

LYON COUNTY AUDITORS OFFICE
May 28, 2019

ROCK RAPIDS, IOWA

Chairman Mark Behrens convened the adjourned session with Feucht, Koedam, Birkey, and Herman present. Motion carried assumes unanimous vote unless otherwise stated.

Attorney Shayne Mayer recommended the Board go into closed session pursuant to Iowa Code Section 21.5(1)(c) to discuss with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation. Motion by Birkey, second by Herman to go into closed session. Motion carried. Closed session began at 8:30 a.m.

Motion by Feucht, second by Birkey to end closed session. Motion carried. Board reconvened in open session at 8:51 a.m.

The minutes of the May 14, 2019 meeting were reviewed. Motion made by Herman to approve minutes with changes, seconded by Koedam. Motion carried.

Chairman Behrens introduced Resolution 2019-22 regarding the completion of Dakota Access Pipeline.

Resolution 2019-22 Completion of Dakota Access Pipeline

Whereas, by letter dated April 4, 2019, Dakota Access, LLC informed the Lyon County Board of Supervisors that construction of the Dakota Access Pipeline was mechanically completed on May 15, 2017;

WHEREAS; Iowa Code Section 479B.30 requires the Lyon County Board of Supervisors to determine when a construction of a pipeline is complete for purposes of landowners petitioning the Board of Supervisors for a compensation commission to determine damages arising from construction of the pipeline;

NOW THEREFORE BE IT RESOLVED, that the Lyon County Board of Supervisors does hereby determine that construction of the Dakota Access Pipeline in Lyon County has been completed for the purposes of Iowa Code Section 479B.30.

Passed and approved this 28th day of May, 2019.

/s/Mark Behrens Chairman
Lyon County Board of Supervisors

ATTEST: /s/Jen Smit
Lyon County Auditor

Motion by Koedam, second by Birkey to approve and Chairman sign Resolution 2019-22. Motion carried.

The Board discussed the information received from Matt Mydland regarding the Inwood 5k Color Run to be held on June 1, 2019. Motion by Feucht, second by Koedam to approve run. Motion carried.

The Board received an application for 12 month Class A Native Distilled Spirits License from Rocky Top Investments, LLC. This will be a new license within the county. The Board discussed the license application. Motion by Birkey, second by Koedam to approve license. Motion carried.

Chairman Behrens introduced Resolution 2019-25 to transfer casino TIF dollars to secondary roads.

**Resolution 2019-25 Authorization to Transfer Funds to the Secondary Road Fund
Casino TIF**

Whereas, Iowa Code Section 331.432 provides for other transfers.

The Secondary Road Fund has paid for all expenditures (in FY2018) for the \$465,000 TIF debt certified on November 27, 2017. The first payment of this transfer, \$232,434.42 was made 12-24-2018. The remaining balance of this TIF transfer should be \$232,565.58.

The abstract of taxes was certified for only \$464,868.84 which would be \$131.16 short of the \$465,000 TIF originally certified by the board.

The balance remaining to be transferred to the Secondary Road Fund will now be \$232,434.42.

The transfer is not effective until authorized by resolution of the board.

THEREFORE BE IT RESOLVED by the Lyon County Board of Supervisors to authorize the following transfer:

- Transfer \$232,434.42 from the Casino TIF fund to the Secondary Road Fund. (for a total of \$464,868.84)

Passed and approved this 28th day of May, 2019.

/s/Mark Behrens, Chairman
Lyon County Board of Supervisors

ATTEST: /s/Jen Smit
Lyon County Auditor

Motion by Koedam, second by Feucht to approve and Chairman sign Resolution 2019-25. Motion carried.

Chairman Behrens introduced Resolution 2019-26 transferring rural service dollars to secondary roads.

**Resolution 2019-26
Authorization to Transfer Funds to the Secondary Road Fund**

Whereas, Iowa Code Section 331.429(1)(b) provides for a transfer of funds from the Rural Service Fund to the Secondary Road Fund.

Rural Service will transfer \$2,050,501 in fiscal year 18/2019 to the Secondary Road Fund. This is the maximum allowed by code. The first half of this transfer was made December 24, 2018. The second half of this transfer is \$1,025,251.

The transfer is not effective until authorized by resolution of the board.

THEREFORE BE IT RESOLVED by the Lyon County Board of Supervisors to authorize the following transfer:

- Transfer \$1,025,251 from the Rural Service Fund to the Secondary Road Fund.

Passed and approved this 28th day of May, 2019.

/s/Mark Behrens, Chairman
Lyon County Board of Supervisors

ATTEST: /s/Jen Smit
Lyon County Auditor

Motion by Feucht, second by Herman to approve and Chairman sign Resolution 2019-26. Motion carried.

Chairman Behrens opened the public hearing at 9:30 a.m. to take public comment on the budget amendment. There was no one present, and no comments received. Chairman Behrens closed the public hearing at 9:34 am.

**Resolution 2019-24
Budget Amendment & Appropriations FY 18/2019**

Whereas, Iowa Code Section 331.435 provides for Budget Amendments. Lyon County's meeting for the Budget Amendment was held May 28, 2019 at 9:30 a.m. Notice was published in the Lyon County Reporter on May 15, 2019 and in the Doon Press on May 16, 2019. The required 10 nor more than 20 days for publication has been met.

Whereas, Iowa Code Section 331.434(6) provides for department appropriations which result in an increase or decrease. The following department appropriations will change due to the budget amendment:

<u>Changes</u>	<u>Department</u>
\$ 1,500	Dept #01 - Supervisors
\$ 0	Dept #20 - Secondary Road
\$ 900	Dept #22 - Conservation
\$ 4,500	Dept #55 - Board Control - Casino
\$ 500	Dept #60 - Mental Health
\$ (3,500)	Dept #99 - NonDepartmental

\$ 3,900	Total department increases and decrease due to amendment

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

1. The May 28, 2019 budget amendment is approved.
2. Department appropriations are increased due to the budget amendment, with one exception.
3. NonDepartmental (Dept#99) appropriation is decreased.

Passed and approved this 28th day of May, 2019.

/s/Mark Behrens, Chairman
Lyon County Board of Supervisors

ATTEST:/s/Jen Smit
Lyon County Auditor

Motion by Herman, second by Birkey to approve and Chairman sign Resolution 2019-24. Motion carried.

Audit proposals for fiscal years 2019, 2020, 2021 were received from Williams and Company in LeMars, IA and DeNoble, Austin and Company PC in Rock Rapids, IA. Williams and Company bid \$45,000 FY19, \$46,350 FY20, and \$47,800 FY21. DeNoble bid \$51,700 for FY19,20, and 21. The Board discussed the proposals including prices, in county advantages, and perspective of using a new firm. Motion by Koedam to accept DeNoble, Austin and Company, PC audit proposal for FY19, 20, and 21, second by Herman. Motion carried.

Kim Scorza with Season's Center did not make it to the meeting.

The Board discussed the resignation of Veteran Affairs Director Jared Ageson effective June 1st, 2019. The Veteran Affairs Commission has recommended Sharon Fuller for Director. The appointment of Fuller was tabled until the next Board meeting. Auditor Smit will let Ageson know.

Due to the retirement of Barb Dreke, Treasurer Hopp is recommending the appointment of Hedy Kruger to Motor Vehicle Deputy as of July 1, 2019. Kruger's salary will be set at 82% as of July 1, 2019. Ashley Blauwet has been hired for the clerk position in motor vehicle. Blauwet will start May 31, 2019 at an hourly wage of \$15.00/hour. The Board talked with Treasurer Hopp regarding the increase to Kruger's salary as of July 1, 2019. Hopp stated that Kruger has been with the County for 17 years and has been training with Dreke for the position. Kruger will also be doing a majority of the training for Blauwet. The Board thanked Hopp for the explanation.

Claims were discussed. Herman is wondering if there are options to have contracts for servicing equipment that would be more economical.

County Engineer Laura Sievers presented the amendment to the Iowa DOT Budget. This amendment shows the amended budget for FY19. Sievers also reviewed the 5 year program and the changes made.

Resolution to Revise Lyon County 2019 Five Year Road Program

**Resolution
No. 2019-23 _____**

Unforeseen circumstances have arisen since adoption of the approved Secondary Road Construction Program, and previous revisions, requiring changes to the sequence, funding and timing of the proposed work plan,

The Board of Supervisors of Lyon County, Iowa, in accordance with Iowa Code section 309.22, initiates and recommends modification of the following project(s) in the accomplishment year (State Fiscal Year 2019), for approval by the Iowa Department of Transportation (Iowa DOT), per Iowa Code 309.23 and Iowa DOT Instructional Memorandum 2.050.

The following PRE-EXISTING Accomplishment Year projects shall be MODIFIED as follows:

Project Number Local ID TPMS #	Project Location Description of work	AADT Lengt h NBIS #	Type Work Fund basis	Modification(s)) applied	Accomplishment Year (\$1000's of dollars)		
					Previou s Amount	New amoun t	Net chang e
L-(Doon 6)--	On A34,	830	Box	Changed Local	\$210	\$186	\$-24

73-60 Doon 6 Cleveland 31 TPMS ID: 24983	Over small stream, at S6 T98 R46	0 MI	Culverts LOCAL	funding amount by -24,000 dollars			
LFM-K30--7X-60 Lester K30 Paving & ADA Ped. Ramps TPMS ID: 36462	On K30, from IA 9 North and East to Riggs St RR Crossing, HMA Paving, Ped Ramp	900 0.452	HMA Paving LOCAL	Moved to FY20	\$450	\$0	\$-450
Totals					\$660	\$186	\$-474

Fund ID	Accomplishment year (\$1000's of dollars)		
	Previous Amount	New Amount	Net Change
Local Funds	\$1,070	\$596	\$-474
Farm to Market Funds	\$0	\$0	\$0
Special Funds	\$1,050	\$1,050	\$0
Federal Aid Funds	\$0	\$0	\$0
SWAP Funds	\$2,361	\$2,361	\$0
Total construction cost (All funds)	\$4,481	\$4,007	\$-474
Local 020 Construction cost totals (Local Funds + BROS-8J FA funds)	\$1,070	\$596	\$-474

Recommended:

5-28-2019

Date

/s/Laura Sievers

County Engineer

Approved:

5/28/2019

Date

/s/Mark Behrens

Chair Board of Supervisors

Attested:

I, Jen Smit, Auditor in and for Lyon County, Iowa, do hereby certify the above and foregoing to be a true and exact copy of a resolution passed and approved by the Board of Supervisors of Lyon County, Iowa, at its meeting held on the 28 day of May, 2019.

/s/Jen Smit

County Auditor

Motion by Koedam, second by Feucht to approve amendments and Resolution 2019-23. Motion carried. No - Birkey. Motion carried.

County Engineer Laura Sievers presented gravel hauling contracts received. Henning Construction quoted at \$0.42 ton mile to load material from the County's gravel pile in Ellsworth, MN, also known as the Sandbulte pit. The trucks will haul the gravel and spread it onto designated routes East of US 75. Henning also quoted material from the VandeStrout Pit near Fairview at \$0.76 per ton mile. Fastert Trucking quoted hauling and spreading material from gravel pile at Sandbulte Pit at \$1.15 per ton mile. Supervisor Herman asked how it will be determined as to which miles/roads get gravel. Sievers stated that they will use the recommendations from blade operators of where it is most needed. Motion by Herman, second by Birkey to approve contract with Henning at \$0.42 per ton mile for a total of \$251,055. Motion carried.

Sievers tabled the truck quotes until June 11.

The Board decided to move meeting start time to 8:30 a.m. beginning June 11, 2019.

Supervisor correspondence: Behrens-Board of Health mtg.

Veteran Affairs claims dated 5-20-2019 in the amount of \$781.27 were reviewed and approved. Check sequence #140026-140034.

Jared Ageson	Meals-IACCVSO Spring Scho	13.77
American Legion Post #310 c/o	Grave Markers	491.35
Jerry M. Baatz	Mileage (60) May Mtg	30.00
Sharon Fuller	Meals - IACCVSO Spring Sc	29.07
Douglas W. Hilbrands	Mileage (60) May Mtg	30.00
Little Rock Free Lance	V.A. Advertising	20.00
Lyon County News	V.A. Advertising	30.00
New Century Press	V.A. Advertising	49.00
Premier Communications	VA Office Phone	88.08
Grand Total		781.27

General Basic Fund 781.27

Handwritten claims dated 5-21-2019 in the amount of \$70,724.06 were reviewed and approved. Check sequence #140023-140025.

IBC Innovative Business Consul	5/9/19-5/12/19 Flex Claim	902.26
Wellmark BlueCross BlueShield	5/4/19-5/10/19 Medical Cl	69821.80
Grand Total		70724.06

Health Insurance Fund 69,821.80
Flex Benefits Account 902.26

Claims dated 5-28-2019 in the amount of 333,439.26 were reviewed and approved. Check sequence #140035-140119.

Access Systems Leasing	Monthly Lease Agreement	142.38
Advanced Systems	Monthly Xerox Copier Cont	158.23
Alliant Energy	LR/GE shops	569.24
AT & T	911 Recurring 712-233-001	43.25
Bierschbach Equipment & Supply	hammer kit corded - RR sh	571.25
Bound Tree Medical, LLC	2 Gait Belts/patient tran	43.57
Butler Machinery Company	couples, hose #63,hyd oil	397.22
C.J. Cooper & Associates	random drug tests	70.00
Century Link	911 Recurring 712-233-001	387.29

Century Link - Business	Apr/May Long Distance	269.00
City of George	utilities	60.25
Continental Research Corp	graf, wash 'n wax foam	1208.23
Country Boy Doors, Inc	repairs - fairground bldg	302.89
Dakota Alignment & Frame Servi	alignment #17	216.24
DGR Engineering	2018 Misc Surveys	825.76
Dusty's Auto Body David Dreesm	Rock Chip Repair in A3	35.00
George Office Products	Office Supplies	273.13
Graves Construction Co. Inc.	Bridge 18R Voucher #7	148995.89
Hallett Materials	1830.10 tons gravel	11438.25
Micah Hoogendoorn	gloves, rubber boots	39.56
IBC Innovative Business Consul	5/20-5/27/19 Flex Claims	988.26
Iowa County Attorney's - Case	Server Migration	1050.00
Iowa County Recorders Assn.	Ia Land File Maint/Suppor	2885.04
Iowa Dept of Natural Resources	Well Permits	50.00
Iowa Plains Signing Inc.	barricades, safety fence	28130.00
Iowa Prison Industries	25 10' posts	685.00
Iowa State Bar Association	FY2020 Annual Membership	320.00
Iowa State University Jonni Le	4/25/19 WorkZone/Flagger	150.00
John Deere Financial	hydraulic oil #59	167.10
KELTEK	DualPrisoner Divider (Cag	381.75
Bryant Klaassen	st toe shoes, t-shirts, g	254.33
Brentt Korthals	gloves	25.67
Marshall Kruse	safety T-shirts	54.54
Little Rock Free Lance	Job Vacancy Motor Vehicle	48.00
Lyon County News	HelpWant Ads AdminAssist	60.20
Lyon County Reporter	Newspaper Renewal	45.00
Lyon County Sheriff Dept.	Sheriff Fees	641.40
Lyon County Treasurer - ACH I	April Admin,PPO,stoploss Fees	36106.13
Lyon Rural Electric Coop	UPS return 6 doses Bexser	338.92
Matheson Tri-Gas Inc	3/7/19 Oxygen Canister	39.53
Paul Metzger	fence installation - 17R	800.00
MidAmerican Energy	Doon shop	214.50
Kyle Munneke	Reimb:Tolls on NY Trip	34.10
Myrl & Roy's Paving Inc.	194.74 tons 3/4 Engr Back	4223.91
New Century Press	5/20/19 Budget Amendment	144.79
Northwest MFG, Inc.	dumpster - new RR shop	504.00
PCC, Inc. Physician's Claim Co	April Amb Billing	1792.81
Pitney Bowes Global Financial	3/13-6/12/19 P.Meter Leas	387.42
Premier Bank	Checks/300 Deposit Slips/	178.00
Print Express	Spring 2019 Amb Clothing	502.65
Rapid Auto Repair Michael D. K	trans filter, additive #3	93.83
Reserve Account/Pitney Bowes	MV & Atty Postage for Meter	1900.00
Rock Rapids Ace Hardware	Tools,ladder,supplies	184.55
Rock Rapids Municipal Housing	Rent Assistance	75.00
Nathan Rozeboom	Class 3 Jacket	53.24
Sanford Health	Medical Inmates	152.00
Sanford USD Medical Center	4/12/19 RN Transfer,med supplies	120.60
Marilee Schleusner	5/17/18 Mileage Dist Mtg	85.00
Daniel Schreurs	hivis jacket	96.75
Shield Technology Corporation	FY2020 Shield Annual Supp	9220.00
Laura Sievers	motel expenses - Sievers	352.80
Smile Makers	Immunization Incentives	246.36
Tony Snyders	Rent Assistance	200.00
Solutions, Inc.	Evault Backup 3/18/19-3/1	1483.44
State Hygienic Laboratory	4/10/19 Water tests	56.00
The Shop	Service 6011 Explorer	90.00

Thrifty White Pharmacy	Inmate RXs	38.63
Trane	6/1/19-5/31/20 Maint-Sher	5186.59
US Bank - Purchase Card Purcha	6010 NY Trip	1006.14
Verizon Wireless	5/10-6/9/19 Cell Phone -	2015.90
Vogel Traffic Services, INC	pavement marking	6237.00
Wall Street Printers	Homestead Credit Postcard	105.00
Warntjes Paint & Body Inc.	3/19/18 Tow White Ford Fo	225.00
Wellmark BlueCross BlueShield	5/18/19-5/24/19 Medical C	51933.56
Ziegler Inc.	Cat Excavator Rental,repairs	5032.19
Grand Total		333439.26

General Basic Fund	29,825.40
Rural Services Basic Fund	106.00
Economic Development Fund	59.61
Capital Project - Roadway Fund	148,995.89
Secondary Road Fund	64,559.16
Surcharge on E911	430.54
Emergency Management Services	22.52
Co. Assessor Agency Fund	412.19
Health Insurance Fund	88,039.69
Flex Benefits Account	988.26

There being no further business there was a motion by Feucht, second by Herman to adjourn. Motion carried.

NOTE: These minutes are as recorded by the Clerk to the Board of Supervisors and are subject to Board approval at the next regular meeting.