



Board of Supervisors  
Calhoun County Courthouse  
Rockwell City, Iowa  
Tuesday, July 26, 2016

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

Agenda additions: none.

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

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

It was moved by Nicholson and seconded by Jacobs to review the claims (checks 45625 through 45751 and warrants 503286 through 503288) and were allowed as endorsed. Ayes all. Motion carried.

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

It was moved by Jacobs and seconded by Nicholson to approve Underground Permit #17-2016 for Wieston Ag Services, Inc. between Sections 13-24 Calhoun Twp. Ayes all. Motion carried.

It was moved by Nicholson and seconded by Jacobs to approve Underground Construction Permit #18-2016 for Wieston Ag Services, Inc. between Sections 13-14 Calhoun Twp. Ayes all. Motion carried.

It was moved by Jacobs and seconded by Nicholson to approve job title changes for Michael G. Moeller from Engineer Tech to Assistant to the Engineer Safety Officer and Martin Geno from Engineer Tech to Assistant to the Engineer retroactive July 1, 2016. Ayes all. Motion carried.

It was moved by Jacobs and seconded by Nicholson to approve the employment of Gary Berger as temporary office assistant in the Engineer's office at \$15.85 an hour effective August 1, 2016. Ayes all. Motion carried.

Mike Moeller, Safety Officer, met with the Board concerning a job description for Safety Officer.

Shelly Teague, Assistant Custodian, met with the Board for maintenance on county buildings.

Steven O'Connor met with the Board concerning the Flood Insurance Program. Steven discussed how flood maps are prepared. Keith Roos, Zoning Officer, and Tina Meth-Farrington, County Attorney, were also present. More information is being obtained.

Steven O'Connor and Keith Roos met with the Board concerning job duties for Zoning, MATRIX, and Flood Insurance Program Manager.

The budget amendment hearing was held at 11:00 am as published. There were no objections. It was moved by Jacobs and seconded by Nicholson to adopt the budget amendment.

	Total Budget as Certified of Last Amended	Adopted Current Amendment	Total Budget After Current Amendment
REVENUES & OTHER			
FINANCING USES			
Miscellaneous	\$ 86,500	\$ 240,000	\$ 326,500
TOTAL REVENUES & OTHER SOURCES	\$14,234,583	\$ 240,000	\$14,474,583
EXPENDITURES & OTHER			
FINANCING USES			
Public Safety & Legal Services	\$ 2,806,675	\$ 3,700	\$ 2,810,375
Nonprogram Current	\$ 5,225	\$ 240,000	\$ 245,225
TOTAL EXPENDITURES & OTHER USES	\$16,445,681	\$ 243,700	\$16,689,381
Total Ending Fund Balance JUNE 30, 2016	\$ 6,513,025	\$ ( 3,700)	\$ 6,509,325

Ayes all. Motion carried.

No closed session was held.

A conference call took place with Buena Vista, Sac, and Calhoun Counties to discuss outstanding legal bills for the Des Moines Water Works lawsuit. In attendance by telephone were as follows: Buena Vista County, Tom Huseman, Dale Arends, Paul Merten, Rhonda Ringgenberg and Don Altena-Supervisors, Sue Lloyd-Auditor, and Gary Armstrong-Drainage Attorney; Calhoun County, Mike Cooper, Scott Jacobs and Gary Nicholson-Supervisors, Judy Howrey-Auditor, and David Wollenzien-Drainage Attorney; and Sac County, Dean Stock, Rick Hecht and Ranell Drake-Supervisors, Renee Roland-Deputy Auditor, and Colin McCullough-Drainage Attorney. After discussion, it was moved by Hecht and seconded by Stock to authorize payment to the Belin McCormick Law Firm in the amount of \$250,000.00

to be paid from the Sac County Legal Defense Fund. Ayes all. Motion carried. It was noted the Buena Vista and Calhoun Counties will both pass an identical motion in their board meetings today, as well. Calhoun County Board's motion: it was moved by Nicholson and seconded by Jacobs to authorize payment to the

Belin McCormick Law Firm in the amount of \$250,000.00 to be paid from the Sac County Legal Defense Fund. Ayes all. Motion carried.

David Wollinzien, Drainage Attorney, discussed with the Board a Wetland Mitigation Resolution. After a discussion, it was moved by Jacobs and seconded by Nicholson to approve the following Resolution:

Calhoun County, Iowa Resolution 2016-20  
Policy for the Mitigation of Converted Farmed Wetlands  
in Benefited Areas of Drainage District Improvement Projects  
in Calhoun County, Iowa.

WHEREAS the Calhoun County, Iowa, Board of Supervisors is required by the CODE OF IOWA to conduct studies and to consider at public hearing, together with the owners of benefited lands, the adoption of drainage improvements by and for the drainage districts in the County; and

WHEREAS drainage district improvements may be found by the USDA to cause the conversion of farmed wetlands subject to wetland conversion rules of the Federal farm program and thereby cause the owners of the converted wetlands to be subject to severe penalties for violation of the program rules; and

WHEREAS the Board of Supervisors has historically and consistently supported the inclusion of mitigation for converted farmed wetlands in drainage district projects and to have the drainage districts share the costs of mitigation with the owners of the converted farmed wetlands; and

WHEREAS The Board of Supervisors may consider improvements to drainage districts which, if approved will result in the conversion of farmed wetlands in the benefited areas and if the Board determines that there is no affordable converted wetland mitigation currently available, but that wetland mitigation is anticipated to be available in the future; and

WHEREAS farm program rules allow the owners and tenants of farmed wetland converted by drainage districts to avoid program penalties and retain eligibility if they do not crop the area of the converted farmed wetland; and

WHEREAS the Board of Supervisors believes it is important for drainage districts to continue to support mitigation of farmed wetlands converted by drainage district improvement projects when affordable mitigation is not available so that the projects may be considered for approval and, if approved, be constructed in a timely manner.

IT IS HEREBY RESOLVED that for the purposed drainage district improvement projects in Calhoun County that will hereafter be considered for adoption at public hearing and which are under the sole jurisdiction of the Board of Supervisors and subject to the following conditions, the drainage district will credit or pay, not to exceed fifty percent (50%) of the cost of mitigation, based upon the sole discretion of the Board of Supervisors in consultation with its drainage engineer, to each owner of farmed wetland that will be converted by the drainage district project. This payment may be used toward the owner's independent pursuit of compensatory mitigation if the owner so desires, subject to the following conditions:

Condition 1. If the drainage district determines either through a jurisdictional determination of the Corps of Engineers or by the opinion of the drainage districts appointed engineer that the farmed wetland is not subject to regulation under Section 404 of the Federal Clean Water Act. If it is subject to the Clean Water Act jurisdiction then no mitigation offset will be provided and the drainage district will need to apply for a permit and deal with mitigation directly.

Condition 2. An owner of a farmed wetland that may be converted by the proposed project must timely provide the drainage district with a copy of a USDA issued or approved certified wetland determination for land in the benefited area, so the added cost of the mitigation offset may be included in the Board of Supervisor's considerations. This documentation must be placed on file with Calhoun County before the time that the Board finalizes its decision to approve the construction of the drainage improvements in the district at public hearing. If the farmed wetland documentation is not timely provided then no mitigation offset credits or payments will be provided by the drainage district.

Condition 3. The owner of a farmed wetland must exhaust all reasonable options available to him through the local or area USDA staff to minimize the size of the farmed wetland at or after the time of his receipt of the notice of the public hearing. If this is not done, the Board of Supervisors reserves the right to adjust down the credit or payment that would otherwise be approved to provide for the mitigation offset.

Condition 4. Before credits or payments for a mitigation offset will be released to a farmed wetland owner, the owner must provide a statement in writing from the USDA that the farmed wetland will be converted by the drainage district improvement and that the continued cropping of the farmed wetland after it is converted will affect the owner's farm program eligibility. (This statement is required even though the landowner is not a farm program participant.)

Condition 5. If Federal or State laws or associated implementing regulations thereof change prior to the completion of the credit or payment for the mitigation offset so that the drainage district may no longer transfer compensatory mitigation responsibilities to the farmed wetland owners in this way, then no mitigation offset will be provided to landowners for the affected wetlands and the drainage district will need to apply for a permit and deal with mitigation directly.

Ayes all. Motion carried.

David Wollenzien, Drainage Attorney, and Craig Schoenfeld, Dakota Access Pipeline LLC discussed the Application for Construction of a Hazardous Liquid Pipeline Over, Across, or Beneath County Drainage Districts. The Application has been signed by the Chairman of the Board of Supervisors, Mike Cooper. This Application between Calhoun County and Dakota Access LLC of Houston, TX, covers

all Calhoun County drainage districts, all joint drainage districts including the four county joint drainage district #181. District #181 was handled and approved by the Interim Board. Scott Jacobs, member of Board of Supervisors, is representative on the Interim Board. A telephonic call with all four counties (Buena Vista, Calhoun, Pocahontas, and Sac) was held concerning final approval on Application for Construction of a Hazardous Liquid Pipeline Over, Across, or Beneath County Drainage District #181.

It was moved by Jacobs and seconded by Nicholson to adjourn until Tuesday, August 2nd at 9:00 A.M. for their next regular meeting. Ayes all. Motion carried.

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Mike Cooper, Chairman

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Scott Jacobs, Member

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Gary Nicholson, Vice-Chairman

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Judy Howrey, Auditor

ACCESS SYSTEMS LEASING	LEASING SHARP COPIER	903.73
ALPHA MEDIA LLC	@ADVERTISING	825.00
ANDERSEN, ZAC	@CELL PHONE USAGE JAN-JUNE 2016	240.00
ANDERSON, KRISTY	MLG - CO WORK	112.00
ARAMARK UNIFORM & CAREER APPAR	@MAINT	128.18
BINDER LIFT LLC	MED SUPPLIES	5,892.00
BOUND TREE MEDICAL LLC	MED SUPPLIES	776.11
BUENA VISTA STATIONERY	@OFFICE SUPPLIES	106.97
CAL CO DEPT OF HEALTH	@CONTRACT LABOR	375.00
CALHOUN CO ELECTRIC	UTILITIES	6,146.58
CALHOUN CO SHERIFF	@SHERIFF FEES	203.72
CALHOUN COUNTY TREASURER	@BANK FEES	27.00
CARDMEMBER SERVICE	VA TRNSPRT FUEL	388.13
CARROLL CO SOLID WASTE	@RECYCLABLES	13.10
CARROLL COUNTY SHERIFF	SHERIFF FEES	23.50
CENTRAL IA DISTRIBUTING, INC	MAINT	626.50
CENTRAL IA JUVENILE	@MEDICATION	377.88
CENTURYLINK	MONTHLY SERVICE	13.58
CINTAS CORPORATION	FIRST AID SUPPLIES	198.46
CITY OF FARNHAMVILLE	UTILITY DUE JULY 2016	107.15
CITY OF ROCKWELL CITY	UTILITY/WATER ASSISTANCE	238.47
COUNSEL	COPIER	203.92
COURT REPORTERS OF IOWA	DEPOSITION	27.75
CRAIG'S SERVICE	@VEHICLE MAINT	64.60
FARNHAMVILLE APTS. COOP	@JUNE RENT	98.00
FORCE AMERICA DISTRIBUTING LLC	PARTS/STK	425.37
GENO, MARTY	@CELL PHONE USAGE/JAN-JUNE 2016	240.00
GIMER, DEB	@JUNE 2016 MLG	600.50
GINTHER, JULIE	@JUNE 2016 MLG	100.00
GOLDEN MEADOWS	RENT ASSISTANCE	25.00
GRAHAM, JOLEEN	@2 WELL CLOSURES	765.85
GREEN ACRE MOTEL	HOMELESS SHELTER JUL 15-17	159.00
HAMMEN, LINDA	@JUNE 2016 MLG	53.00
HAMMEN, SUE	@JUNE 2016 MLG	48.00
HARRISON TRUCK CENTERS	CR PARTS/394	171.56
HILDRETH, BECKY	@JUNE 2016 MLG	453.00
HINOTE, JANA	@JUNE 2016 MLG	364.50
HOWREY, JUDY	ISACA MTG EXP	147.13
HULL, KERRIE	@JUNE 2016 MLG	115.00
HUNZELMAN PUTZIER & CO.	@2016 AUDIT	3,193.76
I & S GROUP, INC	@DD #75 WATCHMAN SERVICES	1,271.36
I.C.C.C.	@SCHOOL	45.00
IA DEPT OF TRANSP	PC CONCRETE MATERIAL	67.68
IMAGE TREND, INC	@DATA PROCESSING	95.15
IMWCA	WORKER COMP	4,318.36
IOWA ASSOC OF COUNTY CON BOARD	DUES	700.00
IOWA DEPT OF VETERANS AFFAIRS	@FY 2016 UNSPENT ALLOCATION	2,057.87
IOWA PRISON INDUSTRIES	SIGNS/SEC RD & E911	2,593.75
IOWA WORKFORCE DEVELOPMENT	UNEMPLOYMENT/SR	303.92

ISAC	FY 2017 DUES	5,700.00
ISG FIELD SERVICES LLC	@SIDEWALK	32,651.50
JUD, MIKE	WELL CLOSURE	386.27
LANDUS COOPERATIVE	@ROADSIDE CHEMICALS	298.82
LAWSON PRODUCTS INC	PARTS/STK	324.51
LEWIS, JOYCE E	BOH MTG MLG	24.00
LORING HOSPITAL	@ACUTE & EMERGENCY TREATMENT	904.26
MANGOLD ENV TESTING INC	@WATER TESTING	66.75
MANSON RED POWER	@PARTS/345	399.40
MARTIN, LEO JOSEPH	JULY 2016 PEST CONTROL	105.00
MASTER BURN	@OIL BURNER PARTS/RC	274.47
MATHESON TRI-GAS INC	MED SUPPLIES	84.63
MCGOUGH CONSTRUCTION CO INC	ANNEX RPRS	895.00
MEDIACOM	PHN/INTRNT SRV	230.29
MENARDS INC	SUPPLIES	81.59
METH-FARRINGTON, TINA	AUG 2016 RENT	394.00
METRO WASTE AUTHORITY	CONTRACT LABOR	1,917.92
MIDAMERICAN ENERGY	ELEC/LGHT SRV-POMEROY	3,315.47
MIDAS COUNCIL OF GOVERNMENTS	FY 2017 DUES	2,532.83
MOELLER, MICHAEL	CELL PHONE USAGE/JAN-JUNE 2016	240.00
MOHR SAND, GRAVEL & CONST, LLC	DELIVERY/1046 TONS GRVL	51,440.20
MUSSELMAN, WILLIAM	@CELL PHONE USAGE JAN-JUNE 2016	360.00
NEW OPPORTUNITIES INC	@JUN 2016 FAM DEVLPMNT CNTR	640.96
NICHOLSON, GARY	BOH MTG MLG	15.00
NORINE, KAREN	ISACA MTG EXP/MLG SEAT TRAINING	103.23
NORTHWEST IA ASSESSORS ASSOC	SCHOOLS/MTG FEES	150.00
OFFICE ELEMENTS	OFFICE SUPPLIES	563.08
O'KEEFE ELEVATOR CO	MAINT AGREEMENT	319.63
PALMER & SWANK FUNERAL HOME	COUNTY BURIAL	1,500.00
PERSONAL BEST PUBLICATIONS	WELLNESS PUBLICATIONS	229.75
PEYTON, CHARLES	@JUNE 2016 MLG	37.50
POSTMASTER	STAMPS	2,350.00
R & D INDUSTRIES INC	@PROGRAM SUPPLIES	150.00
REGION V HAZARDOUS MAT RESPON	1ST QRTR	2,417.50
RIAT, ROB	WELL CLOSURE	355.00
RILEY, BARB	@JUNE 2016 MLG	132.50
ROLLING HILLS COMM. SERV. REG.	1ST ER CAPITA CONTRIBUTION FY2017	80,284.50
SAUERS, WILLARD	@JUNE 2016 MLG	8.00
SCHMIT, JOLEEN	@JUNE 2016 MLG	261.50
SCHOSSOW, SHELLY	@JUNE 2016 MLG	355.00
SEAVERT, NANCY	@JUNE 2016 MLG	268.00
SECRETARY OF STATE	NOTARY APPLICATION FEE	30.00
SILVERSTONE GROUP	@GASB 45	3,500.00
SMILEMAKERS, INC	PROGRAM SUPPLIES	101.76
STAR ENERGY LLC	ROADSIDE FUEL	968.71
STEWART MEMORIAL COMM HOSP	MED SUPPLIES	177.52
TEAGUE, SHELLY	@JUNE 2016 MLG	45.00
TOWMASTER, INC	PARTS/117	156.09
TREASURER, STATE OF IOWA	4TH QRTR EXCISE TAX	541.00
TRIZETTO PROVIDER SOLUTIONS	DATA PROCESSING	93.10
TWIN LAKES UTILITIES	UTILITIES	1,179.87
TYLER TECHNOLOGIES INC	@VERSION 10	4,250.00
U S CELLULAR	MONTHLY SERVICE	42.04
U S TREASURY	PCORI FEE	191.36
UKENA, B . J.	BOH MTG MLG	20.00
UNITYPOINT CLINIC	AMB MAINT	112.50
UNITYPOINT CLINIC-, OCC MEDICINE	SFTY/1 DRUG TEST	37.00
VANDER HAAG'S INC	PARTS/315	750.00
VERIZON WIRELESS	MONTHLY SERVICE	70.88
VOGEL, ANNETTE	CLIENT MLG	67.00
VOGEL, KRISTIN	@JUNE 2016 MLG	198.00
WAHL-MCATEE TIRE & SERV	OUTSIDE RPR/213	572.49
WEBSTER COUNTY JAIL	@PRISONER CARE	1,320.00
WELLMARK BC&BS OF IOWA DBA	3RD PARTY EOB	900.00
WELLMARK INC	AUG 2016 PREMIUM	134,694.55
WINDSTREAM	PHN SRV	182.89
	GRAND TOTAL	379,401.91