

The Cedar County Board of Supervisors met in regular session at 8:30 A.M., January 4, 2010 with the following members present: Boedeker, Deerberg, Moeller, Bell and Weih.

The Board recited the Pledge of Allegiance.

Sup. Bell 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 2010. 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 2010.

The Board acknowledged receipt of correspondence from Connie Knutsen, Director of Medical Examiner Investigations regarding the Examiner’s Team for 2010.

Chairperson Bell made the following Board committee appointments:

BOARD COMMITTEE APPOINTMENTS FOR 2010

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. Deerberg seconded by Sup. Moeller to name Rick Christensen as the Cedar County Weed Commissioner for 2010 and authorize Chairperson Bell to sign the Certification Form for the Iowa Department of Agriculture and Land Stewardship.
Ayes: Boedeker, Deerberg, Moeller, Weih, Bell

Engineer Fangmann met with the Board to discuss resolutions regarding closing secondary roads for construction or routine maintenance and executing certification specifications in connection with Farm to Market construction projects, appointments to

the East Central Iowa Council of Governments Region 10 Transportation Committees and award bid for culvert project #BROS-C016(71).

Moved by Sup. Deerberg seconded by Sup. Moeller 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 2010

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 4th day of January, 2010, 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. Moeller seconded by Sup. Boedeker to approve and adopt the following resolution:

RESOLUTION
2010

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

Engineer Fangmann met with the Board to discuss the award of a bid for culvert project #BROS-C016(71)—5F-16 on Washington Avenue in Sec. 26 of Springfield Township. Discussion was held.

Moved by Sup. Boedeker seconded by Sup. Moeller to award the bid in the amount of \$195,572.62 for Project # BROS-C016(71)—5F-16 to Jim Schroeder Construction, Inc.

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

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

Policy Committee: Rob Fangmann, Representative

Dennis Weih, LeRoy Moeller, Wayne Deerberg, Alternate

Technical committee: Rob Fangman, Representative

Kyle Soukup, Alternate

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

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

RESOLUTION APPOINTING COMMISSIONERS TO THE
EASTERN IOWA REGIONAL HOUSING AUTHORITY
FROM THE COUNTY OF CEDAR, IOWA

WHEREAS, Cedar County, Iowa is a member government that has adopted the Articles of Agreement of the Eastern Iowa Regional Housing Authority within the Counties of Cedar, Clinton, Delaware, Dubuque, Jackson and Jones Counties in Iowa; and

WHEREAS, said Agreement provides for the appointment of Commissioners to the Regional Housing Authority.

NOW, THEREFORE, pursuant to the provisions of Chapter 403A, Code of Iowa, the Board of Supervisors of Cedar County, Iowa hereby appoints the person(s) hereafter named to serve as Commissioner(s) of the Eastern Iowa Regional Housing Authority to serve for the term after their names respectively.

Commissioner: Kenneth Muller Term: 2 years

Commissioner: _____ Term: _____ year (s)

BE IT FURTHER RESOLVED that this Resolution be filed in the office of the County Auditor and certified copies of such Resolution be forwarded by the County Auditor to the Eastern Iowa Regional Housing Authority.

Ayes: Deerberg, Boedeker, Weih, Moeller, Bell

Moved by Sup. Deerberg 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 12/31/2003.

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

Moved by Sup. Boedeker seconded by Sup. Deerberg to name the following as the official designated newspapers for Cedar County for 2010:

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. Boedeker seconded by Sup. Weih to make the following Board of Supervisors' representative appointments for 2010: 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. Moeller seconded by Sup. Weih to authorize Chairperson Bell to sign a Payment Voucher for the quarter ending 12-31-09 to the Iowa Department of Public Health concerning substance abuse funding.

Ayes: Boedeker, Deerberg, Moeller, Weih, Bell

Moved by Sup. Boedeker seconded by Sup. Moeller to leave the following rate structure in place for 2010 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. Boedeker seconded by Sup. Moeller 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, 2010 and January 31, 2011 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. Boedeker to re-appoint Bruce Jeffries to the Veteran Affairs Commission for the term that will expire on 12-31-2012.

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

Moved by Sup. Boedeker seconded by Sup. Moeller to re-appoint Linda Beck to the Board of Health for the term that will expire on 12-31-2012.

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

Moved by Sup. Moeller seconded Sup. Boedeker to re-appoint Marnell Scheeper to the Conservation Board for the term that will expire on 12-31-2014.

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

Moved by Sup. Deerberg seconded Sup. Boedeker to re-appoint Claudia Beyer to the Zoning Board of Adjustment for the term that will expire on 12-31-2014.

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

Moved by Sup. Deerberg seconded by Sup. Deerberg to re-appoint Marty Moylan to the Planning & Zoning Commission for the term that will expire on 12-31-2012.

Ayes: Weih, Moeller, Deerberg, Boedeker, Bell

Moved by Sup. Boedeker seconded by Sup. Moeller to approve the following appointments for 2010:

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 Boedeker 12-31-2011
Pat Powers 12-31-2011
Linda Beck 12-31-2012

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 12-31-2012
John Dornfeld –Tipton 12-31-2014

MEDICAL EXAMINER TEAM-1 yr
Keith Krewer, MD-Chief Medical Examiner
Ruth Macke, MD-Deputy Medical Examiner

Sue Hall-Tipton 12-31-2010
Carla Fowler, Secretary

Joshua Le Claire, DO-Deputy Medical Examiner
Vladimir Adloff, MD-Deputy Medical Examiner
Lileah Harris, MD-Deputy Medical Examiner
Connie Knutsen, CMEI-Dir., Medical Exam. 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 12-31-2012
Marlin Hillyer 12-31-2010
Bruce Jeffries 12-31-2012
Patty Hamann, Sec.

CIVIL SERVICE COMMISSION – 6 yr

Lee Beine 8-15-2013 – County Attorney appointment
Wayne Brown 8-17-2015 – 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 12-31-2014
Jean Driscoll 12-31-2010
Craig Jackson 12-31-2011
Mike Dauber, Executive Director

EASTERN IOWA REGIONAL
HOUSING AUTHORITY - 2 yr

Ken Muller 1-7-2012

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 12-31-2014
Ray Penningroth 12-31-2010

PLANNING & ZONING
COMMISSION—3 yr

Joel Brown 12-31-2010
Dave Schuett 12-31-2011
Marty Moylan 12-31-2012
Jody Yutesler 12-31-2010
John Dornfeld 12-31-2011
Julie Schroeder 12-31-2011
Carl Kohrt 12-31-2010

COMPENSATION BOARD

Heather Strefling 6-30-2011 – County Attorney’s representative
Nancy Wood 6-30-2013 – Auditor’s representative
Carl Kohrt 6-30-2013 – Supervisors’ representative
Keith Whitlatch 6-30-2011 – Sheriff’s representative
Kim Kreinbring 6-30-2013 – Supervisors’ representative
Paula Shelton Werling 6-30-2013 – Recorder’s representative
Courtenay Villhauer 6-30-2011 – Treasurer’s representative

MENTAL HEALTH ADVISORY BOARD

Le Roy Moeller Joyce Hamiel
Dennis Weih Alberta Thein
Pat Ciha Jeanne White
Sue Hall Dennis Byrnes
Peggy Driscoll
Shari Hebl
Don Griffith

SERVICE AREA ADVISORY BOARD

LeRoy Moeller
Scott Hobart

“COMMISSION TO ASSESS DAMAGES” (EMINENT DOMAIN COMMISSION)

Owners of Town Property:
Phyllis Sondergard – West Branch, Iowa
Jill Sawyer – Stanwood, Iowa
Wayne Kappeler – Durant, Iowa

Farmers: (Owners & Operators)
Ernest Hora – Wilton, Iowa
John Schott – Tipton, Iowa
Dennis Hulse, Clarence, Iowa

Brett Eggert – Tipton, Iowa
Tom Schwarz – Lowden, Iowa
Paul Crock – Mechanicsville, Iowa
Harley Conrad – Tipton, Iowa

Roscoe Millett – West Branch, Iowa
Leroy Jackson – Mechanicsville, Iowa
Roger Wiese – Bennett, Iowa
Jan Penningroth – Tipton, Iowa

Bankers, etc:

Bob Steen – Mechanicsville, Iowa
Dan Conrad – Bennett, Iowa
Jeff Carnes – Durant, Iowa
Steve Pruess – Clarence, Iowa
Norman Kotz – Tipton, Iowa
Jeff Meyer – Tipton, Iowa
Rena Edler – Clarence, Iowa

Real Estate:

Steve Maurer – Clarence, Iowa
Merlin Conrad – Bennett, Iowa
Melvin Wiebel, Lowden, Iowa
Wes Moeller, New Liberty, Iowa
Lou Ann Lathrop - West Branch, Iowa
Jeffrey A. Graves - Durant, Iowa
Becky Donohoe – Tipton, Iowa

Ayes: Boedeker, Deerberg, Moeller, Weih, Bell

Moved by Sup. Deerberg seconded by Sup. Boedeker to approve the Board Minutes of December 31, 2009 with amendment noting Sup. Deerberg left at 10:00 a.m. for the Solid Waste meeting.

Ayes: Moeller, Deerberg, Boedeker, Weih, Bell

This being the time set for a public hearing to review/consider 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.

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

Moved by Sup. Boedeker seconded by Sup. Deerberg to approve the petition by Brian Severin, Lowden(Owner), as defined above, and to waive the second hearing scheduled for 1-7-10.

Ayes: Moeller, Deerberg, Boedeker, Weih, Bell

General discussion was held regarding current and proposed ending fund balances for the general, supplemental, rural funds. No decision was made due to the Board has not received the final health insurance rates from Phil Waniorek.

On motion, the Board adjourned at 10:20 A.M., to January 7, 2010.

Cari Gritton, Auditor

Jon E. Bell, Chairperson