

Unapproved Minutes Emmet County Board of Supervisors

January 8, 2019

Regular Meeting 9:00 a.m.

Board Room, Courthouse

Present: John Pluth, Chair
Jeff Quastad, Vice-Chair
Roger Hash
Tim Schumacher

Absent:
Vacancy position

John Pluth, Chair, called the meeting to order with four Board Members present. Motion was made by Schumacher, seconded by Hash, to approve the minutes from last week's meeting pending a correction, also approving them for publication. All ayes, motion carried.

During public forum, the Board discussed two positions that they will need to reappoint on the Committee to Assess Damages. They will appoint Alan Madden to replace Dale Johanson, persons having knowledge of property in the County and Dan Jorgensen, representing owners of City Property, replacing Darryl Anderson, who moved to the Estherville area. In addition, Hash stated that for a member on the Estherville Area Partnership for Growth (E.A.P.G.) Board, he would contact Dave Welch to see if he would be willing to serve on this committee.

At 9:10 a.m. Rick Hopper, Engineer, and Derek Behrens, Engineering Intern, from Jacobson-Westergard & Associates presented the Preliminary Engineering Report for joint drainage district ED#3 (Emmet & Dickinson Counties). Emmet County is the control county for this drainage district. Emmet and Dickinson Counties, joined the meeting telephonically. Engineer Hopper stated the purpose of this meeting is to accept the Preliminary Engineering Report and set a public hearing date. The engineering report has three options with one optional option proposed. Discussion was held between both Boards with Hopper summarizing each option. Pluth asked the question to Hopper about a private tile that is not included within any of the options, that they had discussed at the earlier meeting that they wanted to include within an option. Hopper stated that you will have to adopt a Resolution accepting that the tile be included.

Hopper stated that the public hearing has to be at least 40 days out from the Boards' acceptance of the Preliminary Engineering Plan, that being today. Hopper asked both Boards if February 19, 2019 would work for the public hearing for them and the Auditor's office. Dickinson County stated that the 19th would work for them and Emmet County Board agreed. All landowners and the newspapers will need to be notified with Notice of Public Hearing, at least 20 days before the public hearing date of February 19.

It was moved by Dickinson County by Board Member Steve Clark, seconded by Kim Wermersen to accept the Preliminary Engineering Report for ED #3. Roll call vote was taken: Ayes: Clark, Wermersen, Fairchild, Jordan, and Leupold. Nays: None Motion carried.

It was moved by Dickinson County Board members Pam Jordon, seconded by Steve Clark, to set the public hearing date and time for joint drainage district ED#3 between Emmet and Dickinson County at the counties respective boardrooms, for February 19, 2019 at 9:30 a.m. Roll call vote: Ayes: Jordon, Clark, Wermersen, Fairchild and Leupold. Nays: none Motion carried.

It was moved by the Emmet County Board members Schumacher, seconded by Hash, to accept the Preliminary Engineering Report for joint drainage district ED#3. Roll call vote was taken: Schumacher, Hash, Quastad and Pluth. Motion carried.

It was moved by Emmet County Board member Quastad, seconded by Schumacher, to set the Public Hearing date for joint drainage district ED#3 for February 19, 2019 at 9:30 a.m. Roll call vote was taken: Schumacher, Hash, Quastad & Pluth. Motion carried.

The public hearing for drainage district ED#3 will be held in each respective County, joining telephonically, and a decision will be made at the public hearing on which option to select. Hopper stated that you may want to select a couple of the options and then they go out and do the field work and tile locates.

Kiley Miller, CEO Iowa Lakes Corridor, and Lyle Hevern, Emmet County Economic Developer, met with the Board to present their annual presentation. Miller thanked the Board for all their support and asked the Board if they would continue their support for FY2020. He stated that the reason for also bringing in Hevern, is that I wanted to take some time to share how we are working together. The strength of this Emmet County partnership is one of the best things for us. We are recruiting a company right now, a technology company, which has voiced their opinion that if they get the money, Estherville is surely a consideration in Studio 12. This all started with a call to the corridor. Miller stated that we continue to do the Best of Iowa interviews for companies. Hevern stated that two new homes are proposed to be built by individuals in Meadows Subdivision.

It was moved by Hash, seconded by Schumacher, to approve the County's claims as listed in the claims register. All ayes, motion carried.

It was moved by Quastad , seconded by Hash, to approve the County's drainage claims. All ayes, motion carried.

The Board reviewed the quarterly reports for the Auditor, Recorder, Sheriff, Veteran's Affairs and also reviewed the Treasurer's semi-annual report.

It was moved by Schumacher, seconded by Hash, to have Chair sign three joint claims for joint drainage district ECD#61 (Emmet, Clay and Dickinson counties). All ayes, motion carried. One claim is payable to Jacobson-Westergard & Associates for Engineering Service for Branch 61 cleanout and November reclassification for \$633.00. The second joint claim is payable to Rezac Machine Shop for Branch 61 cleanout for \$48,657.60. The third claim is made payable to Ron Eick for repair work on ECD#61 for \$248.50. The claims will be sent back to Dickinson County, control county, for payment.

It was moved by Schumacher, seconded by Hash, to have Chair sign joint claim for drainage district ED#79 (Emmet and Dickinson Counties) for \$632.50 payable to B & B Farm Drainage for backhoe hours and labor to research tile and look for the problem. All ayes, motion carried. The joint claim will be sent to Dickinson County for approval and be paid by control county, Emmet.

It was moved by Schumacher, seconded by Hash, to have Chair sign the joint claim for drainage district EPA#17 (Emmet and Palo Alto counties) for \$14,820.00 made payable to B & B Farm drainage to clean ditch and repair outlets per Petition filed. All ayes, motion carried. The joint claim will be sent to Palo Alto County for approval and be paid by control county, Emmet.

It was moved by Schumacher, seconded by Hash, to have Chair sign the joint claim for drainage district ED#3 (Emmet –Dickinson counties) payable to Jacobson-Westergard & Associates for \$347.50 for engineering and improvements. All ayes, motion carried. The joint claim will be sent to Dickinson County for approval and be paid by control county, Emmet.

The Board reviewed the Manure Management Plan (MMP) for owner, Rush Creek Non-Stock Coop, Facility name Rush Creek Non-Stock Coop #61255.

At 10:30 a.m., it was moved by Quastad, seconded by Hash, to go into closed session pursuant to Iowa Code Chapter 21.5(1)(c) to discuss pending litigation. Roll call vote was taken: Ayes: Schumacher, Hash, Quastad and Pluth Nays: None. Motion carried, meeting moved into closed session.

It was moved by Schumacher, seconded by Hash, to come out of closed session. All ayes, motion carried. The meeting moved out of closed session.

It was moved by Schumacher, seconded by Hash to accept the Settlement Agreement between Emmet County and Central Bi-Products. Ayes: Schumacher, Hash, Quastad and Pluth. Nays: none. Motion carried.

Attorney Doug Gross stated," that they appreciate the good will of both parties in which they approached this. We are committed to being a good neighbor and a good citizen of this community and I think this Agreement reflects the extraordinary lengths we are going to in order to prove to you that we are going to be a good neighbor." He thanked everyone for their patience and their willingness to work with us.

A motion was made by Schumacher, seconded by Hash, to adjourn the meeting at 11:15 a.m. All ayes, motion carried.

Colleen Anderson, Assistant to the Auditor

John Pluth, Chair