

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

December 4, 2017

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 11/27/17. All ayes. Motion carried.

Committee Updates: Access; CICS with Annual Report; IDDA Annual meeting

Motion by Nolte, seconded by Eberling, approves a Road Closure on Mallard Avenue between 165th and 170th Streets as of 9:00 AM 11/27/2017 for bridge construction/repair. All ayes. Motion carried.

Motion by Eberling, seconded by Nolte, approves a Permit to Work in County Right of Way at 315 Main Street, Chapin, for installation of a private sewer system. All ayes. Motion carried.

Motion by Eberling, seconded by Nolte, opens at 9:30 AM a Public Hearing to receive comments on a Corrected Proposed Animal Confinement Feeding Operation, Hansell Finisher Farm, owner Grey Owl Farms VI LLC, Iowa Falls, Iowa Select Farms, site located SW ¼ NE ¼, Section 33, Ingham Township, two 2500 head deep pit swine finisher buildings 101' x 200' x 8'. Finish market hogs 5000, animal unit capacity 2000. All ayes. Motion carried.

Present was: Julie Ahrens-Auditor's Office Clerk, Keith Kratchmer-Iowa Select Farms, Dana and Rose M. Dannen-Landowner Hampton, Rodney and Pattie Reiken-Landowner Hansell, Dan Tilkes, Sanitarian.

Written and oral objections to the site were submitted to the Board and will be sent to the IDNR along with the Matrix.

Dannons expressed that their grandchildren are afflicted with asthma and will be unable to play outside due to poor air quality. Flood waters encroach their backyard and will do the same to this building even though it is not officially in a flood plain. Are the buildings built 6' or so above the water table?

Eberling responded that IDNR states there are no air easement rights in regards to air quality.

Rodney Reiken-called IDNR and they are enforcing the laws on the books and it will take the Supervisors to lobby at the Legislature if changes are needed. Is Iowa Select aware there is a 3' water table in this area? Is Iowa Select required to do a Perk test as landowners are required to do when putting in a septic system? How many tax dollars are generated with these buildings? Are any in-county contractors being used to construct this site? Seems when you call Iowa Select no one answers and they do not call back. Not good neighbors.

Nolte wished the developers would have talked with the neighbors before developing their plan and try to be a good neighbor. If points had been met on the first application, this site would have been approved due to points being met and the landowners wouldn't have been aware of this site being applied for. The Board is for animal and farming production, but not at this site.

Motion by Nolte, seconded by Eberling, closes at 10:02 AM the Public Hearing. All ayes. Motion carried.

Motion by Eberling, seconded by McVicker, accepts the Corrected Proposed Animal Confinement Feed Operation, Iowa Select Farms, Hansell Finisher Farm, owner Grey Owl Farms VI LLC, Iowa Falls, site located SW ¼ NE ¼, Sec 33, Ingham Twp, building 2 2500 head deep pit swine finisher buildings 101' x 200' x 8'. Finish market hogs 5000, animal unit capacity 2000, and due to all points being met. All ayes. Motion carried.

Jan Libbey, Executive Director of Healthy Harvest, and Marie Boyd, Special Project Manager, met to request FY18/19 Budgeted dollars. No action taken.

Also present was: Newton Grotzinger and Dawn Collins

Newton Grotzinger, Tourism Director, and Dawn Collins, presented information on Tourism and Greater Franklin County Chamber. He also met to request FY18/19 Budgeted dollars. No action taken.

Motion by Nolte, seconded by Eberling, approves the slate of officers to the Franklin County Tourism Board as presented for the 2018 calendar year. All ayes, motion carried.

At 11:00 AM, the Board reviewed two bids for a three year drainage open ditch brush, tree and weed control program. Bids received were from Joe Harrah-Dows, Iowa, and B & W Control Specialists-Algona, Iowa.

Present was: Joe Harrah, Dows

Motion by Nolte, seconded by Eberling, awards the three year drainage open ditch brush, tree and weed control bid requiring a one-time application in a three year period to Joe Harrah, Dows, Iowa. Said total paid out for each ditch will not exceed the dollars below:

<b>DISTRICT NUMBER</b>	<b>BID PER DITCH/ Not to exceed</b>
JDD #1-31-86 F/CG/H	\$300.
JDD #4-118 F/W	700.
#2	3,800
#3	4,500
#4	600
#5	3,500
#6	7,500
#6 Lateral 1	500
#6 Lateral 2	500
#6 Lateral 3	250
#10	4000
#18	500
#30	2300
#48	1800
#55	5000
#57	2000
#66	750
#78	1250
#79	750
#83	1500

All ayes, motion carried.

After discussion of weed and brush control in drainage open ditches, the Board made the following motion for clarification.

Motion by Nolte, seconded by Eberling, approves that drainage districts are responsible for spraying and removing trees within the drainage open ditch and spoil bank. Effective immediately. All ayes, motion carried.

At 11:30 AM, Lee Gallentine, Drainage Engineer, Clapsaddle Garber, presented drainage work order updates below. Full Reports of each district can be viewed in the Franklin County Auditor's Office.

Present was: Sandy Eckhardt, Drainage Clerk

### **DD #3 Main Open Ditch, WO #35**

Landowner requested an investigation of the Main Open Ditch to find the cause of the submerged tile outlets located in the NE ¼ of Sec 6, Hamilton Township.

Recommendations:

- The tile outlets of concern by the landowner around Station 160-+50 can freely outlet only if the grade of the ditch is modified for approximately 7000 feet downstream. Clapsaddle's opinion is that the cost of this would be over \$50,000 which is high enough that a hearing and Engineer's Report would be required.
- It also appears that the tile outlets for Sub-district 4 of 3 and Laterals 1,2,3 are in need of repair along with possible repairs to other portions of the Main Open Ditch. It is recommended that the District Trustees order an investigation and possible Engineer's Report into the same to ascertain the extent of the repairs needed.

Board will talk with Mr. Wearda explaining the possible options. May be better to run his own outlet into the ditch rather than district repairs.

### **DD 30, Lateral 10 & 19, WO #71 (Project 7190.8)**

Brad Schermer, landowner,

Clapsaddle received bids from three contractors, Weideman, Inc., Dows, Williams Excavation, Ackley, and RD Customs LLC, Iowa Falls, for tile repairs, CCTV Inspection, tile/fitting removal, tile connection and permanent seeding. A contract will be drawn up to the awarded contractor.

Motion by Eberling, seconded by Nolte, awards the bid from Williams Excavation, Ackley, Iowa for \$24,700 to complete DD #30, Lateral #10 and #19 (Project 7190.8) repairs with April 1, 2018 as the completion date. All ayes. Motion carried.

### **DD #55 – Koenen trees**

Eberling reported that trees were cut down in said district and Koenen has requested reimbursement for the removal of trees in and around his land.

Trustees determined reimbursement will not be made to Mr. Koenen.

### **DD #34, WO #79**

Landowner in NW ¼ SW ¼ Sec 11 Oakland Township reported blowout/sinkhole on main tile.

Visual observation and excavation found tile collapsed and partial to full of dirt. Repaired broken tile in areas.

Recommendations: None at this time.

### **DD #10, WO #73**

Landowner in Section 11, Scott Township reported plugged Lateral 2 tile when installing private tile connection. Found exposed tile and two blowouts along route of Lateral 2.

Recommendations:

It is evident the tile is past the end of its useful lifecycle, which will manifest itself as an increased number of blowouts/sinkholes along its length and restricted drainage. It is recommended that the entire length that was inspected by CCTV and possibly the entire Lateral be replaced with Class IV or Class V concrete tile. Based on this, the total cost of repair would be over \$50,000. This cost is high enough that a hearing and an engineer's report would be required.

Trustees directed Gallentine to investigate and televise up to C25, see what is there. This will determine if an engineer's report will be needed.

At 1:30 PM Lisa Flack-Planning and Zoning presented two subdivision waiver requests with the Planning and Zoning Board's recommendation to waive the sub-division Ordinance on both requests.

Al Eberline requested a sub-division waiver on land in W ½ NW ¼ of Section 25 West Fork Township, per a letter from Herold-Reicks Surveying, Waverly, Iowa. Landowner requests to split the 2004 survey to create a

smaller parcel around the one remaining shed, as another party has interest in using the shed for storage and/or seed sales. The remainder area of the survey is planned to be cleared and put into crop production land.

Present was: Al Eberline, Keith Tranel

Motion by Nolte, seconded by Eberling, based on the Planning and Zoning Commission's recommendation, adopts Resolution 2017-43: Approving a Subdivision Waiver. Said Resolution reads as follows:

WHEREAS, The Franklin County Subdivision Ordinance 6.2 allows waivers to the requirements set therein, and WHEREAS, Al Eberline requested a sub-division waiver on land in W ½ NW ¼ of Section 25 West Fork Township, per a letter from Herold-Reicks Surveying, Waverly, Iowa. Landowner requests to split the 2004 survey to create a smaller parcel around the one remaining shed, as another party has interest in using the shed for storage and/or seed sales. The remainder area of the survey is planned to be cleared and put into crop production land.

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

PASSED AND ADOPTED this 4th day of December, 2017.

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

Matt Schoneman has requested a sub-division waiver on land in S ½ of Section 19, Oakland Township, per a letter from Herold-Reicks Surveying, Waverly, Iowa. Landowner is selling the land that is timber/river/pasture to the DNR. There are no intentions to develop or build any other structures within this parcel.

Present was: Matt Schoneman, Steve Goretska,

Motion by Nolte, seconded by Eberling, based on the Planning and Zoning Commission's recommendation, adopts Resolution 2017-44: Approving a Subdivision Waiver. Said Resolution reads as follows:

WHEREAS, The Franklin County Subdivision Ordinance 6.2 allows waivers to the requirements set therein, and WHEREAS, Matt Schoneman and Steve Goretska have requested for a subdivision waiver for property located in S ½ of Section 19, Oakland Township, per a letter from Herold-Reicks Surveying, Waverly, Iowa. Landowner is selling the land that is timber/river/pasture to the DNR. There are no intentions to develop or build any other structures within this parcel.

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

PASSED AND ADOPTED this 4th day of December, 2017.

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

Thomas Craighton-EMA Director stated that the Multi-Jurisdictional Hazard Mitigation Plan for Franklin County is due for updating per the five year expiration of said Plan December 31, 2018. Craighton asked the Board if they would allow the EMA Director to update the Plan per the Federal requirements. The Board agreed to have the EMA Director proceed with updating the Plan.

Motion by Nolte, seconded by Eberling, appoints Scott Doescher, Hampton, to fill the vacancy on the Franklin County Conservation Board, term ending December 31, 2018. All ayes, motion carried.

Motion by Eberling, seconded by Nolte, approves the reinstatement of 2017 Homestead Credit on Parcel 14-31-400-005-00 due to owner still occupying homestead on 7/1/2017. All ayes. Motion carried.

Motion by Nolte, seconded by Eberling, approves claims for period ending 12/3/17. All ayes. Motion carried.

Motion by Nolte, seconded by Eberling, adjourns at 2:33 PM, until December 11, 2017. All ayes. Motion carried.

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Gary McVicker, Chairman

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