

**PROCEEDINGS OF THE FRANKLIN COUNTY BOARD OF SUPERVISORS**

October 23, 2017

Be it duly noted these minutes of 10/23/17 are UNOFFICIAL minutes.

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

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

Motion by Nolte, seconded by Eberling, approves the minutes of 10/16/17. All ayes. Motion carried.

Committee Updates: Central Iowa Juvenile Detention, Tourism and FCDA

Tom Berry, Veteran's Affairs Director, met to update the Board on the Veteran's Department. No action taken.

Joe Harrah, Dows, Iowa, gave the Board an informative history of his business of spraying and his process for tree and brush control in drainage districts located in Franklin County only. Also present was: Dan Tilkes, Weed Commissioner. No action taken.

Lisa Flack, Planning & Zoning, presented a sub-division and rezoning request change.

Motion by Eberling, seconded by Nolte, opens a Public Hearing at 10:00 AM on the rezoning request from Le Roy Brandt on property described as the Old Goat Barn, Ackley, Iowa, Section 34, Osceola Township. All ayes. Motion carried.

Present was: Le Roy Brandt. No comments were received orally or in writing.

A brief discussion was held with the explanation of what was being split and the location of the new sewage discharge being in the northeast portion of said proposed Brandt's 2<sup>nd</sup> Subdivision.

Motion by Nolte, seconded by Eberling, closes the Public Hearing at 10:13 AM. All ayes, motion carried.

Motion by Nolte, seconded by Eberling, adopts Resolution 2017-39: Approving Brandt's 2<sup>nd</sup> Subdivision in Section 34, Osceola Township. Resolution reads as follows:

WHEREAS, The Franklin County Subdivision Ordinance 6.2 governs subdivisions in Franklin County, and

WHEREAS, Le Roy Brandt has requested a minor subdivision titled Brandt's 2nd Subdivision located at the following:

Brandt's 2nd Subdivision commencing at the North One-quarter Corner of Section Thirty-four (34), Township Ninety (90) North, Range Nineteen (19) West of the 5th P.M., Franklin County, Iowa; thence N89°33'49"W 147.00 feet along the north line of the NW1/4 of Section 34 to the Point of Beginning; thence continuing N89°33'49"W 207.00 feet along the north line of the NW1/4 of said Section 34; thence S00°35'40"E 286.55 feet; thence S86°04'30"E 118.45 feet to the easterly line Lot 1 of Brandt's First Subdivision as described by recorder's Instrument #20171114; thence N04 ° 14'38"E 118.00 feet along the easterly line of said Lot 1; thence S86°05'00"E 75.90 feet; thence N00°26'11 "E 180.60 feet to the Point of Beginning. NOTE: The north line of the NE1/4 of Section 34-90-19 is assumed to bear N89°33'49"W for the purpose of this description. Brandt's 2nd Subdivision contains 1.00 acre, and

WHEREAS, The required documentation has been submitted, and

WHEREAS, The County Auditor, Engineer, Sanitarian and Plats Officer have reviewed the subdivision request,

BE IT RESOLVED that The Franklin County Board of Supervisors approves the Subdivision:

X as written.

with the following conditions:

PASSED AND ADOPTED this 23rd day of October, 2017.

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

Flack presented a recommendation from the Zoning Commission changing the Brandt 2<sup>nd</sup> Subdivision property from Resort Classification to C-1 Commercial Classification. The Board will hold a public hearing at the October 30<sup>th</sup> meeting with the First Reading.

Motion by Nolte, seconded by Eberling, adopts Resolution 2017-40: Rezoning recommendation from the Zoning Commission changing Brandt 2<sup>nd</sup> Subdivision property from Resort Classification to C-1 Commercial Classification. Resolution reads as follows:

A RESOLUTION OF THE BOARD OF SUPERVISORS OF FRANKLIN COUNTY APPROVING A Zoning Ordinance Map Change

WHEREAS, The Franklin County Planning and Zoning Commission has recommended that Board of Supervisors repeal Zoning Ordinance 6.1-8 and adopt Zoning Ordinance 6.1-9 to update the following:

Amendment:

Amend Section 9 to add the following:

Amend the Zoning from Resort to C-1 (Commercial) for the following Parcel:

Brandt's 2nd Subdivision commencing at the North One-quarter Corner of Section Thirty-four (34), Township Ninety (90) North, Range Nineteen (19) West of the 5th P.M., Franklin County, Iowa; thence N89°33'49"W 147.00 feet along the north line of the NW1/4 of Section 34 to the Point of Beginning; thence continuing N89°33'49"W 207.00 feet along the north line of the NW1/4 of said Section 34; thence S00°35'40"E 286.55 feet; thence S86°04'30"E 118.45 feet to the easterly line Lot 1 of Brandt's First Subdivision as described by recorder's Instrument #20171114; thence N04 ° 14'38"E 118.00 feet along the easterly line of said Lot 1; thence S86°05'00"E 75.90 feet; thence N00°26'11 "E 180.60 feet to the Point of Beginning. NOTE: The north line of the NE1/4 of Section 34-90-19 is assumed to bear N89°33'49"W for the purpose of this description. Brandt's 2nd Subdivision contains 1.00 acres.

Applicant: Le Roy Brandt

BE IT RESOLVED that The Franklin County Board of Supervisors repeals Zoning Ordinance 6.1-8 and adopts Zoning Ordinance 6.1-9 as recommended.

PASSED AND ADOPTED this 23rd day of October, 2017, contingent on the readings on said Ordinance change at the 10/30/17 meeting and public hearing.

Eberling-Aye, McVicker-aye, Nolte-Aye. Resolution duly adopted.

Lee Gallentine, Drainage Engineer, Clapsaddle-Garber Associates, Inc., Ackley, Iowa, met to review numerous drainage matters. The full summaries and reports of all drainage districts mentioned can be found in the County Auditor's office. Also present: Sandy Eckhardt-Drainage Clerk

Repair Summary DD #39, Lateral 2, WO #32 (Project #7211.1)

Landowner reported poor drainage in SE ¼ NE ¼, 34-90-22; along east side of Dogwood Avenue. Televised 102' downstream and 132' upstream. Recommendations: None. There is no indication that flow is restricted based on current CCTV inspection. If landowner reports poor drainage again, either additional CCTV inspection or capacity calculations may be necessary.

Repair Summary DD #3, Sub 2, WO #77 (Project #7313.1)

Renter indicated that there was a broken tile and a collapsed intake on the Main tile located in NW ¼ SE ¼ Sec 31-92-21. Recommendations: If seed doesn't grow, area may need reseeding.

Repair Summary DD #34, Lateral 41, WO #52 (Project #6765.4)

Landowner reported tree roots plugging Lateral 41 tile by windbreak located in SW ¼ SW ¼ Sec 11-90-22. Recommendations: It is unclear if contractor seeded work area or not. If not and landowner wants seeding done, it should be done. Crop damage of 0.04 acres was incurred during this repair and should be paid if landowners file a damage claim.

Gallentine presented the Engineer's Report on DD #29, Main (Project #7256). It was obvious the Main tile is at or near the end of its useful lifecycle. Much, if not all, of the existing VCP tile is cracked. Key issues to repair to insure continued drainage:

- 1) 57 locations of severely fractured or partial collapsed tile;
- 2) 75%-85% of tile joints have vertical offsets between tile section of ½ " to 2";
- 3) 75 offset joints with voids, rocks, or soil visible
- 4) 5 previous repairs that are deteriorated.

If repairs are not performed, the Main tile will continue to deteriorate, which will manifest more sinkholes and blowouts. When all issues are combined, it will lead to further reduced drainage and liability exposure by the drainage district. It is clear the Main tile is undersized when compared to current agricultural demands for drainage. The complete report is on file in the County Auditor's office.

Motion by Nolte, seconded by Eberling, accepts the Engineer's Report for DD #29, Main. All ayes, motion carried.

Gallentine presented the Engineer's Report on DD #29, Lateral 2, WO #27. It was recommended that there is a definite need to perform either:

- 1) Full Tile Replacement (Repair)
- 2) Full Tile Upsizing (Improvement)
- 3) Full Tile Upsizing (Improvement)
- 4) Open ditch Installation (Improvement)

Motion by Eberling, seconded by Nolte, accepts the Engineer's Report for DD#29, Lateral 2. All ayes, motion carried.

Motion by Eberling, seconded by Nolte, approves setting December 11, 2017 at 10:00 AM as the date and time for a public hearing to receive comments on DD #29, Lateral 2 repairs, based on Clapsaddle-Garber Engineer's Report. All ayes, motion carried.

Motion by Nolte, seconded by Eberling, approves claims for period ending 10/22/17. All ayes. Motion carried.

The Board acknowledged Franklin County Alcoholism Service Center Financial Statement-period ending 9/30/17.

Motion by Eberling, seconded by Nolte, adjourns at 11:30 AM, until October 30, 2017. All ayes. Motion carried.

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Gary McVicker, Chairman

ATTEST: \_\_\_\_\_  
Michelle S. Giddings, Auditor