

The Board of Supervisors of Calhoun County met with the following members present: Cooper, Legore and Jacobs.

Agenda additions: Emily Lundberg was unable to keep her appointed time due to an unexpected conflict and will reschedule.

It was moved by Legore seconded by Jacobs to approve the agenda with the above addition. Ayes all. Motion carried.

The minutes of the last meeting were read. It was moved by Jacobs seconded by Legore to approve the minutes. Ayes all. Motion carried.

Public comments: Pat Moore was present to discuss questions regarding the settlement with Dakota Access Pipe Line.

Zac Andersen, Engineer, presented Secondary Roads updates. BJ Musselman, Maintenance Supervisor and Mike Moeller, Assistant to Engineer, Safety Officer/Zoning and Flood Plain Administrator were also present.

Motion was made by Legore second by Jacobs to review bids and award contract to low bidders, Midwest Contractors, Inc. for project LFM-PCPATCH19-7X-13. Ayes all. Motion carried.

Motion was made by Jacobs second by Legore to review bids and award contract to low bidder, Nelson & Rock Contracting, Inc. for project LFM-BU1970-7X-13. Ayes all. Motion carried.

Tina Meth Farrington, Attorney was present for the remainder of the meeting.

Scott Anderson, Sheriff presented department updates.

Motion was made by Legore second by Jacobs to sign the Fee Agreement for employment with Buchanan Law Office and Michael E. Gabor. Ayes all. Motion carried

Motion was made by Jacobs second by Legore to approve Resolution 2019-15. Ayes all. Motion carried.

NATURAL RESOURCES (IDNR) FOR 2019 FOR PROPERTY LOCATED AT CERTAIN ADDRESSES ON NORTH TWIN LAKES ROAD, CALHOUN COUNTY, IA

Resolution No. 2019-15

WHEREAS, it has been brought to the attention of the Calhoun County Board of Supervisors (CBOS) and IDNR that there may be legal vagaries as to the actual title, ownership, and boundaries of certain lots, rights of way, easements or other defined interests in real estate in the vicinity of the shore and/or high-water mark of North Twin Lake; and

WHEREAS, due to such legal vagaries, the IDNR has indicated to the CBOS that it will only continue to issue 2019 dock permits upon the advance consent of the CBOS; and

WHEREAS, the CBOS in consultation with its staff, counsel and IDNR has determined that it will take time to research, address and fully resolve the legal vagaries specifically including input from the affected residents and their counsel; and

WHEREAS, the CBOS has an interest in maintaining the status quo for its residents with regard to 2019 use of existing docks and other structures associated with certain addresses at North Twin Lake while it seeks to research and resolve such vagaries; and

WHEREAS, the CBOS intends to proceed to research, address and resolve the issues with the affected residents in accordance with law and process.

NOW, THEREFORE BE IT RESOLVED that for any structure or dock now in existence, the CBOS hereby CONSENTS to the issuance of the appropriate permit by the IDNR as may be applied for and being associated with the following properties located at North Twin Lake for the calendar year 2019: 7316 Twin Lakes Road, 7326 Twin Lakes Road, 7330 Twin Lakes Road, 7332 Twin Lakes Road, 7342 Twin Lakes Road, 7346 Twin Lakes Road, 7348 Twin Lakes Road, 7352 Twin Lakes Road, 7358 Twin Lakes Road, 7362 Twin Lakes Road, 7370 Twin Lakes Road, 7374 Twin Lakes Road, 7376 Twin Lakes Road, 7382 Twin Lakes Road, 7384 Twin Lakes Road, 7392 Twin Lakes Road, 7398 Twin Lakes Road, 7400 Twin Lakes Road, 7406 Twin Lakes Road, 7410 Twin Lakes Road, 7412 Twin Lakes Road, 7416 Twin Lakes Road, 7422 Twin Lakes Road, 7424 Twin Lakes Road, 7430 Twin Lakes Road, 7440 Twin Lakes Road, 7442 Twin Lakes Road, and 7446 Twin Lakes Road; and

BE IT FURTHER RESOLVED that Calhoun County shall not issue any permits for future construction, nor CONSENT to the issuance of any IDNR permit for any lake shore or dock structure not already in existence and associated with such addresses until such time as there has been resolution of the vagaries as to each or any of the listed addresses.

Nothing herein shall prejudice nor stop the County from asserting its rights, if any, and as may be determined, including in a contrary or any other manner, as to IDNR dock permit issuance in future years.

Kerrie Hull, Ambulance Director presented department updates.

Motion was made by Legore second by Jacobs to approve Chairman to sign corrected 2019 Land Exemptions for Forest Cover and Open Prairie and Native Prairie, Wetlands, Forest and Fruit Tree Preserve. Ayes all. Motion carried.

It was moved by Legore second by Jacobs to adjourn until Tuesday, April 9th at 9:00 A.M. for their next regular scheduled meeting. Ayes all. Motion carried.

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Mike Cooper, Chairman

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Scott Jacobs, Member

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Carl Legore, Vice-Chairman

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Robin D. Batz, Auditor