

LYON COUNTY AUDITORS OFFICE  
June 8, 2015

ROCK RAPIDS, IOWA

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 May 26, 2015 meeting were reviewed. Motion made by Behrens to approve minutes, seconded by Michael. Motion carried.

Jeff Kerkvliet was present to talk about a driveway application that was submitted to the engineer's office. County Engineer Laura Sievers was also present. Kerkvliet had submitted a permit for a driveway for his property which lays north of 100<sup>th</sup> Street (in South Dakota). The request is submitted to Lyon County due to the agreement between Lyon County and South Dakota regarding the maintenance of 100<sup>th</sup> Street. Sievers stated that prior to Kerkvliet's request another entity had also requested a permit for a driveway on Hwy 9. That request was denied due to sight distance issues. The county, by law, is required to grant a permit, but Sievers would like to make sure the permit lists the requirements that could be needed in the future for said driveways. As the property is currently zoned commercial and lays across the road to the West of Grand Falls Casino and Golf Resort, if the county simply gives an okay for the driveway, the county would then be responsible to put in any turning lanes in the future when/if needed due to traffic counts. After much discussion the Board decided to consult with the county attorney to discuss options for granting a permit. The Board thanked Kerkvliet for coming.

Sievers asked Chairman Bosch to sign the ER-CO60(111)-58-60 project contract that was previously approved on 5-11-2015.

Sievers hasn't had any luck with finding a potential candidate for the engineer tech position that has been open for quite some time. The main hurdle is finding a candidate that possesses strong experience in CAD and other technical areas. It was discussed if the Board would be open to Sievers looking into the possibility of offering an engineer assistant position instead. Sievers wondered if the county would be willing to help defray costs for the candidate to go to school to receive the education/classes needed for the position. The candidate would have requirements to fulfill such as a length of employment with the county after schooling, paying a percentage of the schooling, and other items. The Board liked the idea and asked Sievers to look more into it.

Emily and Spencer Austin joined the meeting to present their request to use county roads for their annual Heritage Days road race. Emily outlined the race course for the Board. Sievers stated that she would like communities/groups doing such events to come to the Board so the county is aware of the event and what county roads are being used. The Board didn't see a problem with the course as laid out by Austin. In the future, Austin will put herself on the agenda in April or May to let the Board know of the event and any changes in the course. Sievers also stated that she has and

6-8-2015

will continue to email the city clerks with her request that they let the county know of their events each year. Austin thanked the Board for their time.

Engineer Sievers gave the Board a supplemental agreement with Calhoun Burns for the design of the five FEMA bridges for changing the width of bridges 28" and not the 30'. The added design work adds about \$10,000 to each bridge. The new costs are: Midland 3Y \$15,790, Riverside 12W \$19,614.50, Elgin 14Y \$17,900, Rock 36W \$18,327, and Lyon 51R \$17,511. Motion by Peters, second by Koedam to approve and sign the supplemental agreement. Motion carried.

Gravel road complaints seem to be at a high per Supervisor Bosch. Sievers noted that there has been a number of livestock confinements that have gone up in this past year which increases the road use considerably. The flood from last year was also very hard on many of the roads.

Lyon County Economic Development Director was present to talk with Tyler Campbell via phone regarding the EPA Federal Ozone regulations. The EPA is contemplating lowering the ground level ozone levels to 65 ppb from 68 ppb. With the new standard, many local businesses and agricultural business would be required to change their current practices which could be very expensive. Board decided to send a letter to the EPA administrator and the respective representatives of Lyon County to urge the EPA not to lower the standard.

Pam Tille was present to discuss the new zoning permit rates that will be effective July 1, 2015. Chairman Bosch introduced resolution 2015-21.

RESOLUTION # 2015-21

A RESOLUTION OF THE LYON COUNTY BOARD OF SUPERVISORS  
ESTABLISHING FEES FOR ZONING PERMITS AND RELATED ZONING  
CTIVITIES.

WHEREAS, the Lyon County Board of Supervisors has adopted a zoning ordinance pursuant to Chapter 335, Code of Iowa, as amended; and

WHEREAS, according to Article XXIV Zoning Administration and Enforcement, Section 24.7 Fees, of the Lyon County Zoning Ordinance the Board of Supervisors is empowered to establish a fee schedule for zoning compliance permits.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Lyon County, Iowa that the following fee schedule be adopted for zoning compliance permit fees and additional fees applicable within Lyon County, Iowa, effective upon passage of this resolution.

**Zoning Compliance Permit: Value based per square foot**

Note - There is no fee for ag related construction

Note - No permit required if structure is less than 200 square feet or if building is less than \$1,000

Compliance permits include Fence, Wind Energy, and Signs

**All Values** Include Labor

\$ 25,000 or less.....\$25.00  
 \$ 25,001 to \$100,000.....\$100.00  
 \$100,001 and over - \$1 per \$1,000...\$1,000.00 max  
 Temporary Use Permits.....\$100.00

**Planning & Zoning Commission**

Zoning Ordinance Amendment Hearing..... \$250.00  
 Rezone of Property.....\$200.00  
 Subdivisions  
 Minor (3 lots or less) .....\$150.00  
 Major Subdivision (4 lots or more).....\$250.00

**Board of Adjustment**

Special Exception/Conditional Use...\$100.00  
 Residential/Business Use.....\$100.00  
 Variances.....\$200.00  
 Administrative Appeal.....\$100.00

Passed, approved and adopted on this 8<sup>th</sup> day of June, 2015.

ATTEST: /s/ Jen Smit  
 County Auditor

/s/Randy Bosch  
 Chairperson, Board of Supervisors

Motion by Peters, second by Michael to approve and sign Resolution 2015-21 which will take effect July 1, 2015. Motion carried.

Chairman Bosch introduced Resolution 2015-24 to terminate the 28E agreement with Osceola County for CPC services. Both counties are part of the Northwest Iowa Care Connections mental health region and the agreement will not be needed going forward because of the region setup. Lisa Rockhill, Lyon County CPC, was also present for the discussion.

**RESOLUTION NO. #2015-24  
 RESOLUTION TERMINATING 28E SINGLE ENTRY POINT PROCESS AGREEMENT**

WHEREAS, by a 28E Agreement dated October 13, 2003, Osceola County and Lyon County, Iowa, entered into an Agreement to utilize one (1) person as the Central Point Coordinator in order to satisfy the duties and obligations of the Single Entry Point Process for the management of the funding for mental health and other services.

WHEREAS, Lyon County has now entered into a 28E Agreement for county mental health administration as required by changes in the Iowa Code, and it is now necessary to terminate, before July 1, 2015, the 28E Single Entry Point Agreement entered into on October 13, 2003.

WHEREAS, it is the understanding of the Lyon County Board of Supervisors that the Board of Supervisors for Osceola County, Iowa, will also do a Resolution terminating the 28E Single Entry Point Agreement entered into on October 13, 2003.

NOW, THEREFORE, BE IT RESOLVED by the Lyon County Board of Supervisors, Lyon County, Iowa, that the 28E Agreement titled "28E Single Entry Point Process Agreement" dated October 13, 2003, between Osceola County and Lyon County, Iowa, is hereby terminated effective June 30, 2015 at 11:59 p.m.

A roll call vote was taken on the above resolution and the recorded vote was as follows: AYES: District 1, District 2, District 3, District 4, and District 5  
and NAYES: none.

PASSED AND APPROVED this 8<sup>th</sup> day of June, 2015.

ATTEST:/s/Jen Smit,  
Lyon County Auditor

Randy Bosch, Chairperson  
Lyon County Board of Supervisors

Motion by Behrens, second by Koedam, to approve and sign Resolution 2015-24. Rollcall vote - District 1-support, District 2-support, District 3-support, District 4-support, and District 5-support. Motion carried.

A class C liquor license was received from Rock Rapids Gun Club. Motion by Peters, second by Michael to approve and sign liquor license. Motion carried.

Chairman Bosch introduced Resolution 2015-22 to cancel outstanding checks.

Resolution 2015-22 Cancel Outstanding Checks

**WHEREAS**, Iowa Code Section 331.554(6) provides that if a check is outstanding for more than one year it shall be canceled, removed from the list of outstanding checks, deposited to the account on which the check was written, and credited as unclaimed fees and trusts. The treasurer shall maintain a list of the checks for one year after cancellation. A person may claim the amount of the canceled treasurer's checks for a period of one year after cancellation upon proper proof of ownership by filing a claim with the county auditor.

The following checks have been outstanding for more than one year:

Rural Service Fund:

Disbursement #106714 - (Audit #26431) issued 11/25/2013 \$30.00 - Bruce Bonander

Disbursement #108365 - (Audit #27427) issued 3/10/2014 \$15.00 - Greg Dengler

**AND**

A check payable to Sam's Club #110246 - (Audit #28710) issued 6/23/14 needs to be voided. Said check was returned to Lyon County 8/14/2014 to be voided. The check was issued in fiscal year 13/2014 and it cannot be voided on the system by the Auditor; the Treasurer will need to cancel this check and credit the General Fund.

**THEREFORE BE IT RESOLVED** by the Lyon County Board of Supervisors that the checks mentioned above should be canceled and the original fund credited.

Passed and approved this 8<sup>th</sup> day of June, 2015.

ATTEST:/s/Jen Smit

Randy Bosch, Chairman

6-8-2015

Lyon County Auditor

Lyon County Board of Supervisors

Motion by Michael, second by Behrens to approve and sign Resolution 2015-22.  
Motion carried.

Resolution 2015-23 was presented for Board support of county entities  
applying for the Lyon County Riverboat Foundation mini grants.

COUNTY OF LYON, IOWA  
RESOLUTION 2015-23

A RESOLUTION OF THE BOARD OF SUPERVISORS OF LYON COUNTY, IOWA APPROVING THE  
APPLICATION(S) FOR THE PURPOSE OF RECEIVING BENEFITS FROM THE LYON COUNTY  
RIVERBOAT FOUNDATION.

WHEREAS, the Lyon County Riverboat Foundation has grant funds available  
that target Community Development and Beautification, Economic Development,  
Education and Arts, Human and Social Needs, and

WHEREAS, the Lyon County Riverboat Foundation has a mini grant  
application cycle that ends June 23, 2015 and

WHEREAS, the County of Lyon is supportive of these targets for  
improvements to the community and County, and

WHEREAS, one or more applications from the County of Lyon, and/or from  
organizations with projects that will take place on county property, will be  
submitted to the Lyon County Riverboat Foundation by the June 23, 2015,  
deadline,

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Lyon  
County, Iowa that the County of Lyon authorizes the following grant  
applications to be submitted to the Lyon County Riverboat Foundation for the  
June 23, 2015, application cycle:

1. Lyon County Emergency Management - Equipment for EMA vehicle
2. Lyon County Ambulance - Equipment
3. Lyon County Treasurer - Computer
4. Lyon County Attorney - Courtroom Equipment
5. Lyon County Auditor - Voting Booths / Polling Place Signs
6. Lyon County Conservation - Paddleboards
7. Lyon County Economic Development - Office Equipment/Computer

Passed and adopted this 8<sup>th</sup> day of June, 2015.

ATTEST:/s/ Jen Smit  
County Auditor

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

Motion by Michael, second by Peters to approve and sign Resolution 2015-23.  
Motion carried.

Employment changes:

Richard VanDenTop has 4 years in as fulltime jailer and per the wage  
schedule, Sheriff Vander Stoep recommends VanDenTop receives a pay increase  
to 82% of the Jail Administrator position. VanDenTop's wage will be  
\$19.17/hour.

Rebecca Kirkland has resigned as a part time jailer with her last day as June  
7, 2015.

6-8-2015

BOH appointment - Dr. Mike Elbers will accept the appointment. Motion by Behrens, second by Peters to appoint Dr. Mike Elbers to the Board of Health to fill the unexpired term until 12-31-2016. Motion carried.

Auditor Smit presented the business property tax credits needing approval. There are 100 new/changed applications and 414 current applications. Motion by Michael, second by Koedam to approve the business property tax credit applications recommended by the Assessor for FY 15/16. Motion carried.

Supervisor correspondence:

Natural Gas meeting - Michael and Koedam.

Koedam - Compass Pointe, Regional workforce development, MidSioux

Payroll dated 5-29-2015 was reviewed and approved.

Payroll Warrant Register in the amount of \$181,820.36 is listed by fund.

General Basic Fund	114,260.38
MH-DD Fund	2,553.51
Rural Service Basic Fund	17,654.58
Economic Development Fund	3,226.80
Secondary Road Fund	33,625.85
County Atty Incentive Fund	387.69
Emergency Management Serv	1,809.00
Co Assessor Agency Fund	8,302.55

Payroll Disbursement Warrant Register in the amount of \$259,089.38 is listed by Fund.

General Basic Fund	91,238.67
General Supplemental Fund	51,197.92
MH-DD Fund	2,615.15
Rural Services Basic Fund	33,985.76
Economic Development Fund	4,156.25
Secondary Road Fund	65,785.35
County Atty Incentive Fund	174.82
Emergency Management Serv	1,022.39
Co. Assessor Agency Fund	8,913.07

Claims dated 6-8-2015 in the amount of \$146,031.89 were reviewed and approved. Check sequence #116124-116287.

A & B Business, Inc.	Samsung Contract	137.64
Tina Ageson	steel toe shoes	132.49
Alliance Communications Attn:	June 911 Recurring/phones	432.07
Kathy Altena	1/2 BOH Mileage Jan-Feb (	80.00
American Aluminum Accessories	Remote Holder/609 RESCUE	97.39
AT & T Mobility	On Call cell phone	16.38
Vicki Borman	May Mileage (771)	385.50
Cheryl Bos	6/1/15 Mileage CDL training	33.50
C.J. Cooper & Associates	pre-employ drug test	35.00
Calhoun-Burns & Associate Inc.	bridge inspection	773.90

6-8-2015

Campbell Supply	911 Material for signs	23.91
Century Link	911 Recurring/long dist.	405.82
Century Link - Business	4/16/15-5/15/15 LD - Amb	200.96
City of Alvord	utilities	48.50
City of Doon	water - Doon shop	33.00
City of Larchwood	utilities	47.84
City of Rock Rapids City Offic	Dog Pound Boarding Fee	140.00
City of Rock Rapids City Offic	Utilities	454.02
City of Rock Rapids City Offic	Final Payment RRMU study	1315.06
Coffman's Locksmith Shop	drill bit - RR shop	25.25
Construction Products & Consul	repaired, cleaned transit	207.21
Continental Research Corp	grease, poly shine cleaner	782.12
Cooperative Energy Company	484.16G Gasahol,7311G diesel, Tires,tire repair,89G unlead	22922.76
Corner Rexall Drugs	Alchol swabs,glutose,lysol	15.71
Crysteel Truck Equipment Inc	paint/mat/labor repair box	8052.00
Culligan Soft Water Serv.	April/May Salt - Jail	110.25
Custom Cage, Inc	Cage for 2015 Impala 603	440.00
D-P Tools Inc.	42" Pry Bar/sockets-Serv Truck	119.20
Dakota Riggers & Tool	poly sling #121	88.76
Melinda DeJong	May Mileage (390)	195.00
Denny's Sanitation Inc.	garbage service	449.00
DLT Solutions LLC	AutoCAD Support Renewal	1246.14
Doon Press	4/27/15 PublicHrg/Consv B	15.09
Doon Rescue	Triage Brd Training	42.88
Connie Douglass	May Cellphn Reimb/reimb laptop	703.99
DRG Mechanical, Inc.	Repair 3rd Fl Toilet/1 <sup>st</sup> fl sink	710.46
Darren Dubbelde	2 Zoning BOA mtg Mileage	40.00
Ed Roehr Safety Products	New Taser - 603	1028.58
Electronic Engineering	Amb Radio Maint/Repeat/console	1000.00
Emergency Medical Products,Inc	Collars & Gloves	178.62
Enventis	911 Recurring/phone service	1380.38
Farmers Elevator Co	triple/round-up weedspray	315.75
George Office Products	toner,office supplies,chair	3087.27
Bernard Gisolf	6/2/15 Zoning BOA Mileage	1.00
H & S Homebuilding Center	concrete screws,side boards	30.99
Herm's Sanitation	garbage serv April-June	51.00
Hiller Lumber	16" galv rolltin/Bal Dog Kennel	33.39
Hillyard / Sioux Falls	Gray Caddy,garbage cans,supplies	301.73
Hobart Sales & Service	Repair Jail Dishwasher	1015.09
Anita Hopp	1/2 BOH Mileage Sept-Nov	30.00
Char Huisman	May Cell Phone Reimb.	15.00
I Wireless	5/16-6/15 Cell Phone	188.23
I-State Truck Center	ABS sensor #6,bracket support	711.16
Iowa Counties P.H. Association	FY15/2016 Membership Dues	150.00
Iowa DNR Water Supply Section	4 Well Permits	100.00
Iowa State University Attn: Cl	ISU Retail Scapes/2nd Bus	1348.43
JCL Solutions-Janitors Closet	Custodial Supplies	92.98
Jebro Inc.	228 gal CRS-2	798.00
Michelle Johnson	1/2 BOH Mileage Jan-May (	66.00
Keith's Korner	May Fuel 88.2 G Gasahol	220.00
David Korthals	2 Zoning BOA mtgs Mileage	40.00
L.A. Carlson Contracting	Est #2 FEMA-CO60 (R23)	1000.00
Marilyn Lafrenz	May Mileage(899),cellphn reimb	464.50
Larry Landman	1/2 BOH Mileage July-Oct	68.00
Larchwood Lumber Company	shop supplies	16.99
Larchwood Quick Stop	88 gal gasahol	220.60

Lewis Family Drug, LLC	April RX for Inmates	294.54
Little Rock Free Lance	Ads for PT RN 5/5/15-5/12	24.00
Lyon & Sioux Rural Water	water - Lester/Larchwood shop	56.00
Lyon County Sheriff Dept.	Sheriff Fees	147.25
Lyon County Treasurer - ACH I	Palmer COBRA June 2015	700.00
Lyon Manor & Rehab Center	May Jail Meals 166@\$4.50	747.00
Mail Services. LLC	June Registration/Mailing	413.69
Matheson Tri-Gas Inc	5/21/15 Oxygen	66.59
Medical Excess	June Transplant ins	1547.20
MidAmerican Energy	DN shop	72.13
Modern Gas Company	210.2 gal LP gas	311.10
Joanne Montag	May mileage(162)/Cellphn Reimb	96.00
Moon Creek Veterinary Clinic	Vet Spray for Dog	10.00
Moore Medical LLC.	Disinfectant Spray	86.07
Mouw Motor Company	fuel valve asy #52	158.25
Anita Muilenburg	5/27/15 LCED Mileage (42)	21.00
New Century Press	Notices,letterhead,ads	349.94
Carol Nielsen	1/2 BOH Mileage Jan-Mar (	90.00
North American Truck & Trailer	fuel tank strap kits #9	130.42
Northwest Iowa Comm. College N	4/25/15 Amb Mtg Certifica	30.00
Northwest Iowa Area Solid Wa	5/27/15 Chemical Disposal	281.97
Oak Street Station	51 gal gasahol	121.51
PCC, Inc. Physician's Claim Co	5/5/15-6/2/15 Amb Billing	1942.52
Barb Pedersen	1/2 BOH Mileage Sept-Nov	176.00
Popkes Car Care, Inc.	138.4G Dyed Diesel,Rim,Tire	656.10
Premier Communications	June 911 Recur/phone,internet	2433.01
Premier Network Solutions d/b/	June IT Consulting	2362.50
Radio & TV Center	DVD 1 to 1 Duplicator	320.00
Rapid Auto Repair Michael D. K	5/18/15 Map Sensor A-2	208.81
Xochitl Robison	May 2015 Interpreter Hour	121.00
Rock Rapids Ace Hardware	Coffee maker,supplies,totes	309.05
Lisa R. Rockhill	May Joint Mileage (647)	400.84
Royle Technology Corp	Alum Dog Waterer/Feeder	97.50
Sanford Health	Inmate medical	1269.00
Sanford USD Medical Center	April Jail Visit	25.00
Stephanie Schreurs	Medical Records/Death Inv	48.00
Shield Technology Corporation	Shieldware 7/2015-6/2016	8695.00
Steve Simons	Renew newspapers,mileage	760.76
Jennifer Smit	Mileage 5/27/15 &6/2/15 mtgs	72.00
Stateline Graphics	Ads for PT RN	84.00
Melissa Stillson	May mileage(96)/Cellphn Reimb	63.00
Sturdevant's	Wiper Blades,parts,filters	1351.30
Sun Life Financial	June StopLoss 20s/61f	26415.50
Sunshine Foods	Coffee, inmate meals	484.96
Pamela R. Tille	Mileage COZOConf/twnship(717)	425.50
Todd's True Value	10" file - Inwood	9.99
Town & Country	May Garbage Service	80.88
U.S. Cellular	5/22-6/21 Tablet WiFi/cellphn	119.47
United Farmers Coop	May Fuel - 86.4 G Gasahol	219.20
US Bank - Purchase Card Purcha	laptops,uniforms,postage	2863.91
US Bank Equipment Finance	Contract payment Richo copier	132.12
VanderLee Motors Inc.	Replace brake line,oilchgs	357.80
VanHolland Lawn Service LTD Da	Start Sprinkler System,repairs	457.00
Verizon Business	acct 4512330	5.63
Verizon Wireless	5/19-6/18 Cellphone/hotspot EM	91.98
Wall Street Printers	Business Cards,magnets,postcrds	557.00
WebClimber Services c/o Scott	May Website updates-Pt RN	41.25

Wellmark BlueCross BlueShield	5/23/15-5/31/15 Claims	26005.27
Wellmark BlueCross BlueShield	Admin, Access Fees	1428.23
Kathi Wilke	5/27/15 LCED Mileage (18)	9.00
Bonnie Wilson	May Cell Phone Reimb	15.00
Dennis Winkowitsch	2 Zoning BOA Mtgs Mileage	32.00
Grand Total		146031.89

General Basic Fund	39,707.57
MH-DD Fund	599.25
Rural Services Basic Fund	686.73
Economic Development Fund	2,266.37
Secondary Road Fund	41,435.23
Surcharge on E911	3,202.88
Development Project Fund	1,315.06
Emergency Management Services	91.98
Sheriff Asset Forfeiture	22.59
Co. Assessor Agency Fund	608.03
Health Insurance Fund	56,096.20

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

ATTEST _____	APPROVED _____
County Auditor	Chairman