

Board of Supervisors
Calhoun County Courthouse
Rockwell City, Iowa
Tuesday, June 16, 2015

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

Agenda additions: None

It was moved by Jacobs and seconded by Nicholson to approve the agenda. Ayes all. Motion carried.

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

Mike Cooper was sworn in as County Supervisor, District 1 for the term ending December 31, 2016. The swearing in was done by Donna Geery, Clerk of District Court.

Zac Andersen, County Engineer and B.J. Musselman, Maintenance Superintendent met with the Board to update them on Secondary Road projects.

Leisa Mayer met with the Board concerning a lease in Annex 1. It was moved by Cooper and seconded by Jacobs to authorize the Chairman to sign the Targeted Case Management lease for fiscal year 2015/16 for a rental of office space for \$575.33 a month. Ayes all. Motion carried.

Richard Shinn, Director of Veteran's Affairs met with the Board concerning job duties and appointments. It was moved by Cooper and seconded by Jacobs to reappoint Richard Shinn, Director of the Commission of the Veteran Affairs with Daryl Bean as Chairman of the Board, Jim Cunningham as Secretary, and Ron Hendricks as a member of the Board as per 35B.4 Code of Iowa. Ayes all. Motion carried.

It was moved by Cooper and seconded by Jacobs to authorize the Chairman to sign the Service Agreement for new software between Tyler Technologies, Inc., and Calhoun County. Ayes all. Motion carried.

It was moved by Jacobs and seconded by Cooper to approve the following Resolution:

Resolution 2015-11

Whereas, the Des Moines Waterworks has filed suit under the Clean Water Act against drainage districts in Buena Vista, Calhoun and Sac Counties, and;

Whereas, the suit would seek to regulate agricultural practices which are currently exempt from regulation under the Clean Water Act, and;

Whereas, the suit, if successful would impose regulatory burdens upon drainage districts and landowners in those districts, and;

Whereas, the suit, if successful, would require drainage district trustees to exercise powers that are not legally available to them under existing state law, and;

Whereas, the suit would irreparably harm drainage rights, operations and row crop production in this county and;

Whereas, it is recognized that the suit, while filed against a small number of districts would, if successful, be applicable to all districts in Iowa and in other states, and;

Whereas, it is recognized that a strong legal defense must be made against the lawsuit, and;

Whereas, it would be in the best interests of Iowa counties to directly support the legal defense of the drainage districts in Buena Vista, Calhoun and Sac Counties and to have the Iowa Drainage District Association participate in the case if requested by Belin McCormick Law Firm, the attorneys retained by Buena Vista, Calhoun and Sac Counties, in order to represent the interests of all drainage districts in Iowa.

Now, therefore be it resolved that the Calhoun County Board of Supervisors pledges financial support to help fund the legal defense of the drainage districts in Buena Vista, Calhoun, and Sac Counties; and it is understood that IDDA will disperse said monies as approved by the Defense Fund Committee as agreed to by the counties and IDDA.

Now, therefore be it further resolved that the financial support will be in the amount of \$5,000/year for three years payable to the IDDA litigation fund for the legal defense of the drainage districts in Buena Vista, Calhoun, and Sac Counties. If the lawsuit is resolved in a prompt fashion and the second or third years of the financial support is not necessary, the IDDA board will notify the county that the additional financial support is not necessary.

Dated this 16th day of June, 2015. Ayes all. Motion carried.

It was moved by Jacobs and seconded by Cooper to approve the Service Agreement to participate in the ISAC HIPAA Program between ISAC HIPAA Program and Calhoun County for services for an annual fee of \$1,750.00. Sue Hammen will be the contact person for Calhoun County. Ayes all. Motion carried.

The Board reviewed the Supervisor Committees. It was moved by Jacobs and seconded by Cooper to appoint Mike Cooper to the following committees:

Board of Supervisor-Member
Calhoun County Owned Property
Safety Committee
Empowerment Board
Central Iowa Juvenile Detention Center, Eldora Delegate
Homeward Housing Trust Fund Committee
Work Force Development Committee
Enterprise Zone Commission
Interagency Committee
Region V Hazardous Response Committee-Alternate
E 911 Board & Emergency Management Commission
North Central Alcoholism Research Foundation Board Member
North Central Workshop Board Member
North Iowa Area Crime Commission
Life Works/Iowa Industries
Community & Family Resources Webster City

Ayes all. Motion carried.

It was moved by Jacobs and seconded by Cooper to appoint Gary Nicholson to Rolling Hills Committee as an alternate. Ayes all. Motion carried.

It was moved by Cooper and seconded by Nicholson to appoint Scott Jacobs to the following committees:

Rolling Hills Community Services Region
Dakota Pipeline Representative
Des Moines Waterworks

Ayes all. Motion carried.

A call was made to Jones County Board of Supervisors concerning funding for the Des Moines Waterworks lawsuit.

Lorie Gerdes of Pomeroy and Lori Erkenbrack, County Treasurer, met with the Board concerning an assignment of the total real estate taxes on property at the 5th Addition, Block 38, Lot 1 and N 10' Lot 2 Pomeroy Corp for the sum of \$94.00. It was moved by Cooper and seconded by Jacobs to approve the assignment. Ayes all. Motion carried.

It was moved by Jacobs and seconded by Nicholson to adjourn until Wednesday, June 17 at 12:30 P.M., for closed session at Sac County and their regular Board meeting, Tuesday, June 23 at 9:00 A.M. Ayes all. Motion carried.

Gary Nicholson, Chairman

Mike Cooper-Member

Scott Jacobs, Vice-Chairman

Judy Howrey, Auditor