

SUPERVISOR'S MINUTE BOOK 2011

November 28, 2011

The regular meeting of the Board of Supervisors was called to order at 9:00 a.m. by the Chairman of the Board. Present were Todd Nelsen and Vernon Venteicher. Absent: Gary VanAernam. Others present were Joni Hansen, Becky Marten, Mike Hackett, Mitch Rydl, Brian Andersen, Diane Jackson and Jill Christensen.

Motion-Venteicher Second-Nelsen to approve the agenda with the addition of SR resolution and sanitarian bills. Vote-all in favor.

Motion-Venteicher Second-Nelsen to approve the minutes of the November 21, 2011 meeting. Vote-all in favor. Nelsen called Community Insurance regarding the bond premium. Mike Hackett, State Auditor, met with the Board regarding fund balances. Motion-Venteicher Second-Nelsen to approve Resolution 2011-37 as follows.

RESOLUTION 2011-37

WHEREAS, the County continues to engage in planning for the future; and

WHEREAS, the Board of Supervisors gives careful consideration to various expenditures that are vital to the county services provided and that are necessary in the future; and

WHEREAS, the Board of Supervisors believes it is necessary to assign certain funds to assist in the payment of these expenditures in the future; in preparation of the FY11 FYE Reporting and to implement GASB 54;

BE IT HEREBY RESOLVED, by the Audubon County Board of Supervisors, that \$115,000.00 assigned in the General Basic Fund budget for repair/replacement of the Courthouse exterior/elevator within the next 2-5 years; and

BE IT HEREBY RESOLVED, by the Audubon County Board of Supervisors, that \$35,733 be assigned in the General Basic Fund for sheriff reserved room and board/work release revenues (the ending balance thereof) to be spent per Iowa Code 356.7 (courthouse security equipment, law enforcement personnel costs, jail infrastructure or juvenile detention infrastructure) as agreed upon by Board and Sheriff; and

BE IT HEREBY RESOLVED, by the Audubon County Board of Supervisors, that \$34,065 be assigned in the Park Improvement ending balance (entire ending balance of that fund) to only be spent on park improvement expenditures.

Passed and approved this 28th day of November, 2011.

/s/ Todd M. Nelsen

Chairperson, Audubon County Board of Supervisors

Attest: /s/ Joni Hansen, Deputy

Audubon County Auditor

Mitch Rydl gave the Secondary Roads update and discussed field entrances for wind towers, bridge inspections and procedures, roads, culverts and tree cutting and that he is still working on the ICAP recommendations. Mitch will meet with Fran concerning the building permit fees.

Motion-Venteicher Second-Nelsen to approve Resolution 2011-38 as follows. Vote-all in favor.

RESOLUTION 2011-38

SURFACE TRANSPORTATION PROGRAM APPLICATION FOR AUDUBON COUNTY ROUTE F58 FROM US HWY 71 TO AUDUBON/SHELBY COUNTY LINE

Whereas, the Transportation Equity Act of the 21st Century (TEA-21) requires surface Transportation Project planning to be done on a regional basis, and

Whereas, as part of the application procedure, a commitment of funds and a commitment to maintain the facility for the useful life of the improvement must be made by the applicant,

Therefore, be it hereby resolved, that the Audubon County Board of Supervisors as part for the application for TEA-21 funds, resolve to commit the additional funds needed above and beyond those granted to Audubon County by the Region XII Planning Authority and to supply the Construction and Engineering costs for the F58 Paving Project from the existing county funding (i.e. Farm-to-Market Fund) and also resolve to maintain the facility for the useful life of the improvement.

Dated at Audubon County, Iowa, this 28th day of November, 2011.

Board of Supervisors, Audubon County

/s/ Todd M. Nelsen

/s/ Vernon Venteicher

ATTEST: /s/ Joni Hansen, Deputy Auditor

Brian Andersen gave the attorney update and discussed the penalties for ordinance violations and also discussed sanitation fee collection procedures.

Diane Jackson, CPC, presented the WESCO rate and Nelsen signed the rate agreement.

Motion-Venteicher Second-Nelsen to approve Resolution 2011-39 as follows. Vote-all in favor.

Resolution No. 2011-39

A RESOLUTION DETERMINING THE NECESSITY OF ESTABLISHING AN URBAN RENEWAL AND PLAN FOR THE "HAMLIN WCC URBAN RENEWAL AREA"

WHEREAS, as a preliminary step to exercising the authority conferred to Iowa cities and counties by Chapter 403 of the Code of Iowa, local governments must adopt a resolution finding that one or more slums, blighted, or economic development areas exist in the city or county and that the rehabilitation, conservation, redevelopment, development, or combination of such area or areas is necessary in the interest of the public health, safety, or welfare of the residents of the city or county; and,

WHEREAS, the area identified in Attachment "A" of this resolution has been studied by the County for the purpose of establishing the need to designate the area as being appropriate for economic development and said study has found that sufficient need exists to support finding the area an "economic development area" and the area satisfies the eligibility criteria outlined in Chapter 403 of the Code of Iowa for such designation; and,

WHEREAS, the proposed Urban Renewal Area includes and consists of the parcels described in Attachment "A" of this resolution; and,

WHEREAS, Chapter 403 of the Code of Iowa requires that the Board of Supervisors prepare or have prepared an Urban Renewal Plan, and send said Plan to the Planning and Zoning Commission for review as to its conformity with the General Plan for development of the County as a whole, prior to Board approval of the Plan, and further provides that the Planning and Zoning Commission shall submit its written recommendation thereon to the Board within thirty (30) days of receipt of the Plan; and,

WHEREAS, Chapter 403 of the Code of Iowa requires that the Board send a copy of the proposed Urban Renewal Plan to the other affected taxing entities and arrange for a consultation meeting with representatives of those entities, and said notice will be sent and a meeting scheduled in the coming weeks in accordance with the Code; and,

WHEREAS, Chapter 403 of the Code of Iowa requires that the Board of Supervisors hold a public hearing on the proposed Urban Renewal Plan.

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

1. An "Economic Development Area" as defined in Chapter 403.17(10) of the Code of Iowa is found to exist within the boundaries set out in Attachment "A".
2. The identified area is hereby declared to be an "Urban Renewal Area," in conformance with the requirements of Chapter 403 of the Code of Iowa, and hereby designated the "Hamlin WCC Urban Renewal Area."
3. The County will work with Region XII Council of Governments to prepare a proposed Urban Renewal Plan for the Hamlin WCC Urban Renewal Area, in accordance with the requirements of Chapter 403.5 of the Code of Iowa.
4. That the proposed Urban Renewal Plan shall be submitted to the Audubon County Planning and Zoning Commission for review and recommendation as to its conformity with the County's Comprehensive Plan, and their written recommendations shall be submitted to the Board within thirty (30) days of the date of their review.
5. That the Auditor and Chairman of the Board are authorized to set up a consultation meeting with the other affected taxing entities per the requirements of Section 403.5(2) of the Code of Iowa, and are further authorized to discuss the proposed Urban Renewal Plan on behalf of the County at said meeting.
6. That the Board of Supervisors will hold a public hearing on the proposed Urban Renewal Plan for the Hamlin WCC Urban Renewal Area at a date in the future that satisfies all time and notice requirements relating to the consultation meeting and Planning and Zoning Commission review as set forth in Chapter 403 of the Code of Iowa.
7. That the Auditor is authorized and directed to publish notice of the public hearing in the official County newspaper on a date not less than four (4) nor more than twenty (20) days prior to the date of said public hearing.

8. That a copy of the proposed Urban Renewal Plan shall be placed on file in the office of County Auditor and is officially declared to be the proposed Urban Renewal Plan for the Hamlin WCC Urban Renewal Area referred to in said notice.
9. All resolutions or parts thereof in conflict herewith are hereby repealed, to the extent of such conflict.

Passed and Approved by the Audubon County Board of Supervisors, this 28th day of November, 2011.

/s/ Todd M. Nelsen

Todd Nelsen, Chairperson

ATTEST: /s/ Joni Hansen, Deputy Auditor

**ATTACHMENT A:
LEGAL DESCRIPTION OF THE AUDUBON COUNTY
"HAMLIN WCC URBAN RENEWAL AREA"**

Property Owner: West Central Cooperative

Legal Description:

THE SE1/4 OF THE SE1/4 OF SECTION 2, TOWNSHIP 79 NORTH, RANGE 35 WEST OF THE 5TH P.M., AUDUBON COUNTY, IOWA, AND PARCEL "A" OF PART OF THE NE1/4 OF THE NE1/4 OF SECTION 11, TOWNSHIP 79 NORTH, RANGE 35 WEST OF THE 5TH P.M., AUDUBON COUNTY, IOWA, LYING NORTH OF THE NORTHERLY HIGHWAY #44 RIGHT OF WAY LINE:

MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF THE SAID SE1/4 OF THE SE1/4 OF SECTION 2 (ALSO BEING THE NORTHEAST CORNER OF THE SAID NE1/4 OF THE NE1/4 OF SECTION 11); THENCE SOUTH 89°42'25" WEST 61.20 FEET ALONG THE SOUTH LINE OF THE SAID SE1/4 OF THE SE1/4 TO A POINT ON THE SAID HIGHWAY RIGHT OF WAY LINE; THENCE THE FOLLOWING COURSES ALONG THE SAID HIGHWAY RIGHT OF WAY LINE; SOUTH 09°57'21" WEST 72.19 FEET; THENCE SOUTHWESTERLY 361.19 FEET ALONG A 1482.40 FOOT RADIUS CURVE CONCAVE SOUTHEASTERLY WITH A CHORD OF SOUTH 59°43'23" WEST 360.30 FEET; THENCE SOUTH 68°12'33" WEST 190.40 FEET; THENCE SOUTH 51°38'19" WEST 980.28 FEET TO A POINT ON THE WEST LINE OF THE SAID NE1/4 OF THE NE1/4 BEING THE END OF THE COURSES ALONG THE SAID HIGHWAY RIGHT OF WAY LINE; THENCE NORTH 00°12'48" EAST 925.35 FEET ALONG THE SAID WEST LINE TO THE NORTHWEST CORNER OF THE SAID NE1/4 OF THE NE1/4; THENCE NORTH 00°19'10" EAST 1318.65 FEET ALONG THE WEST LINE OF THE SAID SE1/4 OF THE SE1/4 TO THE NORTHWEST CORNER OF THE SAID SE1/4 OF THE SE1/4; THENCE NORTH 89°47'50" EAST 1322.76 FEET ALONG THE NORTH LINE OF THE SAID SE1/4 OF THE SE1/4 TO THE NORTHEAST CORNER OF THE SAID SE1/4 OF THE SE1/4; THENCE SOUTH 00°08'32" WEST 1316.53 FEET ALONG THE EAST LINE OF THE SAID SE1/4 OF THE SE1/4 TO THE POINT OF BEGINNING, CONTAINING 53.29 ACRES.

PARCEL LETTER "B" BEING A PART OF THE STATE HIGHWAY LOCATED IN THE NE1/4 OF SECTION 11, TOWNSHIP 79 NORTH, RANGE 35 WEST OF THE 5TH P.M., AUDUBON COUNTY, IOWA DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF THE SAID NE1/4; THENCE SOUTH 89°42'25" WEST 61.20 FEET TO A POINT ON THE NORTHERLY HIGHWAY RIGHT OF WAY LINE; THENCE THE FOLLOWING COURSES ALONG THE SAID NORTHERLY HIGHWAY RIGHT OF WAY LINE; THENCE SOUTH 09°57'21" WEST 72.19 FEET; THENCE SOUTHWESTERLY 361.19 FEET ALONG A 1482.40 FOOT RADIUS CURVE CONCAVE SOUTHEASTERLY WITH A CHORD OF SOUTH 59°43'23" WEST 360.30 FEET; THENCE SOUTH 68°12'33" WEST 190.40 FEET; THENCE SOUTH 51°38'19" WEST 980.28 FEET TO THE TERMINUS OF THE SAID COURSES ALONG THE NORTHERLY HIGHWAY RIGHT OF WAY LINE; THENCE SOUTH 00°41'49" WEST 170.34 FEET TO A POINT ON THE EXISTING HIGHWAY CENTER LINE; THENCE THE FOLLOWING COURSES ALONG THE SAID CENTER LINE; NORTH 50°24'23" EAST 561.25 FEET; THENCE NORTHEASTERLY 295.51 FEET ALONG A 2848.32 FOOT SPIRAL CURVE CONCAVE SOUTHEASTERLY WITH A CHORD OF NORTH 51°23'50" EAST 295.47 FEET; THENCE NORTHEASTERLY 766.28 FEET ALONG A 2848.32 FOOT RADIUS CURVE CONCAVE SOUTHEASTERLY WITH A CHORD OF NORTH 61°05'08" EAST 763.97 FEET TO A POINT ON THE EAST LINE OF THE SAID NE1/4 BEING THE TERMINUS OF THE SAID COURSES ALONG THE CENTER LINE; THENCE NORTH 00°03'50" EAST 191.02 FEET ALONG THE SAID EAST LINE TO THE POINT OF BEGINNING, CONTAINING 4.67 ACRES.

(PROPERTY IS LOCATED AT 2287 LARK AVENUE, HAMLIN, IOWA 50117)

AND

THE COMPLETE RIGHTS-OF-WAY OF THE FOLLOWING AUDUBON COUNTY ROADS

(Includes all complete intersections and junctions listed):

1. Audubon County Highway N36, From the Carroll County line (north boundary) south to the junction with Iowa Highway 44 (south boundary), including parts of Oriole Avenue, 120th Street, and Pheasant Avenue.
2. 220th Street, from US Highway 71 (west boundary) east to the intersection with Mockingbird Avenue (east boundary)

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3. Lark Avenue, from the intersection with Audubon County Highway F32/190th Street (north boundary) south to the junction with Iowa Highway 44 (south boundary)
4. Mockingbird Avenue, from the intersection with 220th Street (north boundary) south to the intersection with 280th Street (south boundary).

There being no further business, Motion-Venteicher Second-Nelsen to adjourn the meeting at 12:48 p.m. Vote-all in favor.

/s/Todd M Nelsen
Chairman, Audubon Co. Board of Supervisors

Attest: /s/Joni Hansen
Audubon County Deputy Auditor