

PROCEEDINGS OF THE FRANKLIN COUNTY BOARD OF SUPERVISORS

October 19, 2009

Be it duly noted these minutes of 10/19/09 are UNOFFICIAL minutes.

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 Plagge, seconded by Eberling, approves the agenda as submitted. All ayes. Motion carried.

Motion by Eberling, seconded by Plagge, approves the minutes of 10/12/09. All ayes. Motion carried.

The Board opened the meeting to public comment. No one from the public was present. Committee reports were given on: Bradford old bank concerns; NIVC Board meeting regarding Governor's budget cuts and it's impact; North Iowa Mental Health Center annual meeting; Conservation re-roofing of the County shed and Rolling Prairie Trail property ownership concerns.

Motion by Eberling, seconded by Plagge, approves a Road Closure Affidavit on Nuthatch Avenue between 40th and 50th Streets which was closed October 12th, 2009 at 2:30 PM to repair a scoured bridge approach. All ayes. Motion carried.

Motion by Plagge, seconded by Eberling, adopts Resolution 2009-45: Establishing vehicle and load limits and the placing of signs advising of permissible maximum weights on Franklin County Bridges. Be it resolved by the Franklin County Board of Supervisors that vehicle and load limits be established, and that signs be erected advising of the permissible maximum weights thereof on the bridges listed, as follows:

90 19 09 03 10 88 50	A 30' x 33'-4 precast concrete deck bridge over North Beaver Creek.	
	Type 4 Truck	20 Ton
	Type 3S3 Truck	29 Ton
	Type 3-3 Truck	35 Ton
	All Vehicles	
90 19 21 02 10 00 69	A 30' x 20'-9 precast concrete deck bridge over a small stream.	
	Type 4 Truck	20 Ton
	Type 3S3 Truck	29 Ton
	Type 3-3 Truck	29 Ton
	All Vehicles	
90 19 26 02 10 00 15	A 50' x 18' wood trestle bridge over North Beaver Creek.	
	6 Ton Load Limit	
90 19 27 03 10 95 00	A 50' x 18' wood trestle bridge over North Beaver Creek.	
	6 Ton Load Limit	
90 19 29 04 10 00 69	A 23' x 18' wood trestle bridge over a small stream.	
	20 Ton Gross Load Limit	
90 19 30 03 10 61 50	A 23' x 18' wood trestle bridge over a small stream.	
	15 Ton Gross Load Limit	
90 21 09 04 10 50 16	A 42'-6 x 20' Pretensioned Prestressed Concrete Beam Bridge over DD No. 6.	
	Type 4 Truck	15 Ton
	Type 3S3 Truck	22 Ton
	Type 3-3 Truck	22 Ton
	All Vehicles	
91 19 09 03 20 75 50	A 14' x 20' timber bridge over a road ditch.	
	16 Ton Gross Load Limit	
91 21 08 01 10 45 00	A 24' x 20'-10 precast concrete deck bridge	over Drainage Ditch No. 3.
	Type 4 Truck	25 Ton
	Type 3S3 Truck	37 Ton
	Type 3-3 Truck	40 Ton
	All Vehicles	
91 21 09 02 10 00 73	A 30' x 20'-9 precast concrete deck bridge over Drainage Ditch No. 3.	
	Type 4 Truck	20 Ton
	Type 3S3 Truck	29 Ton
	Type 3-3 Truck	29 Ton
	All Vehicles	
91 21 09 02 20 00 65	A 24' x 20'-10 precast concrete deck bridge over Drainage Ditch No. 3.	

	Type 4 Truck	20 Ton
	Type 3S3 Truck	29 Ton
	Type 3-3 Truck	29 Ton
	All Vehicles	
91 21 15 01 10 65 00	A 15' x 18' wood trestle bridge over a field draw.	
	40 Ton Load Limit	
91 21 17 01 10 85 00	A 30' x 20'-9 precast concrete deck bridge over Drainage Ditch No. 3.	
	Type 4 Truck	20 Ton
	Type 3S3 Truck	29 Ton
	Type 3-3 Truck	29 Ton
	All Vehicles	
91 21 21 02 10 00 64	A 15' x 18' wood trestle bridge over a field draw.	
	40 Ton Load Limit	
91 21 22 02 10 00 79	A 42'-6 PPC beam bridge over Maynes Creek.	
	16 Ton Gross Load Limit	
91 22 30 03 10 30 35	A 192' x 24' PPC beam bridge over the Iowa River.	
	40 Ton Load Limit	
92 18 07 04 10 00 98	A 250' x 18' wood trestle bridge over the West Fork of the Cedar River.	
	6 Ton Load Limit	
92 19 12 01 10 48 00	A 218' x 18' wood trestle bridge over the West Fork of the Cedar River.	
	Type 4 Truck	13 Ton
	Type 3S3 Truck	21 Ton
	Type 3-3 Truck	23 Ton
	All Vehicles	
92 20 36 04 10 00 74	A 48' x 18' wood trestle bridge over Squaw Creek.	
	Type 4 Truck	20 Ton
	Type 3S3 Truck	32 Ton
	Type 3-3 Truck	36 Ton
	All Vehicles	
92 21 01 01 10 47 00	A 50' x 18' wood trestle bridge over Buffalo Creek.	
	Type 4 Truck	17 Ton
	Type 3S3 Truck	27 Ton
	Type 3-3 Truck	26 Ton
	All Vehicles	
92 21 04 02 10 00 67	A 30' x 20'-9 precast concrete deck bridge over Buffalo Creek.	
	Type 4 Truck	20 Ton
	Type 3S3 Truck	29 Ton
	Type 3-3 Truck	29 Ton
	All Vehicles	
92 21 10 02 10 00 19	A 32' x 18' steel beam bridge over Buffalo Creek.	
	Type 4 Truck	15 Ton
	Type 3S3 Truck	23 Ton
	Type 3-3 Truck	26 Ton
	All Vehicles	
92 21 25 01 10 19 00	A 50' x 18' wood trestle bridge over Spring Creek.	
	Type 4 Truck	15 Ton
	Type 3S3 Truck	23 Ton
	Type 3-3 Truck	26 Ton
	All Vehicles	
92 21 25 04 10 50 89	A 15' x 16' wood trestle bridge over a small stream.	
	Type 4 Truck	21 Ton
	Type 3S3 Truck	31 Ton
	Type 3-3 Truck	36 Ton
	All Vehicles	
92 21 36 03 10 90 00	A 24' x 20' steel beam bridge over a small stream.	
	Type 4 Truck	18 Ton
	Type 3S3 Truck	26 Ton
	Type 3-3 Truck	26 Ton
	All Vehicles	
93 19 20 04 10 00 87	A 45' x 16' timber bridge over a small stream.	
	14 Ton Gross Load Limit	
93 19 21 01 10 32 00	A 30' x 20'-9 precast concrete deck bridge over a small stream.	
	Type 4 Truck	15 Ton
	Type 3S3 Truck	23 Ton
	Type 3-3 Truck	24 Ton

	All Vehicles	
93 19 22 04 10 50 98	A 24' x 20'-9 precast concrete deck bridge over a small stream.	
	Type 4 Truck	25 Ton
	Type 3S3 Truck	37 Ton
	Type 3-3 Truck	40 Ton
	All Vehicles	
93 19 32 04 10 25 20	A 30' x 20'-9 precast concrete deck bridge over a small stream.	
	Type 4 Truck	20 Ton
	Type 3S3 Truck	29 Ton
	Type 3-3 Truck	35 Ton
	All Vehicles	
93 21 27 02 10 00 65	A 30' x 20'-9 precast concrete deck bridge a small stream.	
	Type 4 Truck	20 Ton
	Type 3S3 Truck	29 Ton
	Type 3-3 Truck	29 Ton
	All Vehicles	

This resolution shall be in effect when the signs have been erected.

Eberling-Aye, Nolte-Aye, Plagge-Aye. Resolution duly adopted.

Motion by Eberling, seconded by Plagge, approves an Application to Perform Work within Franklin County Highway Right-of-way for the Franklin County Historical Society to run geothermal piping 15 feet underground on Raven Avenue approximately 100 feet south of 105th Street. All ayes. Motion carried.

Motion by Plagge, seconded by Eberling, approves a Franklin County Utility Permit Application for Qwest Communications to place buried facilities in the vicinity of 70th Street and US Hwy 65. All ayes. Motion carried.

Motion by Eberling, seconded by Plagge, approves an Iowa Department of Transportation Application and Agreement for use of Highway Right of Way for Utilities Accommodation in the vicinity of 70th Street and US Hwy 65. All ayes. Motion carried.

Motion by Plagge, seconded by Eberling, approves claims for the period ending 10/18/09. All ayes. Motion carried.

Motion by Eberling, seconded by Plagge, opens, at 9:30 AM, a Public Hearing to receive comments on a Proposed Vacation of County Road Easement on that portion of Mallard Ave (S41) all lying south of the southwesterly line of Hwy 3 and N of a point 777 feet of the south line of the NE ¼ of Section 36, Marion Township. Intention of this road easement vacation is to vacate the public road easement in the northeast quarter of said Section 36 not being utilized due to prior road realignment of US Hwy 3 and Mallard Ave. One comment was received from the IDOT regarding farm to market access. IDOT was investigating but did not report with additional comments by Public Hearing time. All ayes. Motion carried.

Motion by Plagge, seconded by Eberling, closes, at 9:36AM, the Public Hearing on the proposed road vacation. All ayes. Motion carried.

Motion by Plagge, seconded by Eberling, adopts Resolution 2009-43: Vacate portion of County Road Easement on that portion of Mallard Ave (S41) all lying south of the southwesterly line of Hwy 3 and N of a point 777 feet north of the south line of the NE ¼ of Section 36, Marion Twp. Intention of this road easement vacation is to vacate the public road easement in the northeast quarter of said Section 36 not being utilized due to prior road realignment of US Hwy 3 and Mallard Ave. Eberling-Aye, Nolte-Aye, Plagge-Aye. Resolution duly adopted.

Motion by Nolte, seconded by Plagge, opens, at 10:00AM, a Public Hearing to Amend County Ordinance 6.4: Establishing Management and Control Guidelines for Flood Plain Development. A summary of the said Amendment changes or additions are: 1) Add Statutory Authority, Findings of Fact and Purpose section; 2) Section 4-Establishment of Flood Plain District; 3) Section 5-Standards for Flood Plain

District; 4) Section 5.2 (a)-Standards for Flood Plain District; 5) Section 5.10 (a)-Recreational Vehicles; 6) Section 2-add definition of Flood Recovery Map; 7) Section 2-add definition of Special Flood Hazard Area; 8) Sections 2, 3.2, 4 & 5-insert the words Flood Recovery Map after the words Flood Hazard Boundary Map. All ayes. Motion carried.

No one from the public was present.

Motion by Plagge, seconded by Eberling, closes, at 10:05AM, said Public Hearing on amendment to County Ordinance 6.4. All ayes. Motion carried.

Motion by Plagge, seconded by Eberling, approves the statutory rule requiring an ordinance to be considered and voted on for passage at two Board meetings prior to the meeting at which it is to be finally passed, be suspended. This waives the First and Second Readings and moves directly to the Third and final Reading. All ayes. Motion carried.

Motion by Eberling, seconded by Plagge, approves the Third Reading of Franklin County Amended Ordinance No. 6.4: To Establish Management and Control Guidelines for Flood Plain Development and proceed with Resolution 2009-42. All ayes. Motion carried.

Motion by Plagge, seconded by Eberling, adopts Resolution 2009-42: To Establish Management and Control Guidelines for Flood Plain Development in Franklin County. Summary of the verbiage is attached and shall constitute as the official printing; thence this Ordinance shall become effective immediately upon publication of these 10/19/09 minutes. Full text of Ordinance 6.4 is available to the public in the Auditor and Zoning Director's offices. Summary of the Amendments are: 1) Add Statutory Authority, Findings of Fact and Purpose section; 2) Section 4-Establishment of Flood Plain District; 3) Section 5-Standards for Flood Plain District; 4) Section 5.2 (a)-Standards for Flood Plain District; 5) Section 5.10 (a)-Recreational Vehicles; 6) Section 2-add definition of Flood Recovery Map; 7) Section 2-add definition of Special Flood Hazard Area; 8) Sections 2, 3.2, 4 & 5-insert the words Flood Recovery Map after the words Flood Hazard Boundary Map. Eberling-Aye, Nolte-Aye, Plagge-Aye. Resolution duly adopted.

At 10:30 AM a Completion Hearing for Trustee Joint Drainage District #3-47 Franklin & Hardin Counties and Sub-district #2 of 13 was held. Damages caused by the 2008 flood and the repairs filed with FEMA were completed for said drainage district. Present were: JDD #3-47 Trustees-Tom Heinz and Larry Shugar, Sandy Eckhardt-Drainage Clerk, Brent Johnson-Drainage Engineer, McClure Engineering and Paul Frederick-Iowa Falls. Drainage Engineer, Brent Johnson, explained the work completed in JDD #3-47 and Sub-district #2 of 13. No oral or written comments were received regarding repairs. Those in attendance agreed the work was done well and below the Engineer's estimates.

Motion by Plagge, seconded by Eberling, based on the Drainage Engineer's recommendation, accepts the final report on work completed and agrees that final payment be issued to the Contractor 30 days from today's date for repairs in Joint Drainage District #3-47 and Sub District #2 of 13. All ayes. Motion carried.

Discussion was held on proposed County facilities needs. Adult MH/DD services and a possible waiver home in Franklin County were discussed all based from funding inequities stemming from the use of base year county funding strategies as a foundation of funding the system, followed by the inability of the state to fund current system growth. No action taken.

Motion by Plagge, seconded by Eberling, adopts Resolution 2009-46: A Subdivision Waiver be granted to Robert Heilskov on an existing building site used for farming and a single family residence located in NE ¼ of Section 36, Marion Township. Eberling-Aye, Nolte-Aye, Plagge-Aye. Resolution duly adopted.

The Board tabled the decision of what departments to purchase computer equipment, printers and other electronic devices through the IT Department Budget until the November 2, 2009 meeting. No action taken.

Motion by Eberling, seconded by Plagge, approves a Lease Modification Agreement between Franklin County and Tom Hovland for a storage garage with an overhead door located at 11 Federal Street North, Hampton for the period November 1, 2009 through October 31, 2010 for \$50.00 a month. All ayes. Motion carried.

Motion by Eberling, seconded by Plagge, approves the payment to MER Engineering for \$7,859.05 (Statement #4044) for engineering services incurred in Joint Drainage District #181, Lateral 2 repairs; Wright County being control County. All ayes. Motion carried.

Motion by Eberling, seconded by Plagge, adjourns at 11:30 AM, until October 26, 2009. All ayes. Motion carried.

Michael Nolte, Chairman

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