

LYON COUNTY AUDITORS OFFICE
July 25, 2016

ROCK RAPIDS, IOWA

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

The minutes of the July 11 and July 18, 2016 meetings were reviewed. Motion made by Peters to approve minutes, seconded by Michael. Motion carried.

Chairman Bosch welcomed those present to discuss correspondence received from Beth Judd regarding animal control and protection in Lyon County. Those present were: Veronna Kelly, Beth Judd, Kevin De Kam, Judy De Kam, Sheriff Vander Stoep, Deputy Sheriff Kyle Munneke, and County Attorney Shayne Mayer.

Beth Judd wrote the letter in response to the attack of her mother's dog and hearing other stories of the German Shepherds putting other people in danger. Judd's letter was twofold in its intent. Judd wanted to point out that: 1) two German Shepherds at 1338 Harding Avenue would be considered "vicious animals" according to the 2016 Code of Ordinances of the City of Rock Rapids, and 2) Requests that the County enact an ordinance within the County to authorize local law enforcement to be able to respond in a similar way as stated in said Rock Rapids 2016 Code of Ordinances regarding a "vicious animal".

Judy De Kam explained how on July 7th, 2016 she and a friend were walking their dogs on leashes East of 1327 Harding Avenue and out of nowhere one of the German Shepherds lunged out of the ditch and viciously attacked her dog. De Kam managed to use the end of her leash to bat the German Shepherd away, but De Kam's dog incurred severe damage and was put into surgery later that day. De Kam explained that this incident was not the first case of the Shepherds being vicious but was the first time her dog was viciously attacked. Kevin DeKam stated he has contacted local law enforcement in the past regarding the concerns of said German Shepherds running at large because of the aggressiveness the dogs show. Kevin DeKam has also spoken with the Zimblemans in the past regarding the concerns of the German Shepherds and their behavior. This usually resulted in the dogs being chained up outdoors for a few days. However, the De Kams and Judd feel that chaining the dogs may seem to make the behavior worse and has not proven to be an effective option in keeping them from endangering that area of Harding Avenue. The Shepherds have historically been allowed to "run at large" without supervision. De Kams stated they would like to see the dogs put down for the safety and concern of all residents in that area and for those who walk/jog that road. If the dogs would be in city limits, the dogs would have been impounded, but because they are located outside of city limits, local law enforcement can only go by the extent of State law.

Sheriff Stewart Vander Stoep stated that Lyon County does not have a vicious animal ordinance which hinders local law enforcement in instances such as these. Kevin De Kam stated that law enforcement has told De Kams the dogs

can be shot/killed if the dogs come on De Kam's property or if De Kams are walking down road and are threatened by the dogs.

Beth Judd explained she reached out to the Des Moines rescue to see what could be done to help the dogs. Judd was informed that unless some type of negligence or abuse was occurring to the dogs, not much can be done.

Attorney Mayer stated that the dog owners can be held civilly liable for the attack and De Kams can file a small claims lawsuit against the owner of the dogs for expenses of the attack and surgery. Mayer again reiterated that due to the County not having a vicious animal ordinance, law enforcement did all that they could within the scope of State law.

The Board asked Mayer if she had any suggestions for creating a county ordinance that would cover the scope of vicious animals. Mayer stated that the County is free to enact ordinances that would tailor the needs of the Board, but there would then be an enforcement issue. The County currently does not have an animal enforcement officer or a facility to keep said vicious animals until a hearing could be held. Vander Stoep stated that contracts could be made with local veterinarians as a means to have a place to hold animals. Vander Stoep also stated there are not many vicious attacks in the unincorporated area. Those that are reported, the owner usually takes care of it by putting the animal down.

Judd asked if it would be possible to create an ordinance that would pertain to areas within a certain distance from city limits. There are more and more housing divisions being started right outside city limits and this issue may become more prevalent in the future.

Attorney Mayer suggested that a Board member talk with the dog owners to clarify the repercussions and liability of continuing to own dogs who act in a vicious manner.

The Board thanked everyone for coming and the De Kams and Judd for bringing forth their concerns. The Board will do some research into what options could be incorporated for enforcement in the unincorporated areas of the county. Judy De Kam asked to say a quick prayer before leaving.

Steve Thole was present to discuss the A34 Bridge project adjacent to his property. Thole presented two areas of concern regarding the project. The first was that during the project dirt was piled on his property and has since been hauled to other properties without his consent. Thole's second concern is regarding an area on his property that Thole feels is now wetter than it was before the project due to the inability of the area to drain. Thole passed pictures around of the property to show the dirt piles and the water levels in the river compared to the levels on his property. Thole states that in talking with Engineer Sievers it was stated that no dirt left his property per the project logs. In order to rectify the situation, Thole would like an equivalent amount of dirt back, and a tile line to drain the backflow of water that now sits behind Thole's property. The Board will need

to do some research to decide how to remedy the situation. The Board thanked Thole for coming in.

County Engineer Laura Sievers asked to have the final voucher for FEMA bridge 36W approved by the Board. The project is completed and finished at a cost of \$393,275.26. Motion by Behrens, second by Peters to approve and have Chairman sign voucher for project L-(36W)-73-60. Motion carried.

Sievers also reports that the County needs a signs and traffic control devices policy. Sievers would like the Boards opinion on the sample draft she had emailed the Board as well as input on anything else it should contain. Having this policy would ensure that each sign request would be handled in the same manner. The policy will be put on an upcoming agenda for approval.

The Board again discussed the draft policy for road projects between the County and cities. The Board discussed bringing the policy to the League of Cities meeting in order for all cities to hear the information at one time.

Sievers was asked when the forestry head would begin to be used. The plan for the forestry head is to clear the trees/shrubs from the ditches and leave the chips in the ditch. Sievers reports that paved routes will more than likely be first.

The Board reviewed and approved 4th quarter quarterly reports from the Recorder and Auditor.

The Board reviewed the 16/17 charge amounts for Lyon County Ambulance. Rapid Speedway \$326.24: \$88.12/EMT and \$150.00 rig charge per race; Figure 8 Races \$326.24: \$88.12/EMT and \$150.00 rig charge per race; CLGLR Football \$25.00: \$25.00 standby service charge, EMT is paid current on call rate(7-1-2016 \$10.00/hr.)for 2.5 hours. School is not charged for EMT's. Motion by Michael, second by Behrens to approve 16/17 Lyon County Ambulance charge rates. Motion carried.

The Board reviewed the 4th quarter ambulance write off amount of \$1,395.80. Motion by Michael, second by Peters to approve the \$1,395.80 write off. Motion carried.

Supervisor correspondence: Peters: met with Supervisor Bosch, Steve Simons and the investors of a possible hotel/motel near the casino, met with Engineer Sievers, Attorney Mayer, and Supervisor Bosch for the Berg easement; Behrens: landfill mtg.; Bosch: Seasons Center-went on tour of Autumn's Center to open in September.

Employment changes:

Jordan Groen's last day in Secondary Roads was 6-27-2016.

Jacob Kumba was hired in Secondary Roads as summer help at \$10.75/hour. His starting date was 7-18-2016.

Sherry Baker has resigned as an EMT from the Lyon County Ambulance squad effective 7-31-2016 due to time constraints.

Deputy Amy Stoner has successfully passed the certification exam and is now considered a certified officer in the State of Iowa. Stoner's salary will be increase to 73% (\$60,937) of Sheriff's salary as of 7-1-2016.

Conservation claims dated 7-12-2016 in the amount of \$38,332.26 were reviewed and approved. Check sequence #122960-122990.

Alliance Communications	LPRA Phone, LD & Internet	87.00
Brown & Saenger	Camp T-shirts	1125.39
Campbell Supply	Justin Gloves,coupler,bulbs	146.21
Chesterman Company	Pop	132.00
Cooperative Energy Company	June Fuel 100.67 G Gasahol	220.73
Cooperative Farmers Elevator	Fertilizer, Roundup	916.42
Crop Production Services	Transline	725.00
Dave's Bulk Service	Fuel 547G Gasahol,450G offrd	1947.14
Deere & Company Ag & Turf CBD	Balance Tractor,Broom,Hyd	18189.85
Denny's Sanitation Inc.	Dumpster Pickup	352.00
Hiller Lumber Company	2x4 & 2x12	57.93
IACCB	2017 Membership Dues	1500.00
Iowa Department of Revenue -	April-June2016 Taxes	1639.00
IA Natural Heritage Foundation	Membership Dues	150.00
John Deere Financial	Spindle, Tire Valve	656.50
Lyon & Sioux Rural Water	109,000 G Water	339.95
Lyon Rural Electric Coop	LPRA Electric	4954.99
Menards	Insulation, saw blade	297.58
Oak Street Station	Tubes, Tires, Tire Repair	665.20
Emily Ostrander	Reimb: Boots, Socks	134.07
Premier Communications	Office Phone, LD, Internet	109.36
Rock Rapids Ace Hardware	Can Opener - Sunrise	8.99
Rock Rapids Machine & Welding	Patch Cracks, Canoe, Fire	250.14
Rock Rapids Repair	Fix Trailer-tires,bearing	2058.26
Schwan's Attn: HSAR	Ice Cream	234.56
Sturdevant's Auto Parts	Filters	14.38
Sunshine Foods	EE Supplies	82.18
Todd's True Value	Pry Bar,lighter fluid,supplies	107.98
US Bank - Purchase Card Purcha	Kuboda tires,oil,night crawlers	953.34
Craig A. VanOtterloo	Reimb:31.492 G Gasahol Ju	69.25
Verizon Wireless	Wireless Phone	206.86
Grand Total		38332.26

General Basic Fund 38,332.26

Handwritten claim dated 7-12-2016 in the amount of \$11,746.84 was reviewed and approved. Check sequence #122991.

Wellmark BlueCross BlueShield	7/2/16-7/8/16 Claims	11746.84
Grand Total		11746.84

Health Insurance Fund 11,746.84

Veteran Affairs claims dated 7-14-2016 in the amount of \$1,328.84 were reviewed and approved. Check sequence #123055-123067.

Alliant Energy	Utilities assist	126.00
AT & T Mobility	Phone utilities assist	119.35
Jerry M. Baatz	Mileage (20) July Mtg	10.00

7-25-2016

City of George	Water assist	61.20
Doon Press	Advertising	32.00
Doug Hilbrands	Mileage (30) July Mtg	15.00
Little Rock Free Lance	Advertising	16.00
Lyon County News	Advertising	22.55
New Century Press	Advertising	48.00
Premier Communications	Office Phone	84.29
Rock Rapids Municipal Housing	Rent Assistance	773.00
Wayne Thieman Plymouth County	District Meeting	15.00
US Bank	Postage	6.45
Grand Total		1328.84

General Basic Fund 1,328.84

Payroll dated 7-15-2016 was reviewed and approved.

Payroll Warrant Register in the amount of \$69,206.37 is listed by fund.

General Basic Fund	8,988.74
Rural Service Basic Fund	19,580.05
Secondary Road Fund	40,637.58

Payroll Disbursement Register in the amount of \$37,650.32 is listed by Fund.

General Basic Fund	4,248.46
General Supplemental Fund	5,464.00
Rural Services Basic Fund	9,552.90
Secondary Road Fund	18,384.96

Handwritten claim dated 7-20-2016 in the amount of \$13,984.24 was reviewed and approved. Check sequence #123068.

Wellmark BlueCross BlueShield	7-9-16 to 7-15-16 Claims	13984.24
Grand Total		13984.24

Health Insurance Fund 13,984.24

Handwritten claim dated 7-20-2016 in the amount of \$8,850.00 was reviewed and approved. Check sequence #123069.

Virginia M. Berg Rev. Trust	Perpetual Easement 25-10-	8850.00
Grand Total		8850.00

Secondary Road Fund 8,850.00

Claims dated 7-25-2016 in the amount of \$227,800.15 were reviewed and approved. Check sequence #123070-123150.

AB Excavation Inc. Alan Brugge	6" road crossing	1000.00
Advanced Systems, Inc.	4/21/16-7/20/16 Copier Ov	303.64
Alliant Energy	George shop acct	136.30
AT & T	E911 Recurring 712-233-00	41.45
Campbell Supply	2 Gallons Trimec lawn spr	49.76
Century Link	911 Recurring 712-233-006	430.06
Chase Companies	2016 Business Recognition	75.00

7-25-2016

Chrome Enterprises LLC	70 Car Wash Tokens	100.00
City of Doon	water - Doon shop	33.00
Cooperative Energy Company	563G gasohol,9405G diesel, Grader tires,tire repairs	22991.45
Culligan Soft Water Serv.	Inwood 9/30/15-7/6/16	118.00
Dakota Fluid Power Inc.	flange kit, adapters #84	110.19
Dr. Chet DeJong Sanford Rock R	Med Examiner fee/Miles(75)	142.00
Dockendorf Equipment Co	fuel tank pump - George s	1422.93
Doon Press	6/20/16 Publish Delinquen	595.00
DRG PLBG HVAC	repair Alvord Shop heater	487.43
Emergency Medical Products,Inc	Masks, gloves, airways	457.90
Frontier	July E911 Recurring	180.64
George Office Products	Office Supplies	140.16
H & H Repair	hiflo air coupler	17.94
Heiman Inc.	fire extinguisher service	829.38
Hillyard / Sioux Falls	Custodial supplies	858.81
I Wireless	Final Cell Phone Billing	6.79
I-State Truck Center	relay valve #5	56.58
Iowa Dept of Natural Resources	Well Permits - 3	75.00
Iowa Law Enforcement Academy S	Certification thru Exam/S	1260.00
Iowa Secretary of State	Notary Renewal Fee - Sinn	30.00
JCL Solutions-Janitors Closet	Toilet Tissue, Gloves, Ec	268.74
Jebro Inc.	219 gal CRS-2	766.50
Jim Hawk Tr Trailers Inc.	sensor clip, cable #123	270.66
Jacob Kumba	steel toe shoes	149.79
Lewis Family Drug, LLC	June Inmate Medication -	17.99
Lyon County Engineer	4/30-6/30/16 Well Admin	375.00
Lyon County Sheriff Dept.	Sheriff Fees	335.12
Lyon Rural Electric Coop	utilities,security lite rental	802.64
Matheson Tri-Gas Inc	7/7/16 Oxygen	84.90
McCarty Motors	Mower Parts	64.75
MidAmerican Energy	Alv/IW shop acct 96210-23018	107.28
Myrl & Roy's Paving Inc.	1144.10 tons Class A/B Grad	11441.00
NW IA YES Center	7/9-7/14/16 Juv Shelter	2025.00
O'Brien County Auditor	FY2017 Juv Crt Service Of	126.00
Roger K. Oliver	4 US Flags / Sheriff	132.75
Osceola County Rural Water	water - Little Rock shop	32.30
PCC, Inc. Physician's Claim Co	June Amb billing	2727.11
Pitney Bowes Inc.	postage meter rental	53.85
Prahm Construction Inc.	L-(12W,14Y,36W) payments	134650.65
Reserve Account/Pitney Bowes	FY2017 Postage for Meter/	1500.00
Richarz Repair LLC.	spring brake module,repairs	515.96
Rock Rapids Ace Hardware	Ret.Weed Trimmer,supplies	37.55
Safety-Kleen	parts washer rental	319.28
Sanford Health	6/28/16 Inmate Office Vis	221.00
Sanford Health Occupational -	6/3/16 JobFunction Test-S	100.00
Sanford Rock Rapids Attn: Pat	Medical Examiner Fee	210.00
Sanford USD Medical Center	6/28/16 Jail Visit - J.R.	25.00
Marilee Schleusner	7/15/16 Dist Mtg Mileage	37.50
Sheldon Police Department	6/30/16 Service Fees-Juve	20.00
Solutions, Inc.	AS400 Fy2017 - Bronze	31750.00
Sara Sprock	7/8/16 Mileage SxFalls (5	29.00
Storey Kenworthy / Matt Parrot	Plat Envelope & Jute Shee	410.40
Thrifty White Pharmacy	April Inmate Medication -	7.80
Pamela R. Tille	Mileage (548) 7/12-7/13 M	274.00
Tony Gacke Construction Anthon	tear down RR salt shed	2772.00
Trane	July Generator Maint Agre	331.93

Treasurer ICEOO Debbie Salter	reg fee - ICEOO Van Maane	200.00
Treat America c/o ILEA	Meals 8/22-8/26 TeleCom M	92.98
United States Treasury -EFTPS	Form 720 PCORI Fee FY2015	492.96
US Bank Equipment Finance	7/9-8/9/16 Richon Copier	154.32
Verizon Wireless	Cellphn Equip-Aud/Amb/Cust	738.04
WebClimber Services c/o Scott	Sheriff DomainName thru 7	35.00
Western Iowa Tourism Region	FY2017 Matching Funds IEO	500.00
Ziegler Inc.	filters #64, labor	643.99
Grand Total		227800.15

General Basic Fund	39,246.13
General Basic Sub Fund	500.00
Rural Services Basic Fund	450.00
Secondary Road Fund	180,326.23
Surcharge on E911	601.46
Development Project Fund	75.00
Co. Assessor Agency Fund	6,108.37
Health Insurance Fund	492.96

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

ATTEST _____	APPROVED _____
County Auditor	Chairman