Board viewed a news update from the Iowa Tourism Office dated 1-13-09.

The Board viewed HPCI & IHBA news from the Iowa Health Buyers Alliance regarding hospitals reporting to the public.

The Board acknowledged receipt of the minutes of the Conservation Board for the months of November & December 2008.

The Board acknowledged receipt of correspondence from U.S. Senator Tom Harkin inviting them to contact his office and wishing them success in the new year.

The Board acknowledged receipt of correspondence from Ron Coe notifying them that he no longer resides in Cedar County.

The Board acknowledged receipt of correspondence from William R. Peterson, Executive Director of the Iowa State Association of Counties regarding an Electronic Transaction Clearinghouse (ETC) 28E Amendment.

The Board acknowledged receipt of correspondence from the City of Stanwood regarding a meeting scheduled for January 23, 2009 to discuss an urban renewal plan amendment and a public hearing on the matter scheduled for February 9, 2009.

The Board acknowledged receipt of a Heartland Insurance Risk Pool First Quarter Safety Packet from Allen Keehler of Alternative Risk Services, LLC.

Chairperson Bell signed a letter to Hunt, Kain & Associates, P.C. regarding the FY07-08 County audit.

The Board reviewed the proposed FY2009-2010 budgets and funding requests. They removed amounts from the Data Processing budget totaling \$5,250 (\$2,550-software and \$2,700-DNR printer) which were requested by the Recorder.

Tim Malott entered the room at 8:52 a.m. to observe.

Auditor Gritton met with the Board, as requested, to discuss the Rural Services projected ending fund balance. Discussion was held.

In other business, Chairperson Bell noted the Assessor has not yet received his FY2009-2010 budget forms from the State. It was suggested that he use the old forms. Auditor Gritton reviewed the bond/liability insurance proposals from Fulwider Agency, Inc. and Arthur J. Gallagher Risk Management Services, Inc. In reference to previous budget discussion, Sup. Boedeker asked the Auditor if she would have a problem with leaving the Head Custodian's hours at 40 rather than 35 and then having the other Custodian's hours set at 30. Gritton indicated she would be willing to try that. Brief discussion was held.

Tim Malott left the room.

Discussion was held regarding the proposals for bond/liability insurance. The proposal from Fulwider Agency for a \$50,000 plus a \$30,000 (Treasurer) limit is \$1,505.00. The proposal from Arthur J. Gallagher Risk Management Services, Inc. for an \$80,000 limit is \$1,149.00.

Moved by Sup. Boedeker seconded by Sup. Moeller to approve the proposal by Arthur J. Gallagher Risk Management Services, Inc. in the amount of \$1,149.00 for bond/liability insurance.

Ayes: Boedeker, Deerberg, Moeller, Bell
Absent: Weih

Moved by Sup. Deerberg seconded by Sup. Boedeker to approve the Board Minutes of January 12, 2009.

Ayes: Moeller, Deerberg, Boedeker, Bell
Absent: Weih

Moved by Sup. Boedeker seconded by Sup. Moeller to approve the following payroll change:

Courthouse

Bob Klemme, Head Custodian, from \$13.55/hr to \$13.90/hr effective 9-13-08.

Ayes: Boedeker, Deerberg, Moeller, Bell
Absent: Weih

The Board continued review of the proposed FY09-10 budgets and funding reviews.

Engineer Fangmann met with the Board to open bids for the Rochester bridge (on County Road F44) debris removal project #EWP-2008-1. Deb Bartels of JJJ Enterprises was in attendance. The following bids were opened and read as follows:

B & J Hauling & Excavating, Inc., Monticello, Iowa	\$47,350.00
Barnhart Custom Services, West Branch, Iowa	\$36,185.00
Dunn Construction, Inc., Bellevue, Iowa	\$38,000.00
J & L Pipeline Services/Dave Anderson, Tipton, Iowa	\$21,858.00
JJJ Enterprises, Lowden, Iowa	\$49,780.00
Rittmer Construction, Inc., DeWitt, Iowa	\$53,000.00
Taylor Construction Inc., New Vienna, Iowa	\$85,443.55
Vieth Construction, Cedar Falls, Iowa	\$189,000.00

Deb Bartels left the meeting. Discussion was held. Engineer Fangmann recommended awarding the bid to J & L Pipeline Services.

Moved by Sup. Boedeker seconded by Sup. Deerberg to award the bid for Project #EWP-2008-1 to J & L Pipeline Services for an amount of \$21,858.00.

Ayes: Moeller, Deerberg, Boedeker, Bell
Absent: Weih

Engineer Fangmann gave snow removal, project and funding updates. Sup. Boedeker again told Fangmann that he would like to see an amount budgeted for G.P.S. equipment for the vehicles, motor graders, etc. The Engineer is not opposed to that, but noted the Secondary Road budget is extremely tight. He noted the budget amount for snow removal for the current year has been used up. The Engineer has budgeted for G.P.S. equipment for the office in the FY09-10 budget. Pricing for each unit for the machines is estimated to be \$2,500 to \$3,000. Sup. Bell suggested starting with the Foremen's vehicles. Sup. Boedeker agreed and also suggested starting with the motor graders.

The Board continued their review of the proposed FY2009-2010 budgets and funding requests. County Attorney Benz met with the Board, as requested, to discuss whether the Board could approve funding contingent on an entity/organization complying with open meeting laws, such as publishing minutes for the public's review. Sup. Boedeker felt that since an organization receives public funds, they should disclose what they're doing with the money. Benz wondered if the open meeting laws would apply to the organization. Discussion was held. Atty. Benz noted he would do some research on the matter. Later during the meeting Benz returned to the Board Room to tell the Board that per the Code of Iowa, Fairs are exempted out of the open meeting requirements.

The Board continued review of proposed budgets and funding requests.

Moved by Sup. Moeller seconded by Sup. Deerberg to approve Payroll Checks #134548 - #134713 for the regular payroll and a lump sum vacation time and sick leave payout to Barb Archer, for the period ending 1-10-09 and to be paid on 1-16-09.

Ayes: Boedeker, Moeller, Deerberg, Bell

Absent: Weih

It was noted Handwritten Check #366867 dated 1/15/09 was issued to the Cedar County Treasurer in the amount of \$1,933.13, for an Administrative Solutions, Inc. flex claims electronic deposit.

It was noted Handwritten Check #368868 dated 1/15/09 was issued to the Cedar County Treasurer in the amount of \$5,144.56, for an Administrative Solutions, Inc. partial self funded claims electronic deposit.

It was noted Handwritten Check #368869 dated 1/15/09 was issued to the Cedar County Treasurer in the amount of \$2,102.10, for an Administrative Solutions dental claims electronic deposit.

On motion, the Board adjourned at 11:33 A.M., to January 19, 2009.

Cari Gritton, Auditor

Jon E. Bell, Chairperson

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., January 19, 2009 with the following members present: Boedeker, Deerberg, Moeller, Weih and Chairperson Bell.

The Board recited the Pledge of Allegiance.

The Board viewed an I.S.A.C. Update dated 1-16-09.

The Board acknowledged receipt of a response to the U.S. Census Bureau from Patricia Hamann, General Assistance Director regarding emergency shelters.

Discussion was held regarding the Emergency Management Association dues. It was recommended at the EMA budget workshop to increase the dues from \$2.00/capita to \$2.50/capita.

Moved by Sup. Weih seconded by Sup. Moeller to set the Emergency Management Association dues at \$2.50/capita effective July 1, 2009.

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

The Board held discussion concerning the requests for FY2009-2010 funding.

Moved by Sup. Weih seconded by Sup. Deerberg to increase the funding by \$5,092.00 (\$4.28/capita) to the Cedar County Economic Development Commission which would set their FY09-10 funding at \$77,840.00.

Ayes: Boedeker, Deerberg, Moeller, Weih, Bell

Moved by Sup. Boedeker seconded by Sup. Weih to increase the funding by \$1,000.00 to the Fair Association which would set their FY09-10 funding at \$33,500.00.

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

Moved by Sup. Boedeker seconded by Sup. Moeller to increase the funding by \$1,000.00 to Senior Citizens, Inc. which would set their FY09-10 funding at \$7,000.00.

Ayes: Boedeker, Deerberg, Moeller, Weih, Bell

Moved by Sup. Weih seconded by Sup. Deerberg to increase the funding by \$1,000.00 to Volunteer Services of Cedar County which would set their FY09-10 funding at \$18,000.00.

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

Moved by Sup. Weih seconded by Sup. Moeller to increase the funding by \$480.00 to River Bend Transit which would set their FY09-10 funding at \$16,471.00.

Discussion was held.

Ayes: Boedeker, Deerberg, Moeller, Weih, Bell

Moved by Sup. Moeller seconded by Sup. Deerberg to increase the funding by \$5,000.00 to the County Libraries which would set their FY09-10 funding at \$75,000.00.

Discussion was held.

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

Moved by Sup. Weih seconded by Sup. Boedeker to set the FY09-10 funding to the Historical Society at \$3,000.00, which is the same as the current year.

Ayes: Boedeker, Deerberg, Moeller, Weih, Bell

Moved by Sup. Boedeker seconded by Sup. Moeller to authorize Chairperson Bell to sign the FY09-10 Contract For Library Services For Cedar County.

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

Recorder Thumm met with the Board to discuss the items she requested to be placed in the FY09-10 Data Processing budget. Deputies Lissa Woolley and Melissa Helmold were in attendance. Recorder Thumm reviewed how Iowa Land Records came into existence and the purchase of equipment utilizing Ecommerce and Recorder's Management funds. She told the Board she would like to purchase the VIEW software to make the document look-up programs more user-friendly. The software makes the programs look more like "Windows" programs. Personnel in the Recorder's Office are not allowed to search for documents for people. Thumm has been told that the cost of the VIEW software has now been reduced to \$1,842 from \$2,550 for six user licenses. There is a \$65/user annual fee each year after the original purchase. Discussion continued. Recorder Thumm reviewed the duties of her office. Reference was made to an amount of \$2,700, that was removed from the Data Processing budget, for a printer that may be required by the D.N. R. Chairperson Bell noted the Board has taken a stand on other budgets that deal with State funds. He felt if it is a State system, then they should take care of the costs. It was noted that a budget amendment could be done for the printer purchase, if necessary. Further discussion was held. Recorder Thumm told the Board she would like to compromise on purchasing the VIEW software. She suggested that she could use funds from the current FY08-09 budget to purchase the software and then budget for the maintenance fee in the FY09-10 budget. The Board agreed to that.

Discussion was held regarding the FY09-10 mileage reimbursement rate.

Moved by Sup. Boedeker seconded by Sup. Moeller to set the FY09-10 mileage reimbursement rate at 42 cents/mile.

Ayes: Boedeker, Deerberg, Moeller, Weih, Bell

Discussion was held regarding the proposed FY09-10 budgets. The Board agreed that they would like to speak to Sheriff Wethington at their next meeting concerning the budget for the Sheriff's Department.

Moved by Sup. Moeller seconded by Sup. Boedeker to approve the Board Minutes of January 15, 2009.

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

Phil Waniorek of Administrative Solutions, Inc. met with the Board to give a FY09-10 health and dental insurance renewal presentation. Those in attendance were: Auditor Gritton, Engineer Fangmann and Assessor Lett. Waniorek distributed and reviewed documentation. The health fund has significantly declined due to a higher than usual volume of claims. Discussion was held regarding various health insurance plan options. Mr. Waniorek recommended Option #2 which has a 5.66% increase. Employees should not notice a difference when utilizing the plan. Engineer Fangmann indicated he has had concerns expressed to him about claims denied because the current plan didn't cover wellness baby care after age six. Mr. Waniorek noted to have certain things covered would increase the premiums. Sup. Bell felt you have to decide whether the cost is worth the benefit, or if the employees should pay for some things themselves to keep costs down. Further discussion was held. When asked how Waniorek would rate Cedar County's plan benefit-wise compared to the cost, Waniorek felt that Cedar County's plan is in the top 10% of those he works with. He noted the Board could perhaps look at doing some wellness things. Mr. Waniorek then reviewed dental insurance information. Discussion was held regarding commissions (50% goes to Bernie Lowe & Associates) and the possibility of making a change so that Phil Waniorek is compensated by going direct to Wellmark Blue Cross Blue Shield. Waniorek would charge \$5/employee/month. Advantages would be that Waniorek could go directly to Wellmark, more access to services and no commission in the rates. Auditor Gritton felt that Phil

Waniorek is doing all of the work. Further discussion was held. Some members felt they should set the rates higher than a 5.66% increase in order to rebuild the health fund. In the future, Phil Waniorek noted some things the Board could consider to increase the fund would be higher co-pays and deductibles.

Sup. Moeller left the meeting.

The Board held discussion concerning the FY09-10 rates. Auditor Gritton was in attendance.

Moved by Sup. Boedeker seconded by Sup. Deerberg to approve the Wellmark Blue Cross Blue Shield Option #2 with a \$3,500 deductible with a 7% increase, authorize Chairperson Bell to sign the documents for the plan and to set the FY09-10 rates as follows:

	Plan Cost	Employer Contribution	Employee Contribution
Single	\$382.40	\$325.04	\$57.36
2-Person	\$731.32	\$621.62	\$109.70
Family	\$1,165.58	\$990.74	\$174.84

Ayes: Weih, Deerberg, Boedeker, Bell

Absent: Moeller

Moved by Sup. Boedeker seconded by Sup. Deerberg to set the FY09-10 dental rates as follows with the Administrative Solutions plan remaining the same:

	Plan Cost	Employer Contribution	Employee Contribution
Single	\$20.55	\$20.55	\$0
2-Person	\$41.08	\$20.55	\$20.53
Family	\$65.98	\$20.55	\$45.43

Ayes: Boedeker, Deerberg, Weih, Bell

Absent: Moeller

Moved by Sup. Boedeker seconded by Sup. Deerberg to approve the Administration Services Proposal and authorize Chairperson Bell to sign the same to allow Phil Waniorek of Administrative Solutions, Inc. to go directly to Wellmark Blue Cross Blue Shield effective 7-1-09.

Ayes: Weih, Deerberg, Boedeker, Bell

Absent: Moeller

Moved by Sup. Boedeker seconded by Sup. Deerberg to approve the new employee safety orientation documentation/procedure as presented by the Safety Committee.

Ayes: Boedeker, Deerberg, Weih, Bell

Absent: Moeller

On motion, the Board adjourned at 11:35 A.M., to January 22, 2009.

Cari Gritton, Auditor

Jon E. Bell, Chairperson

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., January 22, 2009 with the following members present: Boedeker, Deerberg, Moeller, Weih and Chairperson Bell.

The Board recited the Pledge of Allegiance.

The Board viewed a news update from the Iowa Tourism Office dated January 20, 2009.

The Board viewed Legislative News dated 1-16-09 submitted by Patrick Murphy, Speaker of the House.

The Board viewed a report of fees collected for the quarter ending 12-31-08, submitted by Recorder Thumm.

The Board acknowledged receipt of a Manure Management Plan Annual Update for Kevin Kahl.

The Board acknowledged receipt of correspondence from Mike Wentzien, Supervisors' Lobbyist regarding the legislative week of January 19th.

The Board acknowledged receipt of the minutes of the July through October, 2008 meetings of the Cedar County Conservation Board.

The Board acknowledged receipt of correspondence from the Clinton Area Chamber of Commerce regarding a Time-21 Coalition meeting on January 28th.

The Board acknowledged receipt of copies of correspondence from Sheriff Wethington to the Mayors of the Cities of Lowden and Stanwood regarding a FY09-10 cost increase for the law enforcement services provided to those cities.

The Board acknowledged receipt of the 4-25-08 and 12-5-08 minutes of the U.S. Highway 30 Coalition.

The Board noted correspondence from Mary Dorris, Cedar County Public Health regarding payroll changes for Nurses Tonya Weih from \$20.26/hr to \$20.55/hr effective 1-19-09 and Leonna Kline from \$19.99/hr to \$20.26/hr effective 1-12-09.

Julie Tischuk, Case Management Director met with the Board to review a proposed FY07-08 Actual Cost Report amendment. Connie Fett and Joyce Hamiel were in attendance. Iowa Medicaid Enterprise has asked for clarification on wages and supplies. Tischuk explained the items in question and that she moved an expenditure to another line item. She requested approval of the amendment which she felt will explain what was done to I.M.E.

Moved by Sup. Boedeker seconded by Sup. Moeller to approve the FY07-08 Actual Cost Report amendment and authorize Chairperson Bell to sign the same.

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

Connie Fett, CPC Administrator met with the Board to discuss waiting lists for Mental Health services for FY08-09 and FY09-10. Julie Tischuk and Joyce Hamiel, Mental Health Advisory Board member, were in attendance. Connie Fett noted the Mental Health Advisory Board met on January 19th and recommendations were made. She presented and reviewed documentation. The problem with waiting lists now is due to the residency rules change. Fett referenced a request from the Department of Human Services to sign a statement that refers to accrual encumbered dollars. She told the Board that encumbered information would not be known until later. Fett indicated that in April she could figure out the encumbered dollars, and then perhaps they could start waiting lists if it can be demonstrated that we have encumbered all dollars in FY09. Recommendations were reviewed. Some areas of discussion were, but not limited to:

Priority Service Areas I – III, bills to pay, anticipated funding from the State, budget update, budget projections, possible deficits, and an additional option of a waiting list for non-court ordered psychotropic medicines and the Advisory Board's position to not implement that option yet. Connie Fett asked the Board to consider implementing recommendation #1-Reduce the HCBS Waiver slots from the current 59 slots to 56 slots and #4-Providers will not be able to "carry over" unused units of service from month to month (all covered disability groups for hourly SCL and Supported Employment). Joyce Hamiel told the Board she felt Cedar County is in a better situation than many counties due to Connie Fett's planning and our Plan. She felt Fett watches out for the County taxpayers. Fett noted the Advisory Board members had difficult decisions to make.

Moved by Sup. Moeller seconded by Sup. Deerberg to implement recommendations #1 & #4, as recommended by Connie Fett, CPC Administrator.

Ayes: Boedeker, Deerberg, Moeller, Weih, Bell

Sheriff Wethington and Jenni Tholen, Jail Administrator met with the Board to review the proposed FY09-10 budget. They would like to hire another Correctional Officer. There are currently sixteen plus Tholen. It was noted one of the officers has been deployed for active military duty and two others are in the Guard. Wethington and Tholen told the Board there needs to be three Correctional Officers on duty every shift every day, otherwise there's no one to assist during any incident that may arise, which they feel could be a liability for the County. Discussion was held. Sheriff Wethington told the Board where he has cut proposed expenditures. The total of those, including the new health insurance rates, is approximately \$26,400. Discussion continued. The Sheriff reported he will be attending a City of Bennett Council meeting on February 9th to talk to them about paying the County for law enforcement coverage. Wethington has been approached by the City of Clarence also, but it was noted Clarence already employs two individuals for law enforcement duties. The City of Clarence would have to pay the County \$57,000. It costs Cedar County \$88,000 for a Deputy, so Wethington felt the County would be subsidizing a town that could afford the law enforcement officers on their own.

Moved by Sup. Deerberg seconded by Sup. Weih to approve the Board Minutes of January 19, 2009.

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

Phil La Rue, Environmental & Zoning Director met with the Board, as requested, to discuss the proposed FY09-10 budget. Discussion was held regarding La Rue's request for an additional employee. Expenses for the current staff and duties were discussed.

Discussion was held regarding the Compensation Board's recommendation for the FY09-10 salaries of elected officials.

Moved by Sup. Weih seconded by Sup. Boedeker to reduce the compensation Board's recommendation by 60% for the FY09-10 salaries of elected officials.

Discussion was held. Deerberg thought a 3% increase would not be out of line. Bell had a difficult time giving a 3% increase when people are being laid off in the county. Moeller noted employees would be paying more towards health insurance. Weih referenced the requests for additional employees and felt more government is being added, so pretty soon government will be the only decent jobs left. He noted this could be considered as adding to the economy. Weih said he's never in favor of raising a levy to justify wage increases.

Ayes: Moeller, Deerberg, Weih, Boedeker
Nay: Bell

Discussion was held regarding the FY09-10 salaries of non-elected department heads.

Moved by Sup. Moeller seconded by Sup. Deerberg to give a 3% salary increase for FY09-10 to the following non-elected department heads: General Assistance Director & Veteran Affairs Secretary, Environmental & Zoning Director, Community Services Director, Case Management Director, County Engineer and Assistant County Engineer.

Ayes: Weih, Moeller, Deerberg, Boedeker
Nay: Bell

Discussion was held regarding the FY09-10 wages of non-union hourly employees.

Moved by Sup. Moeller seconded by Sup. Boedeker to give a 55cents/hr increase for the FY09-10 wages of non-union hourly employees.

Discussion was held. It was noted the percentage increases would be different depending on an employee's hourly wage.

Ayes: Moeller, Deerberg, Boedeker
Nays: Weih, Bell

Moved by Sup. Boedeker seconded by Sup. Deerberg to appoint Renae Edler to fill a vacancy in the Bankers category on the Eminent Domain Commission.

Ayes: Boedeker, Deerberg, Moeller, Weih, Bell

Moved by Sup. Boedeker seconded by Sup. Moeller to approve Claim Checks #368870 - #369085.

Ayes: Boedeker, Deerberg, Moeller, Weih, Bell

It was noted Handwritten Check #369086 dated 1/22/09 was issued to the Cedar County Treasurer in the amount of \$1,151.57, for an Administrative Solutions, Inc. flex claims electronic deposit.

It was noted Handwritten Check #369087 dated 1/22/09 was issued to the Cedar County Treasurer in the amount of \$836.54, for an Administrative Solutions, Inc. partial self funded claims electronic deposit.

It was noted Handwritten Check #369088 dated 1/22/09 was issued to the Cedar County Treasurer in the amount of \$2,776.96, for an Administrative Solutions dental claims electronic deposit.

On motion, the Board adjourned at 11:20 A.M., to January 26, 2009.

Cari Gritton, Auditor

Jon E. Bell, Chairperson

TIPTON, IOWA

January 26, 2009

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., January 26, 2009 with the following members present: Boedeker, Deerberg, Moeller, Weih and Chairperson Bell.

The Board recited the Pledge of Allegiance.

The Board viewed a newsletter from the Iowa Department of Economic Development regarding industry opportunities.

The Board viewed a newsletter from Representative Jeff Kaufmann.

The Board viewed Legislative News from Speaker of the House Patrick Murphy.

The Board viewed a FY08-09 Certification of Tax Levy from the Iowa Department of Agriculture and Land Stewardship regarding the Brucellosis And Tuberculosis Eradication Fund, submitted by Auditor Gritton.

The Board viewed a January newsletter from Precision Structural Engineering, Inc.

The Board viewed correspondence from Recorder Thumm regarding a payroll change for Jodi Shields, Clerk.

The Board viewed a Mental Health Fund report on growth using 2007 population information, submitted by Connie Fett, CPC Administrator.

The Board acknowledged receipt of correspondence from NWN Corporation regarding Smart Government publications.

The Board acknowledged receipt of correspondence from Karen Mooney, Clinton Development regarding support for Time-21 infrastructure.

The Board acknowledged receipt of a Manure Management Plan Annual Update for Rose AVE Pork LLC, submitted by Douglas Schroeder.

The Board acknowledged receipt of correspondence from Mike Wentzien, Supervisors' Lobbyist regarding the 2nd week of the Legislative session.

The Board acknowledged receipt of correspondence from the East Central Intergovernmental Association regarding the Eastern Iowa Regional Utility Service Systems meeting on 1-28-09.

The Board acknowledged receipt of correspondence from Cynthia K. Cox of the Clarinda Academy notifying them of their decision not to raise the Youth Shelter per diem in FY2010.

Supervisors Boedeker and Deerberg gave a report on the Statewide Supervisors meeting they attended on 1-23-09.

Moved by Sup. Moeller seconded by Sup. Weih to approve and authorize Chairperson Bell to sign an Iowa Department of Public Health Substance Abuse Prevention Memorandum of Understanding Amendment #1 for FY08-09.

Ayes: Boedeker, Moeller, Deerberg, Boedeker, Bell

Paul Greufe, the County's Human Resources consultant, briefly met with the Board for general discussion.

Moved by Sup. Deerberg seconded by Sup. Moeller to set the FY09-10 COBRA insurance rates as follows:

Health

Dental

Single	\$402.25	\$30.15
Two-Person	\$762.94	\$56.09
Family	\$1,211.72	\$87.47

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

Assessor Lett briefly met with the Board for general discussion.

Moved by Sup. Weih seconded by Sup. Boedeker to approve the Board Minutes of January 22, 2009.

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

Mark Schneider and Nicole Turpin of the East Central Intergovernmental Association met with the Board to review the Hazard Mitigation Grant Program Flood Buy-Out application. Phil La Rue, Environmental & Zoning Director was in attendance. Mr. Schneider reviewed the proposed application. Schneider told the Board that at this time, the State intends to provide the funds for the County's match. He noted it is a voluntary program on the part of the County, as well as the property owner, so if for instance the State decides not to provide the County's match funds, he indicated the County could drop out of the program. There must be clean property title at the time of closing. Discussion was held. Sup. Boedeker noted the Board was told that they would be given funds 60 days prior to their need for the funds. He wondered if that is still true. Mark Schneider said yes, that the funding is to be on hand for the closings. Further discussion was held regarding the proposed Public Assistance demolition and buy-out properties.

Moved by Sup. Boedeker seconded by Sup. Weih to adopt the following resolution and authorize Chairperson Bell and Auditor Gritton to sign the appropriate documents for the Hazard Mitigation Grant Program Property Acquisition Project Application for DR-1763:

LOCAL MATCH RESOLUTION
FOR THE
HAZARD MITIGATION GRANT PROGRAM

WHEREAS, Cedar County (hereinafter called "the Subgrantee"), County of Cedar, has made application through the Iowa Homeland Security and Emergency Management Division (HSEMD) to the Federal Emergency Management Agency (FEMA) for funding from the Hazard Mitigation Grant Program, in the amount of \$2,835,357.00 for the total project cost,

and

WHEREAS, the Subgrantee recognizes the fact that this grant is based on a cost share basis with the federal share not exceeding 75%, the state share not exceeding 10% and the local share being a minimum of 15% of the total project cost. The minimum 15% local share can be either cash or inkind match.

and

THEREFORE, the Subgrantee agrees to provide and make available \$425,303.55 (four hundred twenty five thousand, three hundred three and 55/100 dollars) of local monies to be used to meet the minimum 15% match requirement for this mitigation grant application.

Ayes: Boedeker, Deerberg, Moeller, Weih, Bell

Discussion was held regarding the properties involved in the proposed demolition and buy-out.

On motion, the Board adjourned at 11:05 A.M., to January 29, 2009.

Cari Gritton, Auditor

Jon E. Bell, Chairperson

The Cedar County Board of Supervisors met in regular session at 7:45 A.M., January 29, 2009 with the following members present: Boedeker, Deerberg, Moeller, and Chairperson Bell. Sup. Weih was absent.

The Board recited the Pledge of Allegiance.

The Board viewed a news update from the Iowa Tourism Office dated 1-27-09.

The Board viewed snow safety information submitted by the Safety Coordinators.

The Board acknowledged receipt of correspondence from Cedar County Historical Society requesting approval to display products for sale at their museum.

The Board acknowledged receipt of correspondence from Cedar County Farm Bureau inviting them to their February 2, 2009 board meeting.

The Board acknowledged receipt of correspondence from Volunteer Services of Cedar County thanking the Board for their FY09-10 funding.

The Board acknowledged receipt of correspondence from Karen Mooney of Clinton Development regarding the Time-21 Coalition Rally on 1-28-09.

The Board acknowledged receipt of a Manure Management Plan & Update from Wayne Behrens.

The Board acknowledged receipt of correspondence from Phoebe Trepp who is working with FEMA as a Voluntary Agency Liaison to help coordinate flood recovery efforts.

Sheriff Wethington met with the Board to discuss hiring for a position. Due to a vacancy, the Sheriff will need to post for the Union position. Discussion was held. The Board had no objection to hiring for a position.

Moved by Sup. Deerberg seconded by Sup. Moeller to approve the Board Minutes of January 26, 2009.

Ayes: Moeller, Deerberg, Boedeker, Bell

Absent: Weih

Chairperson Bell reported on the Limestone Bluffs Resource Conservation and Development meeting he attended on 1-28-09.

Moved by Sup. Moeller seconded by Sup. Deerberg to approve the following payroll change:

Recorder's Office

Jodi Shields, Clerk from \$12.55/hr to \$12.80/hr effective 2-1-09.

Ayes: Moeller, Deerberg, Boedeker, Bell

Absent: Weih

Discussion was held regarding the selection of a provider for the Governmental Accounting Standards Board Statement 45 (GASB45). Auditor Gritton joined the discussion. The Board agreed that the Auditor should find out the cost for each of the two providers, and she should make the decision on which provider to use.

Moved by Sup. Boedeker seconded by Sup. Moeller to issue Handwritten Check #369092 dated 1-30-09 to Wellmark Blue Cross Blue Shield in the amount of \$83,333.76 for February premiums.

Ayes: Moeller, Deerberg, Boedeker, Bell

Absent: Weih

Moved by Sup. Boedeker seconded by Sup. Deerberg to approve Payroll Checks #134714 - #134873 for the period ending 1-24-2009 and to be paid on 1-30-09.

Ayes: Boedeker, Deerberg, Moeller, Bell
Absent: Weih

It was noted Handwritten Check #369089 dated 1/29/09 was issued to the Cedar County Treasurer in the amount of \$744.11, for an Administrative Solutions, Inc. flex claims electronic deposit.

It was noted Handwritten Check #369090 dated 1/29/09 was issued to the Cedar County Treasurer in the amount of \$2,338.15, for an Administrative Solutions, Inc. partial self funded claims electronic deposit.

It was noted Handwritten Check #369091 dated 1/29/09 was issued to the Cedar County Treasurer in the amount of \$1,048.62, for an Administrative Solutions dental claims electronic deposit.

Supervisors Boedeker and Deerberg left to attend a Heartland Insurance Risk Pool meeting.

On motion, the Board adjourned at 8:15 A.M., to February 2, 2009.

Cari Gritton, Auditor

Jon E. Bell, Chairperson

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., February 2, 2009 with the following members present: Boedeker, Deerberg, Moeller, and Chairperson Bell. Sup. Weih was absent.

The Board recited the Pledge of Allegiance.

The Board viewed a "Report of Veteran Affairs" for the month ending 1-27-09, submitted by Patricia Hamann, Secretary.

The Board viewed an ISAC Update dated 1-30-09.

The Board viewed Legislative News dated 1-30-09 from Speaker of the House Patrick Murphy.

The Board viewed correspondence from Connie Fett, CPC Administrator, to Jane Reischauer, Crossroads, Inc. regarding the Tipton HCBS Waiver site rate.

The Board acknowledged receipt of correspondence from Representative Jeff Kaufmann to Phil La Rue, Environmental & Zoning Director regarding a flood plain study for Cedar County.

The Board acknowledged receipt of correspondence from Representative Jeff Kaufmann regarding a "Listening Post" in Rochester on January 31st concerning flood-related State issues.

The Board acknowledged receipt of correspondence from Walter Ertz, Vice President and COO of Aerial Services, Inc. regarding an opportunity to acquire higher resolution base map imagery.

The Board acknowledged receipt of correspondence from Mike Wentzien, Supervisors' Lobbyist regarding the 3rd week Legislative session.

The Board acknowledged receipt of correspondence from U.S. Senator Tom Harkin indicating the State stimulus would create jobs and modernize infrastructure in Iowa and nationwide.

The Board acknowledged receipt of a Media Advisory from the Office of the Governor regarding "Governor Culver To Sign \$56 Million Rebuild Iowa Bill Monday".

The Board acknowledged receipt of correspondence from the Iowa Gaming Association regarding the benefits of the gaming industry.

Chairperson Bell and Sup. Deerberg reported on the meeting with Representative Jeff Kaufmann in the unincorporated town of Rochester on January 31st regarding flood-related issues. Discussion was held.

Engineer Fangmann and Kyle Soukup of the City of West Branch met with the Board to discuss a 28EAgreement concerning a County Road X30 resurfacing project north of West Branch. Fangmann noted that typically the City's share of the project would be due in FY10 and FY11. Mr. Soukup requested that the payments be moved back to FY11 and FY12. It was noted that payments for the X30 project south of West Branch are due in FY09 and FY10. Engineer Fangmann said this project is being done with Farm to Market funds, so he thought the County would be okay with moving back the payments. Sup. Deerberg asked if there would be interest paid. Fangmann noted that typically the County does not require the cities to pay interest on these cooperative projects. Sup. Bell indicated the Board appreciates when the cities participate, because sometimes they do not. It was the consensus of the Board that they would agree to payments in FY11 and FY12. Brief discussion continued. Mr. Soukup gave project updates.

Engineer Fangmann met with the Board to discuss plans for a County Road Y26 resurfacing project and a FY2009 Five-Year Construction Program Amendment. Phil La Rue was in attendance. Fangmann told the Board the Economic Stimulus Federal funding to Cedar County would amount to approximately \$780,000. Sup. Bell noted that at a meeting he attended in Rochester Representative Kaufmann discussed the possibility of a gas tax increase to be used for infrastructure. The idea received a favorable response from those attending the meeting. Engineer Fangmann requested that the Board take action to amend the FY2009 Five-Year Construction Program. He has prepared an amendment to include resurfacing projects for County Road Y26 from Durant to Sunbury and County Road Y14 from the Muscatine County line to County Road F44. La Rue left the room.

Moved by Sup. Moeller seconded by Sup. Deerberg to amend the FY2009 Five Year Construction Program to include the resurfacing projects #ESFM-C016(78)—5S-16 (Y26) and #ESFM-C016()—5S-16 (Y14) and authorize Chairperson Bell to sign the same.

Ayes: Boedeker, Deerberg, Moeller, Bell
Absent: Weih

Engineer Fangmann noted there is talk of the State providing stimulus funding. He noted projects that could be done with that funding. Fangmann reviewed the proposed plans for the Y26 resurfacing project.

Moved by Sup. Boedeker seconded by sup. Moeller to approve the plans for the Y26 resurfacing project #ESFM-C016(78)—5S-16.

Ayes: Moeller, Deerberg, Boedeker, Bell
Absent: Weih

General discussion was held. Fangmann gave project updates. He noted he is still researching G.P.S. costs. Scott County had to convert radios to 900 mghz, and they had an expense of about \$100,000. They have a \$1,000/mo. charge for the service.

Moved by Sup. Moeller seconded by Sup. Deerberg to approve a new Class B 5-day Beer Permit for English River Outfitters at the Cedar County Fairgrounds starting 2-13-09.

Ayes: Boedeker, Deerberg, Moeller, Bell
Absent: Weih

The Board discussed the Historical Society's request to display items in the Courthouse that are for sale at their museum. The consensus of the Board was that they had no objection.

Chairperson Bell signed a 2009 Lawn Care Agreement with Challis Lawn Care in the amount of \$256.50 for the Courthouse lawn.

General discussion was held.

Auditor Gritton met with the Board to discuss the proposed FY09-10 County Budget. In other business, flood-related issues will be placed on the County's web site as has been done in the past.

Moved by Sup. Deerberg seconded by Sup. Boedeker to approve the Board Minutes of January 29, 2009.

Ayes: Moeller, Deerberg, Boedeker, Bell
Absent: Weih

Supervisors Boedeker and Deerberg gave a Heartland Insurance Risk Pool meeting report. The counties in the pool will be receiving a rebate.

Phil La Rue asked about the meeting with Representative Kaufmann that was held in Rochester on January 31st. Sup. Bell told him items that were discussed. Discussion was held regarding flood-related issues. Phil La Rue was instructed to contact individuals that received a Notice of Determination letter from his office.

On motion, the Board adjourned at 11:28 A.M., to February 5, 2009.

Cari Gritton, Auditor

Jon E. Bell, Chairperson

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., February 5, 2009 with the following members present: Boedeker, Deerberg, Moeller, Weih and Chairperson Bell.

The Board recited the Pledge of Allegiance.

The Board viewed FY08-09 expense and revenue summary reports, submitted by Auditor Gritton.

The Board viewed a news update from the Iowa Tourism Office dated 2-3-09.

The Board viewed correspondence from Jenni Tholen, Jail Administrator regarding a payroll change for Rhonda Wells-Stiteler, Correctional Officer.

The Board viewed an I.S.A.C. Update dated 2-4-09.

The Board viewed documentation concerning Mental Health fiscal year balances, submitted by Connie Fett, CPC Administrator.

Phil La Rue, Environmental & Zoning Director met with the Board to discuss his work hours and salary for FY09-10 and a compensation time payout for flood-related work. La Rue asked if he is to work a 40-hour week, rather than a 35-hour week, starting on July 1st. Some of the members indicated they thought that was the Board of Health's intention. Sup. Bell wondered if the Board of Health knew there would be an additional employee in the Environmental & Zoning Office on July 1st. La Rue indicated they know. Mr. La Rue told the Board he met with Paul Greufe, the County's Human Resource consultant regarding his compensation time that was accrued due to flood-related work which was not part of the normal duties of his position. They have determined that 154 hours are due to flood-related work which would amount to a gross payout of approximately \$3,000. Phil La Rue told the Board that he understood, after talking to Paul Greufe, that when he goes to a 40-hour workweek he would no longer accrue compensation time. Discussion was held. The Auditor will prepare documentation concerning the possible compensation time payout to La Rue for 154 hours. Discussion was held regarding flood-related items.

The Board met with department heads to discuss any problems or concerns they might have. Those in attendance were: Cari Gritton, Julie Tischuk, Connie Fett, Dan Lett, Charline Thumm, Warren Wethington, Patty Hamann, Bob Klemme, Carolyn Wood, Mike Dauber, Amy Wehde, Mary Dorris and Rob Fangmann. Those in attendance were given an opportunity to relay items concerning their departments. Sheriff Wethington noted his department is making some changes on the way room and board fees are collected. Patty Hamann, Veteran Affairs Secretary & General Assistance Director reported that she spoke to the Cedar County Task Force (Heritage Agency on Aging) regarding Veteran benefits. She also has been asked to speak to the Cedar County Ministerial regarding available services. Amy Wehde, Deputy Public Health Director noted a State consultant came and did an annual audit. Mary Dorris, Public Health Director has been preparing for a functional exercise for emergency preparedness on March 4th. Engineer Fangmann referenced the stimulus package and stated he has submitted a Co. Road Y26 resurfacing project. He gave project updates. Chairperson Bell noted the 7% increase for the FY09-10 health insurance rates, but that the employees should not notice any difference concerning the plan.

Engineer Fangmann met with the Board to request payroll changes.

Moved by Sup. Weih seconded by Sup. Boedeker to approve the following payroll changes:

Secondary Road Department

Jason MacDonald, from \$16.96/hr to \$17.85/hr (100% of Maintenance Worker II position) effective 2-26-09;

Jeric Armstrong, from \$16.96/hr to \$17.85/hr (100% of Maintenance Worker II position) effective 2-26-09;
Ryan Freitag, from \$18.91/hr to \$19.90/hr (100% of Engineering Tech I position) effective 2-20-09; and
Leanne Zearley, from \$16.58/hr to \$17.45/hr (100% of Administrative Manager position) effective 2-19-09.

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

General discussion was held with the Engineer.

Moved by Sup. Deerberg seconded by Sup. Moeller to approve the following payroll change:

Sheriff's Department

Rhonda Wells-Stiteler, Correctional Officer from \$12.91/hr to \$13.44/hr effective 2-27-09.

Ayes: Boedeker, Deerberg, Moeller, Weih, Bell

Moved by Sup. Deerberg seconded by Sup. Moeller to approve the Board Minutes of February 2, 2009.

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

Auditor Gritton met with the Board to discuss the proposed FY09-10 County Budget. Options concerning the General Supplemental levy were reviewed. The current levy is 1.04920. Discussion was held.

Moved by Sup. Weih seconded by Sup. Boedeker to set the Fund 02000 General Supplemental Levy at .095620.

Ayes: Boedeker, Moeller, Deerberg, Weih, Bell

Moved by Sup. Boedeker seconded by Sup. Weih to set February 26, 2009 at 9:30 a.m. as the time for the public hearing on the FY2009-2010 County Budget.

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

Moved by Sup. Boedeker seconded by Sup. Weih to approve Claim Checks #369093 - #369315.

Ayes: Boedeker, Deerberg, Moeller, Weih, Bell

It was noted Handwritten Check #369316 dated 2-5-09 was issued to the Cedar County Treasurer in the amount of \$941.66, for an Administrative Solutions, Inc. flex claims electronic deposit.

It was noted Handwritten Check #369317 dated 2-5-09 was issued to the Cedar County Treasurer in the amount of \$3,066.55, for an Administrative Solutions, Inc. partial self funded claims electronic deposit.

It was noted Handwritten Check #369318 dated 2-5-09 was issued to the Cedar County Treasurer in the amount of \$1,343.23, for an Administrative Solutions dental claims electronic deposit.

On motion, the Board adjourned at 9:55 A.M., to February 9, 2009.

Cari Gritton, Auditor

Jon E. Bell, Chairperson

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., February 9, 2009 with the following members present: Deerberg, Weih and Chairperson Pro Tem Boedeker. Chairperson Bell and Sup. Moeller were absent.

The Board recited the Pledge of Allegiance.

The Board viewed an I.S.A.C. Update dated 2-6-09.

The Board viewed an I.S.A.C. Spring School Update dated 2-5-09.

The Board acknowledged receipt of correspondence from Mike Wentzien, Supervisors' Lobbyist regarding the 4th week of the Legislative session.

The Board acknowledged receipt of a copy of correspondence from Engineer Fangmann to the United States Army Corps of Engineers regarding the Cedar River alignment at the Village of Rochester.

The Board acknowledged receipt of a draft of the State of Iowa action Plan for Disaster Recovery, submitted by the Iowa Department of Economic Development.

The Board acknowledged receipt of the City of Dubuque's 2nd Annual Growing Sustainable Communities Conference, being held 2-19-09.

The Board acknowledged receipt of an upcoming Seventh Judicial District Department of Correctional Services Board Meeting being held 2-13-09.

General discussion was held regarding requests to allow employees to donate vacation time and/or sick leave to other employees.

Engineer Fangmann postponed his appointment regarding debris removal until February 12, 2009.

Tim Malott, EMA/E-911 Director, visited with the Board with regards to publishing his EMA budget.

Moved by Sup. Weih seconded by Sup. Deerberg to approve the Board Minutes of February 5, 2009.

Ayes: Weih, Deerberg, Boedeker
Absent: Bell, Moeller

Moved by Sup. Deerberg seconded by Sup. Weih to approve Payroll Checks #134874 - #134875 for a lump sum vacation time payout to Jill Randolph for the period ending 2/7/2009.

Ayes: Weih, Deerberg, Boedeker
Absent: Bell, Moeller

On motion, the Board adjourned at 9:50 A.M., to February 12, 2009. Sup. Boedeker and Sup. Deerberg departed for a flood related meeting with FEMA.

Cari Gritton, Auditor

Dennis Boedeker, Chairperson Pro Tem

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., February 12, 2009 with the following members present: Deerberg, Weih and Chairperson Pro Tem Boedeker. Chairperson Bell and Sup. Moeller were absent.

The Board recited the Pledge of Allegiance.

The Board viewed a February 2009 GreeNetwork news issue.

The Board viewed an update from the Iowa Tourism Office dated 2-10-09.

The Board viewed an agenda for the River Bend Transit, Regular Board Meeting to be held February 18, 2009.

The Board viewed minutes from the February 6, 2009 Workforce Diversity Committee Meeting.

The Board acknowledged receipt of the minutes of the January 12, 2009 Cedar County Conservation Board.

The Board acknowledged receipt of correspondence from Iowa Homeland Security and Emergency Management Division of a Community Disaster Grant Program.

The Board acknowledged receipt of correspondence from Mike Wentzien, Supervisors' Lobbyist regarding a public hearing on Wage House Study Bill 149.

The Board acknowledged receipt of correspondence from I.S.A.C. regarding Property Tax Relief Funding.

Moved by Sup. Deerberg seconded by Sup. Weih to approve a lump sum payout of 154 hours of flood related compensation time for Phil La Rue, Environmental and Zoning Director on February 19, 2009.

Ayes: Weih, Deerberg, Boedeker
Absent: Bell, Moeller

Tim Malott, EMA- E-911 Director, briefly met with the Board for general discussion.

Engineer Fangmann reviewed a contract and bond with J&L Pipeline Services, Inc. regarding debris removal at the Rochester bridge on County Road F44, project #EWP-2008-01.

Moved by Sup. Weih seconded by Sup. Deerberg to approve and authorize Chairperson Pro Tem Boedeker to sign a contract and bond with J&L Pipeline Services, Inc in the amount of \$21,858.00 concerning project #EWP-2008-01.

Ayes: Weih, Deerberg, Boedeker
Absent: Bell, Moeller

Engineer Fangmann met with the Board to review a Utility Permit Application for Alliant Energy for repairs and relocation on Eureka Ave. and the Cedar-Jones County Line in Pioneer Township.

Moved by Sup. Weih seconded by Sup. Deerberg to approve and authorize Chairperson Pro Tem Boedeker to sign the Utility Permit Application as requested by Alliant Energy.

Ayes: Boedeker, Weih, Deerberg
Absent: Bell, Moeller

Chairperson Pro Tem Boedeker would like the Engineer to put out a press release in regards to staying off the roads with heavy loads when the roads are soft. General discussion followed.

Patty Hamann, Veterans Affairs Secretary/General Assistance Director, met with the Board to discuss coverage of her office while on leave. She would like to have Alice Lopez work in the office 8 hours a week at \$15.00 per hour. Ms. Lopez would work two half days per week. She will work with General Assistance. The Scott County Veterans Affairs office would help with any Veterans calls or needs. It was the consensus of the Board to proceed with this arrangement. General discussion followed.

Paul Greufe, Human Resources consultant, met with the Board to discuss compensation time to be paid to Phil La Rue and changing his position from non-exempt to exempt status. Attorney Benz entered the room. Greufe thought it would be beneficial to the County and La Rue to make this change. Greufe drafted a letter for the Board with regards to terminating the current employment contract between La Rue and Cedar County. Greufe also referenced reclassifying Connie Fett and Patty Hamann from non-exempt to exempt. He thought any compensation time they have on the books should be used by June 30, 2009. They will no longer earn compensation time.

Greufe also discussed with the Board pre-employment drug testing. Hiring would be contingent on passing the drug test. The cost of testing would be \$75.00 per person. He suggested when a job is posted it should read that there is pre employment drug testing. He asked the Board if they were interested in random drug testing for current employees. When Greufe met with Department Heads they didn't recommend doing this. If there was reasonable cause, they could ask for a random drug test. It was noted that separate Boards could ask for the drug testing.

Greufe discussed pre employment physicals with the Board. He has talked with Progressive Rehabilitation Associates LLC. They would charge \$50.00 per physical. They have received a copy of all job descriptions for Cedar County and can build a physical around any particular job.

Greufe also discussed sick leave with the Board. There were questions as to whether there is too wide a scope as to how an employee can use their sick leave when it falls under using time for family members. The Board would like to see that changed to include employee, spouse, child, or legal ward.

Paul Greufe asked to go into closed session.

Moved by Sup. Weih seconded by Sup. Deerberg to go into closed session as allowed under Section 21.5.1©, Code of Iowa.

Ayes: Weih, Deerberg, Boedeker
Absent: Bell, Moeller

Moved by Sup. Weih seconded by Sup. Deerberg to return to regular session.

Ayes: Weih, Deerberg, Boedeker
Absent: Bell, Moeller

The current date and time of 11:20 a.m. was noted by Chairperson Pro Tem Boedeker.

No decisions were made with the regards to the closed session.

General discussion followed.

Moved by Sup. Deerberg seconded by Sup. Weih to approve the Board Minutes of February 9, 2009.

Ayes: Weih, Deerberg, Boedeker,
Absent: Bell, Moeller

Moved by Sup. Weih Seconded by Sup. Deerberg to approve Payroll Checks #134876 - #135038 for payperiod ending 2-7-09 and being paid on 2-13-09.

Ayes: Weih, Deerberg, Boedeker
Absent: Bell, Moeller

It was noted Handwritten Check # 369319 dated 2-12-09 was issued to the Cedar County Treasurer in the amount of \$1,883.76, for an Administrative Solutions, Inc. flex claims electronic deposit.

It was noted Handwritten Check #369320 dated 2-12-09 was issued to the Cedar County Treasurer in the amount of \$1,326.71, for an Administrative Solutions, Inc. partial self funded claims electronic deposit.

It was noted Handwritten Check #369321 dated 2-12-09 was issued to the Cedar County Treasurer in the amount of \$1,035.50, for an Administrative Solutions dental claims electronic deposit.

On motion, the Board adjourned at 11:30 A.M., to February 19, 2009.

Cari Gritton, Auditor

Dennis Boedeker, Chairperson Pro Tem

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., February 19, 2009 with the following members present: Boedeker, Deerberg, Moeller, Weih and Chairperson Bell.

The Board recited the Pledge of Allegiance.

The Board viewed Legislative news from Patrick Murphy, Speaker of the House.

The Board viewed an update from the Iowa Tourism Office dated February 17, 2009.

The Board viewed a February newsletter from The Iowa Republican County Officials Association.

The Board viewed an IRCOA 2009 membership dues reminder.

The Board viewed a report of fees collected for January 2009 submitted by the Clerk of the District Court.

The Board viewed an I.S.A.C. update dated February 13, 2009.

The Board viewed a weekly update from the Iowa Tourism Office dated February 17, 2009.

The Board viewed a newsletter from Representative Jeff Kaufmann.

The Board viewed correspondence from Connie Fett, Community Services Director regarding Senate File 134.

The Board viewed correspondence from Patty Hamann, Veterans Secretary/General Assistance Director regarding a Veterans Affairs Bill.

The Board viewed a Press Release regarding the King Avenue Bridge Project submitted by Engineer Fangmann.

The Board acknowledged receipt of correspondence from Representative Jeff Kaufmann notifying them that on February 21st at 9 a.m. he would be at the Mechanicsville Public Library followed by a 1 p.m. appearance at the Clarence City Council Chambers.

The Board acknowledged receipt of correspondence from Mike Wentzien, Supervisors' Lobbyist regarding the 5th week of the Legislative session.

The Board acknowledged receipt of Manure Management Plan Annual Updates for South Cedar Pork, L.L.C. and Hermiston Farms Inc.

The Board acknowledged receipt of correspondence from Jim and Barbara Laughlin regarding their objection to land development in their area.

The Board acknowledged receipt of correspondence from Hunt, Kain & Associates, P.C., Certified Public Accountants, regarding a preliminary draft of Cedar County's audit.

The Board noted correspondence from Sheriff Wethington regarding Vickie Powers being moved into the Records Clerk position with her wage being \$15.56 for all shifts.

Connie Fett, Community Service Director met with Board regarding Property Tax Relief Payment for FY09/10. Governor Culver recommended a 15% reduction in property tax relief from the State. Mental Health budgets would then have to be amended. The second option would be not to change anything. Fett recommended they don't change anything. General discussion followed.

Connie Fett met with the Board regarding Senate File 134. This bill would reform the MH/DD system. All counties have approved plans thru DHS and are following them. If there are inequities in the system, deal with those counties. It would force regionalization in order to get State funds for MH/DD. The region would need to have a population of at least 100,000. A group of contiguous counties could form a regional service network. If we were to regionalize we would lose quality of services and control. There would be less efficiency. The bill would adapt the concepts used in the school foundation aid formula to formulate proposals for a new system of shared state and county financing of the MH/DD services systems. Fett will email Representative Kaufmann and Senator Hahn to let them know of her and the Board's opposition to this bill. Weih suggested she let her I.S.A.C. representative know of the opposition also. General discussion followed.

Patty Hamann, Veterans Affairs Secretary/General Assistance Director, visited with Board regarding when her position will become exempt. Phil La Rue, Environmental & Zoning Director entered the room. The Board told them they were making the motion today.

Moved by Sup. Boedeker seconded by Sup. Moeller to terminate employment contracts for Phil LaRue, Environmental & Zoning Director and Connie Fett, Community Service Director.

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

Moved by Sup. Moeller seconded by Sup. Deerberg to change Phil LaRue, Environmental & Zoning Director, Connie Fett, Community Services Director, and Patty Hamann, Veterans Affairs Secretary/General Assistance Director status from non exempt to exempt.

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

Moved by Sup. Weih seconded by Sup. Boedeker to not have exempt employees turn in timesheets.

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

Moved by Sup. Boedeker seconded by Sup. Deerberg to approve Payroll Checks #135039 - #135040 for a lump sum compensation time payout to Phil LaRue for period ending 2/7/2009.

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

Moved by Sup. Weih seconded by Sup. Moeller to approve and authorize Sup. Boedeker to sign an EIRUSS resolution.

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

General discussion regarding EIRUSS followed.

Moved by Sup. Deerberg seconded by Sup. Boedeker to approve the Board Minutes of February 12, 2009.

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

Moved by Sup. Boedeker seconded by Sup. Moeller to approve Claim Checks #369322 - #369554.

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

Moved by Sup. Boedeker seconded by Sup. Moeller to change the language in the handbook on the sick leave policy to employee, spouse, child or legal ward.

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

Moved by Sup. Boedeker seconded by Sup. Deerberg to approve pre-employment drug screening.

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

Moved by Sup. Weih seconded by Sup. Moeller to approve pre-employment physicals be done at Progressive Rehabilitation Associates, LLC.

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

Discussion was held regarding requests to allow employees to donate vacation time to other employees. Auditor Gritton entered the meeting at the Board's request. The Board wondered what her thoughts were on this matter. She had talked with Paul Greufe, Human Resource Consultant for Cedar County, he was not in favor of doing this. Gritton also talked with County Attorney Benz. He looked at different options and wanted her to make changes. They felt there were a lot of road blocks if we were to do this. It was the consensus of the Board to not allow employees to donate vacation time to other employees.

General discussion was held regarding a sprinkler system in the courthouse. There would be no advantage on our insurance premiums if we were to install a sprinkler system.

Discussion was held regarding replacing the exterior doors and enlarging the handicap door and a new locking system for the doors of the courthouse. The Board would like the Auditor to prepare a notice for request for bids for this project.

General discussion was held regarding the preliminary draft of the County's audit done by Hunt, Kain and Associates, P.C.

Engineer Fangmann asked to visit with the Board regarding updates. The DOT will be meeting with the Board regarding a corridor presentation for the Mt. Vernon – Lisbon Highway 30 Bypass. The County will have some lock in area where there could be no building permits approved for anything that has a value of more than \$25,000.00.

General discussion was held which included but was not limited to the letting of a bridge project on 310th St. and Charles Ave., the salt supply and a Press Release regarding not hauling heavy loads on the soft roads.

In other business, Sup. Moeller had been asked by a Conservation Board member if the Downey Park could be sold. Conservation would like to get it out of their park system. The Board knew the park could not be sold but thought possibly a non-profit group could be formed in Downey and the park given to them.

It was noted Handwritten Check #369555 dated 2-19-2009 was issued to the Cedar County Treasurer in the amount of \$981.31, for an Administrative Solutions, Inc. flex claims electronic deposit.

It was noted Handwritten Check #369556 dated 2-19-2009 was issued to the Cedar County Treasurer in the amount of \$4,523.75, for an Administrative Solutions, Inc. partial self funded claims electronic deposit.

It was noted Handwritten Check #369557 dated 2-19-2009 was issued to the Cedar County Treasurer in the amount of \$2,746.57, for an Administrative Solutions dental claims electronic deposit.

On motion, the Board adjourned at 10:55 A.M., to February 23, 2009.

Cari Gritton, Auditor

Jon E. Bell, Chairperson

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., February 23, 2009 with the following members present: Boedeker, Deerberg, Moeller, Weih and Chairperson Bell.

The Board recited the Pledge of Allegiance.

The Board viewed minutes of the Cedar County Fair Association's meeting on January 21, 2009.

The Board viewed an I.S.A.C. Spring School Update dated 2-29-09.

The Board viewed correspondence from U.S. Cellular regarding employee discounts on wireless service.

The Board viewed Legislative News dated 2-20-09 from House Speaker Pat Murphy.

The Board viewed an I.S.A.C. Update dated 2-20-09.

The Board acknowledged receipt of correspondence from LyCox Enterprises, Inc. regarding a Walk 'n' Roll packer/roller.

The Board acknowledged receipt of correspondence from Mike Wentzien, Supervisors' Lobbyist regarding a correction on information concerning the 6th week of the Legislative session.

The Board acknowledged receipt of correspondence from Katie Pfeifer regarding "The Stimulus Package for Energy & Infrastructure PPPs".

The Board acknowledged receipt of correspondence from Sharon Nesteby of E.C.I.A. regarding the agenda for the February 25th Eastern Iowa Rural Utilities Service System Board meeting.

The Board acknowledged receipt of correspondence from Karen Mooney of Clinton Development regarding the "US 30 Day at the Capitol" on March 25th.

The Board acknowledged receipt of correspondence from Thomas L. Mesenbourg of the United States Department of Commerce regarding participation in the 2010 Census.

Phil La Rue, Environmental & Zoning Director met with the Board, as requested, to discuss modification of the 2006 Future Land Use Plan. Chairperson Bell asked him what he had found out about the costs to modify the Land Use Plan. Mr. La Rue told the Board he has called Nicole Turpin at E.C.I.A., but she has not returned his call. Chairperson Bell told La Rue the Board would like to get the proposed modification process underway. La Rue indicated there needs to be a work project/determination of what is proposed, review by the County Attorney, a public hearing and then action. Discussion was held. Phil La Rue will call Nicole Turpine again and get the process underway. In other business, Chairperson Bell noted Engineer Fangmann brought to the Board a building permit site map concerning possible expansion of Hwy 30. Phil La Rue said he is aware of that. He will work with the Engineer regarding this matter. Mr. La Rue told the Board he has had some property owners involved in the 2008 flood event talk to him about the possibility of changing assessments. Chairperson Bell asked La Rue if he has read a proposed ordinance concerning the placement of E911 address signs. La Rue said he had not yet read the ordinance. Bell noted the intent of the ordinance is to make the property owners responsible for putting up the signs and then the E911 Board would do a review. General discussion was held. Phil La Rue told the Board that a law has been passed to mandate that a requirement when property transfers would be that a certified inspector approve the septic system so that the system meets appropriate standards. Discussion was held regarding septic systems.

Moved by Sup. Boedker seconded by Sup. Moeller to approve the Board Minutes of February 19, 2009.

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

General discussion was held.

On motion, the Board adjourned at 10:20 A.M., to February 26, 2009.

Cari Gritton, Auditor

Jon E. Bell, Chairperson

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., February 26, 2009 with the following members present: Boedeker, Deerberg, Moeller, Weih and Chairperson Bell.

The Board recited the Pledge of Allegiance.

The Board viewed a February newsletter from Wellmark Blue Cross Blue Shield.

The Board viewed a newsletter from the Iowa Tourism Office dated 2-24-09.

The Board viewed correspondence from Head Custodian Klemme regarding a payroll change for Alicia Remley, Part-Time Custodian.

The Board viewed correspondence from Mary Lou Erlacher of The Workplace Learning Connection regarding a Financial Literacy Fair on March 9, 2009.

The Board acknowledged receipt of Manure Management Annual Updates submitted by John Sander and Tim Lilienthal.

The Board acknowledged receipt of a Manure Management Plan Annual Update for Focus Farms LLC (Brus Site) and a Manure Management Plan for Focus Farms LLC (Fletcher Farm), submitted by Devon Schott.

The Board acknowledged receipt of correspondence from Representative Jeff Kaufmann in response to a message about Justice Ternus' orders concerning the Court services.

The Board acknowledged receipt of correspondence from Law Seminars International regarding a telebriefing concerning a "Broadband Technology Opportunities Program".

The Board acknowledged receipt of correspondence from Mike Wentzien, Supervisors' Lobbyist regarding HF217.

The Board acknowledged receipt of correspondence from Kanan Kappelman of the Iowa Department of Economic Development regarding a conference on April 8, 2009 regarding economic development and transportation.

Kelley Deutmeyer, Executive Director and Jerry Schroeder, Economic Development Director with the East Central Intergovernmental Association met with the Board to give a programs and services presentation. Deutmeyer reviewed the Annual Report, funding sources and the Unified Work Program (Strategic Plan for the year). She noted services provided such as, but not limited to: flood assistance, transit, rental assistance, rural utilities, employment/training activities, CDBG programs and Prosperity Eastern Iowa (buying & supplying). Sup. Moeller asked if there is any rumor of funding cuts. Deutmeyer noted \$9,273 (Council of Governments) State funding has been eliminated for next year, but they hope to get the funding put back into the budget. Jerry Schroeder reviewed the Business Growth, Inc. annual report (economic development). He referenced the SBA 504 program that assists small business to expand fixed assets, and the 107 RLF program (revolving loan fund). They are starting to get inquiries and projects coming in again. They assist with grant program writing and administration, RISE applications to the D.O.T. for the cities, and administer Jumpstart programs for housing and businesses. Sup. Deerberg asked if they own any public housing in Cedar County, since he felt there may be a need now. Kelley Deutmeyer indicated it had been determined by the ECIA Board not to own in the county because there was not enough demand. People can call their office for assistance. Deutmeyer hopes they receive additional rental assistance funds. Distribution of those funds is based on income. Discussion continued.

Richard Harmsen entered the room.

Moved by Sup. Moeller seconded by Sup. Deerberg to issue Handwritten Checks dated

2-27-09 as follows:

#369561 Administrative Solutions, Inc.-\$1,737.50 (March admin.)

#369562 Wellmark Blue Cross & Blue Shield of Iowa-\$82,048.96 (March premiums)

Ayes: Boedeker, Deerberg, Moeller, Weih, Bell

Moved by Sup. Boedeker seconded by Sup. Moeller to approve and authorize Chairperson Bell to sign an Actuarial Services Agreement Between SilverStone Group, Incorporated and Cedar County concerning Governmental Accounting Standards Board (GASB45).

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

Moved by Sup. Weih seconded by Sup. Boedeker to approve the following payroll change:

Sheriff's Department

Vickie Powers, from Dispatcher @\$15.25/hr to Records Clerk @\$15.56/hr effective 2-16-09.

Ayes: Boedeker, Deerberg, Moeller, Weih, Bell

Moved by Sup. Deerberg seconded by Sup. Boedeker to approve the following payroll change:

Courthouse

Alicia Remley, Part-Time Custodian, from \$10.10/hr to \$10.35/hr effective 2-11-09.

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

Engineer Fangmann met with the Board to review a final voucher for project FM-C016(74)—55-16 concerning white-topping Co. Rd F28 from X30 to Johnson Co. line (Strebb Construction) and project BROS-C016(70)—5F-16 concerning a bridge replacement on 220th St (Taylor Construction). The vouchers were reviewed.

Moved by Sup. Boedeker seconded by Sup. Deerberg to approve and authorize Chairperson Bell to sign a final voucher for the Co. Rd F28 white-topping project #FM-C016(74)—55-16 (Strebb Construction).

Ayes: Boedeker, Deerberg, Moeller, Weih, Bell

Moved by Sup. Deerberg seconded by Sup. Weih to approve and authorize Chairperson Bell to sign a final voucher for the 220th Street bridge replacement project #BROS-C016(70)—5F-16 (Taylor Construction).

Ayes: Boedeker, Deerberg, Moeller, Weih, Bell

The Engineer gave project updates. General discussion was held.

This being the time set for a public hearing on the proposed FY09-10 County Budget. Those in attendance were: Auditor Gritton, Engineer Fangmann, Phil La Rue, Connie Fett, Julie Tischuk, Charline Thumm and Richard Harmsen. Chairperson Bell read the legal notice. There were no written or verbal objections on file. The budget was reviewed.

Moved by Sup. Weih seconded by Sup. Moeller to reduce the Compensation Board's recommendation by 60% for the FY2009-2010 salaries of elected officials, which would set their FY2010 salaries as follows: Sheriff-\$57,496, County Attorney-\$70,082, Treasurer-\$44,978, Recorder-\$44,984, Auditor-\$45,261 and Supervisors-\$24,448.

Discussion was held. Sup. Bell felt with the flood in 2008, homeless people, lost jobs, the economy, pay cuts and pay freezes, that his constituents are looking for leadership. He referenced a Federal wage freeze. Bell felt the hourly non-Union wage is one of the biggest given since he's been on the Board, and he couldn't in good conscience vote in

favor of the motion, due to his constituents and what he felt is fiscally responsible. Sup. Boedeker noted he doesn't agree with the Compensation Board procedure which the Board has to follow, but he knew what Auditor Cari Gritton had done during the flood event and he felt she went above and beyond her normal hours and duties. He felt there would be money to help the homeless. Boedeker thought it would be an insult to Auditor Gritton not to give a salary increase. He indicated he couldn't say not to give the Engineer, Auditor and others a salary increase. Sup. Deerberg noted costs go up for other employees as well. He felt there are good people working for Cedar County, and he'd like to see them compensated. Richard Harmsen, Mayor of the City of Durant, felt that when you have qualified people, the salary increases may seem like a lot, but those qualified people can save the County money which he felt is sometimes overlooked. Harmsen indicated he thought the Board should step up and honor the raises when they have good people. Sup. Bell noted he doesn't disagree with the comments, but he wondered what they are willing to sacrifice to get the economy back and keep budgets in line.

The vote on the motion was as follows:

Ayes: Boedeker, Deerberg, Moeller, Weih

Nay: Bell

Moved by Sup. Boedeker seconded by Sup. Deerberg to adopt the FY2009-2010 County Budget, as proposed and presented, and authorize Chairperson Bell to sign the same.

Ayes: Boedeker, Deerberg, Moeller, Weih

Nay: Bell

Moved by Sup. Boedeker seconded by Sup. Moeller to close the public hearing.

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

Sup. Boedeker reported that he talked to Nicole Turpin at E.C.I.A. about the proposed modification of the Future Land Use Plan. She will bring a map to the Planning & Zoning Commission meeting in March. Turpin wondered how many maps the Board would want.

Moved by Sup. Deerberg seconded by Sup. Boedeker to approve the Board Minutes of February 23, 2009.

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

Moved by Sup. Weih seconded by Sup. Deerberg to approve Payroll Checks #135041-#135218 for the period ending 2-21-2009 and to be paid on 2-27-09.

Ayers: Boedeker, Deerberg, Moeller, Weih, Bell

It was noted Handwritten Check #369558 dated 2/26/09 was issued to the Cedar County Treasurer in the amount of \$389.75, for an Administrative Solutions, Inc. flex claims electronic deposit.

It was noted Handwritten Check #369559 dated 2/26/09 was issued to the Cedar County Treasurer in the amount of \$965.89, for an Administrative Solutions, Inc. partial self funded claims electronic deposit.

It was noted Handwritten Check #369560 dated 2/26/09 was issued to the Cedar County Treasurer in the amount of \$1,863.84, for an Administrative Solutions dental claims electronic deposit.

The Board adjourned at 10:00 a.m.

Sup. Jon Bell attended E911 Board and EMA Commission FY09-10 budget hearings.

The Board reconvened at 10:10 a.m.

Engineer Fangmann met with the Board to discuss the Local Option Sales & Services Tax. He noted the Secondary Road Department has had a shortfall, and he wondered if the Board felt the citizens of the County would entertain a short-term (1-2 years) tax to put rock on the roads. Chairperson Bell didn't think so. Sup. Moeller agreed with Bell. Sup. Boedeker was not in favor of it. Sup. Deerberg didn't think the County could ask for additional sales tax since they were at 7% already, which he thought was the maximum. Brief discussion continued. Engineer Fangmann noted he was trying to help any way that he could.

Tim Malott entered the room. Brief discussion was held.

Auditor Gritton and County Attorney Benz met with the board to discuss replacement of the Courthouse exterior doors. Gritton noted she has researched a Request for Proposal for the doors, as directed by the Board, but the notice seemed vague. She felt since the project would be for more materials than labor, they need to set out specifications. County Attorney Benz agreed. He advised that the request should note what the specifications are so contractors are bidding on the same thing. Benz suggested asking a lumber yard for specifications and then solicit bids. Sup. Boedeker felt that could be a problem if the lumber yard is one of the bidders. He noted in the past the Board has been accused by a Secondary Road equipment bidder of setting up the bids with the specifications. Atty. Benz then suggested that they contact an architect. Discussion continued. Sup. Deerberg felt someone else could check the lumber yard's specifications. He didn't see a problem with using the lumber yard's expertise to prepare specifications. It was noted that the Howard R. Green Co. had discussed the exterior doors at the time the windows replacement project. The consensus of the Board was to contact the Howard R. Green Co. to schedule an appointment to meet with the Board to discuss the doors.

In other business, Chairperson Bell asked Atty. Benz if he had talked to the City of Bennett about their obligation concerning law enforcement for their community. Atty. Benz noted he and Sheriff Wethington met with the City Council, and the Council indicated they might have funds in their budget to pay for law enforcement services. Benz has not yet heard if the Council has made a decision. General discussion was held.

Bev Penningroth, Assistant Administrator to the Auditor told the Board that we no longer have hardware maintenance coverage on our Plasmon imaging optical library, since the company is no longer in business. She is researching options and will report to the Board. Penningroth asked for clarification on payment for certain purchases made and submitted to accounts payable for payment. Further research will be done.

On motion, the Board adjourned at 11:00 A.M., to March 2, 2009.

Cari Gritton, Auditor

Jon E. Bell, Chairperson

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., March 2, 2009 with the following members present: Boedeker, Deerberg, Moeller, Weih and Chairperson Bell.

The Board recited the Pledge of Allegiance.

The Board viewed a newsletter dated 2-26-09 from Wellmark Blue Cross Blue Shield.

The Board viewed an ISAC Update dated 2-27-09.

The Board viewed Legislative news from Speaker of the House Patrick Murphy dated 2-27-09.

The Board viewed a "Report of Veteran Affairs" for the month ended 2-25-09, submitted by Patricia Hamann, Secretary.

The Board acknowledged receipt of correspondence from Mike Wentzien, Supervisors' Lobbyist regarding the 7th Legislative week.

The Board acknowledged receipt of correspondence from Gina Clemmer of New Urban Research regarding a "Mapping Iowa Communities Workshop" on April 23, 2009.

The Board acknowledged receipt of correspondence from Representative Jeff Kaufmann regarding allocation of funds to unincorporated areas from the Department of Homeland Security.

The Board acknowledged receipt of a Manure Management Plan Annual Update for Ray Slach Farms.

The Board acknowledged receipt of a Vision Iowa Program Status Report, submitted by the Iowa Department of Economic Development.

The Board acknowledged receipt of correspondence from Bentley Haestad Solutions, regarding a water and wastewater stimulus plan.

The Board acknowledged receipt of correspondence from Repr. Jeff Kaufmann regarding HF64 (RIO Appropriations Bill) concerning funds appropriated to cities and counties for community disaster assistance.

The Board acknowledged receipt of correspondence from the Office of Governor Culver regarding Electrical Permit Requirements per Code of Iowa Chapter 103, submitted by Phil La Rue, Zoning Director.

Paul Stueland, representing the Tipton Chamber of Commerce, met with the Board to discuss an upcoming event. The Chamber is planning a yearly event called the "Taste of Tipton". The event is scheduled for July 25th. They want to have a band and a beer garden. The Pork Producers and Beef Producers will be cooking. The Chamber would like to use the Courthouse parking lots. Discussion was held. Stueland was advised to complete the proper documentation at the Auditor's Office. The Board had no objection to the event.

Moved by Sup. Deerberg seconded by Sup. Moeller to rescind a motion made on February 5, 2009, as requested by the Sheriff's Department, concerning a payroll change for Rhonda Wells-Stiteler, Correctional Officer.

Discussion was held.

Ayes: Boedeker, Deerberg, Moeller, Weih, Bell

Sup. Bell reported that the City of Tipton has an issue with the funding to provide fire protection to Center and Red Oak Townships. Brief discussion was held.

Engineer Fangmann met with the Board to discuss the award of a bid to Taylor Construction for bridge replacement project #BROS-C016(69)—5F-16 on 310th Street in Springdale Township and a contract with Calhoun-Burns & Associates for the 2009 bridge inspection and rating program.

Moved by Sup. Boedeker seconded by Sup. Weih to award the bid to Taylor Construction for project #BROS-C016(69)—5F-16 for an amount of \$360,976.05.

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

Moved by Sup. Deerberg seconded by Sup. Moeller to approve the contract with Calhoun-Burns & Associates, Inc. for the 2009 bridge inspections (151 structures) for an amount of \$18,990, as recommended by Engineer Fangmann.

Discussion was held. The amount is a 3.6% increase from last year.

Ayes: Boedeker, Deerberg, Moeller, Weih, Bell

The Engineer gave project updates.

The Board met with department heads to discuss any problems or concerns they might have. Those in attendance were: Charline Thumm, Connie Fett, Julie Tischuk, Tim Malott, Dan Lett, Patty Hamann, Bob Klemme, Gary Jedlicka, Mike Dauber, Warren Wethington, Carolyn Wood, Phil La Rue, Rob Fangmann, Mary Dorris and Amy Wehde. Chairperson Bell noted U.S. Cellular is offering employees a 10% discount off of their personal wireless phone plans. Those in attendance were given an opportunity to relay items concerning their departments. Charline Thumm said the Recorders are working with Legislators on privacy issues. They are working on a new UCC form. Tim Malott, E911/EMA Director is working on a Community Disaster Grant and storm shelter funding. He is visiting with City Councils and Fire Departments. Assessor Lett is doing annual service. Patty Hamann advised the Board about upcoming Veteran meetings and possible funding. Treasurer Jedlicka noted property taxes are due this month. Sheriff Wethington reported there are 40 prisoners in the jail at this time. The jail income was about \$43,000 last month. Phil La Rue is still working on residential substantial damage reports and upcoming food safety classes in April. Engineer Fangmann gave project updates. He noted there is a voluntary embargo on the gravel roads. Mary Dorris, Public Health Director is working on an emergency preparedness exercise scheduled for March 4th.

Sheriff Wethington asked the Board if he could start the Deputy Civil Service testing prior to July 1st. The Board felt that he could if the bills are submitted for payment after July 1st. Wethington will also talk to the Auditor regarding this matter.

Phil La Rue, Zoning Director met with the Board to set dates to review a zoning petition.

Moved by Sup. Moeller seconded by Sup. Weih to set March 23rd & 26th at 10:00 a.m. as the time to review/consider the following petition:

Gary Swart, P.O. Box 681, Sterling, IL (Owner) – Requesting a change in zoning from A-1 Agricultural to R-1 Suburban Residential for the purpose of constructing single family dwellings on a proposed two (2) lot subdivision located in the NW ¼, NW ¼, Section 10, T-79N, R-4W, in Springdale Township, consisting of 2.00 acres more or less.

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

In other business, Phil La Rue noted he is working on the proposed modification of the Land Use Plan. La Rue updated the Board on some of his communications with individuals regarding flood damaged structures, rebuilding those structures and the flood application process (flood plain determination, flood elevations and variance requests). Discussion was held.

Moved by Sup. Deerberg seconded by Sup. Moeller to approve the Board Minutes of February 26, 2009.

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

Chief Judge Bobbi Alpers of the Seventh Judicial District met with the Board to discuss Court services. In attendance were: Auditor Gritton and Pam Woode from the Clerk of Court's Office. Judge Alpers told the Board there are State budget problems and there will be an impact on services to three of the five counties in the District (Cedar, Jackson & Muscatine). Legislators are proposing cuts and asking the Courts to make cuts. Sheriff Wethington entered the room. Alpers noted she has argued for protection against cuts, but that has not worked. They have been told by the Chief justice to make immediate cuts. They will likely be 1 ½% short for their budget. Howard Thomas, District Court Administrator, entered the room. Orders have been sent down from Justice Turness. They are to reduce judicial travel by 60%. Since 95% of the budget is for salaries and benefits, there is only a small amount where they can make cuts. State employees in the Clerk of Court Offices are required to take unpaid furlough days. There will be seven more furlough days before June 30th. The Judges are not required to take unpaid work days. Ten out of the twelve Judges have official domicile in Scott County and the other two have official domicile in Clinton County. Their mileage is paid from their official domicile county, not where they actually live. The Chief Judge does have some authorization to change travel. There will still be a Judge in Cedar County on Fridays and for other "priority trials". Those involved with civil cases will need to travel to Clinton County. Judge Alpers noted Pam Woode and County Attorney Benz are concerned about what these cuts will do to the Court calendar, since services would be significantly cut. She is also concerned and felt the Courts will be falling behind. Judge Alpers doesn't believe this is a permanent scenario. County Attorney Benz entered the room. Judge Alpers told the Board she plans to give this service back to Cedar County as soon as she can. She felt the burden will be on the employees since the work still needs to be done. Theresa Seeberger entered the room. Sup. Moeller wondered if the people required to take furloughs are Union employees. Judge Alpers believed so. Moeller wondered if they may not get a pay increase, as well as having to take unpaid days. Pam Woode indicated that is what happened the last time there were State budget problems. Sup. Boedeker noted the decision made to cut travel increases the County's travel costs, and he asked where do we get that funding? Judge Alpers said that is the flaw in this matter. Boedeker felt this is another instance of the State balancing the budget on the counties, such as was done when the Iowa Highway Patrol was cut. Sheriff Wethington noted we are a small county, and he needs people to cover hours. Sup. Bell wondered if there has been talk about increasing Court costs and if so, tying those funds to a constitutionally protected fund. He noted this type of thing happens with funding for roads too. Ellen Huntoon entered the lobby. Judge Alpers felt Bell's comment was right on target. She noted negotiations have been difficult. Sheriff Wethington wondered if mental commitment transports would have to go to Clinton. Atty. Benz thought only if it was a juvenile. Judge Alpers thought that mental commitments, in most cases, could be done on Court service days in Cedar County. Atty. Benz noted the Magistrates can handle those cases, except for juveniles. Sup. Boedeker noted it would be better to have a Judge in our County. Judge Alpers again noted a Judge would have to be officially domiciled in Cedar County which means the Judge would have to work here six months in a year. Chairperson Bell asked Judge Alpers if she felt the system needs to change. She said no, that she thinks it works. Sue Hall asked if there is a role for video hearings. Judge Alpers didn't know what it would be and she felt that would be expensive. Sheriff Wethington said the estimate to put in video from the Law Enforcement Center was \$50,000. Howard Thomas noted they all have to follow the orders that are sent down. Judge Alpers agreed. Discussion continued. Atty. Benz felt pressure has to be placed on the Supreme Court Judges. Sup. Weih wondered about pressuring the Governor and Legislators also. Benz felt parties involved would be in favor of increased court costs, if there is service in Cedar County. Chairperson Bell asked Judge Alpers if she thought the Supreme Court Justice would allocate additional funds to the Courts if they were constitutionally protected. Judge Alpers didn't know. She told the Board she didn't know about a movement to shut down courts in small counties. Sup. Deerberg asked why the decision was made to send Cedar County cases to Clinton rather than Scott County. Judge Alpers felt there are courtroom issues in Davenport. Bell noted if there

was a domiciled Judge in Muscatine County, it would be closer for us. Judge Alpers indicated they could possibly look at that if this situation goes into the next fiscal year. Atty. Benz suggested combining Cedar, Jackson and Muscatine Counties in a floating domicile. Judge Alpers thought that is a good idea. Chairperson Bell told Judge Alpers he appreciated that she came to meet with them, and he knew what they talked about won't fall on deaf ears with her. He thought maybe pressure could be put back on. Judge Alpers stated that everyone should be able to say this can't be the ideal way to do business.

Ellen Huntoon met with the Board on behalf of U.S. Senator Harkin to discuss the American Recovery & Reinvestment Act (Federal Stimulus package). Engineer Fangmann, Sheriff Wethington and Phil La Rue, Environmental & Zoning Director were in attendance. Ellen Huntoon reviewed documentation concerning the package. Thirty percent is to go to local projects. Engineer Fangmann noted he is going through the regional planning agency for a \$770,000 resurfacing project. Phil La Rue asked if Senator Harkin could ensure that FEMA will do our flood study and maps so that we have accurate information for planning and insurance purposes. Sheriff Wethington asked if the COPS Grant is part of the package. Huntoon said yes. Sup. Moeller wondered if there would be funding for rural fire protection. Huntoon indicated the bill is mostly for infrastructure. Sup. Bell asked if there would be funds for schools' infrastructure. Huntoon said some, indicating there would be funds for repairs and fire safety, but not as much as they hoped. Engineer Fangmann wondered if there would be funds for the Corps of Engineers. He noted a main channel of the Cedar River changed due to the flood, and he has been working with the Corps to get their expertise on changing the channel. At this time, the bridge on County Road F44 is in jeopardy if we have another flood. It was noted the Corps of Engineers would have to initiate a change in the channel.

On motion, the Board adjourned at 11:00 A.M., to March 5, 2009.

Cari Gritton, Auditor

Jon E. Bell, Chairperson

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., March 5, 2009 with the following members present: Boedeker, Moeller and Chairperson Bell. Supervisors Weih and Deerberg were absent due to attendance at the ISAC Spring Conference.

The Board recited the Pledge of Allegiance.

The Board viewed revenue and expense summary reports concerning the FY08-09 County Budget, submitted by the Auditor's Office.

The Board viewed a news update from the Iowa Tourism Office dated 3-3-09.

The Board viewed correspondence from Jenni Tholen, Jail Administrator regarding a payroll change for Matthew Prachar, Correctional Officer.

The Board acknowledged receipt of a stimulus funding update from Kelley Deutmeyer of the East Central Intergovernmental Association.

The Board acknowledged receipt of correspondence from Mike Wentzien, Supervisors' Lobbyist regarding HSB168.

The Board acknowledged receipt of correspondence from the Iowa State Association of Counties regarding legislation for landfills.

The Board acknowledged receipt of a copy of a Notice of Determination to Joseph A. Fahrenkrug, from Phil La Rue, Cedar County Flood Plain Administrator.

The Board noted correspondence from Amy Wehde, Deputy Director, Cedar County Public Health regarding a payroll change for Cindy Bailey, Direct Care Worker, from \$9.70/hr to \$10.20/hr effective 3-6-09.

Moved by Sup. Boedeker seconded by Sup. Moeller to convene as the Stanwood Drainage District Board.

Ayes: Boedeker, Moeller, Bell
Absent: Weih, Deerberg

Moved by Sup. Boedeker seconded by Sup. Moeller to return to regular session.

Ayes: Boedeker, Moeller, Bell
Absent: Weih, Deerberg

Moved by Sup. Boedeker seconded by Sup. Moeller to approve the following payroll change:

Sheriff's Department

Matthew Prachar, Correctional Officer, from \$12.91/hr to \$13.44/hr effective 1-11-09.

Ayes: Moeller, Boedeker, Bell
Absent: Deerberg, Weih

Moved by Sup. Boedeker seconded by Sup. Moeller to approve the Board Minutes of March 2, 2009.

Ayes: Moeller, Boedeker, Bell
Absent: Deerberg, Weih

General discussion was held.

Moved by Sup. Boedeker seconded by Sup. Bell to approve Claim Checks #369563 - #369750.

Ayes: Boedeker, Moeller, Bell
Absent: Weih, Deerberg

It was noted Handwritten Check #369751 dated 3/5/09 was issued to the Cedar County Treasurer in the amount of \$1,540.71, for an Administrative Solutions, Inc. flex claims electronic deposit.

It was noted Handwritten Check #369752 dated 3/5/09 was issued to the Cedar County Treasurer in the amount of \$13,070.98, for an Administrative Solutions, Inc. partial self funded claims electronic deposit.

It was noted Handwritten Check #369753 dated 3/5/09 was issued to the Cedar County Treasurer in the amount of \$1,604.00, for an Administrative Solutions dental claims electronic deposit.

On motion, the Board adjourned at 9:50 A.M., to March 9, 2009.

Cari Gritton, Auditor

Jon E. Bell, Chairperson

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., March 9, 2009 with the following members present: Boedeker, Deerberg, Moeller, Weih and Chairperson Bell.

The Board recited the Pledge of Allegiance.

The Board viewed an ISAC Update dated 3-6-09.

The Board viewed Legislative News dated 3-6-09 from Speaker of the House Pat Murphy.

The Board acknowledged receipt of correspondence from Nicole Turpin of the East Central Intergovernmental Association regarding modification of the Land Use Plan.

The Board acknowledged receipt of a copy of the minutes of the February 18, 2009 meeting of the Cedar County Planning & Zoning Commission submitted by Phil La Rue, Zoning Director.

The Board acknowledged receipt of correspondence from Associated Industries of Missouri regarding various seminars.

The Board acknowledged receipt of correspondence from Ted Pence regarding a flood damage "Notice of Determination" issued to him by Phil La Rue, Zoning Administrator.

The Board acknowledged receipt of correspondence from Representative Jeff Kaufmann regarding the Rebuild Iowa Office Community and Regional Recovery Planning Team and the unincorporated town of Rochester.

The Board acknowledged receipt of a copy of the minutes of the February 18, 2009 meeting of the Cedar County Fair Association.

Ted Pence entered the room to observe. He then addressed the Board concerning a letter he sent the Board regarding a flood damage "Notice of Determination" issued by Phil La Rue, Zoning Administrator, concerning his property (cabin) along the river. Mr. Pence told the Board he felt La Rue has his own agenda regarding his property. Pence thought his property is grandfathered in under the Zoning Ordinance. Mr. Pence felt La Rue's calculations are incorrect. He has banned La Rue from his property, and he doesn't want him doing anything concerning his property while he is out of town.

Ted Pence continued to observe during the Board meeting.

Engineer Fangmann met with the Board to review a Utility Permit Application for Iowa Telecom for service to a new cell tower on 142nd Street north of Lowden.

Moved by Sup. Moeller seconded by Sup. Boedeker to approve and authorize Chairperson Bell to sign a Utility Permit Application for Iowa Telecom, as presented.

Ayes: Boedeker, Deerberg, Moeller, Weih, Bell

Engineer Fangmann gave an update on the condition of the roads after the heavy rain over the weekend. The Secondary Road Department put up several barricades due to water over the roads. They are putting rock down to make the roads passable, and they'll do more repairs when it freezes later this week. The Engineer is monitoring the West Rochester area. Discussion was held regarding debris removal at the Rochester bridge on County Road F44 and salvaging steel.

Auditor Gritton met with the Board to discuss the air conditioning unit in the computer room. The unit was not working properly, and the technician from Total Maintenance, Inc. discovered a cable had been cut that goes to the condensing unit outside. The unit is 26 years old. We can purchase an R22 condensing unit (13 sear) for around \$1,700 that

will be compatible with the fan unit we have now. This will not be the case if we wait and something happens later to the condensing unit. It would then cost \$5,000 to \$6,000 to replace both units. The Board agreed the Auditor should proceed with the installation of the \$1,700 condensing unit.

Chairperson Bell noted he spoke with Nicole Turpin at the East Central Intergovernmental Association regarding the contract for services concerning a Land Use Plan amendment. Phil La Rue, Zoning Director, joined the discussion. Members of the Board clarified information and noted documentation sent to E.C.I.A. Sup. Boedeker left the room to participate in a conference call with the East Central Iowa Council of Governments in the Engineer's Office.

Discussion was held with Ted Pence and Phil La Rue concerning Mr. Pence's property along the river. Phil La Rue referenced the current setback of one foot from the river. Mr. Pence felt the cabin was not 40% damaged, and he wondered why it didn't fall under Chapter 16.7 of the Zoning Ordinance. Phil La Rue explained there is a process to follow and an appeal process. Pence indicated the costs to repair the cabin were \$1,700 plus labor. He felt the labor, which he did himself, should not be included in the damage costs. La Rue noted the assessment on the property is \$6,000. Mr. Pence asked La Rue why he is doing what he's doing. La Rue referenced a requirement to do an assessment, which he did. Ted Pence wondered why the matter was not addressed then. Phil La Rue noted he wanted to meet with Mr. Pence. He stated the cabin was submerged with only the north edge out of the water, and in FEMA's eyes, it was submerged. Ted Pence noted he does not have flood insurance. Phil La Rue noted the County is required to comply with flood plain regulations. He said a FEMA inspector saw the property from the road. Ted Pence indicated perhaps they should talk to FEMA. Phil La Rue referenced the options of Ted Pence submitting an itemized statement plus labor, two appraisals, or a substantial damage determination. Phil La Rue said he could try to get someone from FEMA to meet with them. Mr. Pence indicated he would not be forced to do anything, until the matter went to court. He noted there was 0% damage to the enclosed porch. Pence suggested asking FEMA to look at the cabin. La Rue referenced FEMA's policy. Mr. Pence noted he did not receive money from FEMA. He asked La Rue to not do anything behind his back. Discussion continued. Mr. Pence requested that the "Notice of Determination" be rescinded until this matter is resolved. La Rue suggested that they meet and he can show him where the cabin was not damaged. Chairperson Bell noted that FEMA has gotten involved in a lot of things, they have required things of the County and there are issues we've been forced into. Sup. Boedeker joined the discussion. Bell noted the County has had to enforce things we've not had to enforce before. He suggested working with Phil La Rue and requesting FEMA to come back here to meet with Mr. Pence and Mr. La Rue. Pence noted he would be back after the 1st of April, and he is to be there when an inspection is done. Discussion continued. La Rue referenced the need for a flood plain determination. It was agreed that Phil La Rue would contact FEMA and then call Mr. Pence after April 1st to set up a time to meet with La Rue and a FEMA representative. Chairperson Bell noted they would then see where they are after that step. Mr. Pence left the room.

Phil La Rue remained in the room to review policy, documentation and pictures concerning the Pence property. Discussion was held. Chairperson Bell felt it is important for La Rue to document where the documentation/requirements are coming from that he gives to property owners. Sup. Weih noted if they don't carry out FEMA policy, it jeopardizes residents getting flood insurance, but he noted he disagrees with some of FEMA's policies.

Discussion was held regarding the proposed Contract for Services with the East Central Intergovernmental Association not to exceed \$500 concerning a Land Use Plan amendment.

Moved by Sup. Boedeker seconded by Sup. Weih to approve a Contract for Services with East Central Intergovernmental Association for a possible Land Use Plan amendment.

Discussion was held. Sup. Moeller referenced the decision to proceed with the proposed Land Use Plan amendment. It was noted in the future there would be a 3-year evaluation,

recommendations from E.C.I.A. and public hearings. Chairperson Bell felt the decision to consider an amendment was not based on the petition sent to the Board, but that this matter needed to be addressed.

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

Moved by Sup. Boedeker seconded by Sup. Moeller to approve the Board Minutes of March 5, 2009.

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

General discussion was held.

Engineer Fangmann met with the Board to discuss the "Murray" property that was purchased by Cedar County. He has had an inquiry from someone that wondered if the County would give her the house, and she would have it moved. Fangmann told her he couldn't give anyone the house. The County Attorney noted there would need to be a public hearing to determine what the Board plans to do with the home, before there could be an auction. The cost for a public notice would be around \$200. Fangmann had thought he would have Secondary Road workers take the house down on slow days. Reference was made to the liability of having someone on the property to move the house. Discussion was held. At 10:30 a.m. the Board departed to look at the house. While at the house it was the consensus of the Board that the Engineer should salvage what he could and then scrap the house.

On motion, the Board adjourned at 10:55 A.M., to March 12, 2009.

Cari Gritton, Auditor

Jon E. Bell, Chairperson

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., March 12, 2009 with the following members present: Boedeker, Deerberg, Moeller, Weih and Chairperson Bell.

The Board recited the Pledge of Allegiance.

The Board viewed a report of fees collected for February 2009 submitted by the Clerk of the District Court's Office.

The Board viewed a March 2009 Secretary of State newsletter.

The Board viewed correspondence from Jenni Tholen, Jail Administrator regarding a payroll change for Rhonda Wells-Stiteler, Correctional Officer.

The Board acknowledged receipt of correspondence from Ted Pence regarding flood damage and re-inspection of his property.

The Board acknowledged receipt of correspondence from Jessica Clinton of Alternative Insurance Risk Pool regarding an "Accident Repeaters" web seminar on March 18th.

The Board acknowledged receipt of correspondence from Mike Wentzien, Supervisors' Lobbyist regarding the 8th Legislative week.

The Board acknowledged receipt of correspondence from Timothy J. Tobin, President of Eagle Companies regarding alleviation of jail overcrowding.

The Board acknowledged receipt of a copy of an article Representative Jeff Kaufmann put in the Muscatine Journal regarding a bill to reverse an Iowa Supreme Court order concerning restricting Judges' travel.

The Board acknowledged receipt of correspondence from Representative Jeff Kaufmann regarding Iowa Secretary of Agriculture Bill Northey touring the area on March 13th.

The Board acknowledged receipt of a copy of the February 9, 2009 minutes of the Cedar County Conservation Board.

The Board acknowledged receipt of correspondence from Scott Meyer of The Des Moines Register regarding a "2009 Vacation Iowa" travel guide.

The Board acknowledged receipt of correspondence from Katie Pfeifer of The National Council For Public-Private Partnerships regarding a workshop on April 7-8, 2009 titled "The Stimulus Package for Energy & Infrastructure PPPs".

The Board noted correspondence from Amy L. Wehde, Deputy Director, Cedar County Public Health regarding the hiring of Shari Bender as a Direct Care Worker at \$8.95/hr effective 3-9-09.

Engineer Fangmann met with the Board to review the Iowa Department of Transportation Fiscal Year 2010 Cedar County Secondary Road Construction Program and Budget and a 28E Agreement with the City of West Branch for resurfacing of County Road X30 north of West Branch Project #STP-S-C016(66)—5E-16.

The Engineer reviewed the 2009 Bridge Crew Schedule, Construction Program, and Budget. Discussion was held.

Moved by Sup. Boedeker seconded by Sup. Deerberg to approve and authorize Chairperson Bell to sign, the FY10 I.D.O.T. Secondary Road Five-Year Construction Program and Budget, as presented.

Ayes: Boedeker, Deerberg, Moeller, Weih, Bell

Engineer Fangmann reviewed a 28E Agreement with the City of West Branch for resurfacing County Road X30 north of West Branch. It is a 50-50 split with payments made by West Branch to the County in FY10 and FY11.

Moved by Sup. Boedeker seconded by Sup. Moeller to approve a 28E Agreement with the City of West Branch concerning resurfacing project #STP-C016(66)—5E-16.

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

Cathy Cutler of the District VI Iowa Department of Transportation Office met with the Board to discuss the Hwy 30 bypass around the Mt. Vernon & Lisbon area. Engineer Fangmann and Phil La Rue, Zoning Director were in attendance. Cathy Cutler presented a map of a proposed bypass area and other documentation. There has been no work done in the Hwy 30 corridor since 2001 and there is no funding to do any new work. Cutler noted the original option and another option (not yet cleared) of where the bypass could come back to the main Hwy 30 route. Sup. Boedeker expressed concern that the second possible option would take too much farm ground out of production. Sup. Bell agreed. Sup. Moeller felt that option could isolate some farms from the north to south. It was noted the County would need to notify the D.O.T. about new buildings, re-zonings and subdivisions. Discussion was held.

Engineer Fangmann met with the Board to give updates. It was noted the Governor plans to veto an increase in the fuel tax. Fangmann noted he has had some inquiries about participation by cities in the County's salt bid and the practice of sub-allocations. He felt sub-allocating salt could jeopardize the County's relationship with the vendor. The County only has one supplier. Fangmann felt we cannot jeopardize our salt quantity and bid price, so we won't be in the same situation as some counties, and he felt we can't afford to lose our one supplier. In other business, discussion was held regarding fence claims and snow winging issues.

Connie Fett, CPC Administrator met with the Board to review the proposed Cedar County Strategic Plan for Mental Health Services for Fiscal Years 10, 11 & 12. Sup. Moeller was out of the room. Fett reviewed the plan. Discussion was held. Sup. Moeller returned to the room while discussion was in progress.

Moved by Sup. Deerberg seconded by Sup. Moeller to set March 26, 2009 at 9:00 a.m. as the time for a public hearing to review/consider the Strategic Plan.

Ayes: Boedeker, Deerberg, Moeller, Weih, Bell

Moved by Sup. Moeller seconded by Sup. Weih to approve and authorize Chairperson Bell to sign a Request for Bid in the amount of \$300 to the Iowa Department of Public Health for FY10 substance abuse funding.

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

Moved by Sup. Moeller seconded by Sup. Boedeker to approve the Board Minutes of March 9, 2009.

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

Jerry Kneeland of the Howard R. Green Co. met with the Board to discuss new Courthouse exterior doors. Auditor Gritton and Custodian Klemme were in attendance. Mr. Kneeland said he would need to gather information about what the Board would like. The Board would like to match the exterior color of the building, widen the handicap entrance and review lock options. Coordination would need to be done with T.M.I. due to the air transients above the two east entrances. Mr. Kneeland suggested multi-pane glass (possibly tinted) and aluminum doors. Sup. Boedeker wondered about the east exterior door to the former Sheriff's Office. Klemme indicated he rarely uses that door. It was the consensus that the door remain, but that it could possibly be painted to match the other new doors. Chairperson Bell noted the Board needs specifications for bidding

the project. Discussion was held. Mr. Kneeland will look at the doors with Bob Klemme and then meet with the Board at a later date to give them an estimate. If the Board approves using their services, Howard R. Green could give the Board a construction estimate.

Moved by Sup. Boedeker seconded by Sup. Moeller to waive agenda requirements to allow for review/consideration of the Management's Discussion and Analysis of Cedar County's annual financial statements.

Ayes: Boedeker, Deerberg, Moeller, Weih, Bell

The Board and Auditor Gritton reviewed the Management's Discussion and Analysis for the fiscal year ended 6-30-2008. Discussion was held.

Moved by Sup. Deerberg seconded by Sup. Boedeker to approve the document, as presented by Auditor Gritton, to be included in the FY08 County Audit.

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

Moved by Sup. Boedeker seconded by Sup. Deerberg to approve Payroll Checks #135219 - #135403 for the period ending 3-7-09 and to be paid on 3-13-09.

Ayes: Boedeker, Deerberg, Moeller, Boedeker, Bell

It was noted Handwritten Check #369754 dated 3/12/09 was issued to the Cedar County Treasurer in the amount of \$888.41, for an Administrative Solutions, Inc. flex claims electronic deposit.

It was noted Handwritten Check #369755 dated 3/12/09 was issued to the Cedar County Treasurer in the amount of \$3,282.01, for an Administrative Solutions, Inc. partial self funded claims electronic deposit.

It was noted Handwritten Check #369756 dated 3/12/09 was issued to the Cedar County Treasurer in the amount of \$684.39, for an Administrative Solutions dental claims electronic deposit.

On motion, the Board adjourned at 10:25 A.M., to March 16, 2009.

Cari Gritton, Auditor

Jon E. Bell, Chairperson

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., March 16, 2009 with the following members present: Boedeker, Deerberg, Moeller, Weih and Chairperson Bell.

The Board recited the Pledge of Allegiance.

The Board viewed The National Council For Public-Private Partnerships Spring newsletter.

The Board viewed an ISAC update dated 3-13-09.

The Board acknowledged receipt of correspondence from Mike Wentzien, Supervisors' Lobbyist regarding the 9th Legislative session.

The Board acknowledged receipt of correspondence from Tammy Norman of the Iowa State Association of Counties regarding the ISAC General Counsel.

The Board acknowledged receipt of correspondence from Sandy Bloomquist of the Iowa Department of Economic Development regarding Community Action and Tourism workshops scheduled for March 27th & 31st.

The Board acknowledged receipt of correspondence from Jackie Barten at the Cedar County Economic Development Commission regarding Congressman Loeb sack testifying before the House Budget Committee on March 18th concerning the FY10 budget and the need for additional flood relief.

The Board acknowledged receipt of a Manure Management Plan Annual Update for Severin Trust, submitted by Brian Severin.

The Board acknowledged receipt of an Iowa Department of Corrections Jail Inspection Report of the Cedar County Jail by Jail Inspector Delbert Longley, submitted by Jenni Tholen, Jail Administrator.

The Board acknowledged receipt of correspondence and a booklet titled "Secondary Liability: Could You Be Implicated in a CAFO Lawsuit?" from Jefferson County Farmers & Neighbors.

The Board acknowledged receipt of correspondence and Proposal For Engineering/Architectural Services from The Howard R. Green Company concerning new Courthouse entrance doors.

The Board noted correspondence from Amy Wehde, Deputy Director, Cedar County Public Health regarding a payroll change for Barbara Jones, Direct Care Worker, from \$8.95/hr to \$9.20/hr effective 3-15-09.

Assistant Engineer Kordick met with the Board to review a contract and bond with Taylor Construction Inc. concerning bridge project# BROS-C016(69)—5F-16 on 310th Street in Springdale Township. Kordick reviewed the contract and bond. The project cost is an 80 (Federal) -20 (local) split using Farm to Market funds. Discussion was held.

Moved by Sup. Weih seconded by Sup. Deerberg to approve the contract and bond with Taylor Construction, Inc. in the amount of \$360,976.05 for bridge project# BROS-C016(69)—5F-16 and authorize Chairperson Bell to sign the same.

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

In other business, Kordick presented a Utility Permit Application for Linn County REC to provide service to 1439 Echo Avenue west of Cedar Valley.

Moved by Sup. Moeller seconded by Sup. Weih to approve and authorize Chairperson Bell to sign a Utility Permit Application for Linn County REC, as presented.

Ayes: Boedeker, Deerberg, Moeller, Weih, Bell

Moved by Sup. Boedeker seconded by Sup. Deerberg to approve the following payroll change:

Sheriff's Department

Rhonda Wells-Stiteler, Correctional Officer, from \$12.91/hr to \$13.44/hr effective 3-8-09.

Ayes: Boedeker, Deerberg, Moeller, Weih, Bell

Phil La Rue, Environmental & Zoning Director met with the Board for an annual performance review. Mr. La Rue requested a closed session.

Moved by Sup. Weih seconded by Sup. Moeller to go into closed session as allowed under Section 21.5.1(i), Code of Iowa.

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

Moved by Sup. Weih seconded by Sup. Moeller to return to regular session.

Ayes: Boedeker, Deerberg, Moeller, Weih, Bell

The Board acknowledged no decision was made with regard to the prior closed session.

The time of 9:30 a.m. was noted.

Discussion was held with Phil La Rue regarding flood damaged properties and disaster/emergency response. General discussion was held.

The Board reviewed a 28E Agreement for Mental Health Advocate Services between Cedar, Clinton, Muscatine and Scott Counties submitted by Connie Fett, CPC Administrator for the Board's approval.

Moved by Sup. Weih seconded by Sup. Boedeker to approve and authorize Chairperson Bell to sign a 28E Agreement for Mental Health Advocate Services effective 1-1-09.

Ayes: Boedeker, Deerberg, Moeller, Weih, Bell

Moved by Sup. Deerberg seconded by Sup. Boedeker to approve the Board Minutes of March 12, 2009.

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

The Board noted the following Handwritten Checks dated 3/13/09 were issued for administrative corrections: #369757 Cedar County Sheriff's Dep't. \$182.41
#369758 Vickie L. Butterbrodt \$338.75.

The Board adjourned at 10:02 a.m.

The Board reconvened at Noon to meet with Nicole Turpin of the East Central Intergovernmental Association regarding a proposed Future Land Use Plan amendment. Phil La Rue, Zoning Director was in attendance. Nicole Turpin felt only minor revisions would be needed for the text. She felt the goals and objectives are consistent with the changes proposed. Areas the Board would like modified for the proposed map amendment are: inclusion of the Hwy 30 Mt. Vernon/Lisbon bypass area and Timber Run Subdivision, and deletion of an area along County Road F44 between Springdale and West Branch. Turpin noted the proposed draft map would be presented to the Planning & Zoning Commission on March 18th. They will give comments and recommendations. Property owners would be notified. There would then be a Planning & Zoning

Commission public hearing to review the proposed map amendment. After that the matter would come before the Board of Supervisors at a public hearing. Phil La Rue wondered about including the Edgewood Subdivision. Chairperson Bell felt that is something the Planning & Zoning Commission could recommend, if they would like. Turpin indicated there would then be a Comprehensive Plan update in five years. Bell noted there could be proposed changes based on what happens with the buy-outs. Phil La Rue wondered about working on development of the Cedar River area between Cedar Bluff and Rochester to keep the area as native as possible.

In other business, Nicole Turpin left a resolution regarding a revised application to FEMA for funding from the Hazard Mitigation Grant Program concerning the flood buy-outs. Additional properties have been added to the project and a State Mitigation official assigned to our area has revised some numbers. Turpin indicated there are two properties that are on the Historical Registry, and there has been concern expressed about what will happen to historical items in buildings on those properties. Turpin noted the barns were not substantially damaged, so she didn't blame people for leaving things in them. The resolution will be considered at the Board's next meeting. She also requested that a letter be sent that would allow E.C.I.A. to recoup costs. When asked about the buy-out application schedule, Turpin indicated they are still hoping that something will happen in May. She is also working on finalizing the properties to be included in the Public Assistance Demolition. Turpin felt there should sometime be another meeting with property owners.

Chairperson Bell told La Rue it had come to his attention that someone could legally landfill dead horses and dogs in another county. La Rue didn't know how they could do that. Brief discussion was held.

On motion, the Board adjourned at 12:25 P.M., to March 19, 2009.

Cari Gritton, Auditor

Jon E. Bell, Chairperson

The Cedar County Board of Supervisors met in regular session at 7:45 A.M., March 19, 2009 with the following members present: Deerberg, Moeller, Weih and Chairperson Bell. Sup. Boedeker was absent.

The Board recited the Pledge of Allegiance.

The Board viewed a March newsletter from Representative Jeff Kaufmann.

The Board viewed a news update from the Iowa Tourism Office dated 3-17-09.

The Board acknowledged receipt of correspondence from the Iowa Department of Economic Development regarding Sustainable Community Project Funding.

The Board acknowledged receipt of a copy of correspondence from Dennis Ostwinkle, of the Department of Natural Resources, to Devon and Jessica Schott, regarding confined animal feeding operation construction requirements concerning the Fletcher Farm.

The Board acknowledged receipt of correspondence from the U.S. Highway 30 Coalition regarding "Lobbying Day At The Capitol" on March 25th.

The Board acknowledged receipt of a copy of correspondence from Robert L. Kocer, President of Vanguard Appraisals, Inc., to Assessor Lett, thanking the Conference Board for contracting with them for the County Revaluation project.

The Board acknowledged receipt of a Manure Management Annual Update from Jeff Salsbery.

The Board acknowledged receipt of correspondence from I.S.A.C. regarding a "County Day at the Capitol".

The Board acknowledged receipt of correspondence from David L. Miller Administrator, Department of Public Defense regarding a Community Disaster Grant Program minority impact statement/deadlines.

The Board reviewed a revised resolution for the Hazard Mitigation Grant Program concerning FEMA funding for flood property acquisition and a letter to the East Central Intergovernmental Association regarding administration costs. The numbers were revised from the previous resolution adopted in January. Discussion was held.

Moved by Sup. Moeller seconded by Sup. Weih to approve and adopt the following resolution:

LOCAL MATCH RESOLUTION
FOR THE
HAZARD MITIGATION GRANT PROGRAM

WHEREAS, Cedar County (hereinafter called "the Subgrantee"), County of Cedar, has made application through the Iowa Homeland Security and Emergency Management Division (HSEMD) to the Federal Emergency Management Agency (FEMA) for funding from the Hazard Mitigation Grant Program, in the amount of \$2,402,198.00 for the total project cost,

and

WHEREAS, the Subgrantee recognizes the fact that this grant is based on a cost share basis with the federal share not exceeding 75%, the state share not exceeding 10% and the local share being a minimum of 15% of the total project cost. The minimum 15% local share can be either cash or inkind match.

and

THEREFORE, the Subgrantee agrees to provide and make available \$360,330.00 (three hundred sixty thousand three hundred thirty dollars) of local monies to be used to meet the minimum 15% match requirement for this mitigation grant application.

The resolution was passed and approved this 19th day of march, 2009.

Ayes: Weih, Moeller, Deerberg, Bell

Absent: Boedeker

Discussion was held with Sheriff Wethington concerning a claim for Stueland Auto Center for work done on a 2005 Blazer. Wethington said the vehicle was used when they purchased it. Sup. Deerberg reported that the Transfer Station may be closed for two weeks due to floor repairs, so he has asked the Sheriff if there would be prisoners available to assist with cleanup during those two weeks. The Sheriff said he couldn't promise that he'd have staff available to watch the prisoners, but he would try. His staff has had to do more juvenile transports.

Moved by Sup. Moeller seconded by Sup. Weih to approve a 5-day Class B Beer Permit at the Matthews Building at the Fairgrounds for Cedar Wapsi Pheasants Forever.

Ayes: Weih, Moeller, Deerberg, Bell

Absent: Boedeker

Moved by Sup. Weih seconded by Sup. Moeller to approve a Class A Liquor License with outdoor service and Sunday sales for Wahkonsa Country Club.

Ayes: Deerberg, Moeller, Weih, Bell

Absent: Boedeker

Moved by Sup. Deerberg seconded by Sup. Weih to approve the Board Minutes of March 16, 2009.

Ayes: Weih, Moeller, Deerberg, Bell

Absent: Boedeker

Moved by Sup. Deerberg seconded by Sup. Moeller to approve Claim Checks #369759 - #369956.

Ayes: Deerberg, Moeller, Weih, Bell

Absent: Boedeker

The Board noted Handwritten Check #369957 dated 3/19/09 was issued to Tim Malott in the amount of \$61.60 as an administrative correction.

It was noted Handwritten Check #369958 dated 03/19/09 was issued to the Cedar County Treasurer in the amount of \$2,419.76, for an Administrative Solutions, Inc. flex claims electronic deposit.

It was noted Handwritten Check #369959 dated 3/19/09 was issued to the Cedar County Treasurer in the amount of \$3,840.83, for an Administrative Solutions, Inc. partial self funded claims electronic deposit.

It was noted Handwritten Check #369950 dated 3/19/09 was issued to the Cedar County Treasurer in the amount of \$2,734.91, for an Administrative Solutions dental claims electronic deposit.

Sup. Deerberg departed at 8:19 a.m. to attend a Heartland Insurance Risk Pool meeting.

Sheriff Wethington contacted the Board to let them know that the City of Bennett has indicated they will be contracting with Cedar County for law enforcement services.

On motion, the Board adjourned at 9:40 A.M., to March 23, 2009.

Cari Gritton, Auditor

Jon E. Bell, Chairperson

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., March 23, 2009 with the following members present: Boedeker, Deerberg, Moeller, Weih and Chairperson Bell.

The Board recited the Pledge of Allegiance.

The Board viewed an I.S.A.C. Update dated 3-20-09.

The Board viewed Legislative news from Speaker of the House Pat Murphy dated 3-20-09.

The Board viewed a copy of correspondence from Jan Slaughter, Cedar/Muscatine County Site Manager of Community Action of Eastern Iowa, to Patty Hamann, General Assistance Director, regarding the continued acceptance of applications for LIHEAP through 5-29-09.

The Board acknowledged receipt of correspondence from Adrian E. LaTrace, Vice President and General Manager of Acciona Windpower North America, LLC, regarding plans for a group of employees to be laid off or have their employment terminated commencing on May 19, 2009.

The Board acknowledged receipt of correspondence from Mike Wentzien, Supervisors' Lobbyist regarding the 10th Legislative week.

The Board acknowledged receipt of an agenda for the March 25, 2009 meeting of the Eastern Iowa Rural Utility Services System, submitted by the East Central Intergovernmental Association.

The Board acknowledged receipt of correspondence from the Iowa Department of Economic Development regarding an economic development and transportation conference scheduled for April 8, 2009.

The Board acknowledged receipt of correspondence from Representative Jeff Kaufmann regarding his fight to return civil trials to Muscatine and Cedar Counties.

Phil La Rue, Zoning Director met with the Board to request that they set public hearing dates to review zoning petitions. Brief discussion was held.

Moved by Sup. Boedeker seconded by Sup. Moeller to set April 16th & 20th, 2009 at 9:00 a.m. as the time to review/consider the following petitions:

1. Randy and Linda Weaver, 1524 Highway 130, Tipton (Contract Buyers) and Rebecca Penningroth, 1110 Daybreak Ridge, Tipton (Owner) – Requesting a change in zoning from A-1 Agricultural to R-1 Suburban Residential for the purpose of relocating the Buchanan House to property located in the NE ¼, NW ¼, Section 8, T-80N, R-3W, in Center West Township. Said petition is to rezone 2.00 acres of a proposed 8.00 acre tract.
2. Randy and Linda Weaver, 1524 Highway 130, Tipton (Contract Buyers) and Rebecca Penningroth, 1110 Daybreak Ridge, Tipton (Owner) – Requesting a change in zoning from R-1 Suburban Residential to A-1 Agricultural to eliminate an unneeded zoning district located in the NW ¼, NW ¼, Section 8, T-80N, R-3W, in Center West Township, consisting of 2.00 acres more or less. This petition was previously heard and approved by the Cedar County Board of Supervisors on October 2 and 6, 2008.

Ayes: Boedeker, Deerberg, Moeller, Weih, Bell

Moved by Sup. Boedeker seconded by Sup. Deerberg to authorize Chairperson Bell to sign an Iowa Department of Human Services Community Mental Health Center Affiliation form for FY10 designating CMHC for Mid-Eastern Iowa.

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

Engineer Fangmann met with the Board to review an Iowa Department of Transportation Agreement for a Federal Highway Stimulus Program Project ESFM-C016(78)—5S-16 and a 2009 Resolution for the Destruction of Noxious Weeds. General discussion was held. Chairperson Bell told the Engineer he had two complaints this past weekend regarding our Secondary Road truck drivers using cell phones. He suggested perhaps there should be a policy in place concerning the matter. Boedeker felt a policy is needed. Deerberg felt any policy would need to be done county-wide to include all employees. The Engineer will discuss the matter at an upcoming safety meeting. Discussion continued.

Fangmann reviewed the agreement for the Federal Highway Stimulus Program project. The County Road Y26 resurfacing project (Durant to Sunbury) is estimated to cost \$1.35 million. The stimulus funds would be \$773,396.00. Discussion was held.

Moved by Sup. Deerberg seconded by Sup. Moeller to authorize Chairperson Bell to sign the Iowa Department of Transportation Agreement and attachment for a Federal Highway Stimulus Program Y26 resurfacing project #ESM-C016(78)—5S-16.

Ayes: Boedeker, Deerberg, Moeller, Weih, Bell

The Engineer reviewed a noxious weed resolution.

Moved by Sup. Weih seconded by Sup. Boedeker to approve and adopt the following resolution:

**2009 RESOLUTION FOR THE DESTRUCTION
OF NOXIOUS WEEDS**

To All Property Owners:

BE IT RESOLVED by the Board of Supervisors of Cedar County, Iowa; this 23rd day of March, 2009,

That pursuant to the provisions of Chapter 317, 2009, Code of Iowa, it is hereby ordered:

1. That each owner and each person in possession or control of any lands in Cedar County, shall cut, burn, or otherwise destroy all noxious weeds thereon, as defined in this chapter, at such times in each year and in such manner as shall prevent said weeds from blooming or coming to maturity, and shall keep said lands free from such growth of any other weeds as shall render the streets or highways adjoining said land unsafe for public travel. Noxious weeds shall be cut or otherwise destroyed on or before the following dates and as often thereafter as is necessary to prevent seed production.

Group 1, May 20 to June 5, 2009 for Leafy Spurge, Perennial Pepper Grass, Sour Dock, Smooth Dock, Sheep Sorrel, Teasel, Wild Sunflower.

Group 2, June 1-15, 2009 for Canadian Thistle, Russian Knapweed, Buckhorn, Wild Mustard, Musk Thistle, and Marijuana.

Group 3, July 1-15, 2009 for Field Bindweed, Wild Carrot, European Morning Glory, Buckhorn and Multiflora Rose.

Group 4, July 15-30, 2009 for Horse Nettle, Perennial Sow Thistle, Quack Grass, Butterprint, Puncture Vine, Cocklebur, Shattercane, and Bull Thistle.

2. That each owner and each person in the possession or control of any lands in Cedar County infested with any noxious weeds including Quack Grass, Perennial Sow Thistle, Canadian Thistle, Field Bindweed, Horse Nettle, Leafy Spurge, Perennial Pepper Grass, Russian Knapweed, shall adopt a program of weed destruction, described by the

Weed Commissioner, which, in five years may be expected to destroy and will immediately keep under control such infestations of said noxious weeds.

3. That if owners or persons in possession or control of any land in Cedar County fail to comply with the foregoing orders, the Weed Commissioner shall cause this to be done and the expense of said work, including costs of serving notice or other costs, if any, to be assessed against said real estate.

4. That the County Auditor be and is hereby directed to cause notice of the making and entering of the foregoing order by one publication in each of the official newspapers of the county.

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

Sup. Boedeker left the meeting at 9:30 a.m.

Moved by Sup. Weih seconded by Sup. Deerberg to approve the Board Minutes of March 19, 2009.

Ayes: Weih, Moeller, Deerberg, Bell

Absent: Boedeker

This being the time set for a public hearing to review/consider the following petition: Gary Swart, P.O. Box 681, Sterling, IL (Owner) – Requesting a change in zoning from A-1 Agricultural to R-1 Suburban Residential for the purpose of constructing single family dwellings on a proposed two (2) lot subdivision located in the NW ¼, NW ¼, Section 10, T-79N, R-4W, in Springdale Township, consisting of 2.00 acres more or less.

Chairperson Bell read the legal notice. Gary Swart; Atty. Gerald F. Denning (Attorney for Petitioner); Phil La Rue, Zoning Director; Engineer Fangmann and 14 other individuals were in attendance. Mr. La Rue noted there are objections on file. He noted the Board would be doing their review in accordance with Chapter 18 of the Cedar County Zoning Ordinance, and asked that they answer questions in accordance with Chapter 18.2(3). La Rue referenced and read a portion of the goals and objectives in the Comprehensive Plan. He said the West Branch Fire Department has indicated they could provide services. There is a permit on file in the Engineer's Office for one access to serve two homes. La Rue said the soil limitations are moderate for building, limitations for septic are moderate to severe with severe limitations due to slope, and agricultural limitations are slight to severe with a Corn Suitability Rating average of 74.7. He noted on other Natural Resource Conservation soil maps the C.S.R. can be interpreted as being higher. Chairperson Bell referenced documentation in the file as stated by La Rue. He gave Mr. Swart an opportunity to relay his reason for the rezoning request. Atty. Denning addressed the Board on behalf of Gary Swart. He presented documentation regarding his statement to the Board. Atty. Denning referenced the petition and that they felt the potential affect on the area with two lots should be reasonably small. He referenced a yellow area on the Land Use Map that includes the land on this petition, which he indicated is a place where residential development should be considered. Atty. Denning referenced page 86 of the Zoning Ordinance and indicated the Petitioner felt the five factors listed on that page weigh in favor of his application. Denning indicated they felt two houses would not greatly impact the amount of traffic. They felt the C.S.R. is just under 75, but he acknowledged if it was over, it would be just slightly over, so they felt it is within the consideration. Atty. Denning referenced the aspect on page 86 of whether there is a need for additional land zoned for the purpose requested. He acknowledged that in the short run there may be some less peak in the new housing market, but he noted this land is near West Branch, Iowa City and Interstate 80. Denning felt this request meets the criteria (a. through e. of sub-paragraph 3). He noted they are here to argue that this request meets the Comprehensive Plan, requirements of Chapter 18 and appears to meet the C.S.R. cutoff, but he noted the neighbors have been very much opposed to this rezoning. Denning acknowledged the right to voice opinions. He felt legally they need to look at the reasons the neighbors oppose this request. Denning indicated he felt two lots in this area would not create compelling factors against rezoning, but that the compelling factor should be what is wrong with this development.

He thought two houses would not change the character of the area. Atty. Denning thought there has long been the feeling that Mr. Swart would start with two lots and then there'll be twenty-one later. Denning doesn't think that is a valid argument to speculate, noting that legally Swart would have to come back to the P & Z Commission and the Board of Supervisors to ask for additional lots. Atty. Denning felt what the law is trying to do in the County's Comprehensive Plan, Zoning Ordinance and these hearings, is to balance the interest of the property rights of Gary Swart. Mr. Swart wants to reasonably develop his property, consistent with the law, Future Land Use Plan and Zoning Ordinance. Atty. Denning again noted he felt Mr. Swart meets the criteria for two houses, and he asked that the Board approve this zoning request. Denning asked that the minutes from Mr. Swart's previous zoning hearings be made a part of the record. Chairperson Bell noted letters on file. He noted individuals at this hearing who submitted letters could read those letters, if they wished. Chairperson Bell read a letter of objection submitted by Jim & Barbara Laughlin. John Black referenced the possibility of Swart coming back with further development requests. Mr. Black read a letter of objection. He referenced a letter from VJ Engineering indicating the C.S.R. average is 84.2. Kathy Pedersen read a letter of objection from herself and Randy Pedersen. David Sickles noted assuming the Supervisors have read his letter of objection, he would waive reading it at this hearing. Barb Gerot read a letter of objection from herself and Dennis Gerot. Mrs. Gerot felt two houses would have a huge impact and would make a difference in their life since it would be next door to their property. Darlene Kabela waived the reading of her letter of objection, if the Supervisors had read it. It was noted the Supervisors had reviewed the letters. Michael Crane also waived the reading of his letter of objection, if it had previously been read by the Supervisors. Chairperson Bell read a letter of support from Ken Fawcett. Bell referenced two letters of objection (dated 6-19-08 & 2-18-09) from Jan Luchini, Head of School at Scattergood Friends School. Luchini didn't feel a need to read the letters. She referenced a comment in Ken Fawcett's letter indicating a reason for support of the request would be a positive impact on enrollment of schools. She felt with only two houses (2.6 kids/home or 5 kids), Fawcett's argument is not congruent with only five new children in the school system, so she thinks Fawcett is also looking forward to a larger impact and felt his letter seems to be supporting a future endeavor rather than these two homes. Chairperson Bell asked if there were any other comments. Mark Boerjan stated he is against the rezoning request and doesn't support subdividing high agriculture ground for houses. He felt farm ground is valuable and urban sprawl in the county is a shame. Chairperson Bell gave Gary Swart an opportunity to respond. Mr. Swart said the runoff from his farm goes on to Scattergood ground. He obtained the C.S.R.'s from the A.S.C. Office (F.S.A. Office). The two acres has a C.S.R. of 71 and the total farm has a C.S.R. of 70.78. Chairperson Bell asked if anyone signed off on the information Swart received. Swart said no, that it was just printed out for him. Chairperson Bell noted the C.S.R.'s vary on documentation presented. La Rue indicated his department used the Natural Resource Conservation maps. The Tama soils had an average of 86.5 and the Down soils had an average of 63, so that gave an average of 74.7 points. They used 75 as the threshold for what they call prime ag land. Bell referenced a document from Gary Swart which indicates the C.S.R. is 73.07. Swart said that figure came from the tax roll. Swart reviewed documentation concerning the benefits to rezone the property. Among other things noted, Swart felt a house on one acre of ground would generate more property taxes than an acre of corn, and he noted lots sold in the area. Atty. Denning again addressed the Board. He offered to do more research concerning the C.S.R. documentation. Atty. Denning felt the main legal point comes back to the Future Land Use Map, because the objective of the law is to balance, which he knows can be difficult. He noted the whole county on the Land Use Map is 90% agricultural, but he noted the yellow area along the roadway. Denning thought as recently as 2006 the County has carefully followed the law and tried to come up with areas that make the most sense for residential development. He felt the screening out process that has been done, which he acknowledged is not a rigid thing, is a strong thing in favor of Mr. Swart. Denning felt when the map was done, the C.S.R.'s and character of the neighborhood were known. Atty. Denning referenced the U.S. Cellular case, and he felt the balance has to be carried out by the Board of Supervisors. He felt Cedar County's ordinances are very well drafted. Denning asked that the soil survey be made a part of the record. Gary Swart reviewed documentation comparing the proposed two new lots and the three neighbors across the road to the north of this property. He is proposing one well for the two houses, and he felt the residents of the two new homes would be good neighbors.

Dennis Gerot indicated there have been problems with neighbors, but he wouldn't talk about that at this hearing. He felt there would be an immediate impact on him since the houses would be right next to his property. Dave Sickles indicated there have been traffic accidents in that area. Atty. Denning felt Swart was just comparing three houses recently built and their impact on the area and two more houses would not cause any more accidents. John Black said all of the water from the Swart farm goes across his ground, not Scattergood. He felt the C.S.R.'s from an engineer's office should be used. Black indicated Acciona has laid off people. He thought people at the hearing would disagree with what the value of their land is as an acreage that they have now versus if a subdivision goes in next to it. Black felt the three lots north of West Branch were not contested because it was very steep farm ground and had not been farmed for a long time. He said the Future Land Use Plan was contested at the December public hearing on a Swart zoning petition, and landowners requested that their land be removed from the yellow area. There was a petition submitted to the Board. Black felt it would be easy to add more lots to a two-lot subdivision. He has spoken to an attorney that felt that our County Attorney would be in agreement that the U.S. Cellular v. City of Des Moines ruling has nothing to do with this request. Black noted there had always been a house on 20 acres to the north. He indicated that as for the other two houses, the Blacks took 25 acres and split the property. There was no contention to the split at that time, but Black noted he wouldn't do it again. Mark Boerjan said the acreages to the north are from 10-20 acres, most of the ground is still farmed, and it is a different atmosphere. Michael Crane thought the County has followed the law. He felt the map doesn't follow the written plan. Crane felt Ken Fawcett has a vested interest since he is a realtor, and he purchased a farm close to Springdale and also had the idea to sell off frontage lots. He felt to allow this subdivision would be arbitrary and capricious. Kathy Pedersen stated if Swart is truly just wanting to build two houses on this property, he could do that now without rezoning. Jan Luchini agreed that the traffic is greater at certain times of the day, but she felt the road is highly travelled and sometimes at high rates of speed. Chairperson Bell noted the C.S.R. documentation in Mr. Black's correspondence uses an "NRCS" logo. He felt if this is correct, it is a higher C.S.R. than has been used before. Atty. Denning would like Swart's C.S.R. information in the record also.

Sup. Moeller noted he was on the Planning & Zoning Commission many years ago, and it was always the intent not to deal hypothetically on what may happen. He felt they needed to know what they are pretty sure is going to happen, what is in place and what they'll have to deal with. Moeller felt jobs and how many kids might live in the houses are speculation. He felt traffic could be increased, and he referenced potential hog odor lawsuits. Moeller thinks the Comprehensive plan is merely a guide. He said fugitive dust may be an issue, as well as farm chemicals and insects. Sup. Moeller asked La Rue what the setbacks are for hog buildings. La Rue said generally one-quarter mile or more. Manure can be applied within 200 feet. It was noted it can be injected up to the fence. Sup. Moeller said he came to this hearing with an open mind.

Sup. Deerberg noted he was the Mayor of the City of Tipton for 20 years. He felt when there is a Board appointed by the governing body, you tend to listen to them, because that is what you appoint them for, is to come back with a recommendation. Deerberg said he would have trouble going against the Planning & Zoning Commission's recommendation. He referred to the three properties across the road from Swart's property that are 10-15 acres, and he indicated if these two proposed lots were 10-15 acres he would look more favorably towards the proposed lots. Sup. Deerberg indicated he would try to put a condition on lots, that if someone wants to rezone, they would have to have building started within in one year and completed within two years so it gets on the tax rolls, or it reverts back to the original rezoning. The C.S.R. differences are a concern to him.

Sup. Weih agrees with issues covered by Moeller and Deerberg. He still has a philosophical belief of not being able to tell people what to do with their property, but he felt there are always overwhelming circumstances that sometimes he has to vote with the reason he was put in this office, by the constituents, and also go by the recommendation of a board he was part of appointing. Weih felt sometimes he has to vote different than his conscience.

Chairperson Bell said he also came in with an open mind. He looked for areas to change his perspective. Through this process he has come to somewhat the same conclusion, noting there is other housing available nearby. He put some weight on the engineer's C.S.R. documentation since he does a lot with what comes out of governmental offices. Bell referred back to language indicating that if 25% of the property to be rezoned has a C.S.R. of 75 or more it should be used for agricultural use, so that would immediately exclude this property. Bell felt the Future Land Use map is a live document and it is ever-changing. He noted the Board is in the middle of a three-year review process now, where E.C.I.A. is assisting with the review process and the Board is proposing changes due to different circumstances, whether it be due to expansion of highways, etc. Bell agreed that the Board does put some weight on the Planning & Zoning Commission's recommendation and the research they've done.

Moved by Sup. Weih seconded by Sup. Moeller to deny the petition by Gary Swart, Sterling, IL (Owner), as defined above, and to waive the second hearing scheduled for 3-26-09.

Ayes: Weih, Moeller, Deerberg, Bell
Absent: Boedeker

Chairperson Bell noted the date and time of 11:30 a.m.

Mary Dorris, Director of Cedar County Public Health met with the Board to request approval to advertise to hire a Home Care Aide. The Board had no objection.

Moved by Sup. Weih seconded by Sup. Deerberg to approve the renewal of a Class C Liquor License with outdoor service and Sunday sales for Cedar Valley Golf.

Ayes: Deerberg, Moeller, Weih, Bell
Absent: Boedeker

On motion, the Board adjourned at 11:42 A.M., to March 26, 2009.

Cari Gritton, Auditor

Jon E. Bell, Chairperson

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., March 26, 2009 with the following members present: Deerberg, Moeller and Chairperson Pro Tem Boedeker. Sup. Weih and Chairperson Bell were absent.

The Board recited the Pledge of Allegiance.

The Board viewed correspondence from Amy Wehde, Deputy Director, Cedar County Public Health regarding the resignation of Shari Bender from a Direct Care Worker position.

The Board viewed correspondence from Alicia Remley, Part-Time Courthouse Custodian, to Bob Klemme, Head Custodian regarding her work hours, the position and her resignation effective 4-3-09.

The Board viewed a news update from the Iowa Tourism Office dated 3-24-09.

The Board viewed a newsletter from the Iowa Department of Economic Development dated 3-24-09 regarding industry opportunities.

The Board viewed an update from Aerial Services, Inc. dated 3-24-09.

The Board acknowledged receipt of a copy of correspondence between Randolph & Rebecca Oaks, Representative Jeff Kaufmann and Engineer Fangmann regarding dust control and drainage.

The Board acknowledged receipt of a Manure Management Plan Annual Update for BC Pork submitted by Brian Crock.

The Board acknowledged receipt of correspondence from Brian Soenen, Project Aware Coordinator regarding an upcoming volunteer river cleanup event to be held June 20-27, 2009 on the Cedar River.

Paul Stueland, representing the Tipton Chamber of Commerce introduced John Todd, Tipton Economic Development Director.

Auditor Gritton met with the Board to review a proposed FY08-09 County Budget amendment. Sheriff Wethington; Connie Fett, CPC Administrator; Engineer Fangmann and Connie Knutsen, Chief Medical Examiner Investigator were in attendance. Revenues and expenses were reviewed. Discussion was held. Julie Tischuk, Case Management Director entered the room while discussion was in progress.

Moved by Sup. Deerberg seconded by Sup. Moeller to set April 13, 2009 at 9:00 a.m. as the time for a public hearing on the proposed FY08-09 County Budget amendment.

Ayes: Deerberg, Moeller, Boedeker

Absent: Weih, Bell

The public hearing to review/consider approval of the Strategic Plan for Mental Health Services which contains three-year goals and objectives for persons with disabilities for Fiscal Years 2010, 2011 & 2012 commenced at 9:09 a.m. Chairperson Pro Tem Boedeker read the legal notice. Connie Fett, CPC Administrator and Julie Tischuk, Case Management Director were in attendance. Review and discussion were held.

Moved by Sup. Moeller seconded by Sup. Deerberg to approve the Strategic Plan for Mental Health Services for Fiscal Years 2010, 2011 & 2012, as presented.

Ayes: Moeller, Deerberg, Boedeker

Absent: Weih, Bell

The time of 9:12 a.m. was noted.

General discussion was held regarding the mental health budget and funding.

Moved by Sup. Deerberg seconded by Sup. Moeller to approve an eight-month Class B Beer Permit with outdoor service and Sunday sales for D.W. Promotions, LLC (Al Dlouhy).

Ayes: Deerberg, Moeller, Boedeker
Absent: Weih, Bell

Moved by Sup. Deerberg seconded by Sup. Moeller to approve the Board Minutes of March 23, 2009.

Ayes: Moeller, Deerberg, Boedeker
Absent: Weih, Bell

Moved by Sup. Moeller seconded by Sup. Deerberg to approve the following revised Medical Examiner Team appointments for 2009:

Keith Krewer, MD–Chief Medical Examiner
Ruth Macke, MD-Deputy Medical Examiner
Vladimir Adloff, MD-Deputy Medical Examiner
Jeffrey T. Schowinsky, MD-Deputy Medical Examiner
Lileah Harris, MD-Deputy Medical Examiner
Connie Knutsen-Director, Medical Examiner Investigations
Dave Askelson, PAC-Medical Examiner Investigator
Mike Dauber-Medical Examiner Investigator

Ayes: Deerberg, Moeller, Boedeker
Absent: Weih, Bell

Moved by Sup. Moeller seconded by Sup. Deerberg to accept the Independent Auditor's Reports of Cedar County for the year ending June 30, 2008, as submitted by Hunt, Kain & Associates, P.C.

Ayes: Moeller, Deerberg, Boedeker
Absent: Weih, Bell

Phil La Rue, Environmental & Zoning Director briefly met with the Board for general discussion.

Engineer Fangmann met with the Board for an annual performance review. He requested a closed session. The time of 9:50 a.m. was noted.

Moved by Sup. Deerberg seconded by Sup. Moeller to go into closed session as allowed under Section 21.5.1(i), Code of Iowa.

Ayes: Moeller, Deerberg, Boedeker
Absent: Weih, Bell

Moved by Sup. Deerberg seconded by Sup. Moeller to return to regular session.

Ayes: Deerberg, Moeller, Boedeker
Absent: Weih, Bell

The Board acknowledged no decision was made with regard to the prior closed session.

The time of 10:05 a.m. was noted.

Discussion was held regarding gravel road maintenance. Sup. Boedeker asked that light blading be done to get water out of ruts on the roads.

Engineer Fangmann reviewed an Iowa Department of Transportation Federal-aid Agreement for a County Highway Bridge Program Project BROS-C016(71)—5F-16 located on Washington Avenue in Springfield Township. Discussion was held.

Moved by Sup. Deerberg seconded by Sup. Moeller to approve and authorize Chairperson Pro Tem Boedeker to sign a Federal-aid Agreement for bridge project #BROS-C016(71)—5F-16.

Ayes: Moeller, Deerberg, Boedeker
Absent: Weih, Bell

In other business, Engineer Fangmann presented Utility Permit Applications for Eastern Iowa Light & Power concerning work to be done in Tier 80 of the county, from the ice storm event two years ago.

Moved by Sup. Moeller seconded by Sup. Deerberg to approve and authorize Chairperson Pro Tem Boedeker to sign Utility Permit Applications for Eastern Iowa Light & Power, as presented.

Ayes: Deerberg, Moeller, Boedeker
Absent: Weih, Bell

General discussion was held with the Engineer.

Moved by Sup. Deerberg seconded by Sup. Moeller to approve Payroll Checks #135404 - #135578 for the period ending 3-21-09 and to be paid on 3-28-09.

Ayes: Deerberg, Moeller, Boedeker
Absent: Weih, Bell

It was noted Handwritten Check #369961 dated 3/26/09 was issued to the Cedar County Treasurer in the amount of \$1,149.56, for an Administrative Solutions, Inc. flex claims electronic deposit.

It was noted Handwritten Check #369962 dated 3/26/09 was issued to the Cedar County Treasurer in the amount of \$312.95, for an Administrative Solutions, Inc. partial self funded claims electronic deposit.

It was noted Handwritten Check #369963 dated 3/26/09 was issued to the Cedar County Treasurer in the amount of \$1,749.07, for an Administrative Solutions dental claims electronic deposit.

On motion, the Board adjourned at 10:48 A.M., to March 30, 2009.

Cari Gritton, Auditor

Dennis Boedeker, Chairperson Pro Tem

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., March 30, 2009 with the following members present: Deerberg, Moeller, Weih and Chairperson Pro Tem Boedeker. Chairperson Bell was absent.

The Board recited the Pledge of Allegiance.

The Board viewed an ISAC Update dated 3-27-09.

The Board viewed Legislative News dated 3-27-09 from Speaker of the House Pat Murphy.

The Board acknowledged receipt of correspondence from Mike Wentzien, Supervisors' Lobbyist regarding the 11th Legislative week.

The Board acknowledged receipt of correspondence from Mike Miller of the Iowa Department of Economic Development regarding draft amendment 3 to Plan 1 and draft amendment 1 to Plan 3 concerning the State of Iowa Action Plans for Disaster Recovery.

The Board acknowledged receipt of a Manure Management Plan Annual Update for JF Pork, LLC submitted by Rachel Berdo.

The Board acknowledged receipt of correspondence from Richard Sims of the Natural Resources Conservation Service regarding an Earth Day event on April 22nd.

Gerald Kneeland of Howard R. Green Co. met with the Board to discuss his architectural/engineering services proposal concerning an exterior door replacement project. Auditor Gritton was in attendance. Members of the Board felt the fee is too high. Mr. Kneeland noted he could do the project on an hourly basis and possibly cut out some items. He indicated even though this may be considered a small project, there is still a lot to deal with. Discussion continued. The consensus of the Board was to decline the proposal by Howard R. Green Co. The Board appreciated Mr. Kneeland working with them and noted they were satisfied with Howard R. Green's work on the windows replacement project. Mr. Kneeland left the room. Chairperson Pro Tem Boedeker asked the Auditor to obtain a list of possible contractors for the project.

Moved by Sup. Weih seconded by Sup. Deerberg to approve the issuance of Handwritten Checks dated 3/27/09 for April administration and medical premiums as follows:

#369964 Administrative Solutions, Inc. \$1,750.25

#369965 Wellmark Blue Cross and Blue Shield of Iowa \$82,655.42

Ayes: Weih, Moeller, Deerberg, Boedeker

Absent: Bell

Moved by Sup. Deerberg seconded by Sup. Weih to approve the Board Minutes of March 26, 2009.

Ayes: Weih, Moeller, Deerberg, Boedeker

Absent: Bell

General discussion was held. Steve Lacina, Cedar County Economic Development Commission Director briefly met with the Board for general discussion.

Engineer Fangmann met with the Board to discuss applications for Community Disaster Grant Funding for: 1) rip rap placement along 290th Street and 2) potential Cedar River re-alignment. The rip rap cost was \$63,055. Concerning the river re-alignment near the Rochester bridge on County Road F44, Fangmann estimated \$200,000 for a wing dam and \$100,000 for dredging. Discussion was held.

Moved by Sup. Weih seconded by Sup. Moeller to approve and authorize Chairperson Pro Tem Boedeker to sign the Community Disaster Grant Funding applications, as presented.

Ayes: Deerberg, Moeller, Weih, Boedeker
Absent: Bell

Engineer Fangmann presented Utility Permit Applications for Eastern Iowa Light & Power concerning work to be done in Tier 81 of the county, from the ice storm event two years ago.

Moved by Sup. Moeller seconded by Sup. Deerberg to approve and authorize Chairperson Pro Tem Boedeker to sign Utility Permit Applications for Eastern Iowa Light & Power, as presented.

Ayes: Weih, Deerberg, Moeller, Boedeker
Absent: Bell

The Engineer gave project updates. General discussion was held.

On motion, the Board adjourned at 10:45 A.M., to April 2, 2009.

Cari Gritton, Auditor

Dennis Boedeker, Chairperson Pro Tem

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., April 2, 2009 with the following members present: Deerberg, Moeller, Weih and Chairperson Pro Tem Boedeker. Chairperson Bell was absent.

The Board recited the Pledge of Allegiance.

The Board viewed a GreeNetwork March 2009 news issue from the Department of Economic Development.

The Board viewed an update from the Iowa Tourism Office dated 3-31-09.

The Board acknowledged receipt of correspondence from Kelly Zonderwyk of the National Association of Counties regarding an Energy Efficiency and Conservation Block Grant Program.

The Board acknowledged receipt of correspondence from Mike Wentzien, Supervisors' Lobbyist regarding Senate File 461.

The Board acknowledged receipt of correspondence from Anita Lemons, Iowa Department of Economic Development regarding proposed amendments to Disaster Plans #1 & #2.

The Board acknowledged receipt of Manure Management Plan Annual Updates from Michael Lilienthal and Edward C. Pelzer.

The Board acknowledged receipt of correspondence from the Friends of South Bethel Church requesting a donation for expenses related to moving the church to the Historical Society's Pioneer Village grounds.

The Board acknowledged receipt of correspondence from Representative Jeff Kaufmann regarding the Chief Justice lifting travel restrictions related to Court services.

Julie Tischuk, Director of Cedar County Case Management Department met with the Board to discuss the addition of a habilitation service on the FY08-09 Projected Cost Report. Tischuk noted habilitation concerns Case Managers' work with the chronically mentally ill on skills through a waiver program, and if the consumer has Title19, the County can bill Medicaid. She estimated six people might use the program. Discussion was held.

Moved by Sup. Weih seconded by Sup. Moeller to approve and authorize Chairperson Pro Tem Boedeker to sign a FY08-09 Projected Cost Report which includes the service as defined above.

Ayes: Weih, Moeller, Deerberg, Boedeker
Absent: Bell

Moved by Sup. Weih seconded by Sup. Moeller to approve the issuance of Handwritten Check #369966 dated 3/30/09 to the Cedar County Treasurer in the amount of \$615.04 for a FICA adjustment.

Ayes: Deerberg, Moeller, Weih, Boedeker
Absent: Bell

Moved by Sup. Deerberg seconded by Sup. Weih to approve the Board Minutes of March 30, 2009.

Ayes: Weih, Moeller, Deerberg, Boedeker
Absent: Bell

The Board met with department heads to discuss any problems or concerns they might have. Those in attendance were: Cari Gritton, Connie Fett, Julie Tischuk, Tim Malott, Warren Wethington, Charline Thumm, Bob Klemme, Gary Jedlicka, Mike Dauber, Sterling Benz, Carolyn Wood, Rob Fangmann, Dan Lett, Phil La Rue, Amy Wehde and Mary Dorris. Chairperson Pro Tem Boedeker noted new COBRA laws may affect the departments' budgets. He asked those in attendance for their thoughts on whether there is a need for two Courthouse Custodians. Those that expressed their thoughts felt there is a need for two Custodians. Those in attendance were given the opportunity to relay items concerning their departments. Auditor Gritton noted Administrative Solutions is watching the COBRA issues. Sheriff Wethington reported the City of Bennett is going to contract with Cedar County for law enforcement services. Chief Deputy Knoche is working on grants for the Sheriff's Department. The Sheriff is going to use room and board money to replace a control panel for the Jail. The cost will be \$20,000. He is looking at replacing 6 to 8 freezers with a walk-in cooler. The Sheriff is going to have bullet proof glass installed in the reception window area. Custodian Klemme noted the original bathroom fixtures will need to be replaced eventually, since he cannot obtain parts for them. Mike Dauber, Conservation Director gave project updates. Engineer Fangmann gave project updates. Assessor Lett reported that assessment notices were mailed out.

Phil La Rue, Environmental & Zoning Director held general discussion regarding the Public Assistance demolition. Cari Gritton and Connie Fett were in attendance.

Auditor Gritton gave the Board information regarding potential contractors for the Courthouse exterior doors replacement project. Rob Fangmann and Connie Fett were in attendance.

Engineer Fangmann presented Utility Permit Applications for Eastern Iowa Light & Power concerning work to be done in Tier 82 of the county, from the ice storm event two years ago. Connie Fett was in attendance.

Moved by Sup. Deerberg seconded by Sup. Moeller to approve and authorize Chairperson Pro Tem Boedeker to sign Utility Permit Applications for Eastern Iowa Light & Power, as presented.

Ayes: Weih, Deerberg, Moeller, Boedeker
Absent: Bell

Connie Fett, CPC Administrator met with the Board for an annual performance review and to give consumer updates.

The Board reviewed Connie Fett's self-assessment of her performance. Discussion was held. The Board completed their appraisal of Fett's performance.

Connie Fett requested a closed session to give consumer updates.
The time of 9:40 a.m. was noted.

Moved by Sup. Weih seconded by Sup. Moeller to go into closed session as allowed under Section 21.5.1(a), Code of Iowa.

Ayes: Weih, Moeller, Deerberg, Boedeker
Absent: Bell

Moved by Sup. Weih seconded by Sup. Moeller to return to regular session.

Ayes: Weih, Moeller, Deerberg, Boedeker
Absent: Bell

The time of 10:05 a.m. was noted.

The Board acknowledged no decision was made with regard to the prior closed session which pertained to the following project numbers: 118, 128, 148, 214, 234, 267, 319, 349, 395, 400, 410, 456, Q68, Q76, X18, X29, 130, 141, 142, 133 and three juveniles.

Discussion was held with Connie Fett regarding the mental health budget and funding.

Ron Ehlers met with the Board to discuss a drainage tile outlet at the County's farm ground. He owns a farm to the east of the County's farm, and he will be repairing waterways. There is broken tile with an outlet that drains on the other side of the property line onto the County's property. He would like permission to go onto the County's property to repair the tile outlet at no expense to the County. Ehlers stated he has been working with the Natural Resource Conservation Service, and he would complete the proper paperwork per State law. He would be removing trees that are interfering with the tile line, but he would not interfere with the County's tillable ground. Discussion was held. County Attorney Benz joined the discussion, as requested. Benz would like to research the matter. The Board will take action on this matter at a later date and then notify Mr. Ehlers.

Moved by Sup. Weih seconded by Sup. Deerberg to approve Claim Checks #369967-370133.

Ayes: Deerberg, Moeller, Weih, Boedeker
Absent: Bell

It was noted Handwritten Check #370136 dated 4/2/09 was issued to the Cedar County Treasurer in the amount of \$1,176.17, for an Administrative Solutions, Inc. flex claims electronic deposit.

It was noted Handwritten Check #370134 dated 4/2/09 was issued to the Cedar County Treasurer in the amount of \$3,062.30, for an Administrative Solutions, Inc. partial self funded claims electronic deposit.

It was noted Handwritten Check #370135 dated 4/2/09 was issued to the Cedar County Treasurer in the amount of \$1,095.60, for an Administrative Solutions dental claims electronic deposit.

On motion, the Board adjourned at 10:45 A.M., to April 6, 2009.

Cari Gritton, Auditor

Dennis Boedeker, Chairperson Pro Tem

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., April 6, 2009 with the following members present: Boedeker, Deerberg, Moeller, Weih and Chairperson Bell.

The Board recited the Pledge of Allegiance.

The Board viewed an I.S.A.C. Update dated 4-3-09.

The Board viewed FY08-09 County Budget expense and revenue summaries, submitted by Auditor Gritton.

The Board viewed the minutes of the December 21, 2008 meeting of the Board of Health.

The Board viewed Legislative News dated 4-3-09 from Speaker of the House Pat Murphy.

The Board acknowledged receipt of the minutes of the March 11, 2009 meeting of the Fair Association and the agenda for their April 8, 2009 meeting.

The Board acknowledged receipt of correspondence from Mike Wenzien, Supervisors' Lobbyist regarding Senate File 419 and the 12th Legislative week.

The Board acknowledged receipt of correspondence from Gene Vincent regarding dust control.

The Board acknowledged receipt of correspondence from the Tipton Lions Club regarding the "Flags Over Tipton" project.

The Board acknowledged receipt of correspondence from Scott Meyer of The Des Moines Register regarding the "Vacation Iowa" product.

The Board acknowledged receipt of correspondence from the National Association of Counties regarding an annual survey.

County Attorney Benz met with the Board to discuss a request by Ron Ehlers to put a new drainage tile outlet at the County's farm ground. Atty. Benz asked if there is an existing tile on the County's property. The Board didn't think so. Members felt the outlet just dumps into a creek that runs through the county's farm. Benz advised that there is a procedure to follow, which includes a public hearing, if new tile is to be put in that connects to Ehlers' tile. If only repairs are going to be made, Atty. Benz felt the Board could take action today concerning the request by Ron Ehlers. Discussion was held. Sup. Deerberg said he spoke to Mike Moes over the weekend about this matter. Moes indicated he does not farm the area where the drainage outlet is located. Chairperson Bell decided the Board would look at the area with Mr. Ehlers. Atty. Benz advised the Board on the County's liabilities concerning this matter.

Moved by Sup. Boedeker seconded by Sup. Moeller to approve and authorize Chairperson Bell to sign a quarterly payment voucher to the Iowa Department of Public Health concerning FY08-09 substance abuse funding.

Ayes: Boedeker, Deerberg, Moeller, Weih, Bell

Moved by Sup. Deerberg seconded by Sup. Weih to approve the Board Minutes of April 2, 2009.

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

At 9:07 a.m. the Board left to look at the drainage area. Sup. Boedeker did not accompany the Board. Discussion was held with Ron Ehlers at the site. His contractor would clear out a path through the trees along the property line so that the tile on his

property and the outlet on the County's ground could be repaired. Sup. Deerberg asked Ehlers if he would put in the outlet and maintain it. Ehlers said yes. Mr. Ehlers noted he would need to get permission from the Corps of Engineers concerning this project.

The Board reconvened in the Board Room at 10:02 a.m.

Moved by Sup. Weih seconded by Sup. Deerberg to allow Ron Ehlers to improve the drainage outlet to the creek on the County's ground and maintain it, at no cost to the County, and allow his contractor to go on the County's property to make the repairs.

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

Moved by Sup. Boedeker seconded by Sup. Weih to participate in the Tipton Lions' "Flags Over Tipton" project in 2009 at a cost of \$240.00.

Ayes: Boedeker, Deerberg, Moeller, Weih, Bell

On motion, the Board adjourned at 10:12 A.M., to April 9, 2009.

Cari Gritton, Auditor

Jon E. Bell, Chairperson

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., April 9, 2009 with the following members present: Boedeker, Deerberg, Moeller, Weih and Chairperson Bell.

The Board recited the Pledge of Allegiance.

The Board viewed a news update from the Iowa Tourism Office dated 4-7-09.

The Board viewed a Heartland Insurance Risk Pool Second Quarter Safety Packet concerning housekeeping.

The Board acknowledged receipt of correspondence from the Eastern Iowa Tourism Association regarding their next meeting on 5-6-09.

The Board acknowledged receipt of correspondence from Aroon Manoharan, Associate Director of E-Governance Institute Rutgers regarding a survey concerning information technology.

The Board acknowledged receipt of a copy of the minutes of the March 18, 2009 meeting of the Cedar County Planning & Zoning Commission.

The Board acknowledged receipt of correspondence from Representative Jeff Kaufmann regarding State budget-saving suggestions.

The Board acknowledged receipt of Manure Management Plan Annual Updates for Brian Crock-BC Pork and Rolling Square Inc. (Lyle Parry).

The Board acknowledged receipt of correspondence from Julie Struck of the Iowa Department of Economic Development regarding administration of the "Iowa Unmet Needs Disaster Grant Program".

Engineer Fangmann met with the Board to review a Request for Advance or Reimbursement for project EWP-2008-01, debris removal project around the F44 bridge over the Cedar River, and to discuss right-of way contracts concerning bridge replacement project #BROS-C016(72)—8J-16 in Sections 35 & 36 in Springdale Township on Franklin Avenue. The Engineer reviewed the Request for Reimbursement.

Moved by Sup. Boedeker seconded by Sup. Deerberg to authorize Chairperson Bell to sign a Federally funded Request for Advance or Reimbursement for project EWP-2008-1 in the amount of \$19,579.50.

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

The Engineer reviewed the right-of-way contracts for bridge project #BROS-C016(72)—8J-16. Discussion was held.

Moved by Sup. Moeller seconded by Sup. Boedeker to approve and authorize Chairperson Bell to sign right-of-way contracts for project #BROS-C016(72)—8J-16 as follows for permanent and temporary easements:

- 1)Eloise M. Wright Restated Trust-\$1,834.17
- 2)Donald F. & Justine Owen-\$3,248.47
- 3)Vernon H. & Evelyn S. Smith-\$4,477.28

Ayes: Boedeker, Deerberg, Moeller, Weih, Bell

Engineer Fangmann gave project updates. General discussion was held.

Sup. Deerberg gave a report on the Geographic Information System meeting he attended. A presentation will be made to the Assessor's Conference Board.

Sup. Deerberg reported that he obtained some names of suppliers that could possibly give a quote for replacement of the Courthouse exterior doors. Discussion was held. The Board agreed Sup. Deerberg and Custodian Klemme should work on obtaining quotes.

Chairperson Bell reported the City of Lisbon has joined the Cedar County Economic Development Commission. He noted Klay Johnson indicated the City of Tipton has received a grant for improvements at the Matthews Municipal Airport.

Moved by Sup. Weih seconded by Sup. Deerberg to approve the Board Minutes of April 6, 2009.

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

Moved by Sup. Deerberg seconded by Sup. Moeller to approve Payroll Checks #135579 - #135735 for the period ending 4-4-09 and to be paid on 4-10-09.

Ayes: Boedeker, Deerberg, Moeller, Weih, Bell

It was noted Handwritten Check #370137 dated 4/9/09 was issued to the Cedar County Treasurer in the amount of \$1,102.66, for an Administrative Solutions, Inc. flex claims electronic deposit.

It was noted Handwritten Check #370138 dated 4/9/09 was issued to the Cedar County Treasurer in the amount of \$1,281.51, for an Administrative Solutions, Inc. partial self funded claims electronic deposit.

It was noted Handwritten Check #370139 dated 4/9/09 was issued to the Cedar County Treasurer in the amount of \$1,053.96, for an Administrative Solutions dental claims electronic deposit.

On motion, the Board adjourned at 10:02 A.M., to April 13, 2009.

Cari Gritton, Auditor

Jon E. Bell, Chairperson

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., April 13, 2009 with the following members present: Boedeker, Deerberg, Moeller, Weih and Chairperson Bell.

The Board recited the Pledge of Allegiance.

The Board viewed a Precision Structural Engineering Inc. April newsletter.

The Board viewed a report of fees collected for March 2009 submitted by the Clerk of the District Court.

The Board viewed correspondence from Engineer Fangmann regarding a payroll status change for Dan Driscoll, from Maintenance Worker I to Maintenance Worker II.

The Board viewed an ISAC update dated 4-10-09.

The Board viewed Legislative News from Pat Murphy, Speaker of the House.

The Board acknowledged receipt of a 2008 Annual Summary of the Limestone Bluffs Resource Conservation & Development activities.

The Board acknowledged receipt of correspondence from Repr. Jeff Kaufmann regarding the proposal to eliminate Federal deductibility.

The Board acknowledged receipt of a report on the Safety Committee meeting held on 4-9-09, submitted by Fred Sander, Bob Klemme and Leanne Zearley.

The Board acknowledged receipt of a copy of correspondence to Phil La Rue, Zoning Director, from Curt Jeffryes, State Public Assistance Coordinator, Demolitions, Iowa Homeland Security and Emergency Management Division, in response to La Rue's request to review the bid proposal for demolition of private residences for the potential Public Assistance program eligibility and reimbursement issues.

The Board acknowledged receipt of correspondence from Mike Wentzien, Supervisors' Lobbyist regarding the 13th week of the Legislative session.'

Moved by Sup. Deerberg seconded by Sup. Weih to approve the Board Minutes of April 9, 2009.

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

Moved by Sup. Weih seconded by Sup. Moeller to approve the following payroll status change:

Secondary Road Department

Dan Driscoll, Maintenance Worker I-\$17.60/hr to Maintenance Worker II-\$17.85/hr effective 4-25-09.

Ayes: Boedeker, Deerberg, Moeller, Weih, Bell

This being the time set for a public hearing on a proposed FY08-09 County Budget amendment, Chairperson Bell read the legal notice. Auditor Gritton was in attendance. The proposed amendment was reviewed. Discussion was held.

Moved by Sup. Boedeker seconded by Sup. Deerberg to approve and adopt the amendment to the FY2008-2009 County Budget, as presented, and authorize Chairperson Bell to sign the same.

Ayes: Moeller, Weih, Deerberg, Boedeker, Bell

Moved by Sup. Weih seconded by Sup. Moeller to approve and adopt the following resolution:

APPROPRIATIONS RESOLUTION

BE IT RESOLVED this 13th day of April 2009, to change the Appropriation made July 1, 2008 for the following department for Fiscal year 2008-2009.

Treasurer – From \$317,916 to \$322,145
(266,960 Fund 01000; 55185 Fund 02000)

Sheriff – From 2,286,263 to 2,400,777
(1,974,651 Fund 01000; 211,410 Fund 02000;
214,716 Fund 11000)

Medical Examiner – From \$37,000 to \$67,000
(67,000 Fund 01000)

Sheriff Drug Forfeiture - \$4,000 to \$43,250
(43,250 Fund 01000)

Relief – From \$30,057 to \$30,117
(29,179 Fund 01000; 938 Fund 02000)

Veterans Affairs – From \$61,611 to \$61,820
(57,566 Fund 01000; 4,254 Fund 02000)

Substance Abuse – From \$4,200 to \$9,200
(9,200 Fund 02000)

Conservation – From \$239,780 to 289,731
(266,243 Fund 01000; 20,138 Fund 02000
3,350 Fund 26000)

Conservation Reap – From \$19,650 to \$30,575
(30,075 Fund 01000; 500 Fund 02000)

Secondary Road – From \$6,111,800 to \$6,362,160
(Fund 20000)

Solid Waste – From \$501,730 to \$613,312
(Fund 23000)

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

General discussion was held.

On motion, the Board adjourned at 10:00 A.M., to April 16, 2009.

Cari Gritton, Auditor

Jon E. Bell, Chairperson

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., April 16, 2009 with the following members present: Deerberg, Moeller and Chairperson Pro Tem Boedeker. Chairperson Bell and Sup. Weih were absent.

The Board recited the Pledge of Allegiance.

The Board viewed a news update from the Iowa Tourism Office dated 4-14-09.

The Board viewed correspondence from Burt Thumm regarding his retirement from a part-time Courthouse Custodian position.

The Board viewed correspondence regarding the resignation of Larissa Stern from a Case Manager position.

The Board viewed correspondence from Jess Benson, Legislative Analyst 1, State Capitol, to Senator Jack Hatch and Representative Lisa Heddens regarding County Mental Health funding, submitted by Connie Fett, CPC Administrator.

The Board acknowledged receipt of a Manure Management Plan Annual Update for Richard L. Shumaker.

The Board acknowledged receipt of correspondence from Mike Wentzien, Supervisor's Lobbyist regarding HF243 concerning gender balance.

The Board acknowledged receipt of correspondence from U.S. Senator Tom Harkin's Office regarding an American Recovery and Reinvestment Act Grant Opportunity Workshop scheduled for April 27, 2009.

The Board acknowledged receipt of correspondence from Rachel Bicego of the Iowa State Association of Counties regarding applications submitted for the Community Disaster Grant Program in accordance with the April 1st deadline.

The Board acknowledged receipt of correspondence from David Leschtz of Congressman Loeb sack's Office and Mary Rump of the East Central Intergovernmental Council of Governments, regarding a "Surface Transportation Reauthorization High Priority Project Request Form" from Loeb sack's Office.

The Board acknowledged receipt of correspondence from Jacqueline J. Byers of the National Association of Counties regarding input on what health benefits are offered to county employees across the country.

Moved by Sup. Deerberg seconded by Sup. Moeller to issue the following handwritten checks on 4-16-09:

#370375 to Connie Knutsen \$780.00-EMA work

#370376 - #370379 to VISA Total-\$899.40-Sheriff's expenditures

Ayes: Deerberg, Moeller, Boedeker

Absent: Weih, Bell

Moved by Sup. Deerberg seconded by Sup. Moeller to approve the Board Minutes of April 13, 2009.

Ayes: Moeller, Deerberg, Boedeker

Absent: Bell, Weih

At 9:00 a.m. the Board held a public hearing to review/consider the following petitions:

1. Randy and Linda Weaver, 1524 Highway 130, Tipton (Contract Buyers) and Rebecca Penningroth, 1110 Daybreak Ridge, Tipton (Owner) – Requesting a change in zoning from A-1 Agricultural to R-1 Suburban Residential for the purpose of relocating the

Buchanan House to property located in the NE ¼, NW ¼, Section 8, T-80N, R-3W, in Center West Township. Said petition is to rezone 2.00 acres of a proposed 8.00 acre tract.

2. Randy and Linda Weaver, 1524 Highway 130, Tipton (Contract Buyers) and Rebecca Penningroth, 1110 Daybreak Ridge, Tipton (Owner) – Requesting a change in zoning from R-1 Suburban Residential to A-1 Agricultural to eliminate an unneeded zoning district located in the NW ¼, NW ¼, Section 8, T-80N, R-3W, in Center West Township, consisting of 2.00 acres more or less. This petition was previously heard and approved by the Cedar County Board of Supervisors on October 2 and 6, 2008.

Chairperson Pro Tem Boedeker read the legal notice. Phil La Rue, Zoning Director noted there are no written or verbal objections on file. Chairperson Pro Tem Boedeker referenced a letter from Linda Weaver indicating why she and her husband were not able to be at the hearing and what their reasons are for the requests for rezoning. The Board reviewed the letter and addressed the petitions. Discussion was held.

Moved by Sup. Deerberg seconded by Sup. Moeller to approve Petition #1 by Randy & Linda Weaver, Tipton (Contract Buyers) and Rebecca Penningroth (Owner) as defined above and waive the second hearing scheduled for 4-20-09, per Section 18.2(3) of the Zoning Ordinance.

Ayes: Moeller, Deerberg, Boedeker

Absent: Bell, Weih

Moved by Sup. Moeller seconded by Sup. Deerberg to approve petition #2 by Randy & Linda Weaver, Tipton (Contract Buyers) and Rebecca Penningroth (Owner) as defined above and waive the second hearing scheduled for 4-20-09.

Ayes: Deerberg, Moeller, Boedeker

Absent: Weih, Bell

The public hearing concluded at 9:05 a.m.

Phil La Rue reported that the Planning & Zoning Commission approved the proposed Future Land Use Map amendments at a hearing on April 15th, with the corrected tract on 290th Street to remove the yellow area between Charles and Franklin Avenues. Brief discussion was held.

Moved by Sup. Moeller seconded by Sup. Deerberg to set May 4th & 7th, 2009 at 9:30 a.m. as the time for a public hearing to review/consider proposed amendments to the Cedar County Comprehensive Plan's Future Land Use Map.

Ayes: Moeller, Deerberg, Boedeker

Absent: Bell, Weih

Scott Holmes of Integrated Technology Partners met with the Board to discuss the Courthouse telephone system. Auditor Gritton was in attendance. Proposals previously submitted by Holmes for a new voice mail system, a power supply and a conference phone for the Supervisors' room were reviewed. Discussion was held. The newest voice mail software is not compatible with the system we have now. Holmes reviewed some of the capabilities of a new voice mail system, such as a hunt group (transfer to a group of phones), expansion of the number of people that can speed dial and voice mail group lists. Our current hardware/software is not compatible with the newest voice mail software. He noted we could purchase remanufactured equipment that would have a one-year parts and labor warranty, and the cost would be approximately 60% to 70% less, but it would not be the newest voice mail system. Holmes reviewed other available phone system features. He recommended that we purchase a new uninterruptible power supply for our current system, since it is getting older and we have experienced the need to replace batteries in the unit. There would be no value given for trading in the old phone system. Our current phones would be compatible with a new voice mail system. Discussion was held regarding a Caller ID feature. Mr. Holmes noted we would need to

have an additional card installed, and Iowa Telecom would likely charge an additional fee per line. If the feature is needed in only one office, Integrated Technology may have to move lines to a different card on the system. Mr. Holmes explained how a conference phone could work in the Board Room. Further discussion was held. Auditor Gritton asked how long Holmes felt our current phone system would last. Holmes noted we have a good system, but it would be hard to say how long it would last.

Moved by Sup. Deerberg seconded by Sup. Moeller to accept Integrated Technology Partners' Quote #8033 for installation of a Tripplite UPS in the amount of \$1,245.88 and #7609 for a Nortel Conference phone in the amount of \$653.00, with the understanding that the phone may be returned to Integrated Technology after a trial period.

Ayes: Deerberg, Moeller, Boedeker
Absent: Bell, Weih

Sup. Boedeker said he'd sometime like a voice mail system in the Courthouse. Brief discussion continued.

Moved by Sup. Moeller seconded by Sup. Deerberg to approve Claim Checks #370140 - #370370.

Ayes: Deerberg, Moeller, Boedeker
Absent: Weih, Bell

The Board noted Handwritten Check #370374 dated 4/16/09 was issued to ProVantage in the amount of \$23.09 for an administrative correction.

It was noted Handwritten Check #370371 dated 4/16/09 was issued to the Cedar County Treasurer in the amount of \$1,384.44, for an Administrative Solutions, Inc. flex claims electronic deposit.

It was noted Handwritten Check #370372 dated 4/16/09 was issued to the Cedar County Treasurer in the amount of \$3,660.58, for an Administrative Solutions, Inc. partial self funded claims electronic deposit.

It was noted Handwritten Check #370373 dated 4/16/09 was issued to the Cedar County Treasurer in the amount of \$1,308.58, for an Administrative Solutions dental claims electronic deposit.

On motion, the Board adjourned at 10:13 A.M., to April 20, 2009.

Cari Gritton, Auditor

Dennis Boedeker, Chairperson Pro Tem

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., April 20, 2009 with the following members present: Boedeker, Deerberg, Moeller, and Chairperson Bell. Sup. Weih was absent.

The Board recited the Pledge of Allegiance.

The Board viewed correspondence from Julie Tischuk, Director, Case Management Department regarding a payroll change for Jennifer Boedeker, Office Manager.

The Board viewed a "County Auditor's Report of Fees Collected" for the quarter ending 3-31-09.

The Board viewed correspondence from Jenni Tholen, Jail Administrator regarding a payroll change for Lynn Bixler, Correctional Officer.

The Board viewed Legislative News dated April 17, 2009 from Speaker of the House Pat Murphy.

The Board viewed an ISAC Update dated 4-17-09.

The Board acknowledged receipt of correspondence from the American Ground Water Trust regarding a session on May 12, 2009 concerning ground source heating and cooling.

The Board acknowledged receipt of correspondence from Mike Wentzien, Supervisors' Lobbyist regarding week 14 of the Legislative session.

The Board acknowledged receipt of correspondence from Mary Rump of the East Central Iowa Council of Governments regarding public input meetings on the Passenger Transportation Funding Study, scheduled for April 28-30, 2009.

The Board acknowledged receipt of correspondence from John McMullen of the Iowa Department of Public Health regarding an amendment to the Notice of Award date for the Request for Bids for substance abuse funding.

Engineer Fangmann met with the Board to discuss an IDOT Secondary Road Budget Amendment for FY 2009, an IDOT Federal-aid Agreement for County Highway bridge replacement proj.# BROS-C016(75)—8J-16 on 250th Street in Section 24 of Center Township, final plans for bridge replacement proj. # BROS-C016(72)—8J-16 located on Franklin Avenue in Section 36 of Springdale Township, and a right-of-way contract with Jeffrey R. & Debra R. Wenndt concerning bridge project #BROS-C016(68)—8J-16 on Taylor Avenue in Sections 5 & 6 of Springfield Twp.

The Engineer presented an IDOT budget amendment that coincides with the FY08-09 County Budget amendment that was approved on April 13th. Discussion was held.

Moved by Sup. Deerberg seconded by Sup. Moeller to approve and authorize Chairperson Bell to sign a FY2009 IDOT Secondary Road Budget Amendment, as presented.

Ayes: Moeller, Deerberg, Boedeker, Bell
Absent: Weih

Engineer Fangmann reviewed an IDOT Federal-aid Agreement for a bridge replacement project on 250th Street. The agreement is for an 80% Federal-20% local split. The project estimate is \$325,000. Discussion was held.

Moved by Sup. Boedeker seconded by Sup. Deerberg to approve and authorize Chairperson Bell to sign an IDOT Federal-aid Agreement for County Highway bridge replacement proj. #BROS-C016(75)—8J-16 on 250th Street, as presented.

Ayes: Boedeker, Deerberg, Moeller, Bell
Absent: Weih

The Engineer reviewed the plans for a bridge replacement project on Franklin Avenue. The project estimate is \$389,000. Discussion was held.

Moved by Sup. Moeller seconded by Sup. Boedeker to approve the plans for bridge replacement proj. #BROS-C016(72)—8J-16 on Franklin Avenue, as presented.

Ayes: Moeller, Deerberg, Boedeker, Bell
Absent: Weih

Engineer Fangmann reviewed a right-of-way contract with Jeffrey R. & Debra R. Wenndt concerning a bridge replacement project on Taylor Avenue. He noted the contract pertains to a piece of land in the NW corner. Water comes through a draw in the field. The way the bridge was designed the water drainage was not going to work correctly. Fangmann spoke to Mr. Wenndt, and it was agreed that the project could continue with the agreement on a unit price. Discussion was held.

Moved by Sup. Boedeker seconded by Sup. Moeller to approve and authorize Chairperson Bell to sign a right-of-way contract for bridge replacement proj. #BROS-C016(68)—8J-16 on Taylor Avenue, with Jeffrey R. & Debra R. Wenndt in the amount of \$1,004.17 for permanent easement.

Ayes: Boedeker, Deerberg, Moeller, Bell
Absent: Weih

Engineer Fangmann gave project updates. He has a meeting with the Corps of Engineers this week concerning a channel realignment south of the bridge over the Cedar River on County Road F44. Fangmann noted a lady called him concerning funding for bank stabilization along the Cedar River. He indicated to her that the stabilization would not be under his authority. Sup. Boedeker said the lady wondered if concrete from the buyouts could be put along the river. It was agreed this matter would need to go through the Corps of Engineers. Discussion was held regarding rock on the roads and road maintenance. Fangmann told the Board his department is putting down 150 ton/mile of rock on the roads that are scheduled to have rock this year. General discussion was held.

Moved by Sup. Moeller seconded by Sup. Deerberg to approve the following payroll change:

Case Management

Jennifer Boedeker, Office Manager, from \$11.75/hr to \$12.00/hr effective 4-14-09.

Ayes: Deerberg, Moeller, Boedeker, Bell
Absent: Weih

Moved by Sup. Boedeker seconded by Sup. Deerberg to approve the Board Minutes of April 16, 2009.

Ayes: Moeller, Deerberg, Boedeker, Bell
Absent: Weih

On motion, the Board adjourned at 10:18 A.M., to April 23, 2009.

Cari Gritton, Auditor

Jon E. Bell, Chairperson

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., April 23, 2009 with the following members present: Boedeker, Deerberg, Moeller, Weih and Chairperson Bell.

The Board recited the Pledge of Allegiance.

The Board viewed correspondence from Ed Mellecker, Parts Manager, Secondary Road Department regarding his retirement effective 10-16-2009.

The Board viewed an April newsletter from Representative Jeff Kaufmann.

The Board viewed an update from the Iowa Tourism Office dated 4-21-09.

The Board acknowledged receipt of confidential correspondence from a Cedar County employee dated 4-21-09.

The Board acknowledged receipt of correspondence from Representative Jeff Kaufmann regarding proposed changes in the State's sex offender laws.

The Board acknowledged receipt of Manure Management Plan Annual updates from D. Daufeldt Farms Inc. and Anderson Farms (Kevin Anderson).

The Board acknowledged receipt of an elevator safety inspection from KONE, Inc.

The Board acknowledged receipt of correspondence from Mike Wentzien, Supervisors' Lobbyist regarding SF461 concerning the use of Local Option Sales Tax.

The Board acknowledged receipt of correspondence from Tammy Norman of the Iowa State Association of Counties regarding HF502/SF461 concerning the use of Local Option Sales Tax and an ISAC Update dated 4-23-09 regarding the same.

The Board acknowledged receipt of correspondence from The World Food Prize organization regarding a Hoover-Wallace Dinner to honor Senators Grassley and Harkin for their service and to raise money for the organization.

The Board noted correspondence from Mike Dauber, Director of the Conservation Board regarding the hiring of Zach Brecht for a summer employee position at \$9.00/hr effective 4-20-09.

Julie Tischuk, Director of the Case Management Department met with the Board to request approval to fill a Case Manager vacancy. Discussion was held. The Board agreed to approve the request to hire. General discussion was held.

Moved by Sup. Boedeker seconded by Sup. Deerberg to approve the following payroll change:

Sheriff's Department

Lynn Bixler, Correctional Officer from \$13.44/hr to \$13.82/hr effective 5-5-09.

Ayes: Moeller, Weih, Deerberg, Boedeker, Bell

Moved by Sup. Deerberg seconded by Sup. Moeller to approve the Board Minutes of April 20, 2009.

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

Bids were opened for the Cedar County Transfer Station floor repairs Project #M-TRF-2009-16 and read as follows:

Iowa Residential or Commercial Company \$25,931.76

Hoffmann, Inc. \$48,900.00 (Chairperson Bell noted the bid contains clarifications and exceptions.)

Those in attendance were: Transfer Station Manager Gary Crock, Engineer Fangmann, Mayor of Mechanicsville Dave Furry, Tyra Stevens of Iowa Residential or Commercial Company and Rob Schmidt of Hoffmann, Inc. It was noted action would be taken on the bids at a Solid Waste Commission meeting on April 27, 2009 at 7:00 p.m. in the large meeting room at the Courthouse. Mayor of Clarence Mike Blake entered the room. Brief discussion was held.

Moved by Sup. Boedeker seconded by Sup. Weih to convene as the Stanwood Drainage District Board.

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

Moved by Sup. Boedeker seconded by Sup. Weih to return to regular session.

Ayes: Boedeker, Deerberg, Moeller, Weih, Bell

General discussion was held with Phil La Rue, Environmental Director regarding food inspections.

General Discussion was held.

Moved by Sup. Boedeker seconded by Sup. Weih to approve Payroll Checks #135736 - #135903 for the period ending 4-18-09 and to be paid on 4-24-09.

Ayes: Deerberg, Moeller, Weih, Boedeker, Bell

It was noted Handwritten Check #370380 dated 4/23/09 was issued to the Cedar County Treasurer in the amount of \$450.48, for an Administrative Solutions, Inc. flex claims electronic deposit.

It was noted Handwritten Check #370381 dated 4/23/09 was issued to the Cedar County Treasurer in the amount of \$4,332.83, for an Administrative Solutions, Inc. partial self funded claims electronic deposit.

It was noted Handwritten Check #370382 dated 4/23/09 was issued to the Cedar County Treasurer in the amount of \$1,787.90, for an Administrative Solutions dental claims electronic deposit.

On motion, the Board adjourned at 10:55 A.M., to April 27, 2009.

Cari Gritton, Auditor

Jon E. Bell, Chairperson

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., April 27, 2009 with the following members present: Boedeker, Deerberg, Moeller, Weih and Chairperson Bell.

The Board recited the Pledge of Allegiance.

The Board acknowledged receipt of correspondence from Mike Wentzien, Supervisors' Lobbyist regarding the final Legislative week.

The Board acknowledged receipt of correspondence from Judy Funk, Consultant to Heartland Insurance Risk Pool and a memo from Atty. Carlton G. Salmons regarding his opinion on the "Lawful Implementation of Iowa Supreme Court's Same-sex Marriage Opinion".

The Board acknowledged receipt of a copy of the April 15, 2009 minutes of the Planning & Zoning Commission meeting.

Moved by Sup. Moeller seconded by Sup. Weih to approve the renewal of a Class B Native Wine Permit with outdoor service area and Sunday sales for Hunt's Cedar River Campground.

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

Moved by Sup. Weih seconded by Sup. Boedeker to approve a new six-month Class C Liquor License with outdoor service area and Sunday sales for Celebrate on 38.

Ayes: Boedeker, Deerberg, Moeller, Weih, Bell

Moved by Sup. Deerberg seconded by Sup. Moeller to approve the issuance of Handwritten Checks dated 2/27/09 as follows:

#370383 Wellmark Blue Cross Blue Shield of Iowa \$82,019.38
#370384 Administrative Solutions, Inc. \$1,730.50

Ayes: Deerberg, Moeller, Boedeker, Weih, Bell

The Board met with Head Custodian Bob Klemme to discuss the paint striping on the east Courthouse parking lot. Mr. Klemme said he could do the painting. He would need to purchase supplies. Discussion was held. Klemme will research the cost and availability of the supplies and report back to the Board.

Moved by Sup. Weih seconded by Sup. Deerberg to approve the Board Minutes of April 23, 2009.

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

Nicole Turpin of the East Central Intergovernmental Association met with the Board to discuss the Hazard Mitigation Grant Program application (flood buyout-property acquisition project). Turpin noted Dan Jones of Iowa Homeland Security is the Project Manager that has been working with E.C.I.A. He has indicated to Turpin that a letter is needed stating who the attorney will be for the closings and what the closing costs will be. The closing costs figure is needed for the grant budget. Discussion was held. Jones has indicated that our County Attorney can be reimbursed for the work. County Attorney Benz joined the discussion, as requested by the Board. Items required for the closings were reviewed. Attorney Benz noted that attorneys don't generally do abstracting. He said he could do the title opinions, resolve title issues and record documents. Benz noted attorneys in private practices would have the required forms, and they could prepare checks. Discussion continued. Attorney Benz noted he may or may not be able or willing to "chase down" items that need to be cleared up. Nicole Turpin said E.C.I.A. could assist with items. Attorney Benz felt they would need an attorney that understands what needs to be done. Sup. Moeller asked Benz if he could do the County's side of the

work. Benz said he could do title opinions. Discussion was held as to whether another attorney would be needed or required, who would write checks for the closings, what items could be included in the closing costs, and the option of arranging for another attorney to do all of the work. Supervisors Weih and Deerberg felt the seller should have their own legal representation. Nicole Turpin indicated that would be the seller's choice. Auditor Gritton joined the discussion, as requested by the Board. Chairperson Bell suggested County Attorney Benz could do the title opinions and any other individuals doing work on behalf of the County could be reimbursed. Attorney Benz indicated he could act as an agent for the County to get the required services performed. Turpin asked that if the County Attorney does not do the closing services and does not want to be reimbursed, could the County Attorney write a letter regarding the total costs involved, so that a local attorney could do the work and they could get the process underway. Chairperson Bell explained the grant process to Attorney Benz. Further discussion was held. County Attorney Benz told the Board he would want to do some research before he prepared a letter concerning closing costs and that he is hesitant to prepare the letter. Turpin noted a grant budget amendment could be done later. Discussion was held regarding the FEMA funds drawdown process. County Attorney Benz will do research and meet with the Board at their next meeting. He left the room. Discussion was held with Auditor Gritton regarding the drawdown process and the issuance of checks. The Auditor left the room. General discussion was held with Nicole Turpin.

Tim Malott, EMA/E911 Director entered the room. Brief discussion was held regarding the AVL project.

On motion, the Board adjourned at 11:27 A.M., to April 30, 2009.

Cari Gritton, Auditor

Jon E. Bell, Chairperson

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., April 30, 2009 with the following members present: Boedeker, Moeller, Weih and Chairperson Bell. Sup. Deerberg was absent due to attendance at Geographic Information System training.

The Board recited the Pledge of Allegiance.

The Board viewed a news update from the Iowa Tourism Office dated 4-28-09.

The Board viewed a "Report of Fees Collected" for the quarter ending 3/31/09 submitted by Recorder Thumm.

The Board viewed correspondence from Engineer Fangmann regarding a payroll change for Mike Foulks, Maintenance Worker II.

The Board viewed an I.S.A.C. update dated 4-27-09.

The Board viewed Legislative News dated 4-27-09 from Speaker of the House Pat Murphy.

The Board viewed the April 2009 issue of GreeNetwork, submitted by the Iowa Department of Economic Development.

The Board viewed correspondence from Sheriff Wethington regarding the hiring of Robin Geertz for a Dispatcher position.

The Board viewed a newsletter from the Iowa Department of Economic Development dated 4-29-09 regarding industry opportunities.

The Board acknowledged receipt of correspondence from Representative Jeff Kaufmann regarding the Military Vehicle Preservation Association 2009 Convoy passing through Cedar County on June 21st.

The Board acknowledged receipt of correspondence from Representative Jeff Kaufmann and the Iowa State Association of Counties regarding cases of H1N1 Influenza reported in Iowa.

The Board acknowledged receipt of a Fire Marshal's Inspection report for the Cedar County Sheriff's Office and Jail, submitted by Sheriff Wethington.

The Board acknowledged receipt of a copy of correspondence from Nicole Turpin, East Central Intergovernmental Association, to Dan Jones of Iowa Homeland Security regarding a request by the Board to meet with Jones and his Supervisor to discuss the flood buyout programs.

The Board acknowledged receipt of confidential correspondence from a Cedar County employee dated 4-29-09.

The Board acknowledged receipt of correspondence from Mary Dorris, Director of the Cedar County Public Health Department and Representative Jeff Kaufmann regarding a message from the Department of Public Health concerning a flu outbreak.

The Board acknowledged receipt of a copy of correspondence to County Auditors, from Holly Fokkena at Butler County regarding the termination of all County Ag Extension Director positions.

Engineer Fangmann met with the Board to discuss correspondence from U.S. Representative Loeb sack regarding submission of High Priority Projects for the upcoming Surface Transportation Reauthorization legislation. Fangmann would like to submit a County Road F44 resurfacing project. If the Board approves, he requested that

they write a letter of support. Discussion was held. The Board approved and a letter of support was signed by Chairperson Bell. Discussion was held regarding project# ESFMC016(78)—5S-16 concerning resurfacing County Road Y26 from the City of Durant to 290th Street. The Engineer gave project updates. Phil La Rue entered the room while discussion was in progress. General discussion was held.

County Attorney Benz met with the Board regarding a letter concerning FEMA buyout closing legal work and costs. He presented correspondence sent to the East Central Intergovernmental Association. Discussion was held. Benz noted he has spoken to a couple of attorneys. One had no interest, and Benz felt the other was not too interested. He reviewed the estimated costs. Benz wondered what amount of work would be involved in a closing if there are any title objections. He felt there could be a significant amount of work and perhaps even a quiet title action in court. Sup. Bell felt if a whole section is purchased, there wouldn't be an objection on boundaries. Benz agreed, but felt if there is a break in the chain of title, there may be a problem. He wondered if the dollars for the work to clear up an objection would come from the seller's proceeds. Bell thought it is the intent of FEMA to take care of that. Sup. Boedeker thought FEMA has said that the seller has to have clear title in order to transfer the property. Atty. Benz felt that due to the work load required in his office, the closings would need to be done by private counsel, but he felt there may not be much interest by local attorneys. The Board agreed that Atty. Benz should write an additional memo indicating that he and the Board of Supervisors recommend budgeting \$2,500 per closing in the Hazard Mitigation Grant.

Head Custodian Bob Klemme briefly met with the Board to inform them of the cost and availability of supplies to do paint striping on the east Courthouse parking lot.

Moved by Sup. Weih seconded by Sup. Boedeker to approve the Board Minutes of April 27, 2009.

Ayes: Weih, Moeller, Boedeker, Bell
Absent: Deerberg

Moved by Sup. boedeker seconded by Sup. Moeller to approve the following new hire:
Sheriff's Department
Robin Geertz, Dispatcher at \$12.91/hr effective 4-26-09.

Ayes: Boedeker, Moeller, Weih, Bell
Absent: Deerberg

Moved by Sup. Weih seconded by Sup. Moeller to approve the following payroll change:
Secondary Road Department
Mike Foulks, Maintenance Worker II, from 95%-\$16.96/hr to 100%-\$17.85/hr effective 5-1-09.

Ayes: Weih, Bell, Boedeker, Moeller
Absent: Deerberg

Moved by Sup. Boedeker seconded by Sup. Moeller to approve Quote #8206 in the amount of \$331.12 from Integrated Technology to run a new phone line from the Board Room.

Discussion was held.
Ayes: Weih, Moeller, Boedeker, Bell
Absent: Deerberg

Engineer Fangmann presented a Utility Permit Application for Alliant Energy for reconstruction of lines at 310th Street and Charles Avenue in conjunction with a bridge replacement project.

Moved by Sup. Moeller seconded by Sup. Weih to approve and authorize Chairperson Bell to sign a Utility Permit Application for Alliant Energy, as presented, and waive the fee, as requested by Engineer Fangmann.

Ayes: Boedeker, Moeller, Weih, Bell
Absent: Deerberg

Moved by Sup. Weih seconded by Sup. Boedeker to approve Claim Check #370385 - #370545.

Ayes: Moeller, Boedeker, Weih, Bell
Absent: Deerberg

It was noted Handwritten Check #370546 dated 4/29/09 was issued to the Cedar County Treasurer in the amount of \$885.35, for an Administrative Solutions, Inc. flex claims electronic deposit.

It was noted Handwritten Check #370547 dated 4/29/09 was issued to the Cedar County Treasurer in the amount of \$3,102.50, for an Administrative Solutions, Inc. partial self funded claims electronic deposit.

It was noted Handwritten Check #370548 dated 4/29/09 was issued to the Cedar County Treasurer in the amount of \$1,735.62, for an Administrative Solutions dental claims electronic deposit.

On motion, the Board adjourned at 10:14 A.M., to May 4, 2009.

Cari Gritton, Auditor

Jon E. Bell, Chairperson

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., May 4, 2009 with the following members present: Boedeker, Deerberg, Moeller, Weih and Chairperson Bell.

The Board recited the Pledge of Allegiance.

The Board viewed an ISAC Update dated 5-1-09.

The Board viewed correspondence from County Attorney Benz to the East Central Intergovernmental Association regarding FEMA buyout closing legal work.

The Board viewed correspondence from Connie Knutsen to E911 Board/EMA Commission members regarding her last day of work as Emergency Management Assistant and thanking the members.

The Board acknowledged receipt of correspondence from Auditor Gritton regarding disposal of sandbags.

The Board acknowledged receipt of correspondence from the Iowa Motion Picture Association regarding an Iowa Oscars Awards Ceremony on May 9th.

The Board acknowledged receipt of correspondence from Representative Jeff Kaufmann regarding a ceremony on May 7th to honor Vietnam Veterans.

The Board acknowledged receipt of correspondence from Deana Cavin, City Clerk for the City of Durant regarding an application as requested by Glen and Judy Swanson for voluntary annexation of their property.

The Board acknowledged receipt of correspondence and Swine Flu fact sheets from Mary Dorris, Director of the Cedar County Public Health Department.

The Board acknowledged receipt of a copy of correspondence from Sheriff Wethington to the City of Bennett informing them of the yearly fee for law enforcement protection.

The Board acknowledged receipt of correspondence from Representative Jeff Kaufmann and information from the Iowa Department of Agriculture regarding the Influenza A/H1/N1 outbreak in the U.S.

The Board acknowledged receipt of correspondence from the Iowa State Association of Counties regarding a scholarship fundraiser.

The Board acknowledged receipt of correspondence from Mark D. McIntyre of Russ Reid regarding stimulus dollars for infrastructure projects.

The Board acknowledged receipt of correspondence from Vince Lintz, Deputy Director of the Iowa Department of Economic Development regarding funding for property acquisitions not eligible under the Hazard Mitigation Grant Program.

The Board reviewed a draft of a "Resolution Asking For Review Of The Defense of Marriage Act By The Iowa Legislature And The People Of Iowa". Discussion was held. Chairperson Bell indicated Representative Jeff Kaufmann felt the matter is being brought up so that it can be brought to the people for a vote. Sup. Boedeker stated be careful what you wish for. Sup. Weih would like the matter left on the agenda for a week or so, so that he can get some public input on the matter. Sup. Moeller referenced the perception of the people if the Board takes action on the resolution. Weih agreed that it could be perceived as the Board members are thinking one way on the issue. Moeller felt the proposed resolution would not have been presented to the Board, if the issue was not objectionable to a lot of people. The Legislative voting process was discussed. Consideration of the draft of the resolution will remain on the Board's agenda for a period of time.

The Board reviewed a request from the Cedar County Public Health Department for an additional VPN connection for a laptop. Discussion was held.

Moved by Sup. Boedeker seconded by Sup. Moeller to approve the request by Public Health for an additional Virtual Private Network for a laptop.

Ayes: Moeller, Deerberg, Boedeker, Bell, Weih

Moved by Sup. Deerberg seconded by Sup. Moeller to approve the purchase of a Fox Valley Super Striper and paint so that the Head Custodian can put paint markings on the east Courthouse parking lot.

Ayes: Deerberg, Boedeker, Bell, Weih, Moeller

General discussion was held with Sheriff Wethington.

Engineer Fangmann met with the Board to discuss bids for county project ESFM-C016(78)—5S-16 for the resurfacing of County Road Y26 from the City of Durant to County Road F44 in Farmington Township. Federal Stimulus funds would be used towards the cost of the project. Two companies submitted numbers. There is a 2 ½% Disadvantaged Business Enterprise requirement on this project. It has to have a good faith effort in the eyes of the Department of Transportation. One of the bidders did not meet the D.B.E. requirement, therefore the D.O.T. rejected one bidder's numbers. Engineer Fangmann noted there were a lot of projects thrown into the April 1st stimulus project submission deadline. He recently found out that we could let a project until next March. Fangmann feared that we may receive high bid numbers for the project. The bid tabulations are confidential until a bid is accepted. Final dollar amounts were reviewed by the Engineer, and he discussed the project with the D.O.T several times. Fangmann felt he estimated high for the cost of the project. His estimate is \$1,349,127 for 3.782 miles. The only bid to be considered by the Board is in the amount of \$1,509,486.28. Any cost above \$773,396 (Federal Stimulus funds) would come out of our Farm-to-Market funds. Fangmann noted with the Stimulus rush, more projects are coming in. He had to change our Five-Year Construction Plan due to this project. The Engineer told the Board he received a D.O.T. memo indicating Farm-to-Market funds will be frozen on July 1st if a county is borrowed ahead. There are a couple exceptions to that, and a Stimulus project is one exception. The difference between the estimate and the bid for this project would be about one quarter's worth of our Farm-to-Market earnings, so it would delay the Engineer from letting anymore Farm-to-Market projects. Robert Wertzbaugher entered the room while discussion was in progress. Engineer Fangmann recommended rejecting all bids on this letting. He recommends letting the project in July. A contractor could wait until next season or start after July 1st. Sup. Moeller wondered if a contractor's costs would be higher. Fangmann felt a contractor could lock in costs. Brief discussion continued.

Moved by Sup. Boedeker seconded by Sup. Deerberg to approve the recommendation of Engineer Fangmann to reject all bids for project #ESFM-C016(78)—5S-16 with the intent to rebid the project in July 2009.

Discussion was held. It was noted the cost for a similar resurfacing project that is currently being done is approximately \$302,000/mile. The cost for the above bid would be approximately \$399,000/mile.

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

General discussion was held with the Engineer.

Moved by Sup. Moeller seconded by Sup. Deerberg to approve and authorize Chairperson Bell to sign a Utility Permit Application for work at 82 – 130th Street.

Ayes: Deerberg, Boedeker, Moeller, Weih Bell

This being the time set for a public hearing to review/consider amendments to the Cedar County Comprehensive Plan's Future Land Use Map. The following individuals were in attendance: Phil La Rue, Zoning Director; Nicole Turpin of the East Central Intergovernmental Association; Robert E. Wertzbaugher; Barb Gerot; David Sickles; Joann Crew and Engineer Fangmann. Review and discussion were held. Phil La Rue noted the Planning & Zoning commission recommended approval of the proposed changes. He also noted there are no written or verbal objections on file. Chairperson Bell read emails from Annie Servin & Michael Crowley and Randy & Kathy Pedersen in support of the changes. Bell asked if there were any comments. Barb Gerot, Robert Wertzbaugher and David Sickles indicated they supported the proposed changes. Nicole Turpin noted she received a call from Patricia Furchtenicht indicating she supported the changes.

Moved by Sup. Boedeker seconded by Sup. Moeller to approve and adopt the following resolution concerning amendments to Map No. 10, and to waive the second hearing scheduled for May 7, 2009:

RESOLUTION AMENDING THE CEDAR COUNTY
LAND USE PLAN 2006

WHEREAS, the Cedar County Board of Supervisors has commissioned the Cedar County Planning and Zoning Commission to amend the future land use plan for Cedar County; and,

WHEREAS, the Cedar County Planning and Zoning Commission, with the assistance of East Central Intergovernmental Association, has amended the Cedar County Land Use Plan 2006 to guide and facilitate development within Cedar County; and,

WHEREAS, the county sought citizen participation, through public hearings with the Planning and Zoning Commission and Board of Supervisors; and,

WHEREAS, the Cedar County Planning and Zoning Commission held a public hearing on April 15, 2009 and recommended amending the Cedar County Land Use Plan 2006 including the Future Land Use Map.

NOW, THEREFORE, BE IT RESOLVED, that the Cedar County Board of Supervisors hereby adopts the Amended Cedar Land Use Plan 2006 as a policy document to guide and facilitate development in Cedar County.

Discussion was held. Sup. Boedeker thanked Nicole Turpin and Phil La Rue for their work on this matter.

Ayes: Boedeker, Deerberg, Moeller, Weih, Bell

The public hearing concluded at 9:36 a.m.

Discussion was held with Nicole Turpin regarding the Public Assistance demolition project concerning 2008 flood damaged structures. Phil La Rue and Rob Fangmann were in attendance. Turpin noted some property owners have dropped out of the project and some have not responded. Phil La Rue noted the option of sending notices regarding unsafe structures. It was noted the Request for Proposals would be on the Board's May 7th agenda. Chairperson Bell asked Turpin to contact the property owners that backed out and invite them to the Board's May 7th meeting. Nicole Turpin said she would like to get a list of Cedar County property owners that received FEMA funds, before funds get reallocated. The Board and Phil La Rue didn't have a complete list. Chairperson Bell suggested Turpin would have to check with others to obtain a list.

Engineer Fangmann met with the Board, as requested by Chairperson Bell. Bell wondered if white-topping should be considered for County Road Y26 at the next letting. Fangmann noted the shoulders prevent that. An option would be to re-grade, but that would cost more. He felt re-grading would have to be done eventually, and then right-of-way would be needed. Types of road surfaces were discussed.

Moved by Sup. Boedeker seconded by Sup. Weih to approve the Board Minutes of April 30, 2009.

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

On motion, the Board adjourned at 10:08 A.M., to May 7, 2009.

Cari Gritton, Auditor

Jon E. Bell, Chairperson

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., May 7, 2009 with the following members present: Boedeker, Deerberg, Weih and Chairperson Bell. Supervisor Moeller was absent.

The Board recited the Pledge of Allegiance.

The Board viewed correspondence from Engineer Fangmann regarding payroll changes for Merle Waltz, Maintenance Worker I and Brian Wood, Maintenance Worker II.

The Board viewed correspondence from Sheriff Wethington regarding a payroll change for Amy Willey, Dispatcher.

The Board viewed Expense and Revenue Summary reports concerning the FY08-09 County Budget.

The Board viewed a newsletter from the Iowa Department of Economic Development dated 5-4-09 regarding industry opportunities.

The Board viewed a newsletter dated 5-5-09 from the Iowa Tourism Office.

The Board viewed a newsletter from Aerial Services, Inc. dated 5-5-09.

The Board acknowledged receipt of a reminder concerning the annual meeting of the Chief Elected Officials/Regional Workforce Investment Board on 5-28-09.

The Board acknowledged receipt of a Press Release from the East Central Intergovernmental Association Business Growth, Inc. regarding new loans approved and loan fund balances.

The Board acknowledged receipt of correspondence from Matt Hills regarding Alliant Energy infrastructure costs.

The Board acknowledged receipt of correspondence from Representative Jeff Kaufmann regarding the Volunteer Firefighter Training Fund.

The Board acknowledged receipt of a copy of correspondence to Curt Jeffreys, State PAC, Demolition Team at the Iowa Homeland Security and Emergency Management Division, to Phil La Rue regarding his request for review of the bid proposal for demolition of private residences for potential Public Assistance program eligibility and reimbursement issues.

The Board acknowledged receipt of a FEMA Project Worksheet regarding Demolition Debris Removal-404 HMGP (Buy-Out) reviewed by FEMA PAC, the State and Phil La Rue, Environmental Director.

The Board acknowledged receipt of correspondence from Scott Meyer regarding a special promotion for Discover Eastern Iowa 2009.

The Board acknowledged receipt of correspondence from U. S. Small Business Administration regarding an award ceremony to honor area business men and women who have achieved outstanding success.

Kevin Gleaves met with the Board concerning a letter dated 2-10-09 from Engineer Fangmann regarding snow removal on Cedar Valley Road. Gleaves has been pushing snow from his driveway across the road into the ditch and left what was described as wind rows. It is the policy of Cedar County that snow from private drives shall not be placed on the roadway or shoulders. He did not feel he had made wind rows but rather snow leaked under his plow because of an inadequate transition from his drive to the highway. When he blacktopped his driveway he had his contractor work with the County to make sure all guidelines were met. Since the County resurfaced the road he now has a

four inch transition which makes his plow lift and in turn leaks snow underneath. Gleaves said he had been told that almost everyone in Cedar County pushed snow into the ditches and right of ways. Boedeker and Bell both commented that they did not push their snow into the right of way and ditches and they know a lot of people do not do this. Gleaves then said he had a lot of gravel pushed onto his blacktop when the trucks were out working on the shoulders. He has shoveled 500 to 1000 pounds of gravel off of his driveway. Engineer Fangmann told him if that happens again to call, they will clean up the gravel. Gleaves asked why everyone but him on the road had an asphalt transition to their mailboxes. Engineer Fangmann said at the time of the resurfacing project in front of his home they were not doing the mailbox transitions and there is probably four other homes that do not have that. The next project will address the transition. Deerberg asked if he would be able to push the snow into the ditch on his side of the road. Boedeker said that can cause a safety problem, such as site distance. Attorney Benz said legally he cannot put snow in the right of way. The Board has let him know what the policy is and can't vary from that. Gleaves was told they will work with him on the next project. He then asked what about the mud the farmers leave on the roadway coming out of fields. The Board told them the farmer would be liable for any accidents that could cause.

The Board met with department heads to discuss any problems or concerns they might have. Those in attendance were: Cari Gritton, Rob Fangmann, Connie Fett, Amy Wehde, Mary Dorris, Patty Hamann, Bob Klemme, Charline Thumm, Gary Jedlicka, Warren Wethington, Bev Boots, Phil La Rue and Carolyn Wood. Those in attendance were given the opportunity to relay items concerning their departments. Auditor Gritton noted we were getting a new battery for our phone system today and the phone system will be shut down at 4:05 P.M. The Board asked if she could check on the used conference phone in the Board Room. Mary Dorris, Public Health Director is continuing the monitoring of the H1N1 flu virus. Patty Hamann noted for 2008 veterans benefits increased by \$1.273 million which does not include veterans retirement. She also noted that she will be getting \$10,000.00 from the state to be used for administrative purposes only. Bob Klemme noted the air conditioning is on. If your window is open make sure the blower is turned off. He would like everyone to close their blinds on weekends to keep the heat out of the building. He will also be striping the parking lot as soon as supplies arrive. Recorder Thumm said they were very busy with the phones from media and others regarding the new marriage licenses. Carolyn Wood noted that if someone plugs something new into the system please contact Solutions to get an IP address. Bev Boots said Dan and Ali were out with the Board of Review. They had fifteen appeals. Rob Fangmann gave project updates. Tim Malott noted they have 75 signs done and 25 signs pending for 911. There is an IC toolbox class coming up for NIMS certification. The EOC is set up for the flu epidemic. The AVL project is up and running on three vehicles.

Engineer Fangmann met with the Board regarding a letter of support for County Road F44 high priority project funding request. The letter was read.

Moved by Sup. Weih, seconded by Sup. Boedeker to approve and authorize Chairperson Bell to sign the letter of support for County Road F44 high priority project funding request.

Ayes: Weih, Deerberg, Boedeker, Bell
Absent: Moeller

The Engineer reviewed with the Board a Flood Signing Resolution concerning 270th Street from Eureka to Delta Avenues.

Moved by Sup. Deerberg, seconded by Sup. Boedeker to approve and adopt the following resolution:

FLOOD SIGNING

RESOLUTION

RESOLUTION FOR THE ESTABLISHMENT OF FLOOD SIGNING

WHEREAS, under the provisions of Section 321.255 and 321.236 (1c) (6) of the 2009 Code of Iowa, the Board of Supervisors and County Engineer are empowered to place and maintain such traffic control devices upon highways under their jurisdiction as they deem necessary to regulate, warn or guide traffic,

AND WHEREAS, some areas in Cedar County are subject to temporary, sudden, and unexpected flooding of the roadway, at bridge sites, over low water crossings, and at low points in the road near rivers and streams,

AND WHEREAS, traffic should not enter flood prone areas when the roadway is under water,

NOW THEREFORE BE IT RESOLVED, that the Board of Supervisors of Cedar County on this 7th day of May, 2009, meeting in lawful session, and upon recommendation of the Cedar County Engineer, does hereby prohibit entry into flooded roadway areas and directs the erection of appropriate regulatory signing at the location denoted below:

1. 270th Street near the south ¼ corner of Section 27, Township 80 North, Range 4 West in Gower Township from Delta Avenue to Eureka Avenue.

The Board of Supervisors declare the signs at this location to be legal, valid and enforceable and directs the Cedar County Engineer to erect "Do Not Enter When Flooded" signs in accordance with the Manual on Uniform Traffic Control Devices.

Ayes: Weih, Deerberg, Boedeker, Bell

Absent: Moeller

The Board convened to the large meeting room. Nicole Turpin of the East Central Intergovernmental Association and Curt Jeffreys of State PAC, Demolition Team at the Iowa Homeland Security and Emergency Management Division, met with the Board regarding Public Assistance Demolition Request For Proposal concerning structures damaged due to the 2008 flood event. Those in attendance were Charlotte Hill, Pam Bermel, Norman Gritton, Gracie Gritton, Sue Hall, Phil LaRue, Kenneth Walker, John Kofoed, Audrey Kofoed, Bill Kofron, Steve Courtney, Robert Nettleton, Jack Wonick, Tom Reed, Dennis Ray, Patti Ray, Wally Axberg, Dave Young, Faye Young, Tim Malott, Father David Hitch and Joe Netolicky. Nicole Turpin discussed the Request for Proposal (RFP). Once the Board approves the proposal for demolition she can send notices to contractors. Nicole said she has mailed forms to everyone to fill out for demolition. There are four individuals that do not want to participate. Three of the four people are also on the buyout list. Bell asked why they would not want to participate. Bob Nettleton said he was waiting for the buyout. He has buildings that he feels are structurally fine and he wants to keep those. He is worried that his utilities will be shut off. Nicole said with the RFP all structures within the "footprint" of the home would be demolished. All wells would be capped. Curt Jeffreys commented that the demolition is designed to take down very dangerous and/or health and safety hazards. He said it is up to the County as to what stays up and what comes down. The building inspections are done for the demolition list. The question was asked if someone backs out that has structures that qualify for demolition, what happens. They were told they could be forced to tear down the structure within thirty days at their own expense. They were told when the contractors come to do demolition the buildings will be wrapped to prevent asbestos leakage and sent to Linn County to be disposed of. Kenneth Walker wanted to thank the County for all they have done but said a lot of people don't feel they will get what they have coming. Bell said they would get 110% of pre flood assessed value. Bob Nettleton once again said his name is on the list for demolition and buyout because of substantial damage but he doesn't wish to participate. Curt Jeffreys said there are three groups to look at. The first group is the properties to be demolished first. They are the very dangerous properties. The second group is properties that are structurally sound but other things make them dangerous such as health hazards. The third group would be buyout homes. They are buying these so they don't get flooded again or they have degraded extensively through the winter. It was asked how do you expect people to make decisions when inspections have not been done yet. Nicole Turpin said inspections were done. Dennis Ray feels he has a rebuildable home but has seen no money, so why would

he demolish his home with no money in hand. Gracie Gritton asked if they knew if the buyout was going through. The Board does not know yet if the buyout will go through. Joe Netolicky had signed up for demolition for his property. His parents home was removed from the demolition list but is on the list for buyout. They were not living in the house at the time of the flood. He wondered if they still qualified for the buyout. He was told they did qualify. It was asked what the Board would do with the properties after the buyout. They aren't sure yet what they could do with the properties. The Board will have to research options. Possibly it could be used as green space with float through buildings or possibly they would be able to lease back to the property owners. If they were to lease it back, the property owners would then have to take care of the property but the County would be held responsible. Turpin then read a list of addresses that are on the demolition list. Jack Wonick had questions regarding an easement. Turpin said they could deal with the easement when they do the buyout. Charlotte Hill asked when did they go through to look at properties. Her garage was attached before the flood and is no longer. Turpin said they are looking at the footprint of the house. Faye Young said their garage was attached to their home but they had cut it away from the house in hopes of saving it. Will the garage be part of the demolition. Turpin said yes because it was part of the home. Questions arose pertaining to mortgages on the properties if they were going to be demolished. Turpin said a condemnation notice will be sent to homeowners and a letter to lien holders. Questions arose regarding removing anything from the properties. Nettelton was told in a letter he could not remove anything. Most of the individuals had already discarded water heaters etc. The Board felt for safety reasons they would not want to go back into the homes, but since they are in the demolition/buyout process they should not be removing anything. The Board said all driveways and patios must stay intact. They should ask the Assessor if assessments would change if they were to remove patio blocks etc. Joe Netolicky asked if he could submit a bid to demolish his own property. Turpin said no. You have to be licensed. Dennis Ray once again said he is on the demolition list but does not want to be. He does want to be on the buyout list. Phil LaRue reminded him if he doesn't go through with the demolition and the buyout does not go through he will be responsible for the demolition himself. If a person is on the buyout list and the buyout does not go through, structures still there can be used. Everyone was reminded they must have a clear title on the property for the buyout. The question was asked what if they did still have a mortgage on the property. Turpin said it would work just like buying and selling a house. Checks would change hands with mortgage holders and individuals. The Board asked Phil La Rue and Nicole Turpin if along with Mark Schneider they would talk with the four individuals this next week to confirm whether they would like to be on the demolition list. Paperwork would then be sent in for the grant and they should know within sixty days whether the grant goes through. Turpin thought bids should be back by May 29, 2009 for demolitions. She thought it could take FEMA three to six months to do the demolition and buyouts. Bell said the Board wants to keep moving along with this and appreciates everyone's patience.

The Board returned to the Board Room. Nicole Turpin said she would submit the Grant for Cedar County. Bell asked La Rue to get a determination on the four property owners that did not sign up for demolition. Nicole said she thought Wrights were rehabbing their home already. La Rue felt the homes had substantial damage to them. Bell suggested to La Rue that Mark Schneider, Nicole Turpin and La Rue look at the four properties in question and La Rue could determine if they were a health or public safety threat and Schneider could determine whether it was a structural threat. The Board would like this information on Thursday. La Rue talked with Kelly Stone, DNR flood plain employee. The DNR is changing data from eight months ago. He would like to have an engineer to go through and confirm data on the flood map. He thought there was grant money out there to pay for this.

Moved by Sup. Weih seconded by Sup. Boedeker to approve the Board Minutes of May 4, 2009.

Ayes: Weih, Deerberg, Boedeker, Bell
Absent: Moeller

Moved by Sup. Boedeker seconded by Sup. Deerberg to approve Payroll Checks #135904 - #136063 for the period ending 5-2-09 and to be paid on 5-8-09.

Ayes: Boedeker, Deerberg, Weih, Bell
Absent: Moeller

It was noted Handwritten Check #370549 dated 5/7/09 was issued to the Cedar County Treasurer in the amount of \$882.70, for an Administrative Solutions, Inc. flex claims electronic deposit.

It was noted Handwritten Check #370550 dated 5/7/09 was issued to the Cedar County Treasurer in the amount of \$2,355.94, for an Administrative Solutions, Inc. partial self funded claims electronic deposit.

It was noted Handwritten Check #370551 dated 5/7/09 was issued to the Cedar County Treasurer in the amount of \$1,285.09, for an Administrative Solutions dental claims electronic deposit.

On motion, the Board adjourned at 11:40 A.M., to May 11, 2009.

Cari Gritton, Auditor

Jon E. Bell, Chairperson

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., May 11, 2009 with the following members present: Boedeker, Deerberg, Moeller, Weih and Chairperson Bell.

The Board recited the Pledge of Allegiance.

The Board viewed a "Report of Veteran Affairs" for the month ended 4-22-09, submitted by Patricia Hamann, Secretary.

The Board viewed a letter urging support of Iowa's System of Laws and the Iowa Supreme Courts ruling in Varnum V. Brien from Tom Slockett, Johnson County Auditor.

The Board viewed correspondence from Auditor Gritton regarding tracking sick time for employees.

The Board viewed correspondence from Auditor Gritton, regarding the hiring of Denny Carney as a part-time Custodian at the Courthouse.

The Board viewed an I.S.A.C. Update dated 5-8-09.

The Board acknowledged receipt of correspondence from Carrie Koelker, Eastern Iowa Tourism Association regarding the 26th Annual National Tourism Week being celebrated May 9-17, 2009.

The Board acknowledged receipt of correspondence from Carissa Swanstrom, Rebuild Iowa, regarding a survey we may have received from the Iowa Department of Economic Development.

The Board acknowledged receipt of minutes of the April 8, 2009 meeting of the Fair Association.

The Board acknowledged receipt of a copy of correspondence to Phil La Rue, Environmental Director, from Nicole Turpin of the East Central Intergovernmental Association regarding meetings with Public Assistance Demolition property owners.

Bob Klemme, Head Custodian met with the Board to discuss placing seven hand sanitizers at various locations around the Courthouse. Mary Dorris, Cedar County Public Health Director and Klemme thought it would be a good idea. The cost for the dispensers and a case of sanitizer is \$120. The Board had no objection.

Discussion was held regarding mowing at the pauper cemetery owned by the County. In addition to mowing, there are some branches that need to be cleaned up. Bob Klemme would charge \$25/mowing and \$15/hr to clean up the branches.

Moved by Sup. Boedeker seconded by Sup. Deerberg to approve payment to Bob Klemme of \$25/mowing and \$15/hr for cleanup work at the pauper cemetery.

Ayes: All

Moved by Sup. Moeller seconded by Sup. Deerberg to approve the following payroll change:

Sheriff's Department

Amy Willey, Dispatcher, from \$12.91/hr to \$13.44/hr effective 5-17-09.

Ayes: All

Moved by Sup. Boedeker seconded by Sup. Moeller to approve the following payroll changes:

Secondary Road Department

Merle Waltz, Maintenance Worker I, from \$14.08/hr to \$14.96/hr effective 5-17-09 and Brian Wood, Maintenance Worker II, from \$14.28/hr to \$15.17/hr effective 5-17-09.

Ayes: All

Moved by Sup. Weih seconded by Sup. Deerberg to approve and adopt the following resolution:

RESOLUTION ASKING FOR REVIEW OF THE DEFENSE OF MARRIAGE ACT
BY THE IOWA LEGISLATURE AND THE PEOPLE OF IOWA

WHEREAS, the Iowa Legislature passed and the Governor signed in 1998 the Defense of Marriage Act, stating that marriage in Iowa is only between one man and one woman, and

WHEREAS, on April 3rd, 2009, the Iowa Supreme Court issued an opinion that is in conflict with that law, and

WHEREAS, Iowa Code Section 595.2 has not been amended or repealed, and

WHEREAS, the Iowa Legislature has the duty to check and balance the Iowa Judicial Branch,

NOW THEREFORE, BE IT RESOLVED that the Cedar County Board of Supervisors strongly encourage that the Iowa Legislature resolve this issue by passing legislation that will lead to a public vote to amend the Iowa Constitution or by passing legislation to conform Iowa Code Section 595.2 to the Iowa Supreme Court's decision in Varnum v. Brien.

Discussion was held. Supervisors Weih and Moeller noted they received calls concerning the matter. Sup. Moeller noted the individuals that called him indicated they "encouraged" the Legislature to resolve the issue.

Moved by Moeller seconded by Weih to amend the resolution by striking "demand" and inserting "strongly encourage".

The vote on the amended language was as follows:
Ayes: All

The vote on the resolution was as follows:
Ayes: Weih, Moeller, Deerberg, Bell
Nay: Boedeker

Moved by Sup. Deerberg seconded by Sup. Boedeker to approve the Board Minutes of May 7, 2009.
Ayes: All

Phil La Rue, Environmental Director met with the Board, as requested, to discuss correspondence from Nicole Turpin regarding Public Assistance Demolition meetings. Chairperson Bell wondered if Bruce & Trudi Wright would be tearing down their house themselves. La Rue said he assumed so. Bell thought La Rue needs to send Wrights a notice that the house needs to come down. Discussion was held. The consensus of the Board was that La Rue should send a notice to Wrights.

Chairperson Bell asked La Rue if he received an email from Dan & Donna Nevins regarding runoff from property owned by Daniel & Teresa Kohl. La Rue said no. He noted the Department of Natural Resources looked at the area for a pollution elimination permit. Discussion was held. The Board will contact Mrs. Nevins to let her know they did not receive an email.

Phil Waniorek of Administrative Solutions, Inc. met with the Board to review FY09-10 Wellmark health insurance documentation. Auditor Gritton was in attendance. Mr. Waniorek noted Bernie Lowe & Associates were notified that their broker services would be discontinued. Discussion was held regarding the commissions previously paid to the broker. The amount the County will save by removing the commissions from the premiums is approximately \$1,360.05/month. Waniorek discussed a couple benefits that

he has had inquiries about. One is immunization coverage after age seven. The additional premium for that coverage would be approximately 1%. The other benefit inquiry was about acupuncture. More information would need to be obtained concerning that coverage. Discussion continued.

Moved by Sup. Boedeker seconded by Sup. Moeller to authorize Chairperson Bell to sign FY09-10 Wellmark health insurance documentation.

Ayes: All

On motion, the Board adjourned at 10:45 A.M., to March 14, 2009.

Cari Gritton, Auditor

Jon E. Bell, Chairperson

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., March 14, 2009 with the following members present: Boedeker, Deerberg, Moeller, and Chairperson Bell. Sup. Weih was absent.

The Board recited the Pledge of Allegiance.

Phil La Rue, Environmental Director met with the Board to give an update on contacts he has made concerning the Public Assistance Demolition program.

Discussion was held regarding the content and format of the Board's minutes.

Moved by Sup. Deerberg seconded by Sup. Moeller to approve the following new hire:
Courthouse

Denny Carney, Part-Time Custodian at \$10.10/hr effective 5-26-09.

Ayes: All

Absent: Weih

Sup. Boedeker reported he attended a meeting with a Wellmark representative, Auditor Gritton and Phil Waniorek of Administrative Solutions, Inc. A suggestion was made that all employees should get a physical, and if an employee does so and completes an on-line Wellmark survey, the County would pay the \$15 co-pay for the physical. Discussion was held.

Nicole Turpin of the East Central Intergovernmental Association met with the Board to review a Request for Proposal concerning sealed bids for flood related structures Regulated Asbestos-Containing Material (RACM) demolition. Environmental Director Phil La Rue, Mark Schneider of E.C.I.A. and Don Grimm were in attendance. Nicole Turpin gave an update on property owners that did not want to participate, and she told the Board that Don Grimm would like to have his private structure added to the demolition list. Turpin noted a proposed change is to take the asbestos-contaminated material to Muscatine County rather than Linn County. Linn County has advised Turpin that our Solid Waste Planning Area has to reject the waste before it could go to Linn County. Muscatine County has indicated they take asbestos-contaminated material. Discussion was held. The Board had no objection to the proposed changes, but Chairperson Bell asked Turpin to verify again with Muscatine County that they would take the asbestos materials from this Public Assistance Demolition program.

Moved by Sup. Boedeker seconded by Sup. Moeller to approve the Request for Proposal concerning bids for flood related structures Regulated Asbestos-Containing Material demolition, with the above changes.

Ayes: All

Absent: Weih

The deadline for submitting bids to the Auditor's Office is June 3rd at 4 p.m. Bids will be opened and reviewed at 9:30 a.m. on June 4th.

Moved by Sup. Deerberg seconded by Sup. Moeller to approve the Board Minutes of May 11, 2009.

Ayes: All

Absent: Weih

Steve Estes, President & C.E.O. of Mid-Eastern Council on Chemical Abuse met with the Board to introduce himself. He reviewed services provided. Discussion was held.

Engineer Fangmann met with the Board to review Utility Permit Applications.

Moved by Sup. Boedeker seconded by Sup. Deerberg to approve and authorize Chairperson Bell to sign a Utility Permit Application for Iowa Telecom to repair a defective cable at 93 Hoover Hwy.

Ayes: All
Absent: Weih

Moved by Sup. Deerberg seconded by Sup. Moeller to approve and authorize Chairperson Bell to sign a Utility Permit Application for Interstate Power & Light to rebuild lines from south of Buchanan to south of Mechanicsville.

Ayes: All
Absent: Weih

The Engineer gave project updates. He met with a representative of the Corps of Engineers concerning the realignment of the Cedar River near the bridge on County Road F44. The representative agreed that the realignment is needed. Funding would be needed. Fangmann will write the U.S. Legislators to request funding. A feasibility study with the Corps of Engineers would be needed. It's anticipated the study would cost approximately \$150,000 to \$200,000. Any amount above \$100,000 would be split 50-50. Construction costs would be a 65% Federal and 35% Local split. Discussion was held. There is scouring at the piers of the bridge and erosion of banks. The Engineer advised that someday the County may lose the bridge if we aren't proactive. The Board agreed.

State representatives have contacted the Engineer about Interstate 80 emergency detours and message boards to give notifications. The detours would affect Cedar County as follows: County Road X30 to I80 and County Roads X40 to F44 to I80. Fangmann noted the asphalt is failing in Springdale which could be a problem in the event of heavy traffic. The Engineer has asked if the State plow trucks would take care of maintaining the detours after hours. He has not yet received a response to his inquiry. Fangmann felt the issue of directing traffic at the Springdale intersection would need to be addressed.

Fangmann told the Board Merle Gronewold has flagged the tile line in the area of the Stanwood Drainage District viewed by the Board with Dennis Coppess. The Assistant Engineer has G.P.S. located the tile. Fangmann presented an aerial map of where the tile lays.

The Engineer gave other project updates.

Moved by Sup. Boedeker seconded by Sup. Deerberg to approve Claim Checks #370552 - #370795.

Ayes: All
Absent: Weih

It was noted Handwritten Check #370796 dated 5/14/09 was issued to the Cedar County Treasurer in the amount of \$1,823.26, for an Administrative Solutions, Inc. flex claims electronic deposit.

It was noted Handwritten Check #370797 dated 5/14/09 was issued to the Cedar County Treasurer in the amount of \$1,320.42, for an Administrative Solutions, Inc. partial self funded claims electronic deposit.

It was noted Handwritten Check #370798 dated 5/14/09 was issued to the Cedar County Treasurer in the amount of \$1,503.54, for an Administrative Solutions dental claims electronic deposit.

On motion, the Board adjourned at 11:33 A.M., to May 18, 2009.

Cari Gritton, Auditor

Jon E. Bell, Chairperson

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., May 18, 2009 with the following members present: Boedeker, Deerberg, Moeller, and Chairperson Bell. Sup. Weih was absent.

The Board recited the Pledge of Allegiance.

The Board noted correspondence from Public Health regarding the hiring of Virginia Brockmeyer as a Direct Care Worker at \$8.95/hr effective 6-1-09.

The Board acknowledged receipt of a Manure Management Plan Annual Update from Roger Wiese.

Moved by Sup. Moeller seconded by Sup. Boedeker to approve and authorize Chairperson Bell to sign a substance abuse prevention subcontract between the Mid-Eastern Council on Chemical Abuse and the Board of Supervisors.

Ayes: All
Absent: Weih

Moved by Sup. Boedeker seconded by Sup. Deerberg to approve and authorize Chairperson Bell to sign a Utility Permit Application for Linn County REC for service to a new house at 480 – 260th Street.

Ayes: All
Absent: Weih

General discussion was held with Engineer Fangmann. Fangmann gave project updates.

Chairperson Bell gave an update on the E911 & Emergency Management Association meetings that were held on 5-14-09. Discussion was held.

Discussion was held regarding the County's Geographic Information System.

Phil La Rue, Environmental & Zoning Director met with the Board to discuss demolition/buy-outs concerning flood damaged structures. La Rue wondered if there would be County funding assistance for property owners to determine the 100-year flood plain. Discussion was held. Phil La Rue will obtain information for the Board. No final decision was made.

Moved by Sup. Deerberg seconded by Sup. Boedeker to approve the Board Minutes of May 14, 2009.

Ayes: All
Absent: Weih

On motion, the Board adjourned at 10:13 A.M., to May 21, 2009.

Cari Gritton, Auditor

Jon E. Bell, Chairperson

The Cedar County Board of Supervisors met in regular session at 7:45 A.M., May 21, 2009 with the following members present: Boedeker, Deerberg, Moeller, Weih and Chairperson Bell.

The Board recited the Pledge of Allegiance.

The Board noted correspondence from Public Health regarding payroll changes for Diane Wehde, Clerk, from \$12.65/hr to \$12.90/hr effective 5-19-09 and Vickie Butterbrodt, Nurse, from \$21.12/hr to \$21.40/hr effective 6-7-09.

The Board acknowledged receipt of Manure Management Plan Annual Updates from David Meyer, JF Pork, LLC and Fohne Inc.-Jean Driscoll.

It was noted Handwritten Check #370799 dated 5/21/09 was issued to the Cedar County Treasurer in the amount of \$728.70, for an Administrative Solutions, Inc. flex claims electronic deposit.

It was noted Handwritten Check #370800 dated 5/21/09 was issued to the Cedar County Treasurer in the amount of \$354.58, for an Administrative Solutions, Inc. partial self funded claims electronic deposit.

It was noted Handwritten Check #370801 dated 5/21/09 was issued to the Cedar County Treasurer in the amount of \$1,748.30, for Administrative Solutions dental claims.

Chairperson Bell signed correspondence to the Mayor and City Council of the City of Durant indicating the Board has no objection to the Application for Annexation as requested by Glen and Judy Swanson for the voluntary annexation of their property. The Board had previously reviewed the Application on May 1st and had no objection.

Amy Wehde, Deputy Director of the Cedar County Public Health Department met with the Board to request approval to hire for a Direct Care Worker position. The Board had no objection.

Moved by Sup. Boedeker seconded by Sup. Deerberg to approve the following payroll change:

Treasurer's Office

Barbara Smith, Clerk, from \$12.10/hr to \$12.35/hr effective 5-8-09.

Ayes: All

Moved by Sup. Moeller seconded by Sup. Boedeker to approve the following payroll change:

Auditor's Office

Christine Wright, Clerk, from \$12.20/hr to \$12.70/hr effective 5-19-09.

Ayes: All

Moved by Sup. Deerberg seconded by Sup. Moeller to approve the Board Minutes of May 18, 2009.

Ayes: All

Engineer Fangmann met with the Board to discuss a formal application for a study of the Cedar River in Sections 2 & 11 of T79N R3W, in accordance with the provisions of Section 14 of the Flood Control Act of 1946. This matter concerns bridge (FHWA #018490) on County Road F44 (290th St.). The County would need to provide a minimum cash contribution of 5% of the project cost. In-kind contributions can be used for the County's 35% project contribution. Discussion was held.

Moved by Sup. Deerberg seconded by Sup. Moeller to approve the application to the U.S. Army Engineer District, Rock Island for a study of the Cedar River and authorize Chairperson Bell to sign the same.

Ayes: All

The Engineer gave project updates. Discussion was held.

Sup. Boedeker departed at 8:15 a.m., while discussion was in progress, to attend a Heartland Insurance Risk Pool meeting.

Moved by Sup. Deerberg seconded by Sup. Moeller to approve Payroll Checks #136064-#136232 for the period ending 5-16-09 and to be paid on 5-22-09.

Ayes: All

Absent: Boedeker

Sup. Deerberg left the meeting at 8:38 a.m.

Moved by Sup. Moeller seconded by Sup. Weih to set June 4, 2009 at 9:30 a.m. as the time for a public hearing to review the specifications for the flood related structure RACM demolition bids.

Ayes: Weih, Moeller, Bell

Absent: Boedeker, Deerberg

It was noted the Board would not be meeting on Monday May 25, 2009 due to the observance of Memorial Day.

On motion, the Board adjourned at 8:46 A.M., to May 28, 2009.

Cari Gritton, Auditor

Jon E. Bell, Chairperson

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., May 28, 2009 with the following members present: Boedeker, Deerberg, Moeller, Weih and Chairperson Bell.

The Board recited the Pledge of Allegiance.

The Board acknowledged receipt of correspondence from Amy Wehde, Deputy Director of Cedar County Public Health advising them that Virginia Brockmeyer has decided not to accept a Direct Care Worker position.

Engineer Fangmann met with the Board to review a Utility Permit Application for Iowa Telecom and to discuss various items.

Moved by Sup. Deerberg seconded by Sup. Boedeker to approve and authorize Chairperson Bell to sign a Utility Permit Application for Iowa Telecom for service to a new house at 2285 – 332nd Street.

Ayes: All

Sterling Benz entered the room.

In other business, the Engineer told the Board only one bid was received for salt. It is \$61/ton from North American Salt Co. Last year we paid \$54.88/ton. Engineer Fangmann updated the Board on a request by Johnson County to hold a public hearing to consider the vacation of a segment of road along the Johnson County line. No one would be landlocked by the vacation. Johnson County would like to hold a public hearing on June 25th. Discussion was held. The Board agreed they could meet in Johnson County on that date. The Engineer met with the blade operators concerning the amount of rock that will be put down on the roads. He has decided to rock 30 miles per district at 200 tons per mile. Fangmann gave project updates.

County Attorney Benz met with the Board to inform them that a zoning appeal case is still tentatively scheduled to be heard by the Court on June 22nd. He reviewed a Judge's decision on a "horse case". The Judge's decision was that the horses were neglected, and the Judge ordered the horses to be adopted by a Rescue League.

Moved by Sup. Boedeker seconded by Sup. Deerberg to approve the following payroll change:

Auditor's Office

Tarah Lovell, Clerk, from \$14.00/hr to \$14.50/hr effective 5-22-09.

Ayes: All

Moved by Sup. Weih seconded by Sup. Moeller to approve the Board Minutes of May 21, 2009.

Ayes: All

Moved by Sup. Boedeker seconded by Sup. Moeller to approve Claim Checks #370802 - #370950.

Ayes: All

It was noted Handwritten Check #370951 dated 5/28/09 was issued to the Cedar County Treasurer in the amount of \$848.26, for an Administrative Solutions, Inc. flex claims electronic deposit.

It was noted Handwritten Check #370952 dated 5/28/09 was issued to the Cedar County Treasurer in the amount of \$1,930.99, for an Administrative Solutions, Inc. partial self funded claims electronic deposit.

It was noted Handwritten Check #370953 dated 5/28/09 was issued to the Cedar County Treasurer in the amount of \$1,143.78, for an Administrative Solutions dental claims electronic deposit.

On motion, the Board adjourned at 9:45 A.M., to June 1, 2009.

Cari Gritton, Auditor

Jon E. Bell, Chairperson

TIPTON, IOWA

June 1, 2009

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., June 1, 2009 with the following members present: Boedeker, Deerberg, Moeller, Weih and Chairperson Bell.

The Board recited the Pledge of Allegiance.

The Board acknowledged receipt of Manure Management Plan Annual Updates from Dale & Jason Vincent, Hansen DB Ltd, and Dircks Farms, Inc. (North 200).

Engineer Fangmann met with the Board to review final plans for project ESFM-C016(78)-5S-16 (stimulus project) which is a Hot Mix Asphalt resurfacing project on County Road Y26 from the Durant City limits to County Road F44. The plans include a revised letting date of 7-21-09. Discussion was held.

Moved by Sup. Moeller seconded by Sup. Deerberg to waive agenda requirements to allow for consideration of the final plans for project ESFM-C016(78)-5S-16.

Ayes: All

Moved by Sup. Boedeker seconded by Sup. Moeller to approve the plans for project ESFM-C016(78)-5S-16, as presented.

Ayes: All

Fangmann gave project updates.

Moved by Sup. Deerberg seconded by Sup. Moeller to approve the Board Minutes of May 28, 2009.

Ayes: All

On motion, the Board adjourned at 9:14 A.M., to June 4, 2009.

Cari Gritton, Auditor

Jon E. Bell, Chairperson

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., June 4, 2009 with the following members present: Deerberg, Moeller, Weih and Chairperson Pro Tem Boedeker. Chairperson Bell was absent.

The Board recited the Pledge of Allegiance.

The Board viewed a report of the Veteran Affairs Commission meeting held on May 27, 2009, submitted by Patty Hamann, Secretary.

The Board viewed correspondence from the City of Durant regarding a public hearing on June 23, 2009 concerning an Application of Annexation by Glen & Judy Swanson.

Connie Fett, CPC Administrator met with the Board to discuss an Application for Admission to a State Resource Center. She requested a closed session.

Moved by Sup. Weih seconded by Sup. Moeller to go into closed session as allowed under Section 21.5.1(a) Code of Iowa.

Ayes: Weih, Moeller, Deerberg, Boedeker
Absent: Bell

Moved by Sup. Weih seconded by Sup. Moeller to return to regular session.

Ayes: Weih, Moeller, Deerberg, Boedeker
Absent: Bell

Moved by Sup. Weih seconded by Sup. Moeller to approve and authorize Chairperson Pro Tem Boedeker to sign an Application for Admission to a State Resource Center for Project #395.

Ayes: All
Absent: Bell

Moved by Sup. Deerberg seconded by Sup. Weih to approve the Board Minutes of June 1, 2009.

Ayes: All
Absent: Bell

Moved by Sup. Deerberg seconded by Sup. Moeller to approve payroll changes for the following Correctional Officers:

Sheriff's Department

William (Mike) Hoy from \$13.81/hr to \$15.01/hr effective 7-2-09 and

Matthew Prachar from \$13.44/hr to \$14.27/hr effective 7-11-09.

Ayes: All
Absent: Bell

The Board met with department heads to discuss any problems or concerns they might have. Those in attendance were: Connie Fett, Bob Klemme, Tim Malott, Patty Hamann, Charline Thumm, Rob Fangmann, Gary Jedlicka, Carolyn Wood, Dan Lett and Mike Dauber. Chairperson Pro Tem Boedeker reviewed information concerning the premiums paid to the Heartland Insurance Risk Pool. He noted \$100,000 will be coming off of the County's premiums this year because the pool is doing so well. Boedeker asked that employees be reminded to not smoke and to limit cell phone usage in County vehicles and equipment. Sup. Boedeker reported that if employees complete an on-line survey through Wellmark Blue Cross Blue Shield, the County will pay the \$15 co-pay for an employee's physical effective 7-1-09. Department heads reported on items concerning their departments.

At 9:30 a.m. a public hearing commenced concerning final adoption of plans, specifications and form of contract for the County's demolition of flood damaged properties contract. Chairperson Pro Tem Boedeker read the legal notice. Those in attendance were: Mark Schneider, Nicole Turpin and Ryan Walter of the East Central Intergovernmental Association; Phil La Rue, Environmental and Zoning Director; Shelley Barnhart of Barnhart Custom Services; and Charlotte Hill. Mark Schneider noted there are no written or verbal objections on file. The following bids were opened and read as follows:

D. W. Zinser Co. Walford, Iowa	\$399,939.00	
Affordable Hazards Removal Monticello, Iowa	\$221,000.00	Alternate Bid(\$34,000.00 deduction)
Barnhart's Custom Services West Branch, Iowa	\$305,586.00	
Young's General Contracting Poplar Bluff, Missouri	\$309,135.02	
Landwehr Construction Inc. St. Cloud, Minnesota	\$380,128.20	

Mr. Schneider felt the alternate bid by Affordable Hazards Removal would not be an option. Schneider and Turpin will review the bids and make a recommendation to the Board. Action will be taken at the Board's next meeting. Discussion was held.

Moved by Sup. Weih seconded by Sup. Deerberg to close the public hearing.

Ayes: All
Absent: Bell

Discussion was held with Mark Schneider, Nicole Turpin and Ryan Walter. Mark Schneider will call the Board on Monday, June 8th at 9:00 a.m.

Moved by Sup. Weih seconded by Sup. Moeller to approve Payroll Checks #136233-136397 for the period ending 5-30-09 and to be paid on 6-5-09.

Ayes: All
Absent: Bell

It was noted Handwritten Check #370955 dated 6/4/09 was issued to the Cedar County Treasurer in the amount of \$1,339.80, for an Administrative Solutions, Inc. flex claims electronic deposit.

It was noted Handwritten Check #370954 dated 6/4/09 was issued to the Cedar County Treasurer in the amount of \$683.86, for an Administrative Solutions dental claims electronic deposit.

On motion, the Board adjourned at 10:30 A.M., to June 8, 2009.

Cari Gritton, Auditor

Dennis Boedeker, Chairperson Pro Tem

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., June 8, 2009 with the following members present: Boedeker, Deerberg, Weih and Chairperson Bell. Sup. Moeller was absent. Bruce Barnhart observed.

The Board recited the Pledge of Allegiance.

The Board viewed a report of fees collected for May 2009 submitted by the Clerk of District Court.

The Board noted correspondence from Assessor Lett regarding a payroll change for Ali Manson, Deputy Assessor from \$38,938.20 to \$41,205.78/annually effective 7-5-09.

Bob Klemme, Head Courthouse Custodian met with the Board to discuss the removal of trees on the west lawn. There are two trees that are partially winter-killed. The Board agreed that the trees should be removed and a new tree planted on the south side of the sidewalk.

Engineer Fangmann met with the Board to review Utility Permit Applications.

Moved by Sup. Deerberg seconded by Sup. Boedeker to approve and authorize Chairperson Bell to sign a Utility Permit Application for Iowa Telecom for service to 1037 Delta Avenue.

Ayes: All
Absent: Moeller

Moved by Sup. Boedeker seconded by Sup. Deerberg to approve and authorize Chairperson Bell to sign a Utility Permit Application for Liberty Communications for work along the east ditch of Baker Avenue for service to 173 -100th Street.

Ayes: All
Absent: Moeller

The Engineer gave project updates. Discussion was held.

Moved by Sup. Weih seconded by Sup. Boedeker to approve the following payroll change:

County Attorney's Office

Michelle Cady, Secretary, from \$12.65/hr to \$13.15/hr effective 1-1-09.

Ayes: All
Absent: Moeller

Moved by Sup. Boedeker seconded by Sup. Weih to approve payment of the \$15 co-pay for employee physicals only out of the Health Fund #25000 effective 7-1-09.

Ayes: All
Absent: Moeller

Moved by Sup. Boedeker seconded by Sup. Deerberg to approve the Board Minutes of June 4, 2009.

Ayes: All
Absent: Moeller

Mark Schneider and Nicole Turpin of the East Central Intergovernmental Association telephoned the Board to discuss their recommendation concerning the bids for flood-related structure Regulated Asbestos Containing Material demolition, which were opened on 6-4-09. Bruce Barnhart of Barnhart's Custom Services and Phil La Rue, Environmental Director were in attendance. A written recommendation was submitted

by Schneider. When asked about a procurement policy, Mark Schneider advised that a procurement policy would need to be in place prior to FEMA's approval of the Board's action on the bids. Schneider will review the County Attorney's comments concerning the procurement policy draft. Mr. Schneider reviewed his documentation concerning the bids. The bid proposals have been reviewed by Homeland Security and the Federal Emergency Management Association. Discussion was held. It is the recommendation that the RACM demolition project be awarded to the second low bidder, Barnhart's Custom Services.

Moved by Sup. Boedeker seconded by Sup. Weih to accept the bid by Barnhart's Custom Services in the amount of \$305,586.00, subject to FEMA's approval.

Discussion was held.

Ayes: All

Absent: Moeller

Phil LaRue, Environmental & Zoning Director met with the Board to discuss flood-damaged structures. The Board reviewed correspondence to Charlotte Hill from La Rue regarding the condition of her dwelling located at 130 West Rochester Ave.

Steve Lacina, Director of the Cedar County Economic Development Commission gave the Board a brief update.

Assistant County Attorney Renander met with the Board to discuss a procurement policy draft. He would like to defer the matter to County Attorney Benz when he returns next week.

On motion, the Board adjourned at 9:55 A.M., to June 11, 2009.

Cari Gritton, Auditor

Jon E. Bell, Chairperson

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., June 11, 2009 with the following members present: Boedeker, Deerberg, Moeller, Weih and Chairperson Bell.

The Board recited the Pledge of Allegiance.

Julie Tischuk, Director and Jennifer Boedeker, Office Manager, Case Management Department met with the Board to review the FY09-10 Projected Cost Report. Discussion was held. The projected billing rate is for a fifteen minute increment. The rate is \$60.73.

Moved by Sup. Moeller seconded by Sup. Boedeker to approve and authorize Chairperson Bell to sign the FY09-10 Projected Cost Report, as presented.

Ayes: All

Connie Fett, CPC Administrator met with the Board to discuss an exception to policy in the County Management Plan concerning prescriptions. She requested a closed session.

Moved by Weih seconded by Moeller to go into closed session as allowed under Section 21.5.1(a), Code of Iowa.

Ayes: Weih, Moeller, Boedeker, Deerberg, Bell

Moved by Sup. Weih seconded by Moeller to return to regular session.

Ayes: Boedeker, Deerberg, Moeller, Weih, Bell

The time of 9:30 a.m. was noted.

Moved by Sup. Boedeker seconded by Sup. Moeller to approve an exception to policy for medications for Project #X27.

Ayes: All

Connie Fett reviewed Mental Health budget documentation. Discussion was held.

It was noted that Wesley Moeller has resigned from the Conservation Board.

Moved by Sup. Deerberg seconded by Sup. Moeller to appoint Craig Jackson to the Conservation Board to fill a term that expires on 12-31-2011.

Ayes: All

Moved by Sup. Weih seconded by Sup. Boedeker to approve the Board Minutes of June 8, 2009.

Ayes: All

Moved by Sup. Boedeker seconded by Sup. Deerberg to approve Claim Checks #370956 - #371200.

Ayes: All

It was noted Handwritten Check #371201 dated 6/11/09 was issued to the Cedar County Treasurer in the amount of \$1,552.12, for an Administrative Solutions, Inc. flex claims electronic deposit.

It was noted Handwritten Check #371202 dated 6/11/09 was issued to the Cedar County Treasurer in the amount of \$370.47, for an Administrative Solutions, Inc. partial self funded claims electronic deposit.

It was noted Handwritten Check #371203 dated 6/11/09 was issued to the Cedar County Treasurer in the amount of \$2,003.09, for an Administrative Solutions dental claims electronic deposit.

On motion, the Board adjourned at 9:50 A.M., to June 15, 2009.

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., June 15, 2009 with the following members present: Boedeker, Deerberg, Moeller, Weih and Chairperson Bell.

The Board recited the Pledge of Allegiance.

County Attorney Benz met with the Board to discuss a procurement policy draft. Atty. Benz referenced "construction" language and Chapter 26. The Board noted there would not be any construction involved with the Public Assistance demolition project. Discussion was held. Atty. Benz recommended allowing him to make some changes to the draft. The Board agreed. This matter will be discussed again at the Board's next meeting. In other business, Benz told the Board he received correspondence from Affordable Hazards concerning the Public Assistance demolition bids. The Board viewed the correspondence. The Board told Benz to forward the correspondence to the Iowa Homeland Security and Emergency Management.

Brief discussion was held with County Attorney Benz concerning an upcoming Hansen zoning appeal Court hearing tentatively scheduled for June 22nd.

Phil La Rue, Zoning Director met with the Board to request that they set public hearing dates to review a Final Plat for Timber Run Part Two Subdivision. Brief discussion was held.

Moved by Sup. Boedeker seconded by Sup. Moeller to set June 25 & 29, 2009 at 8:30 a.m. as the time to review/consider the following petition:

Dennis and Lynn Treimer, 964 270th Street, Tipton (Owners) – Requesting approval of Timber Run Part Two, a Final Plat of Survey for a proposed seven (7) lot subdivision on property located in the SE ¼, SE ¼, Section 36, T-80N, R-3W, in Rochester Township, consisting of 12.63 acres more or less.

Ayes: All

General discussion was held with Phil La Rue.

Don Maxson of Maxson Masonry met with the Board to discuss the purchase of bricks that match the Courthouse for possible future repairs. One pallet has 1,050 bricks. The cost would be 52 cents/brick. Engineer Fangmann joined the discussion, as requested. Chairperson Bell told him the Board is looking for a place to store the bricks. Fangmann said the bricks could be stored in an older Secondary Road shed in a corner.

Moved by Sup. Deerberg seconded by Sup. Moeller to approve the Board Minutes of June 11, 2009.

Ayes: All

The Board noted Handwritten Check #371204 dated 6/11/09 to the Treasurer-State of Iowa in the amount of \$113.37 that was issued as an administrative correction.

On motion, the Board adjourned at 9:50 A.M., to June 18, 2009.

Cari Gritton, Auditor

Jon E. Bell, Chairperson

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., June 18, 2009 with the following members present: Deerberg, Moeller, Weih and Chairperson Pro Tem Boedeker. Chairperson Bell was absent.

The Board recited the Pledge of Allegiance.

The Board viewed correspondence from Sheriff Wethington regarding a payroll change for Karis Horstmann, Dispatcher.

The Board acknowledged receipt of a Manure Management Plan Annual Update from Ray Slach.

Russ Thomas met with the Board to discuss flood-damaged property at 108 West Rochester Avenue. Phil La Rue, Environmental & Zoning Director was in attendance. Chairperson Pro Tem Boedeker asked La Rue to give background information. Mr. La Rue said Mr. Thomas purchased the property, which is in his daughter's name, from Roger & Catherine Sloan. Per FEMA, the property was 92.65% damaged from the flood. If there is 50% or more damage, of the market value of the property pre-flood, the structure can't be reconstructed, per Chapter 20. La Rue noted he worked with Thomas to get the flood elevations of 662.1 feet for the minimum protection level and 661.1 feet for the 100-year flood plain. Phil La Rue said Mr. Thomas now needs to hire a surveyor or a professional engineer to mark where the 100-year flood plain is so when La Rue assists him with permits they have met the minimum flood protection levels. That would allow the surveyor to certify compliance. Mr. Thomas said he hasn't seen any help. He indicated it has been a battle between himself and the County to rebuild the property. Thomas doesn't know where they came up with the damage figure, because he told FEMA no when they requested access. Phil La Rue noted they then do the damage assessment from the street. Mr. Thomas said he has replaced the floor in the structure. He noted four new windows, drywall and the furnace need to be replaced, he has raised the floor ten inches and has bleached the structure. There is a 2,000 gallon sealed septic tank that is pumped annually, and he has shutoffs on the tank and the water. Thomas felt the fixes to the cabin would be easy. He told the Board others are rebuilding, and he tries to comply. Thomas noted his property is zoned Light Industrial, as is the former tavern across the road. He wants to rebuild the cabin, and he's not asking for money or help from anyone. Mr. Thomas said he has three business licenses, but noted due to the economy business has not been good. Thomas would also like to turn part of the area into a place to bring campers on the weekends. He would require each camper to have a holding tank. Thomas suggested the County could buy the property. He said he can't afford to hire a surveyor, and he noted he's on a limited income. He told the Board the cabin cannot be raised due to concrete work that has been done in the structure. Mr. Thomas asked the Board for help. He felt he should have to meet the requirements under Light Industrial zoning. Phil La Rue noted the history of zoning classifications and uses of properties in that area. He noted the structure Mr. Thomas purchased was built in 1950 and has been used as residential since that time. Mr. Thomas asked who changes the zoning classifications. La Rue said the Supervisors, but an appeal can go to the Board of Adjustment. Phil La Rue told Russ Thomas he would help him change the zoning and go to the Board of Adjustment for a variance. Mr. Thomas thought he owned property to the middle of the river. La Rue and the Board told him the river is sovereign land, per the Corps of Engineers. He noted Cedar County is a participant in the National Flood Insurance Program, and the County has to comply with FEMA rules and other rules. Chairperson Boedeker asked Mr. Thomas if he understood that. Mr. Thomas said yes. La Rue noted the County could be held liable if we don't comply, and he said the County needs to be concerned about protecting the health, safety and welfare of the people and property. Mr. Thomas said the flood water didn't touch the ceiling of the structure. Mr. La Rue felt the structure had been submerged, and the water depth in the cabin was ten feet. La Rue referenced paperwork that had been filled out concerning the structure. Judy Funk entered the room. Phil La Rue again stated he would help Mr. Thomas with a variance, and he also noted the home may need to be elevated and work may need to be done on the well system. Discussion continued. Chairperson Pro Tem Boedeker noted there are rules the County has to follow. Phil La Rue thought it would be too late for Mr.

Thomas to participate in the Public Assistance Demolition or Buyout. Russ Thomas said it was not too late, indicating he had spoken to Nicole Turpin of the East Central Intergovernmental Association. La Rue said perhaps CDBG funds could be used. Discussion continued. Mr. Thomas asked if he builds, what would the County do to him. Phil La Rue indicated they could take him to Court and perhaps get an order to adjoin him from using the property. Sup. Weih asked why Mr. Thomas didn't want to change the zoning classification. Thomas said because he then couldn't live in the house. La Rue referenced a zoning classification of Urban Residential. Mr. Thomas wants to live in the house and have five camper sites with no sewage systems. La Rue said he would waive the building fee for the house, but would charge a fee for the zoning change. Sup. Moeller felt the whole matter hinges on a flood elevation. The consensus of the Board was that they would look at the property.

Judy Funk met with the Board to give a FY09-10 Heartland Insurance Risk Pool renewal presentation. She gave the presentation. Discussion was held. The premiums total is \$385,625. There will be a credit in the amount of \$105,300 applied to that total.

Moved by Sup. Deerberg seconded by Sup. Weih to authorize Chairperson Pro Tem Boedeker to sign a "Client Confirmation of Schedules and Exposures" and a "Client Authorization to Bind Coverage" for FY09-10.

Ayes: All
Absent: Bell

Discussion was held with Phil La Rue concerning the flood-damaged property at 108 West Rochester Avenue.

Engineer Fangmann met with the Board to review the plans for the Cedar Bluff wetland mitigation site for the Taylor Avenue project south of Hwy 30 and the 310th Street project, and to set a bid letting date regarding the same. The area being designated as wetlands is just under four acres. The Conservation Department owns the land and will handle the seeding and tree planting. Discussion was held.

Moved by Sup. Weih seconded by Sup. Deerberg to approve the plans for the Cedar Bluff wetland mitigation site, as presented.

Ayes: All
Absent: Bell

Moved by Sup. Deerberg seconded by Sup. Moeller to set July 23, 2009 at 10 a.m. as the time for a bid letting for the mitigation site project.

Ayes: All
Absent: Bell

Engineer Fangmann reviewed a Utility Permit Application for the Clarence Telephone Company for a fiber optic project throughout the county.

Moved by Sup. Moeller seconded by Sup. Deerberg to approve and authorize Chairperson Pro Tem Boedeker to sign a Utility Permit Application for the Clarence Telephone Company.

Ayes: All
Absent: Bell

The Engineer reviewed a Utility Permit request from Alliant Energy for placement of a four-inch gas line around the City of West Branch to tie into their main station. County Attorney Benz was in attendance. The permit application is accompanied by several requests from Alliant Energy. Fangmann reviewed the requests. He did not recommend changing the County's policy concerning utility permits, except to allow their request to place the line in the back slope. County Attorney Benz advised to not vary from policy, but he felt allowing placement of the line in the back slope would not be a problem if it is

not a safety issue. Fangmann felt it is not. Brief discussion was held. The consensus of the Board was that they had no objection to placing the line in the back slope. The Engineer will talk to Alliant Energy about the Utility Permit Application.

Engineer Fangmann gave project updates.

County Attorney Benz met with the Board to review a draft of a Procurement Policy. Discussion was held.

Moved by Sup. Moeller seconded by Sup. Deerberg to approve and authorize Chairperson Pro Tem Boedeker to sign a Procurement Policy.

Ayes: All
Absent: Bell

In other business, Atty. Benz told the Board he spoke to two attorneys concerning the Public Assistance Demolition bids. He referred them to Curt Jeffreys at the Iowa Homeland Security Office.

Moved by Sup. Weih seconded by Sup. Moeller to approve the following:
CIGARETTE PERMITS FOR FY2009-2010
RENEWALS

Pilot Travel Center #496
2086 Atalissa Rd
Atalissa, IA 52720

JMD Oil Inc
1957 Garfield Ave
West Liberty, IA 52776

Schrod's Corner Stop
2000 Hwy #130
Bennett, IA 52721

Kum & Go #267
2050 Hwy 38
Tipton, IA 52772

Ayes: All
Absent: Bell

Moved by Sup. Deerberg seconded by Sup. Moeller to approve the Board Minutes of June 15, 2009.

Ayes: All
Absent: Bell

Moved by Sup. Deerberg seconded by Sup. Weih to approve the following payroll change:

Sheriff's Department

Karis Horstmann, Dispatcher, from \$14.56/hr to \$15.70/hr effective 7-17-09.

Ayes: All
Absent: Bell

Moved by Sup. Moeller seconded by Sup. Deerberg to approve Payroll Checks #136398 - #136566 for the period ending 6-13-09 and to be paid on 6-19-09 for the regular payroll and fiscal year compensation time payouts to some of the Secondary Road and Solid Waste employees.

Ayes: All

Absent: Bell

Tim Malott, E911/EMA Director briefly met with the Board for general discussion.

It was noted Handwritten Check #371205 dated 6/18/09 was issued to the Cedar County Treasurer in the amount of \$442.07, for an Administrative Solutions, Inc. flex claims electronic deposit.

It was noted Handwritten Check #371206 dated 6/18/09 was issued to the Cedar County Treasurer in the amount of \$918.06, for an Administrative Solutions, Inc. partial self funded claims electronic deposit.

It was noted Handwritten Check #371207 dated 6/18/09 was issued to the Cedar County Treasurer in the amount of \$904.52, for an Administrative Solutions dental claims electronic deposit.

On motion, the Board adjourned at 11:02 A.M., to June 22, 2009.

Cari Gritton, Auditor

Dennis Boedeker, Chairperson Pro Tem

The Cedar County Board of Supervisors met in regular session at 7:45 A.M., June 22, 2009 with the following members present: Boedeker, Deerberg, Moeller, Weih and Chairperson Bell.

The Board recited the Pledge of Allegiance.

Moved by Sup. Boedeker seconded by Sup. Moeller to approve and adopt the following resolution:

APPROPRIATIONS RESOLUTION

BE IT RESOLVED this 22nd day of June 2009, to change the Appropriation made July 1, 2008 for the following department for Fiscal year 2008-2009.

Board of Supervisors – From \$210,234 to \$216,734
(199,287 Fund 01000; 17,447 Fund 02000)

Auditor – From \$319,375 to \$315,875
(149,667 Fund 01000; 166,208 Fund 02000)

Data Processing – From \$122,024 to \$119,024
(119,024 Fund 01000)

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

The Board reviewed the FY09-10 Support Agreement with “Solutions”, Inc. concerning computer services.

Moved by Sup. Boedeker seconded by Sup. Weih to approve and authorize Chairperson Bell to sign the FY09-10 “Solutions”, Inc. Licensed Support Agreement and Consulting and Services Agreement.

Ayes: All

Moved by Sup. Deerberg seconded by Sup. Boedeker to approve the Board Minutes of June 18, 2009.

Ayes: All

Moved by Sup. Boedeker seconded by Sup. Deerberg to waive agenda requirements to consider issuance of payroll checks due to a time sheet correction.

Ayes: All

Moved by Sup. Deerberg seconded by Sup. Moeller to approve Payroll Checks #136567 - #136569 for the period ending 6-13-09 to be paid on 6-22-09 for Matthew Prachar, Correctional Officer.

Ayes: All

General discussion was held.

On motion, the Board adjourned at 8:47 A.M., to June 25, 2009.

Cari Gritton, Auditor

Jon E. Bell, Chairperson

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., June 25, 2009 with the following members present: Boedeker, Deerberg, Moeller, Weih and Chairperson Bell.

The Board recited the Pledge of Allegiance.

The Board acknowledged receipt of correspondence dated 6-19-09 from Stephen J. Intlekofer, President of Affordable Hazards Removal, Inc. regarding the Public Assistance demolition bids.

This being the time set for a public hearing to review/consider the following petition: Dennis and Lynn Treimer, 964 270th Street, Tipton (Owners) – Requesting approval of Timber Run Part Two, a Final Plat of Survey for a proposed seven (7) lot subdivision on property located in the SE ¼, SE ¼, Section 36, T-80N, R-3W, in Rochester Township, consisting of 12.63 acres more or less.

Those in attendance were: Phil La Rue, Zoning Director; Dennis & Lynn Treimer; Luverne & Shirley Meyer and Engineer Fangmann. Chairperson Bell read the legal notice. Mr. La Rue noted there are no written or verbal objections on file. Discussion was held. There will be a common well. Mr. Treimer noted asphalt would be put on the macadam base road and then it would be seal coated. The Board noted there would be no County maintenance on the subdivision road. Mr. Treimer indicated the lot owners would know who is responsible for the road maintenance. Engineer Fangmann felt everything looks okay. He noted seal coated roads require maintenance, and the petitioners are aware of that. Fangmann also said there is an easement there for a future entrance to Hwy 38 if the D.O.T. wants it, but at this time they have indicated they do not. Review of the plat continued. Mr. & Mrs. Meyer noted there is a lot of traffic along Hwy 38.

Moved by Sup. Deerberg seconded by Sup. Moeller to approve the petition by Dennis & Lynn Treimer, Tipton (Owners), as defined above, and to waive the second hearing scheduled for 6-29-09.

Ayes: All

Dennis Treimer asked the Board about another matter. He and his wife are trying to give away 1.23 acres (pipeline easement). Phil La Rue thought it was understood that we try to protect easements as out lots. A suggestion was made that perhaps Treimers could lease the land to the adjoining lot owners, but it was advised that they consult with their attorney.

Phil La Rue, Zoning Director met with the Board to set public hearing dates to review a petition. Brief discussion was held.

Moved by Sup. Boedeker seconded by Sup. Weih to set July 13 & 20, 2009 at 9:00 a.m. as the time to review/consider the following petition:

Steve Maurer, P.O. Box 460, Clarence (Owner) – Requesting a change in zoning from R-2 Urban Residential to A-1 Agricultural District for the purpose of allowing the construction of a proposed communication tower on property located in the SE ¼, SE ¼, Section 31, T-81N, R-2W, in Fairfield Township. Said petition is to rezone 1.00 acre of a 10.00 acre tract.

Ayes: All

Discussion was held with Phil La Rue regarding sand bag disposal.

Patty Hamann, Veteran Affairs Secretary met with the Board to discuss a claim she submitted for payment to VISA that includes expenditures during the National training she attended in California. Chairperson Bell noted on two days the meal receipts submitted exceed the \$35/day allowed for reimbursement by the County and there are charges for a room upgrade. Patty Hamann indicated the room upgrade was for a king

size bed. She told the Board she followed the State rules when using State grant money. The County received \$10,000 in grant funds. Hamann noted the Veteran Affairs State Director has indicated she has done no fraudulent use of the funds. Rob Fangmann entered the room. Hamann told the Board she was disappointed that they didn't ask her their questions concerning the bill, and she questioned whether they wanted her in this job. Chairperson Bell said the \$35/day meal reimbursement is County policy. He noted other departments receive State money also. Bell said Paul Greufe, the County's Human Resources consultant, indicated to him that the County policy needs to be followed. Patty Hamann wondered why Greufe told her she could follow State guidelines when using State money. Hamann referenced a previous change in the guidelines for funding eye glasses. Chairperson Bell said that was not a County employee receiving the funds. Hamann again wondered why the Board didn't address her instead of making inquiries to others. Chairperson Bell noted the Board investigates claims submitted by other departments and that is part of their job. He noted the Board met early on June 22nd, had business to take care of and then had to be in Court for a hearing, so there was not enough time to call her to the Board room to discuss the matter. Patty Hamann asked if the Board would like her to pay the money out of her pocket. Sup. Moeller felt the Board was not aware that the State had other guidelines. He thought the Chair called Paul Greufe to see whose guidelines to use. Hamann noted she had a conversation with Paul Greufe regarding this matter. Bell said Greufe doesn't recall that. Patty Hamann noted she has documentation that it is appropriate to use the State per diem rate. Sup. Weih asked if she had the documentation before or after she went to the training. Hamann said before she went she verbally received the information. She referenced a conversation with Missy Miller of the Iowa Department of Veteran Affairs. Hamann noted the application for the grant included the cost of the State per diem rate. She told the Board she spent money out of pocket for other food while in California. Hamann indicated she confirmed the room upgrade. Sup. Deerberg asked what had been done in previous years when she attended training. Hamann said she followed the County per diem and paid some out of pocket. Patty Hamann referenced a conversation with Auditor Gritton, where Hamann indicated the Auditor said she couldn't believe she didn't tell Hamann to talk to the Board. Patty Hamann told the Board she felt like they questioned her ability to do the job. Chairperson Bell said that was not the Board's intent, that it is the same for everyone. Sup. Moeller felt calls still would have been made even though the Board had talked to Hamann about the bill. Sup. Deerberg asked Hamann if she still would have done the expenditures as she did, and Hamann said yes, if she was using State funds. Hamann felt she did not do anything wrong. Chairperson Bell noted the grant money comes through the County accounts and it is in the County Budget. Weih asked if Hamann followed State guidelines last year. Hamann said no, that this time she found out that she could follow State guidelines. She noted part of her salary is also paid with the State grant funds. Sup. Moeller suggested the Board talk to Mr. Greufe again. Sup. Weih noted Hamann talked to him. He had a problem if Greufe says he doesn't recall the conversation with Hamann. Chairperson Bell felt the matter causes some issues. Weih thought issues pop up all the time, but it has nothing to do with Hamann as a person. He noted County money comes from other sources, so the matter needs to be addressed. Sup. Moeller thought that both Hamann and the Board felt blind-sided. Hamann indicated she was told by the Auditor that she probably won't be going to National training anymore. Sup. Deerberg suggested changing the Employee Handbook to make sure employees abide by the County Handbook. Patty Hamann felt this is an unusual situation. Discussion continued. Patty Hamann noted she would need to send the unused grant funds back to the State. If all bills are paid that she submitted there would be no funds to return.

Moved by Sup. Moeller seconded by Sup. Weih to pay the VISA claim, as presented, because Patty Hamann acted in good faith and made proper contacts with the State.

Discussion was held. Weih thought clarification should be done on this. He noted it was done prior to Hamann attending the training, but he felt an error was made in not informing the Supervisors. He thought the Board could have asked her questions. Weih felt nothing questionable was done by Patty. Deerberg agreed. He felt there was a lack of communication on both sides. Deerberg felt the County had to pay the bill. He thought clarification should be done and policy should be set. Boedeker told Hamann she does work for the County, and no matter what the State says to pay for, that doesn't

matter. He asked her to come to the Board with these matters, and he felt the County Handbook should be followed. Patty Hamann noted there were notes in the Veteran Affairs Commission reports that indicated the State per diem rate would be used. It was noted the Board didn't know what that rate was at the time the report was viewed.. Weih said perhaps the Board should have reminded Hamann about using the County policy. Bell said the Board thinks Hamann does a good job, and this is not a personal attack. He again noted the Board typically investigates claims. Boedeker noted the Board had to be in Court on June 22nd, indicating their meeting time was short that day. Patty Hamann said she was sorry for the lack of communication. Bell had a problem with setting precedent.

Ayes: Deerberg, Moeller, Weih

Nays: Bell, Boedeker

Patty Hamann asked the Board if they would like a monthly report from her. Sup. Deerberg felt she should discuss whatever is questionable. Sup. Boedeker felt the Cedar County Veteran Affairs Office is doing much better than some other counties. Brief discussion continued.

Engineer Fangmann met with the Board to review rock quotes and his recommendation. The following quotes were reviewed:

	As Quoted in Cost/Ton Hauled		
	Wendling Quarries DeWitt, IA	Weber Stone Anamosa, IA	River Products Iowa City, IA
Prices at Quarry per Producer	Peden/Others		
Class A stone	\$6.45/\$6.86	\$6.93	No bid
1" Roadstone	\$6.30/\$6.76	\$6.93	

Delivered Price per District:

District 1	\$10.71	\$10.68
District 2	\$10.46	\$10.43
District 3	\$10.36	\$10.18
District 4	\$10.36	\$10.43
District 5	\$10.71	
District 6	\$10.36	
District 7	\$10.31	
District 8	\$9.70	
District 9	\$9.45	
District 10	\$10.71	

Discussion was held. The Engineer only wants to haul spot rock with the County's trucks, so that the employees are free to do more ditching to improve drainage for the roads. Fangmann recommended awarding Districts 1, 2 & 3 to Weber Stone. He wants the tonnage down by September 11th. Boedeker felt the hauler would travel across several County roads for District I. The Engineer noted haulers are instructed to utilize hard-surfaced roads as much as possible. The total cost for the rock would be approximately \$617,340.

Moved by Sup. Weih seconded by Sup. Boedeker to approve the rock quotes as recommended by Engineer Fangmann.

Ayes: All

Moved by Sup. Boedeker seconded by Sup. Deerberg to approve the cancellation of unclaimed fees totaling \$82.00 as submitted by the County Treasurer.

Ayes: All

Moved by Sup. Deerberg seconded by Sup. Moeller to approve and authorize Chairperson Bell to sign the Memorandum of Understanding MOU-2010-CO16 Between The Iowa Department of Public Health and Cedar County Board of Supervisors for FY09-10 substance abuse funding in the amount of \$300.

Ayes: All

Engineer Fangmann gave project updates. He has again contacted Darren Byers about the removal of a fence in the right-of-way. Byers told him he intends to move it.

Fangmann told him it has to be done in one month. Boedeker suggested that a letter be sent to Mr. Byers. The Engineer has had calls requesting the use of County signs for personal use. He has denied the requests. Co. Atty. Benz has been consulted. If the Board would like to allow that use Fangmann recommended that an ordinance be put in place to address the matter. Mark Anderson of the City of Wilton told the Engineer he would be submitting a paving project request under the IJOBS Program. They are submitting a project for Division Street (Cedar-Muscatine Road) from Hwy 38 east to the city limits. The Engineer may submit a project for the County. The D.O.T. may use the Atalissa Road for a paving project. The State would be responsible for dust control and any damages.

Moved by Sup. Deerberg seconded by Sup. Boedeker to approve the Board Minutes of June 22, 2009.

Ayes: All

Moved by Sup. Weih seconded by Sup. Moeller to approve Claims #371208 - #371395.

Ayes: All

Moved by Sup. Weih seconded by Sup. Moeller to issue Handwritten Check #371400 to VISA dated 6/25/09 in the amount of \$1,955.44.

Ayes: Weih, Moeller, Deerberg

Nays: Bell, Boedeker

It was noted Handwritten Check #371396 dated 6/25/09 was issued to the Cedar County Treasurer in the amount of \$532.04, for an Administrative Solutions, Inc. flex claims electronic deposit.

It was noted Handwritten Check #371397 dated 6/25/09 was issued to the Cedar County Treasurer in the amount of \$1,202.61, for an Administrative Solutions, Inc. partial self funded claims electronic deposit.

It was noted Handwritten Check #371398 dated 6/25/09 was issued to the Cedar County Treasurer in the amount of \$2,211.66, for an Administrative Solutions dental claims electronic deposit.

On motion, the Board adjourned at 10:43 A.M., to June 29, 2009.

Cari Gritton, Auditor

Jon E. Bell, Chairperson

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., June 29, 2009 with the following members present: Boedeker, Deerberg, Moeller, Weih and Chairperson Bell.

The Board recited the Pledge of Allegiance.

The Board viewed correspondence to Melissa Ann Thomas and Russ Thomas, from Phil La Rue, Zoning Administrator, setting forth requirements concerning property at 108 West Rochester Avenue.

The Board acknowledged receipt of a Manure Management Plan Annual Update from Lee Crock.

Bonnie Butler, Empowerment Coordinator met with the Board to give an overview of how Empowerment funds are used and to approve the FY09-10 Fiscal Agent agreement. Funding has been reduced. The FY09-10 funding totals approximately \$227,000, which is a reduction of about 14%. The total is mostly State funds for School Ready funds and the remainder is Federal funds for Early Childhood funds. Butler reviewed programs and goals. Discussion was held. There has been discussion about regionalization, but Butler indicated the Cedar County Empowerment Board has indicated they would like to remain on their own.

Moved by Sup. Boedeker seconded by Sup. Moeller to approve the FY09-10 Empowerment Fiscal Agent agreement.

Ayes: All

Auditor Gritton and Mike Dauber, Conservation Board Director met with the Board to discuss a FY09-10 Conservation Transfer Resolution to the Land Acquisition Trust Fund. Mr. Dauber reviewed the remaining funds in the Conservation budget. He has no immediate plans now for the Trust Fund. Dauber believes he can use some of the funds for park improvements. He would not be opposed to the purchase of ground next to one of the current parks, but he noted currently the employees are stretched thin to get all of the mowing/work done. His department is still doing flood recovery work. Discussion was held.

Moved by Sup. Moeller seconded by Sup. Boedeker to adopt the following resolution:

RESOLUTION

BE IT RESOLVED this 29th day of June 2009 that the following transfers are to be made in accordance with Section 331.432 of the Code of Iowa:

From General Basic (Conservation Department) to Conservation Land Acquisition Trust Fund –
\$ 12,353.01

From General Supplemental (Conservation Department) to Conservation Land Acquisition Trust Fund
- \$ 0

Total transfer to Conservation Land Acquisition Trust Fund - \$ 12,353.01

This transfer is authorized by a Resolution adopted by the Cedar County Board of Supervisors on December 15, 1995.

The Auditor is hereby directed to correct her books accordingly and to notify the Treasurer of these operating transfers.

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

Auditor Gritton met with the Board to review FY09-10 resolutions and salary listing. Review and discussion were held.

Moved by Sup. Boedeker seconded by Sup. Deerberg to adopt the following resolution:

RESOLUTION

WHEREAS, Iowa Code Section 331.506, requires the County Auditor to prepare and sign county checks only after issuance of the check has been approved by the Board of Supervisors by recorded vote; and

WHEREAS, the Board of Supervisors normally approves claims on a bi-weekly basis during a regular Thursday board meeting; and

WHEREAS, the Board of Supervisors has entered into an agreement with Administrative Solutions, Inc. to administer a partially self-funded health insurance, self-funded dental insurance plan and flex plan for Cedar County, effective July 1, 2009; and

WHEREAS, Administrative Solutions, Inc. will provide a check register of claims due to providers to the Cedar County Auditor each Wednesday via e-mail for approval and authorization; and

WHEREAS, Administrative Solutions, Inc. will not issue payment to vendors identified on the approved and authorized check register of claims, until they are in receipt of a county check in the amount approved; and

WHEREAS, the Board of Supervisors has determined it is in the best interest of the county to process and expedite payment in a timely manner,

IT IS HEREBY RESOLVED, the County Auditor is authorized and directed by the Board of Supervisors to execute a county check to Administrative Solutions, Inc. each week, in the amount approved by the Cedar County Auditor. Documentation reflecting each check issued shall be provided to the Board of Supervisors in a timely manner for notation in the official minutes of a board meeting.

Passed and approved this 29th day of June 2009.
Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

Moved by Sup. Deerberg seconded by Sup. Moeller to adopt the following resolution:

APPROPRIATIONS RESOLUTION

WHEREAS, it is desired to make appropriations for each of the different officers and departments for the fiscal year beginning July 1, 2009, in accordance with Section 331.434, subsection 6, Code of Iowa.

NOW THEREFORE, be it resolved by the Board of Supervisors of Cedar County, Iowa, as follows:

- Section 1. The amounts itemized by fund and by department or office on the attached schedule are hereby appropriated from the resources of each fund so itemized, to the department or office schedule.
- Section 2. Subject to the provisions of other county procedures and regulations, and applicable state law, the appropriations authorized under Section 1 shall constitute authorization for the department or officer listed to make expenditures or incur obligations, from the itemized fund, effective July 1, 2009.
- Section 3. In accordance with Section 331.437, Code of Iowa, no department or officer shall expend or contract to expend any money or incur any liability, or enter into any contract, which by its terms involves the expenditure of money for any purpose in excess of the amounts appropriated pursuant to this Resolution.
- Section 4. If at any time during the 2009-2010 budget year the Auditor shall ascertain that the available resources of a fund for this year will be less than said fund's total appropriations, she shall immediately so inform the Board and recommend appropriate corrective action.
- Section 5. The Auditor shall establish separate accounts for the appropriations authorized in Section 1, each of which account shall indicate the amount of the appropriation, the amounts charged thereto, and the unencumbered balance. The Auditor shall report the status of such accounts to the applicable departments and officers (monthly) during the 2009-2010 budget year.

Section 6. The appropriations authorized pursuant to this Resolution lapse at the close of business June 30, 2010.

The above and foregoing Resolution was adopted by the Board of Supervisors of Cedar County, Iowa, on June 29, 2009, the vote thereon being as follows:

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

	<u>GEN. BASIC</u>	<u>GEN. SUPPL.</u>	<u>MH-DD SERVICE</u>	<u>RURAL SERVICE</u>	<u>SEC. ROAD</u>	<u>OTHER</u>	<u>TOTAL</u>
01 SUPERVISOR	212,740	18,022					230,762
02 AUDITOR	157,768	157,553					315,321
03 TREASURER	279,305	55,487					334,792
04 SHERIFF	2,049,930	221,409		218,068			2,489,407
05 RECORDER	171,911	65,396				14,000	251,307
06 CO. ATTORNEY	211,889	55,823					267,712
07 MED. EXAMINER	40,000						40,000
08 HUMAN SERV.	21,618						21,618
09-HUMAN RES.	30,000						30,000
11 COURTHOUSE	238,118	12,290					250,408
13 DATA PROCESSING	101,267						101,267
23 SHERIFF PRIS. R&B	12,000						12,000
24 SHERIFF DRUG FORFEITURE						59,500	59,500
25 CO ATTY DRUG FORFEITURE						20,547	20,547
26 SHERIFF COMM. 27-RESERVE OFFICER						20,000	20,000
34 LOCAL HEALTH	530,838	54,321				4,450	4,450
35 HOMEMAKERS	386,010	43,887				2,500	587,659
43 RELIEF	29,082	818					429,897
46 MENTAL HEALTH			2,287,782				29,900
47 CASE MANAGE.			271,562				2,287,782
48 COMMUNITY SERV.			97,870				271,562
51 VET. AFFAIRS	48,849	4,470					97,870
53 DISTRICT COURT	1,000	49,700					53,319
54 SUBST. ABUSE	0	4,200					50,700
66 FAIR 4-H	33,500						4,200
72 CONSERVATION	232,244	20,666				2,725	33,500
73 REAP	20,800	500					255,635
74 SEC. ROAD					6,181,440		21,300
78 SANITARY DISP.						508,739	6,181,440
80 COUNTY LIBRARY				75,000			508,739
81 HISTORICAL SOC.	3,000						75,000
88 ENVIRO. & ZONING	107,447	36,232		60,361			3,000
99 NONDEPART.	205,455	219,541		1,713,812		135,500	107,447
TOTAL	5,124,771	1,020,315	2,657,214	2,067,241	6,181,440	767,961	17,818,942

27000	\$57,000.00
28000	\$35,000.00
28001	\$37,000.00
28002	\$6,500.00
	<u>\$135,500.00</u>

Do not include transfers in the appropriation resolution

Transfer	\$1,652,857.00
Transfer	<u>\$50,000.00</u>
	\$1,702,857.00

Loan \$15,000.00

Moved by Sup. Deerberg seconded by Sup. Moeller to adopt the following resolution:

TRANSFER RESOLUTION

WHEREAS, it is desired to make transfers during fiscal year 2009-2010, from Rural Services Basic Fund to Solid Waste Fund in accordance with Section, 331.428 of the Code of Iowa;

NOW THEREFORE, be it resolved by the Board of Supervisors of Cedar County, Iowa, as follows:

- 1) A transfer in the amount of \$25,000 shall be made from the Rural Services Basic Fund to the Solid Waste Fund during the month of October, 2009.
- 2) A transfer in the amount of \$25,000 shall be made from the Rural Services Basic Fund to the Solid Waste Fund during the month of April, 2010.

The Auditor is hereby directed to correct her books accordingly and to notify the Treasurer of this operating transfer.

The above and foregoing Resolution was adopted by the Board of Supervisors of Cedar County, Iowa, on June 29, 2009, the vote thereon being as follows:

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

Moved by Sup. Boedeker seconded by Sup. Moeller to adopt the following resolution:

RESOLUTION FOR INTERFUND OPERATING TRANSFER

WHEREAS, it is desired to authorize the Auditor to periodically transfer sums from the General Basic and Rural Services Basic Funds to the Secondary Road Fund during the 2009-2010 budget year, and

WHEREAS, said transfers must be in accordance with Section 331.432, Code of Iowa,

NOW THEREFORE, be it resolved by the Board of Supervisors of Cedar County, Iowa, as follows:

Section 1. The total maximum transfer from the General Basic Fund to the Secondary Road Fund for the fiscal year beginning July 1, 2009 shall not exceed the sum \$0 and the total maximum transfer from the Rural Services Basic Fund to the Secondary Road Fund for the fiscal year beginning July 1, 2009 shall not exceed the sum of \$1,652,857.

Section 2. Within 30 days of being notified of the apportionment of current property taxes, to the General Basic or Rural Services Basic Fund, the Auditor shall order a transfer from said fund to the Secondary Road Fund.

Section 3. The amount of the transfer required by Section 2 shall be equal to the apportionment made under Section 2 to the General Basic or Rural Services Basic Fund, respectively, multiplied by the ratio of said fund's total current property tax levy.

Section 4. Notwithstanding the provisions of Section 2 and 3 of this Resolution, total transfers to the Secondary Road Fund shall not exceed the amounts specified in Section 1.

Section 5. Notwithstanding the provisions of Section 2 and 3, the amount of any transfer shall not exceed available fund balances in the transferring fund.

Section 6. The Auditor is directed to correct his/her books when said operating transfers are made and to notify the Treasurer and County Engineer of the amounts of said transfers.

The above and foregoing Resolution was adopted by the Board of Supervisors of Cedar County, Iowa, on June 29, 2009, the vote thereon being as follows:

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

Moved by Sup. Moeller seconded by Sup. Deerberg to adopt the following resolution:

RESOLUTION

Whereas, the State of Iowa has appropriated moneys for fiscal year July 1, 2009 through June 30, 2010, which moneys are insufficient to fund the various local property tax credits/exemptions fully, And, whereas, Iowa Code Section 25B.7 requires local governments to extend to the taxpayers only those portions of the property tax credits/exemptions that are estimated by the Iowa Department of Revenue to be funded by the state appropriation,

And, whereas the Iowa Department of Revenue has estimated the percentages of funding for the affected property tax credits/exemptions as follows: Homestead Tax Credit - 73%, Elderly and Disabled Tax Credit - 100%, Military Service Property Tax Exemption - 100%,

And, whereas the option of fully funding property tax credits/exemptions will cause a funding shortfall to local governments in the County estimated to be more than \$190,812 this fiscal year,

And, whereas we find that passing on the reduced state-reimbursed values of the homestead credits to the taxpayers in the County funds local governments to the greatest effect while impacting the largest number of persons with minimal effect and, therefore, in the public interest,

Now, therefore, be it resolved pursuant to Iowa Code Section 25B.7 that the property tax credits/exemptions in Cedar County for fiscal year July 1, 2009 through June 30, 2010 shall be funded as follows:

Homestead Credit	73%
Disabled Veteran's Homestead Credit	100%
Low-Income, Elderly, Disabled Credit	100%
Military Exemption	100%

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

Moved by Sup. Boedeker seconded by Sup. Deerberg to approve the following FY2009-2010 salary schedule as set by this Board, other Boards and Department Heads:

<u>Supervisors</u>		<u>Auditor</u>	<u>(35 hrs)</u>
Jon Bell	\$24,448.00	Cari Gritton, Auditor	\$45,261.00
Dennis Boedeker	\$24,448.00	Bev Penningroth, Admin. Assistant	\$38,471.85
Wayne Deerberg	\$24,448.00	Joleen Carpenter, 1st Deputy 85%	\$38,471.85
LeRoy Moeller	\$24,448.00	Tarah Gates, Election Deputy 65%	\$29,419.65
Dennis Weih	\$24,448.00	Christine Wright, Clerk	\$13.25
		<u>Recorder</u>	<u>(35 hrs)</u>
<u>Treasurer</u>	<u>(35 hrs)</u>	Charline Thumm, Recorder	\$44,984.00
Gary Jedlicka, Treasurer	\$44,978.00	Melissa Helmold, 2nd Deputy 85%	\$38,236.40
Deborah Helmold, 1st Deputy 85%	\$38,231.13	Malissa Woolley, 1st Deputy 85%	\$38,236.40
Jacqueline Bohlen, 1st Deputy 85%	\$38,231.13	Jodi Shields, Clerk	\$13.35
Susan Henderson, 1st Deputy 85%	\$38,231.13		
Sandra Delaney, 2nd Deputy 72.5%	\$32,609.05	<u>County Attorney</u>	
Janet Moore, Clerk	\$13.60	Sterling Benz, County Attorney	\$70,082.00
Barbara Smith, Clerk	\$12.90	Jeffrey Renander, Assistant 85%	\$59,569.70
		,Legal Asst	\$17.29
<u>Public Health</u>	<u>(40 hrs)</u>	Michelle Cady, Secretary (37.5 hr)	\$13.70
Mary Dorris, RN, BSN Director	\$53,045.00		
Stacy Campion, Admin. Assistant	\$14.20	<u>Assessor</u>	<u>(37.5 hrs)</u>
Diane Wehde, Secretary	\$13.45	Dan Lett, Assessor	\$54,941.03
Carolyn Wood, Office Manager	\$33,721.00	Ali Manson, Deputy 73%	\$40,106.96
Vickie Butterbrodt, R.N.	\$22.04	Bev Boots, Clerk	\$15.37
Leona Kline, RN	\$20.87	Jodine Lovell, Clerk	\$14.74
Barb Smith, R.N.	\$21.17	Robin Vorwald, Clerk	\$14.74
Tonya Weih, RN	\$21.17		
Amy Wehde, RN, Deputy Director	\$48,534.63	<u>Environmental & Zoning(35 hrs)</u>	
Cindy Campion, HCA Admin Asst.	\$15.70	Philip La Rue, Director	\$40,314.20
Cindy Bailey--PT	\$10.75	Sharon Laucamp, Secretary	\$15.72
Vickie Byrd--PT	\$10.00	Harold "Tod" Swick - PT	\$13.30
Jany DeWulf-- PT	\$10.25		
Lisa Forest--PT	\$9.75	<u>Case Management</u>	<u>(40 rs)</u>
Barbara Jones--PT	\$9.75	Julie Tischuk, Director	\$40,432.03
Karlyn Piatt --PT	\$13.25		
Mary Stoskopf --PT	\$11.75		

Sandra Sander--PT	\$10.75	Bobbie Conrad, Case Mgr	\$16.83
		Kellee Oxley, Case Mgr	\$15.83
		, Case Mgr	
		Jennifer Boedeker, Office Mgr	\$12.55
<u>Relief/Veteran Affairs (35 hrs)</u>		<u>Conservation (40 hrs)</u>	
Patricia Hamann	\$35,010.73	Mike Dauber, Director	\$40,849.00
		Noah Krob, Park Ranger	\$13.30
<u>Community Services</u>		Reba Reddick, Naturalist	\$14.67
Connie Fett, Director (40 hrs)	\$47,938.26	Maureen Krutzfeld, Secretary--PT	\$12.30
Maureen Krutzfeld, Secretary-PT	\$12.75	Harry Denny, PT	\$11.30
		Zach Brecht, PT	\$9.00
<u>Solid Waste (40 hrs)</u>		<u>Custodians</u>	
Gary Crock, Manager	\$42,798.19	Bob Klemme 40 hrs	\$14.45
Jerry Meier, Operator 80%	\$16.40	Denny Carney 30 hrs	\$10.65
Merlyn Schocker, Operator 80%	\$16.40		
<u>911/Emergency Management</u>		<u>Security Officer (40 hrs)</u>	
Tim Malott, Director (40 hrs)	\$34,000.00	Fred Sander	\$13.50
		Harry Denny, PT	\$13.25
<u>Sheriff & Jail (40 hrs)</u>		<u>Secondary Road (40 hrs)</u>	
Warren Wethington, Sheriff	\$57,496.00	Robert Fangmann, Eng. (37.5 hrs.)	\$85,490.00
Kevin Knoche, Chief Deputy 85%	\$48,871.60	Richard Kordick, Asst Eng(37.5 hrs)	\$56,650.00
Lyle Fitch, Deputy 84%	\$48,296.64	Russell Anderson	\$18.75
Matthew Jackson, Deputy 84%	\$48,296.64	Scott Anderson	\$18.40
Jason Johnson, Deputy 84%	\$48,296.64	Jeric Armstrong	\$18.40
Tom McGuinty, Deputy 84%	\$48,296.64	Larry Beck	\$18.40
Rodney Ohrt, Deputy 84%	\$48,296.64	Leighton Becker	\$18.40
Orville Randolph III, Deputy 84%	\$48,296.64	Jeffrey Berge (37.5 hrs)	\$21.40
Jeff Smith, Deputy 84%	\$48,296.64	Doug Davis	\$18.40
Austin Sorgenfrey, Deputy 84%	\$48,296.64	Russell Deerberg	\$18.40
Jennifer Tholen, Jail Admin. 70%	\$40,247.20	Daniel Driscoll	\$18.40
Brenda Johnson, Office Mgr 65%	\$37,372.40	Mike Fletcher	\$18.40
Vicki Powers, Chief Clerk	\$15.70	Douglas Ford	\$18.75
Tom Reed, Maintenance	\$15.70	Mike Foulks	\$18.40
Correctional Officers	1st Shift	Ryan Freitag (37.5 hrs.)	\$20.45
Lynn Bixler	\$14.27	Brad Gaul	\$18.40
Monica Coussens	\$15.01	Ted Gaul	\$18.75
Monique Crabtree	\$15.70	Larry Grace	\$18.40
Christine DeFauw	\$15.70	Donald Griffith	\$18.40
Mike Hoy	\$14.27	Michael Gritton	\$18.75
Carey King	\$15.70	Fred Horstmann	\$20.75
Cindy Larson	\$15.70	Merlin Laing	\$14.85
Henry Martin Jr.	\$15.70	Kevin Lewis	\$18.40
Gary Meiers	\$15.70	Dennis Lovell	\$21.75
Matthew Prachar	\$13.36	Jason MacDonald	\$18.40
Elisabeth Remetch	\$15.01	Ed Mellecker	\$18.75
James Schroder	\$15.70	James Meyer	\$18.40
Lisa Scott	\$15.70	Barry Sauer	\$18.40
Becky Severin	\$14.27	Michael T. Stoolman	\$18.40

Rhonda Wells-Stiteler	\$13.36	Troy Stutzel	\$18.75
Wendy Willits	\$15.70	Mike Thomann	\$18.75
Jeremy Wink	\$15.70	Toby Thurston	\$18.40
Pamela Annen, PT	\$14.27	Merle Waltz	\$15.43
		Brad Wendel	\$18.65
		Christine Wiebel (37.5 hrs)	\$21.40
Dispatchers	1st Shift	Brian Wood	\$15.64
Iola Ehlers	\$15.70	Mike Yerington	\$20.75
Karis Horstmann	\$15.01	Leanne Zearley (37.5 Hrs)Adm Mgr	\$18.00
Joni Shady	\$14.27	Alex Anderson-Summer Intern	\$11.00
Amy Willey	\$13.89		
		<u>Roadside Superintendent (40 hrs)</u>	
		Rick Christensen	\$18.75

Ayes: All

Engineer Fangmann met with the Board to request that they waive their agenda to consider action on a Contract with Weber Stone.

Moved by Sup. Weih seconded by Sup. Deerberg to waive agenda requirements to consider a contract with Weber Stone Co. Inc. for rock.

Ayes: All

The contract is for rock in Districts 1, 2 & 3 for a total amount of \$187,740.00. Weber Stone would like to start hauling on Tuesday of this week.

Moved by Sup. Boedeker seconded by Sup. Moeller to approve and authorize Chairperson Bell to sign a contract between Weber Stone Co. Inc. and the Board of Supervisors for 2009 rock.

Ayes: All

The Engineer gave project updates. Brief discussion was held.

Moved by Sup. Weih seconded by Sup. Boedeker that new positions approved for the FY09-10 budget will be subject to a review process before they can be filled, and vacant positions, whether they are currently vacant or become vacant sometime in FY09-10, will be subject to a review process before they can be filled. Reclassification of existing positions, including step pay raises, will be subject to review prior to their effective date. Requests should be submitted in writing to the Board of Supervisors.

Ayes: All

Moved by Sup. Deerberg seconded by Sup. Boedeker to approve the Board Minutes of June 25, 2009.

Ayes: All

At 10:30 a.m., the Board of Supervisors, convened as a Canvass Board to canvass votes cast in the City of Lowden Special Election held on June 23, 2009. Present were Supervisors Weih, Boedeker, Champion, Moeller and Bell. Auditor Gritton was in attendance. Thereupon results from the precincts were opened and examined with the results duly entered in the Official Canvass Book and attested to by the Board and the Cedar County Auditor. The results were as follows:

For the Councilperson vacancy: Barry Hoffmeier received one hundred one (101) votes
 Heather Hunter received twenty-three (23) votes
 Derrick Lange received thirty (30) votes
 Scattering – one (1) vote

It was declared that Barry Hoffmeier was duly elected for the Office of Councilperson for the term of two years.

Thereupon the minutes of this session were reviewed and approved. The Board returned to regular session.

Moved by Sup. Boedeker seconded by Sup. Deerberg to approve the renewal of a Class C Beer Permit with Sunday Sales for Schrod's Corner Stop.
Ayes: All

The Board noted Handwritten Check #371399 in the amount of \$49.98 dated 6/25/09 that was issued to Tipton Structural Fabrication as an administrative correction.

On motion, the Board adjourned at 10:43 A.M., to July 2, 2009.

Cari Gritton, Auditor

Jon E. Bell, Chairperson

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., July 2, 2009 with the following members present: Boedeker, Deerberg, Moeller, Weih and Chairperson Bell.

The Board recited the Pledge of Allegiance.

The Board viewed a June 25, 2009 Veteran Affairs Commission Report, submitted by Patty Hamann, Secretary.

The Board viewed documentation from the City of Durant regarding the completion of the voluntary annexation as requested by Glen and Judy Swanson.

The Board viewed correspondence from Amy L. Wehde, Deputy Director, Cedar county Home Health Service regarding the hiring of Lorri Hora as a Direct Care Worker at \$9.50/hr effective 7-2-09.

The Board viewed correspondence from Recorder Thumm regarding her appointment of Paula Shelton-Werling as her representative on the Compensation Board.

The Board acknowledged receipt of Amendment #5 to the State's Plan #2 for Disaster Recovery.

Assessor Lett and Deputy Assessor Manson met with the Board to review Homestead Credits and Military Exemptions. Discussion was held.

Moved by Sup. Moeller seconded by Sup. Weih to allow Assessor Lett to stamp and date the FY09 Homestead Credit and Military Exemption documents that are allowed or disallowed.

Ayes: All

Discussion was held with Lett and Manson concerning the Geographic Information System.

Moved by Sup. Deerberg seconded by Sup. Moeller to approve and authorize Chairperson Bell to sign the FY09 Fourth Quarter Claim Voucher and Final Report for State Substance Abuse Funding.

Ayes: All

Moved by Sup. Weih seconded by Sup. Boedeker to approve and authorize Chairperson Bell to sign a FY10 Contract for Specialized Transportation Service By And Between River Bend Transit And Cedar County Board of Supervisors.

Ayes: All

The Board met with department heads to discuss any problems or concerns they might have. Julie Tischuk, Case Management Director reported the rules concerning the use of 15-minute billing increments has been delayed for 70 days. She is interviewing for the Case Manager position. Recorder Thumm said Federal duck stamps are in. New Groundwater Hazard Statements are effective July 1st. Tim Malott, E911/EMA Director gave a report on numerous items. Assessor Lett said his department completed the Abstract on June 2nd. Sheriff Wethington said the number of inmates is down at the Jail. The installation of a freezer/cooler is complete at the Law Center. Amy Wehde reported a Direct Care Worker has been hired, and they hope to hire another. Assistant Engineer Kordick gave various project updates. Phil La Rue, Environmental & Zoning Director will soon be interviewing for an Assistant Environmental Health Officer position.

During the department heads meeting, Phil Waniorek of Administrative Solutions, Inc. gave a wellness presentation. He asked department heads to urge their employees and employees' dependents to use resources offered by Wellmark and to have physicals. If an employee has a physical and completes an assessment, the County will reimburse them for the co-pay. Discussion was held.

Sup. Moeller left the meeting.

Moved by Sup. Deerberg seconded by Sup. Boedeker to approve the Board Minutes of June 29, 2009.

Ayes: All

Absent: Moeller

The Board agreed to submit a sealed bid for a 2004 Chevrolet Impala being sold by the East Central Intergovernmental Association. The Public Health Department indicated they could utilize another vehicle.

County Attorney Benz met with the Board to discuss the Legal Assistant and Secretary positions in his office. He would like to transfer Shelley Cady to the Legal Assistant position and then advertise to fill the resulting Secretary vacancy. Brief discussion was held. Benz would use the same wage step movements as he used in the past. The Board had no objection.

Moved by Sup. Weih seconded by Sup. Boedeker to approve Payroll Checks #136570 - #136736 for the period ending 6-27-2009 and to be paid on 7-2-09.

Ayes: All

Absent: Moeller

It was noted Handwritten Check #371401 dated 7/2/09 was issued to the Cedar County Treasurer in the amount of \$3,424.87, for an Administrative Solutions, Inc. flex claims electronic deposit.

It was noted Handwritten Check #371402 dated 7/2/09 was issued to the Cedar County Treasurer in the amount of \$3,807.40, for an Administrative Solutions, Inc. partial self funded claims electronic deposit.

It was noted Handwritten Check #371403 dated 7/2/09 was issued to the Cedar County Treasurer in the amount of \$1,639.17, for an Administrative Solutions dental claims electronic deposit.

On motion, the Board adjourned at 10:40 A.M., to July 6, 2009.

Cari Gritton, Auditor

Jon E. Bell, Chairperson

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., July 6, 2009 with the following members present: Boedeker, Deerberg, Moeller, Weih and Chairperson Bell.

The Board recited the Pledge of Allegiance.

Connie Fett, CPC Administrator met with the Board to review a participation agreement with St. Luke's Hospital and a transportation contract with River Bend Transit, to discuss two exceptions to the County Management Plan prescription policy and to give consumer updates. The proposed transportation contract was reviewed. The hourly rate is \$37.85. Discussion was held.

Moved by Sup. Weih seconded by Sup. Boedeker to approve and authorize Chairperson Bell to sign a FY09-10 Contract For Specialized Transportation Service By And Between River Bend Transit And Cedar County Community Services.

Ayes: All

The proposed participation agreement was reviewed. The rate is \$507.80. Discussion was held.

Moved by Sup. Moeller seconded by Sup. Deerberg to approve and authorize Chairperson Bell to sign a Cedar County FY10 Provider and Program Participation Agreement with St. Luke's Hospital.

Ayes: All

Connie Fett requested a closed session to discuss two requests for exceptions to the County Management Plan prescription policy.

Moved by Sup. Weih seconded by Sup. Boedeker to go into closed session as allowed under Section 21.5.1(a) Code of Iowa.

Ayes: Weih, Moeller, Deerberg, Bodeker, Bell

Moved by Sup. Weih seconded by Sup. Boedeker to return to regular session.

Ayes: Boedeker, Deerberg, Moeller, Weih, Bell

The time of 8:50 a.m. was noted.

Moved by Sup. Moeller seconded by Sup. Deerberg to approve the requests for exceptions to the County Management Plan prescription policy for Projects #128 & #Q49.

Ayes: All

Connie Fett requested a closed session to give consumer updates.

Moved by Sup. Weih seconded by Sup. Boedeker to go into closed session as allowed under Section 21.5.1(a) Code of Iowa.

Ayes: Boedeker, Deerberg, Moeller, Weih, Bell

Moved by Sup. Weih seconded by Sup. Boedeker to return to regular session.

Ayes: Boedeker, Deerberg, Moeller, Weih, Bell

The time of 9:17 a.m. was noted.

The Board acknowledged that no decision was made with regard to the prior closed session. The session pertained to the following projects: 128, 274, 283, 319, 344, 361, 387, 395, 400, 456, 492, Q03, X29, X31, X55, 148, 130, 427, Q75 and the number of juveniles in the system.

Engineer Fangmann met with the Board to review a contract with Wendling Quarries Inc. for the 2009 granular resurfacing project and to set a public hearing date in conjunction with the Johnson County Board of Supervisors to consider the vacation of a Level "B"

section of the Cedar/Johnson County Line Road located in Section 18 Township 81 North Range 4 West in Linn Township.

The proposed contract with Wendling Quarries was reviewed. It concerns rock in Districts 4-10 for a total amount of \$429,600.00.

Moved by Sup. Deerberg seconded by Sup. Moeller to approve and authorize Chairperson Bell to sign a contract with Wendling Quarries Inc. for 2009 rock.
Ayes: All

Brief discussion was held concerning setting a public hearing date to consider the vacation of a Level "B" section of the Cedar/Johnson County Line Road.

Moved by Sup. Moeller seconded by Sup. Boedeker to set July 30, 2009 at 9:00 a.m. at the Johnson County Board of Supervisors Board Room as the time to review/consider the vacation of a Level "B" section of the Cedar/Johnson County Line Road located in Section 18 Township 81 North Range 4 West in Linn Township.
Ayes: All

General discussion was held with the Engineer. The Engineer gave project updates.

Moved by Sup. Weih seconded by Sup. Moeller to approve the Board Minutes of July 2, 2009.
Ayes: All

On motion, the Board adjourned at 10:04 A.M., to July 9, 2009.

Cari Gritton, Auditor

Jon E. Bell, Chairperson

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., July 9, 2009 with the following members present: Deerberg, Moeller, Weih and Chairperson Bell. Sup. Boedeker was absent.

The Board recited the Pledge of Allegiance.

The Board acknowledged receipt of an investment report from Treasurer Jedlicka.

Sheriff Wethington met with the Board to discuss hiring a Correctional Officer due to a vacancy. He told the Board there is one Officer that will be leaving for military duty on July 25th and will not be returning until October 28th, and another Officer is gone now on military duty, will be returning, but then will be leaving again in 2010. The Sheriff said he didn't hire an Officer the last time the Board approved that he could hire. He would like to hire two Officers. Discussion was held. The Board had no objection to hiring two Correctional Officers.

Julie Tischuk, Director of the Case Management Department met with the Board to discuss the Case Manager vacancy. Connie Fett, CPC Administrator was in attendance. Tischuk noted there were two rounds of applications for the position. There are certain requirements for the position, which include experience with adults and children. Tischuk is having difficulty filling the positions. More than one applicant has indicated the wage is too low. Discussion was held regarding requirements, wages, contracting for the services, the budget and the workload. Chairperson Bell asked Tischuk to put in writing all of the options, and the effects of those options. Tischuk will meet with the Board at their next meeting concerning this matter.

Moved by Sup. Moeller seconded by Sup. Deerberg to approve and authorize Chairperson Bell to sign a Utility Permit Application for Liberty Communications for service to 243 – 250th Street.

Ayes: All

Absent: Boedeker

Moved by Sup. Deerberg seconded by Sup. Moeller to approve and adopt the following resolution:

**JOINT ROAD CLOSURE AND VACATION HEARING
RESOLUTION**

WHEREAS the Board of Supervisors feel that it is in the best interest of Cedar County to have this road closed and right of way vacated;

WHEREAS the Code of Iowa requires that a hearing be held for the purpose of closing and vacating the road described herein, and

WHEREAS this notice must be duly published and adjoining property owners be notified by certified mail.

NOW THEREFORE BE IT RESOLVED by the Cedar County Board of Supervisors in session on this 9th day of July, 2009 that a hearing be held at 9:00 a.m. on July 30, 2009 at the Johnson County Board room and that proper public notification be given for the purpose of closing and vacating the following described road and right of way:

All that part of the Johnson-Cedar County Line Road in Section 18, Township 81 North, Range 04 West of the 5th P.M., Cedar County, Iowa, lying east of the following described line:

Commencing at the West Quarter Corner of said Section 18; thence North along the west line of the Northwest quarter of said Section 18 a distance of 47 feet, more or less, to a point of intersection with the said west line of the Northwest quarter and the extension of the southerly right-of-way line of the vacated 185th Street, also being the Point of Beginning of the line herein described:

thence continuing Northerly along the said west line of the Northwest quarter a distance of 1299 feet, more or less, to a point of intersection with the said west line of the said Northwest quarter and the northerly right-of-way line of Johnson County's 145th Street.

The Johnson-Cedar County Line Road is 66 feet in width.

Ayes: Weih, Moeller, Deerberg, Bell

Absent: Boedeker

Moved by Sup. Weih seconded by Sup. Moeller to approve the Board Minutes of July 6, 2009.

Ayes: All

Absent: Boedeker

Moved by Sup. Weih seconded by Sup. Moeller to approve the cancellation of unclaimed fees totaling \$2,447.36, as submitted by the Auditor's Office.

Ayes: All

Absent: Boedeker

Auditor Gritton met with the Board to discuss a Heartland Insurance Risk Pool credit distribution and a resolution approved in 2005 concerning the Iowa Can Co.

Moved by Sup. Deerberg seconded by Sup. Weih to approve Claims #371404 - #371564.

Ayes: All

Absent: Boedeker

It was noted Handwritten Check #371565 dated 7/9/09 was issued to the Cedar County Treasurer in the amount of \$1,902.69, for an Administrative Solutions, Inc. flex claims electronic deposit.

It was noted Handwritten Check #371566 dated 7/9/09 was issued to the Cedar County Treasurer in the amount of \$856.80, for an Administrative Solutions, Inc. partial self funded claims electronic deposit.

It was noted Handwritten Check #371567 dated 7/9/09 was issued to the Cedar County Treasurer in the amount of \$1,027.45, for an Administrative Solutions dental claims electronic deposit.

On motion, the Board adjourned at 9:25 A.M., to July 13, 2009.

Cari Gritton, Auditor

Jon E. Bell, Chairperson

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., July 13, 2009 with the following members present: Deerberg, Moeller, Weih and Chairperson Bell. Sup. Boedeker was absent.

The Board recited the Pledge of Allegiance.

The Board viewed a report of fees collected for June 2009 submitted by the Clerk of the District Court.

The Board acknowledged receipt of a decision in the District Court Case No. EQCV034116 Alan T. Hansen and Simone J. Hansen, Plaintiffs, vs. Board of Supervisors for Cedar County, Iowa.

The Board acknowledged receipt of an Iowa Action Plan For Disaster Recovery from the Iowa Department of Economic Development.

The Board acknowledged receipt of correspondence from the Iowa Department of Transportation regarding a public hearing on July 30, 2009 to discuss the proposed implementation of corridor preservation for the U.S.30 bypass of Mount Vernon and Lisbon.

Engineer Fangmann met with the Board to discuss a Utility Permit for Interstate Power and Light Company (Alliant Energy) concerning a gas line around the City of West Branch, a Right-of-Way Contract with Donald W. & Judith A. McConnel concerning culvert project #L-200904—73-16 on Cedar/Johnson County Line Road in Section 30 in Gower Township and to discuss a resolution regarding the FY09-10 purchase of right-of-way easements. County Attorney Benz was in attendance.

The Engineer reviewed further correspondence concerning a Utility Permit Application for Interstate Power and Light Company (Alliant Energy) concerning a gas line. Interstate Power still wants two changes concerning the hold harmless clause and insurance. Benz advised that the Board be consistent with the language. Discussion was held. Atty. Benz recommended that the Board stay with our policy and the company needs to accommodate that.

Moved by Sup. Deerberg seconded by Sup. Weih to deny the Utility Permit Application for Interstate Power and Light Company, as presented, because the Board does not agree to the proposed changes by Interstate Power in Cedar County, and the Board would like a bond to ensure the performance of Interstate Power regarding the first million dollars of liability in the event a claim is made.

Ayes: All

Absent: Boedeker

Engineer Fangmann reviewed a proposed right-of-way contract with Donald W. & Judith A. McConnel concerning culvert project #L-200904—73-16 on Cedar/Johnson County Line Road in Section 30 in Gower Township. Discussion was held. Steve Maurer entered the room.

Moved by Sup. Weih seconded by Sup. Moeller to approve and authorize Chairperson Bell to sign a Contract between Donald W. & Judith A. McConnel and the Board of Supervisors for permanent and temporary easement for a total amount of \$1,523.53.

Ayes: All

Absent: Boedeker

The Engineer presented documentation concerning 2009 agricultural sales. Discussion was held regarding the purchase of right-of-way easements. Engineer Fangmann recommended remaining at the purchase of bare land at six times the assessed value.

Moved by Sup. Moeller seconded by Sup. Deerberg that the following policy be established for purchase of right-of-way easements for Fiscal Year 2009-2010.

1. Bare land purchased at 6 times the assessed value.
2. Cedar County to replace existing fence.
3. Damages and other items to be considered on an individual basis.

Approved this 13th day of July, 2009.

Ayes: Weih, Moeller, Deerberg, Bell

Absent: Boedeker

Engineer Fangmann presented a Utility Permit Application for Iowa Telecom for work to be done in conjunction with a bridge project on King Avenue. Discussion was held. Phil La Rue entered the room.

Moved by Sup. Deerberg seconded by Sup. Moeller to approve and authorize Chairperson Bell to sign, a Utility Permit Application for Iowa Telecommunications Service, Inc. and to waive the fee as recommended by Engineer Fangmann.

Ayes: All

Absent: Boedeker

Fangmann gave project updates.

County Attorney Benz met with the Board to discuss the collection of amounts ordered to be paid by Janie Lloyd. The County had paid an amount of \$6,633.33 to the Iowa Equine Rescue & Awareness League, Inc. for the boarding and care of horses. Benz recommended the amount of \$5,421.33 be placed upon the tax books and collected from Janie Lloyd. His opinion is that the amount for the boarding and care of two horses owned by another individual could not be placed upon the tax books. Discussion was held.

Moved by Sup. Weih seconded by Sup. Moeller to place the amount of \$5,421.33 upon the tax books to be collected from Janie Lloyd, to have the Clerk for the Board of Supervisors certify to the Treasurer the amount, and submit a statement for the balance of the judgment to Janie Lloyd.

Discussion was held. Sup. Deerberg wondered if the owner of the other two horses would be liable for costs. Atty. Benz indicated they would not be able to collect anything from that individual.

Ayes: Deerberg, Moeller, Weih, Bell

Absent: Boedeker

At 9:12 a.m., a public hearing commenced to review/consider the following petition: Steve Maurer, P.O. Box 460, Clarence (Owner) – Requesting a change in zoning from R-2 Urban Residential to A-1 Agricultural District for the purpose of allowing the construction of a proposed communication tower on property located in the SE ¼, SE ¼, Section 31, T-81N, R-2W, in Fairfield Township. Said petition is to rezone 1.00 acre of a 10.00 acre tract.

Chairperson Bell read the legal notice. Those in attendance were: Zoning Director Phil La Rue, Steve Maurer and Jack Reeve. Phil La Rue noted there are no written or verbal objections on file. The Planning & Zoning Commission recommended approval. Discussion was held. This parcel was zoned residential on the Comprehensive Plan maps that were approved in April of 1959. A communication tower is not allowed to be placed on residentially zoned property. Sup. Weih wondered why it was not requested that the whole ten-acre parcel be returned to an agricultural classification. Steve Maurer indicated he was not opposed to returning the entire ten acres to an ag classification. Jack Reeve also wondered why only one acre is in the petition to rezone. Chairperson Bell asked for clarification on what township this parcel is located in. After rechecking the map, La Rue told the Board it is in Center East Township. The Board could petition to change the zoning to agricultural for the remaining nine acres. Steve Maurer indicated he didn't want the property to be annexed to the City of Tipton, because he wanted the taxes to go to a rural fund. Discussion continued.

Moved by Sup. Moeller seconded by Sup. Weih to approve the petition by Steve Maurer, Clarence, Iowa (Owner), as defined above with the exception that the location of the

parcel is in Center East Township, and to waive the second hearing scheduled for July 20, 2009.

Ayes: All

Absent: Boedeker

The public hearing concluded at 9:23 a.m.

Julie Tischuk, Director of the Cedar County Case Management Department met with the Board to discuss a Case Manager position. Connie Fett, CPC Administrator was in attendance. Tischuk reviewed documentation concerning options for wage increases and contracting for services and their effects, as requested by the Board. Discussion was held. Less revenue would come in if the services are contracted out, and Fett indicated her workload would go up. Sup. Weih was in favor of the option of a \$1/hr increase for all employees in the Case Management Department. Julie Tischuk said that is her recommendation. Chairperson Bell noted the original recommendation was \$1/hr for the new position and 50 cents/hr for the other Case Manager positions. Tischuk and Fett indicated their recommendation now is \$1/hr increase for all employees.

Moved by Sup. Weih seconded by Sup. Moeller that for the ability to hire and retain employees, to approve a \$1/hr wage increase for the existing employees in the Case Management Department and \$15.83/hr will be the wage for the new Case Manager, as proposed, effective 7-1-09.

Ayes: All

Discussion was held regarding quotes for the replacement of the Courthouse exterior doors. Contractors will meet with the Board on July 27th.

Moved by Sup. Weih seconded by Sup. Deerberg to approve the Board Minutes of July 9, 2009.

Ayes: All

On motion, the Board adjourned at 10:12 A.M., to July 16, 2009.

Cari Gritton, Auditor

Jon E. Bell, Chairperson

The Cedar County Board of Supervisors met in regular session at 7:45 A.M., July 16, 2009 with the following members present: Boedeker, Deerberg, Moeller, Weih and Chairperson Bell.

Nicole Turpin, Phil La Rue and Lynne Haub were in attendance.

The Board recited the Pledge of Allegiance.

The Board viewed a quarterly report for the period of 4/1/09 thru 6/30/09 submitted by Recorder Thumm.

Chairperson Bell reported that Senator Harkin's Office called to notify the Board that Cedar County's application to buy out 23 residential properties and one commercial property has been approved.

Moved by Sup. Weih seconded by Sup. Deerberg to approve Payroll Checks #136737 - #136912 for the period ending 7-11-09 and to be paid on 7-17-09 for the regular payroll and a lump sum vacation and personal time payout to Wendy Willits.

Ayes: All

Moved by Sup. Moeller seconded by Sup. Deerberg to approve the Board Minutes of July 13, 2009.

Ayes: All

Moved by Sup. Boedeker seconded by Sup. Weih to issue Handwritten Check #371571 dated 7-16-09 to E C I A in the amount of \$3,502.00 for a 2004 Chevrolet Impala

Ayes: All

Moved by Sup. Boedeker seconded by Sup. Moeller to approve the Semi-Annual Settlement of the Board of Supervisors and the Semi-Annual Report of Gary Jedlicka Treasurer Cedar County, Iowa for the period from January 1, 2009 to June 30, 2009, inclusive, and to place the same on file.

Ayes: All

Discussion was held regarding a Community Development Acquisition Program buyout application.

Moved by Sup. Boedeker seconded by Sup. Deerberg to waive agenda requirements to consider setting a public hearing concerning a Community Development Acquisition Program buyout application.

Ayes: All

Phil La Rue noted he has heard that one additional individual may be interested in a buyout. Discussion was held. The Board agreed they would like to proceed with the application process.

Moved by Sup. Deerberg seconded by Sup. Boedeker to set July 30, 2009 at 7:45 a.m. as the time for a public hearing concerning a Community Development Acquisition Program buyout application.

Ayes: All

The Board reviewed the proposed Public Assistance Demolition Agreement between Cedar County and Barnhart's Custom Services concerning flood-related structure Regulated Asbestos Containing Material demolition. Nicole Turpin of the East Central Intergovernmental Association, Lynne Haub representing Barnhart's Custom Services and Phil La Rue, Environmental Director were in attendance. Turpin addressed County Attorney Benz's comments concerning the agreement. Any archeological deposits will be addressed if found. Record searches were done concerning the properties. Discussion was held.

Moved by Sup. Moeller seconded by Sup. Boedeker to approve and authorize Chairperson Bell to sign, the Cedar County Demolition Agreement between Cedar County and Barnhart's Custom Services.

Discussion was held. Phil La Rue inquired about the salvage of property owned by Larry Hill. Nicole Turpin talked to his sister about removing the property. Turpin will need to talk to Curt Jeffreys at Iowa Homeland Security regarding the matter. Boedeker thought they could reapply for additional dollars. La Rue indicated FEMA doesn't feel the property is archeologically significant. Nicole Turpin noted there are 18 properties on the current demolition list.

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

Lynne Haub presented bonds to Nicole Turpin concerning the demolition project. E.C.I.A. will notify Barnhart's Custom Services as to when they can start the project.

It was noted Handwritten Check #371568 dated 7/16/09 was issued to the Cedar County Treasurer in the amount of \$755.30, for an Administrative Solutions, Inc. flex claims electronic deposit.

It was noted Handwritten Check #371569 dated 7/16/09 was issued to the Cedar County Treasurer in the amount of \$3,320.05, for an Administrative Solutions, Inc. partial self funded claims electronic deposit.

It was noted Handwritten Check #371570 dated 7/16/09 was issued to the Cedar County Treasurer in the amount of \$538.78, for an Administrative Solutions dental claims electronic deposit.

At 8:15 a.m., Sup. Deerberg departed to attend a Heartland Insurance Risk Pool meeting.

Nicole Turpin reported that Dan Jones of Iowa Homeland Security telephoned her to say that the County's current buyout application is contingent on the adoption of the 2008 Flood Recovery Maps. Turpin noted the adoption may require a flood ordinance amendment. Discussion was held. Turpin will research this matter further and report to the Board. Phil La Rue said the Planning & Zoning Commission has scheduled a meeting concerning a proposed amendment of the flood ordinance, concerning the Flood Recovery Maps.

On motion, the Board adjourned at 9:14 A.M., to July 20, 2009.

Cari Gritton, Auditor

Jon E. Bell, Chairperson

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., July 20, 2009 with the following members present: Boedeker, Deerberg, Moeller, Weih and Chairperson Bell.

The Board recited the Pledge of Allegiance.

The Board viewed a "County Auditor's Report of Fees Collected" for the quarter ending 6-30-09.

The Board acknowledged receipt of correspondence from Nicole Turpin at E.C.I.A. regarding the approval of the County's HMGP property acquisition application #1.

Phil La Rue, Zoning Director met with the Board to request that public hearing dates be set to consider a zoning petition. Brief discussion was held.

Moved by Sup. Weih seconded by Sup. Boedeker to set August 3 & 6, 2009 at 8:30 a.m. as the time to review/consider the following petition:

Rod Dickey, 446 160th Street, Mechanicsville (Owner) – Requesting a change in zoning from C-2 Highway Commercial to A-1 Agricultural for the purpose of eliminating an unneeded zoning classification and to correct a non-conforming land use. Said property is located in the SE ¼, SW ¼, Section 36, T-82N, R-4W, in Pioneer Township and consists of 2.27 acres more or less.

Ayes: All

General discussion was held with Mr. La Rue.

Sup. Deerberg gave a Heartland Insurance Risk Pool July 16th meeting report. He noted a proposed new five-year agreement was presented.

Moved by Sup. Weih seconded by Sup. Deerberg to appoint Carl Kohrt and Kim Kreinbring as the Supervisors' representatives on the Cedar County Compensation Board to terms that expire 6-30-2013.

Ayes: All

Mike Dauber, Director of the Cedar County Conservation Board met with the Board to discuss a new maintenance position. He noted the new position would help to finish projects and to cut down on compensation time. The department has taken on the maintenance of additional areas, with fewer employees than years ago. The Conservation Board has also proposed to increase Harry Denny's hours to 32 per week. Dan Lett entered the room while discussion was in progress. Discussion continued. Tim Malott and Phil La Rue entered the room. The Board had no objection to the new full-time maintenance position and the change of hours for Harry Denny.

Connie Fett, CPC Administrator met with the Board to review a FY09-10 agreement with Cedar Employment Opportunities. She noted the new agreement includes a rate increase. This will be C.E.O.'s first rate increase in eleven years. Phil Waniorek entered the room. Discussion was held.

Moved by Sup. Deerberg seconded by Sup. Moeller to approve and authorize Chairperson Bell to sign the FY09-10 Services Agreement between Cedar County and Cedar Employment Opportunities.

Ayes: All

Moved by Sup. Weih seconded by Sup. Boedeker to approve the Board Minutes of July 16, 2009.

Ayes: All

Moved by Sup. Deerberg seconded by Sup. Weih to approve the following payroll change:

Secondary Road Department

Don Griffith, from Maintenance Worker II at \$18.40/hr to Parts Manager Crew Leader at \$18.75/hr effective 7-22-09.

Ayes: All

Phil Waniorek of Administrative Solutions, Inc. met with the Board to review dental and health insurance reports, to give updates and for general discussion concerning health care.

On motion, the Board adjourned at 10:28A.M., to July 23, 2009.

Cari Gritton, Auditor

Jon E. Bell, Chairperson

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., July 23, 2009 with the following members present: Boedeker, Deerberg, Moeller, Weih and Chairperson Bell.

The Board recited the Pledge of Allegiance.

The Board reviewed an Equitable Sharing Agreement and Certification concerning the Sheriff Office's use of drug forfeiture funds. Sheriff Wethington noted the source of the funds. Discussion was held.

Moved by Sup. Weih seconded by Sup. Moeller to approve and authorize Chairperson Bell to sign the Equitable Sharing Agreement.

Ayes: All

Moved by Sup. Boedeker seconded by Sup. Deerberg to approve the following payroll changes:

Sheriff's Department

Brenda Johnson, Office Manager to \$37,372.40 effective 7-1-09 and

Jenni Tholen, Jail Administrator to \$39,078.20 effective 6-1-09.

Ayes: All

Sup. Deerberg gave a report on the Geographic Information System meeting he attended this week. A representative of Midland will be meeting with County personnel and others on August 17th at 1:00 p.m.

County Attorney Benz met with the Board to review the proposed Heartland Insurance Risk Pool Agreement. He referenced the new language and expressed concern about paragraph 9.2 regarding the members of the pool being jointly and severally liable for the aggregate of all members' losses. Benz advised the Board to have plenty of reinsurance. Members felt the language is conflicting in paragraphs 4.4(b) & (c). Discussion was held. The Board will research the County's liability and try to clear up language.

Discussion was held regarding the co-pay reimbursement for employee physicals. Chairperson Bell felt the intent of the Board's action was that this is for a one year period only, to make employees more aware of the value of a physical. The consensus of the Board is that to be reimbursed for the co-pay the employee physicals must be done during the period of 7-1-09 through 6-30-10, the employee then has to complete a Wellmark on-line survey, and the employee will then be reimbursed for the \$15 co-pay after providing proof of payment of the co-pay.

Leanne Zearley, Office Manager in the Engineer's Office met with the Board to open bids submitted for the Cedar Bluff wetland mitigation site project #L-201005—73-16. Justin Holland of DeLong Construction and Mona Hainey of Peterson Contractors were in attendance. The following bids were opened and read as follows:

B & J Hauling & Excavating, Inc.	\$21,479.24
DeLong Construction, Inc.	\$54,644.86
J & L Pipeline Services	\$67,457.56
Peterson Contractors Inc.	\$27,870.76
Tschiggfrie Excavating Co.	\$40,695.81

Engineer Fangmann will review the bids and meet with the Board on July 27th for action to award the bid.

Moved by Sup. Deerberg seconded by Sup. Weih to approve the Board Minutes of July 20, 2009.

Ayes: All

Paul Greufe, Human Resources consultant met with the Board for general discussion. Sup. Weih asked if a part-time employee can earn compensation time or overtime. Greufe wouldn't recommend that. Reference was made to a Conservation Department employee. Greufe indicated that situation involved a straight time exchange, and he is

okay with that. Sup. Weih inquired about the exempt status for Nurses. Paul Greufe told the Board under Code 541.301 of the Fair Labor Standards Act, Registered Nurses are classified as a special exemption from overtime (professional exemption). Greufe noted he met with the Board of Health regarding this matter. The Nurses had been classified incorrectly. They should have an exempt status and should not receive compensation time or overtime. He met with the Nurses to tell them how this should work. They may work more time or less time. Weih indicated he's been told it is not working that way. Sup. Boedeker noted the Nurses are being allowed to use their accumulated compensation time within one year. He said Nurses may have to remain in the office to cover a shift. Paul Greufe said he would follow up with the department head concerning this matter. Chairperson Bell wondered if additional language is needed in the Employee Handbook concerning reimbursement for meals and other expenses. Paul Greufe relayed his conversation with Patty Hamann, Veteran Affairs Secretary concerning reimbursements. He indicated he gave her information on how other entities might handle reimbursements when receiving outside funding, but he noted he would never and couldn't give her approval to use different reimbursement rates. Greufe told the Board they could mandate that employees only use the County's reimbursement rate. Additional language will be drafted for the Employee Handbook. Sup. Deerberg asked if a full-time Manager could receive compensation time. Greufe said no. He felt they would want to compensate an employee fairly, noting if for example a Manager always worked more time and never had the opportunity to work less, perhaps they would want to look at that person's monetary compensation. There was discussion regarding exempt status. Regarding another matter, Paul Greufe recommended that the Board agree to doing classification and compensation studies. The classification study would authorize him to update all job descriptions. The compensation study would look at external and internal comparability. The studies would establish ranges and classify positions. Discussion was held. The consensus of the Board was to authorize Greufe to proceed with updating the job descriptions. In other business, Greufe noted his contract renewal would be coming up soon. He noted soon the Board would need to select who they would like to negotiate the two Union contracts. Last time Greufe negotiated a Union contract for Cedar County his fee was \$7,500. This year he is proposing he would do the contract negotiations for \$6,000 per contract. Brief discussion was held. Chairperson Bell asked Greufe to submit his proposal in writing. Sup. Boedeker referenced drug testing after an on-duty accident. Paul Greufe noted that matter was discussed with department heads. Language will be drafted for the Employee Handbook concerning the testing. Further discussion was held.

Moved by Sup. Weih seconded by Sup. Boedeker to approve Claims #371572 - #371772 and #371776.

Ayes: All

It was noted Handwritten Check #371773 dated 7/23/09 was issued to the Cedar County Treasurer in the amount of \$784.21, for an Administrative Solutions, Inc. flex claims electronic deposit.

It was noted Handwritten Check #371774 dated 7/23/09 was issued to the Cedar County Treasurer in the amount of \$2,789.36, for an Administrative Solutions, Inc. partial self funded claims electronic deposit.

It was noted Handwritten Check #371775 dated 7/23/09 was issued to the Cedar County Treasurer in the amount of \$1,032.03, for an Administrative Solutions dental claims electronic deposit.

On motion, the Board adjourned at 11:13 A.M., to July 27, 2009.

Cari Gritton, Auditor

Jon E. Bell, Chairperson

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., July 27, 2009 with the following members present: Boedeker, Deerberg, Moeller, Weih and Chairperson Bell.

The Board recited the Pledge of Allegiance.

John Fisher of Mid-American Glazing Systems met with the Board to discuss replacement of the Courthouse exterior doors. Custodian Bob Klemme was in attendance. Mr. Fisher reviewed the bid he submitted. Discussion was held.

Engineer Fangmann met with the Board for the award of a bid for the Cedar Bluff wetland mitigation site project #L-201005—73-16. He recommended awarding the bid to the low bidder B&J Hauling & Excavating, Inc. Fangmann reviewed the scope of the project. Discussion was held.

Moved by Sup. Weih seconded by Sup. Moeller to award the bid to B&J Hauling & Excavating, Inc. in the amount of \$21,479.24, as recommended by Engineer Fangmann.
Ayes: All

Moved by Sup. Boedeker seconded by Sup. Moeller to approve Claim #371777.
Ayes: All

The Engineer gave project updates.

Mike Carlson of Allied Glass Products Inc. met with the Board to discuss replacement of the Courthouse exterior doors. Custodian Bob Klemme was in attendance. Mr. Carlson reviewed the proposal he submitted. Discussion was held.

Discussion was held with Custodian Klemme regarding the doors replacement project. Additional information will be obtained before the Board makes a decision.

Moved by Sup. Weih seconded by Sup. Deerberg to approve the Board Minutes of July 23, 2009.
Ayes: All

On motion, the Board adjourned at 10:44 A.M., to July 30, 2009.

Cari Gritton, Auditor

Jon E. Bell, Chairperson

The Cedar County Board of Supervisors met in regular session at 7:45 A.M., July 30, 2009 with the following members present: Boedeker, Deerberg, Moeller, Weih and Chairperson Bell.

The Board recited the Pledge of Allegiance.

The Board viewed a July 22, 2009 Veteran Affairs Commission report, submitted by Patty Hamann, Secretary.

The Board acknowledged receipt of correspondence from Michael L. Tramontina, Director, Iowa Department of Economic Development regarding a Supplemental Community Development Block Grant (CDBG) for Disaster recovery for acquisition of flood damaged properties.

The Board acknowledged receipt of correspondence from the U.S. Department of Justice notifying the Board that Cedar County's COPS Hiring Recovery Program Grant Application was not selected to be funded for the July 28th announcement.

This being the time set for a public hearing to submit an application to the Iowa Department of Economic Development for Supplemental Community Development Block Grant Disaster Recovery Funding for Acquisition Program. Nicole Turpin and Mark Schneider of the East Central Intergovernmental Association were in attendance. Chairperson Bell read the legal notice. There are no written or verbal objections on file. Mr. Schneider reviewed numerous items. The proposed activities were identified. The application would be submitted on 7-31-09, and the requested CDBG funds would be \$104,579. The proposed activities will be conducted at the site of two flood-damaged properties at 2214 Atalissa Road and 108 West Rochester. The low and moderate income is unknown at this time. It is proposed that the project will be funded as an urgent community need. There will be no displacement of households or businesses. The intent is to acquire two flood-damaged properties located in the floodplain, demolish the structures, and deed-restrict the property as perpetual green space. Discussion was held.

Moved by Sup. Moeller seconded by Sup. Boedeker to approve the submittal of the application for Supplemental Community Development Block Grant Disaster Recovery Funding for the Acquisition Program and the forms that go with it and authorize Mark Schneider to sign forms associated with the application.

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

General discussion was held with Nicole Turpin and Mark Schneider. Engineer Fangmann and Phil La Rue entered the room while discussion was in progress.

Engineer Fangmann met with the Board, as requested, for brief discussion concerning the Johnson-Cedar County Line Road.

Moved by Sup. Boedeker seconded by Sup. Deerberg to approve the Board Minutes of July 27, 2009.

Ayes: All

Moved by Sup. Weih seconded by Sup. Boedeker to approve Payroll Checks #136913 - #137075 for the period ending 7-25-09 and to be paid on 7-31-09.

Ayes: All

It was noted Handwritten Check #371778 dated 07/30/09 was issued to the Cedar County Treasurer in the amount of \$455.95, for an Administrative Solutions, Inc. flex claims electronic deposit.

It was noted Handwritten Check #371779 dated 07/30/09 was issued to the Cedar County Treasurer in the amount of \$1,948.40, for an Administrative Solutions dental claims electronic deposit.

The Board departed at 8:06 a.m.

At 9:00 a.m. the Board attended a joint public hearing at the Johnson County Board of Supervisors Board Room to consider closing and vacating the following described road and right-of-way:

All that part of the Johnson-Cedar County Line Road in Section 18, Township 81 North, Range 04 West of the 5th P.M., Cedar County, Iowa, lying east of the following described line:

Commencing at the West Quarter Corner of said Section 18; thence North along the west line of the Northwest quarter of said Section 18 a distance of 47 feet, more or less, to a point of intersection with the said west line of the Northwest quarter and the extension of the southerly right-of-way line of the vacated 185th Street, also being the Point of Beginning of the line herein described:

thence continuing Northerly along the said west line of the Northwest quarter a distance of 1299 feet, more or less, to a point of intersection with the said west line of the said Northwest quarter and the northerly right-of-way line of Johnson County's 145th Street. The Johnson-Cedar County Line road is 66 feet in width.

Those in attendance were: Johnson County Board of Supervisors-Chair Terrence Neuzil, Larry Meyers, Sally Stutsman, Rod Sullivan and Pat Harney; Cedar County Board of Supervisors-Chair Jon Bell, Dennis Boedeker, LeRoy Moeller, Dennis Weih and Wayne Deerberg; Johnson County Engineer Greg Parker; Cedar County Engineer Robert Fangmann; Johnson County Attorney Janet Lyness; Executive Assistant to Johnson County Board of Supervisors Andy Johnson; and Nancy Tomkovicz, Administrative Secretary for Johnson County Auditor's Office. Discussion commenced. Engineer Parker addressed the Boards. It was noted there is rental property on the east side of the road in Cedar County. Engineer Fangmann addressed the Boards. Engineer Parker explained the exchange of county line road maintenance in the 28E Agreement between Johnson and Cedar Counties. Michele Platt addressed the Boards. Correspondence was previously received from Platt. She asked that the maintenance remain the same as it was. Platt acknowledged that she had agreed to the bridge closing in Cedar County years ago, but indicated that at that time she didn't have the foresight to ask if the road would remain open and maintained. Michele Platt noted she would like to eventually build a house on her land. She indicated she felt she is not receiving the same level of service as other people. Platt noted she is willing to take the cost of building a road in the future, and one of the alternatives would be to ask Cedar County pay to put the new culvert and entrance into her property and that Johnson County put a generous amount of gravel down and keep blading it for the next two to three years. Previous maintenance was discussed. Fangmann noted the Cedar County portion went to a Level B classification in 1983. The bridge in Cedar County was vacated in 1997. The Engineers both indicated they were unable to locate any written agreement concerning maintenance of the road. Dale Graff of Iowa Telecom addressed the Boards. He asked what the plans are for the road noting Iowa Telecom would have concerns about access to do maintenance on their lines. Engineer Parker indicated there would typically be an easement for a utility company. Ardeth Wray addressed the Board. She is opposed to the proposed road vacation. Mrs. Wray felt the responsibility of maintaining the road would be a burden for her. She indicated if the road is vacated she would ask for damages in the amount of \$1,000 per year for 20 years. Mrs. Wray would prefer that things stay as they are with the County providing some maintenance. Chair Neuzil asked the Johnson County Attorney what the process would be if the two Counties do not agree on what is to be done with the road. County Attorney Lyness indicated she would need to research the matter. Chair Neuzil noted the options of: 1) vacating the road or 2) it would remain a Level B road. Engineer Parker reviewed what Level B maintenance entails. Maintenance was discussed. Sup. Sullivan indicated the former district maintenance person was providing a level of service that was above and beyond what's typically done on a Level B road, so he felt that has complicated things because that is what the residents were used to for 30 years which is not the way things were done on the other dirt roads in the County. Mrs. Wray disagreed. She felt only minimal maintenance had been done. She presented a picture of the turnaround that the County built. Michele Platt asked if there has been any damage to equipment reported. Engineer Parker stated he had not been informed of any. Platt noted she had sent in two permits to do work and had not received a response from Engineer Parker. Michele Platt indicated she felt an exception

or another option could be made concerning this road. Sup. Moeller wondered if emergency vehicle access may be an issue. He wondered how long the rock that is currently on the road would last. Platt indicated a couple years, noting she has put rock on the road. Chair Bell asked Engineer Fangmann to explain how other Level B roads are handled in Cedar County. Engineer Fangmann noted the residents are responsible for the maintenance of the road and access points for emergencies are required. Cedar County rarely maintains a Level B road because the weight of a motor grader will do damage because of the small amount of rock on the road. The landowner will typically request the rock. If someone builds on a Level B road, the property owner pays for the rock, but we don't maintain it. If a tree comes down, Fangmann said it is the responsibility of the property owner to make sure they can get to and from their property. Sup. Stutsman noted when a road is vacated, the County's interest in that road is vacated, but the road can still be used as a private driveway. She felt if exceptions are made, they should be made for everyone, so then what's the point of having a Level B road classification. It was noted that Johnson County would accept comments until 5:00 p.m. Sup. Sullivan indicated permits concerning work on or along this segment of road would go to Johnson County due to the 28E Agreement between Johnson and Cedar Counties. Sup. Boedeker noted permits concerning building a house on the Cedar County side of the road would need to be submitted to Cedar County. Sup. Harney wondered what happens if the road is vacated and one of the parties involved doesn't want it. Engineer Parker indicated easements for utilities maintenance could be created. He felt typically the matters are handled between the neighbors, and he noted a fence could be put on the centerline of the road. It would be the option of the property owners. Sup. Boedeker noted fence rules would apply. Sup. Sullivan noted access has to be provided. Michele Platt wondered how they define access. Sup. Stutsman noted the road would become a driveway. Platt felt if a fence is put in place, there would not be enough room for vehicles to access her property. Chair Neuzil noted if a fence was put down the middle of the road, she would have to build additional part of the road to be made a part of her driveway. It was noted the Counties do not have to provide an access road to her property. Michele Platt asked that the Boards not forget the taxpayers. Sup. Boedeker said it appears that the line on the aerial map looks like it does not go down the middle of the road, so Platt would have no part of the road at the end. Engineer Parker noted the G.I.S. maps are plus or minus ten feet. If the road is vacated, it would follow the centerline of the road. Michele Platt told the Boards that she took a string from the survey marker to the fence line, and she indicated it angles so her entrance would be cut off. Sup. Harney wondered if the portion of the road in Cedar County where the bridge was taken out was always level B. It has been Level B since 1983. Sup. Moeller noted part of the agreement was to rebuild the road to the east so that a school bus could have access. Sup. Boedeker thought the road was raised at least 12 feet. Chair Neuzil stated a joint meeting at Cedar County would be arranged for discussion and action concerning this matter.

The public hearing concluded at 9:53 a.m.

On motion, the Board adjourned at 9:53 A.M., to August 3, 2009.

Cari Gritton, Auditor

Jon E. Bell, Chairperson

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., August 3, 2009 with the following members present: Deerberg, Moeller, Weih and Chairperson Pro Tem Boedeker. Chairperson Bell was absent.

The Board recited the Pledge of Allegiance.

The Board acknowledged receipt of a Manure Management Plan Update for Broadview Acres, Owners John Black and Curt Friis.

This being the time set for a public hearing to review/consider the following petition: Rod Dickey, 446 160th Street, Mechanicsville (Owner) – Requesting a change in zoning from C-2 Highway Commercial to A-1 Agricultural for the purpose of eliminating an unneeded zoning classification and to correct a non-conforming land use. Said property is located in the SE ¼, SW ¼, Section 36, T-82N, R-4W, in Pioneer Township and consists of 2.27 acres more or less.

Phil La Rue, Zoning Director and Michele McCall were in attendance. Chairperson Pro Tem Boedeker read the legal notice. Mr. La Rue noted there are no written or verbal objections on file. Discussion was held.

Moved by Sup. Weih seconded by Sup. Moeller to approve the petition by Rod Dickey, Mechanicsville (Owner), as defined above, and to waive the second hearing scheduled for 8-6-09.

Ayes: All

Absent: Bell

Phil La Rue requested that the Board set public hearing dates to review a zoning petition and an amendment to Chapters 3 & 20 of the Zoning Ordinance pertaining to flood plain management. Rob Fangmann and Sterling Benz entered the room. Brief discussion was held.

Moved by Sup. Moeller seconded by Sup. Deerberg to set August 13 & 20, 2009 at 9:00 a.m. as the time to review the following petition and proposed amendment:

Steve Maurer, P.O. Box 460, Clarence (Owner) – At the request of the Cedar County Board of Supervisors, a change in zoning from R-2 Urban Residential to A-1 Agricultural District for the purpose of eliminating an unneeded district classification on property located in the SE ¼, SE ¼. Section 31, T-81N, R-2W, in Center Township. Said petition is to rezone 9.00 acres of a 10.00 acre tract.

Also, at this time, the Board will accept Public Comment and consider the following amendments to the Cedar County Zoning Ordinance, Number 10:

1. Chapter 3, General Regulations And Provisions, Section 21, Flood Plain Regulations, Paragraph A, Interpretations, sentence two; after the words, Official Flood Insurance Rate Map, Add: “and the Flood Recovery Map”.
2. Chapter 20, Flood Plain Management, Section 2, General Provisions, Subsection B, Rules for Interpretation of Flood Plain District, sentence one; after the words, Official Flood Insurance Rate Map, Add: “and the Flood Recovery Map”.
3. Chapter 20, Section 2, Subsection B, Rules for Interpretation of Flood Plain District, Add: “In the event of a conflict between the Flood Insurance Rate Map and the Flood Recovery Map, the more stringent map shall be used”.
4. Chapter 20, Section 3, Establishment of Flood Plain (OVERLAY) District, sentence two; after the words, Flood Insurance Rate Map, Add: “and the Flood Recovery Map”.

5. Chapter 20, Section 9, Definitions, Add new definition: “ Flood Recovery Map – The map which is part of the flood data analysis report for Cedar County published by the Federal Emergency Management Agency on October 3, 2008. The Flood Recovery Map provides a delineation of the lands that would be inundated by the 100-year flood and is produced using approximate mapping methods. It is used for the determination of lands that are subject to flood hazards.”

6. Chapter 20, Section 9, Definitions, Special Flood Hazard Area, sentence two, after the words, Flood Insurance Rate Map, Add: “and the Flood Recovery Map”.

Ayes: All
Absent: Bell

Discussion was held with Phil La Rue regarding the hiring of Christina Voss. General discussion was held regarding the location of chemical tanks.

Engineer Fangmann and County Attorney Benz met with the Board to discuss a Utility Permit Application by Alliant Energy to place a gas line around the City of West Branch. County Attorney Benz has had a conversation with the attorney representing the applicant. They still want to use self insurance for the first one million dollars, and they want to use different hold harmless language than the County has in the current Utility Permit Application. Atty. Benz had no objection to allowing the company to use their Certificate of Self-Insurance, but he recommended using the County’s hold harmless language. Discussion was held.

Moved by Sup. Deerberg seconded by Sup. Weih to allow Alliant Energy to use their Certificate of Self-Insurance, but to stay with the County’s hold harmless language that is in the current application.

Discussion was held.

Ayes: All
Absent: Bell

Engineer Fangmann met with the Board to discuss the award of a bid for bridge replacement project #BROS-C016(72)—8J-16 on Franklin Avenue in Springdale Township and for County Road Y26 HMA resurfacing project #ESFM-C016(78)—55-16 north of the City of Durant. Discussion was held. The Franklin Avenue project is an 80% Federal-20% County cost split. The amount of stimulus funding for the resurfacing project will be over \$770,000.

Moved by Sup. Moeller seconded by Sup. Deerberg to award the bid in the amount of \$358,046.98 for Project #BROS-C016(72)—8J-16 to Jim Schroeder Construction.

Ayes: All
Absent: Bell

Moved by Sup. Weih seconded by Sup. Moeller to award the bid in the amount of \$1,389,972.02 for Project #ESFM-C016(78)—55-16 to Illowa Investment.

Ayes: All
Absent: Bell

Engineer Fangmann gave project updates.

The Engineer noted Derek Schroeder met with him to request that the National Guard be allowed to utilize a Level C dirt road for mock incendiary explosive device training. There would not be live explosions. He has consulted with the County Attorney and Heartland Insurance. If there are damages, Fangmann was told the National Guard would make the appropriate repairs. The Engineer said he doesn’t have authority to say no on a Level C road. Mr. Schroeder indicated the property owners along the road are in agreement. Fangmann has requested to see that agreement in writing. The Board had no objection.

General discussion was held with the Engineer. He gave an update on the proposed movement of a home along County Road X40. Engineer Fangmann gave a report on the

survey work done concerning the flow of water west of the City of Lowden. A farmer has relayed that water is not draining properly from his property. The Engineer found no fault of the County or Green Valley Equipment. He noted there is fall on our Cedar County right-of-way. Engineer Fangmann and Chairperson Pro Tem Boedeker will talk to the farmer about this matter.

Moved by Sup. Moeller seconded by Sup. Weih to approve the Board Minutes of July 31, 2009.

Ayes: All

Absent: Bell

Moved by Sup. Weih seconded by Sup. Deerberg to approve the following new hire:

Environmental & Zoning Department

Christina Voss as a full-time Assistant Environmentalist at \$10.50/hr effective 8-4-09.

Ayes: All

Absent: Bell

On motion, the Board adjourned at 9:55 A.M., to August 6, 2009.

Cari Gritton, Auditor

Dennis Boedeker, Chairperson Pro Tem

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., August 6, 2009 with the following members present: Deerberg, Moeller, Weih and Chairperson Pro Tem Boedeker. Chairperson Bell was absent.

The Board recited the Pledge of Allegiance.

The Board acknowledged receipt of correspondence from Russ Thomas regarding a structure at 108 West Rochester Avenue.

The Board acknowledged receipt of correspondence from the United States Department of Commerce regarding targeted non-sheltered outdoor locations.

The Board acknowledged receipt of correspondence from Engineer Fangmann to Tyler Wilson of Congressman Loeb'sack's Office regarding support to retain the BR bridge funding program.

The Board acknowledged receipt of a copy of correspondence from Curt Jeffryes of the State Demolition and Debris Team regarding a Notice to Proceed with the flood-damaged structures demolition project.

The Board met with department heads to discuss any problems or concerns they might have. Those in attendance were: Connie Fett, Julie Tischuk, Cari Gritton, Dan Lett, Gary Jedlicka, Rob Fangmann, Mike Dauber, Phil La Rue, Carolyn Wood, Amy Wehde and Sterling Benz. Department heads relayed items concerning their departments. Tim Malott entered the room while discussion was in progress.

John Danico of Xenotronics Co. met with the Board to discuss electronic locks for the Courthouse exterior doors. Discussion was held. Mr. Danico will send the Board specifications for the exterior doors replacement project.

Moved by Sup. Moeller seconded by Sup. Deerberg to approve the Board Minutes of August 3, 2009.

Ayes: All

Absent: Bell

Moved by Sup. Deerberg seconded by Sup. Weih to approve Claim Checks #371780 - #371954.

Ayes: All

Absent: Bell

It was noted Handwritten Check #371955 dated 8/6/09 was issued to the Cedar County Treasurer in the amount of \$2,711.36, for an Administrative Solutions, Inc. flex claims electronic deposit.

It was noted Handwritten Check #371956 dated 8/6/09 was issued to the Cedar County Treasurer in the amount of \$8,445.56, for an Administrative Solutions, Inc. partial self funded claims electronic deposit.

It was noted Handwritten Check #371957 dated 8/6/09 was issued to the Cedar County Treasurer in the amount of \$2,058.40, for an Administrative Solutions dental claims electronic deposit.

On motion, the Board adjourned at 10:55 A.M., to August 10, 2009.

Cari Gritton, Auditor

Dennis Boedeker, Chairperson Pro Tem

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., August 10, 2009 with the following members present: Deerberg, Moeller, Weih and Chairperson Pro Tem Boedeker. Chairperson Bell was absent.

The Board recited the Pledge of Allegiance.

The Board acknowledged receipt of correspondence from Barbara Mitchell, Deputy State Historic Preservation Officer of the State Historical Society of Iowa regarding the Red Oak Grove Presbyterian Church and Cemetery being considered for nomination to the National Register of Historic Places.

Connie Fett, CPC Administrator met with the Board to give consumer updates. She requested a closed session.

Moved by Sup. Weih seconded by Sup. Moeller to go into closed session as allowed under Section 21.5.1(a) Code of Iowa.

Ayes: Weih, Moeller, Deerberg, Boedeker

Absent: Bell

Moved by Sup. Weih seconded by Sup. Moeller to return to regular session.

Ayes: Weih, Moeller, Deerberg, Boedeker

Absent: Bell

The Board acknowledged there was no decision made with regard to the prior closed session. The session pertained to projects #141, #395, #X29 & #234.

General discussion was held with Fett regarding mental health services.

Engineer Fangmann presented a proposed bond and contract with B&J Hauling and Excavation Inc. for the Cedar Bluff Wetland Mitigation site project #L-201005—73-16. The amount in the contract is \$21, 479.24. Discussion was held.

Moved by Sup. Deerberg seconded by Sup. Moeller to approve and authorize Chairperson Pro Tem Boedeker to sign a contract and bond with B&J Hauling and Excavation Inc. for project #L-201005—73-16.

Ayes: All

Absent: Bell

The Engineer gave an update on the conversation that he, Sup. Boedeker and Merlon Kruckenberg had concerning drainage west of the City of Lowden. After discussion with Mr. Kruckenberg, it was agreed that one option would be to tile from upstream to the inlet of the tile culverts, if Green Valley Equipment is agreeable. Another option would be to ditch a small portion to the entrance to Green Valley. The Engineer will discuss the matter with Green Valley.

Engineer Fangmann gave project updates. A letter went to a property owner concerning removal of a fence in the right-of-way in the unincorporated town of Cedar Bluff.

Discussion was held regarding the County Farm Lease.

Moved by Sup. Weih seconded by Sup. Deerberg to approve and adopt the following resolution and authorize the County Attorney to take the appropriate action:

RESOLUTION APPROVING TERMINATION OF FARM LEASE

WHEREAS, Cedar County, Iowa, has previously entered into a lease of the agricultural land, a copy of said Lease containing the description of said land being attached hereto; and

WHEREAS, the Board of Supervisors believes it would be in the best interest of Cedar County, Iowa, to terminate the tenancy under the said Lease, effective March 1, 2010, and to give notice to the Tenant under said Lease of termination of said tenancy as required by the Iowa Code.

IT IS HEREBY RESOLVED that the tenancy under the Lease, a copy of which is attached hereto, shall terminate effective March 1, 2010, and that notice of the termination of the said tenancy shall be given to the Tenant as required by the Iowa Code, and that the Chairperson of the Board of Supervisors is authorized and directed to execute the notice of termination of said Tenancy.

Ayes: Weih, Moeller, Deerberg, Boedeker

Absent: Bell

Moved by Sup. Deerberg seconded by Sup. Weih to approve issuance of Handwritten Check #371958 dated 8-10-09 to the Institute of Iowa Certified Assessors in the amount of \$75.00.

Ayes: All

Absent: Bell

Moved by Sup. Weih seconded by Sup. Moeller to re-appoint Wayne Brown to the Civil Service Commission to a term that expires 8-17-2015.

Ayes: All

Absent: Bell

Moved by Sup. Deerberg seconded by Sup. Moeller to approve the following revised Cedar County Medical Examiner Team:

Keith Krewer, MD	Chief Medical Examiner
Ruth Macke, MD	Deputy Medical Examiner
Vladimir Adloff, MD	Deputy Medical Examiner
Joshua LeClaire	Deputy Medical Examiner
Lileah Harris, MD	Deputy Medical Examiner
Connie Knutsen	Director, Medical Examiner Investigations
Dave Askelson, PAC	Medical Examiner Investigator
Mike Dauber	Medical Examiner Investigator

Ayes: All

Absent: Bell

Moved by Sup. Weih seconded by Sup. Moeller to approve the Board Minutes of August 6, 2009.

Ayes: All

Absent: Bell

Moved by Sup. Moeller seconded by Sup. Deerberg to approve and authorize Chairperson Pro Tem Boedeker to sign a Heartland Risk Pool-Risk Pool Agreement effective 7-1-2010.

Ayes: All

Absent: Bell

On motion, the Board adjourned at 9:46 A.M., to August 13, 2009.

Cari Gritton, Auditor

Dennis Boedeker, Chairperson Pro Tem

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., August 13, 2009 with the following members present: Boedeker, Deerberg, Moeller, Weih and Chairperson Bell.

The Board recited the Pledge of Allegiance.

The Board viewed the July 29, 2009 minutes of the Planning & Zoning Commission.

The Board viewed correspondence from Jenni Tholen, Jail Administrator regarding a payroll change for Rhonda Wells-Stiteler, Correctional Officer.

The Board viewed a report of fees collected for July 2009, submitted by the Clerk of the District Court.

The Board acknowledged receipt of a copy of correspondence from Tyler Wilson of Congressman Loeb sack's Office regarding a highway funding bill.

The Board acknowledged receipt of a Manure Management Plan Update for Prestage Farms of Iowa, LLC.

Assistant Engineer Kordick met with the Board to review a contract and bond with Jim Schroeder Construction for bridge replacement project BROS-C016(72)—8J-16 on Franklin Avenue in Section 36 of Springdale Township and a contract and bond with Illowa Investment for HMA resurfacing project ESFM-C016(78)—5S-16 on Y26 from the Durant City limits to F44. Discussion was held.

Moved by Sup. Moeller seconded by Sup. Deerberg to approve and authorize Chairperson Bell to sign a contract and bond with Illowa Investment for project ESFM-C016(78)—5S-16 for an amount of \$1,389,972.02.

Ayes: All

Moved by Sup. Boedeker seconded by Sup. Weih to approve and authorize Chairperson Bell to sign a contract and bond with Jim Schroeder Construction for project BROS-C016(72)—8J-16 for an amount of 358,046.98.

Ayes: All

The Board held discussion with County Attorney Benz regarding a proposed farm lease and hold harmless language in the County's Utility Permit Application. Chairperson Bell signed the Notice of Termination concerning the County farm lease.

This being the time set for a public hearing to review/consider the following:
Steve Maurer, P.O. Box 460, Clarence (Owner) – At the request of the Cedar County Board of Supervisors, a change in zoning from R-2 Urban Residential to A-1 Agricultural District for the purpose of eliminating an unneeded district classification on property located in the SE ¼, SE ¼. Section 31, T-81N, R-2W, in Center Township. Said petition is to rezone 9.00 acres of a 10.00 acre tract.

Also, at this time, the Board will accept Public Comment and consider the following amendments to the Cedar County Zoning Ordinance, Number 10:

1. Chapter 3, General Regulations And Provisions, Section 21, Flood Plain Regulations, Paragraph A, Interpretations, sentence two; after the words, Official Flood Insurance Rate Map, Add: "and the Flood Recovery Map".
2. Chapter 20, Flood Plain Management, Section 2, General Provisions, Subsection B, Rules for Interpretation of Flood Plain District, sentence one; after the words, Official Flood Insurance Rate Map, Add: "and the Flood Recovery Map".
3. Chapter 20, Section 2, Subsection B, Rules for Interpretation of Flood Plain District, Add: "In the event of a conflict between the Flood Insurance Rate Map and the Flood Recovery Map, the more stringent map shall be used".

4. Chapter 20, Section 3, Establishment of Flood Plain (OVERLAY) District, sentence two; after the words, Flood Insurance Rate Map, Add: “and the Flood Recovery Map”.

5. Chapter 20, Section 9, Definitions, Add new definition: “ Flood Recovery Map – The map which is part of the flood data analysis report for Cedar County published by the Federal Emergency Management Agency on October 3, 2008. The Flood Recovery Map provides a delineation of the lands that would be inundated by the 100-year flood and is produced using approximate mapping methods. It is used for the determination of lands that are subject to flood hazards.”

6. Chapter 20, Section 9, Definitions, Special Flood Hazard Area, sentence two, after the words, Flood Insurance Rate Map, Add: “and the Flood Recovery Map”.

Phil La Rue, Environmental & Zoning Director was in attendance. Chairperson Bell read the legal notice. Mr. La Rue noted there are no written or verbal objections on file for the petition or proposed amendments. Discussion was held.

Moved by Moeller seconded by Sup. Deerberg to approve the petition by Steve Maurer, Clarence (owner), as defined above, and to waive the second hearing scheduled for 8-20-09.

Ayes: All

Discussion was held regarding the proposed Flood Plain Regulation amendments in Zoning Ordinance No. 10. Nicole Turpin, Darwin Polk and Ryan Walter of the East Central Intergovernmental Association were in attendance. Aerial maps were reviewed.

Chairperson Bell adjourned the matter to August 20, 2009 at 9:00 a.m.
The public hearing concluded at 9:20 a.m.

Discussion was held with Nicole Turpin regarding an Iowa Watershed Improvement Review Board grant request by Limestone Bluff Resource Conservation and Development.

Nicole Turpin gave an update on the CDBG buyout application concerning structures damaged by the flood. The structure at 2214 Atalissa Road is on leased land. She didn't know if the owners of the structure and land would both agree to participate in a buyout. Sup. Boedeker suggested explaining to the property owners what will happen once the area is a “green space”. Nicole Turpin told the Board that Russ Thomas has indicated to her that he has no interest in participating in a buyout program and that he would not sign a Voluntary Transaction Statement. Sup. Boedeker noted as long as Mr. Thomas understands the structure would need to be raised. Turpin presented a Hazard Mitigation Grant Program Buyout Contract with Iowa Homeland Security. Discussion was held.

Moved by Sup. Boedeker seconded by Sup. Moeller to approve and authorize Chairperson Bell to sign a Hazard Mitigation Grant Program Buyout Contract with Iowa Homeland Security.

Ayes: All

Discussion was held regarding the appeals process and approval of an Administration Plan. Darwin Polk will be working on the property buyout process. There is a public meeting scheduled for September 2, 2009 at 6:00 p.m. at the Courthouse concerning the flood buyout.

Discussion was held regarding the Public Assistance Demolition project. Hazardous demolition will be done first and then other structures will be demolished. Nicole Turpin reviewed the proposed amendment to the demolition contract. Phil La Rue and Tina Voss entered the room while discussion was in progress.

Moved by Sup. Boedeker seconded by Sup. Moeller to amend the demolition contract to take off 127 West Rochester and add 2214 Atalissa Road.

Ayes: All

Moved by Sup. Weih seconded by Sup. Deerberg to amend agenda requirements to allow for discussion on a Notice to Proceed to Barnhart's Custom Services concerning the Public Assistance Demolition project.

Ayes: All

Discussion was held regarding a Notice to Proceed.

Moved by Sup. Weih seconded by Sup. Boedeker to provide a Notice to Proceed with the Public Assistance Demolition project to Barnhart's Custom Services and authorize Chairperson Bell to sign the same.

Ayes: All

Discussion was held regarding the budget. Auditor Gritton joined the discussion, as requested. It was agreed that a budget amendment would be needed due to the anticipated transactions concerning the flood buyout and Public Assistance Demolition projects. Nicole Turpin will send figures to the Auditor, and the Board agreed to proceed with a budget amendment.

Phil La Rue introduced Tina Voss to the Board. Voss left the room.

Phil La Rue referenced a letter from Russ Thomas, and La Rue asked how the Board would like to address the matter. Discussion was held. It was agreed that Nicole Turpin would send the owner of the property referenced in Mr. Thomas' letter a Voluntary Transaction Statement and a form indicating the owner does not wish to participate in the buyout, and a letter indicating they have two weeks to get back to us concerning whether or not they wish to participate. If Turpin or the Supervisors do not receive a response, the matter will be turned over to the County Attorney. Phil La Rue will explain the matter to County Attorney Benz.

Mr. La Rue told the Board that flood elevation determinations need to be done. He recommended having one done at each of the following areas: West Rochester, Cedar Valley Stables, Ralph Goodale property on Franklin Avenue and Cedar Bluff. The Board agreed. The consensus was that La Rue should talk to Richard Kordick about the elevation determinations.

Moved by Sup. Deerberg seconded by Sup. Weih to approve the Board Minutes of August 10, 2009.

Ayes: All

Moved by Sup. Boedeker seconded by Sup. Weih to approve the renewal of a Class C Beer Permit with carryout wine and Sunday sales for Kum & Go #267.

Ayes: All

Moved by Sup. Deerberg seconded by Sup. Boedeker to approve the following payroll change:

Sheriff's Department

Rhonda Wells-Stiteler, Correctional Officer, from \$13.36/hr to \$14.27/hr effective 8-27-09.

Ayes: All

Paul Greufe of PJ Greufe & Associates LLC met with the Board to discuss his Human Resource services contract. He reviewed projects and activities accomplished in the past year. Sup. Boedeker didn't agree with the value expressed by Greufe of the monthly meetings Greufe holds with department heads. He felt it has been indicated that the department heads have decided certain things, when it is the Board of Supervisors that makes the decisions. Boedeker felt there are problems coming from those department head meetings. Chairperson Bell did not disagree with Boedeker, but felt that from Greufe's perspective, there is probably open communication at the meetings. Bell indicated it sometimes seems as though it is H.R. and department heads against the Board of Supervisors. Mr. Greufe noted he would be glad to give the Board a schedule of the monthly meetings he holds, and he acknowledged that the Supervisors have the final say on matters. The meetings are always held on the first Wednesday of the month at 10:00

a.m. Discussion continued. Greufe felt the intent of his meetings with department heads is to allow them to use him as a resource to determine if something will work or not work. It was requested that Greufe hold the meetings on a Monday or Thursday so that one or two Supervisors could attend. Sup. Weih initiated discussion concerning exempt and non-exempt statuses of employees. Greufe noted this has been discussed at the department head meetings. Department heads agreed the exempt status was never intended to give additional days of vacation to employees. He noted such action can create a "rift" between exempt and non-exempt employees. The Board agreed. Brief discussion continued.

Paul Greufe presented a proposed contract for his services. Discussion was held. The monthly rate of \$1,500 is the same. His proposal includes a fee of \$12,000 to negotiate both Union contracts.

Moved by Sup. Weih seconded by Sup. Moeller to approve and authorize Chairperson Bell to sign the contract with PJ Greufe & Associates LLC, as presented. Discussion was held. Sup. Moeller liked having someone negotiate the Union contracts, that is familiar with the county. Sup. Weih felt Greufe knows where the Board stands. Ayes: All

General discussion was held with Mr. Greufe.

Moved by Sup. Weih seconded by Sup. Moeller to approve Payroll Checks #137076 - #137236 for the period ending 8-8-09 and to be paid on 8-14-09. Ayes: All

It was noted Handwritten Check #371959 dated 8/13/09 was issued to the Cedar County Treasurer in the amount of \$352.05, for an Administrative Solutions, Inc. flex claims electronic deposit.

It was noted Handwritten Check #371960 dated 8/13/09 was issued to the Cedar County Treasurer in the amount of \$4,706.58, for an Administrative Solutions, Inc. partial self funded claims electronic deposit.

It was noted Handwritten Check #371961 dated 8/13/09 was issued to the Cedar County Treasurer in the amount of \$357.70, for an Administrative Solutions dental claims electronic deposit.

On motion, the Board adjourned at 11:00 A.M., to August 17, 2009.

Cari Gritton, Auditor

Jon E. Bell, Chairperson

TIPTON, IOWA

August 17, 2009

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., August 17, 2009 with the following members present: Boedeker, Deerberg, Moeller, Weih and Chairperson Bell.

The Board recited the Pledge of Allegiance.

The Board acknowledged receipt of correspondence from Dan & Donna Nevins regarding water runoff from property owned by Dan & Theresa Kohl.

Moved by Sup. Weih seconded by Sup. Boedeker to approve the Board Minutes of August 13, 2009.

Ayes: All

Discussion was held regarding the Courthouse exterior doors replacement project. Sup. Deerberg will talk with Head Custodian Bob Klemme concerning the Board's preferences for the project.

On motion, the Board adjourned at 10:10 A.M., to August 20, 2009.

Cari Gritton, Auditor

Jon E. Bell, Chairperson

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., August 20, 2009 with the following members present: Boedeker, Deerberg, Moeller, and Chairperson Bell. Sup. Weih was absent.

The Board recited the Pledge of Allegiance.

The Board viewed correspondence from Amy Wehde, Deputy Director, Cedar County Public Health regarding a payroll change for Barbara Smith, Nurse, from \$21.17/hr to \$21.47/hr effective 8-26-09.

The Board acknowledged receipt of correspondence from Jason Elliott of ME&V Advertising + Consulting regarding marketing the 2010 Census response rate.

Moved by Sup. Boedeker seconded by Sup. Moeller to approve the following new hire:

Sheriff's Department

Jill Fell, Correctional Officer at \$13.36/hr effective 8-28-09.

Ayes: All

Absent: Weih

Moved by Sup. Moeller seconded by Sup. Deerberg to approve the Board Minutes of August 17, 2009.

Ayes: All

Absent: Weih

This being the time set for a public hearing to consider the following:

Amendments to the Cedar County Zoning Ordinance, Number 10:

1. Chapter 3, General Regulations And Provisions, Section 21, Flood Plain Regulations, Paragraph A, Interpretations, sentence two; after the words, Official Flood Insurance Rate Map, Add: "and the Flood Recovery Map".
2. Chapter 20, Flood Plain Management, Section 2, General Provisions, Subsection B, Rules for Interpretation of Flood Plain District, sentence one; after the words, Official Flood Insurance Rate Map, Add: "and the Flood Recovery Map".
3. Chapter 20, Section 2, Subsection B, Rules for Interpretation of Flood Plain District, Add: "In the event of a conflict between the Flood Insurance Rate Map and the Flood Recovery Map, the more stringent map shall be used".
4. Chapter 20, Section 3, Establishment of Flood Plain (OVERLAY) District, sentence two; after the words, Flood Insurance Rate Map, Add: "and the Flood Recovery Map".
5. Chapter 20, Section 9, Definitions, Add new definition: "Flood Recovery Map – The map which is part of the flood data analysis report for Cedar County published by the Federal Emergency Management Agency on October 3, 2008. The Flood Recovery Map provides a delineation of the lands that would be inundated by the 100-year flood and is produced using approximate mapping methods. It is used for the determination of lands that are subject to flood hazards."
6. Chapter 20, Section 9, Definitions, Special Flood Hazard Area, sentence two, after the words, Flood Insurance Rate Map, Add: "and the Flood Recovery Map".

Chairperson Bell read the legal notice. Phil La Rue, Zoning Director was in attendance. La Rue noted there are not written or verbal objections on file. Discussion was held.

Moved by Sup. Deerberg seconded by Sup. Moeller to approve the amendments to the Zoning Ordinance No. 10, as defined above.

Ayes: All

Absent: Weih

The hearing closed at 9:05 a.m.

Discussion was held with Phil La Rue, Environmental & Zoning Director regarding flood plain regulations, zoning, possible wetland sites, and flood elevation determination benchmarks for the County. Chairperson Bell noted the flood plain regulations are being

amended to fulfill requirements for the flood buyout. Concerning the flood elevation determinations, Phil La Rue noted the County Engineer cannot use Secondary Road funds for work outside the right-of-way. Members of the Board felt the benchmarks would assist with matters concerning such things as the Geographic Information System, utilities and Secondary Road projects.

Auditor Gritton met with the Board to discuss a proposed FY09-10 County budget amendment. Connie Fett, CPC administrator was in attendance. Gritton reviewed the proposed amendment. Connie Fett explained the need to amend the portion of the budget used for substance abuse expenses. Fett noted the County Attorney has suggested that a policy be put in place to address substance abuse cost recoupments. Fett noted certain items are mandated by the Code of Iowa to be paid. Discussion was held.

Moved by Sup. Boedeker seconded by Sup. Deerberg to set September 14, 2009 at 9:00 a.m. as the time for a public hearing on the proposed FY09-10 County budget amendment.

Ayes: All
Absent: Weih

Moved by Sup. Deerberg seconded by Sup. Moeller to approve Claim Checks #371962 - #372185.

Ayes: All
Absent: Weih

Moved by Sup. Boedeker seconded by Sup. Moeller to approve issuance of Handwritten Check #372189 dated 8-20-2009 to Linn County Lifts in the amount of \$84.00.

Ayes: All
Absent: Weih

The Board departed at 10:15 a.m. to tour the Law Enforcement Center. Sheriff Wethington met with the Board. Wethington noted projects he is considering. Discussion was held.

It was noted Handwritten Check #372186 dated 8/20/09 was issued to the Cedar County Treasurer in the amount of \$1,407.52, for an Administrative Solutions, Inc. flex claims electronic deposit.

It was noted Handwritten Check #372187 dated 8/20/09 was issued to the Cedar County Treasurer in the amount of \$4,574.88, for an Administrative Solutions, Inc. partial self funded claims electronic deposit.

It was noted Handwritten Check #372188 dated 8/20/09 was issued to the Cedar County Treasurer in the amount of \$1,748.36, for an Administrative Solutions dental claims electronic deposit.

On motion, the Board adjourned at 11:20 A.M., to August 24, 2009.

Cari Gritton, Auditor

Jon E. Bell, Chairperson

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., August 24, 2009 with the following members present: Boedeker, Deerberg, Moeller, Chairperson Bell. Sup. Weih was absent.

The Board recited the Pledge of Allegiance.

The Board acknowledged receipt of a Manure Management Plan Annual Update from Del DeWulf.

The Board acknowledged receipt of a petition to engage services from Advanced Correctional Healthcare, submitted by Jenni Tholen, Jail Administrator.

Moved by Sup. Moeller seconded by Sup. Deerberg to adopt the following amendments to the Cedar County Zoning Ordinance Number 10 and upon publication the same shall be in effect:

1. Chapter 3, General Regulations And Provisions, Section 21, Flood Plain Regulations, Paragraph A, Interpretations, sentence two; after the words, Official Flood Insurance Rate Map, Add: “and the Flood Recovery Map”.
2. Chapter 20, Flood Plain Management, Section 2, General Provisions, Subsection B, Rules for Interpretation of Flood Plain District, sentence one; after the words, Official Flood Insurance Rate Map, Add: “and the Flood Recovery Map”.
3. Chapter 20, Section 2, Subsection B, Rules for Interpretation of Flood Plain District, Add: “In the event of a conflict between the Flood Insurance Rate Map and the Flood Recovery Map, the more stringent map shall be used”.
4. Chapter 20, Section 3, Establishment of Flood Plain (OVERLAY) District, sentence two; after the words, Flood Insurance Rate Map, Add: “and the Flood Recovery Map”.
5. Chapter 20, Section 9, Definitions, Add new definition: “ Flood Recovery Map – The map which is part of the flood data analysis report for Cedar County published by the Federal Emergency Management Agency on October 3, 2008. The Flood Recovery Map provides a delineation of the lands that would be inundated by the 100-year flood and is produced using approximate mapping methods. It is used for the determination of lands that are subject to flood hazards.”
6. Chapter 20, Section 9, Definitions, Special Flood Hazard Area, sentence two, after the words, Flood Insurance Rate Map, Add: “and the Flood Recovery Map”.

Ayes: All

Absent: Weih

Sup. Deerberg gave a report on the Courthouse exterior doors project. Brief discussion was held.

Phil La Rue, Zoning Director met with the Board to set public hearing dates to review a zoning petition.

Moved by Sup. Boedeker seconded by Sup. Deerberg to set September 24 & 28, 2009 at 9:00 a.m. to review/consider the following:

Bill Banta, 2054 Atalissa Road, Atalissa (Contract Buyer) and Jerry and Barbara Wood, 1985 Atalissa Road, Atalissa (Owners) – Requesting a change in zoning from A-1 Agricultural to R-1 Suburban Residential for the purpose of constructing a home on Lot 2, Wood’s Rock Creek Addition, located in the E ½, NW ¼, SE ¼ and the W ½, NE ¼, SE ¼, Section 2, T-79N, R-3W, in Rochester Township, consisting of 3.16 acres more or less.

Ayes: All

Absent: Weih

Moved by Sup. Deerberg seconded by Sup. Moeller to approve the Board Minutes of August 20, 2009.

Ayes: All

Absent: Weih

County Attorney Benz met with the Board, as requested, to discuss correspondence the Board would like him to send to the owner of property referenced in a letter from Russ Thomas (as discussed by Phil La Rue, Nicole Turpin with E.C.I.A. and the Board of Supervisors on 8-13-09), concerning the flood buyout and requirements if the buyout is not accepted.

Evelyn Straub met with the Board to discuss a bill she received from the Cedar County Public Health Department. Stacy Campion and Amy Wehde of the Public Health Department joined the discussion.

On motion, the Board adjourned at 10:52 A.M., to August 27, 2009.

Cari Gritton, Auditor

Jon E. Bell, Chairperson

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., August 27, 2009 with the following members present: Deerberg, Moeller, Weih and Chairperson Pro Tem Boedeker. Chairperson Bell was absent.

Bruce Barnhart observed during the meeting.

The Board recited the Pledge of Allegiance.

The Board viewed correspondence from Sheriff Wethington regarding the hiring of Cory Barclay for a Correctional Officer position.

The Board viewed correspondence from Amy L. Wehde, Cedar County Public health regarding the hiring of Marcie Coss, Direct Care Worker at \$9.50/hr effective 8-24-09.

The Board viewed correspondence from Mike Dauber, Director, Cedar County Conservation Board regarding the hiring of Lukas Gottschalk, Park Technician at \$12.00/hr effective 8-24-09.

The Board viewed a Media Release from Secretary of State Mauro reminding Iowans of the city election filing periods.

The Board acknowledged receipt of copies of correspondence to Melissa Ann Thomas from Nicole Turpin of the East Central Intergovernmental Association and County Attorney Benz regarding property at 108 W. Rochester Avenue and the Community Development Block Grant Program Property Acquisition application to voluntarily acquire properties located in the flood plain.

The Board acknowledged receipt of correspondence from Bruce Barnhart to Phil La Rue regarding the schedule for the Public Assistance demolition project.

The Board acknowledged receipt of correspondence from Renee M. Hogan, Vice-President of the Animal Care League, requesting a meeting to hear input, ideas and address concerns.

The Board acknowledged receipt of amendment #5 to State of Iowa Plan #1 for Disaster Recovery from the Iowa Department of Economic Development.

The Board acknowledged receipt of a Proclamation by the President of the United States of America regarding the death of Senator Edward M. Kennedy.

Engineer Fangmann met with the Board to review a Utility Permit Application for Iowa Telecom to replace a defective copper cable along Hoover Hwy north of Lowden. Discussion was held.

Moved by Sup. Weih seconded by Sup. Deerberg to approve and authorize Chairperson Pro Tem Boedeker to sign a Utility Permit Application for Iowa Telecom, as presented.

Ayes: All

Absent: Bell

The Engineer gave project updates. He noted water is over the road on Union Avenue south of I80. Fangmann reviewed staff changes. The fence that was in the right-of-way in Cedar Bluff has been removed. A driveway to a hog building on Monroe Avenue south of Tipton will be reworked. The contractor for the Franklin Avenue bridge project by West Liberty will try to start the project on October 2nd, but Fangmann felt the weather may push the project to February or March. Fangmann noted he will be presenting a bridge embargo resolution concerning several structures. He reviewed bridges that will be embargoed. Funding was discussed. General discussion was held.

Moved by Sup. Deerberg seconded by Sup. Moeller to approve the Board Minutes of August 24, 2009.

Ayes: All
Absent: Bell

Nicole Turpin of the East Central Intergovernmental Association telephoned the Board to discuss a letter to the Department of Natural Resources concerning the Public Assistance Demolition project. The call was transferred to the conference phone. Bruce Barnhart of Barnhart's Custom Services was in attendance. The draft of a letter to Marion Burnside with the Iowa D.N.R. was reviewed. Nicole Turpin told the Board that Mr. Burnside called her to discuss the demolition project. He indicated that a structural engineer would need to do inspections. Turpin said she spoke to Bruce Jeffryes at Iowa Homeland Security regarding this matter. Reference was made to a letter dated July 2, 2008 from Richard A. Leopold, Director of the Iowa Department of Natural Resources and Patrick Hall, State Coordinating Officer of the Iowa Department of Homeland Security. Turpin noted she followed FEMA guidelines. She told the Board that Iowa Homeland Security is sending a letter to the D.N.R. for clarification concerning this matter. Discussion continued. Nicole Turpin felt that sending the letter to Mr. Burnside was all that could be done at this time, and she hoped the matter would be resolved shortly. Turpin felt the letter meets guidelines. Sup. Weih wondered what the timeframe would be if they had to hire a structural engineer to do inspections. Turpin wasn't sure, but she assumed the cost of an inspector would be an eligible expense under the FEMA Public Assistance Program. She felt the issue is whether we have to do the structural engineer inspections or not. Turpin noted she couldn't find anything that states we have to have inspections by a structural engineer. She said reference was made by Mr. Burnside to the Federal Registry, but she and others at ECIA couldn't find anything about it in the section referred to in the Federal Registry. Further discussion was held. County Attorney Benz entered the room while discussion was in progress. Chairperson Pro Tem Boedeker said he could call Richard A. Leopold at the Iowa D.N.R. Nicole Turpin indicated that would be okay. The call with Turpin concluded. Brief discussion was held.

Moved by Sup. Deerberg seconded by Sup. Moeller to approve and authorize Chairperson Pro Tem Boedeker to sign the letter to Marion Burnside at the Iowa D.N.R. regarding the inspection of the structures to be demolished under the Public Assistance Demolition Program.

Ayes: All
Absent: Bell

Nicole Turpin telephoned the Board to tell them that she received a call from Bruce Jeffryes of Iowa Homeland Security. He indicated that the letter to Mr. Burnside at the Iowa D.N.R. will suffice for the Public Assistance Demolition Project.

County Attorney Benz briefly met with the Board to discuss the Administrative Plan for the flood buyout project. This matter was placed on the Board's August 31st agenda.

Phil La Rue, Environmental & Zoning Director briefly met with the Board for general discussion.

Moved by Sup. Weih seconded by Sup. Moeller to approve the renewal of a Class C Beer Permit with Sunday Sales for Pilot Travel Center #496.

Ayes: All
Absent: Bell

Discussion was held regarding the Courthouse exterior doors replacement project.

Moved by Sup. Weih seconded by Sup. Deerberg to approve Payroll Checks #137237-#137405 for the period ending 8-22-09 and to be paid on 8-28-09.

Ayes: All
Absent: Bell

It was noted Handwritten Check #372190 dated 8/27/09 was issued to the Cedar County Treasurer in the amount of \$386.82, for an Administrative Solutions, Inc. flex claims electronic deposit.

It was noted Handwritten Check #372191 dated 8/26/09 was issued to the Cedar County Treasurer in the amount of \$2,945.23, for an Administrative Solutions, Inc. partial self funded claims electronic deposit.

It was noted Handwritten Check #372192 dated 8/27/09 was issued to the Cedar County Treasurer in the amount of \$2,548.46, for an Administrative Solutions dental claims electronic deposit.

The Board noted Handwritten Check #372193 dated 8/26/09 was issued to Tipton Family Practice in the amount of \$93.00 as an administrative correction.

On motion, the Board adjourned at 10:32 A.M., to August 31, 2009.

Cari Gritton, Auditor

Dennis Boedeker, Chairperson Pro Tem

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., August 31, 2009 with the following members present: Boedeker, Deerberg, Weih and Chairperson Bell. Sup. Moeller was absent.

The Board recited the Pledge of Allegiance.

The Board viewed a news release regarding the reaction of counties to the Department of Human Services Director's comments concerning control over mental health systems.

The Board viewed a "Report of Veteran Affairs" for the month ending 8-26-09.

The Board acknowledged receipt of Manure Management Plan Annual Updates from Allen Wiese and TSM Farms (Todd Mente).

The Board acknowledged receipt of correspondence from Michael L. Tramontina, Director, Iowa Department of Economic Development informing them that the I.D.E.D. intends to award a Supplemental Community Development Block Grant for Disaster Recovery to Cedar County in an amount not to exceed \$373,904 for acquisition of flood damaged properties.

County Attorney Benz met with the Board to discuss the draft of an Administrative Plan with exhibits for the 2009 Cedar County Hazard Mitigation Flood Buyout Project. He reviewed his concerns with the Board. A call was placed to Darwin Polk at the East Central Intergovernmental Association. Atty. Benz relayed his concerns. Mr. Polk indicated he would make the changes and research the Clean Closure Certificate. He will send a revised draft for the Board's review.

Moved by Sup. Weih seconded by Sup. Deerberg to set November 2, 2009 at 9:00 a.m. as the time to open sealed bids for the rental of the Care Facility farm land.

Ayes: All

Absent: Moeller

Moved by Sup. Weih seconded by Sup. Boedeker to approve the following new hire:

Sheriff's Department

Cory Barclay, Correctional Officer at \$13.36/hr effective 8-26-09.

Ayes: All

Absent: Moeller

Moved by Sup. Deerberg seconded by Sup. Boedeker to approve the Board Minutes of August 27, 2009.

Ayes: All

Absent: Moeller

Moved by Sup. Boedeker seconded by Sup. Weih to set the FY09/10 COBRA health insurance rates and deductible as follows:

Deductible: \$3,500

Rates: Single \$ 407.44

Two-Person \$ 764.16

Family \$1,206.00

Ayes: All

Absent: Moeller

Discussion was held regarding the Courthouse exterior doors project.

On motion, the Board adjourned at 10:12 A.M., to September 3, 2009.

Cari Gritton, Auditor

Jon E. Bell, Chairperson

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., September 3, 2009 with the following members present: Boedeker, Deerberg, Weih and Chairperson Bell. Sup. Moeller was absent.

The Board recited the Pledge of Allegiance.

The Board viewed correspondence from County Attorney Benz regarding the hiring of Janelle Axline for a Secretary position and the movement of Michelle Cady to a Legal Assistant position.

The Board acknowledged receipt of correspondence from Nicole Turpin, East Central Intergovernmental Association regarding a response from Russ Thomas concerning property at 108 W. Rochester.

Jane Pike met with the Board to request a property tax abatement on property in the name of her mother Marcella Netolicky, due to the 2008 flood damage. Assessor Lett was in attendance. Pike presented documentation and requested abatement of the taxes on the parcel where the house is located. She noted there have been no improvements made and no FEMA funding has been received. At Sup. Weih's request, Pike explained why she did not participate in the flood buyout. Her mother was not living in the house at the time of the flood, therefore FEMA indicated the farm house was considered a second residence. She appealed that determination. The property was viewed and it was determined that it is an 1890 property so it had historical or archeological significance. Pike told the Board that now if there is a buyout available for the property, the full ten acres would go. She noted one building, a corn crib, has historical significance. Pike does not want to give up the full ten acres. Nicole Turpin at E.C.I.A. has looked at Block Grant funding, but there is still a restriction on the land. Pike has been waiting for a surveyor to get back to her regarding a site elevation determination for the flood plain. Sup. Deerberg asked the Assessor if the value for 2009 has changed. Assessor Lett said yes, that the total value on the parcel with the dwelling is now approximately \$13,000. Pike noted the property is still in an estate, and there has not yet been a change of ownership. Chairperson Bell felt that this is just the start of the tax abatement issue, and this matter will be discussed by the entire Board. Jane Pike had no problem with her brother's trailer being demolished. She noted the property is in the Tipton School District. Chairperson Bell hoped the Board can make an informed decision fairly quickly, before the end of this month. Jane Pike felt it is essential that people are informed that if they don't pay the taxes, they don't qualify for the buyout program. Chairperson Bell noted that is why he brought that matter up at the buyout meeting that E.C.I.A. held with property owners on September 2nd. Sup. Weih asked if anyone at that meeting indicated they had already paid their property taxes. Sup. Deerberg said that Bob Krall did. Jane Pike left the room.

Chairperson Bell asked Assessor Lett to compile a list of those with verified damage or that made contact with him concerning 2008 flood damage. Discussion was held. Phil La Rue entered the room. Bell would like to cross-reference that list with information from E.C.I.A., Environmental Director Phil La Rue and Emergency Management Director Malott to come up with a master list. Chairperson Bell would like to have a "worse case scenario" using that list. Assessor Lett has heard that other Assessors are not changing the value on the land.

Phil La Rue, Environmental & Zoning Director briefly met with the Board for general discussion.

County Attorney Benz met with the Board to review the revised draft of an Administrative Plan with exhibits for the 2009 Cedar County Hazard Mitigation Flood Buyout project. Discussion was held. Benz recommended that the County receive abstracts for properties purchased through the buyout.

Moved by Sup. Weih seconded by Sup. Boedeker to approve the following new hire:
County Attorney's Office

Janelle Axline, Secretary at \$12.20/hr effective 9-11-09.

Ayes: All

Absent: Moeller

The Board met with department heads to discuss any problems or concerns they might have. Those in attendance were: Dan Lett, Amy Wehde, Carolyn Wood, Cari Gritton, Sterling Benz, Rob Fangmann, Charline Thumm, Gary Jedlicka, Patty Hamann, Tim Malott, Julie Tischuk and Connie Fett. Assessor Lett reported that the G.I.S. project will possibly be turned over to the County in January or February. He reviewed the equalization and rollback orders from the State. Amy Wehde noted there will likely be an employee flu vaccine clinic on October 8th. Carolyn Wood will give the Board information concerning the cost per dose last year and for the current year. Amy Wehde reviewed the priorities for the H1N1 flu vaccine. They do not yet have vaccine for that type of flu. Wehde noted that she and Patty Hamann heard a presentation concerning an Iowa Prescription Drug Association medication voucher program, but Wehde still has questions concerning the program. Carolyn Wood said the Public Health Office received a call from an individual that told her a person approached her about cancer insurance and indicated they were somehow associated with Cedar County. Wood was advised to notify the Sheriff. Auditor Gritton reminded everyone about the School Election on Sept. 8th. Engineer Fangmann gave project updates. Recorder Thumm gave a deer license update. She noted there will be passport changes involving bookkeeping and mailing. The D.N.R. LII system has been postponed. Thumm noted the Department of Revenue is offering a credit card system through Iowa Land Records. Cedar County will be a pilot county for the project, so we will have no equipment expense. We will also be a pilot county for the electronic declaration of values project. The Department of Public Health has placed a terminal in the Recorder's Office so that people may view records in other counties, and perhaps in the future Cedar County will be able to issue vital records certificates for other counties. ATV and snowmobiles are due for renewal this year. Treasurer Jedlicka noted it is time to pay the first half of property taxes. Patty Hamann, General Assistance Dir./Veteran Affairs Secr. noted she will be at a PTSC conference in Des Moines on Sept. 17th and an ESRG meeting in Monticello on Sept. 24th. EMA Director Tim Malott gave a report on the issuance of 911 signs and upcoming training sessions. NIMS training will be held here on Sept. 17th. Malott noted the 100 & 700 training is required for all elected officials. If they do not complete the training, we are in jeopardy of not receiving State and Federal grant funding. He is working on hazard mitigation plans. Connie Fett reported that she has recently received phone calls from individuals wanting to talk to County employees. Not knowing the intent of the caller, Fett has not forwarded the calls. Chairperson Bell gave a report on the Courthouse exterior doors replacement project. Discussion was held regarding the doors and security options. Several in attendance voiced their opinions concerning this matter.

Treasurer Jedlicka remained in the room, at the Chairperson's request, to discuss property tax abatement. Rob Fangmann was in attendance. Chairperson Bell wondered what the process would be if taxes have already been paid on flood-damaged property. Treasurer Jedlicka referenced the possibility that a Certificate of Adjustment could be issued. He will discuss the matter with Auditor Gritton. It was again noted that if an individual's property is in the flood buyout, the property taxes must be paid.

Engineer Fangmann met with the Board to update them on his discussion with Dan Treimer regarding signs to block roads during a celebration in the Rochester unincorporated area. The County will not provide signs or barricades. Chairperson Bell wondered how the County could accommodate these celebrations. The Engineer advised that an ordinance would need to be approved. Discussion was held. Engineer Fangmann told Mr. Treimer that the roads would need to be shut down per MUTCD guidelines. The Board told the Engineer to proceed with an ordinance. In other business, Sup. Boedeker said he had been approached by someone concerning the road closure south of old Hwy 30 on Rose Avenue. Two ambulance drivers live there and are wondering if a runaround could be made so they don't have to drive a farther distance when they receive an ambulance call. Engineer Fangmann indicated he does not want residents or others not involved in the project in the work zone.

Moved by Sup. Deerberg seconded by Sup. Weih to approve and adopt the following resolution:

RESOLUTION

A RESOLUTION APPROVING THE ADMINISTRATIVE PLAN
FOR THE 2009 CEDAR COUNTY HAZARD MITIGATION PROJECT

WHEREAS, CEDAR COUNTY, has received a 2009 Hazard Mitigation Grant from the Iowa Homeland Security and Emergency Management Division (hereinafter called IHSEMD); and

WHEREAS, CEDAR COUNTY, has contracted with the East Central Intergovernmental Association (hereinafter called the ECIA) to provide certain technical and professional services for grant administration of Cedar County's Hazard Mitigation Project, Grant Agreement No. HMGP-DR-1763-0040 01, Project No. DR-1763-16-01 between Cedar County, the IHSEMD, and ECIA; and

WHEREAS, the IHSEMD requires the preparation of an Administrative Plan that details the administration of these grants; and

WHEREAS, Cedar County, with the assistance of the East Central Intergovernmental Association, has drafted an administrative plan to meet this requirement.

NOW, THEREFORE, BE IT RESOLVED, The Cedar County Board of Supervisors hereby approves and adopts the Administrative Plan for the Cedar County Hazard Mitigation Grant project as presented by Cedar County.

Ayes: Weih, Deerberg, Boedeker, Bell

Absent: Moeller

Moved by Sup.Boedeker seconded by Sup. Deerberg to approve the Board Minutes of August 31, 2009.

Ayes: All

Absent: Moeller

Moved by Sup. Deerberg seconded by Sup. Boedeker to approve Claim Checks #372194 - #372372.

Ayes: All

Absent: Moeller

It was noted Handwritten Check #372373 dated 9/3/09 was issued to the Cedar County Treasurer in the amount of \$1,660.71, for an Administrative Solutions, Inc. flex claims electronic deposit.

It was noted Handwritten Check #372374 dated 9/3/09 was issued to the Cedar County Treasurer in the amount of \$4,093.63, for an Administrative Solutions, Inc. partial self funded claims electronic deposit.

It was noted Handwritten Check #372375 dated 9/3/09 was issued to the Cedar County Treasurer in the amount of \$958.60, for an Administrative Solutions dental claims electronic deposit.

It was noted the Board would not be meeting on Monday, September 7, 2009 due to observance of the Labor Day holiday.

On motion, the Board adjourned at 10:10 A.M., to September 10, 2009.

Cari Gritton, Auditor

Jon E. Bell, Chairperson

The Cedar County Board of Supervisors met in regular session at 7:45 A.M., September 10, 2009 with the following members present: Boedeker, Deerberg, Moeller, Weih and Chairperson Bell.

The Board recited the Pledge of Allegiance.

The Board viewed a report of fees collected for the month of August 2009 submitted by the Clerk of the District Court.

The Board acknowledged receipt of correspondence and Notice of Interest form from Tim Malott, Emergency Management Director regarding Hazard Mitigation Grant Planning funds.

The Board acknowledged receipt of the minutes of the August 12, 2009 meeting of the Cedar County Fair Association.

The Board acknowledged receipt of correspondence from the Iowa Homeland Security and Emergency Management Division regarding reporting requirements for the Community Disaster Grant.

The Board acknowledged receipt of a Manure Management Plan Annual Update for Steve Crock.

Tim Malott, Emergency Management Director met with the Board to discuss a Hazard Mitigation Plan. The County's single plan will expire towards the end of June 2010. Malott noted the State is pushing multi-jurisdictional plans. Such a plan could include the entire county. Malott noted the Cities of Bennett, Clarence, Stanwood and Durant are in the process of renewing their single plans. Discussion was held. Tim Malott told the Board the East Central Intergovernmental Association would prepare a multi-jurisdictional plan for an amount of \$65,000. Robin Reese of Emergency Planning Consultants would prepare a multi-jurisdictional plan for an amount of \$45,000. State grant funding is available. There would be a cost share by the County/entities that would likely be met by attendance at planning meetings. Further discussion was held. Chairperson Bell felt the concept of the multi-jurisdictional plan would need to be communicated to the cities. The cities wouldn't have to participate in the plan.

Moved by Sup. Weih seconded by Sup. Moeller to have Emergency Planning Consultants proceed with the process of preparing a multi-jurisdictional Hazard Mitigation Plan for an amount of \$45,000.

Ayes: All

Moved by Sup. Boedeker seconded by Sup. Moeller to send a Notice of Interest for Hazard Mitigation Grant Program Planning Funds concerning a multi-jurisdictional plan.

Ayes: All

The cost per dose for flu vaccine for Cedar County employees would be \$9.77. Last year the cost was \$9.50/dose.

Moved by Sup. Boedeker seconded by Sup. Deerberg to approve payment for employees' flu shots for the year 2009.

Ayes: All

Moved by Sup. Weih seconded by Sup. Boedeker to approve the following payroll status change:

County Attorney's Office

Michele Cady, from Secretary to Legal Assistant @ \$17.29/hr effective 9-11-09.

Ayes: All

Moved by Sup. Deerberg seconded by Sup. Weih to appoint Trisha Gottschalk to the County Director position for the Eastern Iowa Tourism Association.

Ayes: All

It was noted that Sup. Weih would serve as the County Alternate for the Eastern Iowa Tourism Association.

Engineer Fangmann met with the Board to review a proposed Bridge Embargo Resolution. Discussion was held.

Moved by Sup. Weih seconded by Sup. Deerberg to approve and adopt the following resolution:

**BRIDGE EMBARGO
RESOLUTION**

WHEREAS: The Board of Supervisors is empowered under authority of Sections 321.236 Sub. (8), 321.471 to 321.473 to prohibit the operation of vehicles or impose limitations as to the weight thereof on designated highways or highway structures under their jurisdiction, and

WHEREAS: the Cedar County Engineer has caused to be completed the Structure Inventory and Appraisal of certain Bridge Inspection Standards and has determined (or it has been determined) that they are inadequate for two-lane legal loads at allowable operating stress.

NOW, THEREFORE, BE IT RESOLVED by the Cedar County Board of Supervisors that vehicle and load limits be established and that signs be erected advising of the permissible maximum weights thereof on the bridge listed.

Bridge Number 103040 on Stone Mill Road over Rock Creek in Section 13, T80N, R3W of Center Township be limited as follows:

Load Limit 28, 40, 40 Ton for One Truck on Bridge posting

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

Moved by Sup. Deerberg seconded by Sup. Weih to approve the Board Minutes of September 2, 2009.

Ayes: All

Moved by Sup. Boedeker seconded by Sup. Moeller to approve Payroll Checks #137406 - #137569 for the period ending 9-5-09 and to be paid on 9-11-09.

Ayes: All

It was noted Handwritten Check #372376 dated 9/10/09 was issued to the Cedar County Treasurer in the amount of \$811.75, for an Administrative Solutions, Inc. flex claims electronic deposit.

It was noted Handwritten Check #372377 dated 9/10/09 was issued to the Cedar County Treasurer in the amount of \$1,577.25, for an Administrative Solutions, Inc. partial self funded claims electronic deposit.

It was noted Handwritten Check #372378 dated 9/10/09 was issued to the Cedar County Treasurer in the amount of \$1,077.60, for an Administrative Solutions dental claims electronic deposit.

The Board departed to attend a Heartland Insurance Risk Pool Employment Practices Seminar.

On motion, the Board adjourned at 8:15 A.M., to September 11, 2009.

Cari Gritton, Auditor

Jon E. Bell, Chairperson

The Cedar County Board of Supervisors met in special session at 10:00 A.M., September 11, 2009 with the following members present: Deerberg, Weih and Chairperson Pro Tem Boedeker. Chairperson Bell and Sup. Moeller were absent.

The Board recited the Pledge of Allegiance.

The Board convened as a Canvass Board to canvass votes cast in the School Election on September 8, 2009. Auditor Gritton and Tarah Gates, Election Deputy were in attendance.

Thereupon the returns from the precincts were opened and examined with the following results determined:

BENNETT COMMUNITY SCHOOL – Devin Moeller, Chad Petersen and David W. Rixe were determined to be elected.

DURANT COMMUNITY SCHOOL – Brian Fargo and Joel Meincke were determined to be elected.

NORTH CEDAR COMMUNITY SCHOOL – Brent R. Montz, Tessa R. Holst and Tim Drewelow were determined to be elected.

TIPTON COMMUNITY SCHOOL – William O. Schwitzer and Diane Wallick were determined to be elected. Public Measure A-The proposition did pass.

WEST BRANCH COMMUNITY SCHOOL – Carolyn Harold and Mike Owen were determined to be elected. Public Measure FF-The proposition did pass.

EASTERN IOWA COMMUNITY COLLEGE DISTRICT (Merged Area IX) – Public Measure D=

There were 205 votes cast for the public measure.

There were 87 votes cast against the public measure.

KIRKWOOD COMMUNITY COLLEGE DISTRICT (Merged Area X) – Public Measure BB=

There were 715 votes cast for the public measure.

There were 119 votes cast against the measure.

On motion, the Board adjourned at 10:17 A.M., to September 14, 2009.

Cari Gritton, Auditor

Dennis Boedeker, Chairperson Pro Tem

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., September 14, 2009 with the following members present: Deerberg, Moeller, Weih and Chairperson Bell. Sup. Boedeker was absent due to his participation in an Eastern Iowa Rural Utility Service Systems conference call.

The Board recited the Pledge of Allegiance.

The Board viewed correspondence from Auditor Gritton regarding a payroll change for Bob Klemme, Head Custodian.

The Board viewed correspondence from Julie Tischuk, Director, Case Management regarding the hiring of Kim Dahnke for a Case Manager position.

The Board noted correspondence from Amy Wehde, Deputy Director, Cedar County Public Health regarding a payroll change for Barbara Jones, Direct Care Worker, from \$9.75/hr to \$10.00/hr effective 9-16-09.

Moved by Sup. Deerberg seconded by Sup. Weih to approve the following payroll change:

Sheriff's Department

Elisabeth Remetch, Correctional Officer, from \$15.01/hr to \$15.70/hr effective 9-26-09.

Ayes: All

Absent: Boedeker

Sup. Boedeker returned to the room.

Discussion was held regarding a possible abatement of property taxes on 2008 flood-damaged properties. Chairperson Bell suggested meeting with the School Boards that might be involved if a decision is made to abate taxes.

This being the time set for a public hearing to consider a FY2009-2010 County budget amendment. Chairperson Bell read the legal notice. Auditor Gritton was in attendance. It was noted there are no written or verbal objections on file. Review and discussion were held.

Moved by Sup. Boedeker seconded by Sup. Deerberg to adopt the FY2009/2010 County budget amendment, as presented.

Ayes: Boedeker, Deerberg, Moeller, Weih, Bell

The hearing concluded at 9:05 a.m.

Moved by Sup. Moeller seconded by Sup. Boedeker to approve and adopt the following resolution:

APPROPRIATIONS RESOLUTION

BE IT RESOLVED this 14th day of September 2009, to change the Appropriation made July 1, 2009 for the following department for Fiscal year 2009-2010.

County Attorney – From \$267,712 to \$276,712
(220,889 Fund 01000; 55,823 Fund 02000)

Veteran Affair – From \$53,319 to \$63,319
(58,849 Fund 01000; 4,470 Fund 02000)

Substance Abuse – From \$4,200 to \$19,200
(19,200 Fund 02000)

Conservation – From \$255,635 to \$339,471
(299,280 Fund 01000; 24,466 Fund 02000; 2,725 Fund 26000
13,000 Fund 71000)

Reap – From \$21,300 to \$27,000
(26,500 Fund 01000; 500 Fund 02000)

Environmental & Zoning – From \$204,040 to \$199,264
(102,671 Fund 01000; 36,232 Fund 02000; 60,361 Fund 11000)

Non-Departmental – From \$2,274,308 to \$5,506,993
(205,455 Fund 01000; 219,541 Fund 02000; 1,713,812 Fund 11000;
57,000 Fund 27000; 35,000 Fund 28000; 37,000 Fund 28001; 6,500 Fund
28002; 3,232,685 Fund 34000)

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

Discussion was held with Auditor Gritton and Assessor Lett regarding a possible abatement of property taxes on 2008 flood damaged properties. Deputy Assessor Manson was in attendance. After the flood, Assessor Lett sent letters and postcards to property owners that may have been affected by the flood. The valuations were lowered on 60 properties due to flood damage. It was noted values could have been raised due to repairs. Some members felt if an abatement is done, it should only be on the valuation difference. Sup. Boedeker felt if property owners received other funding due to the flood, that shouldn't enter into this matter. It was noted that those in the buy-out are required to pay the taxes. Auditor Gritton noted the first half of taxes that are due in September are for the first half of the 2008 calendar year. Assessor Lett noted that if a resident was there on January 1st, it's like they were there all calendar year. Auditor Gritton noted she can't do a Change of Adjustment on taxes already paid. Sup. Bell wondered about issuing a credit for future taxes. The flood occurred in mid-June. The consensus of the Board was that they would be willing to consider an abatement of property taxes for the second half taxes that will be due in March 2010. Sterling Benz and Connie Fett entered the room. The Board asked the Assessor and Auditor for information concerning the pre-flood and post-flood valuations, and the levies, so they can see what the dollar amount would be.

Connie Fett, CPC Administrator and County Attorney Benz met with the Board to discuss a policy concerning reimbursement for costs associated with involuntary commitments. A policy was reviewed. Discussion was held. The Code of Iowa requires that the County pay for the initial evaluation and treatment if an individual is committed. The cost ranges from \$3,000 to \$5,000.

Moved by Sup. Boedeker seconded by Sup. Moeller to approve and adopt the following resolution:

RESOLUTION RELATING TO PAYMENT OF COSTS ASSOCIATED WITH INVOLUNTARY COMMITMENTS UNDER CHAPTER 125 OF THE CODE OF IOWA

WHEREAS, If a person, who is the subject of an involuntary commitment proceeding under Chapter 125 of the Code of Iowa, lacks sufficient funds to pay the reasonable costs of examinations conducted as per Section 80 of Chapter 125 of the Code of Iowa, upon order of the Court, Cedar County shall pay that cost, as well as attorney fees incurred in representing that person upon Court order under Section 78 of Chapter 125 of the Code of Iowa and the Cedar County Sheriff's expenses of transporting that person for the aforesaid evaluations and commitment hearing; and

WHEREAS, If the County's central point of coordination process is followed and if the Court finds a person, who has legal settlement in Cedar County, is a chronic substance abuser and orders that person placed at a state mental health institute or county hospital as per Section 83 of Chapter 125 of the Code of Iowa, Cedar County shall pay the cost of that treatment. Cedar County shall not pay the cost of treatment at facilities other than the state mental health institutes; and

NOW, THEREFORE, BE IT RESOLVED, Pursuant to Section 43 of Chapter 125 of the Code of Iowa and Section 15 of Chapter 230 of the Code of Iowa, the County Auditor, subject to the direction of the Board of Supervisors, shall seek reimbursement from any

person for whom sums were expended by the County for that person's care, maintenance and treatment at a state mental health institute or county hospital.

Ayes: Deerberg, Moeller, Boedeker, Weih, Bell

Chairperson Bell gave an E911/Emergency Management meeting report. He noted rural street signs are to be paid for by the County.

Moved by Sup. Weih seconded by Sup. Boedeker to approve the Board Minutes of September 10, 2009.

Ayes: All

Moved by Sup. Weih seconded by Sup. Deerberg to approve the Board Minutes of September 11, 2009.

Ayes: All

Thelma Hubler met with the Board to request that she and her husband Charles be allowed to rezone 1.08 acres in Section 30 of Pioneer Township from agricultural to residential. They would like to sell the parcel. Mrs. Hubler presented a plat of the parcel. Phil La Rue, Zoning Director was in attendance. He noted that in the 1990's he talked to Charles Hubler about this parcel with the trees and about the possibility of building a house on the 1.08 acres, and La Rue noted prior to 2003 the Hublers owned several acres. A home cannot be placed within 600 feet of a designated hunting area, per County ordinance. The Department of Natural Resources has a hunting area across the road from the 1.08 acres. Since La Rue spoke to Mr. Hubler, several acres has been sold to Alan & Teresa Weets, with the exception of Parcel D (1.08 acres). Thelma Hubler indicated that no one hunts or parks directly across the road from this parcel. La Rue felt that firearms are discharged in that area. Discussion continued. Chairperson Bell noted the options of asking the D.N.R. to move the hunting area to beyond 600 feet from Parcel D, removing the provision from the Zoning Ordinance, or swapping ownership of a parcel with Mr. & Mrs. Weets. Sup. Moeller did not want to remove the provision from the Zoning Ordinance. Chairperson Bell asked Phil La Rue to give Mrs. Hubler contact information for the D.N.R. Thelma Hubler felt she and her husband are paying taxes on something they can't sell. Brief discussion continued. Mrs. Hubler left the room.

Phil La Rue remained in the room for general discussion. He gave updates concerning the flood buy-out program. La Rue and Sup. Boedeker will be viewing the Reichert subdivision for determination of where a well should be placed.

Discussion was held with Auditor Gritton, Assessor Lett, Deputy Assessor Manson, Treasurer Jedlicka and Deputy Treasurer Helmold concerning the possible abatement of property taxes for 2008 flood-damaged properties. Taxes cannot be abated for property covered by flood insurance. Helmold reviewed the tax apportionment process. Taxes that have already been paid have been apportioned to various entities such as schools, cities, etc. Gritton noted a Change of Adjustment could be done in some cases. Sup. Moeller would like to know the funding shortfall for each school district if taxes are abated. Discussion was held. More research will be done concerning this matter. The Board will meet with the Superintendents of the Tipton, West Branch, Wilton and West Liberty Schools on September 21st at 8:30 a.m. to discuss this matter and the effect a tax abatement would have on their revenue.

On motion, the Board adjourned at 11:20 A.M., to September 17, 2009.

Cari Gritton, Auditor

Jon E. Bell, Chairperson

The Cedar County Board of Supervisors met in regular session at 7:45 A.M., September 17, 2009 with the following members present: Boedeker, Deerberg, Moeller, Weih and Chairperson Bell.

The Board recited the Pledge of Allegiance.

The Board acknowledged receipt of a Manure Management Plan Annual Update for Del DeWulf.

Moved by Sup. Weih seconded by Sup. Boedeker to approve the following payroll change:

Courthouse

Bob Klemme, Head Custodian from \$14.45/hr to \$14.80/hr effective 9-8-09.

Ayes: All

Moved by Sup. Deerberg seconded by Sup. Moeller to approve the following new hire:

Case Management

Kim Dahnke, Case Manager at \$15.83/hr effective 10-5-09.

Ayes: All

Moved by Sup. Deerberg seconded by Sup. Weih to approve the Board Minutes of September 14, 2009.

Ayes: All

Tim Malott, Emergency Management Director reported that the Notice of Interest was approved by the State and an invitation to apply for grant planning funds was received, concerning a multi-jurisdictional Hazard Mitigation Plan. A Request for Proposal needs to be done. Malott will take care of the matter. Brief discussion was held.

Chairperson Bell reported on a phone call he received from Dean Wilkerson concerning ditch cleaning and work done in a field earlier this year. The Board will view the area with the Engineer on September 24th.

Moved by Sup. Boedeker seconded by Sup. Moeller to approve Claim Checks #372379 - #372625.

Ayes: All

The Board noted Handwritten Check #372626 dated 9/17/09 to Weland Clinical Lab in the amount of \$30.00 for an administrative correction.

It was noted Handwritten Check #372627 dated 9/17/09 was issued to the Cedar County Treasurer in the amount of \$2,002.42, for an Administrative Solutions, Inc. flex claims electronic deposit.

It was noted Handwritten Check #372628 dated 9/17/09 was issued to the Cedar County Treasurer in the amount of \$7,525.61, for an Administrative Solutions, Inc. partial self funded claims electronic deposit.

It was noted Handwritten Check #372629 dated 9/17/09 was issued to the Cedar County Treasurer in the amount of \$535.00, for an Administrative Solutions dental claims electronic deposit.

The Board departed to attend National Incident Management Systems training.

On motion, the Board adjourned at 8:00 A.M., to September 21, 2009.

Cari Gritton, Auditor

Jon E. Bell, Chairperson

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., September 21, 2009 with the following members present: Boedeker, Deerberg, Moeller, Weih and Chairperson Bell.

The Board recited the Pledge of Allegiance.

The Board acknowledged receipt of the agenda of the October 2, 2009 U.S. Highway 30 Coalition meeting.

The Board acknowledged receipt of a copy of correspondence from Dan Jones, Iowa Homeland Security and Emergency Management System to Phil La Rue, Environmental & Zoning Director regarding a whole house salvage update.

The Board met with Dick Grimoskas, Superintendent of the Tipton Community Schools and Joe Burnett, Superintendent of the Wilton Community Schools to discuss a possible property tax abatement for 2008 flood damaged properties and the effect of such an abatement on their revenue. The Superintendents of West Branch and West Liberty Schools were contacted about this meeting, but were unable to attend. Auditor Gritton, Assessor Lett, Deputy Assessor Manson and Treasurer Jedlicka were in attendance. Chairperson Bell noted no final decision has yet been made concerning a tax abatement. It was noted the Board is considering abating the second half of the property taxes. Information was distributed concerning the "worse case" scenario of the revenue that would not go to the schools in the affected districts. Discussion was held. Mr. Grimoskas and Mr. Burnett left the room.

Discussion continued with the Auditor, Assessor, Deputy Assessor and Treasurer. FEMA funds cannot be used to pay taxes. An Interim Mortgage Assistance Program was discussed. It was noted that some of those on the proposed flood buyout list may already have been given funds to pay their property taxes. It was the consensus of the Board that they would not allow an abatement of the second half taxes, if the first half taxes have not been paid. Discussion was held regarding other possible criteria to check before an abatement is approved, if the Board makes a final decision to allow abatement of property taxes for properties damaged by the 2008 flood. The Auditor will obtain information from Tim Malott, Emergency Management Director, concerning individuals that have received FEMA funds.

The Board held a joint meeting with the Johnson County Board of Supervisors to consider closing and vacating the following described road and right-of-way:
All that part of the Johnson-Cedar County Line Road in Section 18, Township 81 North, Range 04 West of the 5th P.M., Cedar County, Iowa, lying east of the following described line: Commencing at the West Quarter Corner of said Section 18; thence North along the west line of the Northwest quarter of said Section 18 a distance of 47 feet, more or less, to a point of intersection with the said west line of the Northwest quarter and the extension of the southerly right-of-way line of the vacated 185th Street, also being the Point of Beginning of the line herein described:
thence continuing Northerly along the said west line of the Northwest quarter a distance of 1299 feet, more or less, to a point of intersection with the said west line of the said Northwest quarter and the northerly right-of-way line of Johnson County's 145th Street. The Johnson-Cedar County Line road is 66 feet in width. This matter was previously considered at a public hearing on July 30, 2009 at Johnson County. The following were present: Cedar County Engineer Rob Fangmann; Johnson County Supervisors Terrence Neuzil (Chair), Sally Stutsman, Pat Harney and Rod Sullivan; Executive Assistant to the Johnson County Board of Supervisors Andy Johnson, Johnson County Engineer Greg Parker; and Ardeth Wray. Chairperson Bell read the agenda item. Engineer Fangmann addressed the Boards. He summarized previous discussion at the public hearing held on July 30, 2009. Fangmann noted that since that hearing Johnson County has followed their Level B policy, which mimics Cedar County's policy. He referenced the 28E Agreement with Johnson County concerning the maintenance of this segment of road. If the road were to be vacated, a typical easement situation would be that the property would go back to the property established on the peoples' deeds, which may not be down

the center of the current road. Fangmann noted a vacation would affect Michele Platt and the “three sisters” area. He thought that following the Level B policy doesn’t appear to be acceptable to the residents. Fangmann felt upgrading to a Level A road is not necessarily an option. Engineer Fangmann recommended proceeding with vacation of the road. Chairperson Bell asked if Johnson County received any other public comments prior to 5 p.m. on July 30th. Engineer Parker was not aware of any. Sup. Weih asked if there was a utility issue. Fangmann noted Iowa Telecom was present at the public hearing and had expressed concern about maintaining utilities. Sup. Moeller asked if there were residents living along the road. Ardeth Wray noted there is a renter residing there, and a property owner is there part-time. The length of travel for Cedar County to maintain the road is four miles. Sup. Boedeker asked if the vacation is approved, would it follow the center of the road or the property line. Fangmann said the property line, and noted when an easement is vacated, they are giving up the rights for us to be there, which falls upon your property line. Engineer Fangmann presented a drawing that shows both sides of the road and the section line, which typically is where property is described to. He felt that usually residents give each other easements to do work. Fangmann noted that typically there are avenues to pursue to make sure there’s ingress and egress. Sup. Moeller asked Mrs. Wray if she had spoken with her neighbors about easements. Mrs. Wray indicated there have been arguments about maintenance. She indicated she could care less because she doesn’t use the road, but she felt the other property owner needs the road to get in and out. Mrs. Wray felt it is unfair for Michele Platt to be cut off from services or access for herself and her renter. Sup. Moeller noted an easement would have to be legally established and recorded. Mrs. Wray indicated if she puts a fence down the road, there is only one corner where Michele Platt would have access, and it goes into a deep ravine. Ardeth Wray doesn’t feel that she needs to pay half of the rock cost and maintain the road when she doesn’t use it. She did feel that the County owes Michele Platt access to her home. Chair Neuzil reviewed the following options: 1)to vacate as a Level B road collectively; 2)to leave it as a Level B road as is without maintenance; 3)to leave it as a Level B Road and agree to provide maintenance; or 4)to upgrade the road to a Level A service. He felt it would be nice to not have one Board vacate it and one Board not vacate it. He is uncomfortable vacating a road if residents don’t want that, and he noted in this case there are two residents that do not want the road vacated. Chair Neuzil wanted to ask the residents today, if the road is left as a Level B and Johnson County’s policy is followed, would they be okay with that. He wondered would the residents rather have the Level B road remain as is without maintenance, or would they rather have it vacated without maintenance, but either way, the residents would be responsible for maintenance of the road. Ardeth Wray indicated she would like the road left as is, with grading done once or twice per year. She and her family have cut brush along the road. She felt the turnaround would be easier for everyone at the end of the road. Chair Neuzil asked Engineer Parker what the maintenance would be on the Level B road. Engineer Parker noted they would follow the Level B policy, which would include blading one or two times upon request, most likely in the Spring and Fall, and the residents would trim the trees for the equipment. Mrs. Wray noted her ground will be coming out of the C.R.P. and will be farmed next year, so the gates to the field will be needed. Mr. Parker indicated a long-term employee who is now retired had not followed the Level B maintenance policy. Snow and ice are not to be taken care of in the winter. Engineer Fangmann noted that in Cedar County there are residents on a Level B road that maintain a road to a Level A road. Chairperson Bell agreed with Chair Neuzil that the Boards should try to make an identical decision. This road lies in Johnson County’s jurisdiction due to the 28E Agreement, so Bell felt the Cedar County Supervisors would probably look to Johnson County for leadership on this matter. Sup. Harney had concerns with people living there, the bridge being out on the Cedar County side, and not providing adequate access. He felt the residents are being cut off unfairly unless he can be convinced otherwise. Sup. Harney felt at this time they’d be better off with a shared agreement in a 28E Agreement and providing access. A 28E Agreement was previously approved by both boards. Chair Neuzil noted the Johnson County Supervisors are planning to make their official vote on Thursday in Johnson County. Sup. Sullivan indicated the Johnson County Board of Supervisors is split on this matter. He felt that Mrs. Wray has never caused a problem concerning complaining about the level of service. Sup. Sullivan thought the other individual doesn’t accept the policy and has probably taken 50 or 60 hours of Secondary Roads time in terms of demanding the level of service that they don’t provide. He noted there is minimal maintenance on a Level B

road. Mr. Sullivan felt if the individual doesn't accept the policy, then she could take it on as her own driveway, but she won't do that either. He thought the only decision that would be acceptable to her would be paving the road. Sup. Sullivan thought they are here to get rid of the problem because they don't have time to spend on this 200 feet of dirt road. Mrs. Wray felt the only cost to the County would be a load of rock once a year. Chairperson Bell noted the Level B policy doesn't provide for any rock. Sup. Sullivan agreed. He is concerned about what kind of door will be opened if they rock for one of the 10 to 12 residences that they have on Level B roads. Sup. Harney asked if this was a Level B road prior to Cedar County closing the bridge. Sup. Boedeker said yes, noting the Cedar County road was upgraded to a Level A after the bridge was taken out. He reviewed the history of why the bridge was taken out and the road was upgraded. Mrs. Wray stated that at the time that was done they weren't notified, and they lost access to about 12 acres. Sup. Moeller felt adjoining property owners would have been notified. Sup. Stutsman looks at this situation as managing resources, and she felt they don't gain anything by trying to maintain the road and keeping one owner happy. She felt Michele Platt would not be happy with a Level B service road. Sup. Stutsman felt it would be cleaner and better to vacate this, and Platt can then have a private driveway. Sup. Harney wouldn't have a problem with that, except there is not just one owner involved. Mrs. Wray noted if the road is closed, Michele Platt would have to create a new driveway. Chairperson Bell noted that by closing this road, they are not denying anyone access to their property. Engineer Fangmann reviewed a drawing with Sup. Harney to show him where access would be. Chairperson Bell wanted to narrow the options laid out by Chair Neuzil. Chair Neuzil informally asked the Johnson County Supervisors for their thoughts on this matter. Sup. Stutsman and Sup. Sullivan indicated they would like to vacate the road. Chair Neuzil stated he would not want to vacate the road. Sup. Harney indicated he did not want to vacate the road at this time, and he'd have to take a look at the road again. Chair Neuzil noted that until Sup. Harney is ready to make a decision, the matter would be on hold for perhaps a week or two. The Johnson County Supervisors indicated they are not interested in upgrading the road to a Level A or in changing services on the Level B. Chairperson Bell noted the options as leaving the road as a Level B with the policy as is in Johnson County or to vacate the road. Sup. Boedeker said he is never in favor of closing roads, but he felt the Cedar County Supervisors have to follow the Johnson County Supervisors' lead since they maintain the road. He noted Cedar County doesn't want to run around and take care of 200 feet. Sup. Moeller thought Michele Platt had indicated they could give her a couple loads of rock and four years from now they could walk away from the road, and she indicated she'd take care of the road. Sup. Moeller felt the problem is the expected continuation of past maintenance. He referenced a Level C classification, but felt that would not fit in this situation. Sup. Sullivan felt that the Engineer and district person would still be fielding requests. Chair Neuzil wondered if October 1st would be agreeable for making a decision on this matter. Sup. Sullivan felt that the consensus of the Cedar County Supervisors is that they will follow Johnson County's lead on this matter. Sup. Boedeker did not want to jeopardize the 28E Agreement. Sup. Weih agreed. Chair Neuzil said they would put this matter on their October 1st agenda and forward their decision to the Cedar County Board of Supervisors. Chairperson Bell thanked everyone for coming. He felt they want to cooperate and noted they understand the 28E Agreement is a valuable thing.

Engineer Fangmann met with the Board to review the following items:

A Farm to Market transfer for the material testing of Federal Aid projects BROS-C016(70)—5F-16, a bridge replacement project on Taylor Avenue in Section 31 of Massillon Township and STP-S-C016(64)—5E-16, the resurfacing of X30 from West Branch to the Muscatine County Line; right of way contracts for project BROS-C016(71)—5F-16, a bridge replacement project on Washington Avenue in Section 35 of Springfield Township, with Ralph H. Curtis Trust, Thomas Curtis, George Russ, Bethel Russ, David Russ, Gerry Russ and Pearl Russ; a Cedar County Secondary Road Department Snowmobile Route Permit and Agreement with Cedar County Winter Warriors; plans for bridge replacement project #BROS-C016(71)—5F-16 on Washington Ave. in Section 35 of Springfield Township; and Utility Permit Applications.

Engineer Fangmann requested a Farm to Market funds transfer for the material testing of Federal Aid projects BROS-C016(70)—5F-16, a bridge replacement project on Taylor Avenue in Section 31 of Massillon Township and STP-S-C016(64)—5E-16, the

resurfacing of X30 from West Branch to the Muscatine County Line. Discussion was held.

Moved by Sup. Deerberg seconded by Sup. Moeller to authorize the Farm to Market funds transfer as requested by the County Engineer for projects BROS-C016(70)—5F-16 and STP-S-C016(64)—5E-16 and authorize Chairperson Bell to sign the same.

Ayes: All

The County Engineer reviewed proposed right-of-way contracts for the Washington Avenue bridge replacement project. Discussion was held.

Moved by Sup. Weih seconded by Sup. Boedeker to approve and authorize Chairperson Bell to sign right-of-way contracts for permanent easement as follows for project BROS-C016(71)—5F-16, a bridge replacement project on Washington Avenue in Section 35 of Springfield Township:

Thomas L. Curtis	.73 acres	\$3,104.10
Thomas L. Curtis and Sally B. Burgmeier, Trustees of The Ralph H. Curtis Trust	.73 acres	\$3,104.10
George H. Russ, Bethel Russ, David F. Russ, Gerry Russ And Pearl Russ	.84 acres	\$2,458.53

Ayes: All

Moved by Sup. Moeller seconded by Sup. Weih to approve and authorize Chairperson Bell to sign a Secondary Road Department Snowmobile Route Permit and Agreement between Cedar County and the Cedar County Winter Warriors effective 11-1-2009 through 4-1-2010.

Ayes: All

Engineer Fangmann reviewed plans for a bridge project on Washington Avenue. Discussion was held.

Moved by Sup. Boedeker seconded by Sup. Deerberg to approve the plans for bridge replacement project #BROS-C016(71)—5F-16 on Washington Ave. in Section 35 of Springfield Township

Ayes: All

Moved by Sup. Deerberg seconded by Sup. Weih to approve and authorize Chairperson Bell to sign a Utility Permit Application for Iowa Telecommunications Service, Inc. for a line to a new house on Newton Avenue south of 290th Street.

Ayes: All

Moved by Sup. Weih seconded by Sup. Moeller to approve and authorize Chairperson Bell to sign a Utility Permit Application for Linn County REC for work along 250th Street west of Echo Avenue.

Ayes: All

General discussion was held with Engineer Fangmann.

Moved by Sup. Deerberg seconded by Sup. Moeller to approve the Board Minutes of September 17, 2009.

Ayes: All

Discussion was held regarding a possible property tax abatement for 2008 flood-damaged properties. The Board held a conference call with Nicole Turpin of the East Central Intergovernmental Association to ask questions about an Interim Mortgage Assistance Program that could possibly be used by property owners for funds to pay their property taxes. Turpin noted this program is only for individuals in the flood buy-out program. Discussion was held. Turpin noted if property owners received funds through the Jumpstart Program to repair their homes, inspections are done to make sure the work has been done. Sup. Boedeker asked if the County could develop a wetland with buyout property. Turpin noted the uses she is aware of, but didn't know about developing a

wetland. The call concluded. Further discussion was held regarding a possible property tax abatement.

On motion, the Board adjourned at 11:25 A.M., to September 24, 2009.

Cari Gritton, Auditor

Jon E. Bell, Chairperson

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., September 24, 2009 with the following members present: Boedeker, Deerberg, Moeller, Weih and Chairperson Bell.

The Board recited the Pledge of Allegiance.

The Board viewed the July 13, 2009 and August 10, 2009 minutes of the Cedar County Conservation Board.

Nick Shimmin of the West Branch Public Library met with the Board to update them on the County Libraries. General discussion was held which included but was not limited to: the summer programs and how the libraries had seen a surge in circulation this summer. The libraries also received a Community Foundation Grant.

This being the time set for a public hearing to review/consider the following petition: Bill Banta, 2054 Atalissa Road, Atalissa (Contract Buyer) and Jerry and Barbara Wood, 1985 Atalissa Road, Atalissa (Owners) – Requesting a change in zoning from A-1 Agricultural to R-1 Suburban Residential for the purpose of constructing a home on Lot 2 Wood's Rock Creek Addition, located in the E1/2, NW1/4, SE1/4 and the W1/2, NE ¼, Se ¼, Section 2, T-79N, R-3W, in Rochester Township, consisting of 3.16 acres more or less.

Those in attendance were: Phil La Rue, Zoning Director and Bill & Donna Banta. Chairperson Bell read the legal notice. Mr. La Rue noted there are no written or verbal objections on file. Discussion was held. Banta's would have their own private well and sewer.

Moved by Sup. Boedeker seconded by Sup. Moeller to approve the petition by Jerry and Barbara Wood, Atalissa (Owners), as defined above and to waive the second hearing scheduled for 9-28-09.

Ayes: All

The Board left at 9:25 a.m. to meet with Dean Wilkerson at a site along Franklin Avenue in Section 35 of Gower Township to view ditch cleaning and possible field damage. Rob Fangmann, Engineer and Don Barnhart, owner, were also in attendance. Discussion was held regarding the condition of the field and the damage to the fence. The Board walked part of the field in question and agreed that about a 60 foot wide and one half mile long portion of the cornfield was in poor condition. Fangmann said he was willing to bring in black dirt once crops are out of the field.

Julie Tischuk, Case Management Director, and Jennifer Boedeker, Office Manager met with the Board to discuss the FY08-09 Actual Cost Report. Tischuk discussed the 15 minute billing increments and the rate of service provided per unit from Medicaid. The Case Managers are going to have to be on call 24/7. Tischuk does not feel they need this, but it will be mandatory. She will handle the on call herself to see how it works.

Moved by Sup. Boedeker seconded by Sup. Moeller to approve the FY08-09 Actual Cost Report.

Ayes: All

General discussion was held regarding the flood and possible tax abatements.

Moved by Sup. Deerberg seconded by Sup. Boedeker to approve the Board Minutes of September 21, 2009.

Ayes: All

Moved by Sup. Boedeker seconded by Sup. Deerberg to approve Payroll Checks #137570 - #137749 for the period ending 9-19-09 and to be paid on 9-25-09.

It was noted Handwritten Check #372630 dated 9-24-09 was issued to the Cedar County Treasurer in the amount of \$802.36, for an Administrative Solutions, Inc. flex claims electronic deposit.

It was noted Handwritten Check #372631 dated 9-24-09 was issued to the Cedar County Treasurer in the amount of \$813.85, for an Administrative Solutions, Inc. partial self funded claims electronic deposit.

It was noted Handwritten Check #372632 dated 9-24-09 was issued to the Cedar County Treasurer in the amount of \$1,814.78, for an Administrative Solutions dental claims electronic deposit.

On motion, the Board adjourned at 11:35 A.M., to September 28, 2009.

Cari Gritton, Auditor

Jon E. Bell, Chairperson

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., September 28, 2009 with the following members present: Boedeker, Deerberg, Moeller, Weih and Chairperson Bell.

The Board recited the Pledge of Allegiance.

The Board viewed minutes of the September 23, 2009 meeting of the Veteran Affairs Commission, submitted by Patty Hamann, Secretary.

Assessor Lett, Deputy Assessor Manson, Treasurer Jedlicka and Auditor Gritton met with the Board to discuss the possible property tax abatement for 2008 flood-damaged properties. Chairperson Bell reviewed possible stipulations discussed by the Board which included: use of pre-flood less post-flood valuation, must have been owner at time of the flood, first half property taxes must be paid, must be primary residence or a business operating at the time of the loss with proof by a 1040 form, those that received mortgage assistance would not qualify, the amount of insurance received would not be included, and proof of denial of mortgage assistance would be required. Discussion was held. One area of extensive discussion was whether properties included on the proposed buyout list would be included. Sup. Deerberg wondered what the dollar amount of the taxes that might be abated would be. Auditor Gritton said she would review the figures and return to the Board Room. The consensus of the Board was that she should take out the figures for buildings on leased land.

Jenni Tholen, Jail Administrator and Jim Wisor of Advanced Correctional Healthcare met with the Board to discuss healthcare services and value added programs. Sheriff Wethington was in attendance. Mr. Wisor reviewed the services offered. Most of the County's liability would be removed by utilizing their services. A nurse would be on-site six hours per week. Mr. Wisor indicated they would likely hire a nurse locally. Reimbursement would be received by the County for Federal prisoners. The company also offers value added services through a purchase group, which would allow us to access contracts and pricing for the purchase of food and office supplies. All County offices would be able to utilize the purchasing service. Costs were reviewed. Discussion was held. Jenni Tholen felt the services could save taxpayer dollars. Sheriff Wethington agreed. Cedar County can opt out of the contract with a 30-day notice.

Moved by Sup. Boedeker seconded by Sup. Moeller to approve a three-year contract with Advanced Correctional Healthcare, Inc. and authorize Chairperson Bell to sign the same.
Ayes: All

Travis Shepherd of Iowa Film Production Services/Storybench Productions met with the Board to request approval to close portions of Charles Avenue, 250th Street (between Baker and Charles Avenues) and 260th Street west of the City of West Branch for the filming of a movie in October. Engineer Fangmann was in attendance. The partial closures would be during a few daytime hours. They would also like permission to park trailers and equipment on the side of the roads. Mr. Shepherd would supply Certificates of Insurance. They may spray the road with water for dust control. Sup. Boedeker asked who would be supplying the road closure signs. Mr. Shepherd did not yet know, but noted the County Engineer has given him the Code requirements. Sup. Boedeker stated the County does not supply the signs, and the signs need to be used. Mr. Shepherd indicated that he understood. Sup. Deerberg suggested that adjoining landowners be notified. Mr. Shepherd was advised to be aware that the Fall harvest would be going on during the time of filming. Engineer Fangmann had no objection to approving the request.

Moved by Sup. Weih seconded by Sup. Boedeker to approve and authorize Chairperson Bell to sign a Secondary Road Department Permit & Agreement to Perform Work Within Cedar County Right Of Way between Cedar County and Iowa Film Production Services, contingent on the receipt of an approved insurance certificate by the Engineer.
Ayes: All

General discussion was held with the County Engineer. He reviewed a Utility Permit Application for Linn County REC to bore under Baker Avenue for new service.

Moved by Sup. Deerberg seconded by Sup. Moeller to approve and authorize Chairperson Bell to sign a Utility Permit Application for Linn County REC, as presented.
Ayes: All

In other business, Engineer Fangmann told the Board he would like to modify the entrance permit policy. He would like to increase the top width of the entrance to a maximum of 40 feet for residential and farm entrances. Fangmann reviewed other possible changes. Discussion was held. The Board had no objection to the 40 feet maximum top width, an entrance will be 300 feet or more from an intersection, culverts should be paid for before leaving the Secondary Road yard, and the County does not deliver the culverts.

Discussion was held regarding disposal of approximately 19 file cabinets owned by Cedar County that contain Cedar County files used in Muscatine by the Department of Human Services.

Moved by Sup. Weih seconded by Sup. Boedeker to permit the Muscatine County Department of Human Services to dispose of the file cabinets as they are disposing of their own cabinets.

Discussion was held. Some members felt the cost to move the cabinets back to Cedar County and to sell them may be more than what they are worth.
Ayes: All

Moved by Sup. Weih seconded by Sup. Boedeker to approve the Board Minutes of September 24, 2009.
Ayes: All

Auditor Gritton met with the Board to present updated figures concerning the possible property tax abatement for 2008 flood damaged properties. Discussion was held. Sup. Deerberg felt that if funds are available to those in the buyout, those property owners should apply for them.

Moved by Sup. Deerberg seconded by Sup. Weih to not allow any property tax abatement for 2008 flood damaged properties.

Discussion was held. Sup. Deerberg felt the dollar amount is not that much, there are dollars out there available to property owners, and the owners still have their property. He thought the Board would be "opening a can of worms", referencing one person perhaps wanting credit on taxes since they were out of their home for two and a half months and others that may want tax credits in the future if they have a tornado or fire loss. Sup. Weih agreed that the precedent-setting issue could be a problem. He felt that \$200 might be a lot to someone that is paying taxes. Sup. Deerberg noted only one owner has met with the Board to request an abatement. Sup. Weih indicated he has been told there was discussion about a possible abatement at meetings held by E.C.I.A. Sup. Moeller felt there is perhaps a feeling by some that the County was never there and never helped and also that the help would be too little too late.

Ayes: Weih, Deerberg

Nays: Moeller, Boedeker, Bell

Moved by Sup. Moeller seconded by Sup. Bell to allow a partial abatement of the second half property taxes for 2008 flood damaged properties as proposed under the criteria specified as follows:

- 1) Pre-flood less post-flood valuation will be used.
- 2) Applicant must have been the property owner at the time of the flood.
- 3) The first half of the property taxes (payment due by September 30, 2009) must be paid.
- 4) It must have been the applicant's primary residence at the time of the flood.
- 5) Commercial property owners would qualify if they were operating a business at the time of the loss. (May be required to provide a 1040 form.)
- 6) If mortgage assistance has been received, the owner would not qualify.

- 7) Per Iowa Code Section 445.62, "The loss for which abatement or refund is allowed shall be only that amount which is not covered by insurance".
- 8) The applicant must provide documentation of the denial of mortgage assistance in order to qualify.

Discussion was held. Sup. Boedeker was not in favor of using two different assessments in the same year. He felt the abatement should be for the second half taxes at the pre-flood valuation. Further discussion was held.

Ayes: Bell

Nays: Weih, Moeller, Deerberg, Boedeker

Moved by Sup. Boedeker seconded by Sup. Bell to abate the second half property taxes for 2008 flood damaged properties as proposed under the criteria specified as follows:

- 1) Pre-flood valuations would be used.
- 2) Applicant must have been the property owner at the time of the flood.
- 3) The first half of the property taxes (payment due by September 30, 2009) must be paid.
- 4) It must have been the applicant's primary residence at the time of the flood.
- 5) Commercial property owners would qualify if they were operating a business at the time of the loss. (May be required to provide a 1040 form.)
- 6) If mortgage assistance has been received, the owner would not qualify.
- 7) Per Iowa Code Section 445.62, "The loss for which abatement or refund is allowed shall be only that amount which is not covered by insurance".
- 8) The applicant must provide documentation of the denial of mortgage assistance in order to qualify.

Discussion was held. Auditor Gritton felt this scenario would be cleaner and easier to explain.

Ayes: Boedeker, Moeller, Bell

Nays: Deerberg, Weih

The Auditor will prepare a preliminary property tax abatement application for the Board to review.

On motion, the Board adjourned at 11:55 A.M., to October 1, 2009.

Cari Gritton, Auditor

Jon E. Bell, Chairperson

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., October 1, 2009 with the following members present: Deerberg, Moeller, Weih and Chairperson Pro Tem Boedeker. Chairperson Bell was absent.

The Board recited the Pledge of Allegiance.

Residents of the West Rochester Avenue met with the Board to discuss the condition of the area. The residents were: Bill & Cheryl Kofron, Jennifer Sotelo, and Virgil & Maureen Fountain. Others in attendance were: Phil La Rue, Environmental & Zoning Director and County Attorney Benz. Bill Kofron inquired about some items he had read and heard about, such as public toilets and gravel parking lots in the areas where flood buyouts/demolition may occur and the possibility of leasing the properties. Chairperson Pro Tem Boedeker said nothing has been approved by the Board, but there has been discussion concerning possible options. It was noted the Public Assistance RACM Demolition is finished. Boedeker noted when the buyout is done, the Board will address what will be done with the properties acquired by Cedar County. Mr. Kofron wondered if properties could be leased back to adjacent property owners or property owners in that area. Boedeker indicated yes, but noted no protocol has been discussed. Kofron indicated the property owners would like to deal with the area themselves and take care of it, and he noted if the County has the properties, they'd have to help maintain the road and lots. Sup. Moeller noted the properties could end up as a public space, but there has not yet been a decision. Kofron referenced road fees in the abstracts for the lots in the subdivision. Sup. Weih concurred that the subject hasn't been addressed by the Board, but will be considered. Kofron noted there would still be 7-9 occupied residences in the subdivision. Chairperson Pro Tem Boedeker said there would be another meeting after the buyouts, and he noted these residents would be notified of that meeting. Mr. Kofron addressed the road situation. He indicated that when he subdivided, the Board said they'd try to raise the road, fix the culverts and widen the road. Along an area close to the river, Kofron referenced putting a railing along the road and not allowing parking. He said parking signs are down and a Dead End sign is obstructed by trees, and he noted vehicles are parking on the road and there appears to be a salvage yard in one area. Phil La Rue said he has been waiting for a survey to determine where the right-of-way is. He hoped that the Sheriff and Engineer could assist him with this matter. Engineer Fangmann entered the room. Chairperson Pro Tem Boedeker told the Engineer that the No Parking signs have disappeared in the West Rochester area. The Engineer was not aware that the signs were gone, but said he would check on the matter. Mr. Kofron noted there is trash along the road. County Attorney Benz felt that if the County doesn't know where the right-of-way is, they can't do enforcement. Discussion continued. Phil La Rue agreed that salvaging was being done, but said he has questions and needs the Board of Supervisors behind him on this matter. Sup. Weih was not aware that La Rue was waiting for a survey of the area. The Engineer said his department has done some work on the road determination, but he noted it is very difficult to establish right-of-way since there is very little information, and when they try to tie surveys together they don't make sense. County Attorney Benz agreed that it can be difficult, indicating they may have to establish right-of-way. Boedeker wondered about utilizing maps. Fangmann said they aren't coinciding. Atty. Benz noted the river may have changed things, and markers may be gone. Boedeker wondered if they could come up off the bridge for the survey. Fangmann indicated he could put Assistant Engineer Richard Kordick back on this matter, and it would be Kordick's professional opinion. Bill Kofron thought surveyors had come in a year ago and that at that time there was talk of raising the road. He asked if it would be possible to raise the road at the culverts near the residences of Elliotts and Gates. Engineer Fangmann stated that culverts have to be extended out to meet current standards, and there has to be funds available to do the work and purchase right-of-way. Slopes, bottom widths and back slopes have to meet current standards when changing a road. Mr. Kofron wondered if "Obama dollars" would be available for this project. The Engineer said those dollars could not be used for this type of project, and he noted we have an application submitted for a resurfacing project. Fangmann had left the room and returned with a no parking resolution that was previously presented by Engineer Nahra and adopted by the Board. County Attorney Benz felt an ordinance should be done, since an ordinance would contain penalties for violations. Sup. Deerberg wondered about

proceeding with a survey for the road. Atty. Benz felt that might be the first step to resolve issues. Sup. Weih felt an ordinance would not be a problem, but right-of-way may have to be established first and that would likely require pulling people off of other projects. Atty. Benz felt for liability reasons, it would be advisable to get this work done. Mr. Kofron said a school bus travels the road. Weih asked the Engineer about a timeframe for this work. Engineer Fangmann estimated a month, but noted he has a bridge project next week. Atty. Benz said he would research whether a road can be established by use. Sheriff Wethington entered the room. Chairperson Pro Tem Boedeker asked the Sheriff how often the Deputies patrol that road, indicating vehicles should be kept off the road so emergency vehicles can pass. The Sheriff said the officers could make more passes through that area. Bill Kofron indicated there are boats and trucks on the road, and it has been a problem for years. Cheryl Kofron stated that on the weekends there are always cars in the road. She expressed concern for emergency vehicles. Atty. Benz was concerned that the Sheriff would have no authority to order vehicles moved, if there is no ordinance adopted. He will research some items. Mr. Kofron asked what could be done with a house that had burned. Phil La Rue indicated he could do something about it, but he needs to know where the road right-of-way is in order to give the owner advice. Engineer Fangmann felt a previous Engineer went by how things were laid out in that area. Virgil Fountain felt the road has always been an issue, and it keeps getting tabled back. He wondered what the end result would be. The Engineer noted this is not the only dead end road in the county, so how does it rank and there are only so many dollars to spend. Mr. Fountain wondered how long it would be until something is done. Engineer Fangmann asked how long for others? The Secondary Road Department maintains roads to the levels as originally designed, and Fangmann noted there are not enough dollars to bring everything to the new standards. He referenced another area where the water goes over the road. He tries to balance things. Bill Kofron felt this issue was started 12-15 years ago. Discussion continued. Mr. Fountain asked about putting two feet of rock on top of the road in places. Fangmann said that would change the profile, therefore altering the design so that could not be done. Chairperson Pro Tem Boedeker indicated they would do what they can. Jennifer Sotelo inquired about property taxes. She was directed to talk to the Assessor since he sets the values. When asked by Kofrons about a survey and when something might be done, Chairperson Pro Tem Boedeker said the Board would let them know.

The Board met with department heads to discuss any problems or concerns they might have. Those in attendance were: Dan Lett, Julie Tischuk, Sterling Benz, Warren Wethington, Mike Dauber, Phil La Rue, Charline Thumm, Rob Fangmann, Tim Malott, Cari Gritton, Carolyn Wood, Amy Wehde, Patty Hamann and Gary Jedlicka. Chairperson Pro Tem Boedeker reported that the Board signed a contract which includes the opportunity to purchase office supplies utilizing a group discount. More information will be given to department heads on November 5th. Those in attendance were given the opportunity to relay items concerning their departments. Assessor Lett said he would be attending a Fall conference next week. Midland will be here on October 12th & 13th to work on the G.I.S. software. Julie Tischuk, Case Management Director said the department will be surveyed on Nov. 18th & 19th. County Attorney Benz said he will research road issues for the Board. Sheriff Wethington presented a report for the Board's review. When asked about the revenue being down, Wethington said he has heard it is like that across the State. Mike Dauber, Conservation Director reported that a movie screen has been completed at the Cedar Valley Campground. They will have a movie event there on October 10th. Recorder Thumm noted passport mailing fees have gone up. Engineer Fangmann gave project updates. Tim Malott, Emergency Management Director reported on several items, some of which were: looking into a grant for a 911 upgrade, replacement of County road signs will no longer be funded by E911, work on hazard mitigation plans, NIMS training & certificates, a Public Information Officer workshop, funding of Safeguard Iowa which concerns assets businesses might have that could be utilized by Emergency Management, Unmet Needs Grant update and his attendance next week at the Governor's Conference. Amy Wehde, Public Health Deputy Director reported she has been included in H1N1 conference calls. They might have some H1N1 vaccine in mid-October. The department is conducting flu clinics. Wehde noted 177 flu shots were given at their drive-through clinic this week. Patty Hamann, Veteran Affairs Secretary/General Assistance Director will be attending a Fall Veterans school in October. She reported the continuing education for Veterans administration might be

held in Iowa in the future. The matter is still being discussed. Hamann felt the Veterans newsletter has created numerous inquiries concerning benefits.

Patty Hamann, Veteran Affairs Secretary/General Assistance Director met with the Board to discuss the purchase of scanning software and food gift certificates. She would like to scan Veteran grave records which are required to be kept permanently. Hamann would use administrative grant money for the purchase, which is an amount of \$3,700 for the software, training and a scanner. She asked the Board for approval to budget the \$302 annual maintenance fee in the Data Processing budget or in the Veterans budget. Discussion was held. The consensus of the Board was that they had no objection. Patty Hamann also asked if the Board had an objection to the distribution of food gift certificates again this year. The income guideline would be 185% of the Federal poverty level. The consensus of the Board was that they had no objection.

Nicole Turpin and Darwin Polk of the East Central Intergovernmental Association met with the Board to discuss administration contracts and the procurement of an attorney and an abstracting firm for the HMGP Acquisition Program (2008 flood buyouts). Auditor Gritton, Environmental & Zoning Director Phil La Rue and Unmet Needs Case Worker Denise Schneckloth were in attendance. County Attorney Benz reviewed his comments concerning the administration contracts. His concerns involved clarifying amounts to be paid and adding required sexual orientation or gender language. Nicole Turpin said she would review those comments with personnel at E.C.I.A. The matter will be placed on the Board's next agenda. Benz left the room. Information was reviewed concerning costs submitted by attorneys and abstractors for the work to be done for the buyouts. Discussion was held.

Moved by Sup. Deerberg seconded by Sup. Moeller to procure the Abstract Title Corporation (Jerri Daebelliehn) for the buyouts at the following costs:

Creation of a new abstract—Not to exceed price-\$300.00

Abstract continuation—Not to exceed price-\$200.00.

Ayes: Weih, Moeller, Deerberg, Boedeker

Absent: Bell

Moved by Sup., Weih seconded by Sup. Moeller to procure the Werling Law Office for the buyouts at the following cost: Not to exceed \$400/closing.

Discussion was held. Sup. Deerberg wondered if they could find another attorney for one of the individuals on the buyout that is a client of Atty. Werling. Sup. Weih felt something else could be done.

Ayes: Weih, Moeller, Deerberg

Nay: Boedeker

Absent: Bell

After brief further discussion, the Board agreed that Atty. Werling could find another attorney for the same cost to do the work for one of the applicants if he can't do the work himself.

Nicole Turpin gave a Public Assistance demolition project update. The demolition is done. Auditor Gritton thought the County would be reimbursed from FEMA next week. Invoices for E.C.I.A. and Barnhart's Custom Services will need to be paid. Discussion was held. The amount to Barnhart's would be \$297,106 and the amount to E.C.I.A. would be \$8,398.64.

Moved by Sup. Weih seconded by Sup. Moeller to pay the amounts of the invoices received for the Public Assistance RACM Demolition project.

Ayes: All

Absent: Bell

Darwin Polk gave a flood buyouts update. A few agreements have been signed. Once agreements are signed, they will be sent to the State for approval and then placed on the Board's agenda for action. E.C.I.A.'s goal is to have the acquisition part done by the end of this year. Discussion was held. Tim Malott, Emergency Management Director entered the room while discussion was in progress. Nicole Turpin indicated there may

possibly be additional funding available. Turpin noted there may be one CDBG application yet concerning a home on farmland. The farmland could continue to be farmed, but no house could be put there. Discussion was held regarding the tax abatement application and the mortgage assistance approval/denial documentation. Turpin will provide documentation concerning the mortgage assistance.

Deputy Auditor Carpenter met with the Board to discuss the employees' Christmas Club. Documentation was reviewed. Discussion was held.

Moved by Sup. Weih seconded by Sup. Deerberg to use Community State Bank for the employees' payments for Christmas Club effective 10-23-09.

Ayes: All

Absent: Bell

County Attorney Benz met with the Board to relay his research concerning the establishment of road right-of-way. Engineer Fangmann was in attendance. Atty. Benz said parking regulations should be done by ordinance per Section 321.239. He noted the methods of establishment are: 1) consent by residents; 2) petition with a notice and hearing; 3) by prescription-adverse use by the public over ten years (right-of-way is what's used and maintained); and 4) County purchase and it's recorded. Atty. Benz advised that for the part of the road the County has maintained, we can restrict parking by ordinance. He felt the part that is graveled would be established by prescription. Atty. Benz also referenced establishment of a road by a Road Commissioner. Benz thought that if they can't find evidence regarding the road right-of-way establishment, then it would be a prescription road and limited to what the public actually uses. He advised that the Engineer research the records. Sup. Deerberg wondered if they could proceed with an ordinance. Atty. Benz indicated yes, for the improved (graveled) portion of the road. Engineer Fangmann noted his department would be able to do more work on this in the Winter. The consensus of the Board was that the Engineer should proceed to draft an ordinance concerning no parking along the south portion of West Rochester Avenue. General discussion was held.

Assessor Lett met with the Board to ask if the County is looking at renting out the buildings that are left after the flood buyouts. Chairperson Pro Tem Boedeker told him the buildings will be torn down.

Moved by Sup. Weih seconded by Sup. Moeller to approve and authorize Chairperson Pro Tem Boedeker to sign a quarterly claim to the Iowa Department of Public Health concerning FY09-10 substance abuse funding.

Ayes: All

Absent: Bell

Moved by Sup. Deerberg seconded by Sup. Moeller to approve the Board Minutes of September 28, 2009.

Ayes: All

Absent: Bell

Engineer Fangmann met with the Board to review a Utility Permit Application for Interstate Power and Light Company (Alliant Energy) concerning gas line work around the City of West Branch. Changes have been made as previously requested and Fangmann recommended approval. Discussion was held.

Moved by Sup. Deerberg seconded by Sup. Moeller to approve and authorize Chairperson Pro Tem Boedeker to sign a Utility Permit Application for Interstate Power and Light Company, as presented.

Ayes: All

Absent: Bell

Moved by Sup. Weih seconded by Sup. Deerberg to approve Claim Checks #372633-372819 & #372822.

Ayes: All

Absent: Bell

The Board noted Handwritten Checks #372820 dated 10/1/09 in the amount of \$2,458.53 to Pearl Russ and #372821 dated 10/1/09 in the amount of \$19.95 to Custom Builders were issued as administrative corrections.

It was noted Handwritten Check #372823 dated 10/1/09 was issued to the Cedar County Treasurer in the amount of \$953.19, for an Administrative Solutions, Inc. flex claims electronic deposit.

It was noted Handwritten Check #372824 dated 10/1/09 was issued to the Cedar County Treasurer in the amount of \$2,540.51, for an Administrative Solutions, Inc. partial self funded claims electronic deposit.

It was noted Handwritten Check #372825 dated 10/1/09 was issued to the Cedar County Treasurer in the amount of \$687.33, for an Administrative Solutions dental claims electronic deposit.

On motion, the Board adjourned at 11:15 A.M., to October 5, 2009.

Cari Gritton, Auditor

Dennis Boedeker, Chairperson Pro Tem

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., October 5, 2009 with the following members present: Boedeker, Deerberg, Weih and Chairperson Bell. Sup. Moeller was absent.

The Board recited the Pledge of Allegiance.

Sheriff Wethington met with the Board to discuss the possibility of a contract with the City of Clarence for law enforcement services. He indicated that when Clarence is without an officer, the Sheriff's Department has provided coverage. When the Cities of Stanwood and Lowden contracted for services, Wethington noted an additional Deputy was hired. The approximate cost for a Deputy is \$86,000. Sheriff Wethington has been invited to a City of Clarence Council meeting on October 12th. If the County signs a contract with the City of Clarence, the Sheriff would like to hire another Deputy. An individual was recently hired for a Deputy position, which was to replace Wethington when he went to the Sheriff position. The question was asked, does the County want to subsidize these towns? The City of Clarence has a vehicle they would sell to the County and then take that amount off of the contract amount for the first year. There are no funds budgeted for an additional Deputy. The Sheriff noted he would encourage a City to employ their own officer. Members felt all of the law enforcement contracts should be renegotiated with the cities due to cost increases. The cost for the cities has been based on a per capita figure. Discussion was held. It was the consensus of the Board that the Sheriff should review figures and return to the Board for further discussion concerning this matter.

Moved by Sup. Deerberg seconded by Sup. Boedeker to approve the following new hire:
Sheriff's Department

Kyle R. Telecky, Deputy Sheriff at \$40,247.20/yr effective 10-19-09.

Ayes: All

Absent: Moeller

Engineer Fangmann met with the Board to discuss the Cedar County Access Policy for subdivision, driveway and field accesses. He reviewed proposed revisions. Discussion was held.

Moved by Sup. Boedeker seconded by Sup. Weih to approve the Cedar County Access Policy For Subdivision, Driveway, and Field Access with the revisions, as presented.

Ayes: All

Absent: Moeller

In other business, Engineer Fangmann was notified the Johnson County Board of Supervisors' vote on the possible vacation of a portion of the Johnson-Cedar County Line Road was two to two, therefore the road would remain a Level B road at this time. The Board agreed no action would be taken by them at this time on this matter. Fangmann will notify Michelle Platt. The Engineer reviewed possible costs to repair the "low boy" trailer. Discussion was held. The consensus of the Board was to have the Engineer obtain bids for a new trailer, so they can compare those with the estimated cost of repairs.

Moved by Sup. Weih seconded by Sup. Boedeker to approve the Board Minutes of October 1, 2009.

Ayes: All

Absent: Moeller

Moved by Sup. Boedeker seconded by Sup. Deerberg to approve the following handwritten checks dated 10/5/09 for the Public Assistance RACM Demolition:

#372826 to Barnhart's Custom Service - \$297,106.00

#372827 to ECIA - \$8,398.64

Ayes: All

Absent: Moeller

The Board reviewed contracts with the East Central Intergovernmental Association concerning administration of the HMGP Acquisition Program (2008 flood buyout). One of the contracts pertains to acquiring properties and one pertains to demolishing properties.

Moved by Sup. Weih seconded by Sup. Boedeker to approve and authorize Chairperson Bell to sign two Contracts for Services with the East Central Intergovernmental Association concerning the HMGP Acquisition Program.

Ayes: All

Absent: Moeller

Moved by Sup. Deerberg seconded by Sup. Weih to approve William Michael Hoy as a Reserve Deputy for the Sheriff's Department.

Ayes: All

Absent: Moeller

Auditor Gritton met with the Board to review an application and guidelines for the abatement of the second half property taxes for 2008 flood damaged properties. Changes were made to the application. It was agreed that the applications would be reviewed by the Auditor, Treasurer, Assessor and a member of the Board of Supervisors, with final approval by the Board of Supervisors. Postcards will be sent to individuals that had their property valuation lowered by the Assessor due to the flood damage.

Sup. Deerberg gave a report on his conversation with John Danico of Xenotronics concerning new Courthouse exterior doors. General discussion was held.

On motion, the Board adjourned at 10:25 A.M., to October 8, 2009.

Cari Gritton, Auditor

Jon E. Bell, Chairperson

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., October 8, 2009 with the following members present: Boedeker, Deerberg, Weih and Chairperson Bell. Sup. Moeller was absent.

The Board recited the Pledge of Allegiance.

The Board acknowledged receipt of copies of correspondence from Darwin Polk, East Central Intergovernmental Association, to Atty. Stuart Werling and Jerri Daebelliehn of Abstract Title Corporation notifying them that they were selected to do services for the properties purchased by the County through the flood buyout program.

The Board acknowledged receipt of correspondence from Bridget Bartlett, ECIA Mobility Coordinator regarding work with the Regional Transit Authority and scheduled meetings concerning involvement by communities.

County Attorney Benz met with the Board to discuss the properties that may be acquired by the County through the voluntary acquisition of flood damaged properties. Atty. Benz reviewed the restrictive covenants filed in the Recorder's Office for the subdivision where some of the properties are located that are in the proposed buyout. Discussion was held regarding the covenants and road maintenance. Atty. Benz noted leasing is covered by Section 331.361. Discussion was held regarding leasing. Atty. Benz will research any road issues concerning this matter.

Sheriff Wethington met with the Board to discuss a possible contract with the City of Clarence for law enforcement services, hiring an additional Deputy if a contract is signed and renegotiating contracts for services with the other cities. Wethington reviewed documentation concerning per capita Deputy costs. Discussion was held. Sup. Deerberg left the meeting at 9:15 a.m. for a meeting at the East Central Intergovernmental Association. Discussion continued. Per capita figures were discussed. The consensus of the Board of Supervisors was that they would be agreeable to the Sheriff contracting for services without hiring an additional Deputy, and later they will look at the Sheriff's workload. Sheriff Wethington will meet with the Council for the City of Clarence on October 12th and present a proposal for the City to pay \$45.13 per capita.

Moved by Sup. Weih seconded by Sup. Boedeker to approve the Board Minutes of October 5, 2009.

Ayes: All

Absent: Moeller, Deerberg

Moved by Sup. Boedeker seconded by Sup. Weih to approve Payroll Checks #137750 - #137915 for the period ending 10/2/09 and to be paid on 10/9/09.

Ayes: All

Absent: Moeller, Deerberg

It was noted Handwritten Check #872828 dated 10/8/09 was issued to the Cedar County Treasurer in the amount of \$538.96, for an Administrative Solutions, Inc. flex claims electronic deposit.

It was noted Handwritten Check #372829 dated 10/8/09 was issued to the Cedar County Treasurer in the amount of \$4,437.92, for an Administrative Solutions, Inc. partial self funded claims electronic deposit.

It was noted Handwritten Check #372820 dated 10/8/09 was issued to the Cedar County Treasurer in the amount of \$1,880.70, for an Administrative Solutions dental claims electronic deposit.

On motion, the Board adjourned at 10:10 A.M., to October 12, 2009.

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., October 12, 2009 with the following members present: Boedeker, Deerberg, Moeller, Weih and Chairperson Bell.

The Board recited the Pledge of Allegiance.

The Board viewed a report of fees collected for September 2009, submitted by the Office of the Clerk of the District Court.

The Board viewed correspondence from Travel Iowa regarding Governor Culver's statement on balancing the budget.

The Board viewed a "County Auditor's Report of Fees Collected".

The Board noted correspondence from Amy Wehde, Deputy Director, Cedar County Public Health regarding payroll changes for Janeen DeWulf, Direct Care Worker, from \$10.25/hr to \$10.75/hr effective 10-10-09 and Sandra Sander, Direct Care Worker, from \$10.75/hr to \$11.25/hr effective 10-12-09.

Sup. Deerberg and Sup. Boedeker gave a report on the Solid Waste Commission meeting that was held on October 8th. Discussion was held.

Moved by Sup. Weih seconded by Sup. Boedeker to waive agenda requirements to allow Julie Tischuk to present an Application for Accreditation for the Case Management Department.

Ayes: All

Julie Tischuk, Director, Cedar County Case Management met with the Board to review an Application for Accreditation for a survey. Discussion was held.

Moved by Sup. Moeller seconded by Sup. Deerberg to authorize Chairperson Bell to sign the Application for Accreditation to the Department of Human Services.

Ayes: All

Moved by Sup. Weih seconded by Sup. Moeller to approve the Board Minutes of October 8, 2009.

Ayes: All

General discussion was held.

On motion, the Board adjourned at 10:10 A.M., to October 15, 2009.

Cari Gritton, Auditor

Jon E. Bell, Chairperson

The Cedar County Board of Supervisors met in regular session at 7:45 A.M., October 15, 2009 with the following members present: Boedeker, Deerberg, Moeller, Weih and Chairperson Bell.

The Board recited the Pledge of Allegiance.

Moved by Sup. Boedeker seconded by Sup. Moeller to approve the Board Minutes of October 12, 2009.

Ayes: All

Moved by Sup. Weih seconded by Sup. Deerberg to approve Claim Checks #372831 - #373063.

Ayes: All

Sup. Boedeker reported that the City of Clarence has decided to hire a law enforcement officer.

Sup. Moeller gave a report on the Fair Association meeting he attended on October 14th.

The Board reviewed HMGP Voluntary Purchase Agreements for the following properties:

- 1) Dennis and Patricia Parrott, 256 W. Rochester Ave., Atalissa
- 2) Rochester Lumber Company, Inc., 1140 Cemetery Rd., Tipton
- 3) Norman and Gracie Gritton, 260 W. Rochester Ave., Atalissa

They noted County Attorney Benz's concerns regarding the agreements. Discussion was held.

Moved by Sup. Boedeker seconded by Sup. Weih to approve the Voluntary Acquisition Program for Flood Damaged Residence Offer To Buy Real Estate and Acceptance for the above named and authorize Chairperson Bell to sign the same.

Discussion was held. It was the consensus of the Board that the attorney's name and city should be typed in on item #22 and then initialed by the Sellers.

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

Sup. Boedeker departed at 8:10 a.m. to attend a Heartland Insurance Risk Pool meeting.

Engineer Fangmann met with the Board to review a Utility Permit Application for Iowa Telecommunications for service to 1063 Eureka Avenue.

Moved by Sup. Deerberg seconded by Sup. Moeller to approve and authorize Chairperson Bell to sign a Utility Permit Application for Iowa Telecommunications, as presented.

Ayes: All

Absent: Boedeker

General discussion was held with the County Engineer. He gave project updates.

Chairperson Bell reviewed the quotations for the preparation and compilation of a multi-jurisdictional Hazard Mitigation Plan. Mark Schneider of the East Central Intergovernmental Association was in attendance. The quotes are as follows:

Emergency Planning & Consultants, LLC, Anamosa, Iowa	\$45,000.00
JEO Consulting Group, Inc., Lincoln, Nebraska	\$41,000.00
East Central Intergovernmental Association, Dubuque, Iowa	\$65,000.00

It was noted E.C.I.A. submitted a quote of \$6,500 for an individual plan for Cedar County. Discussion was held. Mark Schneider addressed the Board. He noted Emergency Management at the State level is pushing the use of multi-jurisdictional plans. Schneider said E.C.I.A. works with communities in Cedar County. In the past ten years E.C.I.A. has done approximately 106 plans. Schneider reviewed the process for the plans. There would be zero dollars required from the County and other communities.

Mr. Schneider indicated that E.C.I.A. has daily contact with FEMA. Sup. Moeller said he trusts E.C.I.A. due to past work they have done for the County.

Moved by Sup. Moeller seconded by Sup. Weih to approve the quote submitted by the East Central Intergovernmental Association.

Discussion was held. Chairperson Bell noted members of the Cedar County Emergency Management Commission were given the opportunity to give input on the quotes. Two members responded that they recommended accepting the quote by JEO, and Director Malott recommends accepting JEO's quote. It was noted that the match rate for the project is established by FEMA. There would be a per hour rate for individuals attending the planning meetings which would be used as the in-kind match for the project. Sup. Moeller realized it is hard to justify a \$24,000 difference. Sup. Weih noted the County and communities would be responsible for a 15% in-kind match. Sup. Moeller leaned toward the past history of dealing with E.C.I.A. Sup. Weih would have liked the other companies submitting quotes to be at this meeting. Sup. Deerberg asked why E.C.I.A. felt they could get more funds from FEMA. Mr. Schneider felt it is not that, but that E.C.I.A. has done a lot of plans and the way the State reviews the plans has changed. He indicated that what the State requires has increased in the last two months. Schneider reviewed the approval process and requirements. Sup. Moeller asked if E.C.I.A. would use their current staff. Schneider told the Board E.C.I.A. has had one person on staff for seven months that works on these plans along with other members of their staff. The billing process for the project was reviewed. The County would pay the bills and then requests would be sent to the State for reimbursement. A Notice of Intent has been sent for an application for grant funds for this project. Sup. Deerberg wanted to know what the E.M.A Commission members recommend since they are involved in the process. Sup. Weih asked if all of the Commission members were provided copies of the quotes. Sup. Bell indicated yes and two responded in favor of the JEO quote. Sup. Bell said the Commission wanted input on the recommendation. It was noted the quotes were emailed to the Commission members late in the day on October 14th.

Aye: Moeller

Nays: Deerberg, Weih, Bell

Absent: Boedeker

Sup. Weih recommended that the EMA Director Tim Malott meet with the Board of Supervisors to discuss this matter, and perhaps at that time there would be more input from the E.M.A Commission members.

Moved by Sup. Weih seconded by Sup. Deerberg to delay the vote until Monday on the quotations for the preparation and compilation of a multi-jurisdictional Hazard Mitigation Plan.

Ayes: Weih, Moeller, Deerberg, Bell

Absent: Boedeker

In other business, Mark Schneider asked for clarification on the denial documentation needed for the mortgage assistance question on the County's Tax Abatement Application. He noted Nicole Turpin has received several calls regarding the matter. Chairperson Bell said the applicants still need to apply for the assistance, and the County needs documentation showing denial or that they are not eligible. Discussion was held regarding leasing properties that are purchased by the County through the flood buyouts. General discussion was held.

Engineer Fangmann met with the Board to review a Utility Permit Application for Iowa Telecommunications for work to be done in conjunction with a County bridge project on Washington Avenue.

Moved by Sup. Weih seconded by Sup. Deerberg to approve and authorize Chairperson Bell to sign a Utility Permit for Iowa Telecommunications, as presented, and to waive the fee as recommended by Engineer Fangmann.

Ayes: All

It was noted Handwritten Check #373064 dated 10/15/09 was issued to the Cedar County Treasurer in the amount of \$675.79, for an Administrative Solutions, Inc. flex claims electronic deposit.

It was noted Handwritten Check #373065 dated 10/15/09 was issued to the Cedar County Treasurer in the amount of \$2,699.00, for an Administrative Solutions, Inc. partial self funded claims electronic deposit.

It was noted Handwritten Check #373066 dated 10/15/09 was issued to the Cedar County Treasurer in the amount of \$1,140.28, for an Administrative Solutions dental claims electronic deposit.

On motion, the Board adjourned at 10:00 A.M., to October 19, 2009.

Cari Gritton, Auditor

Jon E. Bell, Chairperson

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., October 10, 2009 with the following members present: Boedeker, Deerberg, Moeller, Weih and Chairperson Bell.

The Board recited the Pledge of Allegiance.

Tim Malott was in attendance.

The Board acknowledged receipt of correspondence from Christine Zimmerman of the Iowa Department of Economic Development regarding the availability of a draft of a 5-year Consolidated Plan for Housing and Community Development.

The Board acknowledged receipt of correspondence from Ruth Cigledy regarding the meth problem and a book titled METHLAND.

Sup. Boedeker gave a report on the Heartland Insurance meeting that was held on October 15th. Contracts were renewed with Arthur J. Gallagher and Judy Funk-Risk Management Solutions of Iowa, Inc.

Moved by Sup. Moeller seconded by Sup. Moeller to approve a Class C 5-day liquor license for the Tipton Golf & Country Club for a special event at the Fairgrounds.

Ayes: All

Discussion was held regarding HMGP Voluntary Purchase Agreements for the following properties that were damaged during the 2008 flood:

- 1) Robert and Patricia Nettleton, 106 W. Rochester Ave., Atalissa
- 2) Lois Watson, 2212 Atalissa Rd., Atalissa
- 3) David and Leigh Ann Thomsen, 163 Whitmer Rd., Moscow

Moved by Sup. Boedeker seconded by Sup. Moeller to approve the Voluntary Acquisition Program for Flood Damaged Residence Offer To Buy Real Estate and Acceptance for the above named and authorize Chairperson Bell to sign the same.

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

Moved by Sup. Weih seconded by Sup. Deerberg to approve the Board Minutes of October 15, 2009.

Ayes: All

Tim Malott, Emergency Management Director met with the Board to discuss the quotations for preparation/compilation of a Multi-Jurisdictional Hazard Mitigation Plan. Mark Schneider of the East Central Intergovernmental Association was in attendance.

The following quotations were reviewed at the previous Board meeting:

Emergency Planning & Consultants, LLC, Anamosa, Iowa	\$45,000.00
JEO Consulting Group, Inc., Lincoln, Nebraska	\$41,000.00
East Central Intergovernmental Association, Dubuque, Iowa	\$65,000.00.

Tim Malott noted the Emergency Management Commission members that responded to his request to review the quotations recommended using JEO Consulting Group, Inc. because of their presentation and the cost. Mr. Malott felt that all three organizations have great reputations and track records with the State. He noted JEO is located out of State, E.C.I.A. knows the County well, and Emergency Planning has worked with the County also. Malott felt we need to be good stewards of the taxpayer dollars. He thought that all three organizations are good and all could do the job. Tim Malott recommended accepting the quotation by JEO Consulting. Discussion was held.

Moved by Sup. Weih seconded by Sup. Deerberg to approve the quotation by JEO Consulting Group, Inc. in the amount of \$41,000.00 for the preparation/compilation of a Multi-Jurisdictional Hazard Mitigation Plan.

Discussion was held. Sup. Boedeker asked Mark Schneider why E.C.I.A.'s quotation is higher. Mark Schneider indicated it is because they have done 106 plans, and he doesn't believe the others are aware of the requirements by Iowa Homeland Security &

Emergency Management. He noted there have been requirements added due to the planners that are there, including data collection and identifying structures. Mr. Schneider said E.C.I.A.'s proposal is not to exceed \$65,000, and if they can get the job done for less, they will. He didn't believe the job could be done for \$41,000 due to the requirements by Iowa Homeland Security. Tim Malott noted JEO has done two plans in Iowa that passed the State on the first try, and Emergency Planning has worked with three counties in Iowa. Sup. Boedeker is not in favor of sending our money out of State. Sup. Weih said he puts a lot of stock in the people working with the plan the most, which is the Emergency Management Commission. Sup. Bell asked if the Emergency Management Commission members chose any of the other organizations. Malott said no. The vote on the motion was as follows:

Ayes: Weih, Deerberg, Bell

Nays: Moeller, Boedeker

Mark Schneider left the room.

Tim Malott gave a report on what will be done on the plan. Discussion was held regarding the plan process. In other business, Malott gave a report on the distribution of the Unmet Needs funds.

On motion, the Board adjourned at 9:20 A.M., to October 22, 2009.

Cari Gritton, Auditor

Jon E. Bell, Chairperson

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., October 22, 2009 with the following members present: Boedeker, Moeller, Weih and Chairperson Bell. Sup. Deerberg was absent.

The Board recited the Pledge of Allegiance.

The Board viewed a "County Recorder's Report of Fees Collected" for the quarter ending 9-30-09.

The Board reviewed a petition for Snow's First Addition, a minor subdivision. The owners are Lloyd H. and Fannie L. Burmeister, and the location is a portion of the Northwest Quarter Northeast Quarter Section 22 T82N R2W in Dayton Township. Phil La Rue, Zoning Director and Attorney Brad Norton were in attendance. There were no written or verbal objections on file. The petition was reviewed. Discussion were held. Atty. Norton noted the petitioner would like to split off a house from the other farm buildings.

Moved by Sup. Boedeker seconded by Sup. Moeller to approve the petition by Fannie Burmeister and to adopt the following resolution:

RESOLUTION APPROVING MINOR PLAT

WHEREAS, a Final Plat of Snow's First Addition, a Subdivision in Cedar County, Iowa, has been filed with the Cedar County Zoning Administrator, and the plat reviewed in accordance with Chapter 5, Section 5.1D of the Cedar County Subdivision Ordinance and forwarded to the Cedar County Board of Supervisors of Cedar County, Iowa, and, after consideration of the same, is found to be correct and in accordance with the provisions of the Subdivision Ordinance of Cedar County, Iowa, and Chapter 354.8 of the Code of Iowa, 1995, in relation to plats and additions, NOW THEREFORE,

BE IT RESOLVED by the Board of Supervisors of Cedar County, Iowa, that the said Final Plat of the said Snow's First Addition, a Subdivision in Cedar County, Iowa, be and the same is hereby acknowledged and approved on the part of Cedar County, Iowa, this 22nd day of October, A.D., 2009.

Ayes: Weih, Moeller, Boedeker, Bell

Absent: Deerberg

Moved by Sup. Weih seconded by Sup. Boedeker to approve the following payroll change:

Sheriff's Department

Robin Geertz, Dispatcher, from \$13.36/hr to \$13.89/hr effective 10-26-09.

Ayes: All

Absent: Deerberg

Moved by Sup. Weih seconded by Sup. Moeller to approve the Board Minutes of October 19, 2009.

Ayes: All

Absent: Deerberg

The Board prepared a memo to department heads containing figures to be used for FY2010/2011 budgetary purposes.

The Board reviewed an Iowa Department of Economic Development Community Development Block Grant (CDBG) Hazard Mitigation Match For Property Acquisition Contract concerning flood damaged properties. The activity is to provide the 15% local match required for a recent grant from the U.S. Department of Homeland Security's Federal Emergency Management Agency for acquisition of flood damaged properties. The budget amount is \$373,904.00. Discussion was held.

Moved by Sup. Boedeker seconded by Sup. Weih to approve and authorize Chairperson Bell to sign the above Property Acquisition Contract between the Iowa Department of Economic Development and Cedar County.

Ayes: Weih, Moeller, Boedeker, Bell

Absent: Deerberg

Sup. Weih gave a report on the River Bend Transit meeting he attended on October 21st.

Moved by Sup. Moeller seconded by Sup. Boedeker to approve Payroll Checks #137916 - #138097 for the regular payroll and a lump sum sick time payout to Ed Mellecker for the period ending 10-17-09 and to be paid on 10-23-09.

Ayes: All

Absent: Deerberg

It was noted Handwritten Check #373067 dated 10/22/09 was issued to the Cedar County Treasurer in the amount of \$2,012.61, for an Administrative Solutions, Inc. flex claims electronic deposit.

It was noted Handwritten Check #373068 dated 10/22/09 was issued to the Cedar County Treasurer in the amount of \$4,082.81, for an Administrative Solutions, Inc. partial self funded claims electronic deposit.

It was noted Handwritten Check #373069 dated 10/22/09 was issued to the Cedar County Treasurer in the amount of \$605.75, for an Administrative Solutions dental claims electronic deposit.

On motion, the Board adjourned at 10:25 A.M., to October 26, 2009.

Cari Gritton, Auditor

Jon E. Bell, Chairperson

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., October 26, 2009 with the following members present: Boedeker, Deerberg, Moeller, Weih and Chairperson Bell.

The Board recited the Pledge of Allegiance.

The Board acknowledged receipt of the September 14th and October 16th minutes of the Eastern Iowa Regional Utility Services System Commission and an agenda for the upcoming meeting on October 28th.

The Board acknowledged receipt of the River Bend Transit financial report for fiscal year 2009.

The Board acknowledged receipt of the Heartland Insurance Risk Pool Trustee Meeting Summary of October 15, 2009.

Sup. Deerberg gave an update and different alternatives regarding replacement of the Courthouse exterior doors. It was the consensus of the Board to stay with the aluminum finish on the doors. General discussion followed.

Connie Fett, CPC Administrator met with the Board to give consumer updates and discuss the FY09-10 and FY10-11 Mental Health budgets.

Connie Fett requested a closed session to give consumer updates.

Moved by Sup. Weih seconded by Sup. Moeller to go into closed session as allowed under Section 21.5.1(a), Code of Iowa.

Ayes: All

Moved by Sup. Weih seconded by Sup. Moeller to return to regular session.

Ayes: All

The time of 9:25 a.m. was noted.

Connie Fett discussed with the Board possible shortages in her Mental Health budget. General discussion was held.

Phil La Rue, Zoning Director met with the Board to set public hearing dates to review a zoning petition. Brief discussion was held.

Moved by Sup. Moeller seconded by Sup. Weih to set November 12th & 16th, 2009 at 9:00 a.m. as the time to review/consider the following petition:

Gary Swart, P.O. Box 68, Sterling, IL (Owner) – Requesting a change in zoning from A-1 Agricultural to R-1 Suburban Residential for the purpose of constructing single family dwellings on a proposed two (2) lot subdivision located in the W ½, SW ¼, NW ¼, Section 10, T-79N, R-4W, in Springdale Township, consisting of 2.00 acres more or less.

Ayes: All

Engineer Fangmann met with the Board with regards to reviewing quotes for a new detachable gooseneck lowboy trailer. The Board went with the Engineer's recommendation of purchasing the trailer from Banta's Midwest Trailers, Atalissa, IA in the amount of \$40,432. There will be a 10 – 12 week delivery date. General discussion was held.

Moved by Sup. Weih seconded by Sup. Deerberg to approve the purchase of the above mentioned trailer from Banta's Midwest Trailers at a cost of \$40,432.

Ayes: All

Moved by Sup. Weih seconded by Sup. Boedeker to approve the Board Minutes of October 22, 2009.

Ayes: All

On motion, the Board adjourned at 10:55 A.M., to October 29, 2009.

Cari Gritton, Auditor

Jon E. Bell, Chairperson

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., October 29, 2009 with the following members present: Boedeker, Deerberg, Moeller, Weih and Chairperson Bell.

The Board recited the Pledge of Allegiance.

The Board acknowledged receipt of correspondence from the Eastern Iowa Regional Utility Service Systems regarding a revised agenda.

The Board acknowledged receipt of correspondence from Alternative Risk Services, LLC regarding the Law Enforcement Center and recommendations made for loss control.

The Board viewed minutes of the River Bend Transit regular Board Meeting held October 21, 2009.

The Board viewed minutes of the Cedar County Conservation Board Meeting held September 14, 2009.

The Board viewed correspondence from Amy Wehde, Deputy Director of Public Health regarding a pay increase for Vickie Byrd, Direct Care Worker.

General Discussion was held regarding replacement of the Courthouse exterior doors. It was the consensus of the Board to get quotes for the project and have those turned in by November 16, 2009.

Engineer Fangmann met with the Board regarding Pickup 127 (1995 Chevrolet Pickup). They were doing repairs on the pickup and when they put it on the lift, the lift went thru the frame. It was the consensus of the Board to take the pickup to Sharpless Auction and sell as is. General discussion followed.

Engineer Fangmann also met with the Board to review a Utility Permit Application from WTL Communications to replace phone cables along 300th St. and X64.

Moved by Sup. Boedeker seconded by Sup. Deerberg to approve and authorize Chairperson Bell to sign a Utility Permit Application for WTL Communications as presented.

Ayes: All

General discussion followed.

Moved by Sup. Boedeker seconded by Sup. Moeller to approve the Board Minutes of October 26, 2009.

Ayes: All

Moved by Sup. Deerberg Seconded by Sup. Moeller to approve claim checks #373070 - #373270.

Ayes: All

The Board noted Handwritten Check #373271 dated 10-29-09 in the amount of \$19.93 to Donna Schneekloth was issued as an administrative correction.

It was noted Handwritten Check #373272 dated 10-29-09 was issued to the Cedar County Treasurer in the amount of \$780.69, for an Administrative Solutions, Inc. flex claims electronic deposit.

It was noted Handwritten Check #373273 dated 10-29-09 was issued to the Cedar County Treasurer in the amount of \$3,335.33, for an Administrative Solutions, Inc. partial self funded claims electronic deposit.

It was noted Handwritten Check #373274 dated 10-29-09 was issued to the Cedar County Treasurer in the amount of \$1,235.09, for an Administrative Solutions dental claims electronic deposit.

On motion, the Board adjourned at 10:00 A.M., to November 2, 2009.

Cari Gritton, Auditor

Jon E. Bell, Chairperson

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., November 2, 2009 with the following members present: Boedeker, Deerberg, Moeller, and Chairperson Bell. Sup. Weih was absent.

The Board recited the Pledge of Allegiance.

Engineer Fangmann met with the Board to discuss approval of the final payment voucher for County Road X30 resurfacing project #STP-S-C016(66)—5E-16 north of West Branch. The final project cost is \$2,059,112.32 which is \$343,185 per mile. The project cost increase of \$207,140 was mainly due to patching and asphalt costs. Discussion was held.

Moved by Sup. Boedeker seconded by Sup. Deerberg to approve the final payment voucher for project #STP-S-C016(66)—5E-16 and authorize Chairperson Bell to sign the same.

Ayes: All

Absent: Weih

At 9:00 a.m. the following sealed bids were opened by Chairperson Bell and read aloud for the rental of the County farm land consisting of approximately 178 acres:

Michael Moes \$38,000 (\$213.48/acre)

Larry Regennitter \$35,600 (\$200.00/acre)

Matt Horman \$41,830 (\$235.00/acre)

William Hansen \$32,040 (\$180.00/acre)

All of the bids contained a letter of credit. Those in attendance were: Michael Moes, Larry Regennitter, Matt Horman and Assessor Lett. Chairperson Bell announced the opportunity for the bidders to begin voice bidding from the highest bid of \$235/acre. At the conclusion of the voice bidding, Michael Moes was the high bidder at \$345.00/acre. Discussion was held. The bidders and Assessor Lett left the room.

Moved by Sup. Deerberg seconded by Sup. Boedeker to accept the bid by Michael Moes in the amount of \$345.00/acre for rental of the County farm land, to approve the lease and authorize Chairperson Bell to sign the same.

Ayes: Moeller, Deerberg, Boedeker, Bell

Absent: Weih

The Board reviewed HMGP Voluntary Purchase Agreements for the following properties:

- 1) Kurt and Denise Schneckloth, 1875 1st St., Tipton,
 - 2) David and Faye Young, 110 W. Rochester Ave., Atalissa
- (These properties were damaged during the 2008 flood.)

Moved by Sup. Boedeker seconded by Sup. Deerberg to approve the Voluntary Acquisition Program for Flood Damaged Residence Offer To Buy Real Estate and Acceptance for the above named and authorize Chairperson Bell to sign the same.

Ayes: Boedeker, Deerberg, Moeller, Bell

Absent: Weih

Moved by Sup. Deerberg seconded by Sup. Moeller to approve the Board Minutes of October 29, 2009.

Ayes: All

Absent: Weih

Engineer Fangmann met with the Board to give them a report on the East Central Intergovernmental Council of Governments meeting that he attended last week. There was discussion about merging the Policy and Executive Boards. Fangmann recommended that they do not merge the Boards due to the possibility of having less of a voice.

On motion, the Board adjourned at 10:12 A.M., to November 5, 2009.

Cari Gritton, Auditor

Jon E. Bell, Chairperson

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., November 5, 2009 with the following members present: Boedeker, Deerberg, Moeller, and Chairperson Bell. Sup. Weih was absent.

The Board recited the Pledge of Allegiance.

The Board viewed a "Report of Veteran Affairs" for the month ending 10-14-09, submitted by Patty Hamann, Secretary.

The Board viewed minutes of the September 25, 2009 meeting of the Board of Health.

The Board acknowledged receipt of correspondence from Atty. Stuart Werling regarding a preliminary title opinion on property in the name of Lois J. Watson in the proposed flood buyout project.

Moved by Sup. Boedeker seconded by Sup. Moeller to approve the renewal of a Class C Beer Permit with carryout wine and Sunday sales for JMD Oil Inc.

Ayes: All

Absent: Weih

Moved by Sup. Deerberg seconded by Sup. Moeller to approve the Board Minutes of November 2, 2009.

Ayes: All

Absent: Weih

Moved by Sup. Deerberg seconded by Sup. Moeller to approve the following payroll changes:

Secondary Road Department

Brian Wood, from \$15.64/hr to \$16.56/hr Maintenance Worker II effective and Merle Waltz, from \$15.43/hr to \$16.56/hr Maintenance Worker II, both effective 11-17-09.

Ayes: All

Absent: Weih

The Board met with department heads and employees to discuss any problems or concerns they might have. Those in attendance were: Julie Tischuk, Dan Lett, Bob Klemme, Maureen Krutzfeld, Cari Gritton, Warren Wethington, Phil La Rue, Patty Hamann, Charline Thumm, Tim Malott, Vickie Powers, Brenda Johnson, Rob Fangmann, Gary Jedlicka, Sterling Benz and Jennie Tholen. Jim Wisor of Advanced Correctional Healthcare was also in attendance. Those in attendance were given the opportunity to discuss items concerning their departments. Mr. Wisor gave a presentation on the availability of purchasing supplies through the Provista purchasing group under the umbrella of Advanced Correctional Healthcare. Discussion was held.

Moved by Sup. Moeller seconded by Sup. Boedeker to approve Payroll Checks #138098 - #138261 for the regular payroll and a sick leave time payout to Ed Mellecker for the period ending 10-31-09 and to be paid on 11-06-09.

Ayes: All

Absent: Weih

It was noted Handwritten Check #373275 dated 11/5/09 was issued to the Cedar County Treasurer in the amount of \$425.41, for an Administrative Solutions, Inc. flex claims electronic deposit.

It was noted Handwritten Check #373276 dated 11/5/09 was issued to the Cedar County Treasurer in the amount of \$1,348.13, for an Administrative Solutions, Inc. partial self funded claims electronic deposit.

It was noted Handwritten Check #373277 dated 11/5/09 was issued to the Cedar County Treasurer in the amount of \$1,692.24, for an Administrative Solutions dental claims electronic deposit.

On motion, the Board adjourned at 10:02 A.M., to November 9, 2009.

Cari Gritton, Auditor

Jon E. Bell, Chairperson

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., November 9, 2009 with the following members present: Deerberg, Moeller, and Chairperson Pro Tem Boedeker. Chairperson Bell was absent at the start of the meeting. Sup. Weih was absent.

The Board recited the Pledge of Allegiance.

The Board viewed a report of fees collected for the month of October 2009, submitted by the Office of the Clerk of the District Court.

The Board viewed minutes of the October 14, 2009 meeting of the Cedar County Fair Association and an agenda for the upcoming November 11th meeting.

The Board viewed minutes of the October 2, 2009 meeting of the U.S. Highway 30 Coalition and an agenda for the upcoming December 4th meeting.

The Board viewed minutes of the October 21, 2009 meeting of the Cedar County Planning & Zoning Commission.

The Board acknowledged receipt of correspondence from the Iowa Department of Economic Development regarding an award of a Community Development Block Grant in the amount of \$104,579 for property acquisition and demolition of flood damaged properties.

Chairperson Bell signed correspondence dated 11-9-09 to employee #994 concerning health insurance coverage.

Julie Tischuk, Director, Cedar County Case Management and Connie Fett, CPC Administrator met with the Board for an annual performance review for Tischuk. Tischuk requested a closed session.

Moved by Sup. Deerberg seconded by Sup. Moeller to go into closed session as allowed under Section 21.5.1(i), Code of Iowa.

Ayes: Moeller, Deerberg, Boedeker

Absent: Bell, Weih

Moved by Sup. Deerberg seconded by Sup. Moeller to return to regular session.

Ayes: Moeller, Deerberg, Boedeker

Absent: Bell, Weih

The Board acknowledged there was no decision made with regard to the prior closed session.

General discussion was held with Tischuk and Fett.

Chairperson Bell joined the meeting at 8:52 a.m.

Paul Greufe met with the Board to discuss Union negotiations. Engineer Fangmann was in attendance.

Moved by Sup. Deerberg seconded by Sup. Boedeker to go into closed session under Section 20.17(3), Code of Iowa. (Exempt from recording.)

Ayes: Boedeker, Deerberg, Moeller, Bell

Absent: Weih

Moved by Sup. Boedeker seconded by Sup. Deerberg to return to regular session.

Ayes: Boedeker, Deerberg, Moeller, Bell

Absent: Weih

The Board acknowledged there was no decision made with regard to the prior closed session.

Moved by Sup. Moeller seconded by Sup. Boedeker to approve the Board Minutes of November 5, 2009.

Ayes: All

Absent: Weih

Engineer Fangmann met with the Board to review a proposed Bridge Embargo Resolution and a payment voucher for Taylor construction. Discussion was held regarding the bridges on the resolution. Mary Odell entered the room while discussion was in progress.

Moved by Sup. Boedeker seconded by Sup. Deerberg to approve and adopt the following resolution:

**BRIDGE EMBARGO
RESOLUTION**

WHEREAS: The Board of Supervisors is empowered under authority of Sections 321.236 Sub. (8), 321.471 to 321.473 to prohibit the operation of vehicles or impose limitations as to the weight thereof on designated highways or highway structures under their jurisdiction, and

WHEREAS: the Cedar County Engineer has caused to be completed the Structure Inventory and Appraisal of certain Bridge Inspection Standards and has determined (or it has been determined) that they are inadequate for two-lane legal loads at allowable operating stress.

NOW, THEREFORE, BE IT RESOLVED by the Cedar County Board of Supervisors that vehicle and load limits be established and that signs be erected advising of the permissible maximum weights thereof on the bridge listed.

Bridge Number 101490 on Washington Avenue over a creek in Section 14, T79N, R1W of Farmington Township be limited as follows:

Load Limit 23 Ton

Bridge Number 101880 on 310th Street over Wapsinonoc Creek in Section 20, T79N, R3W of Iowa Township be limited as follows:

Load Limit 15 Ton

Bridge Number 101620 on 325th Street over Little Elkhorn Creek in Section 28, T79N, R1W of Farmington Township be limited as follows:

Load Limit 20 Ton

Bridge Number 104320 on Washington Avenue over a creek in Section 11, T82N, R1W of Massillon Township be limited as follows:

Load Limit 12 Ton

Ayes: Moeller, Deerberg, Boedeker, Bell

Absent: Weih

The Engineer reviewed the final payment voucher for Taylor construction for bridge project #BROS-C016(69)—5F-16 on 310th Street in Section 20 of Springdale Township. The final cost of the project is \$366,517.32 which is over the bid amount of \$360,976.00. The overage is due to tile relocations and rock.

Moved by Sup. Moeller seconded by Sup. Deerberg to approve and authorize Chairperson Bell to sign the final payment voucher for Taylor Construction.

Ayes: All

Absent: Weih

Paul Greufe met with the Board to review the Drug-Free Workplace Policy. The drug screening policy will be used for pre-employment and reasonable suspicion. Mary Dorris, Amy Wehde and Mary Odell were in attendance. It was noted the Cedar County Public Health Department has a random drug screening policy per the Board of Health, and the Secondary Road Department has a random drug testing policy. Discussion was held. The Board did not have any objections to the Drug-Free Workplace Policy.

Mary Dorris, Director, Cedar County Public Health met with the Board to discuss filling a Direct Care Worker vacancy. Amy Wehde, Deputy Director and Mary Odell were in attendance. The Board had no objections to filling the vacancy.

Mary Odell of Unity HealthCare gave a presentation on maternal health and child health programs. Unity HealthCare is now the provider that is overseeing the Title Five programs for the Cedar County Public Health Department. Odell reviewed the numerous kids programs which include: Care For Kids, Hawk-I Outreach, Child Care Nurse Consulting, monitoring lead levels and I Smile. For the maternal programs, they do the following: work with WIC, make sure the linkages happen so the expectant mothers see a provider and have the needed services, and make arrangements for breast-feeding educators, reproduction health services and maternal depression assistance. Discussion was held.

At 10:35 a.m., the Board of Supervisors, convened as a Canvass Board to canvass votes cast in the City Elections of November 3, 2009. Tarah Gates, Election Deputy met with the Board. Present were Supervisors Boedeker, Deerberg, Moeller and Bell. Sup. Weih was absent. Thereupon results from the several precincts were opened and examined with the results duly entered in the Official Canvass Book and attested to by the Board and the Cedar County Auditor.

Declared duly elected in Cedar County were:

City of Bennett

Orville Randolph----Mayor

Shane Burmeister, Susan C. Lyon and Andrew Timm----Councilpersons At Large

T. Charlene Myers----Councilperson At Large-To Fill a Vacancy

City of Clarence

Michael L. Blake----Mayor

Jeric R. Armstrong, Bart Miller and Levi D. Van Oort----Councilpersons At Large

Pat Hasenbank----Councilperson At Large – To Fill A Vacancy

City of Durant

Dawn R. Smith----Mayor

Chris Gilroy, Ken Pennock and Scott O. Spengler----Councilpersons At Large

City of Lowden

Galen L. Conrad and James Olsen----Councilpersons At Large

City of Mechanicsville

Boyd A. Stine----Mayor

Deanna Cook and Calvin Paup----Councilpersons At Large

City of Stanwood

Dee Ann Koberle, Al Robinson and Greg Wagner----Councilpersons At Large

John Tenley----Park Commissioner

City of Tipton

David M. Fry----Councilperson At Large

Dean Anderson----Councilperson-Ward 2

City of West Branch

Don Kessler----Mayor

Jim Oaks and Dan O'Neil----Councilpersons At Large

Robert W. Sexton----Councilperson At Large-To Fill A Vacancy

City of Tipton Public Measure:

For the question: 522 votes

Against the question: 222 votes

The following public measure was declared adopted: “Shall the City of Tipton, in Cedar County, Iowa, enter into a loan agreement and borrow money in an amount not exceeding the amount of \$2,150,000 for the purposes of paying the cost, to that extent, of constructing, furnishing and equipping a new fire station?”

Auditor Gritton entered the room.

Thereupon the minutes of this session were reviewed and approved.

On motion, the Board adjourned at 10:55 A.M., to November 12, 2009.

Cari Gritton, Auditor

Jon E. Bell, Chairperson

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., November 12, 2009 with the following members present: Deerberg, Moeller, Weih and Chairperson Bell. Sup. Boedeker was absent.

The Board recited the Pledge of Allegiance.

The Board acknowledged receipt of correspondence from Mayor Furry of the City of Mechanicsville indicating the City will commit to be a participant in a Multi-Jurisdictional Hazard Mitigation Plan.

Auditor Gritton met with the Board to discuss setting a public hearing date regarding issuance of non-current debt concerning a loan from the Secondary Road Fund to the Tax Increment Finance Fund (Cedar Valley Golf Course Urban Renewal Area). Discussion was held.

Moved by Sup. Deerberg seconded by Sup. Weih to set November 30, 2009 at 9:00 a.m. as the time for a public hearing on the issuance of non-current debt for a loan from the Secondary Road Fund to the Tax Increment Finance Fund.

Ayes: All

Absent: Boedeker

Moved by Sup. Deerberg seconded by Sup. Weih to approve the following Courthouse Closing Schedule:

2010
COURTHOUSE CLOSING SCHEDULE

<u>DATE</u>	<u>HOLIDAY OBSERVED</u>
JANUARY 1, 2010	NEW YEAR'S DAY
FEBRUARY 15, 2010	PRESIDENTS' DAY
MAY 31, 2010	MEMORIAL DAY
JULY 5, 2010	INDEPENDENCE DAY
SEPTEMBER 6, 2010	LABOR DAY
NOVEMBER 11, 2010	VETERANS' DAY
NOVEMBER 25 & 26, 2010	THANKSGIVING DAY & DAY AFTER
DECEMBER 24, 2010	CHRISTMAS

NOTICE

The Board meeting days for 2010 have been established as Monday and Thursday of each week from 8:30 A.M. to 4:00 P.M. with a break for lunch, or until the day's agenda is completed. The Board will not meet on the above dates, but may meet for special sessions, as required.

Ayes: All

Absent: Boedeker

Moved by Sup. Moeller seconded by Sup. Deerberg to accept the Community Development Block Grant award from the Iowa Department of Economic Development in the amount of \$104,579 for property acquisition and demolition.

Ayes: Weih, Moeller, Deerberg, Bell

Absent: Boedeker

Moved by Sup. Deerberg seconded by Sup. Weih to approve the Board Minutes of November 9, 2009.

Ayes: All

Absent: Boedeker

Moved by Sup. Moeller seconded by Sup. Weih to approve the following payroll change:
Sheriff's Department

Amy Willey, Dispatcher, from \$13.89/hr to \$14.27/hr effective 11-17-09.

Ayes: All
Absent: Boedeker

The Board reviewed Community Development Block Grant Environmental Review documents for the HMGP local match.

Moved by Sup. Moeller seconded by Sup. Deerberg to approve the documents and authorize Chairperson Bell to sign the same.

Ayes: Deerberg, Moeller, Weih, Bell
Absent: Boedeker

At 9:00 a.m. the Board held a public hearing to review/consider the following petition: Gary Swart, P.O. Box 68, Sterling, IL (Owner) – Requesting a change in zoning from A-1 Agricultural to R-1 Suburban Residential for the purpose of constructing single family dwellings on a proposed two (2) lot subdivision located in the W ½, SW ¼, NW ¼, Section 10, T-79N, R-4W, in Springdale Township, consisting of 2.00 acres more or less.

Chairperson Bell read the legal notice. Phil La Rue, Zoning Director and nine other individuals were in attendance. Mr. La Rue noted there are objections on file. Gary Swart entered the room. Chairperson Bell referenced correspondence received by the Board concerning this matter. He read a letter of objection from Maggie Figgins, Director of Development of the Scattergood Friends School. Engineer Fangmann entered the room. Kathy Pedersen read the cover letter of correspondence signed by Kathy & Randy Pedersen, which requested denial of the petition. David H. Sickles read a letter which requested denial of the petition. The petition was addressed and documentation was reviewed. Phil La Rue recited language in the Land Use Plan and referenced the maps. He noted the average of the Corn Suitability Ratings is 75. Discussion was held regarding soils. La Rue said there are moderate limitations for building, and moderate to severe limitations for a septic system. He advised staying out of the Colo Ely soils due to high seasonal water tables. La Rue felt there would be no problem with a water supply for two homes. Gary Swart addressed the Board. He would like to rezone for two lots. Mr. Swart felt this would benefit the community and would not hurt anything. He indicated it would increase the property tax base. Swart felt the Cedar County population has not increased much in the last 100 years. He thought if you want good roads and schools, you have to keep growing. Swart referenced seven other lots that had been rezoned in the area with similar ground. He noted the average C.S.R. is 63, which is way below 75, and he stated that part of this ground has never been farmed. Mr. Swart presented pictures of the area for the Board to view. Chairperson Bell asked if there were any other comments. John Black read correspondence requesting that the petition be denied. He referenced zoning changes that had been approved for Black in the past and indicated that there had previously been a house on the site. Mr. Black discussed soils and reviewed a corn yield map. Barb Gerot asked that the Board deny the petition. She felt development is not needed there. Gerot indicated she felt Mr. Swart chose two acres with a low Corn Suitability Rating and if he can get this petition passed, he would develop more in the future. Jim Laughlin entered the room. He read a letter of objection and then left the room. Phil La Rue noted that by ordinance a Corn Suitability Rating of 75 is used for prime agricultural land when considering zoning petitions. John Black asked where that number came from. La Rue said it is a way of evaluating the suitability of the use of agricultural land. He noted it is based on an ordinance, and it is used for a reference factor by the Planning & Zoning Commission and the Board of Supervisors. Mr. Black felt there are several points used and it doesn't all hinge on the C.S.R. Soils were discussed. Sup. Moeller asked Mr. Black if he had a Manure Management Plan and where his closest field (where manure is spread) is located to the area in the petition. Black stated four to five miles. He noted Randy Pedersen has a field that is about a half mile away. Randy Pedersen stated he has hog buildings to the north. He felt it has been harder to site hog buildings in the last few years, so it should be harder to site houses. Pedersen noted the Scattergood School is across the road from the proposed site, and he felt the school is unique. Margie Figgins noted she lives and works at the school. She told the Board the school offers something unique. They have students from all over the world that learn about our agricultural culture, and some of them will hopefully take what they've learned back to their countries. Sup. Deerberg noted Mr. Swart could build two

houses on his property without rezoning, so he asked Gary Swart why he wanted to rezone. Mr. Swart indicated it was so that he could sell the houses. Deerberg noted Swart could sell half the farm and build a house, and then sell the other half and build a house. Swart indicated that he was aware of that. Deerberg asked if Swart was planning to build two houses and sell both of them. Swart indicated he might sell one. Deerberg referenced the possibility of building a house on forty acres, building a house on another forty acres and then buying a house back from someone, and then he'd have two houses there. Mr. Swart didn't know if that would be legal. Mr. La Rue indicated that may be questionable. Swart said he is trying to do it the legal way. Sup. Deerberg referenced acreages to the north that are approximately ten acres. He felt Swart's request to rezone two approximate one-acre lots would be considered urban development. Mr. Swart noted he was trying to take less ground out of production, and he felt people sometimes take better care of just one acre. Deerberg felt someone could rent out nine acres of a ten-acre lot. Sup. Deerberg indicated he would support rezoning ten acre lots. Mr. Swart felt a lot of people want to live in a rural area. David Sickles resented the assertion that people in the rural area don't take care of their property and felt that most do. Chairperson Bell asked Engineer Fangmann to state how much of the rural area property taxes go to the Secondary Road Fund and how it affects the budget. Fangmann said that the S.R. Fund only gets 5% of the total tax bill. He indicated if there is too large of a development, there is a possibility of having to upgrade the road to maintain service, in which case dollars could be lost. Fangmann noted a driveway entrance has been approved for the site in the petition. He would be opposed to a major subdivision at this location, because it is a gravel road and there are sight limitations. Sup. Deerberg said he viewed the area and took pictures. He felt the road dust that day was terrible, and he thought people may complain. John Black stated there are about 50 semis/day traveling that road during the harvest. Sup. Weih also felt that the Scattergood School is a concern because it is unique. He felt it appeared that the site on gravel is more unsuitable than the original sites requested, and that the site is farmed more than what was indicated. Weih referenced the unanimous denial of the petition by the Planning & Zoning Commission, and he noted the Supervisors are supposed to respond to the public's objections.

Moved by Sup. Weih seconded by Sup. Deerberg to deny the petition by Gary Swart, Sterling, Illinois (Owner), as defined above and to waive the second hearing scheduled for November 16, 2009.

Discussion was held. Sup. Moeller noted he has uncomfortable feelings about this site and the dust. He agreed that the Scattergood Friends School is unique and he is protective of that environment. Moeller appreciated Mr. Swart's tenacity, as well as that of others in attendance. He felt hypotheticals are hard to deal with, and they don't always happen. Moeller felt the Board has to deal with the issues as presented. He is not in favor of this site selection. Sup. Deerberg agreed with Sup. Weih concerning backing the Planning & Zoning Commission's decision on this matter. Chairperson Bell said the Board evaluates each request on its own merit. He felt this request is not negated or added to because of a prior request. Bell noted the site is on a gravel road, not a hard-surfaced road. He has in the past mentioned that the Scattergood Friends School is unique, and he felt they have to protect that. Bell indicated this proposed development doesn't fit into the Future Land Use Plan. He felt the majority of the land is productive, and he noted the Planning & Zoning Commission vote was unanimous and the Supervisors take some weight into what their vote was. Bell doesn't think this site is a good place for a two lot subdivision.

Ayes: Deerberg, Moeller, Weih, Bell

Absent: Boedeker

The public hearing concluded at 10:00 a.m.

Engineer Fangmann met with the Board to review plans for bridge project #BROS-C016(76)—5F-16 on Ocean Avenue in Section 16 in Fairfield Township.

Moved by Sup. Weih seconded by Sup. Moeller to approve the plans for bridge project #BROS-C016(76)—5F-16.

Ayes: All

Absent: Boedeker

Moved by Sup. Deerberg seconded by Sup. Moeller to approve a Utility Permit Application for Eastern Iowa Light & Power for service to 726 Green Road and authorize Chairperson Bell to sign the same.

Ayes: All

Absent: Boedeker

In other business, Engineer Fangmann gave the Board information concerning a cost estimate to repair a bridge on County Road Y14 just south of Hwy 30. New piling could be placed under the bridge or a new bridge could be constructed. The Board agreed that the Engineer should proceed with repairs for the bridge. The Engineer gave project updates.

Phil Waniorek of Administrative Solutions, Inc. met with the Board to discuss dental insurance rates/plan renewal, the Flexible Benefit Plan renewal and the health insurance plan. Mr. Waniorek told the Board there has been a shortfall of funds going into the Health Fund from the dental premiums for the past two years. He recommended increasing the premiums by 20%. Discussion was held. Some options discussed were: having the employee contribute towards a single dental plan or giving employees money to put into a medical reimbursement account for a dental plan that each employee can choose if they wish.

Moved by Sup. Weih seconded by Sup. Moeller that due to a shortfall of the amount of dental funds going into the Health Fund, to set the following new dental rates effective 1-1-2010:

			County	Employee
Employee	\$24.66		\$24.66	\$0
Employee + 1	\$49.30		\$24.66	\$24.64
Family	\$79.18		\$24.66	\$54.52

Ayes: All

Absent: Boedeker

Phil Waniorek reviewed documentation concerning the health insurance plan benefits. He recommended changing the out-of-network deductibles to reduce the County's liability. Discussion was held regarding his recommendation. Some other areas of discussion were, but not limited to: having two sets of benefits, changing the percentage of the employees' share of the premiums, raising deductibles, costs and benefits.

Documentation was reviewed concerning the Flexible Benefit Plan renewal. Discussion was held. Mr. Waniorek recommended leaving the medical reimbursement maximum at \$3,000.

Moved by Sup. Weih seconded by Sup. Moeller to renew the Flexible Benefit Plan with Administrative Solutions, Inc. for the calendar year 2010 for an administration fee of \$2,381.00 and authorize Chairperson Bell to sign the proposal acceptance.

Ayes: All

Absent: Boedeker

Moved by Sup. Weih seconded by Sup. Deerberg to approve Claim Checks #373278 - #373578.

Ayes: All

Absent: Boedeker

It was noted Handwritten Check #373579 dated 11/12/09 was issued to the Cedar County Treasurer in the amount of \$1,576.33, for an Administrative Solutions, Inc. flex claims electronic deposit.

It was noted Handwritten Check #373580 dated 11/12/09 was issued to the Cedar County Treasurer in the amount of \$200.45, for an Administrative Solutions, Inc. partial self funded claims electronic deposit.

It was noted Handwritten Check #373581 dated 11/12/09 was issued to the Cedar County Treasurer in the amount of \$2,339.60, for an Administrative Solutions dental claims electronic deposit.

On motion, the Board adjourned at 11:32 A.M., to November 16, 2009.

Cari Gritton, Auditor

Jon E. Bell, Chairperson

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., November 16, 2009 with the following members present: Deerberg, Moeller, Weih and Chairperson Bell. Sup. Boedeker was absent.

The Board recited the Pledge of Allegiance.

Tim Malott, Emergency Management Director met with the Board to discuss a resolution concerning the local match for the Hazard Mitigation Grant Program concerning planning funds for a Multi-Jurisdictional Plan. The total grant amount is \$48,000 of which \$7,200 (15%) is the in-kind local match. Plan meeting hours will be used towards the in-kind match. Malott hopes to have the planning done in five meetings. The County would have to pay the difference if there are not enough hours put in at the meetings. The Cities of Durant and Bennett will be able to participate upon completion of their single plans.

Moved by Sup. Deerberg seconded by Sup. Weih to approve and adopt the following resolution:

LOCAL MATCH RESOLUTION #111609
FOR THE
HAZARD MITIGATION GRANT PROGRAM

WHEREAS, Cedar County (hereinafter called "the Subgrantee"), County of Cedar, has made application through the Iowa Homeland Security and Emergency Management Division (HSEMD) to the Federal Emergency Management Agency (FEMA) for funding from the Hazard Mitigation Grant Program, in the amount of \$48,000.00 for the total project cost,
and

WHEREAS, the Subgrantee recognizes the fact that this grant is based on a cost share basis with the federal share not exceeding 75%, the state share not exceeding 10% and the local share being a minimum of 15% of the total project cost. The minimum 15% local share can be either cash or in-kind match,
and

THEREFORE, the Subgrantee agrees to provide and make available up to \$7,200.00 (seven thousand two hundred dollars) of local monies to be used to meet the minimum 15% match requirement for this mitigation grant application.

Ayes: Weih, Moeller, Deerberg, Bell

Absent: Boedeker

Moved by Sup. Deerberg seconded by Sup. Moeller to approve the Board Minutes of November 12, 2009.

Ayes: All

Absent: Boedeker

Moved by Sup. Weih seconded by Sup. Deerberg to approve issuance of Handwritten Check #373582 to Administrative Solutions, Inc. dated 11-16-09 in the amount of \$2,480.25 for November administration fees.

Ayes: All

Absent: Boedeker

Paul Greufe, Human Resources consultant met with the Board to discuss the 2010 paid holidays and Courthouse closing schedule. Others in attendance were: Warren Wethington, Connie Fett, Melissa Helmold, Lissa Woolley and Gary Jedlicka. Mr. Greufe explained that when the Employee Handbook was last revised, it was the intent that the paid holiday language was changed so Christmas Eve is a paid holiday each year, and in 99% of the instances, the language will work. In 2010 Friday, December 24th is Christmas Eve and Saturday is Christmas Day. Per the language in the handbook, when a holiday falls on Saturday, it will be observed on Friday, but that day is already a holiday. Greufe asked the Board if they would be agreeable that when there are back to back holidays, that the employees receive two holidays and the Board of Supervisors would decide what those days will be. For example, Thursday and Friday or Friday and Monday. Sup. Moeller wondered how this would affect the Unions. Paul Greufe

recommended being consistent with everyone. Sup. Weih thought the language used to be “except when Christmas Eve falls on a Friday”. Greufe noted that language was removed so that wouldn’t happen anymore. Sup. Deerberg felt an option would be to give employees the two paid holidays, but to have some employees work on Friday and some work on Monday so that the offices could remain open. Further discussion was held. Sup. Weih asked if the intent when the language was changed was that the employees get two paid holidays. Greufe said yes. Gary Jedlicka recalled that when the last handbook revisions were made, there were a lot of trade-offs. Sup. Weih asked if the intent was to get paid for a holiday or to have a day off, but he felt by the discussion it was obviously to get paid. Chairperson Bell felt the Board has always thought it was to get the day off for the holiday. He noted the option of paying employees for the holiday, but requiring them to work. It was noted that doing that option could involve paying time and a half since holiday paid time is considered work time. Discussion continued. It was the consensus of the Board that in 2010 employees would receive paid holidays for both Christmas Eve and Christmas Day. Sheriff Wethington clarified that for employees working at the Law Enforcement Center, which is a facility that is operated 24-hours per day/seven days per week, that Friday and Saturday would be holidays for those employees that are scheduled to work those days, and Thursday and Friday would be the holidays for the other staff. The Board and Paul Greufe said that is correct.

In other business, Paul Greufe told the Board they are the owner of the Workers Deferred Compensation Plan and there are fiduciary responsibilities. He will meet with them again regarding the matter.

Moved by Sup. Deerberg seconded by Sup. Moeller to approve the following:

2010

COURTHOUSE CLOSING SCHEDULE

<u>DATE</u>	<u>HOLIDAY OBSERVED</u>
JANUARY 1, 2010	NEW YEAR'S DAY
FEBRUARY 15, 2010	PRESIDENTS' DAY
MAY 31, 2010	MEMORIAL DAY
JULY 5, 2010	INDEPENDENCE DAY
SEPTEMBER 6, 2010	LABOR DAY
NOVEMBER 11, 2010	VETERANS' DAY
NOVEMBER 25 & 26, 2010	THANKSGIVING DAY & DAY AFTER
DECEMBER 23, 2010	CHRISTMAS EVE DAY
DECEMBER 24, 2010	CHRISTMAS DAY

NOTICE

The Board meeting days for 2010 have been established as Monday and Thursday of each week from 8:30 A.M. to 4:00 P.M. with a break for lunch, or until the day's agenda is completed. The Board will not meet on the above dates, but may meet for special sessions, as required.

Ayes: All
Absent: Boedeker

Moved by Sup. Moeller seconded by Sup. Deerberg to approve the following payroll change:

Treasurer's Department

Barbara Smith, Clerk, from \$12.90/hr to \$13.15/hr effective 11-8-09.

Ayes: All
Absent: Boedeker

Discussion was held regarding open enrollment for the dental plan. Deputy Auditor Carpenter met with the Board, as requested, to discuss the events that would allow someone to enroll in the plan without using the open enrollment period. Discussion was held.

Moved by Sup. Weih seconded by Sup. Moeller to allow open enrollment from today to December 1, 2009 for the dental plan that is effective 1-1-2010.

Ayes: All

Absent: Boedeker

On motion, the Board adjourned at 10:10 A.M., to November 19, 2009

Cari Gritton, Auditor

Jon E. Bell, Chairperson

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., November 19, 2009 with the following members present: Boedeker, Deerberg, Moeller, Weih and Chairperson Bell.

The Board recited the Pledge of Allegiance.

The Board acknowledged receipt of correspondence from Betty L. Cram, Steering Committee Member for the Wilton Library and Community Center Campaign reminding the Board about their pledge to the project.

Chairperson Bell noted a new resolution is required concerning the local match for the Hazard Mitigation Grant Program concerning planning funds for a Multi-Jurisdictional Plan. Discussion was held.

Moved by Sup. Weih seconded by Sup. Deerberg to approve and adopt the following resolution:

LOCAL MATCH RESOLUTION #111909
FOR THE
HAZARD MITIGATION GRANT PROGRAM

WHEREAS, Cedar County (hereinafter called "the Subgrantee"), County of Cedar, has made application through the Iowa Homeland Security and Emergency Management Division (HSEMD) to the Federal Emergency Management Agency (FEMA) for funding from the Hazard Mitigation Grant Program, in the amount of \$48,000.00 for the total project cost, and

WHEREAS, the Subgrantee recognizes the fact that this grant is based on a cost share basis with the federal share not exceeding 75%, the state share not exceeding 10% and the local share being a minimum of 15% of the total project cost. The minimum 15% local share can be either cash or in-kind match,

And

THEREFORE, the Subgrantee agrees to provide and make available up to \$7,200.00 (seven thousand two hundred dollars) of local monies to be used to meet the minimum 15% match requirement for this mitigation grant application.

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

The Public Health Department requested a handwritten check for hand sanitizer for H1N1 kits being prepared for Cedar County school children to be purchased with H1N1 Response Grant funding.

Moved by Sup. Moeller seconded by Sup. Boedeker to approve issuance of Handwritten Check #373586 dated 11-19-09 to Walmart in the amount of \$3,375.60.

Ayes: All

The Board reviewed a proposed Amendment to Cedar County Partially Self-Funded Group Health Insurance Plan concerning out-of-network benefits. Discussion was held.

Moved by Sup. Moeller seconded by Sup. Deerberg to approve and authorize Chairperson Bell to sign the Amendment to Cedar County Partially Self-Funded Group Health Insurance Plan, as presented.

Ayes: All

Moved by Sup. Deerberg seconded by Sup. Weih to approve the Board Minutes of November 16, 2009.

Ayes: All

Moved by Sup. Deerberg seconded by Sup. Boedeker to approve Payroll Checks #138262 - #138444 for the period ending 11-14-09 and to be paid on 11-20-09 for the regular payroll and Secondary Road employees' vacation buybacks.

Ayes: All

Sup. Deerberg reported on his conversation with Nicole Turpin at the East Central Intergovernmental Association regarding the 2008 flood buyouts project.

The Board noted there is a vacancy on the Eminent Domain Commission, due to Edward Crock no longer residing in Cedar County.

Moved by Sup. Deerberg seconded by Sup. Weih to appoint Darrel Penningroth to the Eminent Domain Commission to fill a vacancy.

Discussion was held regarding the new gender balance legislation concerning appointments to boards and commissions. Members felt more research should be done concerning the legislation and it's effective date.

Nays: All

County Attorney Benz met with the Board to discuss the new gender balance legislation. The law is effective 1-1-2012. The Board agreed that department heads should be made aware of the new legislation and that the Board of Supervisors will be working towards gender balance on boards and commissions.

Sup. Deerberg gave a report on the bids and information received concerning replacement of the Courthouse exterior doors. Discussion was held. Warren Wethington entered the room while discussion was in progress. No final decision will be made until further information is received concerning a deviation on a bid.

Sup. Moeller left the meeting.

Deputy Sheriff Rodney Ohrt met with the Board to discuss the possibility of employees donating sick leave time. Sheriff Wethington was in attendance. Mr. Ohrt is running out of leave time. Several Deputies have indicated they would donate time to him. He has done some research as to what surrounding counties allow. Ohrt asked the Board if they would consider allowing donation of time from one employee to another. Chairperson Bell noted, in the past, the Board has looked into a policy for this, but issues have raised red flags, and that is why the Board made the decision to not allow donation of time based on the recommendations given to them. Sup. Weih recalled that it was more of an accountability issue and that it may be against GASB accounting rules. He was not personally opposed to the concept of donating time. Supervisor Boedeker agreed. Ohrt said the donation was only being considered from the other Deputies. Sup. Boedeker felt if the Board allowed that, employees from other departments would approach the Board. It was noted there have been prior requests concerning donation of time. Sup. Deerberg noted the Board looked at the donation of both sick and vacation time. Chairperson Bell felt that liabilities could be opened up concerning GASB. He agreed that members of the Board were not totally against the concept. Rodney Ohrt indicated that he understood. Further discussion was held.

It was noted Handwritten Check #373583 dated 11-19-09 was issued to the Cedar County Treasurer in the amount of \$794.77, for an Administrative Solutions, Inc. flex claims electronic deposit.

It was noted Handwritten Check #373584 dated 11-19-09 was issued to the Cedar County Treasurer in the amount of \$1,575.19, for an Administrative Solutions, Inc. partial self funded claims electronic deposit.

It was noted Handwritten Check #373585 dated 11-19-09 was issued to the Cedar County Treasurer in the amount of \$1,088.40, for an Administrative Solutions dental claims electronic deposit.

On motion, the Board adjourned at 10:10 A.M., to November 23, 2009.

Cari Gritton, Auditor

Jon E. Bell, Chairperson

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., November 23, 2009 with the following members present: Boedeker, Deerberg, Moeller, Weih and Chairperson Bell.

The Board recited the Pledge of Allegiance.

The Board acknowledged receipt of a list of property holders that are under property tax suspension, submitted by the Treasurer's Office.

The Board acknowledged receipt of correspondence from the U.S. Census Bureau regarding 2010 Boundary and Annexation Survey Workshops.

The Board acknowledged receipt of correspondence and Information Pertaining To The Open Forum Public Hearing held in Mount Vernon on 7-30-2009 concerning implementation of corridor preservation for the U.S. 30 Mount Vernon/Lisbon bypass, submitted by the Iowa Department of Transportation.

The Board noted correspondence from Mary Dorris, Director, Cedar County Public Health regarding a payroll change for Diane Wehde, Secretary/Receptionist, from \$13.45/hr to \$13.70/hr effective 11-19-09.

Sup. Moeller gave a report on the Seventh Judicial District meeting held on 11-13-09.

Discussion was held regarding a Reserve Officer working during the absence of the Courthouse Security Guard this week. Sheriff Wethington was contacted about the matter. Nathan Hubler has agreed to work. Bev Penningroth gave the Board an update on information she obtained. The Board had no objection to Nathan Hubler working as a Security Guard at the rate of \$13.25/hr on an as-needed basis as long as we have the proper paperwork. Chairperson Bell requested, in the future, that the same one or two Reserve Officers work in this position when needed.

Sup. Deerberg gave a report on the Courthouse exterior doors replacement project.

Engineer Fangmann met with the Board to tell them he received a "Request For Impasse Services" with a notation that Mediation services are requested, which was signed by Sylvia Kelley for UE Local 893 and submitted to the Public Employee Relations Board. It was noted that no proposal has yet been given to the County. Discussion was held. Fangmann told the Board he was asked about an appointment time, and he told the individual to contact Paul Greufe since he is handling the Union negotiations process. The Engineer gave project updates.

Moved by Sup. Boedeker seconded by Sup. Deerberg to approve the Board Minutes of November 19, 2009.

Ayes: All

General discussion was held.

Julie Tischuk, Director of the Cedar County Case Management Department met with the Board to give a report on the State survey exit interview that was held on November 19th. There were only three corrective actions noted. The Surveyor felt the Department did a good job in many areas. Discussion was held. Sup. Boedeker felt the Surveyor was very complimentary. Tischuk will report back to the Board after the 30-day correction period, and at that time she will also review the on-call procedures for the Case Management Department.

It was noted the Board would not be meeting on Thursday, November 26th, due to the observance of the Thanksgiving holiday.

On motion, the Board adjourned at 10:05 A.M., to November 30, 2009.

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., November 30, 2009 with the following members present: Boedeker, Deerberg, Moeller, Weih and Chairperson Bell.

The Board recited the Pledge of Allegiance.

The Board viewed a "Report of Veteran Affairs" for the month ended 11-18-09, submitted by Patricia Hamann, Secretary.

The Board acknowledged receipt of the Thirteenth Annual Report Cedar County Management Plan For Mental Health Services Fiscal Year 2009, submitted by Connie Fett, CPC Administrator.

Connie Fett, CPC Administrator met with the Board to give an update on the Substance Abuse Costs Policy and a payment to St. Luke's Hospital in Cedar Rapids. Fett reviewed a situation when it was ordered that someone attend treatment, but unknown to us that the person wasn't going to attend treatment until 12 days later, therefore we had to pay for bed days at the rate of \$507/day. We have to pay the costs through the date of discharge. Fett has discussed the matter with County Attorney Benz. He has advised that Fett attend all of the commitment hearings to explain to the Judge what our policy is. Fett noted she would be able to attend most of the hearings, unless she has another meeting or is gone from work. Chairperson Bell suggested that the County Attorney attend the hearings in Connie Fett's absence. Discussion was held.

A public hearing was held at 9:00 a.m. to consider issuance of non-current debt for a loan for the purposes of rock expenditures and prior loan repayment. The form of debt is a loan from the Secondary Road Fund to the Tax Increment Finance Fund (Cedar Valley Golf Course Urban Renewal Area). Auditor Gritton was in attendance. There are no written or verbal objections on file. Discussion was held.

Moved by Sup. Boedeker seconded by Sup. Moeller to certify Tax Increment Finance debt in the amount of \$30,000.00 for the Cedar County Urban Renewal Area-Dist. 041 (Cedar Valley Golf Course).

Ayes: Boedeker, Deerberg, Moeller, Weih, Bell

The hearing concluded at 9:04 a.m.

Discussion was held regarding debt certification for CDC Limited (HWH) Rochester Township Urban Renewal Areas.

Moved by Sup. Moeller seconded by Sup. Deerberg to certify Tax Increment Finance debt in the amount of \$36,500.00 for the Rochester Township Urban Renewal Area-Dist. 300 001 and in the amount of \$6,500.00 for the Rochester Township Urban Renewal Area-Dist. 300 002.

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

In other business, Auditor Gritton told the Board that 11 applications have been received to date for property tax abatement for flood damaged properties. Chairperson Bell appointed Sup. Deerberg to the committee that will review the applications. Auditor Gritton, Treasurer Jedlicka and Assessor Lett will also be on the committee.

Moved by Sup. Deerberg seconded by Sup. Weih to appoint Jan Penningroth to the Eminent Domain Commission to fill a vacancy effective 11-30-09.

Ayes: All

Discussion was held regarding appointments to Boards and Commissions.

Moved by Sup. Boedeker seconded by Sup. Deerberg to approve the Board Minutes of November 23, 2009.

Ayes: All

Moved by Sup. Deerberg seconded by Sup. Boedeker to approve Claim Checks #373587 - #373748.

Ayes: All

It was noted Handwritten Check #373749 dated 11/26/09 was issued to the Cedar County Treasurer in the amount of \$892.80, for an Administrative Solutions, Inc. flex claims electronic deposit.

It was noted Handwritten Check #373750 dated 11/26/09 was issued to the Cedar County Treasurer in the amount of \$8,681.96, for an Administrative Solutions, Inc. partial self funded claims electronic deposit.

It was noted Handwritten Check #373751 dated 11/26/09 was issued to the Cedar County Treasurer in the amount of \$1,362.72, for an Administrative Solutions dental claims electronic deposit.

On motion, the Board adjourned at 9:58 A.M., to December 3, 2009.

Cari Gritton, Auditor

Jon E. Bell, Chairperson

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., December 3, 2009 with the following members present: Boedeker, Deerberg, Moeller, Weih and Chairperson Bell.

The Board recited the Pledge of Allegiance.

The Board viewed correspondence from Rodney Ohrt regarding his resignation from the position of Deputy Sheriff.

The Board viewed correspondence from Jessica Clinton, Loss Control Consultant for Alternative Risk Services, LLC regarding chainsaw safety training and the Heartland Insurance Risk Pool Workers Compensation Loss Control Scorecard evaluation.

Rick Christensen, Weed Commissioner met with the Board to review a 2009 Weed Commissioner’s Report that is to be submitted to the Iowa Department of Agriculture and Land Stewardship. Discussion was held.

Moved by Sup. Boedeker seconded by Sup. Deerberg to approve and authorize Chairperson Bell to sign the 2009 Weed Commissioner’s Report, as presented.
Ayes: All

Engineer Fangmann met with the Board to review a bridge embargo resolution and right-of-way contracts for bridge project #BROS-C016(76)—8J-16 on Ocean Avenue. The proposed bridge embargo was discussed.

Moved by Sup. Deerberg seconded by Sup. Moeller to approve and adopt the following resolution:

**BRIDGE EMBARGO
RESOLUTION**

WHEREAS: The Board of Supervisors is empowered under authority of Sections 321.236 Sub. (8), 321.471 to 321.473 to prohibit the operation of vehicles or impose limitations as to the weight thereof on designated highways or highway structures under their jurisdiction, and

WHEREAS: the Cedar County Engineer has caused to be completed the Structure Inventory and Appraisal of certain Bridge Inspection Standards and has determined (or it has been determined) that they are inadequate for two-lane legal loads at allowable operating stress.

NOW, THEREFORE, BE IT RESOLVED by the Cedar County Board of Supervisors that vehicle and load limits be established and that signs be erected advising of the permissible maximum weights thereof on the bridge listed.

Bridge Number 101700 on Newton Avenue over Crooked Creek in Section 5, T79N, R2W of Rochester Township be limited as follows:

Load Limit 7 Ton

Ayes: Boedeker, Deerberg, Moeller, Weih, Bell

The Engineer reviewed the proposed right-of-way contracts. Discussion was held.

Moved by Sup. Boedeker seconded by Sup. Moeller to approve and authorize Chairperson Bell to sign right-of-way contracts for bridge project #BROS-C016(76)—8J-16 as follows:

1. LaVonne Chapman Revocable Trust
 .3 acres permanent easement & .1 acres temporary easement \$1,883.26
2. Robert O. Kintzel & Shirley A. Kintzel
 .89 acres permanent easement & .26 acres temporary easement \$5,558.93

3. Roger & Gloria Schmidt
1.00 acre permanent easement & .21 acres temporary easement \$5,495.38
Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

Engineer Fangmann gave project updates. General discussion was held.

The Board met with department heads to discuss any problems or concerns they might have. Those in attendance were: Rob Fangmann, Julie Tischuk, Patty Hamann, Tim Malott, Gary Jedlicka, Charline Thumm, Dan Lett, Warren Wethington, Phil La Rue, Mike Dauber, Mary Dorris, Amy Wehde and Cari Gritton. Chairperson Bell asked everyone to start working towards gender balance on boards and commissions per a new law that is effective 1-1-2012. He also asked if departments had tried purchasing supplies through the group purchase umbrella of Advanced Correctional Healthcare. Some departments indicated they had ordered items, and the process worked well. Bell encouraged everyone to use the purchasing group. Chairperson Bell advised everyone about the health insurance plan change concerning the out of network deductible. Those in attendance were given the opportunity to relay items concerning their departments. Engineer Fangmann gave project updates. Julie Tischuk indicated the State survey for her department is complete. Patty Hamann reported that so far 61 families have been approved for food certificates. Donations for the certificates will be received. Tim Malott noted the State is looking at increasing the 911 phone surcharges. He also reviewed grants and funding received. Recorder Thumm gave an update on equipment used in the office for various programs. She felt the fraud alert program at the I.S.A.C. Fall School was very good. Assessor Lett reported that there were no appeals for the agricultural equalization. Sheriff Wethington noted that the new building he ordered has been delivered. The use of Advanced Correctional Healthcare has been going pretty well at the jail. Mike Dauber, Conservation Director gave project updates. Mary Dorris reported that the Public Health Department is distributing H1N1 flu kits to the children in the County. Items for the kits were purchased with grant funds. Phil LaRue said the State Department of Health will be doing a Grants to Counties audit at his office on December 15th. He noted that his 2008 flood work hours are being compiled as requested.

Sheriff Wethington met with the Board to request permission to fill a Deputy Sheriff vacancy. Tim Malott was in attendance. The Sheriff would like to choose from the current pool of candidates, but that matter is being researched. Wethington noted in another county they do not use a top ten list. The Sheriff felt the Civil Service Commission should hire their own people to assist with testing rather than use employees of the Sheriff's Department. The Board of Supervisors did not have an objection to hiring to fill the vacancy.

Steve Lacina, Director and Trisha Gottschalk, Office Manager of the Cedar County Economic Development Commission met with the Board to give an update and for a FY2010-2011 funding review. Tim Malott was in attendance. Mr. Lacina presented a newsletter concerning an annual update. Some areas of discussion were, but not limited to: increasing the visibility for Cedar County, committees that Lacina serves on concerning agriculture and broadband connections in rural areas, marketing, funds, community venture network, wind energy associations/conferences, contacts, lobbying, entrepreneurial conferences, Small Business Development Board, Regional Workforce Board, the office, the budget, Private Business Partners Investment Program for marketing funds, the City of Lisbon joining the Economic Development Commission, working with businesses, and support for businesses, cities and the county. Discussion was held.

Randy Zobrist, Director of River Bend Transit met with the Board for a FY2010-2011 funding review. Tim Malott was in attendance. Zobrist presented and reviewed documentation. He requested a 3% funding increase in the amount of \$494.00.

Tim Malott, Emergency Management Director met with the Board to review correspondence from Barbara Vos, E911 Program Manager for the State of Iowa, to the Chairperson of the Cedar County E911 Service Board concerning the Automatic Vehicle Location system. Discussion was held. Malott noted that only the air cards were

removed. The equipment is still being used for global positioning and determining where vehicles are located. He will send Ms. Vos a letter to explain how the system is being used.

Darwin Polk and Nicole Turpin of the East Central Intergovernmental Association met with the Board to set a bid letting date for a Phase 1 Environmental Site Assessment for commercial property located at 1140 Cemetery Road, discuss contracts for attorney and abstracting services for the flood buyout project and give a flood buyout project update. Tim Malott was in attendance. Discussion was held regarding the bid letting.

Moved by Sup. Weih seconded by Sup. Boedeker to set 10:00 a.m. on 12-21-09 as the deadline for sealed bids to be submitted for a Phase 1 Environmental Site Assessment for commercial property located at 1140 Cemetery Road and 11:45 a.m. on the same date as the time to open the bids and then take action.

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

Darwin Polk gave an update on the flood buyout project. Eight offers to purchase have been signed and approved to date. Nicole Turpin noted there has been one appeal submitted. Discussion was held. The appeal process was reviewed. Norm Gritton and Phil LaRue entered the room while discussion was in progress. Further discussion was held. The Board of Supervisors will make the final decision concerning the appeal. It was the consensus of the Board that they will review all information concerning the matter and then set a date for final action.

Nicole Turpin presented contracts concerning the attorney and abstracting services for the flood buyout project. County Attorney Benz has reviewed the proposed contracts. Discussion was held. The contract for attorney services is for \$400/property for a total of \$8,400.00 plus reimbursement for costs not to exceed \$792.85/property. The contract for abstracting services is for \$200/property for a total of \$4,200.00.

Moved by Sup. Moeller seconded by Sup. Deerberg to approve and authorize Chairperson Bell to sign the contracts for services by Attorney Stuart Werling and Land Title Corp. for the flood buyout project.

Ayes: All

Norm Gritton asked how the flood buyout process was going. Nicole Turpin explained the processes and delays that have occurred. She said a preliminary HUD statement is needed from the attorney, to submit to Homeland Security, which will then allow funds to be received in advance. That process could take about a month. Further discussion was held. Chairperson Bell felt the Board had thought the buyout project would be complete by the end of this year. The Board agreed that it probably won't be complete by then. It was suggested that Mr. Gritton talk to the attorney. Sup. Boedeker asked Nicole Turpin to contact the attorney regarding this matter.

Moved by Sup. Weih seconded by Sup. Boedeker to approve the Board Minutes of November 30, 2009.

Ayes: All

Sup. Deerberg reviewed the recommendations regarding the property tax abatement applications concerning 2008 flood damaged properties. The committee that reviewed the applications recommended that two applications be denied due to receipt of or approval for mortgage assistance and that ten applications be approved. The total amount for the recommended abatement of the second half property taxes for those properties is \$6,709.

Moved by Sup. Weih seconded by Sup. Boedeker to deny two Tax Abatement Applications and approve ten Tax Abatement Applications, as recommended, and authorize Chairperson Bell to sign the same.

Ayes: Deerberg, Moeller, Weih, Boedeker, Bell

Sup. Deerberg gave a report on the Courthouse exterior doors replacement project. County Attorney Benz has recommended to Deerberg that the Board start over and go out for quotes. Discussion was held.

Moved by Sup. Weih seconded by Sup. Boedeker to deny all bids for the exterior doors project with the understanding that the Board will pursue quotes.

Ayes: Weih, Boedeker, Deerberg, Moeller, Bell

Moved by Sup. Deerberg seconded by Sup. Moeller to approve Payroll Checks #138445 - #138610 for the regular payroll and for a vacation time payout for Rodney Ohrt for the period ending 11-28-09 and to be paid on 12-4-09.

Ayes: All

The Board noted Claim Check #373752 dated 12/01/09 in the amount of \$15,000.00 was issued to the Cedar County Tax Increment Finance Fund from the Secondary Road Fund per action taken by the Board on 11-30-09 concerning a loan repayment.

It was noted Handwritten Check #373753 dated 12-03-09 was issued to the Cedar County Treasurer in the amount of \$260.00, for an Administrative Solutions, Inc. flex claims electronic deposit.

It was noted Handwritten Check #373754 dated 12/03/09 was issued to the Cedar County Treasurer in the amount of \$3,257.93, for an Administrative Solutions, Inc. partial self funded claims electronic deposit.

It was noted Handwritten Check #373755 dated 12/03/09 was issued to the Cedar County Treasurer in the amount of \$2,148.83, for an Administrative Solutions dental claims electronic deposit.

On motion, the Board adjourned at 11:35 A.M., to December 7, 2009.

Cari Gritton, Auditor

Jon E. Bell, Chairperson

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., December 7, 2009 with the following members present: Boedeker, Deerberg, Moeller, Weih and Chairperson Bell.

The Board recited the Pledge of Allegiance.

The Board viewed information from Julie Tischuk, Director of Cedar County Case Management regarding a 2.5% reduction regarding the State HCBS Waiver Program funding.

The Board viewed information regarding an appeal of the purchase offer by Cedar County concerning the flood buyout project.

The Board viewed correspondence between Nicole Turpin at the East Central Intergovernmental Association and Paula Werling at Werling Abstract regarding abstracting services for the flood buyout project.

Connie Knutsen, Director of Medical Examiner Investigations met with the Board for a FY2010-2011 budget review. She reviewed a Medical Examiner's Summary and budget information. Discussion was held.

Chairperson Bell left the meeting at 8:50 a.m.

Dave Mohr and Ken Schmidt of the Fair Association met with the Board for a FY2010-2011 funding review. Joyce Coppess was in attendance. Mr. Mohr reviewed an income and expenditure report. Discussion was held. Chairperson Bell returned to the room while discussion was in progress. Mr. Mohr requested that the funding remain the same, but additional funding would be appreciated. No decision was made regarding funding.

Karen Lafrenz and Jerrel Gallagher of Senior Citizens, Inc. met with the Board for a FY2010-2011 funding review. Elda Licht was in attendance. Lafrenz reviewed expense and revenue reports. Discussion was held. Mrs. Lafrenz noted whatever funding the County could give would be appreciated. No funding decision was made.

Moved by Sup. Moeller seconded by Sup. Boedeker to approve the Board Minutes of December 3, 2009.

Ayes: All

The Board reviewed HMGP Voluntary Purchase Agreements for the following properties that were damaged during the 2008 flood:

- 1)Charlotte Hill, 130 W. Rochester Avenue
- 2)Larry Hill, 127 W. Rochester Avenue.

Moved by Sup. Weih seconded by Sup. Boedeker to approve the Voluntary Acquisition Program for Flood Damaged Residence Offer To Buy Real Estate and Acceptance for the above named and authorize Chairperson Bell to sign the same.

Ayes: Boedeker, Deerberg, Moeller, Weih, Bell

Elda Licht of Volunteer Services of Cedar County met with the Board for a FY2010-2011 funding review. Documentation and budget information were reviewed. Discussion was held. Mrs. Licht told the Board that any extra funding would be appreciated. No funding decision was made.

Patty Hamann, General Assistance Director & Veteran Affairs Secretary met with the Board for FY2010-2011 budget reviews. Discussion was held. Cedar County will no longer receive the \$10,000 State grant. The Cedar County Veteran Affairs Commission would like to continue sending out newsletters bi-annually, therefore the proposed postage line item has increased. Hamann presented documentation concerning Fair Market Rent. Ordinance changes have been proposed concerning rental assistance in order to be more comparative and for funeral services due to increased costs.

Connie Fett, CPC Administrator met with the Board to discuss Social Services Block Grant funds for mental health services. Fett received correspondence concerning the grant funds that were available for mental health services for those affected by the 2008 flood. The State would like to reallocate the funds to another County if Cedar County doesn't need the funds. The amount is \$7,139.74. Fett indicated Cedar County will not be using the funds. Discussion was held.

Moved by Sup. Deerberg seconded by Sup. Weih to give the Department of Human Services authorization to release the Social Services Block Grant Funds to other counties.
Ayes: All

Engineer Fangmann met with the Board to discuss a possible property purchase for the Secondary Road Department. Fangmann told the Board he has received calls about people wanting to buy plank and steel that they've seen at the old Care Facility site. He felt that it is not a good site for storing the Secondary Road supplies. Fangmann also noted that the department has to take a loader to the site every time they want to load items, therefore he felt it is not the most efficient site. Engineer Fangmann noted the owner of property to the south of the County Garage in Tipton has approached him about selling it to the County. Discussion was held. Engineer Fangmann requested a closed session.

Moved by Sup. Weih seconded by Sup. Moeller to go into closed session as allowed under Section 21.5.1(j), Code of Iowa.

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell
Chairperson Bell noted the time of 11:23 a.m.

Moved by Sup. Weih seconded by Sup. Moeller to return to regular session.

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell
Chairperson Bell noted the time of 11:32 a.m.

General discussion was held with Engineer Fangmann.

Moved by Sup. Boedeker seconded by Sup. Moeller to not pursue this purchase, at this time, due to budget constraints.

Ayes: Boedeker, Deerberg, Moeller, Weih, Bell

Auditor Gritton briefly met with the Board to review policy concerning the Courthouse remaining open during inclement weather. The Board agreed that the Courthouse should remain open and that there would be no attendance point penalty if an employee cannot get to work due to the weather. If an employee is not able to get to work, they would have to use vacation or personal time.

On motion, the Board adjourned at 11:46 A.M., to December 10, 2009.

Cari Gritton, Auditor

Jon E. Bell, Chairperson

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., December 10, 2009 with the following members present: Boedeker, Deerberg, and Chairperson Bell. Supervisors Weih and Moeller were absent.

The Board recited the Pledge of Allegiance.

The Board viewed a report of fees collected for November 2009, submitted by the Clerk of the District Court.

The Board viewed correspondence from Nicole Turpin at E.C.I.A., to Atty. Stuart Werling regarding services for the flood buyout project.

The Board viewed correspondence between Nicole Turpin at E.C.I.A. and Pam Reed regarding an appraisal of property and the flood buyout project.

The Board viewed an updated Cedar County Loss Control Scorecard Evaluation from Jessica Clinton at Alternative Risk Services.

The Board acknowledged receipt of correspondence from the Iowa Gaming Association regarding tourism and funding.

The Board acknowledged receipt of correspondence from Atty. Stuart Werling regarding title opinions for properties in the flood buyout project owned by Kurt & Denise Schneckloth, David Thomsen and Leigh Ann Capshaw, and Rochester Lumber Company.

The Board noted correspondence from Mary Dorris, Director, Cedar County Public Health regarding a payroll change for Stacy Campion, Administrative Assistant, from \$14.20/hr to \$14.70/hr effective 12-12-09.

Brief discussion was held regarding the acquisition of flood damaged properties.

Moved by Sup. Boedeker seconded by Sup. Deerberg to approve a Special 5-Day Class A Liquor License for DW Promotions at the fairgrounds.

Ayes: All

Absent: Weih, Moeller

Moved by Sup. Deerberg seconded by Sup. Boedeker to approve the Board Minutes of December 7, 2009.

Ayes: All

Absent: Moeller, Weih

Moved by Sup. Deerberg seconded by Sup. Boedeker to approve the following payroll change:

Courthouse

Denny Carney, Custodian, from \$10.65/hr to \$10.90/hr effective 11-26-09.

Ayes: All

Absent: Weih, Moeller

Recorder Thumm met with the Board for a FY2010-2011 budget review. Tom Reed was in attendance. Discussion was held.

Tom Reed asked the Board if they had any questions regarding the appraisal of the property owned by Tom & Pamela Reed. Chairperson Bell noted that the appraisal was just reviewed this morning and not all of the members have seen it. Mr. Reed noted the property was in between assessments, and there were major improvements on the back side of the house. He indicated the Assessor's Office knew about the improvements and told them the improvements would be added on to the assessment. Reed stated the improvements didn't get on, and the Assessor told them it was too late. Mr. Reed indicated the Assessor told them they could get an appraisal, but there may not be enough

time, and Reed noted that Nicole Turpin at E.C.I.A. agreed. Reed said they got an appraisal. He indicated that Nicole Turpin thought the question may be raised as to why Reeds had an appraisal done. Tom Reed told the Board it was because the improvements didn't get added on. Chairperson Bell told Mr. Reed the rest of the Board would review the documentation, and then the Board would set a time on their agenda for their decision concerning the appeal submitted by the Reeds concerning property that may be acquired through the voluntary acquisition of flood damaged properties. Tom and Pam Reed will be advised about the time and date for this matter on the Board's agenda.

Pat Bingham representing the Cedar County Attic met with the Board for a FY2010-2011 funding request. She presented documentation and gave a presentation. The funding request by the Cedar County Attic is for \$2,000 to purchase a multimedia package. Discussion was held. No funding decision was made.

Brief discussion was held with Assessor Lett regarding the Reeds' property and assessments. He told the Board he did not know about the improvements until after the flood. At that time, the Assessor could not change property values.

Brief general discussion was held with the Auditor.

Moved by Sup. Boedeker seconded by Sup. Deerberg to approve Claim Checks #373756 - #373954.

Ayes: All

Absent: Weih, Moeller

It was noted Handwritten Check #373955 dated 12/10/09 was issued to the Cedar County Treasurer in the amount of \$1,515.41, for an Administrative Solutions, Inc. flex claims electronic deposit.

It was noted Handwritten Check #373956 dated 12/10/09 was issued to the Cedar County Treasurer in the amount of \$894.34, for an Administrative Solutions dental claims electronic deposit.

On motion, the Board adjourned at 10:55 A.M., to December 14, 2009.

Cari Gritton, Auditor

Jon E. Bell, Chairperson

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., December 14, 2009 with the following members present: Boedeker, Deerberg, Moeller, and Chairperson Bell. Sup. Weih was absent.

The Board recited the Pledge of Allegiance.

The Board viewed an agenda and documents for the Eastern Iowa Regional Utility Service Systems Board meeting on December 16, 2009.

The Board acknowledged receipt of correspondence from Representative Jeff Kaufmann concerning recommendations regarding the incentivization of the purchase of flood insurance by individuals per HF759, an article from the Quad City Times titled "Ombudsman tries to keep Iowa officials accountable" and recommendations regarding flood insurance that will be considered.

The Board acknowledged receipt of correspondence from Tom Weitzel, Historic Preservation Specialist at the Iowa Department of Economic Development regarding recommendations of eligibility for the properties in the County's Community Development Block Grant application as of 10-1-09.

The Board acknowledged receipt of correspondence from the Werling Law Office regarding a preliminary Title Opinion for property in the flood buyout project owned by Norman W. Gritton and Gracie A. Gritton.

Moved by Sup. Boedeker seconded by Sup. Deerberg to approve the following payroll change:

Case Management

Kellee Oxley, Case Manager, from \$16.83/hr to \$17.33/hr effective 12-3-09.

Ayes: All

Absent: Weih

Moved by Sup. Deerberg seconded by Sup. Boedeker to approve the Board Minutes of December 10, 2009.

Ayes: All

Absent: Weih

Engineer Fangmann met with the Board to review a Utility Permit Application for Iowa Telecommunications for repair of a defective cable from 290th Street east about 1,000 feet along Cemetery Road.

Moved by Sup. Moeller seconded by Sup. Deerberg to approve and authorize Chairperson Bell to sign a Utility Permit Application for Iowa Telecommunications, as presented.

Ayes: All

Absent: Weih

The Engineer gave project updates. Discussion was held regarding maintenance on 160th Street (quarry road) southeast of Lowden.

County Attorney Benz met with the Board for a FY2010-2011 budget review. Discussion was held.

Treasurer Jedlicka met with the Board for a FY2010-2011 budget review. Discussion was held.

Mike Dauber, Director of the Conservation Board met with the Board for a FY2010-2011 budget review. Discussion was held. Mary Lou Erlacher and Dan Lett entered the room while discussion was in progress. Dauber may use some of the Land Acquisition Trust Fund for improvements (playground equipment) at the Red Oak and Cedar Valley parks.

Mary Lou Erlacher of The Workplace Learning Connection met with the Board to give an update. Discussion was held. The Board had no objection to Erlacher requesting the same funding amount of \$720 through the Cedar County Economic Development Commission.

Connie Fett, CPC Administrator met with the Board to give a consumer update. She requested a closed session.

Moved by Sup. Boedeker seconded by Sup. Moeller to waive agenda requirements to place Connie Fett on the agenda at this time to give a consumer update.

Ayes: Moeller, Deerberg, Boedeker, Bell

Absent: Weih

Moved by Sup. Boedeker seconded by Sup. Deerberg to go into closed session as allowed under Section 21.5.1(a), Code of Iowa.

Ayes: Moeller, Deerberg, Boedeker, Bell

Absent: Weih

The time was 10:55 a.m.

Moved by Sup. Boedeker seconded by Sup. Moeller to return to regular session.

Ayes: Moeller, Deerberg, Boedeker, Bell

Absent: Weih

The time was 11:15 a.m.

The closed session pertained to Consumer #359. The Board acknowledged that no decision was made with regard to the prior closed session.

Patty Hamann, General Assistance Director met with the Board to discuss transportation and burial costs for a consumer. Connie Fett, CPC Administrator and County Attorney Benz were in attendance.

Assessor Lett met with the Board to review his critique of the appraisal that was submitted for property at 253 W. Rochester Avenue that may be acquired through the voluntary acquisition of flood damaged properties. He expressed a concern that one of the comparables was done six months after the flood occurred and that it was a family sale, and he felt the adjustments were inconsistent. Brief discussion was held. Lett indicated Van Guard had notes on the finished basement area, but did not note that on the assessment value.

Patty Hamann, General Assistance Director met with the Board. She received a request from the funeral home for assistance and a variance of our ordinance concerning transportation costs. An organization may contribute towards the costs.

Moved by Sup. Moeller seconded by Sup. Boedeker to waive agenda requirements to consider a request for assistance and a variance of an ordinance because an answer to the request is needed today.

Ayes: Boedeker, Deerberg, Moeller, Bell

Absent: Weih

Moved by Sup. Boedeker seconded by Sup. Moeller to pick up the transportation cost, because with respect to Consumer #359 there was no facility available in the State of Iowa to provide the services needed and because placement was made by the State outside of the State of Iowa the Board finds that it would be appropriate to waive the fifty mile requirement, if the cost is not picked up by anyone else.

Ayes: Moeller, Deerberg, Boedeker, Bell

On motion, the Board adjourned at 12:17 P.M., to December 17, 2009.

Cari Gritton, Auditor

Jon E. Bell, Chairperson

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., December 17, 2009 with the following members present: Boedeker, Deerberg, Moeller, and Chairperson Bell. Sup. Weih was absent.

The Board recited the Pledge of Allegiance.

The Board viewed a Community Disaster Grant report, submitted by Engineer Fangmann.

The Board acknowledged receipt of correspondence from Patty Hamann, General Assistance Director informing them that an organization would be paying the transportation costs for consumer #359.

The Board acknowledged receipt of correspondence from Gregory R. Norfleet, Editor of the West Branch Times requesting that the publication be named an official newspaper for Cedar County.

The Board acknowledged receipt of correspondence from Representative Jeff Kaufmann regarding the possible closure of the Mt. Pleasant Mental Health Institute facility.

The Board acknowledged receipt of a copy of correspondence dated 12-15-09 from Nicole Turpin, E.C.I.A. regarding an appraisal of property located at 253 W. Rochester Ave.

The Supervisors received correspondence from Tim Malott, Cedar County Director of EMA/911 regarding a planning meeting on January 14, 2010 concerning a multi-jurisdictional Hazard Mitigation Plan.

Deputy Assessor Manson met with the Board to review Family Farm Credit Applications. Discussion was held.

Moved by Sup. Boedeker seconded by Sup. Moeller to allow properly filed Family Farm Credit applications, as on file and to disallow the Family Farm Credit Applications for tracts that are not eligible.

Ayes: All
Absent: Weih

Moved by Sup. Deerberg seconded by Sup. Boedeker to approve issuance of Handwritten Check #373960 dated 12-17-09 to VISA in the amount of \$132.12.

Ayes: All
Absent: Weih

Moved by Sup. Moeller seconded by Sup. Deerberg to approve and authorize Chairperson Bell to sign an agreement, per terms of the Community Development Block Grant Buyout contracts, with the Iowa Department of Economic Development indicating that the Board concurs with the findings of determination provided to them concerning determination of National Register of Historic Places eligibility for properties listed in Exhibit A of the Agreement.

Ayes: All
Absent: Weih

Moved by Sup. Deerberg seconded by Sup. Moeller to approve and authorize Chairperson Bell to sign an Iowa Department of Economic Development Community Development Block Grant (CDBG) Program Disaster Recovery Property Acquisition Contract-No. 08-DRHB-214 concerning the flood buyout project.

Ayes: Moeller, Deerberg, Boedeker, Bell
Absent: Weih

Sup. Boedeker gave a report on the Eastern Iowa Rural Utility Services System meeting he attended on 12-16-09. Funds are low, and they would like the counties to contribute

additional funds. Sup. Boedeker recommends not contributing since no projects are being done in Cedar County. Discussion was held.

Bob Klemme, Head Courthouse Custodian met with the Board to discuss the exterior doors replacement project and other projects. Sup. Deerberg gave a report on the doors project. The budget was reviewed. The Board will talk to the Auditor at their next meeting regarding availability of funds for the doors project and the budget for FY2010-2011. Klemme noted the elevator needs to be repaired. The Board agreed Klemme should obtain a firm price for the project and budget that amount in the FY2010-2011 budget. Klemme told the Board that if the doors project is not taken out of the current fiscal year budget, perhaps the Board would want to pursue wrapping the chimney. He has talked to T.M.I. about the cost. The Board agreed the amount for the chimney repair should be put in the FY2010-2011 budget.

Tim Malott, 911/EMA Director briefly met with the Board to tell them he has been notified that the State wants to terminate all single Hazard Mitigation Plans and pursue Multi-Jurisdictional plans. Malott will be talking to the East Central Intergovernmental Association to discuss the matter since they are working with several communities on their plans.

Sheriff Wethington met with the Board for FY2010-2011 budget reviews. Discussion was held.

Moved by Sup. Deerberg seconded by Sup. Boedeker to approve the Board Minutes of December 14, 2009.

Ayes: All

Absent: Weih

Sup. Deerberg left the meeting at 10:00 a.m. to attend a Business Growth meeting at the East Central Intergovernmental Association.

Patty Hamann, H.I.P.A.A. Compliance Officer met with the Board to discuss an Addendum to the H.I.P.A.A. Policies and Procedures. Hamann can issue certified copies of DD214 military discharges since she is an accredited Veteran Affairs Service Officer. The amendment allows an Officer to issue certified copies as long as the Officer has the proper accreditation.

Moved by Sup. Boedeker seconded by Sup. Moeller to approve an Addendum to the Health Insurance Portability and Accountability Act Policies & Procedures concerning DD214 certified copies.

Ayes: Boedeker, Moeller, Bell

Absent: Weih, Deerberg

General discussion was held with Patty Hamann.

Sandy Harmel representing the Cedar County Historical Society met with the Board for a FY2010-2011 funding request. Discussion was held. Harmel noted their request for funding is \$5,000. Currently their funding is \$3,000. No final decision was made.

Moved by Sup. Boedeker seconded by Sup. Moeller to approve Payroll Checks #138611 - #138784 for the period ending 12-12-09 and to be paid on 12-18-09.

Ayes: All

Absent: Weih, Deerberg

Paul Greufe, Human Resources consultant met with the Board. He requested a closed session to discuss Union negotiations.

Moved by Sup. Boedeker seconded by Sup. Moeller to waive agenda requirements to place Paul Greufe on the agenda at this time to discuss Union negotiations.

Ayes: Moeller, Boedeker, Bell

Absent: Weih, Deerberg

Moved by Sup. Boedeker seconded by Sup. Moeller to go into closed session as allowed under Section 20.17(3), Code of Iowa. (Exempt from recording.)

Ayes: Moeller, Boedeker, Bell

Absent: Weih, Deerberg

Moved by Sup. Boedeker seconded by Sup. Moeller to return to regular session.

Ayes: Moeller, Boedeker, Bell

Absent: Weih, Deerberg

The Board acknowledged that no decision was made with regard to the prior closed session.

General discussion was held with Paul Greufe.

It was noted Handwritten Check #373957 dated 12-17-09 was issued to the Cedar County Treasurer in the amount of \$4,343.82, for an Administrative Solutions, Inc. flex claims electronic deposit.

It was noted Handwritten Check #373958 dated 12-17-09 was issued to the Cedar County Treasurer in the amount of \$5,331.65, for an Administrative Solutions, Inc. partial self funded claims electronic deposit.

It was noted Handwritten Check #373959 dated 12-17-09 was issued to the Cedar County Treasurer in the amount of \$1,343.75, for an Administrative Solutions dental claims electronic deposit.

On motion, the Board adjourned at 11:50 A.M., to December 21, 2009.

Cari Gritton, Auditor

Jon E. Bell, Chairperson

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., December 21, 2009 with the following members present: Boedeker, Deerberg, Moeller, Weih and Chairperson Bell.

The Board recited the Pledge of Allegiance.

The Board viewed a copy of correspondence between Tim Malott, 911/EMA Director and Jennifer Ellison, Iowa Homeland Security and Emergency Management regarding termination of convenience of the planning grants for single Hazard Mitigation Plans.

The Board viewed a "Report of Veteran Affairs" for the month ended 12-16-09.

The Board acknowledged receipt of correspondence from Mike Wentzien, Supervisors' Lobbyist regarding the Road Use Tax Fund.

The Board acknowledged receipt of correspondence from the Woodbury County Board of Supervisors regarding the MH/DD system and a suggested mandated property tax increase.

The Board acknowledged receipt of a copy of correspondence dated 12-18-09 between Nicole Turpin, E.C.I.A. and Pam Reed regarding the time and date on the Board's agenda concerning a purchase offer for property.

The Board acknowledged receipt of correspondence from Judy Lowe of the Rebuild Iowa Office regarding her conversation with Pam Reed concerning the appeal of a purchase offer, and a copy of correspondence between Judy Lowe and Nicole Turpin, ECIA regarding the purchase offer, dated 12-18-09, and a copy of correspondence to Pam Reed from Judy Lowe dated 12-18-09.

The Board acknowledged receipt of a copy of correspondence to the Governor's Office from Pam Reed regarding the appeal of a purchase offer, dated 12-18-09 and Judy Lowe's response to Reed, dated 12-21-09.

The Board acknowledged receipt of preliminary title opinions from the Werling Law Office regarding properties in the names of Charlotte C. Hill, Dennis R. Parrott & Charlotte M. Parrott and Robert W. Nettleton & Patricia E. Nettleton.

The Board acknowledged receipt of correspondence from Doug Boldt of the City of Tipton regarding a meeting on December 23, 2009 at 10:00 a.m. and a public hearing on January 4, 2010 at 5:30 p.m. to discuss a Tipton Urban Renewal Plan Amendment.

Phil La Rue, Zoning Director met with the Board to request that the Board set public hearing dates to review a zoning petition. Brief discussion was held.

Moved by Sup. Boedeker seconded by Sup. Deerberg to set January 4 & 7, 2010 at 9:30 a.m. as the time to review the following petition:
Brian Severin, 1763 130th Street, Lowden (Owner) – Requesting a change in zoning from R-1 Suburban Residential to A-1 Agricultural for the purpose of eliminating an unneeded zoning classification on property located in the SE ¼, SE ¼, Section 15, T-82N, R-1W, in Massillon Township, consisting of 1.162 acres more or less.
Ayes: All

Representative Jeff Kaufmann met with the Board for general discussion. Auditor Gritton, Engineer Fangmann, CPC Administrator Connie Fett and Environmental & Zoning Director Phil La Rue were in attendance. Some areas of discussion were, but not limited to: State budget, Road Use Tax Fund, fuel tax and mental health levy. Patty Hamann, Veteran Affairs Secretary & General Assistance Director and Tom Reed entered the room while discussion was in progress. Other areas of discussion were: expenditures, consolidation of services, time of transfer for on-site waste inspections and flood plain legislation. Phil La Rue left the room. Discussion continued concerning the

Road Use Tax Fund and the fuel tax. Pam Reed entered the room while discussion was in progress. General discussion was held.

Amy Wehde, Deputy Director of the Cedar County Public Health met with the Board to review FY2010-2011 budgets. Discussion was held. Carolyn Wood joined the discussion.

Discussion was held regarding an appeal concerning a purchase offer for property located at 253 W. Rochester Avenue. Tom and Pam Reed were in attendance. Others in attendance were: County Attorney Benz and Assessor Lett. County Attorney Benz referenced language in the Administrative Plan for Voluntary Acquisition of Flood Damaged Properties in Accordance With the FEMA Hazard Mitigation Program, which was adopted on September 3, 2009, regarding the pre-flood owner being offered a June 1, 2008 fair market value, the use of a 1.1 multiplier, and the appeal process. Chairperson Bell referenced an appraisal submitted by the property owners. He asked if the Reeds had any additional information regarding this matter. Tom Reed told the Board this matter started because they were in between assessments, improvements were done to the property, the Assessor was told about the improvements, the matter was supposed to be handled at the time but it was not, and they were told they could get an appraisal so they hired someone to do so. Pam Reed told the Board the Assessor was at their property after the flood, and he indicated he could see the improvements and the value change would be done. She said the improvements were done in late 2007. Pam Reed indicated she talked to the Assessor, and he told them an alternative would be to get an appraisal which could be a pre-flood appraisal. She talked to Mark Schneider & Nicole Turpin at E.C.I.A. and they told her to send the appraisal by the deadline and they'd consider it. For several months they thought everything was okay, but in April or May she talked to Nicole and was told they couldn't send in the appraisal but that there is an appeal process. Pam Reed noted that Turpin didn't see any reason it wouldn't be funded, and there wouldn't be a problem. Mrs. Reed spoke to Turpin and Turpin said she recommended to the Board to use the appraised value to buy them out. Chairperson Bell asked Assessor Lett to clarify the assessment process and why it's assessed where it is. Assessor Lett noted that on January 1, 2008 the pre-flood assessed value was \$196,910. Van Guard did a revaluation project in March of 2007. The Assessor reviewed Van Guard's notes and found that the basement finish improvements didn't get added to the value, so he said the corrected value, if changed, would be \$222,770 without the patio. Lett noted that he can't change values after April 15th and that is why no value was changed at the time. Pam Reed said the basement improvements are different than the addition that was added on in the Fall of 2007. Chairperson Bell asked if the Assessor was notified of the addition. Pam Reed said no because it was mostly stone work and a building permit was not needed. The Assessor noted he looked at the patio post-flood. It was noted the patio is about 10 or 12 feet long. For a patio of that type, the Assessor would add about \$7/sq. ft. For the Reeds' patio he would add a value of \$5,080. Chairperson Bell read language on page four of the Administrative Plan concerning a deduction of \$5,000 from the purchase price if items have been removed from the property prior to closing. He understood that furnace and air conditioning units have been removed. Tom Reed noted they had to heat the home for one winter. Pam Reed stated they thought they may come back to the home. She indicated they were told that those items were theirs, and she noted the original ones were flooded. Pam Reed noted they were told that anything put in new after the flood, they wouldn't have to leave there. Sup. Moeller asked County Attorney Benz how he interpreted this issue. Atty. Benz acknowledged that the language in the Administrative Plan indicates if items are removed, there will be a deduction of \$5,000. Pam Reed noted they asked at a meeting if they could take the items out of the house. Atty. Benz indicated the value offered is for fair market value prior to the flood, undamaged. He couldn't speak to what was said at meetings the Reeds attended. Discussion continued. Chairperson Bell felt there was some sort of miscommunication between Van Guard and the Assessor, and for some reason improvements didn't get added to the valuation. He felt it was not out of reason to use the corrected assessed value of \$222,770, and even though it may be stretching it a bit to include the patio, because cards from the Assessor and per Code there is a requirement to notify the Assessor about improvements, he felt adding \$5,080 for the patio would be a fair pre-flood assessed value. If you add \$222,770 and \$5,080 and take that times 110% the total would be \$250,635. With a deduction of \$5,000, the final figure would be \$245,635.

Bell felt there were some inconsistencies on the appraisal. The original offer to the Reeds was \$216,601. Sup. Weih felt there were communication problems everywhere. Discussion was held. Rob Fangmann entered the room while discussion was in progress. Pam Reed asked why they would throw out the appraisal value of \$265,000. Chairperson Bell noted there were no other comparables in the flood zone, there were inconsistencies of the adjustments and a differentiation of the acres. He referenced going with assessed values and offers to purchase that have already been offered and accepted. Bell felt it would be gracious of the Board to offer a value for the patio. Sup. Weih asked if the comparables on the appraisal, if they were sold prior to the flood, if that is what they would have sold for. Assessor Lett noted they sold close to the assessed value. Sup. Weih would like to go with the offer as stated by Bell, with the intent of being fair to other landowners that were offered a purchase price. Chairperson Bell asked the Assessor to review the problems with the appraisal. Assessor Lett noted the first comparable sale occurred six months after the flood, the appraiser doesn't make adjustments on all the sites, the views are not the same, room counts are different, adjustments are not done on all, numbers at the bottom don't add up, and the first one is a family sale and should have been removed. Discussion continued.

Moved by Sup. Deerberg seconded by Sup. Boedeker to revise the offer to Tom and Pam Reed for the purchase of property located at 253 W. Rochester Avenue to \$245,635.00, which is 110% of \$222,770 + \$5,080 less a \$5,000 deduction.

Discussion was held. Sup. Weih asked if there is a timeframe for acceptance of the offer. Atty. Benz noted the Administrative Plan doesn't speak to a time of acceptance. He suggested checking with Nicole Turpin at E.C.I.A. Pam Reed told the Board that she and Tom Reed would accept the offer. Sup. Moeller was troubled by the appraisal discrepancies. Atty. Benz asked if the other terms of the offer to purchase would be the same as previously offered. The Board of Supervisors said yes.

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

Pam Reed asked if they would not have to pay back \$1,500 from FEMA. The consensus of the Board was that she should talk to Nicole Turpin at E.C.I.A. regarding that matter.

Engineer Fangmann met with the Board for a FY2010-2011 Secondary Road budget review. Discussion was held.

Sup. Weih left the meeting at 11:00 a.m. during the Engineer's budget review.

Moved by Sup. Boedeker seconded by Sup. Deerberg to approve the Board Minutes of December 17, 2009.

Ayes: All

Absent: Weih

This being the time set for a bid opening for a Phase 1 Environmental Site Assessment for commercial property located at 1140 Cemetery Road, Tipton, Iowa. Darwin Polk of the East Central Intergovernmental Association was in attendance. The following bids were opened and read as follows:

Stanley Consultants, Inc., Coralville, Iowa	\$3,700.00
Seneca Environmental Services, Des Moines, Iowa	\$2,140.00
Environmental Resource Services, Ames, Iowa	\$1,500.00
Apex Companies, Urbandale, Iowa	\$2,425.00
MSA Professional Services, Dubuque, Iowa	\$1,928.00
Barker Lemar Engineering Consultants, West Des Moines, Iowa	\$2,800.00

It was noted that WHKS & Co. sent correspondence indicating they would not be submitting a bid. Discussion was held. Mr. Polk told the Board that the State will need to approve of the bid award by the Board of Supervisors.

Moved by Sup. Boedeker seconded by Sup. Deerberg to accept the bid of Environmental Resource Services in the amount of \$1,500.00 for a Phase 1 Environmental Site Assessment for property located at 1140 Cemetery Road.

Ayes: All

Absent: Weih

Sup. Moeller left the meeting to attend a Decategorization meeting.

Assessor Lett gave the Board an update on property owned by the Historical Society.

Discussion was held regarding the replacement of the Courthouse exterior doors.

Moved by Sup. Deerberg seconded by Sup. Boedeker to use Mid-American Glazing Systems for the replacement of the exterior doors for the amount of \$14,555.00, and Xenotronics for a security card access system for the amount of \$6,000.00 and Von Duprin hardware in the amount of \$4,400.00, and authorize Chairperson Bell to sign documentation regarding the same.

Ayes: All

Absent: Weih, Moeller

It was noted the Board would not be meeting on December 24, 2009 due to observance of the Christmas Eve holiday.

On motion, the Board adjourned at 12:10 P.M., to December 28, 2009.

Cari Gritton, Auditor

Jon E. Bell, Chairperson

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., December 28, 2009 with the following members present: Boedeker, Deerberg, Moeller, Weih and Chairperson Bell.

The Board recited the Pledge of Allegiance.

The Board acknowledged receipt of correspondence from Pat Kroemer, Editor of the Sun News requesting that the publication be named as an official newspaper for 2010.

The Board acknowledged receipt of correspondence from Stuart Clark, Editor of The Tipton Conservative requesting that the publication be named as an official newspaper for 2010.

The Board acknowledged receipt of a copy of correspondence from Nicole Turpin of the East Central Intergovernmental Association to Atty. Stuart Werling regarding estimated closing dates for property in the flood buyout program.

The Board acknowledged receipt of a copy of correspondence to Trisha Gottschalk, Cedar County Economic Development inviting her to an Eastern Iowa Tourism Association meeting on January 6th.

The Board acknowledged receipt of correspondence from the Werling Law Office regarding a preliminary title opinion concerning property in the names of David M. and Faye E. Young.

The Board acknowledged receipt of correspondence from Fred S. Hubbell, Interim Director, Iowa Department of Economic Development regarding the extension of the deadline for the execution of the contract for Community Development Block Grant funds for property acquisition and demolition.

The Board acknowledged receipt of correspondence from Benton D. Quade, Environmental Review Officer, Iowa Department of Economic Development regarding the release of Community Development Block Grant funds.

The Board acknowledged receipt of correspondence from the East Central Intergovernmental Association regarding a revised handbook concerning employee issues.

The Board noted correspondence from Assessor Lett regarding a payroll change for Ali Manson, Deputy Assessor, from \$41,205.78/yr to \$42,304.60/yr effective 1-5-2010.

Representatives of the County Libraries met with the Board to discuss FY2010-2011 funding. Those in attendance were: Vicki Mohr, Lowden; Denise Smith, Tipton; Nick Shimmin, West Branch; and Lily Lau, East Central Library Services. Vicki Mohr presented and reviewed documentation. The request for funding was for a \$10,000 increase which would take their funding to \$85,000. Discussion was held. Sandy Brunscheen, Clarence entered the room while discussion was in progress. No final funding decision was made.

Assessor Lett briefly met with the Board for general discussion. The next Conference Board meeting will be January 20, 2010 at 6:00 p.m.

Julie Tischuk, Director of the Cedar County Case Management Department met with the Board for a FY2010-2011 budget review. Connie Fett, CPC Administrator was in attendance. Discussion was held.

Connie Fett, CPC Administrator/Community Services Director met with the Board for FY2010/2011 budget reviews for the Community Services Office and Mental Health. Julie Tischuk was in attendance. Discussion was held.

Felicia Toppert, Personnel Business Manager for the Department of Human Services met with the Board for a FY2010-2011 budget review. She gave an update regarding services provided. Discussion was held. Phil La Rue and Tim Malott entered the room while discussion was in progress.

Phil La Rue, Environmental & Zoning Director met with the Board for a FY2010-2011 budget review. Discussion was held.

Moved by Sup. Boedeker seconded by Sup. Deerberg to approve the Board Minutes of December 21, 2009.

Ayes: All

Moved by Sup. Weih seconded by Sup. Moeller to approve Claim Checks #373961 - #374130.

Ayes: All

It was noted Handwritten Check #374131 dated 12/28/09 was issued to the Cedar County Treasurer in the amount of \$1,780.61, for an Administrative Solutions, Inc. flex claims electronic deposit.

It was noted Handwritten Check #374132 dated 12/28/09 was issued to the Cedar County Treasurer in the amount of \$584.24, for an Administrative Solutions, Inc. partial self funded claims electronic deposit.

It was noted Handwritten Check #374133 dated 12/28/09 was issued to the Cedar County Treasurer in the amount of \$1,087.84, for an Administrative Solutions dental claims electronic deposit.

On motion, the Board adjourned at 10:55 A.M., to December 31, 2009.

Cari Gritton, Auditor

Jon E. Bell, Chairperson

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., December 31, 2009 with the following members present: Boedeker, Deerberg, Moeller, Weih and Chairperson Bell.

The Board recited the Pledge of Allegiance.

The Board acknowledged receipt of a Manure Management Plan for Samuelson & Son, Owners: Arthur and Jeffrey Samuelson.

The Board noted correspondence from Amy L. Wehde, Deputy Director, Cedar County Public Health regarding the hiring of Annette Lukemyres for a part-time Direct Care Worker position at \$9.50/hr effective 1-4-10.

Engineer Fangmann met with the Board to review a Federal-Aid Agreement for bridge project #BROS-C016(76)—5F-16 on Ocean Avenue in Section 16 of Fairfield Township. Discussion was held.

Moved by Sup. Boedeker seconded by Sup. Deerberg to approve and authorize Chairperson Bell to sign a Federal-Aid Agreement for bridge project #BROS-C016(76)—5F-16.

Ayes: All

Auditor Gritton met with the Board for FY2010-2011 budget reviews for the Courthouse, Auditor, Nondepartmental, District Court, Substance Abuse, Human Resources, Geographic Information System and Data Processing Departments. Bob Klemme, Head Custodian was in attendance. Klemme reviewed the proposed Courthouse budget. It was agreed that the chimney work by T.M.I. should be done using funds from the current budget. Klemme left the room. The other proposed budgets were reviewed. Discussion was held.

Moved by Sup. Weih seconded by Sup. Boedeker to approve the Board Minutes of December 28, 2009.

Ayes: All

General discussion was held.

Sup. Deerberg left at 10:00 for a Solid Waste meeting.

Moved by Sup. Moeller seconded by Sup. Boedeker to approve Payroll Checks #138785-#138949 for the period ending 12-26-09 and to be paid on 12-31-09.

Ayes: All

It was noted Handwritten Check #374134 dated 12/31/09 was issued to the Cedar County Treasurer in the amount of \$409.52, for an Administrative Solutions, Inc. flex claims electronic deposit.

It was noted Handwritten Check #374135 dated 12/31/09 was issued to the Cedar County Treasurer in the amount of \$1,577.88, for an Administrative Solutions, Inc. partial self funded claims electronic deposit.

It was noted Handwritten Check #374136 dated 12/31/09 was issued to the Cedar County Treasurer in the amount of \$1,219.63, for an Administrative Solutions dental claims electronic deposit.

On motion, the Board adjourned at 10:25 A.M., to January 4, 2010.

Cari Gritton, Auditor

Jon E. Bell, Chairperson

