

REGULAR SESSION

JULY 23, 2007

The Union County Board of Supervisors met in regular session on Monday, July 23, 2007. The meeting was called to order at 9:00 a.m. with the following members present: Riley, Irelan, Brown, McCann and King.

AGENDA: Motion by McCann and seconded by Irelan to approve the agenda. All voting aye, motion carried approved.

MINUTES: Motion by Riley and seconded by McCann to approve the Minutes from July 16, 2007. All voting aye, motion carried.

PUBLIC HEARING – CONSTRUCTION PERMIT APPLICATION FOR A CONFINEMENT FEEDING

OPERATION: The public hearing on Construction Permit Application for a Confinement Feeding Operation opened at 10:00 a.m.

The following people spoke in favor of the construction:

Arnold Lourens
Mr. and Mrs. Chris Trisler
Jim McKnight
Tony Allen
James Schendt
Francine Ide

The following people spoke against the construction:

Kent Forbes
Jerry King
Bev King
Sandy Reuter
Kelly Stonehacker
Rusty Stephens via letter
Julie Wearmouth
Paula Hess
Karen Forbes
Maxine Kilpatrick
Sue Bates
Shirley Kirk
Allen Kirk
Lois Munden
Mark Munden
Giles Munden
Jennifer Seales
Kyle Seales
Delbert Davenport
Jack Kilpatrick
Jill Alexander
Pat Stephens
Doug Reuter
Cody Miller
Deana Decker

Mary Seales

Other people present for the Public Hearing:

Vicki Allen
Dale Adamson
Randy Pettit
James Allen
Susan Trisler
Johnnie Lourens
Karon Finn
Carl Drottz
Bill Gibson
Ben Waigand
Phillip Waigand
David McNeill
Marcie Miller
Joyce Carpenter
Ruby Drottz
Jody King
Kole Seales
Kael Seales
Eugene Garrett
F Dennis Orwan
Virginia Hawkins
Karne Knutson
Art Knutson
Gay Lee Toppin
Gerald Toppin
Louise Stalcup
Mark Stalcup
Betty Johnston
Mary Fitch
Suzanne Haitt
Dianna Gibson
R D Searl
L Watts
Willard Short
David Rosmann
Bill Gibson
Marcia Gibson
Sue Wiebel

Comments can be viewed in the Auditor's Office. The public hearing closed at 11:35 a.m. The site survey will take place on Tuesday, July 24, 2007 at 11:00 a.m.

OPEN BIDS: Motion by Riley and seconded by Irelan to reject the one bid that was submitted due to the fact that the insurance company required two bids received. Roll Call Vote McCann aye, Brown aye, Riley aye, Irelan aye and King aye, motion carried.

CARE: Jana Daily, CARE, discussed the damage done to the CARE facility in the May storm and

repairs that needed to be done.

CLAIMS: Motion by Irelan and seconded by Riley to approve the handwritten claims to Union County Health Insurance for \$10,339.26. All voting aye, motion carried.

ENGINEER: Scott Nixon, County Engineer, presented the weekly maintenance and activity report and spray maps. **Utility Permit** – Motion by Brown and seconded by McCann to approve the utility permit for Grand River Mutual Telephone for buried cable across in Section 4, Jones Township. All voting aye, motion carried. **Pay Voucher #4** – Motion by Irelan and seconded by Brown to approve the pay voucher for Murphy Heavy Contracting Corp from Anita, IA for \$39,904.33 for removal of project materials. All voting aye, motion carried.

CLOSED SESSION: Motion by Irelan and seconded by Riley to go into closed session at 1:35 p.m. per code section 21.5(1)(c). Roll call vote – Irelan aye, Riley aye, Brown aye, McCann aye, King aye, motion carried. Closed session ended at 1:50 p.m.

JUVENILE COURT CORRESPONDENCE: Tim Kenyon, County Attorney discussed the correspondence from the Iowa Judicial Branch Fifth District of Iowa Juvenile Court Services correspondence letter. Due to the changes in the Corydon Iowa office, Wayne County will no longer be the payee. According to the code of Iowa (602.1303) authorizes the county of residence of the Juvenile Court Services office to provide the office. They are requesting that Union County assume the responsibility for the Creston office as soon as possible. The Code does allow for Union County to recover the costs from the other counties that are served by this office which are Adair, Adams, Decatur, Ringgold and Taylor.

JUDICIAL DISTRICT 5B GROUP HOME COMMISSION RESOLUTION: Motion by Riley and seconded by Irelan for the chair to sign the Resolution for the dissolution of the Judicial District 5B Group Home Commission and the Waiver of notice of meeting of the Board of Directors of JRC, INC. **Resolution #03 FY07-08** – Whereas, on the 2nd day of May, 1977, the Judicial District 5B Juvenile Group Home Commission was created by a voluntary joint undertaking of the Boards of Supervisors of Adams County, Iowa; Clarke County, Iowa; Decatur County, Iowa; Lucas County, Iowa; Ringgold County, Iowa; Taylor County, Iowa; Union County, Iowa; Wayne County, Iowa, pursuant to and as authorized by Chapter 28E of the then 1975 Code of Iowa; and Whereas, the purpose of said Commission was to create and operate an area Juvenile Group Home for juveniles located in the 5B Judicial District and elsewhere in the State of Iowa, and to provide necessary care and services for juveniles located in the 5B Judicial District thereby fulfilling the duties and responsibilities of the eight counties participating as members of said Commission; and Whereas, requirements and conditions in the licensing, regulation, and financing for operation of juvenile group homes have changed to the extent that the Commission's operation of a Juvenile Group Home under the Commission established by the 28E Agreement of the Counties here to is no longer financially feasible; and Whereas, the juvenile group home and shelter being operated by the Commission has been closed, the staff thereof has been dismissed, the assets of the Commission have been liquidated to pay and satisfy the debts and liabilities of the Commission, with all of such debts and liabilities of the Commission having been fully paid and satisfied to the best of the Commission's knowledge, and with each member county of the Commission having made other arrangements to provide necessary and required services to the juveniles residing within each member county; and Whereas, the purpose for the existence of the Judicial District 5B Juvenile Group Home Commission has been terminated and the member counties desire to dissolve said Commission as no useful purpose is being served by the Commission; and Whereas, the Articles of Agreement establishing and governing the Judicial District 5B Juvenile Group Home Commission provide in Articles XI thereof that said Articles of Agreement and said Commission maybe dissolved by the unanimous vote of the member counties with each

member county voting for dissolution by the Board of Supervisors adopting and passing a resolution to dissolve said Articles of Agreement and said Commission: It Is Resolved By The Member Counties' Boards of Supervisors As Follows: That the Judicial District 5B Juvenile Group Home Commission and the Articles of Agreement adopted and established to govern the creation and operation of said Commission under Chapter 28E of the Code of Iowa shall be and are hereby dissolved and terminated up on the adoption of this Resolution by the Board of Supervisors of a majority of the eight member counties comprising the Commission. That the debts, liabilities, and finical obligations of the Judicial District 5B Juvenile Group Home Commission have been fully paid and satisfied to the best of the Commission's knowledge and that there are no assets of the Commission to be distributed; and that should any unforeseen debts or liabilities arise concerning the Commission, the facilities previously operated by the Commission, or the services provided by the Commission, or should unknown assets be discovered, the eight member counties currently comprising the Commission shall share such debts, liabilities, or assets on a prorated basis, one-eighth to or from each county unless a majority of said counties agree to allocated such debts, liabilities or assets otherwise. That upon adoption of this Resolution by a majority of the member counties' Boards of Supervisors, this Resolution shall be recorded in the Office of the County Recorder of each member county and shall also be recorded in the Office of the Secretary of the State of Iowa. The above and foregoing Resolution for the dissolution of the Judicial District 5B Juvenile Group Home Commission and the Articles of Agreement establishing and governing the Judicial District 5B Juvenile Group Home Commission is hereby passed and adopted by the Boards of Supervisors of the member counties comprising the Judicial District 5B Juvenile Group Home Commission, on the date indicated below. Passed and adopted by the Board of Supervisors of Union County, Iowa. Roll call vote: Irelan aye, Riley aye, Brown aye, McCann aye and King aye, motion carried.

TREASURERS REPORT: Motion by McCann and seconded by Brown to accept the Treasurer's Report as presented by Linda Marley, County Treasurer. All voting aye, motion carried.

ANNUAL SETTLEMENT REPORT: Motion by Irelan and seconded by Riley to accept the Annual Settlement Report which was submitted by Linda Marley, County Treasurer and Sandy Hysell, County Auditor. All voting aye, motion carried.

HARTFORD LIFE INS: Motion by Irelan and seconded by Riley to increase the current guaranteed amount of \$50,000 to \$100,000 for the Voluntary Life Insurance, which the premium is paid for by the employees. The premium rates will be held the same for 2 years. Roll call vote – McCann aye, Brown aye, Riley aye, Irelan aye, and King aye, motion carried.

ADJOURNMENT: There being no further business the meeting adjourned at 3:53 p.m.

ATTEST: _____ **BY:** _____
SANDY HYSELL, AUDITOR **MICHAEL J. KING, CHAIR BOARD OF SUPERVISORS**