

## REGULAR SESSION

**MAY 18, 2009**

The Union County Board of Supervisors met in regular session on Monday, May 18, 2009. The meeting was called to order at 9:00 a.m. with the following members present: Robert Jansen, Ron Riley, Bob Brown, Tom McCann and Mike King.

**AGENDA:** Motion by Riley and seconded by Jansen to approve the agenda as amended (moving Frank DeMarco, American Administrators, from 4:00 to 1:30 per Franks request because of a change in his schedule). Roll Call Vote: McCann, aye; Brown, aye; Riley, aye; Jansen, aye; and King, aye. Motion carried.

**OPEN FORUM / BOARD DISCUSSION:** The board discussed the different meetings that were attended last week.

**TREASURER:** Kelly Busch, County Treasurer, presented and discussed the April End of Month Report. Motion by McCann and Riley to accept the Treasurer's report as presented. All voting aye, motion carried.

**RECORDER:** Paula White, County Recorder, presented and discussed the March and April End of Month Recorder's Report. Motion by Brown and seconded by McCann to accept the Recorder's report as presented. All voting aye, motion carried.

**JUMP START UPDATE:** Tim Ostroski, SICOG, updated the Board of Supervisors on the Jump Start Grant.

**ENGINEER:** Steve Akes, County Engineer, presented and discussed the weekly maintenance and activity report. Akes also discussed consideration of a crack sealing contract. **Utility Permits:** Motion by Brown and seconded by Riley to approve the utility permit for SIRWA to install rural water line under 210<sup>th</sup> St. from Section 35 to 26. All in Jones Township. All voting aye, motion carried. Motion by Jansen and seconded by McCann to approve the utility permit for Iowa Telecom to place 50 pair copper telephone cable and two new telephone pedestals 1030' north of intersection of Jaguar Ave and 150<sup>th</sup> St. Lincoln Township. Section 28. All voting aye, motion carried. Motion by Jansen and seconded by Riley to place 50 pair copper telephone cable and a new telephone pedestal at intersection of Jaguar Ave and 140<sup>th</sup> St. Lincoln Township Sections 22 & 27. All voting aye, motion carried. Motion by Jansen and seconded by McCann to approve the utility permit for Iowa Telecom to place 50 pair copper telephone cable and two new telephone pedestals 570' north of intersection of Jaguar Ave. and 150<sup>th</sup> St. in Lincoln Township Section 28. All voting aye, motion carried. **New Hire:** Motion by Riley and seconded by Jansen to approve secondary roads to hire Shawn Allen at \$13.58/hour as recommended by Steve Akes. All voting aye, motion carried. **Employee Salaries:** Motion by McCann and seconded by Riley to increase the wage of part-time vegetation management employees (David Erickson, Michael Overton, Rick Ramaeker) effective July 1, 2009 from 9.50/hour to 9.75/per hour. All voting aye, motion carried. Motion by Riley and seconded by Brown to increase the salary of Pam McCracken 1.5%. All voting aye, motion carried. Motion by Jansen and seconded by Brown to increase the salary of Larry Latham 3%. Roll Call Vote: McCann, aye; Brown, aye; Riley, aye; Jansen, aye; and King, aye. Motion Carried.

**PUBLIC HEARING:** Chair opened the public hearing at 11:09 a.m. The following were present: Valerie Allen, Wayne Hill, Dennis Carter, Elaine Brown, and Larry Burger. Larry Burger, Speer Financial, discussed the purpose of the public hearing in setting up an Urban Renewal Area for the Union County Road and Bridge Improvements, to keep economic development flowing in Union County. Public hearing closed at 11:32 a.m.

**RESOLUTION:** Motion by Riley and seconded by Jansen to approve Resolution #37 FY08/09: A resolution to declare necessity and establish an urban renewal area, pursuant to Section 403.4 of the Code of Iowa and approve urban renewal plan and project for the Union County Road and Bridge Improvements Urban Renewal Area WHEREAS, as a preliminary step to exercising the authority conferred upon Iowa counties by Chapter 403 of the Code of Iowa, the "Urban Renewal Law", a county must adopt a resolution finding that one or more slums, blighted or economic development areas exist in the county and that the development of such area or areas is necessary in the interest of the public health, safety or welfare of the residents of the county; and WHEREAS, it has been recommended that an urban renewal area be established that will include the properties set out Exhibit A to this Resolution; and WHEREAS, a proposal has been made regarding the properties identified above for the purpose of establishing the need to designate the properties as being appropriate for construction of public improvements to generate economic development; and WHEREAS, the proposal demonstrates that sufficient need exists to warrant finding the area an economic development area; and WHEREAS, notice of a public hearing by the Board of Supervisors on the question of establishing the properties identified above as an urban renewal area and on a proposed urban renewal plan and project for the properties was heretofore given in strict compliance with the provisions of Chapter 403 of the Code of Iowa, and the Board has conducted this hearing; NOW, THEREFORE, It Is Resolved by the Board of Supervisors of Union County, Iowa, as follows: Section 1. An economic development area as defined in Chapter 403 of the Code of Iowa is found to exist within an area that includes the properties set out in Exhibit A (which can be viewed at the Auditor's Office). Section 2. The area identified in Section 1 hereof is hereby declared to be an urban renewal area, in conformance with the requirements of Chapter 403 of the Code of Iowa, and is hereby designated the Union County Road and Bridge Improvements Urban Renewal Area. Section 3. The development of this area is necessary in the interest of the public health, safety or welfare of the residents of Union County, Iowa. Section 4. It is hereby determined by this Board of Supervisors as follows: A. The proposed urban renewal plan conforms to the general plan of the county as a whole; B. Proposed construction of road and bridge improvements in the urban renewal area is necessary and appropriate to facilitate the proper growth and development of the County in accordance with sound planning standards and local community objectives. Section 5. The urban renewal plan for the Union County Road and Bridge Improvements Urban Renewal Area is made part hereof and is hereby in all respects approved in the form presented to this Board, and the proposed project for such area based upon such plan is hereby in all respects approved. Section 6. All resolution or parts thereof in conflict herewith are hereby repealed, to the extent of such conflict. Passed and approved May 18, 2009. Roll Call Vote: McCann, aye; Brown, aye; Riley, aye; Jansen, aye; and King, aye. Motion Carried.

**CARTER AGENCY:** Dennis Carter, Carter Agency discussed the Union County's Liability Insurance.

**HANDWRITTEN CLAIM:** Motion by Jansen and seconded by Riley to approve the Handwritten Claim to Union County Health Insurance for \$9,156.54, all voting aye, motion carried.

**SET PUBLIC HEARING FOR GENERAL OBLIGATION BONDS:** Motion by Brown and seconded by McCann to approve RESOLUTION # 38 FY08/09: Resolution to fix a date for public hearings on Loan Agreements WHEREAS, the Board of Supervisors of Union County, Iowa (the "County"), proposes to enter into a loan agreement (the "Urban Renewal Road and Bridge Improvements Loan Agreement" in a principal amount not to exceed \$4,050,000 pursuant to the provisions of Sections 331.402 and 331.441 of the Code of Iowa for the purpose of paying the cost, to that amount, of carrying out projects in the Union County Road and Bridge Improvements Urban Renewal Area consisting of reconstruction of and improvements to county roads and bridges and, in lieu of calling an election therefore, the County desires to institute proceedings to enter into the Urban Renewal Road and Bridge Improvements Loan Agreement by causing a notice of such proposal to be published, including notice of the right to petition for an election; and WHEREAS, the Board of Supervisors also proposes to enter into another loan agreement (the "County Purpose Loan

Agreement") in a principal amount not to exceed \$950,000 pursuant to the provisions of Sections 331.402 and 331.441 of the Code of Iowa for the essential county purposes of paying the costs, to that amount, of repairs to a County secondary road building, costs of County litigation and acquisition of a geographic information system for County mapping purposes, and it is necessary to fix a date of meeting of this Board at which it is proposed to take action to enter into the County Purpose Loan Agreement and to give notice thereof as required by such law; NOW, THEREFORE, Be It Resolved by the Board of Supervisors of Union County, Iowa, as follows: Section 1. This Board shall meet on the 8<sup>th</sup> day of June, 2009, at the Union County Board Room, Creston Iowa, at 10:00 o'clock a.m., at which time and place hearings will be held and proceedings will be instituted and action taken to enter into the Urban Renewal Road and Bridge Improvements Loan Agreement and the County Purpose Loan Agreement. Section 2. The County Auditor is hereby directed to give notice of the proposed action on the Urban Renewal Road and Bridge Improvements Loan Agreement, setting forth the amount and purpose thereof, the time when and place where the said meeting will be held, by publication at least once and not less than 10 nor more than 20 days before the meeting, in a legal newspaper of general circulation in the County, in substantially the publication forms (which can be viewed in the Auditor's Office). Section 3. The County Auditor is hereby directed to give notice of the proposed action on the County Purpose Loan Agreement, setting forth the amount and purpose thereof, the time when and place where the said meeting will be held by publication at least once and not less than 4 nor more than 20 days before the meeting, in a legal newspaper of general circulation in the County, in substantially the publication form (which can be observed the Auditor's office). Section 4. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict. Passed and approved May 18, 2009. Roll Call Vote: McCann, aye; Brown, aye; Riley, aye; Jansen, aye; and King, aye. Motion carried.

**UNION GRIEVANCE:** Motion by Jansen and seconded by Riley to accept the letter from Jack Lipovac on Dave Danielson's Prohibited Practice Complaint / Grievance as follows: To: Union County Board of Supervisors. From: Jack Lipovac. I met with Mike Stanfill, Teamsters Local 238 Business Representative, Dave Danielson, Union County Jail Administrator, Deputy Brian Bolton, and Dorie Shiltz to discuss Mr. Danielson's grievance and the allegations against Mike King. After lengthy discussions regarding the issues, the following actions were taken: 1. The Union withdrew the grievance and rejected the idea of filing a Prohibited Practice Complaint with the Iowa Public Employment Relations Board. 2. Dave Danielson stated that he filed a criminal complaint with the City Police department against Mike King, among other reasons, to 'make sure Mike King does not get re-elected.' Both the Union and I agreed that part of the problem is Mr. Danielson's lack of understanding of the Chain of Command. Dave does not answer to the Board of Supervisors, and should have directed all issues with the Sheriff. The following are my recommendations: 1. Mr. Danielson be directed by the Sheriff that all questions, grievances, or complaints be filed with the Sheriff. Any further contact with the Board without permission of the Sheriff would result in disciplinary action. 2. The insurance committee be held only when both Mike Stanfill and myself are present. 3. The Union will select someone from the Sheriff's Department other than Dave Danielson to be on the insurance committee. Please give me a call if you have any questions. Sincerely, Jack Lipovac. All voting aye, motion carried.

**Recessed at 12:00 p.m.**

**Reconvened at 1:30 p.m.**

Brown did not return.

**UNION COUNTY HEALTH INSURANCE AND HEALTHY UNION PROGRAM:** Frank DeMarco, American Administrators, discussed the Union County Health Insurance and the Healthy Union Program. Motion by Riley and seconded by McCann to approve the change to Healthy Union Program to allow qualified participants to do independent exercise outside of the YMCA and that they

will need to provide appropriate documentation. Roll Call Vote: McCann, aye; Jansen, aye; Riley, aye; Riley, aye; and King, aye. Brown Absent. Motion carried.

**MINUTES:** Motion by Jansen and seconded by Riley to approve the May 11, 2009 minutes. All voting aye, motion carried.

**ADJOURNMENT:** There being no further business, the meeting adjourned at 2:42 p.m.

ATTEST: \_\_\_\_\_ BY: \_\_\_\_\_  
**SANDY HYSELL, AUDITOR** **MICHAEL J. KING, CHAIRMAN, BOARD OF SUPERVISORS**