

Chairman Randy Bosch convened the adjourned session with Peters, Bosch, Behrens, Koedam and Michael present. Motion carried assumes unanimous vote unless otherwise stated.

The minutes of the February 27, 2017 meeting were reviewed. Motion made by Behrens to approve minutes, seconded by Koedam. Motion carried.

As part of the bonding process, the Board will be working with Dorsey and Whitney for legal counsel. Dorsey Whitney requires an engagement letter to be approved by the Board. Motion by Peters, second by Michael to approve and have Chairman sign engagement letter. Motion carried.

Chairman Bosch opened the hearing at 9:37 a.m. to take public comments on the county budget for 17/18. In attendance were: County Attorney Shayne Mayer, County Engineer Laura Sievers, Conservation Director Craig Van Otterloo, County Treasurer Russ Hopp, and Verдона Kelly. Public hearing was closed at 9:40 as there were no public comments.

Chairman Bosch introduced Resolution 2017-10 for approval elected official salaries for 17/18.

RESOLUTION 2017-10

WHEREAS, the Lyon County Compensation Board meets annually to recommend a compensation schedule for elected officials for the fiscal year immediately following, in accordance with Iowa Code Chapters 331.905 and 331.907, and

WHEREAS, the Lyon County Compensation Board met on December 5, 2016, and made the following salary recommendations for the following elected officials for the fiscal year beginning July 1, 2017:

<u>Elected Official</u>		<u>Current Salary</u>	<u>Proposed Increase</u>
<u>Recommended Salary</u>			
Auditor	\$59,147	\$1,500 / 2.54%	\$60,647
Recorder	\$59,147	\$1,500 / 2.54%	\$60,647
Treasurer	\$59,147	\$1,500 / 2.54%	\$60,647
Sheriff	\$83,476	\$3,000 / 3.59%	\$86,476
Attorney	\$97,324	\$3,000 / 3.08%	\$100,324
Supervisors (4)	\$26,187	\$800 / 3.05%	\$26,987
Board Chair	\$27,262	\$800 / 2.93%	\$28,062

THEREFORE, BE IT RESOLVED that the Lyon County Board of Supervisors approves the following the salary adjustments for the following elected officials for the fiscal year beginning July 1, 2017.

<u>Elected Official</u>		<u>Current Salary</u>	<u>Proposed Increase</u>
<u>Recommended Salary</u>			
Auditor	\$59,147	\$1,183 / 2.00%	\$60,330
Recorder	\$59,147	\$1,183 / 2.00%	\$60,330
Treasurer	\$59,147	\$1,183 / 2.00%	\$60,330
Sheriff	\$83,476	\$2,366 / 2.83%	\$85,842
Attorney	\$97,324	\$2,366 / 2.43%	\$99,690
Supervisors (4)	\$26,187	\$0 / 0%	\$26,187
Board Chair	\$27,262	\$0 / 0%	\$27,262

Approved this 13th day of March, 2017.

LYON COUNTY BOARD OF SUPERVISORS

Attest: /s/Jen Smit
Lyon County Auditor

AYE:/s/Steve Michael, District 1 Supervisor
/s/Merle Koedam, District 2 Supervisor
/s/Mark Behrens, District 3 Supervisor
/s/Randy Bosch, District 4 Supervisor
/s/Kirk Peters, District 5 Supervisor

Motion by Peters, second by Behrens to approve and have Chairman sign Resolution 2017-10. Bosch asked for a rollcall vote: District 1 Support, District 2 Support, District 3 Support, District 4 Support, and District 5 Support. Motion Carried.

Chairman Bosch introduced Resolution 2017-11 for Fiscal Year 2018 Budget Approval.

RESOLUTION 2017-11 ADOPTION OF 2017/2018 BUDGET

WHEREAS, Lyon County, Iowa held a Public Hearing on March 13, 2017 for input for the 2017/2018 Fiscal Year Budget and County Levies.

WHEREAS, Iowa Code Section 331.434 authorizes the board of each county to certify property taxes annually at its March session.

THEREFORE on March 13, 2017 the Lyon County Board of Supervisors approved the following levies and property tax asking.

Levies

3.50000	General Basic Levy
0.88326	General Supplemental Levy
0.27394	Mental Health Levy
3.06099	Rural Service Levy
0.25051	Debt Service Levy

7.96870	Total Levies

Property Tax Levied Dollars

3,143,146	General Basic
793,204	General Supplemental
246,010	Mental Health
2,132,499	Rural Service
238,070	Debt Service

6,552,929	Total Property Tax Dollars

Assigned Funds - General Sub-Fund

\$200,000	Ambulance Rig
\$250,000	Conservation Nature Center

\$450,000 Total Assigned Funds

Passed and approved this 13th day of March, 2017.

/s/Randy Bosch, Chairman
Lyon County Board of Supervisors

ATTEST:/s/ Jennifer Smit,
Lyon County Auditor

Motion by Michael, second by Koedam to approve and have Chairman sign Resolution 2017-11. Rollcall vote: District 1 Support, District 2 Support, District 3 Support, District 4 Support, and District 5 Support. Motion carried.

County Attorney Shayne Mayer requested to contact ISAC legal counsel by phone due to possible pending litigation. Robert Livingston was contacted via phone and introduced to the Board. Livingston, in addition to Kris Madsen would be representing Lyon County in litigation. The County has a \$50,000 cap on litigation costs and would be responsible for 15% of that cost. Livingston requested that the Board go into closed session to discuss the specifics of possible litigation. Motion by Michael, second by Behrens, to move into closed session per Iowa Code Section 21.5(c). Rollcall vote on motion: District 1 Support, District 2 Support, District 3 Support, District 4 Support, and District 5 Support. Motion carried. The Board went into closed session at 9:50 a.m.

At 10:16 a.m. Motion by Behrens, second by Michael to exit the closed session. Motion carried.

Due to items discussed in closed session there was a motion by Peters, second by Michael to engage Robert Livingston and Kris Madsen to defend against pending litigation against County Attorney Shayne Mayer. Motion carried.

County Engineer Laura Sievers introduced Ron Speckmann, FEH structural design; Brad Beck, civil engineer with Beck Engineering, and Dale Woudstra, mechanical engineer with Engineering Design Associates, Inc. The gentlemen were present to explain how their consultant work would benefit and simplify the whole project of building a new Rock Rapids secondary road shop. Dickinson County also used FEH for the building of their newest secondary roads shop and Sievers had reached out to FEH for information. The project would be designed around the needs of the secondary road shop and office. FEH talked about the process from the design phase through project bidding. The fees for such services would be around 15% - 20% of the total project cost (project cost currently budgeted at \$1,500,000). After discussion, the Board decided to go with FEH as a project consultant for the new secondary road shop.

Sievers asked for plan approval on L(TIF 2018)-73-60 which will be 2 culvert structures. The culverts are located in Elgin Township between sections 16 & 17 and Richland Township between sections 1 & 2. Motion to approve and sign plans by Koedam, second by Peters. Motion carried.

Plan approval is also needed for L-(B-15R)-73-60 which will be a bond bridge project on 160th Street and Buchanan Avenue. Motion by Michael, second by Behrens to approve and sign plans. Motion carried.

The Board needs to accept a bidder and approve contracts for BRS-CO60(114 & 115)-60-60. These projects are on A34 over Willow Creek and Kelly Creek between Hwy. 75 and Alvard. Sievers reports there were two bidders: Prahm Construction, Inc. at \$944,022.10 and Graves Construction at \$1,081,532.40. Motion by Koedam, second by Michael to accept the lowest bidder Prahm Construction, Inc. at \$944,022.10 and the signing of the contract when received. Motion carried.

The Engineer's office received a utility accommodation application for a fiber optic cable installation from Heartland Communications. Location will be South of Little Rock from L26 East to the County line on A22. Motion by Peters, second by Behrens to approve and have Chairman sign application. Motion carried.

Engagement services for legal review of contracts for the secondary road shop were discussed with Attorney Mayer and Engineer Sievers. Mayer recommends having Dorsey & Whitney review these contracts due to the size of the project. Mayer reported that the verbal estimation that was received from the firm last week would not surpass \$2,000. Motion by Behrens, second by Peters to approve engagement letter. Motion carried.

Resolution 2017-09 was introduced and explained by Attorney Mayer. The resolution approves the county moving forward with the purchase of property from Rock Rapids Development Corporation for a secondary road shop.

RESOLUTION 2017-09

APPROVAL OF OFFER TO PURCHASE INTEREST IN REAL ESTATE PURSUANT TO IOWA CODE

331.212(d)

WHEREAS, the Lyon County Board of Supervisors is in the process of consulting and planning for the construction of a Secondary Roads building in Lyon County, Iowa, and hereinafter referred to as "The Rock Rapids Shop Project";

WHEREAS, a new building is needed to replace the older building that was damaged during the flood;

WHEREAS, in order to complete The Project, the Lyon County Engineer's Office must obtain real property on which to construct the new shop building;

WHEREAS, the County has been negotiating with the Rock Rapids Development Corporation for the purchase of real property located in the Development Park in Rock Rapids, Iowa;

WHEREAS, said real property is legally described as follows:

Parcel C in the Fractional Northwest Quarter (Fr'1, NW $\frac{1}{4}$) of Section Three (3), in Township Ninety-nine (99) North, of Range Forty-Five (45), West of the 5th P.M., Lyon County, Iowa, as shown by a Plat of Survey in Plat Book "15", at Page 59, in the Office of the Lyon County Recorder described as follows: Beginning at the Southwest Corner of the Parcel C; thence West on the South line of Parcel C a distance of 722.56 feet; thence North 422 feet; thence East 722.56 feet to the East

boundary of Parcel C ; thence South along the East boundary of Parcel C 422 feet to the Point of Beginning, containing 7 acres, more or less.

WHEREAS, the County has received a Real Estate Contract/Purchase Agreement from the Rock Rapids Development Corporation which contemplates the payment of \$125,000 due on or about April 14, 2017, at which time the parties will close on the above property; and

WHEREAS, the Real Estate Contract/Purchase Agreement also contemplates a second payment of Eighty-five Thousand Dollars (\$85,000) which shall be due upon the completion of the road going to Lot 3, known as "Forster Court"; and

WHEREAS, this Resolution was introduced and Peters moved that said Resolution be adopted. The motion was seconded by Michael. The roll was called and the vote was: AYES District 1, District 2, District 3, District 4, and District 5 and NAYS None.

NOW, THEREFORE, BE IT RESOLVED by the Lyon County Board of Supervisors of Lyon County Iowa:

1. That the Lyon County Engineer be and is hereby authorized to proceed with the necessary activities to acquire the aforesaid property interest for The Project;

2. That if the above property owner agrees to convey the property interest to the County in the above amount, the Lyon County Auditor's Office is authorized and directed to issue check(s) in the amount(s) outlined above, as necessary to carry out these transactions and to pay any unforeseen additional costs as certified by the Lyon County Engineer's Office; the Lyon County Attorney's Office is authorized and directed to complete these transaction in accordance with Iowa Code.

Passed and approved this 13th day of March, 2017.

/s/Randy Bosch, Chairman
Lyon County Board of Supervisors

ATTEST: /s/Jennifer Smit
Lyon County Auditor

Motion by Peters, second by Michael to approve and sign Resolution 2017-09. Rollcall vote was taken: District 1 Support, District 2 Support, District 3 Support, District 4 Support, and District 5 Support. Motion carried.

Board signed the purchase agreement with Rock Rapids Development Corporation for the purchase of 7 acres for a new secondary road shop. The Board will pay \$125,000 on or around April 14th, with another payment of \$85,000 upon the completion of the road to the property.

Allison Township officials request that the Board approve appointments of Jerry Mulder as Clerk, and T.L. Herbert as Trustee. The Rock Township officials request that the Board approves the appointment of Jay Drenth as Trustee. Motion by Peters, second by Behrens to approve the appointments of Allison and Rock Township officials. Motion carried. (Mulder replaces Rich Vanden Brink, Herbert replaces Bob DeKoning for Allison; Drenth replaces O.A. Drenth.) Appointments are effective 3-13-2017.

Motion by Michael, second by Koedam to approve the Class E liquor license for Grand Falls Casino and Resort. Motion carried.

3-13-2017

Motion by Behrens, second by Peters to approve the Class C liquor license for Otter Valley Country Club. Motion carried.

Motion by Behrens, second by Michael to approve and sign letter to DNR for the construction permit application for RPK Farms owned by Reid Kooiker located in Rock Township, Section 27. Motion carried, Peters abstained voting.

Correspondence: Peters-ISAC; Behrens-ISAC; Koedam-Compass Point.

Handwritten claim dated 3-1-2017 in the amount of \$28,241.54 was reviewed and approved. Check sequence #126756.

Wellmark BlueCross BlueShield	2/18/17 to 2/24/17 Claims	28241.54
Grand Total		28241.54

Health Insurance Fund 28,241.54

Handwritten claim dated 3-8-2017 in the amount of \$12,361.11 was reviewed and approved. Check sequence #126757.

Wellmark BlueCross BlueShield	3/1/17-3/3/17 Claims	12361.11
Grand Total		12361.11

Health Insurance Fund 12,361.11

Claims dated 3-13-2017 in the amount of \$401,917.38 were reviewed and approved. Check sequence #126816-126973.

A & B Business Solutions	2/21-3/20/17 Copier Contr	746.32
Henry M. Adkins & Son Inc. Ele	(10) OVO Paper Rolls	68.27
Advanced Systems, Inc.	2/7/17-5/6/17 New Copier	35.24
Ahlers & Cooney, P.C. Attn: Ac	HR Services thru 2/29/17	90.00
Airgas USA LLC	welding gloves,oxygen	267.99
Alliance Communications Attn:	March 911 Recurring	285.23
American Lung Association of	50 Radon Kits @\$6.00	300.00
Beck Excavating Inc.	Engineering proposed RRshop	4110.00
Vicki Borman	Feb Miles (714),reimb cellphn	372.00
Calhoun-Burns & Associate Inc.	bridge design70R,inspection	8547.26
Campbell Supply	Airhose,tools,boxfan,supplies	648.12
John Canning & CO. LTD	Mural Removals 2/13-2/15/	14875.00
Canon Financial Services Inc.	Canon Contract	268.00
Cattoor Oil Company Inc.	55 gal antifreeze	307.59
Century Link - Business	1/16/17-2/15/17 Long dist.	262.26
Christensen Bros. Inc.	L-(64W&66W)--73-60 Est#6,#4	113502.50
City of Doon	water - Doon shop	33.00
City of Larchwood	utilities	87.30
City of Rock Rapids Municipal	January Utilities - Annex	7834.95
Cooperative Energy Company	Diesel,gasohol,oil,tire repair	14135.40
Cooperative Farmers Elevator	Feb Fuel, battery, service	951.24
Corner Rexall Drugs	Thermometer,covers,batteries	4.70
Creative Product Source, Inc.	Bracelets / Fair Item	435.00
Culligan Soft Water Serv.	March/April Rent,salt,service	500.25
D-P Tools Inc.	4 pc Bur Set,scraper - RR shop	129.90
Dakota Fluid Power Inc.	adapter, cylinder	1498.46
Melinda DeJong	Feb Mileage - 300 Miles	150.00

3-13-2017

Greg Dengler	2 Rock Twp Mtgs	30.00
Denny's Sanitation Inc.	garbage service	105.00
District III Auditors Assn. Je	2017 Dues	35.00
Connie Douglass	Feb Miles(20),reimb cellphn	25.00
Dusty's Auto Body David Dreesm	Repair Impala 60-8	200.00
Electronic Engineering	March Maint 911 Radios	735.00
Electronic Engineering	3yr EmergCallWorks 50% pay	14204.46
Frank Dunn Company Frank Dunn	1 pallet high performance	789.00
Frontier	George telephone	52.88
Frontier Bank	2/24/17 Snow Removal Anne	67.50
Glen Geerdes	4 Dale Twp Mtgs	60.00
George Office Products	Office Supplies,paper,stamps	2447.95
Greg Getting	4 Dale Twp Mtgs	60.00
H & S Homebuilding Center	Wood for Murals	17.06
Heartland Hardware LLC	hitch pin, hammer	17.48
Heather Hernandez	Feb Miles(13),reimb cellphn	21.50
Hillyard / Sioux Falls	Rubber Gloves	60.00
David Huff	3 Dale Twp Mtgs	45.00
I-State Truck Center	pin #4	17.77
IMAGETek, Inc.	Ticket #20680 DOT Data	37.50
Innovative Benefit Consultants	Feb2017 Benefit Services	1720.00
Intek Cleaning & Restoration	3rd Fl Mold Remediation 2	4873.69
Interstate Power Systems, Inc.	wiring #11,labor to repair	1862.53
Iowa Communities Assur Pool	Govt Crime Bond Policy 2n	1769.05
Iowa Organization of Victim	IOVA-CP Re-Cert,membership	75.00
Iowa Prison Industries	New Stripes/Letters 608 I	154.90
Iowa Prison Industries	Posts,bases,signs,route markers	6132.80
Jim Hawk Tr Trailers Inc.	light boxes #23,lights,wires	409.56
Keith's Korner	Feb Fuel - 104 G Gasahol	223.00
Shannon Klarenbeek	Feb Miles(318),cellphn reimb	174.00
Jeffrey S Kruse	safety glasses	140.76
Marilyn Lafrenz	Feb Miles(552),cellphn reimb	291.00
Larchwood Lumber Company	shop supplies	9.95
Larchwood Quick Stop	Gasahol,unleaded, brake fluid	302.25
Lyon & Sioux Rural Water	water - Lester/LW shop	66.25
Lyon County Clerk of Court	Garnish Wages/Amb SmClaim	25.00
Lyon County Sheriff Dept.	Cash-Secret inv, fees	2762.60
Lyon County Treasurer - ACH I	Feb StopLoss Refund,Rx rebate	24057.52
Lyon Manor & Rehab Center	Feb Jail Meals 241x\$6.00	1446.00
Matheson Tri-Gas Inc	Oxygen	111.00
Debra M. McKeever, CSR,RPR MCK	11/30/16 Deposition - Sec	291.00
Medical Excess	March Transplant Ins	1547.86
Loren Mellema	2 Rock Twp Mtgs	30.00
Sarah Merry-Skoglund	Feb Miles(930),cellphn reimb	480.00
MidAmerican Energy	acct 11930-66002	355.08
Modern Gas Company	100 gal LP gas	129.90
Moon Creek Veterinary Clinic	Meds for Athos	85.70
Michael Munns	4 Rock Twp Mtgs	60.00
New Century Press	Brd min,Public Hrgs,RE Tax	660.83
Northern Iowa Construction Pro	18" CMP, 18" Bands	8991.60
Northern States Supply Inc.	hardware	18.45
Northern Truck Equip Corp	Chain, bushings, Brgs #21	1863.60
Oak Street Station	Fuel, brakes,pads,tierods	996.47
OakLeaf Property Management	Rent Assistance	200.00
Osceola County Rural Water	water - Little Rock shop	37.10
P & K Pest Control Inc	3/8/17 Bi-Monthly Maint/A	40.00
Popkes Car Care, Inc.	Feb Fuel 89.135 G dyed di	196.01

Prahm Construction Inc.	L-TIFF(69R)--73-60 Est #2	124006.50
Premier Communications	March Phone,internet,cable	3677.88
Premier Network Solutions d/b/	March IT	2415.00
Rapid Auto Repair Michael D. K	A2 battery/filter,van repair	689.53
RDO Equipment Company	filter kit #62	87.36
RELX Inc DBA LexisNexis	Feb On-line periodicals	145.44
Reserve Account/Pitney Bowes	Postage - Postage Meter A	2100.00
Rock Rapids Ace Hardware	TSP,cleaning supplies,chain	
	Saw oil,paint brushes	351.85
Lisa R. Rockhill	Reimb Postage,Feb Miles(119),	
	Reimb cellphone	77.17
Safety-Kleen	parts washer rental	338.49
Bob Schoo	4 Dale Twp Mtgs	60.00
Shari's Kitchen	Employer Appr. 30Dz/Shops	30.00
Steve Simons	Feb Miles(448),reimb newspaper	267.00
Snow Removal & Sanding Arthur	Feb Snow Removal 4.75 hrs	308.75
Solutions, Inc.	Evault Backup 3/18/17-3/1	1200.00
Staples Promotional Products	2 Jackets / Amb	260.40
Melissa Stillson	Feb Cell Phone Reimb	15.00
Storey Kenworthy / Matt Parrot	Affidavit/Return Envelope	33.93
Sturdevant's Auto Parts	parts,supplies,filters	401.40
Sunshine Foods	Food Assist,inmate food,coffee	825.07
The Shop	Service 604,tire repair#17	99.02
Thomson Reuters	West's Iowa Criminal Laws	288.00
Todd's True Value	crimp wheel,paint,clamp	177.89
Town & Country	Feb Garbage Service	62.41
U.S. Cellular	2/22/17-3/21/17 Cellphone	140.37
US Bank - Purchase Card Purcha	Conf registrations,fuel,postage,	
	Lodging,meals,Petco,Microsoft	
	Licenses,LexisNexis	4757.04
VanderLee Motors Inc.	Service 14 Impala,brakes,rotors	530.50
Verizon Business	acct 4512330	4.91
Verizon Wireless	Cellphone,hotspot,aircards	1354.70
Wall Street Printers	4 Bx Window Envelopes	118.50
Wellmark BlueCross BlueShield	Claims, fees, stoploss	5013.73
Bonnie Wilson	Feb Cell Phone Reimb	15.00
Grand Total		401917.38

General Basic Fund	32,406.64
General Basic Sub Fund	19,765.75
General Supplemental Fund	1,769.05
Rural Services Basic Fund	868.28
Economic Development Fund	271.55
Secondary Road Fund	292,549.94
Surcharge on E911	16,708.22
Emergency Management Services	309.20
Sheriff Asset Forfeiture	2,500.00
Co. Assessor Agency Fund	2,429.64
Health Insurance Fund	32,339.11

Payroll dated 3-15-2017 was reviewed and approved.

Payroll Warrant Register in the amount of \$63,177.86 is listed by fund.

General Basic Fund	9,102.27
Rural Services Basic Fund	18,537.46
Secondary Road Fund	35,538.13

3-13-2017

Payroll Disbursement Register in the amount of \$33,199.84 is listed by Fund.

General Basic Fund	4,109.49
General Supplemental Fund	4,086.00
Rural Services Basic Fund	8,949.18
Secondary Road Fund	16,055.17

There being no further business there was a motion by Michael, seconded by Behrens to adjourn. Motion carried.

ATTEST _____ APPROVED _____
County Auditor Chairman