

January 27, 2014

The Winnebago County Board of Supervisors met in session at 9:00 A.M. January 27, 2014 adjourned from January 20, 2014.

Present: Supervisors Durby, Stensrud and Wubben

Absent:

On a motion by Durby and seconded Stensrud by the Supervisors moved to approve the minutes for the January 20, 2014 Board Meeting and approve the agenda for January 27, 2014. All voted aye. Motion carried.

Jayne Shaffer discussed the Public Health budget.

Jayne Shaffer, Public Health discussed bad weather options. The Supervisor's decided to leave the current policy in place.

On a motion by Stensrud and seconded by Durby the Supervisors moved to approve the invoice from Site Services Inc for asbestos sampling. All voted aye. Motion carried.

The Board tabled the appointment of a City Representative to NIACOG Board of Directors.

On a motion by Durby and seconded by Stensrud the Supervisors moved to approve the Business Property Tax Credits except for parcels 0803401008 and 0803401003 owned by Steve Peterson; parcel 1135482005 owned by Doug Moline; parcel 0517385008 owned by Casey's; and parcels 1110200007, 0636400006, 1022300001, 1218100005, 0602300006 and 0134100005 owned by Christianson Farms. All voted aye. Motion carried.

On a motion by Durby and seconded by Stensrud the Supervisors moved to appoint Brian Abele to replace Carl Wagner as Newton Township Trustee. All voted aye. Motion carried.

The Board canvassed 2014 Trustee Drainage District Elections with Howard Laugen as the winner of DD 76.

Scott Meinders, Engineer discussed annual review.

Scott Meinders, Engineer discussed secondary road matters, including snow plowing.

A teleconference with Hancock County was held to consider the EMA sharing agreement. On a motion by Stensrud and seconded by Durby the Supervisors moved to change the agreement to a 50-50 instead of 3/8-5/8 agreement. All voted aye. Motion carried.

The Supervisors discussed the Public Safety Center. Supervisor Durby motioned to have the price negotiations for Public Safety Center property in closed session per Iowa Code 21.5(1)(j) where premature disclosure could be reasonably expected to increase the price the county would have to pay for that property. The motion was seconded by Stensrud. Roll call vote, Stensrud – Aye, Durby – Aye, Wubben – Aye. Motion carried.

On a motion by Stensrud and seconded by Durby the Supervisors moved to return to open session. All voted aye. Motion carried.

On a motion by Durby and seconded by Stensrud the Supervisors moved to table the discussion until next week. All voted aye. Motion carried.

The Auditor's Office received the following Manure Management Plans from: Eagle Pork 11 located in the SE ¼ of the NE ¼ of Section 32, Center Township; Eagle Pork 12 located in the NW ¼ of the NE ¼ of Section 32, Center Township, Winnebago County, Iowa.

This being the 27<sup>th</sup> day of January, 2014 a date heretofore set for a formal hearing on Joint Drainage District No. 25 Hancock County, Iowa and No. 27 Winnebago County, Iowa, the Boards of Supervisors being thoroughly advised and all landowners having been duly notified and proof of publication of notice being on file, hearing was held as scheduled.

Present were: Winnebago Supervisors Mike Stensrud, Willie Wubben and Terry Durby, Hancock County Supervisors Sis Greiman, Ted Hall and Jerry Tlach. Also present were: Engineers Nick Roethler, Ivan Droessler and Kent Rode with I & S Group, Michelle Eisenman, Hancock County Auditor, Karla Niederkofler, Winnebago County Auditor, Cindy Schleusner, Hancock County Drainage Clerk, Kris Wempen, Winnebago County Drainage Clerk, Jim Hudson, Drainage Attorney, and see listing for other landowners attending.

Chairman, Supervisor Jerry Tlach called the formal hearing to order and introduced Drainage Attorney Jim Hudson. Attorney Hudson gave an overview of the drainage laws, and also the process of filing a petition. Attorney Hudson added drainage laws

state the repairs stated on the petition shall be made and must be ordered by the Board of Supervisors, trustees for the drainage district. When necessary, the Board of Supervisors shall hire engineers to investigate the petition and make a report.

Engineers Nick Roethler, Ivan Droessler, and Kent Rode with I & S Group presented their engineer's report with their findings and proposed recommendations:

1. Annexation of benefited lands, currently not on the assessment schedule, which will be determined at annexation hearing.
2. Condemnation of permanent right-of-way along the acquired open ditch for a permanent outlet for said drainage district. Appraisers would need to be appointed by the County Auditors. Appraisers would set values upon the open ditch right-of-way. A fair market value would be determined by the three appointed appraisers. This process would be completed at the acquisition of right-of-way or condemnation hearing.
3. The Engineers will prepare plans and specifications and proceed toward a bid letting and hearing.
4. Re-classify the lands to establish a benefit schedule for the open ditch facility. Reclassification is done by an engineer and two disinterested landowners. Methods have been established to help determine percentages of benefit such as topography, usage, wetness, and proximity of land.
5. Final completion hearing is set when entire repair, annexation, acquisition, and classification are done.

After full discussion and hearing all those desired to be heard, Winnebago County Supervisor Terry Durby offered the following motion; approve engineer's report, annexation of lands, reclassification and repair of open ditch, seconded by Hancock County Supervisor Jerry Tlach. Ayes: Durby, Tlach, Stensrud, Wubben, Greiman. Nay: Hall. Motion carried.

The next step will be for the Hancock County and Winnebago County Auditors to appoint three appraisers. One being the engineer to assess the value of the right-of-way required for the acquisition of the open ditch. A public hearing will then be set.

The session was adjourned until 1:00 P.M. January 31, 2014.

---

Warren Wubben, Chairperson

Attest: \_\_\_\_\_  
Karla Niederkofler, Auditor