

PROCEEDINGS OF THE FRANKLIN COUNTY BOARD OF SUPERVISORS

August 24, 2009

The Board of Supervisors met in regular session at 8:30AM with Board members Michael Nolte-Chairman, Corey Eberling and Jerry L. Plagge present.

Motion by Eberling, seconded by Plagge, approves the agenda as submitted with the following additions: 1) Consider/approve action on the Sanitarian/Weed Commissioner full-time position. 2) Consider/approve an Application to Perform Work within Franklin County Highway Right of Way to Lambertsen Excavating to clean out the ditch and culvert along 180th Street in Section 11 & 14, Ingham Township. 3) Consider/approve an Application to Perform Work within Franklin County Highway Right of Way to Lambertsen Excavating for clean out of the ditch and culvert along 180th Street in Section 11 & 14, Ingham Township. All ayes. Motion carried.

Motion by Plagge, seconded by Eberling, approves the minutes of 8/17/09. All ayes. Motion carried.

The Board opened the meeting to public comment. Ron Dunt-Hampton City Administrator, Karen Mitchell-Franklin County Development Director and Sandy Eckhardt-Drainage Clerk were present. Mitchell and Dunt were present to ask the Board to consider hiring the County Drainage Engineer to look at the drainage matter in DD 45 in response to water standing south of highway 3 behind North Central Millwright. The Board suggested scoping the tile line to find if there is any blockage to be found. The Board agreed to hire Brent Johnson, McClure Engineering, to scope the tile line and determine if problems exist. Committee reports were given on: FCDA meeting update and Casino applications to the Gaming Commission- deadline is in September,

Motion by Eberling, seconded by Plagge, approves a Franklin County Utility Permit Application for Qwest to replace 1350 feet of telecommunications cable along Lark Avenue between 1486 Lark and Highway 3. All ayes. Motion carried.

Motion by Eberling, seconded by Plagge, approves a Road Closure Affidavit on Nettle Avenue between 130th Street and 140th Street for road grade maintenance. All ayes. Motion carried.

Motion by Plagge, seconded by Eberling, approves a Road Closure Affidavit on 210th Street between Timber and Tulip Avenues for a bridge replacement project. All ayes. Motion carried.

Motion by Eberling, seconded by Plagge, approves an Application to Perform Work within Franklin County Highway Right of Way to Lambertsen Excavating to clean out the ditch and culvert along 180th Street in Section 11 & 14, Ingham Township. All ayes. Motion carried.

Motion by Plagge, seconded by Eberling, approves an Application to Perform Work within Franklin County Highway Right of Way to Jody Plagge to repair tile in the ditches along S25 in Section 19, Richland Township. All ayes. Motion carried.

Brief discussion was held on the Federal Off-System Bridge Program Elimination.

Motion by Plagge, seconded by Eberling, approves claims for the period ending 8/23/2009. All ayes. Motion carried.

At 10:00 AM a conference call was held with Wright County Supervisors to consider setting a date and time for a Bid-Letting on repairs proposed in Franklin and Wright Counties Joint Drainage District 9-181. Present in Wright County: Eldon Rossow-MER Engineering, Lance Rossow-MER Engineering, Wright County Supervisors: Myron Amdahl, Lucas Beenken, Larry Maasdam, Rodney Toftey, Stan Watne, Deb Lukes-Drainage Engineer, media personnel, and Board Clerk & Auditor-Betty Ellis; in Franklin County: Supervisors Mike Nolte, Jerry Plagge, Corey Eberling, Board Clerk & Auditor-Michelle Giddings and Drainage Clerk-Sandy Eckhardt. Eldon Rossow explained the Engineer's Report and the work it would take to redo the grade on sections of the tile. This repair will affect the whole district. There could be approximately \$43,000 available from FEMA.

Motion was made by Amdahl, seconded by Nolte, to set September 21, 2009 at 10:00 AM as the date and time for comments on the proposed repairs in Joint Drainage District 9-181. All ayes. Motion carried.

At 10:30 AM Russell Wood-Planning/Zoning Director met with the Board to submit a request from Interstate Power and Light Company to apply for a waiver of the subdivision requirements as per Section 6 of the Franklin County Subdivision Ordinance to allow for two separate single parcels as described in a survey that will be recorded. The request is warranted as the parcels will be utilized for the purposes of electrical substations and not used residentially.

Motion by Plagge, seconded by Eberling, adopts Resolution 2009-37: to grant a waiver to Interstate Power and Light Company (IPL) to waive subdivision requirements as per Section 6 of the Franklin County Subdivision Ordinance to allow for two separate single parcels as described in a land survey described as: Parcel C being That part of the NE Quarter of Section 8, Township 90 North, Range 20 West of the 5th P.M., Franklin County, Iowa, said part also being a part of Parcel B as shown and described in Plat of Survey of record filed June 23, 2008 in Instrument No. 20081377 in the Office of the Franklin County Recorder and described as follows:

Beginning at the Northwest Corner of said Northeast Quarter, said point also being the Northwest Corner of said Parcel B; thence N88°30'58"E, 296.00 feet (recorded as N88°30'58"E) along the Northerly line of said Northeast Quarter and along the Northerly line of said Parcel B; thence S01°17'41"E, 474.31 feet to a point on the Southerly line of said Parcel B; thence S88°30'58"W, 320.00 feet (recorded as S88°30'58"W) along said Southerly line to the Southwest Corner of said Parcel B; thence N01°36'05"E 475.00 feet (recorded as N01°36'05"E, 475.00 feet) along the Westerly line of said Northeast Quarter and along the Westerly line of said Parcel B to the Point of Beginning; said Parcel C containing 3.35 acres subject to existing public road right of way across the Northerly 50.00 feet, and also subject to any other easements of record. Said parcels will be utilized for the purpose of electrical substations and not used residentially. Eberling-Aye, Nolte-Aye, Plagge-Aye. Resolution duly adopted.

Motion by Eberling, seconded by Plagge, revises Resolution 2009-36 that was adopted on August 17, 2009 setting a Public Hearing on the designation of the Franklin County Whispering Willow Phase 1 Urban Renewal Area and on the Franklin County Whispering Willow Phase 1 Urban Renewal Plan and Project, changing the date of the Public Hearing for September 21, 2009 to October 5, 2009 at 10:00 AM due to time constraints. Eberling-Aye, Nolte-Aye, Plagge-Aye. Resolution duly adopted.

Motion by Eberling, seconded by Plagge, tables the Participation in the National Flood Insurance Program required by the State of Iowa. Said participation will cause Franklin County to adopt and enforce a floodplain management ordinance to be eligible to receive financial assistance for future flood-related disasters pursuant to the Iowa Administrative Code 29C.6 (17)(A). Franklin County could be eligible to receive 10% of the non-federal match that the State of Iowa provides for public assistance grants following presidential declared disasters. More information will be gathered and presented at the 8/31/09 meeting. All ayes. Motion carried.

The Board acknowledged Manure Management Plan Renewals for: 1) Caffrey Farms #58177, owner Douglas Caffrey, site located 539 Cerro Gordo, Thornton, Section 2, Wisner Township; 2) Showalter Finisher Farm #59021, owner Richard Showalter, site located 1976 215th St, Sheffield, Section 30, West Fork Township; 3) Gerald & Ruth Lynch #59142, owner Gerald Lynch, site located 980 Mallory Dr, Section 20, Reeve Township; 4) Sunray Pork Site 4 #66060, owner H & R Partnership, site located 868 Lark Ave, Hampton, Section 25, Hamilton Township.

The Boards response to a letter sent to FSA, Steve Abbas, regarding drainage district tree and debris removal with tile running through a wetland area was that the letter should have referred to FSA rather than the NRCS to notify owners to clean up the matter of trees and debris in the designated wetland areas. No action taken.

Motion by Eberling, seconded by Plagge, approves cancelling warrants/checks over one year old. Warrant numbers: 851, 25287, 27593, 25732, 24963, 27051, 18749, 20276, 21318, and 26585. Recipients of these checks have been previously notified with no response. All ayes. Motion carried.

Motion by Eberling, seconded by Plagge, approves the creation of a full-time position in Franklin County as a Sanitarian/Weed Commissioner to begin July 1, 2010 if not before. After public notices the job was offered to Earl Kalkwarf. This motion also includes notification to Wright County on the cancellation of the 28E Agreement between Wright County and Franklin County on the sharing of the current Sanitarian position. All ayes. Motion carried.

No discussion on the proposed Sheriff's Law Enforcement Building.

Motion by Plagge, seconded by Eberling, adjourns at 11:45 AM, until 8/31/2009. All ayes. Motion carried.

At 12:00 PM the Board attended a Homeland Security Meeting at Godfather's Pizza.

Michael Nolte, Chairman

ATTEST: _____
Michelle S. Giddings, Auditor & Clerk to Board