

The Mills County Board of Supervisors met this 5<sup>th</sup> day of January, 2010, at the courthouse in Glenwood, with all members present.

Auditor Robertson called the meeting to order and asked for a motion to select Chair and Vice Chair.

Motion by Blankenship, seconded by Crouch to appoint Supervisor Kohn as Mills County Board of Supervisors Chair.

Motion carried on vote: Ayes: 3; Nays: 0.

Chairman Kohn asked for nomination for Vice Chair.

Motion by Blankenship, seconded by Kohn to nominate Supervisor Crouch as Mills County Board of Supervisors Vice-Chair.

Motion carried on vote: Ayes: 3; Nays: 0.

Motion by Crouch, seconded by Blankenship to approve the January 5, 2010 agenda and by the same motion the minutes as corrected for the December 29, 2009, Board meeting.

Motion carried on vote: Ayes: 3; Nays: 0.

Motion by Blankenship, seconded by Crouch to designate the Malvern Leader and Glenwood Opinion Tribune as official county papers.

Motion carried on vote: Ayes: 3; Nays: 0.

Motion by Crouch, seconded by Blankenship to authorize the County Auditor be and is hereby authorized to issue warrants when said Board is not in session for the following named purposed expenses; freight, express, postage, gas, water, lights, telephone, court reporting. Claims paid when the Board is not in regular session **MUST BE SIGNED** by two (2) members of the Board of Supervisors

Motion carried on vote: Ayes: 3; Nays: 0.

Motion by Blankenship, seconded by Crouch to approve the following paid holidays:

President's Day, Monday, February 15, 2010

Memorial Day, Monday, May 31, 2010

Independence Day, Monday, July 5, 2010

Labor, Day, Monday, September 6, 2010

Veterans Day, Thursday, November 11, 2010

Thanksgiving, Thursday & Friday, November 25<sup>th</sup> & 26<sup>th</sup>, 2010

Christmas, Thursday & Friday, December 23<sup>rd</sup> & 24<sup>th</sup>, 2010

New Years Holiday, Friday, December 31, 2010

Motion carried on vote: Ayes: 3; Nays: 0.

Motion by Crouch, seconded by Blankenship to require all county officials and department heads to obtain prior approval from the Board of Supervisors before purchasing any furniture, fixtures, or equipment when such purchase shall exceed the sum of \$500 and also authorize the Chairman to approve any emergency expenses in the event an action cannot wait until the next Board of Supervisors meeting date.

Motion carried on vote: Ayes: 3; Nays: 0.

Motion by Blankenship, seconded by Crouch to approve the appointment of the following list of Mills County residents who are eligible to serve as members of the Mills County Condemnation Commission:

**Real Estate Brokers or Licensed Real Estate Salespeople**

Fran Rainey, Glenwood      Jim Hughes, Glenwood      Elaine Burwell, Glenwood

Patrick Maher, Imogene      Jeff Martin, Glenwood

Mary Ann Sell, Glenwood      Lynn Christensen, Hastings

**Owners of City Property**

Allan Burdic, Malvern      Jeff Richards, Emerson

Jim Tucker, Glenwood      Marjean Sargent, Hastings      Donna Rieken, Henderson

Jacque Young, Glenwood      Helen Boles, Glenwood      Kenneth Asmussen, Glenwood

Richard Roenfeld Silver City      Karen Weatherhead, Tabor      Jeff Copperstone, Hastings

Mary Jane Adams, Emerson      Gary Perkins, Malvern      Dick Rupe, Pacific Junction

**Owner/Operator Ag Property**

Ryan Goy, Glenwood      Lynn Goos, Silver City      Christopher Dashner, PJ

Wanda Ewalt, Tabor      Gary Maher, Imogene      Denise Crawford, Glenwood

Deanna Johnson, Mineola      John Jens, Glenwood      Lyn Mintle, Glenwood

Don Schoening, Glenwood      Orla Jean Jackson, Henderson      Randy Greiner, Malvern

Leroy Stortenbecker, Hastings

**Knowledge of property value such as bankers, auctioneers, property managers, property appraisers, and persons responsible for making loans**

John Dean, PJ                      Larry Johnson, Emerson              Luther Gammon, Glenwood  
Jay Burdic, Malvern              Doug Meggison, Glenwood      Monte West, Malvern  
Jodi Evans, Glenwood              Chad McCollester, Silver City      Rod Seipold, Hastings  
Sharon LeMaster, Glenwood      John Paul, Henderson              Julie Lake, Glenwood  
Lee Dinklage, Malvern

Motion carried on vote: Ayes: 3; Nays: 0.

Motion by Crouch, seconded by Blankenship to approve the following supervisor committee assignments for 2010 as discussed:

Board of Health	Crouch	Alt. Kohn
Boost 4 Families	Kohn	Alt. Crouch
Case Management	Blankenship, Crouch, Kohn	
Citizens Advisory Board	Kohn	
Courthouse Security	Blankenship, Crouch, Kohn	
Economic Development	Crouch	Alt. Kohn/Blankenship
Emergency Mgmt. Comm.	Crouch	Alt. Blankenship
ESA	Crouch	Alt. Blankenship
E-911 Board	Crouch	Alt. Blankenship
4 <sup>th</sup> Judicial Corrections	Crouch	Alt. Blankenship
Gold Hills RC&D	Kohn	Alt. Blankenship
Hungry Canyons	Blankenship	Alt. Crouch
Liaison to Nishna Productions	Crouch	Alt. Kohn
Loess Hills Alliance	Blankenship	Alt. Kohn
Loess Hills Authority	Blankenship	Alt. Kohn
Loess Hills Humane Society	Blankenship	
MAPA Board of Directors	Kohn	Alt. Crouch
MAPA Council of Officials	Kohn	Alt. Crouch
MAPA Finance Committee	Kohn	Alt. Crouch
MAPA RFA/Policy Technical	Crouch	Alt. Kohn
Mills County Conservation Board	Blankenship	Alt. Crouch
Mills Co. Large Group Coalition	Kohn	
Mills County Tourism	Kohn	Alt. Blankenship
Mills County Board of Adjustment	Crouch	Alt. Blankenship
Mills County Planning & Zoning	Kohn	Alt. Blankenship
Work Force Development	Blankenship	
Safety Committee	Blankenship, Crouch, Kohn	
Southwest IA Coalition/SWICO	Blankenship	
SWI Detention	Blankenship	Alt. Kohn
SWIPCO	Crouch	Alt. Blankenship
Western Iowa Tourism	Kohn	Alt. Crouch
Veteran Affairs Liaison	Crouch	Alt. Kohn
West Central Community Action	Kohn	Alt. Blankenship

Motion carried on vote: Ayes: 3; Nays: 0.

Motion by Blankenship, seconded by Crouch to approve .48 cents for mileage reimbursement to Mills County employees effective January 1, 2010.

Motion carried on vote: Ayes: 3; Nays: 0.

Motion by Crouch, seconded by Blankenship to set the Mills County Board of Supervisors regularly scheduled meetings for Tuesdays at 8:15 a.m., in the Board Room at the Courthouse, any changes will be posted.

Motion carried on vote: Ayes: 3; Nays: 0.

Motion by Blankenship, seconded by Crouch to re-appoint Lana White to a five (5) year term on the Mills County Conservation Board.

Motion carried on vote: Ayes: 3; Nays: 0.

**RESOLUTION #10-01**

Be IT RESOLVED BY THE Board of Supervisors of Mills County, Iowa on this 5<sup>th</sup> day of January, 2010: that we do hereby designate the following named banks to be depositories for the state, county and other public revenue funds that the treasurer is responsible for, in amounts not to exceed the amount named opposite each said designated depository, and that the Mills County Treasurer is hereby authorized to deposit the state, county and al public funds in amounts not to exceed the aggregate that amount named for said bank as follows:

<b>NAME OF DEPOSITORY</b>	<b>LOCATION</b>	<b>MAXIMUM DEPOSIT UNDER THIS RESOLUTION</b>
Glenwood State Bank	Glenwood, Iowa	18,000,000.00

First National Bank	Glenwood, Iowa	5,000,000.00
Malvern Trust and Savings	Malvern, Iowa	3,500,000.00
Houghton State Bank	Emerson, Iowa	1,000,000.00
First State Bank	Tabor, Iowa	2,000,000.00
Tierone Bank	Glenwood, Iowa	2,000,000.00
Iowa Public Agency		
Investment Trust	Des Moines, Iowa	1,000,000.00

Motion carried on roll call vote: Crouch: Aye; Kohn: Aye; Blankenship: Aye.

The Board of Supervisors reviewed and accepted the Mills county Investment Policy as presented by the Mills county Treasurer.

Motion by Crouch, seconded by Blankenship to purchase a domain server for the courthouse at a cost of \$7,386 including software, hardware, rack mount and 4 year warranty.

Motion carried on vote: Ayes: 3; Nays: 0.

Motion by Blankenship, seconded by Crouch to authorize the Board Chair to sign cost allocation plan for Cost Advisory.

Motion carried on vote: Ayes: 3; Nays: 0.

Motion by Crouch, seconded by Blankenship to go into closed session per IA Code 21.5(1)© with County Attorney Marci McClellan, Assistant County Attorney Eric Hansen, and Engineer Kevin Mayberry to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent, at 1:12 p.m.

Motion carried on vote: Ayes: 3; Nays: 0.

Motion by Blankenship, seconded by Crouch to return to regular session at 1:55 p.m.

Motion carried on vote: Ayes: 3; Nays: 0.

Motion by Blankenship, seconded by Crouch to have County Attorney draft a response to Attorney Michael J. Murphy on behalf of his client Sherrill Dashner.

Motion carried on vote: Ayes: 3; Nays: 0.

Engineer Kevin Mayberry reported a utility permit to Extreme Trenching for a phone line on Hutchings Ave.

Bids received for purchase of lawn and snow equipment are:

A & M Green Power for mower, snow blower in the amount of \$4,725

Fender P&E Sales for mower, blower, adapter, broom with trade, in the amount of \$6,156.

Motion by Crouch, seconded by Blankenship to accept the bid from Fender P&E Sales because of the extra broom attachment that A&M Green Power didn't have.

Motion carried on vote: Ayes: 3; Nays: 0.

There being no further business to come before the Board at this time, they adjourned to meet again January 12, 2010.

Mills County Board of Supervisors

\_\_\_\_\_  
Chairperson

Attest: \_\_\_\_\_  
Auditor

The Mills County Board of Supervisors met this 12<sup>th</sup> day of January, 2010, at the courthouse in Glenwood, with Blankenship and Crouch present. Kohn absent.

Motion by Blankenship, seconded by Crouch, to approve the agenda for January 12, 2010, and by the same motion the minutes as corrected for the January 5, 2010, board meeting.

Motion carried on vote: Ayes: 2; Nays: 0.

Motion by Blankenship, seconded by Crouch to approve accounts payable as presented.

Motion carried on vote: Ayes: 2; Nays: 0.

Mills County Engineer Kevin Mayberry presented items for consideration.

No utility permits reported.

Motion by Blankenship, seconded by Crouch to authorize the Vice Chair to sign HCA agreements extending #8-2 Farm Creek and project on Ingraham for 4-23-F.

Motion carried on vote: Ayes: 2; Nays: 0.

Larry Hurst and Duane Kahl were present for discussion with regards to snow piles in Mineola on main street. Engineer has concerns for taking on this project right now when there are County roads that are only one lane. No action can be taken since it was not an agenda item. Engineer will look into costs of possible contracting of this. Hurst may have funds available to assist with disaster since Mineola is a County issue.

Mary Dyer and Sheryl Butler presented concerns regarding a speed limit sign on Kane Avenue. Ms. Dyer has requested a speed reduction sign to be placed on this road. The Engineer explained the road has been deemed safe and properly constructed. The Sheriff will need to be contacted with regards to a speed reduction and if enforcement was possible. Engineer will contact Sheriff to view the site and report back to the Board and Ms. Dyer.

Motion by Blankenship, seconded by Crouch to re-appoint Dr. Robert Fryzek as the County Medical Examiner and Dr. Thomas Baer as the Assistant County Medical Examiner for 2010.

Motion carried on vote: Ayes: 2; Nays: 0.

Motion by Blankenship, seconded by Crouch to re-appointment Dr. Ron Silvius as the Physician for the Mills County Board of Health for a three year term.

Motion carried on vote: Ayes: 2; Nays: 0.

Motion by Blankenship, seconded by Crouch to re-appoint Jared Getter to Loess Hills Alliance Board for a three year term.

Motion carried on vote: Ayes: 2; Nays: 0.

The Board was given a copy of the 2009 Resolution Schedule of Fees for review to leave the fees the same or increase or decrease. Action will be taken at a later date after review.

The Board received the December month end reports from the Auditor. The Board received the County Recorder's December statement of fees.

There being no further business to come before the Board at this time, they adjourned to meet again on January 19, 2010.

Mills County Board of Supervisors

\_\_\_\_\_  
Chairperson, Ron Kohn

Attest: \_\_\_\_\_  
Auditor

The Mills County Board of Supervisors met this 19<sup>th</sup> day of January, 2010, at the courthouse in Glenwood, with all members present.

Motion by Blankenship, seconded by Crouch to amend the agenda to include general discussion at the end of the agenda, approve the agenda for January 19, 2010, and by the same motion the minutes as corrected for the January 12, 2010, board meeting.

Motion carried on vote: Ayes: 3; Nays: 0.

Motion by Crouch, seconded by Blankenship to approve payment from Chantry Drainage District for clean up on the Chantry Drainage District to T.E. Smith in the amount of \$1,265.

Motion carried on vote: Ayes: 3; Nays: 0.

Mills County Engineer Kevin Mayberry presented items for consideration.

No utility permits issued this week.

Discussion was held regarding snow removal and the Engineer stated they will use this snow season to evaluate practices and equipment to identify possible changes in procedures in the future.

Mills County Treasurer Janette Blackburn presented the semi-annual report.

Motion by Blankenship, seconded by Crouch to accept the semi-annual report as presented by the Treasurer.

Fund	Balance 7-1-09	Revenues	Total To be Accounted For	Disbursements	Fund Balance 12-31-09	Auditor's Outstanding Warrants
01 General Basic	3,198,831.35	2,243,001.99	5,441,833.34	2,144,426.58	3,297,406.76	64,032.99
02 General Supp	1,682,007.64	577,441.14	2,259,448.78	713,246.77	1,546,202.01	51,828.87
03 Rural Serv Basic	263,470.12	1,010,404.67	1,273,874.79	593,052.97	680,821.82	10,338.70
05 Sec Roads	1,874,898.76	1,980,924.64	3,855,823.40	2,770,689.14	1,085,134.26	32,291.01
06 Revenue Sharing	.00	.00	.00	.00	.00	.00
07 Flood & Erosion Control	.00	.00	.00	.00	.00	.00
10 DL Pilot Project	.00	36,965.00	36,965.00	36,965.00	.00	.00
11 County Muml Assisst	.00	.00	.00	.00	.00	.00
12 Capital Projects	.00	.00	.00	.00	.00	.00
13 Debt Service	.00	.00	.00	.00	.00	.00
14 Drainage Control	1,109,338.93	397,807.61	1,507,146.54	745,546.77	761,599.77	23,321.00
16 Joint Disaster Serv	56,829.47	43,853.08	100,682.55	68,064.52	32,618.03	441.45
18 Prop Tax Agency	163,160.79	223,590.22	386,751.01	232,856.89	153,894.12	.00
20 Township Control	3,585.10	134,531.31	138,116.41	134,781.47	3,334.94	.00
21 Corporation Control	69,820.15	1,418,322.02	1,488,142.17	1,466,391.62	21,750.55	.00
22 School Control	222,201.15	6,091,556.72	6,313,757.87	6,168,751.36	145,006.51	.00
23 Area School Control	10,378.69	326,584.32	336,963.01	329,052.92	7,910.09	.00
24 Decat	32,713.84	46,555.00	79,268.84	31,574.33	47,694.51	2,094.03
29 County Ag. Ext	2,597.24	74,251.89	76,849.13	75,043.86	1,805.27	.00
30 Land Aqu. Trust	131,905.66	1,703.18	133,608.84	.00	133,608.84	.00
31 County Assessor	219,648.95	248,136.29	467,785.24	204,945.78	262,839.46	4,271.63
32 Motor Veh Trust	204,602.70	1,581,367.69	1,785,970.39	1,478,523.11	307,447.28	.00
33 Use Tax Trust	124,497.58	221,542.83	346,040.41	346,040.41	.00	.00
34 City Sp Assess	2,631.37	64,033.65	66,665.02	66,293.02	372.00	.00
35 Tax Redemption Trust	.00	184,337.00	184,337.00	184,337.00	.00	.00
36 Mh/Dd Serv Fund	734,131.82	664,656.48	1,398,788.30	614,783.01	784,005.29	7,925.02
37 Data Processing	.00	.00	.00	.00	.00	.00
40 Rec Record Mgmt	12,818.77	1,861.97	14,680.74	.00	14,680.74	.00
41 Reap Trust	62,718.14	16,598.34	79,316.48	6,435.89	72,880.59	.00
42 Anatomical Gift Fund	.00	.00	.00	.00	.00	.00
43 Holding Account	3,514.84	233,096.51	236,611.35	234,861.51	1,749.84	.00
44 UR Tax rev fund	203,783.22	98,809.33	302,592.55	19,118.75	283,473.80	.00
45 Feed Energy TIF Rebate	.00	.00	.00	.00	.00	.00
46 MAM I-29/34 TIF Rebate	.00	.00	.00	.00	.00	.00
47 Recorders Elec Fund	624.17	4,715.52	5,339.69	1,916.69	3,423.00	.00
53 Dare	.00	.00	.00	.00	.00	.00
54 K9 Fund	2,712.32	200.00	2,912.32	.00	2,912.32	.00
55 Drug Forfeiture	604.53	.47	605.00	.00	605.00	.00
56 Explorers	.00	.00	.00	.00	.00	.00
57 Co Atty Drug \$	3,085.77	261.20	3,346.97	.00	3,346.97	.00
59 MH Trust & Agency	25,698.01	427,343.38	453,041.39	420,718.64	32,322.75	6,455.10
77 E911 Surcharge	148,760.88	51,154.59	199,915.47	64,045.94	135,869.53	.00
78 E911 Contributions	22,429.28	2,558.00	24,987.28	.00	24,987.28	.00
79 Bunge	.00	25,000.00	25,000.00	25,000.00	.00	.00
99 Woodlands Ben Water	72,751.59	2,695.91	75,447.50	2,289.05	73,158.45	.00
	10,666,752.83	18,441,895.80	29,108,648.63	19,184,481.82	9,924,166.81	202,999.80

Motion carried on vote: Ayes: 3; Nays: 0.

Darrin Whatcott, Nicole Wagner P&Z, Larry Winum, Mark Ford Chamber President, Linda Washburn, and Don Brantz were present for discussion regarding the I-29/Hwy 34 Corridor, and a plan to develop roads, access and potential businesses in the area.

Tom Ling E911/Communications Director discussed the hire of dispatchers.

Motion by Crouch, seconded by Blankenship to approve hire of Antoinette Everson as full time dispatcher at a salary of \$13.11/hr effective January 18, 2010, and Lynn Hawver as full time dispatcher effective January 26, 2010 at \$13.11/hr.

Motion carried on vote: Ayes: 3; Nays: 0.

Jane Susgin, Alan Duyness, and Kelly Nutter, Loess Hills Humane Society presented a quarterly update and profit & loss statement in addition to other statistics pertaining to operation of the shelter.

Motion by Crouch, seconded by Blankenship to adopt resolution #10-02 Master Matrix

**RESOLUTION #10-02**

**CONSTRUCTION EVALUATION RESOLUTION**

**WHEREAS**, Iowa Code section 459.304(3) sets out the procedure if a board of supervisors wishes to adopt a “construction evaluation resolution” relating to the construction of a confinement feeding operation structure; and

**WHEREAS**, only counties that have adopted a construction evaluation resolution can submit to the Department of Natural Resources (DNR) an adopted recommendation to approve or disapprove a construction permit application regarding a proposed confinement feeding operation structure; and

**WHEREAS**, only counties that have adopted a construction evaluation resolution and submitted an adopted recommendation may contest the DNR’s decision regarding a specific application; and

**WHEREAS**, by adopting a construction evaluation resolution the board of supervisors agrees to evaluate every construction permit application for a proposed confinement feeding operation structure received by the board of supervisors between February 1, 2010 and January 31, 2011 and submit an adopted recommendation regarding that application to the DNR; and

**WHEREAS**, the board of supervisors must conduct an evaluation of every construction permit application using the master matrix created in Iowa Code section 459.305, but the board’s recommendation to the DNR may be based on the final score on the master matrix or may be based on reasons other than the final score on the master matrix;

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF Mills**

**COUNTY** that the Board of Supervisors hereby adopts this construction evaluation resolution pursuant to Iowa Code section 459.304(3).

Motion carried on roll call vote: Blankenship: Aye; Crouch: Aye; Kohn: Aye.

Lori Starr and Joe Willingham Colonial Life, presented a number of insurance product options for board review.

Board members received the December 2009 Jail Report and the Sheriff’s Bank Reconciliation Reports.

There being no further business to come before the Board at this time they adjourned to meet again in regular session on January 26, 2010.

Mills County Board of Supervisors

\_\_\_\_\_  
Chairperson Ron Kohn

Attest: \_\_\_\_\_  
Auditor

The Mills County Board of Supervisors met this 20<sup>th</sup> day of January, 2009, at the courthouse in Glenwood, with all members present.

Motion by Kohn, seconded by Crouch to approve the agenda for January 20, 2009, and by the same motion the minutes as corrected for the January 12, 13,14,15, 2009, Board meetings.

Motion carried on vote: Ayes: 3; Nays: 0.

Engineer Kevin Mayberry presented items for consideration.

No utility permits were issued this week.

Engineer Kevin Mayberry, County Attorney Marci McClellan, Alan Hughes, Jim Hughes, Mark Hughes, Henry Clark, DeShawne Bird-Sell, Deanna Fuller, Steve Bomer, Chris Reeves, and Dan Reis joined the session to discuss the policy limiting placement of rock on level B roads for entrances to residential parcels. The County established this policy to control maintenance costs and limit liability. This was a change in the unwritten past practice to allow minimal rock to be added for entrances a short distance from a level A road. This issue will be studied further.

Motion by Crouch, seconded by Kohn to adopt Resolution #09-02, Reappointment of Auditor's Deputies.

**RESOLUTION #09-02**

The Mills County Board of Supervisors met in session on this 20th day of January,2009 and do hereby approve the re-appointments on the following deputies in the Auditor's office; Pam Madison; Accounting Deputy, Kristine Schoening; Real Estate Deputy and Kathy Roenfeld; Election Deputy. These appointments become effective with the term of the Auditor beginning January 1, 2009 and expire on December 31, 2012.

Motion carried on roll call vote: Kohn: Aye; Crouch: Aye; Blankenship: Aye.

Motion by Kohn, seconded by Crouch to adopt Resolution #09-03 Appointment to Magistrate Commission.

**RESOLUTION #09-03**

**BE IT HEREBY RESOLVED BY THE MILLS COUNTY BOARD OF SUPERVISORS** this 20<sup>th</sup> day of January, 2009, that in accordance with the Code 602-6501 (1) (b) the following three electors will be appointed to the Mills County Judicial Magistrate Appointing Commission: Grant Dean, Peg Phelps, Berkeley Greenwood; such appointments being for six years with the term effective January 1, 2009.

Motion carried on roll call vote: Kohn: Aye; Crouch: Aye; Blankenship: Aye.

Mills County Treasurer Janette Blackburn and Nelson Liedel discussed a request for suspension of property taxes.

Motion by Kohn, seconded by Crouch to approve the suspension of property taxes in the amount of \$4,322 due to the catastrophic circumstances with the Liedel property located at 55540 Forrester Lane.

Motion carried on vote: Ayes: 3; Nays: 0.

The board accepted the Treasurer's semi-annual report.

Semi-Annual Report Janette Blackburn Treasurer Mills County Glenwood, IA Certification Date January 20, 2009  
 For the period from July 1 2008 - December 31 2008, Inclusive

Fund	Statement of Account By Fund					
	Balance July 1 2008	Revenues	Total To be Accounted For	Disbursements	Fund Balance December 31 2008	Auditor's Warrants Outstanding
01 General Basic	2,877,405.11	2,099,418.60	4,976,823.71	1,928,646.44	3,048,177.27	21,629.39
02 General Supp	1,218,377.49	921,343.74	2,139,721.23	685,280.12	1,454,441.11	55,456.82
03 Rural Services Basic	209,142.70	954,760.49	1,163,903.19	741,730.88	422,172.31	3,904.73
05 Secondary Roads	2,001,961.90	2,185,753.47	4,187,715.37	2,878,273.16	1,309,442.21	47,260.93
06 Revenue Sharing	.00	.00	.00	.00	.00	.00
07 Flood & Erosion Control	.00	.00	.00	.00	.00	.00
10 Drivers License Pilot Project	.00	40,610.00	40,610.00	41,236.00	626.00	.00
11 County Mun Assisstance	.00	.00	.00	.00	.00	.00
12 Capital Projects	.00	.00	.00	.00	.00	.00
13 Debt Service	.00	.00	.00	.00	.00	.00
14 Drainage Control	1,147,799.18	185,005.54	1,332,804.72	187,776.06	1,145,028.66	19,891.97
16 Joint Disaster Serv	41,326.87	46,754.21	88,081.08	47,551.11	40,529.97	407.88
18 Property Tax Agency	348.04	234,419.72	234,767.76	102,162.06	132,605.70	.00
20 Township Control	2,347.66	124,507.74	126,855.40	122,773.45	4,081.95	.00
21 Corporation Control	48,005.84	1,330,376.33	1,378,382.17	1,347,903.39	30,478.78	.00
22 School Control	146,199.49	5,695,059.51	5,841,259.00	5,674,426.17	166,832.83	.00
23 Area School Control	7,223.09	275,660.95	282,884.04	274,648.23	8,235.81	.00
24 Decat	46,956.82	80,272.61	127,229.43	84,692.15	42,537.28	2,532.24
29 County Ag. Extension	1,586.56	68,980.63	70,567.19	68,506.25	2,060.94	.00
30 Cons. Land Aqu. Trust	129,013.23	2,432.43	131,445.66	.00	131,445.66	.00
31 County Assessor	225,388.84	296,738.71	522,127.55	282,441.80	239,685.75	3,845.74
32 Motor Vehicle Trust	170,489.87	1,030,461.35	1,200,951.22	963,834.94	237,116.28	.00
33 Use Tax Trust	127,311.75	765,339.33	892,651.08	763,633.47	129,017.61	.00
34 City Sp Assess Control	5,185.04	19,331.03	24,516.07	24,170.07	346.00	.00
35 Tax Redemption Trust	.00	209,059.36	209,059.36	209,059.36	.00	.00
36 Mh/Dd Services Fund	339,127.77	631,233.87	970,361.64	822,748.68	147,612.96	2,280.92
37 Data Processing	.00	.00	.00	.00	.00	.00

40	Recorders Record Mgmt	13,484.43	1,715.04	15,199.47	2,000.00	13,199.47	.00
41	Reap Trust	48,960.79	17,341.11	66,301.90	29.33	66,272.57	.00
42	Anatomical Gift Fund	.00	.00	.00	.00	.00	.00
43	Holding Account	.00	192,608.94	192,608.94	192,608.94	.00	.00
44	U R Tax rev fund	185,031.55	74,774.04	259,805.59	110,284.13	149,521.46	.00
45	Feed Energy UR TIF Rebate	.00	.00	.00	.00	.00	.00
46	MAM I-29/34 UR TIF Rebate	.00	.00	.00	.00	.00	.00
47	Recorders Elec Fund	645.26	3,654.57	4,299.83	3,758.69	541.14	.00
53	Dare	.00	.00	.00	.00	.00	.00
54	K9 Fund	2,742.32	.00	2,742.32	.00	2,742.32	.00
55	Drug Forfeiture	10,541.97	48.56	10,590.53	920.69	9,669.84	.00
56	Explorers	.00	.00	.00	.00	.00	.00
57	City Atty Drug Dollars	4,030.46	14.99	4,045.45	968.18	3,077.27	.00
59	MH Trust and Agency	55,872.27	320,182.72	376,054.99	359,480.64	16,574.35	5,724.10
77	E911 Surcharge	94,966.22	54,240.05	149,206.27	14,514.53	134,691.74	399.33
78	E911 Contributions	15,609.28	3,850.00	19,459.28	.00	19,459.28	.00
99	Woodlands Ben Water Dist	64,938.37	7,440.61	72,378.98	.00	72,378.98	.00
		9,242,020.17	17,873,390.25	27,115,410.42	17,936,058.92	9,179,351.50	163,334.05

There being no further business to come before the Board at this time they adjourned to meet again on January 27, 2009.

Mills County Board of Supervisors

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Chairperson

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Auditor

The Mills County Board of Supervisors met this 26<sup>th</sup> day of January, 2010, at the courthouse in Glenwood, with all members present.

Motion by Blankenship, seconded by Crouch to approve the agenda for January 26, 2010, and by the same motion the minutes as corrected for the January 19, 2010, board meeting.

Motion carried on vote: Ayes: 3; Nays: 0.

Motion by Crouch, seconded by Kohn to approve payables as presented.

Motion carried on vote: Ayes: 3; Nays: 0.

Engineer Kevin Mayberry presented items for consideration.

No utility permits reported this week.

Motion by Blankenship, seconded by Crouch to approve purchase of a Lenovo Think Pad T5002242 for use by the inspector in an amount not to exceed \$1700.

Motion carried on vote: Ayes: 3; Nays: 0.

Joel Dirks West Central Community Action, requested 2010 funding in the same amount as 2009, and presented a 2009 statistics update.

Mills County Soil and Water Conservation District representatives Rich Maaske, Brian Gross, Shane McNaughton and Paul Hathaway joined the session. Gross is the District Conservation Supervisor and McNaughton is a Resource Conservationist, who are shared between Mills and Fremont counties. The representatives provided an update on 2009 State and Federal funding can cost share brought into Mills County.

Motion by Crouch, seconded by Blankenship to provide Mills County Soil and Water Conservation with \$7,000 in funding for fiscal year 2020-2011.

Motion carried on vote: Ayes: 3; Nays: 0.

County Attorney Marci McClellan presented discussion regarding update of the Nuisance Ordinance. Updates must be made before the Nuisance Ordinance can be considered at a public hearing.

Mills County library representatives from Glenwood, Emerson, and Silver City were present to update the BOS on their programs and library usage by the rural and city population of the County.

Motion by Blankenship, seconded by Crouch to adopt Resolution #10-03 Statement of Fees.

Motion carried on roll call vote: Blankenship: Aye; Crouch: Aye; Kohn: Aye.  
(see entire ordinance as printed in addendum to minutes)

Sheriff Goos notified Board members that one of his deputies resigned and he will begin the process to hire a replacement.

Larry Hurst EMA Director discussed pictometry with the Board.

There being no further business to come before the Board at this time, they adjourned and will meet in regular session on Tuesday, February 2, 2010.

Mills County Board of Supervisors

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Chairperson, Ron Kohn

Attest: \_\_\_\_\_  
Auditor

Office of Mills County Auditor  
Carol Robertson  
Courthouse  
Glenwood, IA

The Mills County Board of Supervisors met this 1<sup>st</sup> day of February, 2010, for the purpose of conducting a budget work session. All elected officials and department heads were present for their scheduled budget work sessions.

Board members adjourned and will meet in regular session on Tuesday, February 2, 2010.

Mills County Board of Supervisors

\_\_\_\_\_  
Chairperson Ron Kohn

Attest: \_\_\_\_\_  
Auditor

Office of Mills County Auditor  
Carol Robertson  
Courthouse  
Glenwood, IA

The Mills County Board of Supervisors met this 2<sup>nd</sup> day of February, 2010, at the courthouse in Glenwood, with all members present.

Motion by Crouch, seconded by Blankenship to amend and approve the agenda to cancel the 11:00 a.m. appointment and move the 11:30 a.m. appointment to 11:00 a.m., and by the same motion the minutes for the January 26, 2010, Board meeting.

Motion carried on vote: Ayes: 3; Nays: 0.

Engineer Kevin Mayberry presented items for consideration.

Three utility permits were reported for the week, two from Extreme Trenching, and one from Prairie Telephone Co.

Motion by Blankenship, seconded by Crouch to approve project #FM-CO65(76)—55-65 for 2010 Mills County Farm to Market Granular Surfacing of 19,592 ton of rock.

Motion carried on vote: Ayes: 3; Nays: 0.

Chairman opened the budget amendment public hearing at 10:06 a.m. No comments received and the hearing closed at 10:08 a.m.

Motion by Crouch, seconded by Blankenship to adopt Resolution #10-04.

**RESOLUTION #10-04**

**BE IT REMEMBERED on the 2nd day of February, 2010, the Mills County Board of Supervisors met in session for the purpose of amending the current operation budget. There was present a quorum as required by law. Thereupon the Supervisors found that the notice of time and place of hearing has, according to law been published in County papers, and that the affidavits of publication thereof were on file with the County Auditor. Thereafter, and on said date the amendment was taken up and considered and taxpayers heard for or against the amendment as follows:**

**EXPENDITURES:**

Public Safety & Legal Svcs	from \$2,417,392 to \$2,422,340
County Environment & Educ.	from \$ 829,187 to \$ 860,867
Roads & Transportation	from \$4,639,922 to \$6,339,992
Administration	from \$1,471,757 to \$1,676,279

**Total Expenditures from \$15,278,050 to \$17,219,200**

**REVENUES:**

Intergovernmental	from \$5,427,788 to \$7,316,986
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**Total Revenues from \$13,961,544 to \$15,850,74**

The amendment does not increase the taxes to be collected in the fiscal year ending June 30, 2010. The Mills County Board of Supervisors does hereby approve the following changes of appropriations for the 2009-2010 fiscal year.

Motion carried on roll call vote: Blankenship: Aye; Crouch: Aye; Kohn: Aye.

Larry Winum and Linda Washburn representing Glenwood/Mills County Economic Development presented economic development updates within the County.

John Blasingame, President of the Silver City Library was present to discuss concerns with funding on the Silver City Library. Mr. Blasingame was requesting extra funding from the County for the Mineola population and the Board explained Mineola is considered a part of the rural portion of the County's contribution.

Motion by Crouch, seconded by Blankenship to approve liquor license #LC0026253 for Mineola Steak House.

Motion carried on vote: Ayes: 3; Nays: 0.

Tom Ling 911/Communications Director cancelled his 11:00 a.m. meeting.

Christine Govig Assessor and Patrick Binns IT Director discussed potential costs for extra charges for reports beyond the looking up of general GIS information.

The Board of Supervisors received the Recorder's January Statement of Fees.

Board members conducted a budget work session from 1:00 – 4:00 p.m.

There being no further business to come before the Board at this time, they adjourned to meet again on Wednesday, February 3, 2010.

Mills County Board of Supervisors

\_\_\_\_\_  
Chairperson Ron Kohn

Attest: \_\_\_\_\_  
Auditor

Office of Mills County Auditor  
Carol Robertson  
Courthouse  
Glenwood, IA

The Mills County Board of Supervisors met on February 3, 2010, at 8:00 a.m. for the purpose of conducting a budget work session. All elected officials and department heads were present for their scheduled budget work sessions. Board members will meet again on Monday, February 8, 2010, for the purpose of conducting a budget work session.

Mills County Board of Supervisors

\_\_\_\_\_  
Chairperson Ron Kohn

Attest: \_\_\_\_\_  
Auditor

Office of Mills County Auditor  
Carol Robertson  
Courthouse  
Glenwood, IA

The Mills County Board of Supervisors met this 8<sup>th</sup> day of February, 2010, for the purpose of conducting a budget work session, and will meet in regular session on Tuesday, February 9, 2010.

Mills County Board of Supervisors

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Chairperson Ron Kohn

Attest: \_\_\_\_\_  
Auditor

Office of Mills County Auditor  
Carol Robertson  
Courthouse  
Glenwood, IA

The Mills County Board of Supervisors met this 9<sup>th</sup> day of February, 2010, at the courthouse in Glenwood, with all members present.

Motion by Crouch, seconded by Blankenship to approve the agenda for February 9, 2010, and by the same motion the minutes for the February 1,2,3, & 5, 2010, meetings.

Motion carried on vote: Ayes: 3; Nays: 0.

Motion by Blankenship, seconded by Crouch to approve the February 9, 2010, payables as presented.

Motion carried on vote: Ayes: 3; Nays: 0.

Engineer Kevin Mayberry presented items for consideration.  
No utility permits were issued this week.

Motion by Blankenship, seconded by Crouch to authorize Chair to sign Secondary Roads budget amendment with IDOT.

Motion carried on vote: Ayes: 3; Nays: 0.

The BOS and Engineer discussed the district meeting that the Engineer and Supervisor Crouch went to with regards to the stimulus projects and monies involved. Other road concerns were discussed as well.

Motion by Crouch, Kohn stepped down as Chair to second the motion to authorize chair to sign the Assessors applications for Impoundment Structure Property Tax Exemptions. Blankenship abstained from voting.

Crouch: Aye; Kohn: Aye; Blankenship: Abstained

John McCurdy SWIPCO, discussed status of funded activities for Mineola CDBG (sewer).  
Public Hearing of Status of Funded Activities Minutes.

February 9, 2010, 10:00am: Mills County Courthouse, Glenwood, IA

Public hearing called to order by the chair at 10:08 a.m.

Supervisors; Kohn, Blankenship and Crouch were present along with John McCurdy of SWIPCO. There were no other members of the public present for this hearing.

McCurdy presented information on the status of Community Development Black Grant project number 07-WS-045, the Mineola Sewer Project. McCurdy reported that the project was substantially complete, with the two sewer lagoons in operation and the collection system in place. There will be some seeding and asphalt paving that will need to be completed in the spring. To date, \$1,437,805.56 has been spent, with \$157,038.00 in CDBG construction/engineering funds expended, and \$10,170 in CDBG administrative funds expended. There is \$3,962 remaining in CDBG funds for construction/engineering expenses and \$1,830 remaining for CDBG administrative expenses. Over the course of the project the project end date was pushed back due to difficulties acquiring the property and other issues, but the overall scope of the project remained the same. The project beneficiaries remain the 173 residents of the unincorporated community of Mineola, 53.02% of who are of low to moderate income.

There were no written comments received from the public prior to the meeting and no oral comments made at the public hearing.

Motioned by Blankenship and seconded by Crouch to close the public hearing.

Motion carried on vote: Ayes: 3; Nays: 0.

The public hearing was closed at 10:13 am.

The Mills County Board of Supervisors met as a Board of Canvassers for the purpose of canvassing results from the February 2, 2010, Glenwood Community School District Special Instructional

Support Levy election. **The measure was defeated by a vote of 717 for the measure, and 994 against the measure. Official results are available in the Auditor's office.**

The Board of Supervisors received the January month end financial reports.

There being no further business to come before the Board at this time, they adjourned to meet again on Tuesday, February 16, 2010.

Mills County Board of Supervisors

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Chairperson Ron Kohn

Attest: \_\_\_\_\_  
Auditor

The Mills County Board of Supervisors met this 16<sup>th</sup> day of February, 2010, at the courthouse in Glenwood, with all members present.

Motion by Blankenship, seconded by Kohn to approve the agenda for February 16, 2010, and by the same motion the minutes as corrected for the February 8, & 9, 2010, Board meetings.

Motion carried on vote: Ayes: 3; Nays: 0.

Bill McGrew and Glen Knop joined the session to discuss funding for the Indian Creek Museum.

McGrew explained several projects that were being done at the museum. They have also applied for an Iowa West Grant to assist with their log cabin project. They have also had machinery donated to them from Spencer Tracey who purchased the former Steele property in Malvern and McGrew stated they would like to move the former machine shop. McGrew asked the BOS if they would consider \$5,000 of LOST towards their projects.

Motion by Blankenship, seconded by Crouch to donate \$5,000 of LOST Community Betterment monies to the Indian Creek Historical Society and Museum.

Motion carried on vote: Ayes: 3; Nays: 0.

McGrew also stated that he wanted to commend the Secondary Roads Department on what a good job they had done during this winter clearing the roads.

Engineer Kevin Mayberry presented items for consideration.

A utility permit was issued to GMU for new force main crossing under Kane and 221<sup>st</sup> S. location.

Motion by Crouch, seconded by Blankenship to approve renewal of beer permit #BC0028484 for Beer Barn Corp.

Motion carried on vote: Ayes: 3; Nays: 0.

Patrick Binns IT Coordinator discussed GIS Web Services.

Motion by Blankenship, seconded by Crouch to approve the GIS data sharing fee schedule and sharing agreement prepared by Patrick Binns Mills/Montgomery IT.

Motion carried on vote: Ayes: 3; Nays: 0.

Supervisors attended a town hall meeting with Senator Grassley at the Glenwood State Bank meeting room.

Motion by Blankenship, seconded by Crouch to appoint Richard Crouch as the Mills County representative to the E-911 Service Board, and appoint Larry Hurst as the alternate voting member.

Motion carried on vote: Ayes: 3; Nays: 0.

There being no further business to come before the board at this time, they adjourned to meet again on February, 23, 2010.

Mills County Board of Supervisors

\_\_\_\_\_  
Chairperson Ron Kohn

Attest: \_\_\_\_\_  
Auditor

The Mills County Board of Supervisors met this 23<sup>rd</sup> day of February, 2010, at the courthouse in Glenwood, with Crouch and Blankenship present, Kohn absent to NARC Conference in Washington, D.C.

Motion by Blankenship, seconded by Crouch to approve the agenda for February 23, 2010, and by the same motion the minutes as corrected for the February 16, 2010, Board meeting.

Motion carried on vote: Ayes: 2; Nays: 0.

Motion by Blankenship, seconded by Crouch to approve the payables as presented for February 23, 2010.

Motion carried on vote: Ayes: 2; Nays: 0.

Engineer Kevin Mayberry presented items for consideration.

No utility permits issued this week.

Motion by Blankenship, seconded by Crouch to authorize Vice Chair to sign the Secondary Roads Department Labor Agreement effective July 1, 2010, through June 30, 2013.

Motion carried on vote: Ayes: 2; Nays: 0.

Jerad Getter, Conservation Director, and Wayne Phipps Mills County Conservation Board discussed possible sites for the Loess Hills Archeological Interpretive Center. Jerad explained the site selection committee had narrowed it down to three potential sites. Glenwood Lake park, West Oak Forest, Foothills Park, and Jerad just wanted to make sure it would be acceptable with the Board if they were acceptable to West Oak Forest being an option. The Board had no problem with this and said they would be supportive of any of the options.

Getter discussed an addition of new roof on current building and addition of 720 sq. ft. on the present building. Conservation will take bids on this project.

Motion by Blankenship, seconded by Crouch to proceed in procuring bids for the addition at Pony Creek Park for budget year 10-11.

Motion carried on vote: Ayes: 2; Nays: 0.

Bible Baptist Church representative Ben Quinlan requested a property tax abatement. The property was purchased by the church in November 2008 and taxes for September 2009 and March 2010 taxes are due and they were requesting to have the March 2010 taxes abated. The Board explained taxes should have been escrowed and paid by the seller as they were responsible for them at that time. The church does have exempt status for the 2009 valuation year.

Motion by Blankenship, seconded by Crouch to approve renewal of liquor license #LC0035371 for Fountains Ballroom.

Motion carried on vote: Ayes: 2; Nays: 0.

Motion by Crouch, seconded by Blankenship to approve renewal of liquor license #LC0033697 for Glenwood Golf Corp.

Motion carried on vote: Ayes: 2; Nays: 0.

Motion by Blankenship, seconded by Crouch to approve renewal of native wine permit #WBN000518

Motion carried on vote: Ayes: 2; Nays: 0.

Board of Supervisors received the January monthly jail and bank reconciliation reports.

There being no further business to come before the Board at this time, they adjourned to meet again in regular session on March 2, 2010.

Mills County Board of Supervisors

\_\_\_\_\_  
Vice Chairperson

Attest: \_\_\_\_\_  
Auditor

The Mills County Board of Supervisors met this 2<sup>nd</sup> day of March, 2010, at the courthouse in Glenwood with all members present.

Motion by Crouch, seconded by Blankenship to approve the agenda as amended for March 2, 2010, and by the same motion the minutes as corrected for the February 23, 2010, Board meeting.

Motion carried on vote: Ayes: 3; Nays: 0.

Mills County Engineer Kevin Mayberry presented items for consideration.  
No utility permits reported.

The Engineer discussed with Board potential costs for striping 230<sup>th</sup> Street and adding to painting contract. Engineer will research state road striping standards to see if no passing signs are needed. The Engineer will return to board with information received for a final decision before the contract is finalized.

The Board discussed some road concerns they had received from the public with the Engineer.

Motion by Blankenship, seconded by Crouch to approve renewal of E-Stop class C beer license #BC0029208.

Motion carried on vote: Ayes: 3; Nays: 0.

Amanda Downey Wellmark Blue Cross/Blue Shield and Pam Madison Deputy Auditor were present for discussion with regard to rates for the upcoming fiscal year and some of the changes that have been made. Downey also offered answers to any questions the Board may have.

Britteny Morrow Morrow & Associates, Sheriff Eugene Goos, Communications Center Director Tom Ling, and County Attorney Marci McClellan were present. Morrow went over the changes made for the labor contract.

Motion by Crouch, seconded by Blankenship to approve the labor agreement for dispatchers, jailers and deputies as presented.

Motion carried on vote: Ayes: 3; Nays: 0.

There being no further business to come before the Board at this time, they adjourned to meet again on Tuesday, March 9, 2010.

Mills County Board of Supervisors

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Chairperson Ron Kohn

Attest: \_\_\_\_\_  
Auditor

Office of Mills County Auditor  
Carol Robertson  
Courthouse  
Glenwood, IA

The Mills County Board of Supervisors met this 9<sup>th</sup> day of March, 2010, at the courthouse in Glenwood, with all members present.

Motion by Blankenship, seconded by Crouch to approve the agenda for March 9, 2010, and by the same motion the minutes as corrected for the March 2, 2010, Board meeting.

Motion carried on vote: Ayes: 3; Nays: 0.

Motion by Crouch, seconded by Blankenship to approve accounts payable as presented on March 9, 2010.

Motion carried on vote: Ayes: 3; Nays: 0.

County Attorney Marci McClellan and Alvon Smith were present for discussion regarding the purchase of real estate in Mills County. Mr. Smith is interested in purchasing some alleys and streets in the Strahan area. Engineer will need to do some research to see how title is held which will determine the process to do in order for Mr. Smith to complete this purchase. The Engineer will contact Mr. Smith when research is complete. Mr. Smith is also interested in purchasing an abandoned gas station in Hastings which is being held by tax sale. The Treasurer joined the session and explained the process the County could implement. They have the option of assigning the tax sale certificate to Mr. Smith and agree upon a price and Smith would go through the 90 day process and take title to the property. The other option was for the County to take title to property and go through the 90 day process. Mr. Smith will get back to the Board of an amount he is willing to pay to determine if its acceptable to the Board.

Kevin Mayberry Mills County Engineer presented items for consideration.  
No utility permits reported for the week.

Motion by Blankenship, seconded by Crouch to authorize Chair to sign an Iowa DOT agreement concerning temporary closing of Jessup Avenue & L-35.

Motion carried on vote: Ayes: 3; Nays: 0.

Patrick Binns IT Director discussed Pictometry Technology and reviewed GIS Web Services.

Motion by Crouch, seconded by Blankenship to approve the fee schedule presented by Patrick Binns, IT Director.

Motion carried on vote: Ayes: 3; Nays: 0.

Binns presented three dates, March 29, 2010, April 5, 2010, and April 12, 2010, as options for an open house at the Engineer's office to invite the realtors, appraisers, and general public to see the Beacon Website and its capabilities. When a firm date is set by Schneider Corp and Binns we will send out invitations.

Motion by Blankenship, seconded by Crouch to approve the Beacon contract for next budget year at a cost of \$9,060 per year at a rate of \$755 per month beginning July 1, 2010, which includes web hosting, account manager and comparable search features.

Motion carried on vote: Ayes: 3; Nays: 0.

No formal action was taken at this time with regard to the Solutions real estate package for Mills County Website, and will be tabled until a later date.

Formal action for the Pictometry formal bid was tabled until the Board has an opportunity to meet with departments and determine if there is a desire to participate financially to cover the costs. The Auditor will set up a meeting time next Tuesday and formal action will be taken at that time.

John McCurdy SWIPCO discussed an amendment to the CDBG contract.

Motion by Crouch, seconded by Blankenship to table this action until Southwest Rural Water meets an we have more information.

Motion carried on vote: Ayes: 3; Nays: 0.

The Board received the February month end financial reports.

There being no further business to come before the Board at this time they adjourned to meet again March 16, 2010.

Mills County Board of Supervisors

\_\_\_\_\_  
Chairperson R.E. Kohn

Attest: \_\_\_\_\_  
Auditor

The Mills County Board of Supervisors met this 15<sup>th</sup> day of March, 2010, at the Mills County Courthouse for the purpose of conducting the FY2011 Mills County budget hearing with Supervisors Crouch and Kohn present, Blankenship absent. Mills County elected officials and department heads were present for the public hearing.

Motion by Crouch, seconded by Kohn to approve the March 15, 2010, agenda as posted.  
Motion carried on vote: Ayes: 2; Nays: 0:

Chairman Kohn opened up the public hearing at 10:03 a.m.  
Motion by Crouch Seconded by Kohn public hearing closed at 10:25 a.m.  
Motion carried on vote: Ayes: 2; Nays: 0.

Motion by Crouch, seconded by Kohn to approve adoption of Resolution #10-4.

**RESOLUTION #10-04**

Whereas, the Mills County Board of Supervisors met on this 15<sup>th</sup> day of March 2010 to adopt the proposed FY 2010-2011 budget as published and direct the Mills County Auditor to spread the levy and submit the budget to the Department of Management State of Iowa.

Motion carried on roll call vote: Crouch: Aye; Kohn: Aye. Blankenship: Absent:

Motion by Crouch, seconded by Kohn to approve adoption of Resolution #10-5

**RESOLUTION #10-05**

Whereas, the Mills County Board of Supervisors met in session this 15<sup>th</sup> day of March, 2010, to approve the proposed increases from the Compensation Board recommendation and set FY 2010-2011 salaries for Mills County elected officials as follows: County Attorney: \$74,827; 1% increase, County Auditor: \$47,641; 1% increase, County Recorder: \$47,407; 1% increase, County Treasurer: \$47,407; 1% increase, County Sheriff: \$61,184; 1% increase and County Supervisors: \$27,117; 1% increase.

Motion carried on roll call vote: Crouch: Aye; Kohn: Aye. Blankenship: Absent:

There being no further business to come before the Board at this time, they adjourned and will meet on Tuesday, March 16, 2010.

Mills County Board of Supervisors

\_\_\_\_\_  
Chairperson R.E. Kohn

Attest: \_\_\_\_\_  
Auditor

Office of Mills County Auditor  
Carol Robertson  
Courthouse  
Glenwood, IA

The Mills County Board of Supervisors met this 16<sup>th</sup> day of March 2010, at the courthouse in Glenwood with all members present.

Motion by Blankenship, seconded by Crouch to approve the agenda as posted for March 16, 2010, and by the same motion the minutes as corrected for the March 9, 2010, Board meeting.

Motion carried on vote: Ayes: 3; Nays: 0.

Motion by Crouch, seconded by Blankenship to approve renewal of the Class B Beer Permit and Sunday Sales for MidAmerica Motorplex.

Motion carried on vote: Ayes: 3; Nays: 0.

Mills County Engineer Kevin Mayberry presented items for consideration.  
No utility permits were reported for the week.

Engineer Mayberry presented information about the purchase of a new ink jet plotter. Engineer will bring back for formal action at a later date.

Engineer Mayberry discussed use of the training facility located in his building. He will develop a policy for use and clean up.

There was some discussion about removal of snow from roads and possible damage to fences. Residents should contact Engineer about fence damages. Engineer and Supervisors will address claims on an individual basis.

Mills County Auditor Carol Robertson requested authorization to hire Julie Snyder as full time clerk in the Auditor's office.

Motion by Crouch, seconded by Blankenship to approve hire of Julie Snyder as full time clerk in the Auditor's office effective March 22, 2010, at 70% of the Auditor's salary in the amount of \$33,018/yr.

Motion carried on vote: Ayes: 3; Nays: 0.

Eric Hansen Assistant County Attorney joined the session with regard to a proposed DNR Administrative Order.

Motion by Crouch, seconded by Blankenship to enter into a closed session per Iowa Code Chapter 21.5(1)(C) to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation at 10:04 a.m.

Motion carried on roll call vote: Crouch: Aye; Blankenship: Aye; Kohn: Aye.

Motion by Blankenship, seconded by Crouch to return to open session at 10:49 a.m.

Motion carried on roll call vote: Crouch: Aye; Blankenship: Aye; Kohn: Aye.

No formal action regarding the proposed DNR Administrative Order was taken at this time.

John McCurdy SWIPCO, Assistant County Attorney Eric Hansen, Phil Kudron Emerson, Hastings Mayor Tracy Hatcher, Hastings City Clerk Lana Moyer, Hastings City Council member Alan Crouse and Attorney Matt Woods joined the session to discuss status of Hastings receiving rural water through SW Regional Water. SW Rural Water has decided they do not want to continue with this project.

Motion by Blankenship, seconded by Crouch for the Chairperson to sign a letter amending the current CDBG Contract for the supplying of water to Hastings.

Motion carried on vote: Ayes: 3; Nays: 0.

Department heads that could potentially use the Pictometry were present to discuss the use of this technology by their departments. Most all of the departments agreed it would be nice to have but none felt it was feasible to do at this time.

Motion by Crouch, seconded by Blankenship to decline the bid for Pictometry at this time.

Motion carried on vote: Ayes: 3; Nays: 0.

Pete Franks Franks Design Group and Mills County Treasurer Janette Blackburn were present for discussion of renovation of the Treasurer's office. Board instructed Franks to work with Blackburn to finalize the design and prepare the project information needed for bids.

The Board discussed the possibilities of putting in a elevator and placement of it as well as potential time frame.

There being no further business to come before the Board at this time, they adjourned to meet March 23, 2010.

Mills County Board of Supervisors

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Chairperson R.E. Kohn

Attest: \_\_\_\_\_  
Auditor

The Mills County Board of Supervisors met this 23<sup>rd</sup> day of March, 2010, at the courthouse in Glenwood, with all members present.

Motion by Crouch, seconded by Blankenship to approve the agenda for March 23, 2010, and by the same motion the minutes as corrected for the March 15, & 16, 2010, Board meetings.

Motion carried on vote: Ayes: 3; Nays: 0.

Motion by Blankenship, seconded by Crouch to pay accounts payable as presented.

Motion carried on vote: Ayes: 3; Nays: 0.

Engineer Kevin Mayberry presented items for consideration.

No utility permits reported this week.

Motion by Blankenship, seconded by Crouch to purchase an HPT1200PS Plotter from A&D Technical Supply Co. at a cost of \$6,295 with trade in of \$1,000 total purchase price of \$5,295 also includes one year warranty, 6-69ml inks and 3 print heads.

Motion carried on vote: Ayes: 3; Nays: 0.

Richard Parks Assistant Engineer joined the session. Two bids for Project FM-CO65(76)-55-65 Farm to Market Granular were opened: 1) Bid Bond – Crushed Aggregate, Omaha, NE \$13.64/ton - \$267,234.88 Bid Bond - Schildberg Construction Co. of Greenfield Iowa – Bid Bond \$14.37/ton - \$281,537.04

Motion by Blankenship, seconded by Crouch at the recommendation of the Engineer and Assistant to accept the low bid from Crushed Aggregate of Omaha, NE at \$13.64/ton for a total bid of \$267,234.88 for 19,592 tons.

Motion carried on vote: Ayes: 3; Nays: 0.

Bids for Project L-300-73-65 RCB culvert replacement 300<sup>th</sup> Street from 2008 flood – FEMA funding. Design done by HGM.

1) Bid Bond Helm Kemp Construction of Ankeny - \$329,543.71

2) Bid Bond Dixon Correctionville, IA - \$377,847.30

3) Bid Bond Graves Construction Spencer, IA - \$316,985.95

4) Bid Bond Gus Construction Casey, IA - \$367,037.60

5) Bid Bond Godbersen Smith Ida Grove \$344,922.56

6) Bid Bond Tab Construction Omaha - \$370,176.99

No formal action was taken at this time. Engineer and Assistant Engineer will examine bids for comparability. An award will be made at next week's meeting.

Motion by Blankenship, seconded by Crouch to table Resolution #10-06 upon further communications with SWIPCO & MAPA.

Motion carried on vote: Ayes: 3; Nays: 0.

Motion by Crouch, seconded by Blankenship to authorize Chair to sign the renewal for Wellmark binder.

Motion carried on vote: Ayes: 3; Nays: 0.

Motion by Crouch, seconded by Blankenship to approve a new liquor license application for Tobey Jack's Mineola Steak House effective April 1, 2010.

Motion carried on vote: Ayes: 3; Nays: 0.

Motion by Blankenship, seconded by Crouch to approve the FMLA request.

Motion carried on vote: Ayes: 3; Nays: 0.

Motion by Crouch, seconded by Blankenship to approve purchase of two bullet-proof vests at a total cost of \$1,451.97 for female deputies.

Motion carried on vote: Ayes: 3; Nays: 0.

There being no further business to come before the Board at this time, they adjourned to meet on March 30, 2010.

Mills County Board of Supervisors

\_\_\_\_\_  
R.E. Kohn, Chairperson

Attest: \_\_\_\_\_  
Auditor



The Mills County Board of Supervisors met this 30th day of March, 2010, at the courthouse in Glenwood, with all members present.

Motion by Blankenship, seconded by Crouch to approve the agenda for March 30, 2010 as corrected, and by the same motion the minutes as corrected for the March 23, 2010 Board meeting.

Motion carried on vote: Ayes: 3 Nays: 0.

Engineer Kevin Mayberry presented items for consideration.  
No utility permits reported this week.

The Contract Award for the Project L-300-73-65 for the 300<sup>th</sup> Street bridge was discussed.  
Motion by Crouch, seconded by Blankenship to award the contract to the low bid, Graves Construction, Inc. in the amount of \$316,985.95, and is reimbursable by FEMA.

Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Blankenship, seconded by Crouch to have the chair sign the time extension agreement with the NRCS for the EWP project on Applewood Avenue. This extends the agreement through the end of August for reimbursement through the NRCS.

Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Blankenship, seconded by Crouch to authorize the chair to sign the contract for the Farm to Market Granular Surfacing, Project FM-CO65(76) – 55 – 65 with Crushed Aggregate in the amount of \$267,234.88.

Motion carried on a vote: Ayes: 3 Nays: 0

Several road concerns were discussed. The Engineer also discussed several policies to update.

Mr. Quinlan was not present to discuss the abatement of property taxes, but County Treasurer, Janette Blackburn was present to provide information for the abatement. A resolution to abate will be put on April 6<sup>th</sup> agenda.

No action was taken on the fireworks permit application since the proper paperwork was not available for approval.

Discussion was held with regards to SWIPCO and MAPA agreements.

There being no further business to come before the Board at this time, they adjourned to meet on April 6th, 2010.

Mills County Board of Supervisors

\_\_\_\_\_  
R.E. Kohn, Chairperson

Attest: \_\_\_\_\_  
Auditor

The Mills County Board of Supervisors met this 6th day of April, 2010, at the courthouse in Glenwood, with all members present.

Motion by Crouch, seconded by Blankenship to approve the agenda for April 6, 2010 as corrected, and by the same motion the minutes as corrected for the March 30, 2010 Board meeting.

Motion carried on vote: Ayes: 3 Nays: 0.

Motion by Blankenship, seconded by Crouch to approve accounts payable as presented.

Motion carried on a vote: Ayes: 3 Nays: 0

The Board of Supervisors went with Engineer Kevin Mayberry for a site visit to view two driveways. The first driveway variance was a request from William Neal DeLashmutt at Jinkins Avenue 200' E of 195<sup>th</sup> Street.

The second variance request was from Susan Andersen at 54689 295<sup>th</sup> Street in Silver City to widen the shared driveway 10 feet.

No utility permits reported this week.

No action was taken at this time on the 300<sup>th</sup> Street Project #L-300-73-65 contract. This item will be tabled until all the proper paperwork is received.

Motion by Crouch, seconded by Blankenship to approve the variance request from William Neal DeLashmutt at the recommendation of the Engineer.

Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Crouch, seconded by Blankenship to approve the second variance at 54689 295<sup>th</sup> Street for Susan Andersen to widen the shared driveway 10' to give both parties adequate room at the recommendation of the Engineer.

Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Blankenship, seconded by Crouch to approve Resolution 10-7, Abatement of Taxes, Bible Baptist Church, as follows:

**Resolution 10-07**

The Mills County Board of Supervisors sitting in session on this 6th day of April, 2010 upon recommendation from the Treasurer and as per IA Code 445.16 shall abate the taxes, interest and penalties on the following described property and direct the County Treasurer to strike the amount due from the County system:

The Mills County Treasurer recommends that the remaining 2009/2010 taxes on property owned by the Bible Baptist Church at 605 S. Hazel Street of Glenwood, Iowa, a tax exempt entity of the County and State. Parcel #**05835000000000** and described as N ½ Lot 2, Block 57 Glenwood Corp., Glenwood, Iowa in the amount of **\$3,019.00**. First half of these taxes were paid on August 31, 2009. Total abatement for the above described properties is in the amount of **\$3,019.00**.

Roll Call Vote: Blankenship: Aye, Crouch – Aye, Kohn – Aye.

Motion carried.

Motion by Crouch, seconded by Blankenship to approve Resolution 10-8, Establishing National 911 Education Month as follows:

**RESOLUTION 10-08**

**Establishing April as “National 9-1-1 Education Month”**

Whereas **9-1-1** is nationally recognized as the number to call in an emergency to receive immediate help from police, fire, EMS or other appropriate emergency response entities;

Whereas in 1967, the President's Commission on Law Enforcement and Administration of Justice recommended that a "single number should be established" nationwide for reporting emergency situations and other Federal Government Agencies and various governmental officials also supported and encouraged the recommendation;

Whereas in 1968, the American Telephone and Telegraph Company (AT&T) announced that it would establish the digits 9-1-1 as the emergency code throughout the United States;

Whereas 9-1-1 was designated by Congress as the national emergency call number under the Wireless Communications and Public Safety Act of 1999 (P.L. 106-81);

Whereas the ENHANCE 911 Act of 2004 (P.L. 108-494) established enhanced 9-1-1 as “a high national priority” as part of our Nation’s homeland security and public safety;

Whereas it is important that policy makers at all levels of government understand the importance of 9-1-1, how the system works today and steps that are needed to modernize the 9-1-1 system;

Whereas the 9-1-1 system is the connection between the eyes and ears of the public and the emergency response system in the U.S. and is often the first to know of emergencies of all magnitudes making 9-1-1 a significant homeland security asset;

Whereas there are over 6,000 9-1-1 public safety answering points (PSAPs) serving more than 3,000 counties and parishes throughout the United States;

Whereas PSAPs answer more than two hundred million 9-1-1 calls each year in the United States and a growing number of 9-1-1 calls are made using wireless and IP-based communications services;

Whereas a growing segment of the population, including the deaf and hard of hearing and individuals with speech disabilities, are increasingly communicating with non-traditional text, video and instant messaging communications services and expect these services to be able to connect directly to 9-1-1;

Whereas the growth and variety of means of communications, including mobile and IP-based systems, impose challenges for accessing 9-1-1 and implementing enhanced 9-1-1 and require increased education and awareness about their capabilities;

Whereas numerous other N-1-1 and 800 number services exist for non-emergency situations, including 2-1-1, 3-1-1, 5-1-1, 7-1-1, 8-1-1, poison control centers and mental health hotlines, and the public needs to be educated on when to use these services in addition to or instead of 9-1-1;

Whereas people of all ages use 9-1-1 and it is critical to educate the public of all ages on the proper use of 9-1-1;

Whereas senior citizens are at high risk for needing access to 9-1-1 and a large segment of this population is learning to use new technology;

Whereas thousands of 9-1-1 calls are made every year by children properly trained on the use of 9-1-1 resulting in lives saved which underscores the critical importance of training children early in life about 9-1-1;

Whereas there is widespread misuse of the 9-1-1 system, including prank and non-emergency calls, which can result in costly and inefficient use of 9-1-1 and emergency response resources and a need to reduce this practice;

Whereas parents, teachers, and all other care givers need to play an active role in 9-1-1 education for children, but will do so only after being first educated themselves;

Whereas there are many avenues for 9-1-1 public educations such as safety fairs, school presentations, libraries, churches, businesses, PSAP tours or open houses, civic organizations and senior citizen centers;

Whereas children, parents, PTA and teachers are important groups to educate about the importance of 9-1-1 through targeted outreach efforts to public and private school systems;

Whereas we as a nation should strive to annually host at least one educational event in every school in the country every year regarding the proper use of 9-1-1;

Whereas an established National 9-1-1 Education Month could include public awareness events, including conferences and media outreach, training activities for parents, teachers, school administrators, other care givers and businesses; educational events in schools and other appropriate venues; and production and distribution of educational content on 9-1-1 designed to educate people of all ages on the importance and proper use of 9-1-1;

Whereas Americans deserve the finest education we can offer regarding 9-1-1 education: Now, therefore be it

*Resolved*, That the Mills County Board of Supervisors recognizes April as “National 9-1-1 Education Month” And be it

*Further resolved*, That the Mills County Board of Supervisors urges the U.S. Congress and the governors of all states and territories to recognize April as “National 9-1-1 Education Month”

Roll Call Vote: Blankenship – Aye, Crouch – Aye, Kohn – Aye.  
Motion carried.

Motion by Blankenship, seconded by Crouch to approve the fireworks permit application for Mid - America Motor Plex, 19340 Jessup Avenue, Pacific Junction, every Friday, Saturday and Sunday from April 9, 2010 through October 30, 2010, provided a countywide burn ban is not in place.  
Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Crouch, seconded by Blankenship that based on new information made available to the Board of Supervisors, request that the Planning & Zoning Commission review their zoning classification at the intersection of 195<sup>th</sup> St. and 221<sup>st</sup> St. South and consider conditional use of this property.  
Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Crouch, seconded by Blankenship to approve the appointment of Lori Ingoldsby as the Election Assistant effective April 1, 2010.  
Motion carried on a vote; ayes: 3 Nays: 0

Jerad Getter, Conservation Director and James Gates, Conservation Naturalist were present to request authorization of the chair to sign the Community Foundation Grant for the Mills County Conservation Board.  
Motion by Blankenship, seconded by Crouch to authorize chair to sign the Community Foundation Grant for the Mills County Conservation Board.  
Motion carried on a vote: Ayes: 3 Nays: 0

The Board of supervisors received the March Recorder's Statement of Fees and the March Financial Month End Report.

There being no further business to come before the Board at this time, they adjourned to meet on April 13th, 2010.

Mills County Board of Supervisors

\_\_\_\_\_  
R.E. Kohn, Chairperson

Attest: \_\_\_\_\_  
Auditor

The Mills County Board of Supervisors met this 13th day of April, 2010, at the courthouse in Glenwood, with all members present.

Motion by Blankenship, seconded by Crouch to approve the agenda for April 13, 2010 and by the same motion the minutes for the April 6, 2010 Board meeting.

Motion carried on a vote: Ayes: 3 Nays: 0.

Mills County Engineer, Kevin Mayberry provided two utility permits from Extreme Trenching for Qwest phone lines, one on Hilman Avenue and the other on 195<sup>th</sup> Street.

Motion by Crouch, seconded by Blankenship to authorize the Board Chair to sign the 2010 Secondary Roads budget amendment #2.

Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Blankenship, seconded by Crouch to authorize the Board Chair to sign the 2011 Secondary Roads budget for the Iowa D.O.T.

Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Crouch, seconded by Blankenship to authorize Board Chair to sign the 5-year Secondary Roads Construction Plan.

Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Blankenship, seconded by Crouch to authorize the Board Chair to sign the contract for the 300<sup>th</sup> Street Project #L-300-73-54 Bridge with FEMA reimbursement.

Motion carried on a vote: Ayes: 3 Nays: 0

Mills County Attorney Marci McClellan and Emergency Management Agency Director, Larry Hurst were present to discuss and request the chair to sign the Agreement for the provision of Hazardous Materials Response between and among the City of Council Bluffs, Mills County EMC and Mills County under Chapter 28E of the Code of Iowa.

Motion by Blankenship, seconded by Crouch to authorize the Board Chair to sign the agreement provision of Hazardous Materials Response between and among the City of Council Bluffs, Mills County EMC and Mills County under Chapter 28E of the Code of Iowa.

Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Crouch, seconded by Blankenship to approve the Bluff View Café Liquor License renewal. (#BC0028525) Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Blankenship, seconded by Crouch to approve the Lake Ohana Market liquor license renewal. (#BC0029223) Motion carried on a vote: Ayes: 3 Nays: 0

Linda Washburn, Larry Winum and Larry Beckman were present to discuss a possible tax abatement on an expansion at Bunge. Larry Beckman, attorney representing Bunge, presented the board with information on the proposed 5.8 million dollar fertilizer expansion at Bunge. In order for Bunge to receive income tax credits and rebates they would need abatement participation from the County. A proposed 5-year abatement was discussed. The Board asked Mr. Beckman to find out from IDEED (Iowa Department of Economic Development) the dollar amount necessary for participation and come back for further discussion. No action was taken at this time.

Motion by Blankenship, seconded by Crouch to go into closed session at 1:05 p.m. per Iowa Code 21.5(1)(c) "To discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation." Also present in the closed session was Mills County Assistant Attorney, Eric Hansen and Tom Ling, E911 Communications Director.

Roll call vote: Blankenship – Aye, Crouch – Aye, Kohn – Aye

Motion carried.

The Glenwood Communications Contract was discussed.

Motion by Blankenship, seconded by Crouch to return to open session at 1:56 p.m.

Roll call vote: Blankenship – Aye, Crouch – Aye, Kohn – Aye

Motion carried. The Board resumed open session.

Motion by Blankenship, seconded by Crouch to authorize the Assistant County Attorney, Eric Hansen, to continue writing the letter with revisions to the City of Glenwood for negotiating the renewal of the Communications Contract.

Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Blankenship, seconded by Crouch to go into closed session at 2:03 p.m. per Iowa Code 21.5(1)(c) "To discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation." Also present in the closed session was Mills County Assistant Attorney, Eric Hansen.

Roll call vote: Blankenship – Aye, Crouch – Aye, Kohn – Aye.

Motion carried.

The Administrative Order for Dam Site 21 was discussed at this time.

Motion by Blankenship, seconded by Crouch. To return to open session at 2:43 p.m.

Roll call vote: Blankenship – Aye, Crouch – Aye, Kohn – aye.

Motion carried. The Board resumed open session.

Motion by Blankenship, seconded by Crouch to authorize the Assistant County Attorney, Eric Hansen to modify the Administrative order received from the Iowa DNR with respect to Dam Site 21. Mr. Hansen will modify and return for Board Chair signature at a future board meeting.

Motion carried on a vote: Ayes: 3 Nays: 0

John McCurdy, a representative of SWIPCO, addressed the Board with regards to the Pony Creek Development 1 quality of water supply. An Engineer's study has been done and a couple of options were given as a solution. A stand alone system was proposed as well as an option to connect to Glenwood Municipal Utilities, coming from the tower north of Glenwood; or discussing with Craig Nakamoto about the potential to tap into his line. The stand alone option will cost approximately \$584,870 and the other option in excess of one million dollars. Dee Fischer of USDA offered some options and suggested Pony Creek get their CDBG application in. The Board suggested they should explore the option of hooking into Glenwood Municipal Utilities; eventually costs may average out due to not having maintenance costs to pay. Mickie Perrin, President of the Pony Creek Homeowners stated they would have to look at the total cost as she did not want to burden the homeowners financially much more than what they were presently paying for services.

There being no further business to come before the Board at this time, they adjourned to meet on April 22nd, 2010.

Mills County Board of Supervisors

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R.E. Kohn, Chairperson

Attest: \_\_\_\_\_  
Auditor

The Mills County Board of Supervisors met this 27th day of April, 2010, at the courthouse in Glenwood, with all members present.

Motion by Crouch, seconded by Blankenship to approve the agenda for April 27, 2010 and by the same motion the minutes as corrected for the April 22, 2010 Board meeting.

Motion carried on a vote: Ayes: 3 Nays: 0.

Engineer Kevin Mayberry presented items for consideration.

Utility Permit Report – Four permits were issued:

Three permits were issued to Extreme Trenching for Qwest phone lines on Brothers Avenue, 202<sup>nd</sup> Street and 275<sup>th</sup> Street. The final permit was to Kyle Anderson for tapping a waterline on 221<sup>st</sup> Street South.

At the recommendation of County Engineer Kevin Mayberry, motion by Crouch, seconded by Blankenship to purchase a 2009 938H Cat Loader with a quick coupler attachment from Ziegler for \$141,949.00. This purchase is FEMA reimbursable.

Motion carried on a vote: Ayes: 3 Nays: 0

The Engineer will be going to Bunge today to visit with Tom Schmitt with regards to the placement of the flashing light for turning lanes into Bunge. Supervisors shared some road concerns that the Engineer will look into. The Engineer reported that 284<sup>th</sup> Street will be closed for approximately one week to complete all repairs. Discussion was held with regards to alternative forms of dust control.

Motion by Blankenship, seconded by Crouch to authorize the Board chair to sign a contract between Mills County and Brett Phillips for Licensed Independent Social Worker Counseling Services to meet locally with area clients.

Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Blankenship, seconded by Crouch to direct Sara Ketcham, CPC, to notify attorneys, the Clerk of Court and Magistrate to use the alternative method of submitting claims to the State Public Defenders Office.

Motion carried on a vote: Ayes: 3 Nays: 0

Randy Gomez of Nyhart discussed GASB45 with the Board of Supervisors. GASB45 has become a new requirement for the County's financial reporting. The County is required to have an actuary report completed and Nyhart can provide that service to the County. Formal action will be taken at the next regular board meeting.

Motion by Crouch, seconded by Blankenship to approve Resolution 10-9 – To Abate Taxes as follows:

#### Resolution 10-9

The Mills County Board of Supervisors, sitting in session on this 27th day of April, 2010 upon the request from the property owner because of a fire that totally gutted the house that had only been able to be lived in for one month of the taxable year and as per IA Code 445.16 shall abate the taxes, interest and penalties on the following described property and direct the County Treasurer to strike the amount due from the County system:

The Mills County Treasurer recommends that the 2009/2010 taxes on property owned by Douglas and Lisa Mayo legally described as Lot 208 in the City of Pacific Junction, IA and the property is located at 603 Lincoln Ave. parcel #044710000000000 be abated in the amount of \$708.00.

The Mayo's have paid the entire tax bill of \$956.00 of which \$708.00 will be refunded and the Mayo's would be responsible for the land, garage and the house for 1 month in the amount of \$248.00.

Roll call vote: Crouch – Aye, Blankenship – Aye, Kohn – Aye. Nays: None

Motion carried.

Motion by Blankenship, seconded by Crouch to authorize Board chair to sign Resolution 10-10 – Support for a Golden Hills RC&D Application for an Iowa Community Cultural Affairs Grant as follows:

Resolution No. 10-10

WHEREAS, the Mills County Board of Supervisors is the legally recognized governing body for Mills County, Iowa, and

WHEREAS, the Mills County Board of Supervisors has found an Archaeological Survey of the Glenwood Resource Center to be beneficial for the preservation and protection of the cultural history and the archaeological resources of the Nebraska Phase Glenwood Culture.

NOW, THEREFORE, BE IT RESOLVED BY THE MILLS COUNTY BOARD OF SUPERVISORS THAT; Mills County supports the application of Golden Hills Resource Conservation and Development for the Iowa Community Cultural Grant to fund an Archaeological Survey of the Glenwood Resource Center.

Roll call vote: Blankenship – Aye, Crouch – Aye, Kohn – Aye Nays: None Motion carried.

Maria Gonzalez and her daughter were present to request approval for a liquor license application for Rancho Los Gonzalez, in Pacific Junction. It is a one day event to be held on May 1, 2010 for a Cinco De'Mayo celebration.

Motion by Crouch, seconded by Blankenship to approve the liquor license application for Rancho Los Gonzalez.

Motion carried on a vote: Ayes: 3 Nays: 0

The Board discussed a request for a 6 month liquor license application for Rancho El Bajio LLC, in Pacific Junction.

Motion by Crouch, seconded by Blankenship to deny the liquor license application due to parking concerns, conflicts with County's zoning ordinance, trash and possible unlawful acts. The applicant will receive a letter from the State notifying them of the denial and allowing them an opportunity to appeal.

Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Blankenship, seconded by Crouch to authorize the Board chair to sign Resolution 10-11, Approving the Iowa Waste Systems Application 2010 Solid Waste Comprehensive Plan Update as follows:

RESOLUTION 10-11

WHEREAS, section 455B302 of the Code of Iowa requires every city and county of this state to provide for the establishment and operation of a comprehensive solid waste reduction program consistent with the waste management hierarchy under section 455.301A, and a sanitary disposal project for final disposal of solid waste by its residents; and

WHEREAS, section 455B.306(1) of the Code of Iowa requires that all cities and counties file with the director of the Iowa Department of Natural Resources a comprehensive plan detailing the method by which the city or county will comply with the requirements of section 455B.302 to establish and implement a comprehensive solid waste reduction program for its residents; and

WHEREAS, a comprehensive plan, as described in section 455B.306 of the Code of Iowa has been prepared at the direction of and in participation with the County of Mills County, by Barker Lemar Engineering Consultants, and dated, April 27, 2010 ; and

WHEREAS, the County of Mills County has determined that the adoption and implementation of the proposed comprehensive plan is in the best interest of the County of Mills County with respect to satisfying the County of Mills County statutory duties.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY the County of Mills County that the proposed comprehensive plan is hereby adopted as the comprehensive solid waste reduction plan of the County of Mills County.

AND BE IT FURTHER RESOLVED that the County of Mills County shall implement and participate in the programs set forth in the comprehensive plan.

AND BE IT RESOLVED that the comprehensive plan shall be submitted to the Iowa Department of Natural Resources, on behalf of the County of Mills County in satisfaction of section 455B.306(1) of the Code of Iowa.

Roll Call Vote: Blankenship – Aye, Crouch – Aye, Kohn – Aye. Nays: 0 Motion carried.

The Board continues discussion with regards to recycling options throughout the County.

There being no further business to come before the Board at this time, they adjourned to meet on May 4th, 2010.

Mills County Board of Supervisors

\_\_\_\_\_  
R.E. Kohn, Chairperson

Attest: \_\_\_\_\_  
Auditor

The Mills County Board of Supervisors met this 4th day of May, 2010, at the courthouse in Glenwood, with all members present.

Motion by Blankenship, seconded by Crouch to approve the agenda for May 4, 2010 and by the same motion the minutes as presented for the April 27, 2010 Board meeting.

Motion carried on a vote: Ayes: 3 Nays: 0.

Motion by Crouch, seconded by Blankenship to approve the accounts payable as presented.

Motion carried on a vote: Ayes: 3 Nays: 0.

Engineer Kevin Mayberry presented items for consideration.

Utility Permit Report – Two permits were issued:

- 1) Mid American Energy to bury 450' of power line on 400<sup>th</sup> Street south of Queen
- 2) Black Hills Energy for a main extension on Hilman and Hawley Rd.

Motion by Crouch, seconded by Blankenship to authorize Chair to sign the agreement for project #BHS-C065(78)-63-65, Gaston Avenue Bridge over Keg Creek.

Motion carried on a vote: Ayes: 3 Nays: 0

Paul Mullen and Steve Jensen of MAPA gave a presentation to the Board of Supervisors on future growth. They asked where Mills County wants to see themselves in the next 50 years. What type of growth they would like to see, what are potential growth areas and where does Mills County fit in within the 5 county MAPA region. The presentation included information from visioning plans from the Denver, Sacramento and Utah regions. Mullen stated they will be giving presentations throughout the MAPA region and then come back to the Board at a later date. This will give the Board an opportunity to discuss and decide if they wish to be a part of this planning.

Tom Bouska from DHS, and Marci McClellan, Mills County attorney were present for the Mills County DHS office status discussion. Mr. Bouska explained that due to State cuts and re-organization, the Glenwood office would be by appointment only. Things will be done by phone, email or regular mail. Mr. Bouska stated this would not have an impact on child protective services.

Tom Kennedy was present to discuss concerns that he had with the permit process for manufactured homes. Darin Whatcott, from the Mills County Zoning Department, stated that the Zoning Department is working on a standardized form that will cover manufactured homes.

Motion by Blankenship, seconded by Crouch to approve to hire Randy Gomez of Nyhart to do the Actuary Report for the required GASB 45 reporting.

Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Crouch, seconded by Blankenship to approve the purchase of a computer for the Mills County Treasurer's office in the amount of \$1,182.85.

Motion carried on vote: Ayes: 3 Nays: 0

There being no further business to come before the Board at this time, they adjourned to meet on May 11th, 2010.

Mills County Board of Supervisors

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R.E. Kohn, Chairperson

Attest: \_\_\_\_\_  
Auditor

Office of Mills County Auditor  
Carol Robertson  
Courthouse  
Glenwood, IA

The Mills County Board of Supervisors met this 11<sup>th</sup> day of May, 2010, at the Courthouse in Glenwood with all members present.

Motion by Blankenship, seconded by Crouch to approve the agenda for May 11, 2010 and by the same motion the minutes as corrected for the May 4, 2010 Board meeting.

Motion carried on a vote: Ayes: 3 Nays: 0.

Engineer Kevin Mayberry reported no utility permit requests. Mayberry informed the Board about an upcoming site visit for a driveway variance. They also discussed roads scheduled for seal coat replacement.

Motion by Crouch, seconded by Blankenship to approve the Native Wine Permit renewal for McCormick Station. Motion carried on a vote: Ayes: 3 Nays: 0.

There being no further business to come before the Board at this time, they adjourned to meet on May 18<sup>th</sup>, 2010.

Mills County Board of Supervisors

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R.E. Kohn, Chairperson

Attest: \_\_\_\_\_  
Auditor

The Mills County Board of Supervisors met this 18<sup>th</sup> day of May, 2010, at the Courthouse in Glenwood with all members present.

Motion by Crouch, seconded by Blankenship to approve the agenda for May 18, 2010 and by the same motion the minutes as presented for the May 11, 2010 Board meeting.

Motion carried on a vote: Ayes: 3 Nays: 0.

Motion by Blankenship, seconded by Crouch to approve the accounts payable as presented.

Motion carried on a vote: Ayes: 3 Nays: 0

Engineer Kevin Mayberry reported two utility permit requests. Both were for Extreme Trenching for phone lines for Qwest on Hershey and Hilman Road.

Bob Stephen and Mike Preston from Kirkham-Michael, Mills County Assessor Chris Govig and E-911 Director, Tom Ling were present for a presentation on the GIS services that Kirkham-Michael could provide for Mills County. Goals and long term plans for the systems future were also discussed.

Motion by Crouch, seconded by Blankenship to allow Bill Good, owner of Toby Jack's (formally Mineola Steakhouse) to temporarily close Main Street in Mineola on the following specified dates: May 27<sup>th</sup>, July 1<sup>st</sup> and July 22<sup>nd</sup> – to provide outside service as well as bands.

Motion carried on a vote: Ayes: 3 Nays: 0

The Board will review the request for a driveway variance north of 370<sup>th</sup> and Brothers for an ag driveway at a later date. No formal action was taken.

Motion by Crouch, seconded by Blankenship to approve the Class C Liquor License – Commercial – LC-V-27375 to Lienzo Charro Rodriquez.

Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Crouch, seconded by Blankenship to approve the purchase of two computers for the Recorder's office at \$1,131.99 each.

Motion carried on a vote: Ayes: 3 Nays: 0

Members of the Loess Hills Humane Society board and employees, Assistant County Attorney Eric Hansen, E911 Director Tom Ling and Sheriff Goos and Deputy Jens were present to discuss the paperwork still needed by the Sheriff and County Attorney's offices to file any changes on the pit bull incident. Other items were discussed in determining protocol for day and after hour calls. No formal action was taken

Supervisor Crouch left the meeting at this time.

Motion by Blankenship and seconded by Kohn to approve the request by Kathy Zanker to use the Courthouse lawn for Squarecrow Days on Saturday, October 23, 2010

Motion carried on a vote: Ayes: 2 Nays: 0

Ms. Zanker also discussed other projects she is working on: a TRYathlon at the Glenwood Lake Park on September 19<sup>th</sup>, and a project she is working on for Homecoming that she wants feedback from the Board.

The Board received the Sheriff's April jail report and bank reconciliation report.

There being no further business to come before the Board at this time, they adjourned to meet on May 25<sup>th</sup>, 2010.

Mills County Board of Supervisors

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R.E. Kohn, Chairperson

Attest: \_\_\_\_\_  
Auditor

The Mills County Board of Supervisors met this 25<sup>th</sup> day of May, 2010, at the Courthouse in Glenwood with all members present.

Motion by Crouch, seconded by Blankenship to approve the agenda for May 25, 2010 and by the same motion the minutes as presented for the May 18, 2010 Board meeting.

Motion carried on a vote: Ayes: 3: Nays: 0.

Engineer Kevin Mayberry and Supervisors made a site visit to 50459 370<sup>th</sup> Street to examine the location for a Driveway Variance Request. The property owners were seeking a variance for an Ag/truck entrance approximately 400 feet from the current entrance to their property, whereas the Driveway Ordinance requires 800 feet separation.

After the Board reconvened, Mayberry recommended approval of the variance because of safety issues associated with the current drive on the property and the proposed driveway does have the required minimal sight distance. Engineer also recommended placement of a "Truck Entrance Sign" south of the entrance.

Motion by Crouch, seconded by Blankenship to approve the Driveway Entrance Variance with the stipulation that it is designated an Ag entrance only.

Motion carried on a vote: Ayes: 3: Nays: 0.

Clay Lincoln, representing residents of the Forest Lawn Estates Neighborhood Association, was present to request signage near the entrance of the subdivision on 220<sup>th</sup> Street which would make the entrance safer for the bus stop and vehicles entering the subdivision. Mayberry reported that the entrance has above the required minimal sight distance and no complaints had been made by the school district. Board noted the safety concerns of the residents.

Motion by Blankenship, seconded by Crouch to have the Engineer work with the residents to determine appropriate warning sign(s), site them accordingly and that the Forest Lawn Estates Neighborhood Association will pay for purchase, installation and maintenance of the sign(s).

Motion carried on a vote: Ayes: 3: Nays: 0.

Pam Madison, Deputy Auditor presented a request from the Auditors Office and a recommendation from the IT Director to purchase two new computers.

Motion by Crouch, seconded by Blankenship to approve the purchase of two computers for the Auditor's Office, from CDW Government Inc., in the amount of \$2,255.14.

Motion carried on a vote: Ayes: 3: Nays: 0.

There being no further business to come before the Board at this time, they adjourned to meet on June 1, 2010.

Mills County Board of Supervisors

\_\_\_\_\_  
R.E. Kohn, Chairperson

Attest: \_\_\_\_\_  
Auditor

The Mills County Board of Supervisors met this 1st day of June, 2010, at the Courthouse in Glenwood with all members present.

Motion by Crouch, seconded by Blankenship to approve the agenda for June 1, 2010 and by the same motion the minutes as presented for the May 25, 2010 Board meeting.

Motion carried on a vote: Ayes: 3: Nays: 0.

Engineer Kevin Mayberry and Supervisors made a site visit along Hawley Road to examine the location for a Driveway Variance Request. The address of this variance actually lies on Hains Road.

There was one utility permit request from Extreme Trenching for a Qwest phone line on Kane Avenue.

At the recommendation of the Engineer, motion by Crouch, seconded by Blankenship, to deny the variance request at 57681 Hains Road for safety reasons due to the negative factors of driveway separation and separation of the intersection.

Motion carried on a vote: Ayes: 3: Nays: 0.

The Engineer opened one bid from Vogel Traffic Services of Orange City, Iowa in the amount of \$45,404.00 for 2010 traffic markings for approximately 258 miles.

At the recommendation of the Engineer, motion by Blankenship, seconded by Crouch to award the bid to Vogel Traffic Services for \$45,404.00 for 2010 traffic markings.

Motion carried on a vote: Ayes: 3 Nays: 0

The hearing for the budget amendment was opened at 10:05 a.m. There were no visitors from the public present. No oral or written comments were received. The public hearing was closed @ 10:06 a.m.

Motion by Crouch, seconded by Blankenship to approve Resolution 10-11 – Budget Amendment.

#### **RESOLUTION 10-11**

**BE IT REMEMBERED** on the 1st day of June, 2010, the Mills County Board of Supervisors met in session for the purpose of amending the current operation budget. There was present a quorum as required by law. Thereupon the Supervisors found that the notice of time and place of hearing has, according to law been published in County papers, and that the affidavits of publication thereof were on file with the County Auditor. Thereafter, and on said date the amendment was taken up and considered and taxpayers heard for or against the amendment as follows:

#### **EXPENDITURES:**

Public Safety & Legal Svcs	from \$2,422,340 to \$2,432,340
County Environment & Educ.	from \$ 860,867 to \$ 863,867

**Total Expenditures from \$17,219,200 to \$17,232,200**

#### **REVENUES:**

Miscellaneous	from \$113,225 to \$116,225
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**Total Revenues from \$15,850,742 to \$15,853,742**

The amendment does not increase the taxes to be collected in the fiscal year ending June 30, 2010. The Mills County Board of Supervisors does hereby approve the following changes of appropriations for the 2009-2010 fiscal year.

Motion carried on a roll call vote: Blankenship – Aye, Crouch – Aye, Kohn – Aye

Motion by Blankenship, seconded by Crouch to approve Resolution 10-12 – Abatement of Army Corps of Engineer Ground.

**RESOLUTION 10-12**

The Mills County Board of Supervisors sitting in session on this 1st day of June, 2010 upon recommendation from the Treasurer and as per IA Code 445.16 shall abate the taxes, interest and penalties on the following described property and direct the County Treasurer to strike the amount due from the County system:

The Mills County Treasurer recommends that the taxes on property owned by the United States Corps of Engineers, a tax exempt entity of the Federal Government and property located in Section 25 Township 73 Range 44 located in St Mary's Township, Lewis Central School district in Mills County, IA parcel #0348800200000000 and legally described as SW 19.72 acres of SW ¼ SE ¼ S & W of Old Chute be abated in the amount of **\$262.00**. The transaction deed on this parcel of land was done on March 27,2009 and has been set to the exempt status and no taxes will be collected for fiscal year 2010-2011.

Motion carried on a roll call vote: Blankenship – Aye, Crouch – Aye, Kohn – Aye

Wayne Phipps, representing The Loess Hills Archeology Interpretive Center was present to update the Board of progress of the center. They presented an estimated budget of expenditures in order to seek grants and donations to assist with building the facility. Mr. Phipps requested funds from the Board for this project.

Motion by Crouch, seconded by Blankenship to approve \$5,000 of local option Community Betterment funds to be allocated for this project.

Motion carried on a vote: Ayes: 2 Nays: 0

Kohn abstained due to being on the Board of LHAIC.

At the recommendation of Sheriff Goos, motion by Blankenship, seconded by Crouch to approve the appointment of Deputy Kim Clark to the position of Sergeant effective June 6, 2010 at a salary of \$50,280, which is 83% of the Sheriff's salary.

Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Crouch, seconded by Blankenship to purchase jail audio equipment from Electronic Engineering for the monitoring of the jail facility in the amount of \$5,403.65.

Motion carried on a vote; Ayes: 3 Nays: 0

Supervisor Crouch left the session at this time to attend a funeral.

Motion by Blankenship, seconded by Kohn to approve the replacement of current county email systems with a one county-wide exchange email system.

Motion carried on vote: Ayes: 2 Nays: 0

Motion by Blankenship, seconded by Kohn to cancel Solutions Real Estate Website Hosting package.

Motion carried on a vote: Ayes: 2 Nays: 0

County Attorney Marci McClellan was also present to discuss the present updated IT policies for the Board to consider for approval in July.

Patrick Binns, IT Coordinator, presented a proposal from E-Z Recycle for \$750 to fill crate to get rid of the old electronic equipment. The Board felt this would be a good option for recycling. Binns will get in contact with departments to locate equipment for recycling.

There being no further business to come before the Board at this time, they adjourned to meet on June 9, 2010.

Mills County Board of Supervisors

\_\_\_\_\_  
R.E. Kohn, Chairperson

Attest: \_\_\_\_\_  
Auditor

The Mills County Board of Supervisors met this 9th day of June, 2010, at the Courthouse in Glenwood with all members present.

Supervisor Crouch opened the meeting with Supervisor Blankenship. Supervisor Kohn was present via telecommunications.

Motion by Kohn, seconded by Blankenship to approve the agenda for June 9, 2010 and by the same motion the minutes as corrected for the June 1, 2010 Board meeting.

Motion carried on a vote: Ayes: 3 Nays: 0.

Motion by Blankenship, seconded by Kohn to approve the accounts payable as presented.

Motion carried on a vote: Ayes: 3 Nays: 0

There was one utility permit request from Qwest for 240<sup>th</sup> St to Ives and over to the railroad underpass.

Motion by Blankenship, seconded by Kohn to approve the 1% increase for the Engineer, administrative and management staff as previously recommended by the Compensation Board for the elected officials and their staff.

Motion carried on a vote: Ayes: 3 Nays: 0

The engineer discussed the drainage maintenance responsibilities at Woodfield Subdivision with the Board of Supervisors. It was the Engineer's understanding as well as the Board's that only the culvert that is located between Lot 21 and Lot 22 within the 50 foot easement is the responsibility of Secondary Roads. The remaining culverts outside of the road right-of-way are the responsibility of the property owners of Woodfield Subdivision.

Motion by Kohn, seconded by Blankenship to have the Vice Chair sign the 2010 Traffic Markings Contract with Vogel as approved at the June 1, 2010 meeting.

Motion carried on a vote: Ayes: 3 Nays: 0

Supervisor Kohn disconnected his teleconference with the Board at this time.

Motion by Blankenship, seconded by Crouch to approve the Class B Native Wine Permit application for Briar Patch Farms.

Motion carried on a vote: Ayes: 2 Nays: 0

Motion by Crouch, seconded by Blankenship to approve the Class C liquor license application for The Back Room.

Motion carried on a vote: Ayes: 2 Nays: 0

Motion by Blankenship, seconded by Crouch to approve two fireworks permits for J&M Displays. The first one will be held on July 4, 2010 at 22867 Jammett Road and the second will be held on July 2, 2010 at the Mills County Fairgrounds.

These permits are approved providing there is no county wide burn ban in place during the dates specified.

Motion carried on a vote: Ayes: 2 Nays: 0

The Board received the May month end County Financial report as well as the May month end Recorders Statement of Fees report.

Several items were discussed during General Discussion.

Supervisor Blankenship reminded Supervisor Crouch of the Supervisor Legislative Webinar on June 11, 2010 at 9:30 a.m.

There was also discussion on the cost of housing the seized pitbulls at the Loess Hills Humane Society. This discussion will continue when Supervisor Kohn is present.

There being no further business to come before the Board at this time, they adjourned to meet on June 15, 2010.

Mills County Board of Supervisors

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R.E. Kohn, Chairperson

Attest: \_\_\_\_\_

Auditor

The Mills County Board of Supervisors met this 15th day of June, 2010, at the Courthouse in Glenwood with two members present. Supervisor Kohn was absent. He was attending the NARC meeting in Cleveland, Ohio.

Supervisor Crouch opened the meeting with Supervisor Blankenship.

Motion by Blankenship, seconded by Crouch to approve the agenda for June 15, 2010 and by the same motion the minutes as corrected for the June 9, 2010 Board meeting.

Motion carried on a vote: Ayes: 2 Nays: 0.

Supervisor Kohn joined the meeting via telephone at 8:30 A.M.

The business owners on 190<sup>th</sup> Street were unable to attend the meeting to discuss the conditions of 190<sup>th</sup> Street. The Board and Engineer discussed what the County intended to do about these road conditions. The Engineer was instructed to get bids for the cost of paving the north end of 190<sup>th</sup> Street, although no paving can be completed this year. Paving can be done next year, but for the immediate problem, the Secondary Roads Department will patch the holes as they have done in the past.

Jerad Getter, Mills County Conservationist, came in to update the Board on his discussions with contractors about adding an addition to the present conservation building at Pony Creek Park. The contractors do not think they will be able to put a new roof on the old building unless they get something in writing from the manufacturer. The Building Department stated that unless they get something in writing from the manufacturer they will be unable to approve the permit to build. Getter has contacted the manufacturer and is waiting for a response.

Patrick Binns, IT Coordinator was present with County Attorney Marci McClellan to discuss IT policies that were prepared for the Board to approve. Some changes were suggested. Binns will come back to the Board for final approval after changes are made.

Binns brought in 3 bids for the Courthouse Security Camera System. They were from:

1) Omaha Security System - Analog Camera System in the amount of \$19,180.00 with a monthly maintenance fee of \$85.

Digital IP Camera System - \$31,150.00 with a monthly maintenance fee of \$360

2) Electronics Engineering Analog Camera System - \$18,640.00 with no monthly maintenance fee.

Digital IP Camera System - \$37,921.54 with no maintenance fee.

3) Purchase of equipment through CDW-G (\$16,973.37) with installation by Ben Lundstrom (\$4,760.00) for a total of \$21,733.37 with no maintenance fee.

Motion by Blankenship, seconded by Kohn to move forward on this project and approve the third bid (Purchase equipment from CDW-G and installation by Ben Lundstrom) in the amount of \$21,733.37.

Motion carried on a vote: Ayes: 3 Nays: 0

There were no fireworks permit requests this week.

Supervisor Kohn left the session at this time to attend his NARC meeting.

Larry Hurst, Emergency Management Director and Tom Ling, E911 Communications Center were present to discuss the strategy for the radio project along with options on how to fund the project.

Tom Ling updated the Board on the NENA conference he attended in Indiana.

Motion by Blankenship and seconded by Crouch to recess as the Board of Supervisors and convene as the Board Of Canvasses to canvass the votes cast for various federal, state and county offices at the June 8, 2010 Primary Election.

Motion carried on a vote: ayes: 2 Nays: 0

After canvassing the returns it was moved by Blankenship, seconded by Crouch that the following persons be declared as the nominee to their prospective listed party and office and will appear on the General Election Ballot:

Board of Supervisors: Richard Crouch, Republican  
County Treasurer: Becky Dix Killpack, Republican  
County Recorder: Vicki McClintic, Republican  
County Attorney: Marci McClellan, Republican

No candidate received enough votes to win the Democratic nomination for County Supervisor, County Treasurer, County Recorder or County Attorney.

Motion by Blankenship, seconded by Crouch to adjourn as the Board of Canvasses and reconvene as the Board of supervisors.

Motion carried on a vote: Ayes: 2 Nays: 0

The Board received the May jail report from Sheriff Goos.

There being no further business to come before the Board at this time, they adjourned to meet on June 15, 2010.

Mills County Board of Supervisors

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R.E. Kohn, Chairperson

Attest: \_\_\_\_\_  
Auditor

The Mills County Board of Supervisors met this 25th day of June, 2010, at the Courthouse in Glenwood with all members present.

Motion by Blankenship, seconded by Crouch to approve the agenda for June 25, 2010 and by the same motion the minutes for the June 15, 2010 Board meeting.

Motion carried on a vote: Ayes: 3 Nays: 0.

Motion by Crouch, seconded by Blankenship to approve the accounts payable as presented.

Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Blankenship, seconded by Crouch to approve the purchase of a 2010 Dodge Charger for the Mills County Sheriff Department in the amount of \$24,680.00 from Tincher Chevrolet of Plattsmouth, with an additional \$7,171.15 to Electronic Engineering to transfer equipment from the old car to the new vehicle purchased. The total cost of the vehicle is \$31,851.15, which will be taken from the FY2010-2011 budget, after the FY 2009-2010 year end is completed.

Motion carried on a vote: Ayes: 3 Nays: 0

Discussion was held pertaining to the Loess Hills Humane Society invoice for the boarding of the pit bulls and medication for a month. Since the budget for the Humane Society has been depleted for 2009-2010, it was determined that the pending invoice will be paid from the FY2010-2011 budget which will need to be amended at a later date.

Motion by Crouch, seconded by Blankenship to approve the County Attorney, Marci McClellan to purchase Iowa Criminal Law pocket books for Mills County Law Enforcement agencies in the amount of \$212.25 to be taken from the drug forfeiture funds.

Motion carried on a vote: Ayes: 3 Nays: 0

Engineer Kevin Mayberry could not be present for the meeting. Assistant Engineer Richard Parks and Mills County Public Health Director, Sheri Bowen was present to explain why MCPH is requesting assistance to do septic inspections from the Secondary Roads Department. Requests for septic permits have slowed down and MCPH may have to eliminate the part-time sanitarian position. In the event the Sanitarian is on vacation, Bowen is requesting assistance from qualified Secondary Roads personnel. Bowen and Mayberry will work out payment arrangements.

Motion by Blankenship, seconded by Crouch to authorize the Vice Chair to sign the final plans for project number BHS-CO65 (78) – 63-65, repair of Gaston Road Bridge over Keg Creek.

Motion carried on a vote: Ayes: 2 Nays: 0

There were no utility permit reports this week.

Motion by Blankenship, seconded by Crouch to approve a fireworks permit at the Mitch Nightser residence at 25616 Irish Avenue, in Glenwood on July 4, 2010, providing a burn ban is not in place.

Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Crouch, seconded by Blankenship to authorize the Chair to sign the Rural Transit System Joint Participation Agreement for Fiscal 2010 with the Southwest Iowa Planning Council.

Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Blankenship, seconded by Crouch to approve the cancellation of outstanding warrants over one year old.

Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Crouch, seconded by Blankenship to approve the Class E (LE) Sunday Sales liquor license renewal for Lake Ohana Market.

Motion carried on a vote: Ayes: 3 Nays: 0

There being no further business to come before the Board at this time, they adjourned to meet on June 29, 2010.

Mills County Board of Supervisors

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R.E. Kohn, Chairperson

Attest: \_\_\_\_\_  
Auditor

The Mills County Board of Supervisors met this 29th day of June, 2010, at the Courthouse in Glenwood with all members present.

Motion by Blankenship, seconded by Crouch to approve the agenda for June 29, 2010 and by the same motion the minutes for the June 25, 2010 Board meeting.

Motion carried on a vote: Ayes: 3 Nays: 0.

There were no utility permit reports this week.

Representatives from Vehicare and Lone Mountain Trucking were present to discuss road concerns on 190<sup>th</sup> Street. Engineer Kevin Mayberry explained hard surfacing could not be done this year but he will pursue opportunities to do so next year. The Engineer stated that he would do the best he can this year to keep the road patched. The Auditor will check the present TIF area to see if the use of TIF dollars may be an option for this project.

Motion by Crouch, seconded by Blankenship to approve the appointment of Lisa Tallman as Vitals Deputy, effective July 1, 2010, at 80% of the Records salary. Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Crouch, seconded by Blankenship to approve a salary increase effective July 1, 2010 for Julie Snyder, at 79% of the Auditors salary. Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Blankenship, seconded by Crouch to approve the tax abatement agreement with A&M Green Power and authorize the chair to sign the agreement. Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Crouch, seconded by Blankenship to move the remainder of the 2009-2010 Conservation budget to the land acquisition fund. Motion carried on a vote: Ayes: 3 Nays: 0

Mike Malone, representatives from Prohaska & Associates, Sheriff Goos, Deputy Bruce Paulsen and Joe Foreman, were present to discuss the status of the jail committee. Mike Malone, chair of the jail committee, presented a letter to the Board of Supervisors explaining the work that had been completed. The letter also stated that they no longer wished to continue as the committee. Mr. Malone felt that the Board of Supervisors had enough information to continue the process and find a suitable green space to complete the project; which is to build a jail for the County. The Board thanked Mr. Malone and the committee for the hard work and efforts that had been done on this project.

Jack May and Don Brantz, along with members of the County were present for discussion of the County's current permitting process. Mr. May spoke of his concerns with the current permitting requirements and presented a petition with 446 rural county resident signatures that requested the County repeal all permits with the exception of septic, well and driveway. Residents shared their concerns. One concern by the public was that the County did not have their own employee to do permitting; that it was outsourced to JAS. Darrin Whatcott, representative from JAS Consulting, addressed residents concerns about the various permitting processes. Several items were clarified regarding circumstances when homeowners need to get a permit. The Board also commented on challenges they face when attempting to inform the public of their proceedings. Randy McCunn, co-owner of A&M Green Power stated that his business received a better building because of the oversight required by the permitting process. The Board will take all information presented under advisement and appreciate being contacted about specific concerns with the various permitting processes.

Motion by Blankenship, seconded by Crouch, to approve the fireworks permit at 51968 Burr Oak Circle, Glenwood, on July 4, 2010 providing a burn ban is not in place. Motion carried on a vote: Ayes: 3 Nays: 0

There being no further business to come before the Board at this time, they adjourned to meet on June 30, 2010 to count cash.

Mills County Board of Supervisors

\_\_\_\_\_  
R.E. Kohn, Chairperson

Attest: \_\_\_\_\_  
Auditor

The Mills County Board of Supervisors met this 30th day of June, 2010, at the Courthouse in Glenwood with all members present.

The Board of supervisors counted cash at 4:00 P.M. The following was reported by the close of business June 30, 2010.

Auditor	Petty Cash	\$100.00
	Total	\$100.00

Sheriff	Invest. Cash	\$ 3060.25
	Petty cash	\$ 50.00
	Total	\$ 3110.25

Recorder	Petty Cash	\$ 30.00
	Cash	\$ 25.00
	Checks	\$ 1076.70
	Total	\$ 1131.70

Treasurer	Tax Drawer		Vault
	Hundreds	\$ 0	\$ 100.00
	Fifties	\$ 0	\$ 0
	Twenties	\$ 160.00	\$ 100.00
	Tens	\$ 0	\$ 100.00
	Fives	\$ 100.00	\$ 100.00
	Ones	\$ 22.00	\$ 50.00
	Halves	\$ 0	\$ 10.00
	Quarters	\$ 11.50	\$ 10.00
	Dimes	\$ 1.40	\$ 5.00
	Nickels	\$ .55	\$ 2.00
	Pennies	\$ .05	\$ .50
	Total	\$ 295.50	\$ 477.50

Cash Rec'd Tax Drawer	\$ 295.50
Checks Tax Drawer	\$ 363.00
Cert. Deposits	\$ 3,175,042.27
Auto Petty Cash Drwr 1	\$ 75.00
Auto Petty Cash Drwr 2	\$ 75.00
Auto Checks	\$ 14,471.14
Auto Cash	\$ 1,525.05
Driver's License Cash	\$ 185.00
Driver's License Checks	\$ 9.00

There being no further business to come before the Board at this time, they adjourned to meet on July 6, 2010.

Mills County Board of Supervisors

\_\_\_\_\_  
 R.E. Kohn, Chairperson

Attest: \_\_\_\_\_  
 Auditor

The Mills County Board of Supervisors met this 6th day of July, 2010, at the Courthouse in Glenwood with all members present.

Motion by Blankenship, seconded by Crouch to approve the agenda for July 6, 2010 and by the same motion the minutes as corrected for the June 29, 2010 and June 30, 2010 Board meetings.

Motion carried on a vote: Ayes: 3 Nays: 0.

There were two utility permits from Glenwood Municipal Utilities for work on 230<sup>th</sup> Street North of Devore Avenue and emergency repair on 221<sup>st</sup> Street.

The Board discussed Voucher #1 FM-CO65 (76)-55-65, 2010 Farm to Market Rock along with retainage for liquidated damages of 3%. The total contract is \$269,231.09 which represents 100.75%, of the total minus \$8,076.93 and retainage of \$12,000 for liquidated damages, for a payment of \$249,154.16.

Motion by Blankenship, seconded by Crouch to authorize the Chair to sign Voucher #1.

Motion carried on a vote: Ayes: 3 Nays: 0

Kevin Mayberry, Mills County Engineer reported the road closure on 350<sup>th</sup> Street due to repairs to a culvert, but the road should not be closed more than two weeks. He also stated a budget amendment would need to be done; that an expenditure had been omitted for the FEMA reimbursement in the 2010-2011 budget. The revenue was in the budget, but the expenditure was not included.

Present to readdress the liquor license issued to the Back Room were Brian Delanty, proprietor of the Back Door, Craig Nakamoto, owner of The Lake Ohana Market, Darrin Whatcott and Holly Brown from Mills County Building & Permits Department and a few County residents.

The Board explained an error was made in approving the liquor license for the Back Door, a bar to be located at the Lake Ohana Market, due to the current zoning of the property. It is the assumption of Delanty and Nakamoto that because the property is zoned commercial, any type of commercial enterprise would be permitted. The Board and Mr. Whatcott explained that the property is zoned C-1 which does not allow bars or pubs. Assistant County Attorney Eric Hansen joined the meeting at this time and suggested he would need to do further research before the Board acts upon the status of the license.

Motion by Crouch, seconded by Blankenship to table formal action until the next Board of Supervisors meeting on July 13, 2010.

Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Crouch, seconded by Blankenship to approve the Class C Liquor License Renewal (BW0092485) for the Fairview Country Club.

Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Crouch, seconded by Blankenship to approve Resolution 10-13 – Budget Appropriations

### RESOLUTION 10-13

BE IT RESOLVED, this 6th day of July, 2010, that the Mills County Board of Supervisors, Mills County, Iowa, appropriate funds to the various county offices and departments for the fiscal year 2010-2011:

DEPARTMENT	AMOUNT
01 Board of Supervisors	154,471
02 Auditor	345,795
03 Treasurer	310,628
04 County Attorney	366,366
05 Sheriff	1,514,331
06 Clerk of Court	2,200
07 Recorder	192,306
10 Communications	474,265
18 LOST	358,502
20 County Engineer	5,229,278
21 Veterans Affairs	37,292
22 Conservation	967,648
23 Health Board	1,302,320
24 DECAT	89,501
25 Human Services	56,500
26 Reap/Co. Conservation	400
27 General Relief	75,123
28 Medical Examiner	31,500
33 Libraries	51,909

51 Courthouse	319,975
53 Custodian	90,129
54 Zoning Comm./Building & Safety	149,500
55 IT	77,732
58 Safety Management	9,355
59 Mental Health Trust & Agency	830,996
60 Mental Health	1,771,649
61 Juvenile Probation	58,426
62 CD Treatment Services	12,700
63 Juvenile Foster Shelter Care	12,000
70 Emergency Management	162,379
99 Nondepartmental	906,503
TOTAL EXPENDITURES	15,961,679

Motion carried on a roll call vote:

Blankenship – Aye, Crouch – Aye, Kohn – Aye

Motion by Blankenship, seconded by Crouch to approve Resolution 10-14 – Salaries FY10-11

**RESOLUTION #10-14**

Salaries effective July 1, 2010 are as follows:

**Deputies:** Kristine Schoening, Pam Madison; \$40,495.00; Marilee Gayer, Rebecca Killpack, LuAnne Christiansen, Tammy Gammon; \$40,296.00, Lisa Tallman; \$37,926.00; **Clerks:** Melinda Lucy; \$37,452.00; Julie Snyder; \$37,636.00; **Election Assistant:** Lori Ingoldsby; \$39,066.00; **Secretary:** Janice Johansen; \$39,361.00; **Office Manager:** Mary King; \$37,934.00; **Civil Process Clerk:** Sandy Wyszenski; \$33,651.00; **Record's Clerk:** Christina Shere; \$33,651.00; **Lieutenant:** Mike Osler; \$51,395.00; **Chief Deputy:** Bruce Paulsen; \$52,006.00; **Sergeant:** Kim Clark; \$50,783.00; **County Attorney Assistant:** Eric Hanson; \$63,604.00; **Victim Witness Coord/Sec Asst:** Jill McAleer; \$37,839.00; **Emergency Management:** Larry Hurst; \$44,278.00; **Safety Director:** Larry Hurst; \$4,725.00; **Custodian:** Michael Roenfeld-\$14.00/hr; Stephen Poole-\$13.00/hr; **General Relief Director:** Jim Goos; \$23,550.00; **Veteran Affairs Director:** Jim Goos; \$8,950.00; **CPC/Director of Case Management:** Sara Ketcham; \$61,812.00; **Case Management Supervisor:** Danelle Bruce; \$48,228.00; **Case Managers:** Monica Carlson, Reba Richie; \$44,712.00; Denise Shull; \$41,877.00; John Olson; \$38,000.00; **Administrative Assistant:** Chris Falk-\$14.74/hr; **Communications Director;** Tom Ling; \$57,065.00.

**Salaries for Secondary Roads personnel are as follows:**

**County Engineer:** Kevin Mayberry; \$87,225.00; **Administrative:** Nancy Lincoln-\$19.89/hr; Richard Parks-\$22.43/hr; Charlene Johnson-\$16.25/hr; **Management & Technical:** Bill Horton-\$22.04/hr; Junior Hughes-\$19.89/hr; Hugh Hansen, Roger Sell-\$23.37/hr; David Yezek-\$27.72/hr.

Motion carried on a roll call vote:

Blankenship – Aye, Crouch – Aye, Kohn – Aye

Motion by Blankenship, seconded by Crouch to approve Resolution 10-15 – Secondary Roads Transfer

**Resolution 10-15**

The Mills County Board of Supervisors met on this 6th day of July, 2010, to authorize the County Auditor to periodically transfer funds from the General Basic, Rural Services Basic fund and Other Special Revenue Fund (LOST Property Tax Relief) funds to Secondary Roads fund during the 2010-2011 budget year in accordance with Sections 331.432 and 331.429, Code of Iowa. The total maximum transfer from General Basic for fiscal year 2010-2011 shall not exceed **\$100,000**. The total maximum transfer from Rural Services Basic fund shall not exceed the sum of **\$1,211,000**. The total maximum transfer from Other Special Revenue fund shall not exceed the sum of **\$239,000**. The Auditor shall order periodic transfers from said fund to the Secondary Road fund and notify the Treasurer and County Engineer the amounts of said transfers. Transfers shall not exceed the sums stated above.

Motion carried on a roll call vote:

Blankenship – Aye, Crouch – Aye, Kohn – Aye

Motion by Crouch, seconded Blankenship to authorize the chair to sign the contract law agreements between Mills County, Malvern, Emerson, Henderson and Hastings.

Motion carried on a vote:

Ayes: 3 Nays: 0

There being no further business to come before the Board at this time, they adjourned to meet on July 13, 2010.

Mills County Board of Supervisors

\_\_\_\_\_  
R.E. Kohn, Chairperson

Attest: \_\_\_\_\_  
Auditor

The Mills County Board of Supervisors met this 13th day of July, 2010, at the Courthouse in Glenwood with all members present.

Motion by Blankenship, seconded by Crouch to approve the agenda for July 13, 2010 and by the same motion the minutes as corrected for the July 6, 2010 Board meeting.

Motion carried on a vote: Ayes: 3 Nays: 0.

Engineer Kevin Mayberry and the Mills County Board of Supervisors went on a site visit to view a driveway variance located on 275<sup>th</sup> Street. The variance is for a farm equipment entrance with a 510' sight distance instead of 610' as required by ordinance. The new driveway would increase the sight distance for the current farm equipment driveway.

Motion by Blankenship, seconded by Crouch to approve the driveway variance near 52444 275<sup>th</sup> Street.

Motion carried on a vote: Ayes: 3 Nays: 0

There were no utility permit reports.

Assistant County Attorney Eric Hansen was present to discuss the updated animal control contract. Mr. Hansen went over the changes to be incorporated into the new contract. He will prepare the final draft for the Board to review at a later date.

Motion by Blankenship, seconded by Crouch that because of the upcoming meeting of the Planning and Zoning Commission, no action will be taken at this time on the liquor license for the Back Room.

The assistant county attorney recommended to Mr. Delanty, proprietor of the Back Room, to follow the steps to request zoning changes.

Motion carried on a vote: Ayes: 3 Nays: 0

The Board of Supervisors did not go into closed session at this time.

Assistant County Attorney Eric Hansen stated that he had talked with attorney Matt Woods for the Pony Creek Drainage District pertaining to the response to the administrative order.

Motion by Crouch, seconded by Blankenship to authorize Mr. Hansen to work with Pony Creek Drainage District on the litigation of homes within the Drainage District in Dam Site 21.

Motion carried on a vote: Ayes: 3 Nays: 0

Don Lain, representative from Liberty National Insurance gave a presentation on optional Life Insurance plans for county employees. More information was requested by the Board pertaining to the savings by other counties/cities. Liberty National Insurance is new in Iowa but they will provide information to the Auditor on cities or counties in neighboring states who are similar in size to Mills.

The Board received the County Recorders June month end report and the June Financial month-end reports.

There being no further business to come before the Board at this time, they adjourned to meet on July 16, 2010.

Mills County Board of Supervisors

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R.E. Kohn, Chairperson

Attest: \_\_\_\_\_  
Auditor

Office of Mills County Auditor  
Carol Robertson  
Courthouse  
Glenwood, IA

The Mills County Board of Supervisors met this 16th day of July, 2010, at the Courthouse in Glenwood with all members present.

Motion by Blankenship, seconded by Crouch to approve the agenda for July 16, 2010.

Motion carried on a vote: Ayes: 3 Nays: 0.

Motion by Crouch, seconded by Blankenship to approve the accounts payable as presented.

Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Blankenship, seconded by Crouch to authorize chair to sign the 2010-2011 Annual Contract with Solutions, Inc.

Motion carried on vote: Ayes: 3 Nays: 0

There being no further business to come before the Board at this time, they adjourned to meet on July 20, 2010.

Mills County Board of Supervisors

\_\_\_\_\_  
R.E. Kohn, Chairperson

Attest: \_\_\_\_\_  
Auditor

The Mills County Board of Supervisors met this 20th day of July, 2010, at the Courthouse in Glenwood with all members present.

Motion by Blankenship, seconded by Crouch to approve the agenda for July 20, 2010 and by the same motion the minutes as corrected for the July 13th and July 16th, 2010 Board meetings.  
Motion carried on a vote: Ayes: 3 Nays: 0.

Engineer Kevin Mayberry reported to the Board that Corey Leick had inquired about the status of the Ellington Avenue, east of 237<sup>th</sup> Street, grade project. Mayberry will have the Assistant Engineer, Richard Parks inquire about purchasing the easement to continue with the grading. It is possible that the grading project could be bid out to other companies if the Secondary Roads Department cannot complete this in the near future.

There was one utility permit to report. It was for Extreme Trenching for a Qwest phone line on Hawley Road.

Jerad Getter, Mills County Conservationist, presented the 2010 Annual Year End Report as prescribed in Chapter 111A.3.  
Motion by Blankenship, seconded by Crouch to accept the Annual Year End report as presented.  
Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Crouch, seconded by Blankenship to amend the June 1, 2010 minutes by changing Resolution #10-11 Budget Amendment to 10-11A due to Resolution #10-11 had been used previously.  
Motion carried on a vote: Ayes: 3 Nays: 0

Linda Washburn was present to discuss support from the Board for Economic Development in Mills County.  
Motion by Blankenship, seconded by Crouch to provide investment dues in the amount of \$19,471 to Mills County Economic Development to assist in pursuing future development for Mills County. The dues will be paid from the Community Betterment Local Option Sales Tax monies.  
Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Crouch, seconded by Blankenship to approve the following dates for future street closures for street dances in Mineola, pending approval from the Mills County Engineer: August 12<sup>th</sup>, September 2<sup>nd</sup>, September 25<sup>th</sup> and October 30<sup>th</sup>.  
Motion carried on a vote: Ayes: 3 Nays: 0

Mills County Treasurer Janette, Blackburn presented the Semi-Annual Report from July 1, 2009 through June 30, 2010.  
Motion by Crouch, seconded by Blankenship to accept the Semi-Annual Report from July 1, 2009 through June 30, 2010.

Semi-Annual Report						
Janette Blackburn Treasurer Mills County Glenwood, IA Certification Date July 20, 2010						
For the period from July 1, 2009 - June 30, 2010, Inclusive						
Statement of Account By Fund						
Fund	Balance July 1, 2009	Revenues	Total To Be Accounted For	Disbursements	Fund Balance June 30, 2010	Auditor's Warrants Outstanding
01 General Basic	3,385,308.68	39,492.26	3,424,800.94	176,782.29	3,248,018.65	119,218.77
02 General Supplemental	1,366,011.40	600.52	1,366,611.92	72,357.13	1,294,254.79	63,740.07
03 Rural Services Basic	315,271.23	.00	315,271.23	28,931.02	286,340.21	31,573.25
05 Secondary Roads	1,388,062.17	612.00	1,388,674.17	194,168.95	1,194,505.22	297,324.81
06 Revenue Sharing	.00	.00	.00	.00	.00	.00
07 Flood & Erosion Control	.00	.00	.00	.00	.00	.00
10 Drivers License Pilot Project	.00	1,993.00	1,993.00	1,993.00	.00	.00
11 County Municipal Assistance	.00	.00	.00	.00	.00	.00
12 Capital Projects	.00	.00	.00	.00	.00	.00
13 Debt Service	.00	.00	.00	.00	.00	.00
14 Drainage Control	690,950.14	.00	690,950.14	1,458.33	689,491.81	6,573.33
16 Joint Disaster Service	36,445.14	.00	36,445.14	5,904.93	30,540.21	4,200.54
18 Property Tax Agency	317,691.49	36,011.42	353,702.91	.00	353,702.91	.00
20 Township Control	2,288.84	.00	2,288.84	2,288.84	.00	.00
21 Corporation Control	43,963.81	.00	43,963.81	43,963.81	.00	.00
22 School Control	128,652.56	.00	128,652.56	128,652.56	.00	.00
23 Area School Control	6,946.27	.00	6,946.27	6,946.27	.00	.00
24 Decat	36,441.82	.00	36,441.82	2,808.96	33,632.86	2,058.16
29 County Ag. Extension	1,582.67	.00	1,582.67	1,582.67	.00	.00
30 Co. Cons. Land Aqu. Trust	149,586.77	.00	149,586.77	.00	149,586.77	.00
31 County Assessor	258,603.32	7.00	258,610.32	11,395.82	247,214.50	5,346.89
32 Motor Vehicle Trust	364,982.07	140,771.35	505,753.42	364,982.07	140,771.35	.00
33 Use Tax Trust	.00	.00	.00	.00	.00	.00
34 City Special Assessment Control	2,584.67	.00	2,584.67	2,665.67	81.00-	.00
35 Tax Redemption Trust	.00	6,172.00	6,172.00	6,172.00	.00	.00
36 Mh/Dd Services Fund	1,214,016.18	.00	1,214,016.18	96,847.66	1,117,168.52	96,942.16
37 Data Processing	.00	.00	.00	.00	.00	.00
40 Recorders Record Management	16,196.31	253.00	16,449.31	.00	16,449.31	.00
41 Reap Trust	73,036.41	.00	73,036.41	.00	73,036.41	.00
42 Anatomical Gift Fund	.00	.00	.00	.00	.00	.00
43 Holding Account	4,783.98	454.00	5,237.98	.00	5,237.98	.00
44 Urban Renewal Tax revenue fund	285,530.96	.00	285,530.96	.00	285,530.96	.00
45 Feed Energy UR TIF Rebate	.00	.00	.00	.00	.00	.00
46 MAM I-29/34 UR TIF Rebate	.00	.00	.00	.00	.00	.00
47 Recorders Electronic Fund	.00	753.00	753.00	.00	753.00	.00
48 Woodfield UR Tax Revenue	7,325.18	.00	7,325.18	.00	7,325.18	.00

53	Dare	.00	.00	.00	.00	.00	.00
54	K9 Fund	2,962.32	.00	2,962.32	.00	2,962.32	.00
55	Drug Forfeiture	605.39	.00	605.39	.00	605.39	.00
56	Explorers	.00	.00	.00	.00	.00	.00
57	County Attorney Drug Dollars	3,351.59	.00	3,351.59	212.25	3,139.34	212.25
59	MH Trust and Agency	52,209.08	.00	52,209.08	44,407.15	7,801.93	32,958.16
77	E911 Surcharge	144,858.76	455.40	145,314.16	4,385.03	140,929.13	4,385.03
78	E911 Contributions	27,897.28	890.00	28,787.28	.00	28,787.28	.00
79	Bunge	.00	.00	.00	.00	.00	.00
99	Woodlands Benefited Water Dist	72,747.72	.00	72,747.72	.00	72,747.72	.00
		10,400,894.21	228,464.95	10,629,359.16	1,198,906.41	9,430,452.75	664,533.42

Glenwood, IA 51534 - 1756

July 20, 2010 Balance on Hand 9,430,452.75

I, Janette Blackburn Treasurer of Mills County do hereby certify that the report given is a correct summary of the business transacted by me as said during the period therein specified.

Motion carried on a vote: Ayes: 3 Nays: 0

The Board discussed considerations of appropriate businesses in C-1 zoning districts. Supervisor Kohn will present the suggested changes discussed to the Mills County Planning and Zoning Board on behalf of the Supervisors.

There being no further business to come before the Board at this time, they adjourned to meet on July 27, 2010.

Mills County Board of Supervisors

\_\_\_\_\_  
R.E. Kohn, Chairperson

Attest: \_\_\_\_\_  
Auditor

The Mills County Board of Supervisors met this 27th day of July, 2010, at the Courthouse in Glenwood with all members present.

Motion by Crouch, seconded by Blankenship to approve the Agenda for July 27, 2010 and by the same motion and the minutes for the July 20<sup>th</sup>, 2010 Board meeting.

Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Crouch, seconded by Blankenship to approve the Accounts Payable as presented.

Motion carried on a vote: Ayes: 3 Nays: 0

Engineer Kevin Mayberry reported the approval of a utility permit for a phone line by Extreme Trenching at 54499 317<sup>th</sup> Street.

Mayberry presented the final voucher for contract FM-CO65(76)-55-65 for Farm to Market Rock sign formalizing the withholding of \$8,076.93 and \$12,000 for liquidated damages.

Motion by Blankenship, seconded by Crouch that the Chairperson sign the final voucher.

Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Crouch, seconded by Blankenship to authorize the Board Chair to sign the annual ICAP Insurance Renewal.

Motion carried on a vote: Ayes: 3 Nays: 0

Deputy Auditor Pam Madison presented a request by Communications Director Tom Ling to hire Amber Tackett as dispatcher for the Communications Department.

Motion by Crouch, seconded by Blankenship to hire Amber Tackett as dispatcher effective August 9, 2010, at a beginning salary of \$13.37/hour.

Motion carried on a vote: Ayes: 3 Nays: 0

Darrin Whatcott and Holly Brown from the Planning and Zoning Department and Doug Bowen, representing Fairview County Club in Malvern were present to discuss the request for a Class C liquor license for the Fairview County Club. The Country Club has held a Beer and Wine license for a number of years, which is a nonconforming use in an AG (agriculture) zone. The request for a Class C liquor license is an expansion of a nonconforming use and a change in a nonconforming use requires the approval of a special use permit by the Mills County Board of Adjustment. The Fairview County Club will take this action under consideration.

Motion by Blankenship, seconded by Crouch to table the request for the Class C liquor license by the Fairview County Club.

Motion carried on a vote: Ayes: 3 Nays: 0

There being no further business to come before the Board at this time, they adjourned to meet on Tuesday, August 3, 2010.

Mills County Board of Supervisors

\_\_\_\_\_  
R.E. Kohn, Chairperson

Attest: \_\_\_\_\_  
Auditor

The Mills County Board of Supervisors met this 3rd day of August, 2010, at the Courthouse in Glenwood with all members present.

Supervisor Kohn received a call from Allan Hughes that he would not be able to keep his scheduled appointment on the agenda at 11:00 A.M.

Motion by Blankenship seconded by Crouch to approve the amended agenda for August 3, 2010 and by the same motion and the minutes for the July 27<sup>th</sup>, 2010 Board meeting.

Motion carried on a vote: Ayes: 3 Nays: 0

Assistant Engineer Richard Parks was present this week for Engineer Kevin Mayberry.

Motion by Crouch, seconded by Blankenship to authorize the Board chair to sign the EWP 69-6114-09-066 Weir Project time extension with a date of November 15, 2010, located on Applewood, north of Henderson.

Motion carried on a vote: Ayes: 3 Nays: 0

Assistant County Attorney, Eric Hansen joined the session to discuss concerns Mike Malone has with trying to mitigate runoff problems on his property. Malone has hired an engineer to give him a plan which would include putting in a curb around the road. Mr. Malone wanted to be certain that the County would not be going in and re-shaping the road or doing any other maintenance to these costly upgrades if installed. Assistant Attorney Eric Hansen stated that the County Engineer does not want any additional maintenance and is concerned about the attachment of curbing to the asphalt.

Malone assured the Supervisors he would be willing to sign an agreement that the County would not be responsible for these curbs, but wanted the County to agree not to do any upgrades on that road. The County engineer will meet with HGM engineers to get the answers to his concerns before the County enters into any agreements. Malone will need permission from the neighboring Road Association to allow him to put in some of these improvements.

Assistant Engineer, Richard Parks updated the Board on the current projects the secondary Roads Department is working on.

Denise Chambers and Matt Ross from Glen Haven did not show up for their scheduled appointment to discuss having a booth at Homecoming for funnel cakes. No action was taken at this time.

Linda Washburn, Glenwood Chamber of Commerce, asked the Board to write a letter of support for hosting RAGBRAI 2011. Motion by Blankenship, seconded by Crouch to authorize the Board Chair to write a letter of support on behalf of the Supervisors and County.

Motion carried on a vote: Ayes: 3 Nays: 0

Mrs. Washburn informed the Board that Terry Jones would be donating the use of 12-15 port-a-pot's for Homecoming and wanted to verify placement of some on the Courtyard. Several suggestions were discussed by the Board. The Chamber will place others at various locations around the square.

Supervisor Kohn will attend the Public Works Committee Meeting with the Glenwood City Council on August 10, 2010 at 6:00 p.m. in regards to sharing the cost of repairing the sidewalk in front of the Sheriff's Department.

Darrin Whatcott joined the session at this time.

Allan Hughes was unable to attend but would like the board to consider changing impervious property guidelines on lots under 3 acres in the Loess Hills Zoning District. The board discussed this with Mr. Whatcott and he explained that individual variances' for those non-conforming lots are currently needed because they were platted before zoning was in place. The Board will examine possible changes that would resolve this issue.

Larry Hurst, EMA, was present to discuss a meeting with FEMA on August 9, 2010 at 1:30 p.m. at the Fire Station in Red Oak. Mills County received the Presidential Proclamation for public assistance only, not for individual assistance programs.

Supervisor Blankenship will attend the meeting on behalf of the County Supervisors.

There being no further business to come before the Board at this time, they adjourned to meet on Tuesday, August 10, 2010.

Mills County Board of Supervisors

\_\_\_\_\_  
R.E. Kohn, Chairperson

Attest: \_\_\_\_\_  
Auditor

The Mills County Board of Supervisors met this 10th day of August, 2010, at the Courthouse in Glenwood with all members present.

Motion by Blankenship seconded by Crouch to approve the agenda for August 10, 2010 and by the same motion the corrected minutes for the August 3, 2010 Board meeting.

Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Crouch seconded by Blankenship to pay the accounts payable as presented.

Motion carried on a vote: Ayes: 3 Nays: 0

John McCurdy from SWIPCO was present to discuss the Sec 3 report for the Mineola CDBG project. He was requesting that the chair sign this report, but after researching this it was determined that this is not necessary to approve.

Motion by Blankenship seconded by Crouch to authorize the Board Chair to sign the extension request for the Mineola sewer project through the end of August to receive the final draw for administrative fees.

Motion carried on a vote: Ayes: 3 Nays: 0

McCurdy informed the Board of Supervisors that if Pony Creek Homeowners Association needs funding through CDBG, a grant application needs to be completed this fall. Pony Creek Homeowners Association will be able to apply for a loan through USDA, but the application for CDBG must be done through the County. McCurdy will get the rate study accomplished and other items before returning to the Board of Supervisors for approval. This was information only at this time.

Iowa Byways Signage will be purchased and installed by the Iowa D.O.T. Replacement signs must be requested through the Iowa D.O.T. Mills County Secondary Roads will do the installation of any replacement signs.

Motion by Blankenship seconded by Crouch to authorize the Board Chair to sign the Jurisdiction Agreement for Byway Signage Installation and Maintenance.

Motion carried on a vote: Ayes: 3 Nays: 0

There were two utility permits from Extreme Trenching for Hawley Road and Glover Road.

Mills County Engineer Kevin Mayberry informed the Board of Supervisors that Mike Malone and his engineer will meet with him to go over the plans for possibly curbing near his residence Park Place in mitigating the water issue. Supervisor Kohn asked the engineer about his report on the 220<sup>th</sup> Street petition. The engineer stated he will bring the reports before the Board on 220<sup>th</sup>, Ellington and Goode streets, at the same time.

Motion by Blankenship seconded by Crouch to approve Glenwood Kiwanis to have a funnel cake booth in the courtyard on Homecoming.

Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Crouch seconded by Blankenship to approve the hire of Joan Meastes and Timothy Snyder as jailers contingent upon successful completion of a physical, psychological and drug screens. The tentative start date is August 30, 2010 at a salary of \$23,886.00 and after 6 months \$26,536.00.

Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Blankenship seconded by Crouch to sign the Sustainable Communities Regional Planning Grant Program with MAPA and Mills County Memorandum of Understanding.

Motion carried on a vote: Ayes: 3 Nays: 0

The Board discussed continuation of contacting cities concerning recycling.

Supervisor Kohn read a letter that he received regarding a meeting concerning services DHS will be providing due to cut backs. Supervisor Crouch will attend the meeting in Atlantic.

There being no further business to come before the Board at this time, they adjourned to meet on Tuesday, August 17, 2010.

Mills County Board of Supervisors

\_\_\_\_\_  
R.E. Kohn, Chairperson

Attest: \_\_\_\_\_  
Auditor

The Mills County Board of Supervisors met this 17th day of August, 2010, at the Courthouse in Glenwood with all members present. Also present were Mark Selzer, Joyce Carnes, Craig Nakamoto and Clay Deitchler.

Motion by Blankenship seconded by Crouch to approve the agenda for August 17, 2010 and by the same motion the corrected minutes for the August 10, 2010 Board meeting.

Motion carried on a vote: Ayes: 3 Nays: 0

There were no utility permit reports this week.

Engineer Mayberry received a letter from attorney Matt Woods stating he will work with the Assistant County Attorney on an agreement with regards to curb and gutter on 22565 Forrester Lane. The Engineer met with Mike Malone and his engineer and discussed specifications for this project.

Engineer Mayberry gave the Board some preliminary figures for the 220<sup>th</sup> Street, Ellington Avenue and Goode Avenue road improvement assessments. The County policy states that in Assessment Districts the residents pay 100% of improvements. Goode Avenue and Ellington Avenue area is approximately 3900 feet or  $\frac{3}{4}$  of a mile. The approximate cost is \$400,000. 220<sup>th</sup> Street is approximately 1  $\frac{1}{4}$  mile long and the approximate cost is \$700,000. These numbers are preliminary. The Engineer will try to have the report completed so if approved by the Board of Supervisors, the assessment districts work could be done in 2011.

Motion by Blankenship seconded by Crouch to approve an amendment of the July 27, 2010 minutes to correct the start date of Amber Tackett from August 9<sup>th</sup> to August 10, 2010.

Motion carried on a vote: Ayes: 3 Nays: 0

Allan Hughes was present to discuss the zoning requirements for existing acreage parcels. He was inquiring about the non-conforming lots in the County for building purposes with regards to the zoning ordinances. The County Attorney will be contacted for advisement on writing language by the Board for those wanting to build at this time, until an amendment to the ordinance can be completed.

Motion by Crouch seconded by Blankenship to approve the renewal of the Class BB (Beer & Wine Coolers) Liquor License for Walker's Harley Davidson in Pacific Junction for their annual event on September 11, 2010.

Motion carried on a vote: Ayes: 3 Nays: 0

Stacy Heatherly representing Diggs Site Productions, a non-profit agency would like to have a food booth for Homecoming in the Courtyard. Heatherly was asked to visit with the City as to where the electricity will be available on the square for Homecoming and get back to the Auditor for confirmation on the site.

Motion by Crouch seconded by Blankenship to allow the food booth in the courtyard for Homecoming.

Motion carried on a vote: Ayes: 3 Nays: 0

Supervisor Crouch has requested bids from contractors to repair the current storage shed that houses the County mowing and snow removal equipment. Consideration needs to be taken in looking at possibly building a new shed according to City zoning.

Motions by Blankenship seconded by Crouch to direct Supervisor Crouch to continue the process to develop a plan for repairs or replacement of the storage shed and return to the Board with the recommendation.

Motion carried on a vote: Ayes: 3 Nays: 0

Mills County Sheriff Eugene Goos was present to inform the Board that one of the previously approved jailers did not meet the pre-employment hiring requirements. The Sheriff has extended the position to the next individual that had been interviewed. The position will be approved when all requirements are met.

Mark Selzer and Craig Nakamoto discussed various concerns and questions regarding permitting. The Board addressed these items. Supervisor Kohn reported on the Economic Development meeting he attended in Sarpy County with other local government representatives and elected officials regarding the potential of an intermodal facility.

Supervisor Crouch reported on the meeting he attended in Atlantic with the down sizing of the Department of Human Services, with discussion regarding the services that have been lost in the local area.

Supervisor Kohn reported on the meeting that he attended at City Hall with Sheriff Goos pertaining to the repairs of the sidewalks around the square.

The Board received the July month end financial reports.

There being no further business to come before the Board at this time, they adjourned to meet on Tuesday, August 24, 2010.

Mills County Board of Supervisors

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R.E. Kohn, Chairperson

Attest: \_\_\_\_\_  
Auditor

Office of Mills County Auditor  
Carol Robertson  
Courthouse  
Glenwood, IA

The Mills County Board of Supervisors met this 24th day of August, 2010, at the Courthouse in Glenwood with all members present. Also present were Allan Hughes, Joyce Carnes, Bill Billings from KCSI radio and a representative from the Council Bluffs Nonpareil.

Motion by Crouch seconded by Blankenship to approve the agenda for August 24, 2010 and by the same motion the corrected minutes for the August 17, 2010 Board meeting.

Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Blankenship, seconded by Crouch to approve the accounts payable as presented.

Motion carried on a vote: Ayes: 3 Nays: 0

Engineer Kevin Mayberry has a proposed design for the 190<sup>th</sup> Street paving project at a cost of \$68,000. Depending on when this project could be done, Mayberry has concerns about the payment. The Auditor explained that if this project was added to the current TIF area, the debt would need to be certified by December 1, 2010 and payments would not be received until taxes are paid in September 2011 and March 2012. The Engineer will continue working on this project.

Mayberry also reported that the road has been graded and dust control was put down on Monday, August 23, 2010.

There were two utility permits reports this week from Extreme Trenching for Qwest phone lines on 340<sup>th</sup> Street and Rawley Road.

Engineer Mayberry reported a scraper damaging 250<sup>th</sup> Street over the weekend. The road has been repaired and the person responsible for the damage will be billed for the cost of the repairs.

Mayberry reported on a meeting he and Supervisor Crouch attended with regards to developing the area where the 34 interchange will be constructed for Economic Development growth.

Allan Hughes was present to see if the Board had made a decision as to what to do about the non-conforming lots. Hughes asked for this item to be put on the agenda next week for formal action.

Wayne Phipps wanted to update the Board on the progress of the Loess Hills Archeology Interpretive Center. He was asking the Board for approval to include the LHAIC with the foothills park 28E agreement between Mills County and the DNR instead of having two separate agreements. The Supervisors didn't have a problem with having one agreement instead of two. Phipps stated it would be up to the DNR, but they would request it.

Motion by Crouch, seconded by Blankenship to approve the Fairview Country Club Class C – LC V 29387 Liquor License. Motion carried on a vote: Ayes: 3 Nays: 0

Jack May and other Mills County residents joined the Board for a continued discussion regarding the County's permitting process. Nine or ten items were presented and addressed by the Board.

There being no further business to come before the Board at this time, they adjourned to meet on Tuesday, August 31, 2010.

Mills County Board of Supervisors

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R.E. Kohn, Chairperson

Attest: \_\_\_\_\_  
Auditor

The Mills County Board of Supervisors met this 31st day of August, 2010, at the Courthouse in Glenwood with all members present. Also present Joyce Carnes.

Motion by Crouch seconded by Blankenship to approve the agenda for August 31, 2010 and by the same motion the corrected minutes for the August 24, 2010 Board meeting.

Motion carried on a vote: Ayes: 3 Nays: 0

Emergency Management Coordinator, Larry Hurst reported that ICAP, the Insurance provider for Mills County, has indicated that the County could benefit by implementing policies and procedures and amending our current policies. Hurst will contact the various departments to identify problems and will write a response to ICAP, and he will also work with the Auditor on amending current policies, which will be returned to the Board for approval.

Engineer Mayberry, Darrin Whatcott – Planning & Zoning Building Director, and Allan Hughes were present to discuss the non-conforming lot procedures. The Board and Whatcott received a legal response from the Assistant County Attorney, Eric Hansen, which identifies this issue under Sec. 27.1.10 and Sec. 27.1.10(h)(i)(a) which allows for reasonable use of legally created lots of record which do not meet current minimum requirements for the respective zoning district. This provision gives Whatcott administrative rights to a “reasonable” use of pre-existing lots. Whatcott also stated these issues will be addressed by the Planning & Zoning Commission with an amendment to the zoning ordinance. No formal action is needed at this time.

One utility permit was issued for Huntel Engineering for S.W. Telephone Company cable on H34 west of Emerson.

Engineer Mayberry informed the Board that Ziegler brought an “M” motor grader for demo to the County Roads Department. Mayberry explained that the County tries to replace motor graders after 10,000 hours of service if possible. He will look at the 2010-2011 equipment budget to see if two graders can be purchased. No bids or trade-in options have been received to date. Mayberry will return for approval at a later date.

Linda Washburn, Glenwood Chamber/Economic Development Director, Doug Beckman – Economic Development, Rick Allely and Terry Meier, David Potter of JEO, and Charles Dashner, citizen joined the session at this time.

David Potter of JEO explained they met with representatives from the County, Economic Development Committee and Darrin Whatcott to discuss a preliminary proposal to address the needs of the County in developing the I-29/34 Corridor area. A written preliminary report was presented with 2 options. The study area will include the area from Highway 370 to the north to existing Highway 34 to the south; from the Missouri River to the west; to I-29 to the East.

The Board will take this under advisement and will return for formal action on the September 7<sup>th</sup> agenda.

Supervisor Crouch reported that since the Board is in charge of the Chantry Drainage District action needs to be made to authorize the spraying of trees and weeds that have grown back or were missed.

Motion by Blankenship seconded by Kohn to authorize Supervisor Crouch to oversee the project for spraying trees and weeds.

Motion carried on a vote: Ayes: 3 Nays: 0

Joe Foreman from the Glenwood Opinion Tribune, Jim Webel, City of Glenwood, Eric Hansen – Assistant County Attorney, Jack May, Mark Seltzer and Craig Nakamoto were present to discuss the repeal of building ordinances. Several concerns from the public were addressed and Supervisors Blankenship and Kohn stated they do not feel repealing the ordinance is in the best interest of the County. However, all three supervisors feel they are more that willing to look at the building ordinance and amend the fee schedule and other areas of concern. Supervisor Crouch shared concerns he received from residents with regard to actions by JAS staff. Whatcott told the Board he would be addressing these staff issues and requested that he be contacted when the public has a complaint. The supervisors will be studying the Building Ordinances, fee schedule issues and administrative issues to address residents concerns and identify possible changes.

Auditor Robertson answered the question from Seltzer regarding the request to have the repeal of the building ordinance placed on the general election ballot. She explained that under Iowa code provisions this is not an item that can be put on as a ballot question. She also explained the Ordinance passing procedure. No formal action was taken on this agenda item.

Motion by Crouch seconded by Blankenship to abate the 100% Disabled/Military Exemptions as per Iowa Code 425.15. The total amount to be abated is \$6,192.00 for the 5 County residents that qualify.

Motion carried on a vote: Ayes: 3 Nays: 0

Members of the Montgomery Board of Supervisors, Donna Robinson, Glen Benskin and Steve Ratcliff, Mills County Supervisors Ron Kohn, Joe Blankenship and Richard Crouch, and Sara Ketcham, Mills/Montgomery CPC Coordinator met as a Mills/Montgomery County CPC 28E Board.

Montgomery Board of Supervisors, Donna Robinson, Glen Benskin and Steve Ratcliff met with the Mills County Board of Supervisors and Patrick Binns, IT Director for Mills/Montgomery to discuss the IT contract and job description.

Motion by Blankenship seconded by Crouch to approve the updated job description and contract for the IT Director, Patrick Binns effective November 1, 2010 in the amount of \$64,000.00 to be shared equally between Mills and Montgomery Counties with added GIS duties for both counties.

Motion carried on a vote: Ayes: 3 Nays: 0

Lori Ingoldsby and the Board of Supervisors met as a board of canvassers for the Nishna Valley School Board election which was held on August 24, 2010. The outcome of the election was Matt Urban and Bradley Lewis being elected to the vacancies for a 1 year term.

Motion by Blankenship seconded by Kohn to authorize Supervisor Crouch to get bids for replacement of the County garage, which is located on the grounds occupied by the Mills County Sheriff offices and jail according to City of Glenwood's building codes.

Motion carried on a vote: Ayes: 3 Nays: 0

There being no further business to come before the Board at this time, they adjourned to meet on Tuesday, September 7, 2010.

Mills County Board of Supervisors

\_\_\_\_\_  
R.E. Kohn, Chairperson

Attest: \_\_\_\_\_  
Auditor

The Mills County Board of Supervisors met this 7th day of September, 2010, at the Courthouse in Glenwood with all members present.

Motion by Blankenship seconded by Crouch to approve the agenda for September 7, 2010 and by the same motion the corrected minutes for the August 31, 2010 Board meeting.

Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Crouch seconded by Blankenship to pay the accounts payable as presented.

Motion carried on a vote: Ayes: 3 Nays: 0

There were no utility permit reports this week.

The Board discussed a few road concerns with the Engineer.

Darin Whatcott and Rick Allely were present for the discussion on the Highway 34 Corridor Study. Motion by Crouch seconded by Blankenship to approve the contract with JEO for the Highway 34 Corridor Study, Option 2 in the amount not to exceed \$37,250 upon completion of the revisions requested by the Assistant County Attorney.

Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Blankenship seconded by Crouch to approve the new ownership liquor license update for the Glenwood Golf Corp.

Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Blankenship seconded by Crouch to approve the liquor license renewal for Castle Unicorn.

Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Blankenship seconded by Crouch at the recommendation of the Sheriff to hire Kim Arnold for the jailer position with a start date of September 3, 2010 at a salary of \$23,886 and after 6 months of employment the salary will be \$26,536. The candidate passed the required physical, psychological and drug screening tests.

Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Blankenship seconded by Crouch to go into closed session according to Iowa Code 21.5(i)–To evaluate the professional competency of an individual whose appointment, hiring, performance or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session.

Roll Call Vote: Blankenship–Aye, Crouch–Aye, Kohn–Aye. Motion carried.

Into closed session at 11:07 a.m.

Motion by Blankenship seconded by Crouch to come out of Closed Session at 11:27 a.m.

Roll Call Vote: Blankenship–Aye, Crouch–Aye, Kohn–Aye Motion carried.

Motion by Crouch seconded by Blankenship to place a letter of written reprimand in that county employee's personnel file.

Motion carried on a vote: Ayes: 3 Nays: 0

There being no further business to come before the Board at this time, they adjourned to meet on Tuesday, September 14, 2010.

Mills County Board of Supervisors

\_\_\_\_\_  
R.E. Kohn, Chairperson

Attest: \_\_\_\_\_  
Auditor

The Mills County Board of Supervisors met this 14th day of September, 2010, at the Courthouse in Glenwood with all members present.

Motion by Crouch seconded by Blankenship to approve the amended agenda for September 14, 2010 and by the same motion the corrected minutes for the September 7, 2010 Board meeting. Tom Ling cancelled his scheduled appointment due to illness and the 11:00 building schedule of fees will be discussion only rather than formal action.

Motion carried on a vote: Ayes: 3 Nays: 0

The Engineer and Supervisors did a site visit at 390<sup>th</sup> Street to view a driveway variance location. They returned at 9:30 a.m.

There were no utility permit reports this week.

Motion by Blankenship seconded by Crouch to authorize the Engineer to contact the neighbors to see if a shared drive can be done on the 390<sup>th</sup> Street property. The Engineer will return to the Board of Supervisors with his determination.

Motion carried on a vote: Ayes: 3 Nays: 0

Representatives from John Deere brought in a demo motor grader for Secondary Roads to try. Caterpillar had previously brought down a motor grader for demo as well. The Engineer will return next week with quotes and comparables between the two types of motor graders. No formal action was taken at this time.

Motion by Blankenship seconded by Crouch to approve the final payment to K&M Hungry Canyons Project for the Farm Creek Weier in the amount of \$133,828.05.

Motion carried on a vote: Ayes: 3 Nays: 0

The Engineer discussed the correspondence he had sent to a property owner addressing road concerns.

The Mills County Communications Director Equipment Project Update will be rescheduled.

Pete Franks updated the Board on preliminary information on the remodel of the Communication Center and potential office space for the Communications Director.

Motion by Crouch seconded by Blankenship to have Frank's Design Group submit a facility assessment study including recommendations for a fee not to exceed \$4000.

Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Blankenship seconded by Crouch to develop a written agreement with Frank's Design Group and move ahead with construction plans for remodeling the Treasurer's office.

Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Blankenship seconded by Crouch to approve the following Committee members for the I-29 Hwy 34 Corridor Master Plan Advisory Committee:

Linda Washburn	Chamber of Commerce/Economic Development Foundation
Larry Winum	Economic Development Foundation
Doug Beckman	Economic Development Foundation
Mary Gunderson	Area Chamber & Business
Randy McCunn	Area Chamber & Business (A&M Green Power)
Ted Mintle	County Planning & Zoning Commission
Chris Rockwell	County Planning & Zoning Commission
Keith Johnson	County Zoning Board of Adjustments
Richard Crouch	County Board of Supervisors
Kevin Mayberry	County Engineer
Darin Whatcott	County Building & Zoning Officer

Motion carried on a vote: Ayes: 3 Nays: 0

The Board discussed the Building Permit Schedule of fees.

The Board of Supervisors met as members of the Mills County Assessor's Conference Board for a public hearing on the Assessors Budget Amendment. (see Assessor's minutes for details)

There being no further business to come before the Board at this time, they adjourned to meet on Tuesday, September 14, 2010.

Mills County Board of Supervisors

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R.E. Kohn, Chairperson

Attest: \_\_\_\_\_  
Auditor

The Mills County Board of Supervisors met this 21st day of September, 2010, at the Courthouse in Glenwood with all members present.

Motion by Crouch seconded by Blankenship to approve the agenda for September 21, 2010 and by the same motion the corrected minutes for the September 14, 2010 Board meeting.

Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Blankenship seconded by Crouch to approve the accounts payable as presented.

Motion carried on a vote: Ayes: 3 Nays: 0

There were no utility permit reports this week.

Engineer Mayberry reported that no variance application is needed at 390<sup>th</sup> Street as one of the property owners has agreed to move his driveway and replace it with a shared driveway at the boundary of the two properties.

The Engineer presented two bids for the purchase of motor graders;

1) Murphy Equipment from Omaha John Deere for a 770 GP in an amount of \$283,937 minus a trade-in of the 2000 and 2001 Mills County motor graders for \$73,500 each for a final cost of \$209,437 each. Total bid is \$418,874.

2) Ziegler CAT of Des Moines for a 140M for \$227,190 with the 2000 trade-in value of \$79,700 for a total cost of \$147,490 and the 2001 trade-in value of \$82,200 plus a mount for \$3500 for a total cost of \$148,490. Total cost for 2 motor graders is \$295,980. Cameras and 2 mounts can be included for \$2700 each. Total cost for the two motor graders with cameras and mounts is \$301,380.

Motion by Crouch seconded by Blankenship at the recommendation of the engineer to accept the bid from Ziegler CAT in the amount of \$301,380 for the two 140M CAT motor graders with cameras and mount and with 2 trade ins.

Motion carried on a vote: Ayes: 3 Nays: 0

The Engineer discussed some flood plain concerns. The Board of Supervisors presented some questions with road concerns they had received that the Engineer will address.

The Engineer also stated they will be finishing the Ellington Avenue project before moving to 190<sup>th</sup> Street next week.

Bids were opened for a storage building for the courthouse. It was determined that bids varied considerably in scope and materials. A bid sheet indicating specific groundwork and building requirements will be prepared and Supervisor Crouch will contact the contractors in order for them to re-bid the job.

Motion by Blankenship seconded by Crouch to table this until supervisor Crouch can contact all bidders and clarify the specifications.

Motion carried on a vote: Ayes: 3 Nays: 0

Darin Whatcott, Mills County Planning & Zoning representative, was present to discuss Board concerns and to provide clarification on services that are being purchased from JAS. Whatcott updated the Board on zoning issues that are being addressed.

There will not be a public hearing as scheduled on the Zoning Map Amendment due to an error in the legal notice. This public hearing has been re-scheduled for September 28, 2010.

Craig Nakamoto and Darin Whatcott were present for the Zoning Ordinance Amendment Public Hearing. The public hearing opened at 10:28 a.m. No written comments had been received. Supervisor Kohn noted the changes in the Zoning Matrix. Other changes were noted as well. The public hearing was closed at 10:35 a.m.

Motion by Blankenship seconded by Crouch to approve and accept the first reading of the Zoning Ordinance Amendment.

Motion carried on a Roll Call vote: Blankenship – Aye, Crouch – Aye, Kohn – Aye

Motion by Crouch seconded by Blankenship to approve Resolution 10-12.

**RESOLUTION 10-12**

**A RESOLUTION OF SUPPORT FOR A MILLS COUNTY GRANT APPLICATION FOR A TRANSPORTATION ENHANCEMENT PROJECT**

**WHEREAS**, the Mills County Board of Supervisors is the legally recognized governing body for Mills County, Iowa, and

**WHEREAS**, the Mills County Board of Supervisors agrees to serve as the Sponsor/Applicants as outlined in the grant application and supporting materials; and

**WHEREAS**, the Mills County Board of Supervisors has found the Mills County Archaeological/Interpretive Center Project to be beneficial for the preservation and protection of the cultural history and the archaeological resources of the Nebraska Phase Glenwood Culture and will provide educational opportunities for visitors.

**NOW, THEREFORE, BE IT RESOLVED BY THE MILLS COUNTY BOARD OF SUPERVISORS THAT;**

Section 1. Mills County wholly endorses this project and agrees to serve as sponsor/applicant.

Section 2. The required matching funds as noted in the application have been collected and will be expended as a part of the project cost.

**BE IT FURTHER RESOLVED** that the Mills County Board of Supervisors authorizes the application for State Enhancement Funds to fund a Feasibility Study for the Project.

Passed and adopted by the Mills County Board of Supervisors at a regular meeting duly held on the 21<sup>st</sup> day of September, 2010.

\_\_\_\_\_ Chairman  
\_\_\_\_\_ Auditor

Motion carried on a Roll Call vote: Blankenship – Aye, Crouch – Aye, Kohn – Aye

The Board of Supervisors received the August Bank Reconciliation from the Mills County Sheriff.

Darin Whatcott presented some items for discussion.

Craig Nakamoto expressed some concerns he had with correspondence he had sent to the Board in early September for tax abatement. The Board addressed these concerns verbally and Nakamoto requested the response in writing.

Supervisor Blankenship reported on the refund Mills County will receive from SWI Juvenile Detention Center.

There being no further business to come before the Board at this time, they adjourned to meet on Thursday, September 23, 2010.

Mills County Board of Supervisors

\_\_\_\_\_  
R.E. Kohn, Chairperson

Attest: \_\_\_\_\_  
Auditor

Office of Mills County Auditor  
Carol Robertson  
Courthouse  
Glenwood, IA

The Mills County Board of Supervisors met this 23rd day of September, 2010, at the Courthouse in Glenwood with all members present.

Motion by Crouch seconded by Blankenship to approve and add general discussion to the agenda for September 23, 2010.

Motion carried on a vote: Ayes: 3 Nays: 0

There was no public attendance for the 2<sup>nd</sup> reading of the Zoning Ordinance Amendment.

Motion by Blankenship seconded by Crouch to approve the reading of Zoning Ordinance Amendment.

Motion carried on a vote: Ayes: 3 Nays: 0

Specifications for the County Storage Building were discussed. The Auditor will send these out to the bidders for a re-bid according to the new specifications.

The Budget Amendment was discussed.

There being no further business to come before the Board at this time, they adjourned to meet on Tuesday, September 28, 2010.

Mills County Board of Supervisors

\_\_\_\_\_  
R.E. Kohn, Chairperson

Attest: \_\_\_\_\_  
Auditor

Office of Mills County Auditor  
Carol Robertson  
Courthouse  
Glenwood, IA

The Mills County Board of Supervisors met this 28th day of September, 2010, at the Courthouse in Glenwood with all members present.

Motion by Blankenship seconded by Crouch to approve the agenda for September 28, 2010 with a change stating Farm Bureau Attorney not State Farm Attorney and by the same motion the corrected minutes for the September 21 and 23, 2010 Board meetings.

Motion carried on a vote: Ayes: 3 Nays: 0

There were 2 Utility Permit reports:

GMU to replace a fire hydrant at Eldeberry and 221<sup>st</sup> Street.

Extreme Trenching for Qwest phone line on Deacon.

The Engineer had not received all of the paperwork on the contract award for BHS-CO65(78)-63-65 abutment and deck repairs for Gaston Avenue bridge over Keg Creek. No action will be taken at this time. This will be placed back on the agenda when all paperwork has been received.

Those present for discussion on Ag classifications were Chris Gruenhagen, Attorney for Farm Bureau, Ken Pingburn and Ken Wade, Farm Bureau Representatives, Doug Beckman, Eric Hansen, Assistant County Attorney, Darin Whatcott, Planning & Zoning, Christina Govig, County Assessor, and Kristine Schoening, Deputy Real Estate. Ms. Gruenhagen gave a presentation on interpreting the Ag classifications from Farm Bureau perspectives. Notations were made with regards to classifications for taxation and zoning purposes. Ms. Gruenhagen said she would contact the local Farm Bureau and get a definition of Ag.

Supervisor Kohn open the Public Hearing on the Zoning Map Amendment at 11:05 A.M.

The public hearing was closed at 11:30 A.M.

Motion by Blankenship seconded by Crouch to table the 1st reading of the Zoning Map Amendment for clarification of the legal boundary line.

Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Blankenship seconded by Crouch to approve the 3<sup>rd</sup> and final reading of the Zoning Ordinance Amendment.

Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Blankenship seconded by Crouch to approve the Zoning Ordinance Amendment 10-1.

AN ORDINANCE TO AMEND THE COUNTY CODE OF ORDINANCES OF MILLS COUNTY, IOWA, BY AMENDING CHAPTER 27 – ZONING ORDINANCE WHICH GOVERNS THE ORDERLY LAND DEVELOPMENT FOR ALL THE UNINCORPORATED AREA OF MILLS COUNTY, IOWA, BY SETTING FORTH THE MODIFIED DEFINITION FOR CONVENIENCE FOOD SALES, THE MODIFIED DEFINITION FOR MAXIMUM HEIGHT, THE NEW FOOTNOTE ADDED TO TABLE 4.02: DEVELOPMENT CRITERIA FOR ZONING DISTRICTS ESTABLISHING THE NEW MAXIMUM HEIGHT AS WELL AS ANY APPLICABLE RESTRICTIONS TO THE MAXIMUM HEIGHT OF INDUSTRIAL/MANUFACTURING EQUIPMENT, SMOKE STACKS, SILOS AND APPROVED ABOVE GROUND LANDFILLS, THE ADDITION, MODIFICATION, AND OMISSION OF CERTAIN USES IN TABLE 4.01: USE MATRIX FOR THE VILLAGE DISTRICT (V) AND THE CONVENIENCE COMMERCIAL DISTRICT (C-1) AS WELL AS THE CORRECTION OF ANY TYPOGRAPHICAL ERRORS AND ALL OTHER MISSTATEMENTS IN THE REGULATIONS.

BE IT THEREFORE ORDAINED BY THE  
BOARD OF SUPERVISORS OF MILLS COUNTY, IOWA:

**Section 1. AMENDMENT ONE.** Subparagraph (b) of Subparagraph (i) of Subparagraph (b) – Additions or Enlargements to Nonconforming Structures of Subparagraph (4) – Nonconforming Structures of Subparagraph (h) – Nonconforming Development and Uses of Section 27.1.10 – Administration and Enforcement of Section 1 – General Provisions of Chapter 27- Zoning Ordinance of the Mills County Code of Ordinances is hereby repealed and a new Subparagraph (b) of Subparagraph (i) of Subparagraph (b) – Additions or Enlargements to Nonconforming Structures of Subparagraph (4) – Nonconforming Structures of Subparagraph (h) – Nonconforming Development and Uses of Section 27.1.10 – Administration and Enforcement of Section 1 – General Provisions of Chapter 27- Zoning Ordinance is enacted as follows:

**Section 2. NEW SUBPARAGRAPH (b) OF SUBPARAGRAPH (i) OF SUBPARAGRAPH (b) – ADDITIONS OR ENLARGEMENTS TO NONCONFORMING STRUCTURES OF SUBPARAGRAPH (4) – NONCONFORMING STRUCTURES OF SUBPARAGRAPH (h) – NONCONFORMING DEVELOPMENT AND USES OF SECTION 27.1.10 – ADMINISTRATION AND ENFORCEMENT.**

Subparagraph (b). The nonconforming building and impervious surface coverage on the site are not increased

and the building, after the addition, conforms to height and off-street parking regulations applicable to its zoning district.

**Section 3. AMENDMENT TWO.** Subparagraph (1) – Convenience Food Sales of Subparagraph (m) – Food Sales of Section 27.3.7 – Commercial Use Types of Section 3 – Use Types of Chapter 27 – Zoning Ordinance of the Mills County Code of Ordinances is hereby repealed and a new Subparagraph (1) – Convenience Food Sales of Subparagraph (m) – Food Sales of Section 27.3.7 – Commercial Use Types of Section 3 – Use Types of Chapter 27 – Zoning Ordinance is enacted as follows:

**Section 4. NEW SUBPARAGRAPH (1) – CONVENIENCE FOOD SALES OF SUBPARAGRAPH (m) – FOOD SALES OF SECTION 27.3.7 – COMMERCIAL USE TYPES.** Subparagraph (1). Convenience Food Sales: Establishments occupying facilities of less than 10,000 square feet and characterized by sales of specialty foods, or a limited variety of general items, or the sales of fuel for motor vehicles, or vehicle washing establishments utilizing mechanical conveyors, blowers and steam cleaning, or self-service vehicle washing facilities. (Intensity Rating: H.)

**Section 5. AMENDMENT THREE.** The initial subparagraph of Section 27.4.2 – Establishment of Districts of Section 4 – Zoning District Regulations of Chapter 27 – Zoning Ordinance of the Mills County Code of Ordinances is hereby repealed and a new initial subparagraph of Section 27.4.2 – Establishment of Districts of Section 4 – Zoning District Regulations of Chapter 27 – Zoning Ordinance is enacted as follows:

**Section 6. NEW INITIAL SUBPARAGRAPHS OF SECTION 27.4.2 – ESTABLISHMENT OF DISTRICTS.** 27.4.2 – Establishment of Districts. The following base districts and overlay districts are hereby established. These districts correspond to the Land Use Policy Districts established by the Mills County Comprehensive Plan.

<b>BASE ZONING DISTRICTS</b>	<b>DISTRICT NAMES</b>
<b>AG</b>	Agricultural District
<b>AR</b>	Agricultural/Residential District
<b>LH</b>	Loess Hills Conservation Development District
<b>V</b>	Village District
<b>C-1</b>	Convenience Commercial District
<b>C-2</b>	Highway Oriented Commercial District
<b>I</b>	Industrial District
<b>OS</b>	Greenway/Open Space Conservation District
<b>OVERLAY DISTRICTS</b>	
<b>GP</b>	Grading Permit Overlay District
<b>PUD</b>	Planned Unit Development Overlay District

**Section 7. AMENDMENT FOUR.** Subparagraph (c) of Section 27.4.2 – Establishment of Districts of Section 4 – Zoning District Regulations of Chapter 27 – Zoning Ordinance of the Mills County Code of Ordinances is hereby repealed and a new Subparagraph (c) of Section 27.4.2 – Establishment of Districts of Section 4 – Zoning District Regulations of Chapter 27 – Zoning Ordinance is enacted as follows:

**Section 8. NEW SUBPARAGRAPH (c) OF SECTION 27.4.2 – ESTABLISHMENT OF DISTRICTS.** Subparagraph (c). Loess Hills Conservation Development District (LH): The Loess Hills Conservation Development District recognizes the importance of the fragile and unique landform of the Loess Hills and the demand for residential development. The concept of conservation development encourages developers to preserve areas of environmental or scenic significance in exchange for allowing greater development density in other parts of the project or by lessening the minimum lot size of the parcel if the overall percentage of open space or agricultural land stays constant. Minimum lot size standards should be observed for construction of private septic system and wells. However, constructing common water and wastewater systems in place of private systems will allow an even greater development density. The Loess Hills Conservation Development District allows the landowner to develop at a greater density using conservation development techniques.

**Section 9. AMENDMENT FIVE.** Subparagraph (d) of Section 27.4.2 – Establishment of Districts of Section 4 – Zoning District Regulations of Chapter 27 – Zoning Ordinance of the Mills County Code of Ordinances is hereby repealed and a new Subparagraph (d) of Section 27.4.2 – Establishment of Districts of Section 4 – Zoning District Regulations of Chapter 27 – Zoning Ordinance is enacted as follows:

**Section 10. NEW SUBPARAGRAPH (d) OF SECTION 27.4.2 – ESTABLISHMENT OF DISTRICTS.** Subparagraph (d). Village District (V): This district is intended to provide for residential and commercial development in existing, long-standing rural unincorporated villages. The Village District is appropriate to areas in the county within identifiable communities, such as Mineola and Strahan. The use of the Village District for development using private infrastructure should be discouraged, although it is not prohibited.

**Section 11. AMENDMENT SIX.** Subparagraph (e) of Section 27.4.2 – Establishment of Districts of Section 4 – Zoning District Regulations of Chapter 27 – Zoning Ordinance of the Mills County Code of Ordinances is hereby repealed and a new Subparagraph (e) of Section 27.4.2 – Establishment of Districts of Section 4 – Zoning District Regulations of Chapter 27 – Zoning Ordinance is enacted as follows:

**Section 12. NEW SUBPARAGRAPH (e) OF SECTION 27.4.2 – ESTABLISHMENT OF DISTRICTS.** Subparagraph (e). Convenience Commercial District (C-1): This district is intended for commercial facilities that serve the needs of markets ranging from a rural community to the overall region. Permitted commercial

and office uses are generally compatible with nearby residential areas, with development standards designed to minimize the effects of traffic and operation characteristics. The Convenience Commercial Districts are appropriate at major intersections or at the periphery of a rural community.

**Section 13. AMENDMENT SEVEN.** Subparagraph (h) of Section 27.4.2 – Establishment of Districts of Section 4 – Zoning District Regulations of Chapter 27 – Zoning Ordinance of the Mills County Code of Ordinances is hereby repealed and a new Subparagraph (h) of Section 27.4.2 – Establishment of Districts of Section 4 – Zoning District Regulations of Chapter 27 – Zoning Ordinance is enacted as follows:

**Section 14. NEW SUBPARAGRAPH (h) OF SECTION 27.4.2 – ESTABLISHMENT OF DISTRICTS.**

Subparagraph (h). Greenway/Open Space Conservation District (OS): The Greenway/ Open Space Conservation District maintains open uses in areas that provide major environmental resources or should not receive conventional development. These areas include wetlands, lakes, rivers, and other distinctive environmental features. These natural resource areas, recognized by the County’s Comprehensive Plan, are not appropriately described by traditional base zoning districts. Flood prone areas may be included within the Greenway/Open Space Conservation District.

**Section 15. AMENDMENT EIGHT.** Section 27.4.3 – Application of Districts of Section 4 – Zoning District Regulations of Chapter 27 – Zoning Ordinance of the Mills County Code of Ordinances is hereby repealed and a new Section 27.4.3 – Application of Districts of Section 4 – Zoning District Regulations of Chapter 27 – Zoning Ordinance is enacted as follows:

**Section 16. NEW SECTION 27.4.3 – APPLICATION OF DISTRICTS.** 27.4.3 – Application of Districts. A base district designation shall be applied to each area and parcel within the County’s planning jurisdiction. Overlay districts may be applied to any site or any portion thereof, in addition to a base district designation.

**Section 17. AMENDMENT NINE.** Subparagraph (d) – Maximum Height of Section 27.4.11 – Guide to Site Development Regulators of Section 4 – Zoning District Regulations of Chapter 27 – Zoning Ordinance of the Mills County Code of Ordinances is hereby repealed and a new Subparagraph (d) – Maximum Height of Section 27.4.11 – Guide to Site Development Regulators of Section 4 – Zoning District Regulations of Chapter 27 – Zoning Ordinance is enacted as follows:

**Section 18. NEW SUBPARAGRAPH (d) – MAXIMUM HEIGHT OF SECTION 27.4.11 – GUIDE TO SITE DEVELOPMENT REGULATORS.** Subparagraph (d) - Maximum Height.

Height normally measures the vertical distance from the established grade to the highest point of a building or other human made structure. However, as established by the definition of height, the point of measurement may vary for different types of buildings, roof slopes, industrial/manufacturing equipment, smoke stacks, silos, and approved above ground landfills. The maximum height for industrial/manufacturing equipment, smoke stacks, silos, and approved above ground landfills shall be measured from the lowest point of established ground elevation, prior to such construction, to the highest point of the finished grade and/or higher point of construction.

**Section 19. AMENDMENT TEN.** Table 4.01: Use Matrix of Section 4 – Zoning District Regulations of Chapter 27- Zoning Ordinance of the Mills County Code of Ordinances is hereby repealed and a new Table 4.01: Use Matrix of Section 4 – Zoning District Regulations of Chapter 27- Zoning Ordinance is enacted as follows:

**Section 20. NEW TABLE 4.01: USE MATRIX.**

Table 4.01: Use Matrix										
	Intensit y Rating	OS	AG	AR	LH	V	C-1	C-2	I	+ Reg
<b>AGRICULTURE USES</b>										
Horticulture	L	P	P	P	P	S	S	P	P	
Crop Production	L	P	P	P	P	P		P	P	
Animal Production	M	P	P	P	P			P	P	
Livestock Sales	H	P	P	P	P			P	P	
<b>RESIDENTIAL USES</b>										
Single-Family Detached	L		P	P	P	P		S	S	
Single-Family Attached	L		P	P	P	P		S	S	
Duplex	M			S	S	S		S		
Two-Family	M			S	S	S		S		
Townhouse	M			S	S	S		S		
Multiple-Family	M			S	S	S		S		
Group Residential	M			S	S	S		S		
Boarding House	M			S	S	S		S		
Manufactured Home Residential	L		P	P	P	P		S	S	
Mobile Home Park	M			S	S	S		S		

Mobile Home Subdivision	L		P	P	P	P		S	S	
Retirement Residential	M			S	S	S		S		

**CIVIC**

Administration	L	P	P	P	P	P		P	S	
Cemetery	L	P	P	P	P	P		P	S	
Clubs (Recreational)	L	S	P	P	P	P		P	S	
Clubs (Social)	M	S	P	P	P	P		P	S	
College/University	H		P	S	S	S		P	S	
Convalescent Services	L		P	P	P	P		P	S	
Cultural Services	M	S	P	P	P	P		P	S	
Day Care (Limited)	L		P	P	P	P	S	P	S	
Day Care (General)	M		P	P	P	P	S	P	S	
Detention Facilities	I		S	S				S	P	
Emergency Residential	L		P	P	P	P		P	S	
Group Care Facility	M		P	P	P	P		P	S	
Group Home	L		P	P	P	P		P	S	
Guidance Services	L		P	P	P	P		P	S	
Health Care	M		P	P	P	P		P	S	
Hospital	I		S	S				S	S	
Maintenance Facility	H		P	S	S	S		P	P	
Park and Recreation	L	P	P	P	P	P		P	S	

**P** Permitted by right or by right subject to supplemental regulations  
**S** Permitted by Special Use Permit  
**Blank** Not Permitted

**OS** – Greenway/Open Space Conservation District **AG** – Agriculture District **AR** – Agriculture/Residential District **LH** – Loess Hills Conservation Development District **V** – Village District **I** – Industrial District  
**C-1** – Convenience Commercial District **C-2** – Highway Oriented Commercial District

**Table 4.01: Use Matrix**

	Intensit y Rating	OS	AG	AR	LH	V	C-1	C-2	I	+ Reg
<b>CIVIC (continued)</b>										
Postal Facilities	M		P	P	P	P	P	P	S	
Primary Education	M		P	P	P	P	S	P	S	
Public Assembly	H		P	S	S	S	S	P	S	
Religious Assembly	L		P	P	P	P	S	P	S	
Safety Services	M	S	P	P	P	P	S	P	S	
Secondary Education	H		P	S	S	S	S	P	S	
Utilities	M	S	P	P	P	P	S	P	S	

**OFFICE USES**

General Offices	M		S	S	S	S	P	P	S	
Financial Services A	L		S	S	S	P	P	P	S	
Financial Services B	M		S	S	S	S	S	P	S	
Medical Offices A	L		S	S	S	P	P	P	S	
Medical Offices B	M		S	S	S	S	S	P	S	

**COMMERCIAL USES**

Ag Sales/Service	H							P	S	
Auto Auction Lots	H							P	S	
Auto Rental/Sales	H							P	S	
Auto Services	H							P	S	
Body Repair	I							P	S	
Equip Rental/Sales	H							P	P	
Equipment Repair	H							P	P	
Bed and Breakfast	L		S	S	S	P		P	S	
Business Support Services	M		S	S	S	S	S	P	S	
Business/Trade School	H							P	S	
Campground	M		S	S	S	S	S	P	S	

Cocktail Lounge	H					S	P	P	S	
Commercial Recreation	H							P	S	
Communication Service	M		S	S	S	S	S	P	S	
Construction Sale/Service	H							P	P	
Consumer Service	M		S	S	S	S	S	P	S	
Convenience Storage	H						S	P	S	
Food Sales (Convenience)	H					S	P	P	S	
Food Sales (Limited)	L		S	S	S	P	P	P	S	
Food Sales (General)	M		S	S	S	S	S	P	S	
Food Sales (Super markets)	I							S	S	
Funeral Services	M		S	S	S	S	S	P	S	

**P** Permitted by right or by right subject to supplemental regulations

**S** Permitted by Special Use Permit

**Blank** Not Permitted

**OS** – Greenway/Open Space Conservation District **AG** – Agriculture District **AR** – Agriculture/Residential District **LH** – Loess Hills Conservation Development District **V** – Village District **I** – Industrial District

**C-1** – Convenience Commercial District **C-2** – Highway Oriented Commercial District

Table 4.01: Use Matrix

	Intensit y Rating	OS	AG	AR	LH	V	C-1	C-2	I	+ Reg
<b>COMMERCIAL USES (cont)</b>										
Gaming Facilities	H							P	S	
Kennels	M		S	S	S		S	P	S	
Laundry Services	H						P	P	S	
Liquor Sales	H						P	P	S	
Lodging	H						S	P	S	
Personal Improvement	M		S	S	S	S	P	P	S	
Personal Services	M		S	S	S	S	P	P	S	
Pet Services	M		S	S	S	S	S	P	S	
Research Services	M		S	S	S	S	P	P	S	
Restaurants (Drive-in)	H						P	P	S	
Restaurants (General)	H					S	P	P	S	
Restricted Business	I								P	Yes*
Retail Services (Limited)	M		S	S	S	S	P	P	S	
Retail Services (Medium)	M		S	S	S	S	P	P	S	
Retail Services (Large)	H							P	S	
Retail Services (Mass)	I							S	S	
Social Hall	H		S	S	S	S	S	P	S	
Stables	M		S	S	S			P	S	
Surplus Sales	I							S	S	
Trade Services	M		S	S	S	S	S	P	S	
Travel Centers	H							P	S	
Truck Stops	I							S	P	
Vehicle. Storage (Short-term)	M		S	S	S	S	S	P	S	
Vet Services (General)	M		S	S	S	S	S	P	S	
Vet Services (Large Animal)	H							P	S	

**P** Permitted by right or by right subject to supplemental regulations

**S** Permitted by Special Use Permit

**Blank** Not Permitted

**OS** – Greenway/Open Space Conservation District **AG** – Agriculture District **AR** – Agriculture/Residential District **LH** – Loess Hills Conservation Development District **V** – Village District **I** – Industrial District

**C-1** – Convenience Commercial District **C-2** – Highway Oriented Commercial District

\*Restricted Business Additional Regulations. No person shall cause or permit the establishment of any restricted business, as defined in Section 3, within 1,500 feet from another such business, any school, church, public park, public playground, public plaza, day nursery, day care center, nursery school, Agriculture Residential District, Loess Hills Conservation Development District, Village District or portion of a mixed-use district restricted to residential use. Measurement shall be taken on a direct line from the property line of such restricted business to the point on the property line of such other business, school, church, public park, public playground, public plaza, day nursery, day care center, nursery school, Agriculture Residential District, Loess Hills Conservation Development District, Village District or portion of a mixed-use district restricted to residential use which is closest to the property line of such restricted business.

**Table 4.01: Use Matrix**

	<b>Intensit y Rating</b>	<b>OS</b>	<b>AG</b>	<b>AR</b>	<b>LH</b>	<b>V</b>	<b>C-1</b>	<b>C-2</b>	<b>I</b>	<b>+ Reg</b>
<b>PARKING USES</b>										
Off-Street Parking	H									
Parking Structure	H									

<b>INDUSTRIAL USES</b>										
Agricultural Industry	I								P	
Construction Yards	H		S					S	P	
Custom Manufacturing	M		S	S	S			P	P	
Light Industry	M		S	S	S			P	P	
General Industry	H		S					S	P	
Heavy Industry	I								P	
Recycling Collection	M		S	S	S			P	P	
Recycling Processing	H		S					S	P	
Resource Extraction	I								S	
Salvage Service	I								S	
Vehicle Storage (Long-term)	H		S					S	P	
Warehousing (Enclosed)	M		S	S	S			P	P	
Warehousing (Open)	H		S					S	P	

<b>TRANSPORTATION USES</b>										
Aviation (General)	I		S	S						
Aviation (Private)	I		S	S						
Railroad Facilities	I		S	S					P	
Truck Terminal	H		S	S				P	P	
Transportation Terminal	H		S	S				P	P	

<b>MISCELLANEOUS USES</b>										
Alternative Energy Production Devices	M		P	P	S		S	P	S	
Construction Batch Plant	H		S	S				S	P	
Landfill (Non-Putrescible)	H		S	S				S	P	
Landfill (Putrescible)	H		S	S				S		

**P** Permitted by right or by right subject to supplemental regulations

**S** Permitted by Special Use Permit

**Blank** Not Permitted

**OS** – Greenway/Open Space Conservation District **AG** – Agriculture District **AR** – Agriculture/Residential District **LH** – Loess Hills Conservation Development District **V** – Village District **I** – Industrial District

**C-1** – Convenience Commercial District **C-2** – Highway Oriented Commercial District

**Section 21. AMENDMENT ELEVEN.** Table 4.02: Development Criteria for Zoning Districts of Section 4 – Zoning District Regulations of Chapter 27- Zoning Ordinance of the Mills County Code of Ordinances is hereby repealed and a new Table 4.02: Development Criteria for Zoning Districts of Section 4 – Zoning District Regulations of Chapter 27- Zoning Ordinance is enacted as follows:

**Section 22. NEW TABLE 4.02: DEVELOPMENT CRITERIA FOR ZONING DISTRICTS.**

<b>Table 4.02: Development Criteria for Zoning Districts</b>				
<b>Site Area per Unit</b>	<b>OS</b>	<b>AG</b>	<b>AR</b>	<b>LH</b>
Minimum site area per housing unit	¼-¼ section	2 acres*	2 acres	3 acres
Minimum lot size (conventional residential development)	¼-¼ section	2 acres*	2 acres	3 acres
Minimum lot size (conservation residential development)	NA	NA	NA	1 acre
Minimum lot size (non-residential)	¼-¼ section	5 acres	2 acres	3 acres
Minimum front yard	100 feet	75 feet	75 feet	75 feet
Minimum front yard (major subdivision with public water and sewer)	25 feet	25 feet	25 feet	25 feet
Minimum side yard	10 feet	10 feet	10 feet	10 feet
Minimum rear yard	25 feet	25 feet	25 feet	25 feet
Minimum lot width	1,000 feet	300 feet	300 feet	300 feet
Minimum lot depth	1,000 feet	300 feet	300 feet	300 feet
Maximum height	25 feet	35 feet	35 feet	35 feet
Maximum building coverage	1%	5%	15%	5%
Maximum impervious coverage (excluding structure)	5%	10%	10%	10%
Grading Permit Standards (Section 7)	Yes	Yes	Yes	Yes
Conservation Development Standards (Section 5)	No	No	No	Yes
Landscape Requirement (Section 27.6.3)	No	No	For special permit uses	For special permit uses
Bufferyard Requirement (Section 27.6.5)	No	No	For special permit uses	Yes

*Note:* Density, front yard setback, building coverage, impervious coverage, and height requirements may be varied within Planned Unit Developments, as set forth in Section 27.7.4.

*Note:* In Loess Hills Conservation Development, the development criteria and grading permit standards may be the same as in the Agriculture/Residential District, if the land has crop land history as proven by Farm Service Agency (FSA) maps.

\* Maximum of three housing units per ¼-¼ section.

<b>Table 4.02: Development Criteria for Zoning Districts</b>				
<b>Site Area Per Unit</b>	<b>V</b>	<b>C-1</b>	<b>C-2</b>	<b>I</b>
Minimum site area per housing unit	NA	NA.	25,000 sq. ft.	¼-¼ section
Minimum lot size (conventional residential development)	1 acre without sewer  10,000 sq. ft. with	NA	2 acre	¼-¼ section

	sewer			
Minimum lot size (conservation residential development)	NA	NA	NA	NA
Minimum lot size (non-residential)	2 acre without sewer  10,000 sq. ft. with sewer	2 acres	2 acres	2 acres
Minimum front yard	NA	25 feet	25 feet	25 feet
Minimum side yard	NA	10 feet	10 feet	10 feet
Minimum rear yard	NA	50 feet	50 feet	50 feet
Minimum lot width	NA	400 feet	400 feet	400 feet
Minimum lot depth	NA	400 feet	400 feet	400 feet
Maximum height	35 feet	50 feet	50 feet	50 feet*
Maximum building coverage	NA	40%	40%	50%
Maximum impervious coverage	NA	70%	70%	80%
Grading Permit Standards (Section 7)	Yes	Yes	Yes	Yes
Conservation Development (Section 5)	No	No	No	No
Landscape Requirement (Section 27.6.3)	No	Yes	Yes	Yes
Bufferyard Requirement (Section 27.6.5)	No	Yes	Yes	Yes

*Note:* Density, front yard setback, building coverage, impervious coverage, and height requirements may be varied within Planned Unit Developments, as set forth in Section 27.7.4.

\*The maximum height for industrial/manufacturing equipment, smoke stacks, silos, and approved above ground landfills shall be 200 feet as measured using the method prescribed in Section 27.4.11(d). The maximum height is subject to certain restrictions. Said structures shall be permitted for use in the Industrial District (I) and established outside the Loess Hills Conservation Development District. Said structures shall not extend into airport approach zones, clear zones, or other restricted air space required for the protection of any public or military airport. The maximum height only applies to above ground landfills if the Iowa Department of Natural Resources (IDNR), as part of a state landfill permit, determines all aspects of the landfill, including the proposed height, meet or exceed State of Iowa construction standards for such landfill.

**Section 23. AMENDMENT TWELVE.** Section 27.10.3 – Height Limitations of Section 10 – Towers of Chapter 27 – Zoning Ordinance of the Mills County Code of Ordinances is hereby repealed and a new Section 27.10.3 – Height Limitations of Section 10 – Towers of Chapter 27 – Zoning Ordinance is enacted as follows:

**Section 24. NEW SECTION 27.10.3 – HEIGHT LIMITATIONS.** Section 27.10.3 – Height Limitations.

The maximum height restrictions for each zoning district will be as follows:

- a. **Agricultural District (AG)**  
A tower with a maximum height of eighty feet (80') may be permitted in this base zoning district.
- b. **Agricultural/Residential District (AR)**  
A tower with a maximum height of eighty feet (80') may be permitted in this base zoning district.
- c. **Loess Hills Conservation Development District (LH)**  
A tower with a maximum height of eighty feet (80') may be permitted in this base zoning district.
- d. **Village District (V)**  
A tower with a maximum height of fifty feet (50') may be permitted in this base zoning district.
- e. **Convenience Commercial District (C-1)**

- A tower with a maximum height of 150 feet may be permitted in this base zoning district.
- f. **Highway Oriented Commercial District (C-2)**  
A tower with a maximum height of 150 feet may be permitted in this base zoning district.
- g. **Industrial District (I)**  
A tower with a maximum height of 200 feet may be permitted in this base zoning district.
- Greenway/Open Space Conservation District (OS)**  
No towers will be permitted in this base zoning district.

**Section 25. AMENDMENT THIRTEEN.** Subparagraph (c) – Illumination of Section 27.10.5 – Conditions of Section 10 – Towers of Chapter 27 – Zoning Ordinance of the Mills County Code of Ordinances is hereby repealed and a new Subparagraph (c) – Illumination of Section 27.10.5 – Conditions of Section 10 – Towers of Chapter 27 – Zoning Ordinance is enacted as follows:

**Section 26. NEW SUBPARAGRAPH (c) – ILLUMINATION OF SECTION 27.10.5 – CONDITIONS.** Subparagraph (c) – Illuminations. Towers shall not be illuminated by artificial means, except if the illumination is specifically required by the Federal Aviation Administration (FAA) or other authority. Any light source utilized for security lighting shall feature down directional, sharp cut-off luminaries, which ensure there is no spillage of illumination off the parcel or easement boundary.

**Section 27. TYPOGRAPHICAL ERRORS.** The Mills County Board of Supervisors corrected any and all typographical errors in Chapter 27- Zoning Ordinance of the Mills County Code of Ordinances. Said corrections included any and all changes necessary to standardize the format of numbers within the text of Chapter 27- Zoning Ordinance. The Mills County Board of Supervisors hereby summarily adopts any and all corrections of typographical errors in the Chapter 27- Zoning Ordinance. Said Ordinance containing any and all corrections as well as the aforementioned amendments shall comprise the newly amended Chapter 27- Zoning Ordinance of the Mills County Code of Ordinances.

**Section 28. REPEALER.** All other ordinances, rules, regulations, or part thereof, in conflict with this ordinance are hereby repealed by this ordinance.

**Section 29. SEVERABILITY.** If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole, or any provision thereof not adjudicated to be invalid or unconstitutional.

**Section 30. CODE OF ORDINANCES.** Copies of the Mills County Code of Ordinances as adopted herein shall be on file and available for public inspection in the office of the Mills County Auditor.

**Section 31. EFFECTIVE DATE.** This Ordinance shall be in full force and effect from and after its final passage, approval, and publication as provided by law.

Motion carried on a roll call vote: Blankenship-Aye, Crouch-Aye, and Kohn-Aye

Motion by Blankenship seconded by Crouch to go into Closed Session according to Iowa Code 21.5(c) To discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation. Motion carried on a roll call vote: Blankenship-Aye, Crouch-Aye, and Kohn-Aye  
Closed session started at 1:08 P.M.

Motion by Blankenship seconded by Crouch to come out of Closed Session at 1:18 P.M.  
Motion carried on a roll call vote: Blankenship-Aye, Crouch-Aye, and Kohn-Aye

Motion by Blankenship seconded by Crouch to authorize the Sheriff to go to arbitration to resolve the grievance.  
Motion carried on a vote: Ayes: 3 Nays: 0

There being no further business to come before the Board at this time, they adjourned to meet on Tuesday, October 5, 2010.

Mills County Board of Supervisors

\_\_\_\_\_  
R.E. Kohn, Chairperson

Attest: \_\_\_\_\_  
Auditor

Office of Mills County Auditor  
Carol Robertson  
Courthouse  
Glenwood, IA

The Mills County Board of Supervisors met this 5th day of October, 2010, at the Courthouse in Glenwood with all members present. Also present: Mark Seltzer, Craig Nakamoto and Neal Grabow.

Motion by Crouch seconded by Blankenship to approve the agenda for October 5, 2010 and by the same motion the minutes for the September 28, 2010 Board meeting. Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Blankenship seconded by Crouch to approve the Knights of Columbus Liquor License Renewal LC0018546. Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Blankenship seconded by Crouch to approve the accounts payable as presented.  
Motion carried on a vote: Ayes: 3 Nays: 0

There was one request for a utility permit for Qwest to replace cable to connect Glenwood Loop with Silver City.

Motion by Blankenship seconded by Crouch to authorize the Chair to sign copies of the contract for BHS-CO65(78)-63-65, abutment and deck repairs for Gaston Avenue bridge over Keg Creek and contractors bond allowing the Engineer to return them to the D.O.T. in Ames. Motion carried on a vote: Ayes: 3 Nays: 0

The Engineer stated that the present GPS survey unit has some internal problems. A loaner was rented and is available for purchase minus the rental fees. This loaner is a Topcon FC2500 and has more capabilities than current unit Secondary Roads presently has. The cost of this new unit from Iowa Transit Construction Equipment Company is \$3,410.00 with bracket cost of \$150.00 for a total of \$3,560.00. Repairs will be made to the old unit and it will be kept as a back up. The estimated cost is \$500 for repairs.

Motion by Crouch seconded by Blankenship to authorize the Engineer to purchase the Topcon FC2500 GPS survey unit with bracket for \$3,560.00. Motion carried on a vote: Ayes: 3 Nays: 0

The Engineer updated the Board on current road projects the Secondary Roads Department are in the process of completing.

Sara Ketcham, CPC updated the Board on the 6 month review of the telecommunicating pilot project. There was positive feedback from the case managers on this option. All case managers have laptops with secure VPN connections that were provided by Mills/Montgomery IT Director. Ketcham requested this project become permanent and increase from 1 to possibly 3 days per week.

Motion by Crouch seconded by Blankenship to approve this program as a permanent practice of telecommunicating. Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Crouch seconded by Blankenship to accept and approve the 1<sup>st</sup> reading of the Zoning District Map Ordinance Amendment (10-2). Motion carried on a vote: Ayes: 3 Nays: 0

The public hearing for Zoning Ordinance Amendment 10-3 was opened at 10:18 a.m. The overview of the amended ordinance was read by the Auditor. No written or oral comments were received by the public present. The public hearing was closed at 10:23 a.m.

Motion by Blankenship seconded by Crouch to accept and approve the 1<sup>st</sup> reading of Zoning Ordinance Amendment 10-3. Motion carried on a vote: Ayes: 3 Nays: 0

Ryan Potts from Liberty National Insurance Company discussed offering life insurance to the County employees with the Board. Potts was informed that the County would do mail stuffers with the paychecks and those employees interested could contact him on their own time

The Board received the Recorder's September Statement of Fees.

There being no further business to come before the Board at this time, they adjourned to meet on Tuesday, October 12, 2010.

The Board went to the 4-County Meeting in Malvern.

Mills County Board of Supervisors

\_\_\_\_\_  
R.E. Kohn, Chairperson

Attest: \_\_\_\_\_  
Auditor

The Mills County Board of Supervisors met this 12th day of October, 2010, at the Courthouse in Glenwood with all members present.

Motion by Crouch seconded by Blankenship to approve the agenda for October 12, 2010 same motion the minutes for the October 5, 2010 Board meeting.

Motion carried on a vote: Ayes: 3 Nays: 0

There are no Utility Permit reports this week.

Wendall Torenten was present to discuss the use of engine brakes by trucks in the county. Torenten presented a petition from his surrounding neighbors that explained that engine brakes are being used from 5:00 a.m. to approximately 9:00 p.m. He has purchased a sound meter and these trucks are registering in the upper 90's. He asked if the County has an Ordinance pertaining to engine brakes being used in the county.

Engineer Mayberry will contact Assistant County Attorney Hansen to inquire what the County's options are and Pottawattamie County to see if they have anything in place pertaining to engine brake use. Mayberry will also contact the D.O.T. to get their requirements on the highways. Mayberry will stay in contact with Torenten.

Engineer Mayberry gave the Board an update on the Ellington Avenue and on 190<sup>th</sup> Street projects. The 190<sup>th</sup> Street project should take approximately 2 weeks which has the road currently closed. The Engineer stated that the contractor has moved in to repair the bridge on 300<sup>th</sup> Street.

Motion by Blankenship seconded by Crouch to approve the bid by The Glassman for repairs to the jail building upstairs windows in the amount of \$904.00.

Motion carried on a vote: Ayes: 3 Nays: 0

Ken Mead joined the session at this time.

The Public Hearing for the budget amendment was opened at 10:01 a.m. No public input or written comments were given. The public hearing was closed at 10:04 a.m.

Motion by Crouch seconded by Blankenship to approve Resolution 10-18.

### **RESOLUTION 10-18**

**BE IT REMEMBERED** on the 12th day of October, 2010, the Mills County Board of Supervisors met in session for the purpose of amending the current operation budget. There was present a quorum as required by law. Thereupon the Supervisors found that the notice of time and place of hearing has, according to law been published in County papers, and that the affidavits of publication thereof were on file with the County Auditor. Thereafter, and on said date the amendment was taken up and considered and taxpayers heard for or against the amendment as follows:

#### **EXPENDITURES:**

Physical Health & Social Svcs	from \$1,653,962 to \$1,659,114
Roads & Transportation	from \$ 4,854,278 to \$6,174,476
Administration	from \$1,448,297 to \$1,502,272

**Total Expenditures from \$16,340,700 to \$17,720,025**

The amendment does not increase the taxes to be collected in the fiscal year ending June 30, 2011. The Mills County Board of Supervisors does hereby approve the following changes of appropriations for the 2010-2011 fiscal year.

Motion carried on a roll call vote: Blankenship – Aye, Crouch – Aye, Kohn – Aye.

Brian Wilson from Family Heritage Insurance gave a presentation on what his company has to offer. The Board said he could give the information to the Auditor's office to be placed in with employee's paychecks. The employees could then contact him on their own time if they are interested.

Motion by Crouch seconded by Blankenship to approve the 2<sup>nd</sup> reading of the Zoning Map Amendment 10-2 and by the same motion waive the 3<sup>rd</sup> reading.

Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Blankenship seconded by Crouch to adopt and approve the 10-2 Ordinance - Zoning Map Amendment.

Motion carried on a roll call vote: Blankenship – Aye, Crouch – Aye, Kohn – Aye.

**ORDINANCE NO. 10-02**

AN ORDINANCE TO ADOPT THE AMENDED MILLS COUNTY, IOWA OFFICIAL ZONING DISTRICT MAP SETTING FORTH THE REVISED BOUNDARIES OF THE BASE ZONING DISTRICTS ESTABLISHED BY THE MILLS COUNTY, IOWA ZONING ORDINANCE FOR ALL THE UNINCORPORATED AREA OF MILLS COUNTY, IOWA.

BE IT THEREFORE ORDAINED BY THE  
BOARD OF SUPERVISORS OF MILLS COUNTY, IOWA:

**Section 1. AMENDMENT ONE.** The Agricultural/Residential District (AR) base zoning district designation for the property located in Section Twenty-Three (23), Township Seventy-Two North (72N), Range Forty-Three West (43W), Glenwood Township, Mills County, Iowa, more particularly described as:

Starting at the Point of Beginning, the intersection of Kane Avenue and 220<sup>th</sup> Street, continue North (N) along the centerline of 220<sup>th</sup> Street to Hilman Road, continue Northeasterly (NE) along the centerline of Hilman Road to the intersection of 221<sup>st</sup> Street, continue Northeasterly (NE) along 221<sup>st</sup> Street to the unnamed tributary to Keg Creek, follow the centerline of the tributary East (E) to Keg Creek, continue in a Southwesterly (SW) direction along the centerline of Keg Creek to the Burlington Northern Santa Fe (BNSF) railroad bridge over Keg Creek, thence Northwesterly (NW) along the centerline of an unnamed drainage ditch to 221<sup>st</sup> Street, follow the centerline of 221<sup>st</sup> Street Southwesterly (SW) to the intersection with Kane Avenue, follow the centerline of Kane Avenue Westerly (W) to the Point of Beginning

is hereby repealed and the new Highway Oriented Commercial District (C-2) base zoning district designation for said property is enacted as follows:

**Section 2. NEW HIGHWAY ORIENTED COMMERCIAL DISTRICT (C-2) BASE ZONING**

**DISTRICT.** The base zoning district designation for the property located in Section Twenty-Three (23), Township Seventy-Two North (72N), Range Forty-Three West (43W), Glenwood Township, Mills County, Iowa, more particularly described as:

Starting at the Point of Beginning, the intersection of Kane Avenue and 220<sup>th</sup> Street, continue North (N) along the centerline of 220<sup>th</sup> Street to Hilman Road, continue Northeasterly (NE) along the centerline of Hilman Road to the intersection of 221<sup>st</sup> Street, continue Northeasterly (NE) along 221<sup>st</sup> Street to the unnamed tributary to Keg Creek, follow the centerline of the tributary East (E) to Keg Creek, continue in a Southwesterly (SW) direction along the centerline of Keg Creek to the Burlington Northern Santa Fe (BNSF) railroad bridge over Keg Creek, thence Northwesterly (NW) along the centerline of an unnamed drainage ditch to 221<sup>st</sup> Street, follow the centerline of 221<sup>st</sup> Street Southwesterly (SW) to the intersection with Kane Avenue, follow the centerline of Kane Avenue Westerly (W) to the Point of Beginning

shall be the Highway Oriented Commercial District (C-2) base zoning district.

**Section 3. AMENDMENT TWO.** The Mills County, Iowa Official Zoning District Map along with all the notations, references and other matters shown therein, is hereby repealed, and a new Mills County, Iowa Official Zoning District Map, including the new Highway Oriented Commercial District (C-2), along with all the legends, symbols, boundaries, notations, references and other information shown therein is enacted as follows:

**Section 4. NEW MILLS COUNTY, IOWA OFFICIAL ZONING DISTRICT MAP.** The new Mills County, Iowa Official Zoning District Map along with all the legends, symbols, boundaries, notations, references and other information set forth therein, is hereby adopted by reference and declared to be a part of the Mills County, Iowa Code of Ordinances. The new Mills County, Iowa Official Zoning District Map shall be as much a part of the Mills County, Iowa Code of Ordinances as if the new Mills County, Iowa Official Zoning District Map along with the legends, symbols, boundaries, notations, references and other information set forth by said map were all fully described therein. The new Mills County, Iowa Official Zoning District Map along with the legends, symbols, boundaries, notations, references and other information set forth therein shall supersede the prior Mills County, Iowa Official Zoning District Map. The original of the new Mills County, Iowa Official Zoning District Map is properly attested via this Ordinance. The Mills County Auditor shall certify the original of the new Mills County, Iowa Official Zoning District Map is the Official Zoning Map referred to by Chapter 27

– Zoning Ordinance of the Mills County Code of Ordinances. The original of the new Mills County, Iowa Official Zoning District Map shall be on file in the office of the Mills County Auditor.

**Section 5. REPEALER.** All other ordinances, rules, regulations, or part thereof, in conflict with this Ordinance are hereby repealed by this Ordinance.

**Section 6. SEVERABILITY.** If any section, provision, or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole, or any provision thereof not adjudicated to be invalid or unconstitutional.

**Section 7. CODE OF ORDINANCES.** Copies of the Mills County Code of Ordinances as adopted herein shall be on file and available for public inspection in the office of the Mills County Auditor.

**Section 8. EFFECTIVE DATE.** This Ordinance shall be in full force and effect from and after its final passage, approval, and publication as provided by law.

Motion carried on a roll call vote: Blankenship – Aye, Crouch – Aye, Kohn – Aye

Motion by Blankenship seconded by Crouch to approve the second reading of the Zoning Ordinance Amendment 10-3 and by the same motion waive the 3<sup>rd</sup> reading.

Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Crouch seconded by Blankenship to adopt and approve the Zoning Ordinance Amendment 10-3.

### **ORDINANCE NO. 10-03**

AN ORDINANCE TO AMEND THE COUNTY CODE OF ORDINANCES OF MILLS COUNTY, IOWA, BY AMENDING CHAPTER 27 – ZONING ORDINANCE WHICH GOVERNS THE ORDERLY LAND DEVELOPMENT FOR ALL THE UNINCORPORATED AREA OF MILLS COUNTY, IOWA, BY SETTING FORTH THE NEW SECTION 27.1.10(i) – PLANNING AND ZONING COMMISSION PROVIDING FOR THE ESTABLISHMENT, COMPOSITION, TERMS, MEETINGS, AS WELL AS POWERS AND DUTIES OF THE PLANNING AND ZONING COMMISSION, THE RENUMBERING OF SECTION 27.1.10 – ADMINISTRATION AND ENFORCEMENT TO INCORPORATE THE NEW SECTION 27.1.10(i), THE MODIFICATION OF SECTION 27.9.3 – SIGNS IN AGRICULTURAL AND RESIDENTIAL DISTRICTS TO ADD THE VILLAGE DISTRICT (V) BASE ZONING DISTRICT, THE CORRECTION OF THE TITLES AND TEXT IN SECTION 9 – DISPLAY AND OUTDOOR ADVERTISING SIGNS TO REFLECT THE TRUE CONTENT AS WELL AS REMOVE ANY INACCURATE REFERENCES, INCONSISTENT TERMS, AND/OR MISSTATEMENTS, ALONG WITH THE CORRECTION OF ANY TYPOGRAPHICAL ERRORS AND ALL OTHER MISSTATEMENTS IN THE REGULATIONS.

BE IT THEREFORE ORDAINED BY THE  
BOARD OF SUPERVISORS OF MILLS COUNTY, IOWA:

**Section 1. AMENDMENT ONE.** Subparagraph (i) – Zoning Board of Adjustment of Section 27.10.1 – Administration and Enforcement of Section 1 – General Provisions of Chapter 27- Zoning Ordinance of the Mills County Code of Ordinances is hereby renumbered as follows:

**Section 2. RENUMBERED SUBPARAGRAPH (j) - ZONING BOARD OF ADJUSTMENT OF SECTION 27.10.1 – ADMINISTRATION AND ENFORCEMENT.** Subparagraph (j) – Zoning Board of Adjustment.

**Section 3. AMENDMENT TWO.** Subparagraph (a) of Subparagraph (4) – Powers and Duties of Subparagraph (j) – Zoning Board of Adjustment of Section 27.10.1 – Administration and Enforcement of Section 1 – General Provisions of Chapter 27- Zoning Ordinance of the Mills County Code of Ordinances is hereby repealed and a new Subparagraph (a) of Subparagraph (4) – Powers and Duties of Subparagraph (j) – Zoning Board of Adjustment of Section 27.10.1 – Administration and Enforcement of Section 1 – General Provisions of Chapter 27- Zoning Ordinance is enacted as follows:

**Section 4. NEW SUBPARAGRAPH (a) OF SUBPARAGRAPH (4) – POWERS AND DUTIES OF SUBPARAGRAPH (j) – ZONING BOARD OF ADJUSTMENT OF SECTION 27.10.1 – ADMINISTRATION AND ENFORCEMENT.** Subparagraph (a). Hear and decide appeals taken pursuant to Section 27.1.10(j)(3).

**Section 5. AMENDMENT THREE.** Subparagraph (a) of Subparagraph (6) – Decisions; Review of Use Variance of Subparagraph (j) – Zoning Board of Adjustment of Section 27.10.1 – Administration and Enforcement of Section 1 – General Provisions of Chapter 27- Zoning Ordinance of the Mills County Code of Ordinances is hereby repealed and a new Subparagraph (a) of Subparagraph (6) – Decisions; Review of Use

Variance of Subparagraph (j) – Zoning Board of Adjustment of Section 27.10.1 – Administration and Enforcement of Section 1 – General Provisions of Chapter 27- Zoning Ordinance is enacted as follows:

**Section 6. NEW SUBPARAGRAPH (a) OF SUBPARAGRAPH (6) – DECISIONS; REVIEW OF USE VARIANCE OF SUBPARAGRAPH (j) – ZONING BOARD OF ADJUSTMENT OF SECTION 27.10.1 – ADMINISTRATION AND ENFORCEMENT.** Subparagraph (a). In exercising the powers mentioned in Section 27.1.10(j)(4), the Zoning Board of Adjustment may, in conformity with the provisions of law, reverse or affirm, wholly or partly, or modify the order, requirement, decision or determination appealed from and may make such order, requirement, decision or determinations as it believes proper, and to that end shall have all the powers of the Zoning Officer. The concurring vote of three of the members of the board shall be necessary to reverse any order, requirement, decision or determination of the Zoning Officer or to decide in favor of the applicant on any matter upon which it is required to pass under this Ordinance; provided, however, that the action of the board shall not become effective until it has filed a written decision in the board office describing the action taken, the vote of each member participating therein and the reasons for such action, specifying the manner in which the applicant either satisfied or failed to satisfy each of the applicable standards, conditions or elements set forth in this Section. Decisions shall be filed promptly following the board's action and shall be open to public inspection.

**Section 7. AMENDMENT FOUR.** Subparagraph (b) – Special Uses of Section 27.4.10 – Use Matrix: Levels of Permitted Uses of Section 4 – Zoning District Regulations of Chapter 27- Zoning Ordinance of the Mills County Code of Ordinances is hereby repealed and a new Subparagraph (b) – Special Uses of Section 27.4.10 – Use Matrix: Levels of Permitted Uses of Section 4 – Zoning District Regulations of Chapter 27- Zoning Ordinance is enacted as follows:

**Section 8. NEW SUBPARAGRAPH (b) – SPECIAL USES OF SECTION 27.4.10 – USE MATRIX: LEVELS OF PERMITTED USES.** Subparagraph (b) – Special Uses. These uses are subject to approval of a Special Use Permit by the Zoning Board of Adjustment following the procedure set forth in Section 27.1.10(j)(4). These uses are indicated in the Use Matrix by an “S” in the applicable cell.

**Section 9. AMENDMENT FIVE.** Subparagraph (2) – Grading and Excavation: Loess Hills Conservation Development District of Subparagraph (b) – Grading Permit and Special Use Requirements of Section 27.7.3 – GP Grading Permit Overlay District of Section 7 – Overlay Districts of Chapter 27- Zoning Ordinance of the Mills County Code of Ordinances is hereby repealed and a new Subparagraph (2) – Grading and Excavation: Loess Hills Conservation Development District of Subparagraph (b) – Grading Permit and Special Use Requirements of Section 27.7.3 – GP Grading Permit Overlay District of Section 7 – Overlay Districts of Chapter 27- Zoning Ordinance is enacted as follows:

**Section 10. NEW SUBPARAGRAPH (2) – GRADING AND EXCAVATION: LOESS HILLS CONSERVATION DEVELOPMENT DISTRICT OF SUBPARAGRAPH (b) – GRADING PERMIT AND SPECIAL USE REQUIREMENTS OF SECTION 27.7.3 – GP GRADING PERMIT OVERLAY DISTRICT.** Subparagraph (2) – Grading and Excavation: Loess Hills Conservation Development District. The removal, addition, or relocation in any twelve (12) month period of soil or other materials from any single parcel owned or controlled by any single entity, including joint tenants and co-tenants when the disturbed area exceeds 5,000 square feet. Such activity must secure a Special Use Permit from the Zoning Board of Adjustment, as described in Section 27.1.10(j)(4).

**Section 11. AMENDMENT SIX.** A NEW SUBPARAGRAPH (i) – Planning and Zoning Commission of Section 27.10.1 – Administration and Enforcement of Section 1 – General Provisions of Chapter 27- Zoning Ordinance of the Mills County Code of Ordinances is hereby enacted as follows:

**Section 12. NEW SUBPARAGRAPH (i) – PLANNING AND ZONING COMMISSION OF SECTION 27.10.1 – ADMINISTRATION AND ENFORCEMENT OF SECTION 1 – GENERAL PROVISIONS.**

**i. Planning and Zoning Commission**

**(1) Established; Composition; Terms**

A Planning and Zoning Commission is established by this Ordinance. It shall consist of seven (7) members. A majority of the members shall reside within the County but outside the corporate limits of any city. The members’ terms of office and the manner of appointment shall be as provided by statute.

**(2) Meetings**

The meetings of the Planning and Zoning Commission shall be held at the call of the chair and at such other times as may be determined by the Commission. Such chair, or in the chair's absence, the acting chair may administer oaths and compel the attendance of witnesses. All meetings of the Commission shall be open to the public. The Commission shall keep minutes of its proceedings, showing the vote of each member on each

question, or if absent or failing to vote, indication of the fact. The Commission also shall keep complete records of its hearings and other official actions. The minutes and records shall be filed immediately in the Commission's office. Every recommendation of the Planning and Zoning Commission shall be forwarded to the Board of Supervisors and stated in the action considered by the Board of Supervisors. The minutes, records and recommendations shall be a public record. The presence of four (4) members shall be necessary to constitute a quorum.

**(3) Powers and Duties**

The Planning and Zoning Commission shall have the power and duty to:

- (a) Review the Comprehensive Plan and Map of Mills County, Iowa as well as any proposed amendments, supplements, changes and/or modifications to the Comprehensive Plan and/or Map.
- (b) Recommend amendments, supplements, changes and/or modifications to the boundaries of the various base zoning districts and/or Official Zoning District Map.
- (c) Recommend amendments, supplements, changes and/or modifications to this Ordinance.
- (d) Submit written recommendations to the Board of Supervisors.
- (e) Contract with professional consultants, regional planning commissions, the Iowa Department of Economic Development, or the federal government, for local planning assistance with the approval of the Board of Supervisors.
- (f) Perform all other duties assigned to the Planning and Zoning Commission in this Ordinance, the Mills County Code of Ordinances and/or required by law.

**Section 13. AMENDMENT SEVEN.** The title and initial subparagraph of Section 27.9.3 – Signs in Agricultural and Residential Districts of Section 9 – Display and Outdoor Advertising Signs of Chapter 27 – Zoning Ordinance of the Mills County Code of Ordinances is hereby repealed and a new title and initial subparagraph of Section 27.9.3 – Signs in Agricultural District (AG), Agricultural/Residential District (AR), Village District (V), and Loess Hills Conservation Development District (LH) of Section 9 – Display and Outdoor Advertising Signs of Chapter 27 – Zoning Ordinance is enacted as follows:

**Section 14. NEW TITLE AND INITIAL SUBPARAGRAPH OF SECTION 27.9.3 – SIGNS IN AGRICULTURAL DISTRICT (AG), AGRICULTURAL/RESIDENTIAL DISTRICT (AR), VILLAGE DISTRICT (V), AND LOESS HILLS CONSERVATION DEVELOPMENT DISTRICT (LH).** Section 27.9.3 – Signs in Agricultural District (AG), Agricultural/Residential District (AR), Village District (V), and Loess Hills Conservation Development District (LH). The following signs shall be permitted in the Agricultural District (AG), Agricultural/Residential District (AR), Village District (V), and Loess Hills Conservation Development District (LH) as well as platted residential subdivisions:

**Section 15. AMENDMENT EIGHT.** The title and initial subparagraph of Section 27.9.4 – Signs in Commercial and Industrial Districts of Section 9 – Display and Outdoor Advertising Signs of Chapter 27 – Zoning Ordinance of the Mills County Code of Ordinances is hereby repealed and a new title and initial subparagraph of Section 27.9.4 – Signs in Convenience Commercial District (C-1), Highway Oriented Commercial District (C-2), and Industrial District (I) of Section 9 – Display and Outdoor Advertising Signs of Chapter 27 – Zoning Ordinance is enacted as follows:

**Section 16. NEW TITLE AND INITIAL SUBPARAGRAPH OF SECTION 27.9.4 – SIGNS IN CONVENIENCE COMMERCIAL DISTRICT (C-1), HIGHWAY ORIENTED COMMERCIAL DISTRICT (C-2), AND INDUSTRIAL DISTRICT (I).** Section 27.9.4 – Signs in Convenience Commercial District (C-1), Highway Oriented Commercial District (C-2), and Industrial District (I). The following on site signs shall be permitted in the Convenience Commercial District (C-1), Highway Oriented Commercial District (C-2), and Industrial District (I):

**Section 17. AMENDMENT NINE.** Subparagraph (c) of Section 27.9.5 – Outdoor Advertising Signs and Billboards of Section 9 – Display and Outdoor Advertising Signs of Chapter 27 – Zoning Ordinance of the Mills County Code of Ordinances is hereby repealed and a new Subparagraph (c) of Section 27.9.5 – Outdoor Advertising Signs and Billboards of Section 9 – Display and Outdoor Advertising Signs of Section 9 – Display And Outdoor Advertising Signs of Chapter 27 – Zoning Ordinance is enacted as follows:

**Section 18. NEW SUBPARAGRAPH (c) OF SECTION 27.9.5 – OUTDOOR ADVERTISING SIGNS AND BILLBOARDS.** Subparagraph (c). No outdoor advertising sign or billboard which faces the front or side lot line of any lot in the Agricultural/Residential District (AR), Village District (V), Loess Hills

Conservation Development District (LH), or any platted residential subdivision used for residential purposes shall be permitted within one hundred feet (100') of such lot line.

**Section 19. TYPOGRAPHICAL ERRORS.** The Mills County Board of Supervisors corrected any and all typographical errors in Chapter 27- Zoning Ordinance of the Mills County Code of Ordinances. Said corrections included any and all changes necessary to standardize the format of numbers within the text of Chapter 27- Zoning Ordinance. The Mills County Board of Supervisors hereby summarily adopts any and all corrections of typographical errors in the Chapter 27- Zoning Ordinance. Said Ordinance containing any and all corrections as well as the aforementioned amendments shall comprise the newly amended Chapter 27- Zoning Ordinance of the Mills County Code of Ordinances.

**Section 20. REPEALER.** All other ordinances, rules, regulations, or part thereof, in conflict with this ordinance are hereby repealed by this ordinance.

**Section 21. SEVERABILITY.** If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole, or any provision thereof not adjudicated to be invalid or unconstitutional.

**Section 22. CODE OF ORDINANCES.** Copies of the Mills County Code of Ordinances as adopted herein shall be on file and available for public inspection in the office of the Mills County Auditor.

**Section 23. EFFECTIVE DATE.** This Ordinance shall be in full force and effect from and after its final passage, approval, and publication as provided by law.

Motion carried on a roll call vote: Crouch – Aye, Blankenship – Aye, Kohn – Aye.

Motion by Crouch seconded by Blankenship to authorize chair to sign the contract with Frank's Design Group for the Treasurer's office renovation through the bidding and construction phase for an amount of \$12,600 and the contract for the communications center assessment and feasibility study for an expansion renovation and technical upgrade for an amount not to exceed \$4,000.

Motion carried on a vote: Ayes: 3 Nays: 0

Supervisor Blankenship updated the Board on the Loess Hills Humane Society. Blankenship also updated the Board on the agreement that the Conservation Board signed with the DNR for the preserve. The land is still being cash rented for the 2011 crop year for \$72,001.00.

Supervisors Kohn and Crouch gave updates on the City Council meetings they've attended regarding recycling.

Ken Mead asked the Board for assistance in putting in a septic tank. He has been trying to install one since June and still does not meet compliance. The Board stated they would need to look into the matter further to obtain information regarding his concerns and would report back to him.

There being no further business to come before the Board at this time, they adjourned to meet on Tuesday, October 19, 2010.

Mills County Board of Supervisors

\_\_\_\_\_  
R.E. Kohn, Chairperson

Attest: \_\_\_\_\_  
Auditor

Office of Mills County Auditor  
Carol Robertson  
Courthouse  
Glenwood, IA

The Mills County Board of Supervisors met this 19th day of October, 2010, at the Courthouse in Glenwood with all members present.

Motion by Crouch seconded by Blankenship to approve the agenda for October 19, 2010 and by the same motion the minutes for the October 12, 2010 Board meeting. Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Blankenship seconded by Crouch to approve the accounts payable as presented. Motion carried on a vote: Ayes: 3 Nays: 0

There were two requests for utility permits:  
Pierce Pump Inc. for tile lines on 400<sup>th</sup> Street and Noyes Avenue and 400<sup>th</sup> and Oman.  
Mid American for a gas line in Mineola.

The Engineer updated the board on the 190<sup>th</sup> Street project, which will be open today (Oct. 19<sup>th</sup>).

The detour for Gaston Avenue was discussed. This project could be done by the middle of November.

There were two (2) bids received and opened for the county storage building. Collins Construction had a bid in the amount of \$20,356.00 and Blum Brothers Construction had a bid in the amount of \$15,000.

Motion by Crouch seconded by Blankenship to accept the bid received from Blum Brothers Construction in the amount of \$15,000.  
Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Crouch seconded by Blankenship to modify the GIS fee schedule to accommodate a yearly update for real estate parcel data purchases. The current data set purchase price is 10 cents per parcel. After the initial purchase, the purchaser may obtain current data set parcels for 3 cents per parcel if continued on an annual basis. Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Crouch seconded by Blankenship to approve the renewal Class B liquor license for Oak Township Emergency Services for a 5 day permit to accommodate a New Year's Eve event.  
Motion carried on a vote: Ayes: 3 Nays: 0

Nick Sciullo was present to discuss Go21, which is a non-profit organization that works with federal legislation to develop rail traffic throughout the United States. He will propose a letter of support by Resolution for the Board to consider.

Diana Konfrst from Dihne's Recycling, Jim Webel from the City of Glenwood and Susan Hirschman from the Glenwood City Council were present to discuss the costs of recycling. Konfrst stated to start a new site the cost would be approximately \$15,000 for equipment. The City of Glenwood has received land to increase the size of their present recycling location. Konfrst will return to the Board with costs for container upgrades. The City will prepare information about size, layout, materials and fencing for a future site. Supervisor Kohn will attend the November 9<sup>th</sup> City Council meeting to discuss site costs.

Motion by Blankenship seconded by Crouch to authorize the chair to sign the 28E agreements with Cities in the County excluding Glenwood, for \$8.00 per capita fee assessed for the communication center.  
Motion carried on a vote: Ayes: 3 Nays: 0

There being no further business to come before the Board at this time, they adjourned to meet on Tuesday, October 26, 2010.

Mills County Board of Supervisors

\_\_\_\_\_  
R.E. Kohn, Chairperson

Attest: \_\_\_\_\_  
Auditor

Office of Mills County Auditor  
Carol Robertson  
Courthouse  
Glenwood, IA

The Mills County Board of Supervisors met this 26<sup>th</sup> day of October, 2010, at the Courthouse in Glenwood with all members present.

Motion by Blankenship, seconded by Crouch, to approve the agenda for October 26, 2010 and by the same motion the amended minutes for the October 19, 2010 Board meeting.

Motion carried on a vote: Ayes: 3, Nays: 0.

Engineer Kevin Mayberry reported no utility permits had been requested and had no requests for action by the Board.

Deputy Auditor Pam Madison presented a Revised Seat Belt Policy for discussion.

Motion by Blankenship, seconded by Crouch, to approve the Revised Seat Belt Policy as presented.

Motion carried on a vote: Ayes: 3, Nays: 0.

Mickie Perian, representing Pony Creek 1 homeowners, Randy Fehl, Preston Sargent and Marjean Sargent, from Schemmer Engineering, Dale Marshall, Glenwood Municipal Utilities, Dee Fischer, USDA representative, Craig Nakamoto, Dick Davis, Glenwood Municipal Utilities, Jim Olmsted, Olmsted and Perry Associates, joined the session to discuss water improvements for the Pony Creek homeowners association #1. Discussion focused on obtaining water from Glenwood Municipal Utilities and potential costs of proposed pipeline locations. Because of the limited number of residences to be served, CDBG grants are not likely to be available. Due to the age of the existing water lines, new water lines will be needed in the area. USDA loans are to meet the needs of existing residents, so any infrastructure addressing future needs would have to be funded through other means. The Pony Creek homeowners association and the Glenwood Municipal Utilities Board will be holding meetings in November to address individual concerns. All parties will continue to work to resolve water problems in the Pony Creek area.

During general discussion, Kenny Mead was present to discuss septic issues on a rental property.

There being no further business to come before the Board at this time, they adjourned to meet on Thursday, November 4, 2010.

Mills County Board of Supervisors

\_\_\_\_\_  
R.E. Kohn, Chairperson

Attest: \_\_\_\_\_  
Auditor

Office of Mills County Auditor  
Carol Robertson  
Courthouse  
Glenwood, IA

The Mills County Board of Supervisors met this 4<sup>th</sup> day of November, 2010, at the Courthouse in Glenwood with all members present.

Motion by Crouch seconded by Blankenship, to approve the agenda for November 4, 2010 and by the same motion the minutes for the October 26, 2010 Board meeting.

Motion carried on a vote: Ayes: 3, Nays: 0.

Motion by Crouch seconded by Blankenship to pay voucher #1 for project L-300-73-65, 300<sup>th</sup> Street RCB structure, less the 3% retainage to Graves Construction in the amount of \$80,299.83.

Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Blankenship seconded by Crouch to approve the pay voucher #1 for project BHS-065-(78)63-65, repairs to Gaston Avenue bridge over Keg Creek in the amount of \$26,659.72, submitted to Iowa D.O.T. and paid directly from the Bridge Replacement Fund.

Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Crouch seconded by Blankenship to authorize chair and Auditor to sign Iowa D.O.T. agreement for HBRR program. The bridge replacement fund is a quarterly allotment from Iowa D.O.T.

This fund was depleted in 2007 and has now been built back up for bridge replacement and repair projects.

Motion carried on a vote: Ayes: 3 Nays: 0

Engineer Kevin Mayberry reported two utility permits had been requested.

- 1) Mid American Energy on Kane Avenue
- 2) Glenwood Municipal Utilities for a water main leak on 225<sup>th</sup> Street

Larry Winum from Glenwood State Bank, Randy McCunn from A&M Greenpower, Darin Whatcott from JAS, Jim Hughes from Hughes Real Estate and Kristine Schoening from the Auditor's office were present for discussion regarding drainage on Missouri River bottom ground. Drainage tubes from Folsom Lake under I-29 were put in incorrectly during recent construction, but the error was identified and corrected before construction was completed. Sieck recommended that drainage issues in the Hwy 34-I-29 corridor must be carefully watched to keep water from backing up and lying on private property and/or any other future development locations. The Engineer will be contacting drainage district officials and make certain that drainage issues are identified in order to have proper drainage in this area.

Motion by Blankenship seconded by Crouch to authorize Tom Ling, Communications/911 Director, to go through the process to hire a replacement dispatcher.

Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Crouch seconded by Blankenship to adopt and approve Resolution 10-16 – To Abate Taxes for DNR Property.

#### **Resolution 10-16**

The Mills County Board of Supervisors sitting in session on this 4th day of November, 2010 upon recommendation from the Treasurer and as per Senate file 478 and IA Code 445.16 shall abate the taxes, interest and penalties on the following described property and direct the County Treasurer to strike the amount due from the County system:

The Mills County Treasurer recommends that the taxes on property owned by the Department of Natural Resources, a tax exempt entity of the Federal Government and property located in Section 13& 24 Township 72 Range 43 and Section 19 Township 72 Range 42 and Section 18 Township 72 Range 42 located in Glenwood Township, Glenwood School district in Mills County, IA parcel #053970360000000 and parcel #072090820000000 to be abated in the amount of **\$6,026.00 and \$1,098.00 for a total amount of \$7,124.00.** The transaction deed on this parcel of land was done on July 1, 2009 and has been set to the exempt status and no taxes will be collected for fiscal year 2010-2011.

Motion carried on a roll call vote: Blankenship – Aye, Kohn – Aye, Crouch – Aye

Motion by Blankenship seconded by Crouch to adopt and approve Resolution 10-17 – Abate Taxes for Bunge Property.

#### **Resolution 10-17**

A Minimum Assessment Agreement as stated in IA Code 403.6(19) was created on December 29, 1998 by and among the Bunge Corporation, Pottawattamie County Board of Supervisors and Mills County Board of Supervisors and the Mills County Assessor and the Pottawattamie County Assessor for the purpose of creating an exemption of real estate taxation for a period of ten (10) years to construct a soybean crusher/refinery

complex that said real estate is situated in both Mills and Pottawattamie Counties. The taxation of any said improvements thereafter be phased in over the next ten (10) years. Commencing with the January 1, 1998 assessment and continuing through January 1, 2007 assessment of said taxation would be based on the value of the unimproved site. Beginning with the January 1, 2008 assessment would generate a tax of \$100,000 representing year 11 and \$103,500 for year 12, \$107,100 for year 13, \$110,000 for year 14, \$114,800 for year 15, \$118,800 for year 16, \$122,900 for year 17, \$127,200 for year 18 \$131,700 for year 19 and \$136,300 for year 20. Along with the Minimum Assessment Agreement a Revenue Sharing Agreement between Pottawattamie County and Mills County was signed on December 30, 1998 which stated that the taxes collected by Mills County, Iowa on the improvements to the property covered by the Minimum Assessment Agreement will be split with Pottawattamie County fifty-fifty for years eleven through twenty. Mills County agrees to pay out of their general fund, fifty percent of the taxes to Pottawattamie County.

The Board of Supervisors of Mills County setting in session on this 4<sup>th</sup> day of November, 2010 pursuant to the Minimum Assessment Agreement at IA Code 403. 6 (19) shall direct the treasurer of Mills County to send a tax statement for fiscal year 2009 taxes due and payable on September 1, 2010 and March 1, 2011 to Bunge Corporation for \$103,500.00 and abate the total taxes generated on these parcels in the amount of \$4,132.00 and direct the treasurer to make payment of \$51,750 to Pottawattamie County reflecting the Revenue Sharing Agreement and Mills County will then be allowed to apportion their share of the \$51,750.00 in taxes to the appropriate entities.

Motion carried on a roll call vote: Blankenship – Aye, Kohn – Aye, Crouch – Aye

Motion by Crouch seconded by Blankenship to approve the Family Applications for 2010 and by the same motion disallow the applications that do not qualify.

Motion carried on a vote: Ayes: 3 Nays: 0

The Board reviewed the following reports:

October Month End, Sheriff's Jail Report, Sheriff's Bank Reconciliation for September, Recorder's October Statement of Fees.

There being no further business to come before the Board at this time, they adjourned to meet on Tuesday, November 9, 2010.

Mills County Board of Supervisors

\_\_\_\_\_  
R.E. Kohn, Chairperson

Attest: \_\_\_\_\_  
Auditor

The Mills County Board of Supervisors met this 9th day of November, 2010, at the Courthouse in Glenwood with all members present.

Motion by Blankenship seconded by Crouch to approve the agenda for November 9, 2010 and by the same motion the minutes for the November 4, 2010 Board meeting. Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Crouch seconded by Blankenship to approve the accounts payable as presented.  
Motion carried on a vote: Ayes: 3 Nays: 0

There were no requests for utility permits.

Janella Goy and Rhett Goy were present to discuss the severe dust on Lytle and 315<sup>th</sup> Street due to the large amount of traffic to the quarry. Calcium chloride has been used but they feel the application is not very effective at controlling the dust. At the upcoming Engineer's Conference, the Engineer will look for a more effective method of dust control on heavily traveled rock roads. The County will consider paving in that area, but until funds are available, the County will use more frequent applications of chemical treatment. The Supervisors asked for a traffic count for this area.

Motion by Crouch seconded by Blankenship to approve the budgeted upgrade network equipment by purchasing network top splitters for two devices for a total cost of \$2620.00.  
Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Blankenship seconded by Crouch to approve Resolution 10-19 along with letter of support to U.S. Congressmen.

#### **Resolution 10-19**

#### **Resolution in Support of Increased Freight Rail Capacity and in Support of Preserving Balanced Regulation**

**Whereas**, state and federal transportation officials and others project that United States freight volumes will roughly double by 2035;

**Whereas**, the nation's highways are already stretched to capacity as a result of increased freight and passenger movements;

**Whereas**, the efficient movement of goods is directly related to the strength of a nation's economy and its citizens' quality of life;

**Whereas**, public policies promoting increased investment in freight rail infrastructure would result in increased freight rail hauling capacity;

**Whereas**, expansion of freight rail hauling capacity would yield impressive public benefits by relieving worsening congestion, reducing highway costs, providing a critical intermodal link to international trade, and improving air quality and fuel efficiency;

**Whereas**, relatively modest public investments in freight rail infrastructure would yield an impressive return on investment in the form of savings to motorists, businesses, and taxpayers;

**Whereas**, there is bi-partisan legislation introduced in Congress that would create tax incentives to increase investment in freight rail infrastructure;

**Whereas**, this legislation is the type of proposal that the American Association of State Highway and Transportation Officials says is needed to accommodate increasing freight volumes and realize the public benefits that come from shipping more freight by rail;

**Whereas**, Congress is considering proposals that would undo the balanced regulations of the Staggers Act of 1980 and these proposals would turn back the clock on the successes of economic deregulation, devastating the railroads and freight transportation in this country; and

**.Therefore, Be It Resolved** that the Mills County, Iowa endorses the Go21 mission of building a stronger economy, reducing highway congestion, improving air quality, using tax dollars more efficiently, and improving quality of life by advocating for increased use of freight rail transportation; and

**Be It Further Resolved** that the Mills County, Iowa endorses federal investment tax incentives to increase freight rail hauling capacity and supporting balanced regulation of rail.

Motion carried on a roll call vote: Blankenship – Aye, Crouch – Aye, Kohn – Aye

The Mills County Board of supervisors met as a board of canvassers to canvass the results of the November 2, 2010 General Election. Local results are:

**Board of Supervisors:** Richard Crouch, **Treasurer:** Rebecca Killpack, **Recorder:** Vicki McClintic  
**County Attorney:** Eric Hansen, **Soil and Water Commissioners:** Stephen McGrew and Steven Roenfeldt, **County Ag Extension Council:** Arnold Frazee, Barbara Mass, Nancy McGrew, Woody Wright, and Dawn Hillyer

**The following Township Clerks and Trustees were elected:** **Anderson Township Trustee:** Rodney Seipold, **Anderson Township Clerk:** Bette Byers, **Deer Creek Township Trustee:** Mark Costello, **Deer Creek Township Clerk:** Jeffery Jennings, **Glenwood Township Trustee:** Jeff Harger  
**Glenwood Township Clerk:** Lonnie Mayberry, **Indian Creek Trustee:** Tom Honeyman  
**Indian Creek Township Trustee Vacancy:** David Anderson, **Indian Creek Township Clerk:** Paul Faxon, **Ingraham Township Trustee:** Jim McColleston, **Ingraham Township Clerk:** Betty Millard  
**Lyon Township Trustee:** James Craigmile, **Lyon Township Clerk:** Frances Craigmile, **Oak Township Trustee:** Mark Schoening, **Oak Township Clerk:** Keith Johnson, **Plattville Township Trustee:** Larry Lincoln, **Plattville Township Clerk:** Gary Williams, **Rawles Township Trustee:** Jesse Hetzel, **Rawles Township Clerk:** Roger Wyant, **Silver Creek Township Trustee:** Doug Bowen  
**Silver Creek Township Clerk:** David Newell, **St. Mary Township Trustee:** Kenneth Root  
**St. Mary Township Clerk:** John Scott, **White Cloud Township Trustee:** Tom Pollock  
**White Cloud Township Clerk:** Bruce Wray

Official results are available in the Mills County Auditor's office and the Mills County website. The Board of Supervisors returned to the regular session at this time.

Motion by Blankenship seconded by Kohn to re-appoint Richard Crouch as Center Township Clerk and Mark Ford as Center Township Trustee for a 4 year term.

Motion carried on a vote: Blankenship – Aye, Kohn – Aye. Crouch abstained.

Darin Whatcott, from the Planning and Zoning permit Department, was present to discuss projects being done throughout Mills County.

There being no further business to come before the Board at this time, they adjourned to meet on Monday, November 15, 2010.

Mills County Board of Supervisors

\_\_\_\_\_  
R.E. Kohn, Chairperson

Attest: \_\_\_\_\_  
Auditor

Office of Mills County Auditor  
Carol Robertson  
Courthouse  
Glenwood, IA

The Mills County Board of Supervisors met this 15<sup>th</sup> day of November, 2010, at the Courthouse in Glenwood with all members present.

Motion by Blankenship, seconded by Crouch, to approve the agenda for November 15, 2010 and by the same motion the amended minutes for the November 9, 2010 Board meeting.

Motion carried on a vote: Ayes: 3, Nays: 0.

Engineer Kevin Mayberry reported one utility permit had been requested for One OK Pipeline on Ringland Road.

The Board of supervisors will not be taking action on the liquor license permit request from Austin's on the Trail in Silver City because it needs to be approved by the City Council of Silver City.

Mary Jane Glauber was present to discuss her concerns with the Board about residents dumping trash and other items on farm ground in the County. Mrs. Glauber does not reside in the county but owns farm ground and is looking at what can be done to resolve this problem. The Board is currently working on recycling efforts to eliminate some of these issues.

There being no further business to come before the Board at this time, they adjourned to meet on Tuesday, November 23, 2010.

Mills County Board of Supervisors

\_\_\_\_\_  
R.E. Kohn, Chairperson

Attest: \_\_\_\_\_  
Auditor

Office of Mills County Auditor  
Carol Robertson  
Courthouse  
Glenwood, IA

The Mills County Board of Supervisors met this 23rd day of November, 2010, at the Courthouse in Glenwood with Richard Crouch and Ron Kohn present. Joe Blankenship was absent.

Motion by Crouch seconded by Kohn to approve the agenda for November 23, 2010 and by the same motion the amended minutes for the November 15, 2010 Board meeting.

Motion carried on a vote: Ayes: 2, Nays: 0.

Engineer Kevin Mayberry took the Board members to a site visit at 230<sup>th</sup> Street for a driveway variance.

Mayberry reported one utility permit had been requested for MidAmerican Energy at 340<sup>th</sup> Street for a grain bin hook-up.

No action was taken for the driveway variance request at 54156 230<sup>th</sup> Street due to the absence of Supervisor Blankenship. The Engineer will put this on the agenda for the December 7<sup>th</sup> meeting when all Supervisors are present.

Motion by Crouch seconded by Kohn to approve pay voucher #2 for project L-300-73-65, 300<sup>th</sup> Street RCB structure to Graves Construction in the amount of \$32,966.61.

Motion carried on a vote: Ayes: 2 Nays: 0

Kevin Mayberry, Engineer, Sheri Bowen, Mills County Public Health, Christine Govig, Mills County Assessor, DeShawne Bird-Sell, attorney and Ken Mead were present to discuss Mr. Mead's septic tank concerns. Bird-Sell shared her concerns as to how long it would be before Mead could get his house inspected so a septic tank could be installed before inclement weather. Assessor Govig stated that the Assessor's office is in the middle of a re-appraisal and they have not gotten to that area yet. Engineer Mayberry offered a solution by having Neil Simon, building inspector, verify the number of bedrooms in this house. This was acceptable with Public Health and the Board. Public Health will need verification in writing as to the number of bedrooms in the house so they can then issue Mead with the proper permit to install the septic system.

The Board adjourned for a Department Head meeting. The Board, elected officials, and department heads were present for a department head meeting.

Darin Whatcott was present to discuss a waiver of a permit fee for the City of Malvern for sign placement. The Board will put this on the November 30<sup>th</sup> meeting agenda for formal action.

There being no further business to come before the Board at this time, they adjourned to meet on Tuesday, November 30, 2010.

Mills County Board of Supervisors

\_\_\_\_\_  
R.E. Kohn, Chairperson

Attest: \_\_\_\_\_  
Auditor

Office of Mills County Auditor  
Carol Robertson  
Courthouse  
Glenwood, IA

The Mills County Board of Supervisors met this 30th day of November, 2010, at the Courthouse in Glenwood with members Crouch and Blankenship present. Supervisor Kohn was absent.

Supervisor Crouch amended the agenda for November 30, 2010 to allow a payment voucher for the Engineer to be signed and sent to the D.O.T. for their funding of Bridge Rehab projects,

Motion by Blankenship seconded by Crouch to approve the amended agenda and by same motion the November 23, 2010 minutes as corrected. Motion carried on a vote: Ayes: 2 Nays: 0

Motion by Blankenship seconded by Crouch to approve accounts payable as presented.  
Motion carried on a vote: Ayes: 2 Nays: 0

There were no requests for utility permits.

Motion by Blankenship seconded by Crouch to waive the sign permit fee for the City of Malvern. These signs meet the County Code requirements.  
Motion carried on a vote: Ayes: 2 Nays: 0

Perry Cook from the City of Glenwood was present as well as Steve Perry from Olmstead and Perry Engineering to update the Board on the paving project on Railroad Avenue. Bids will be let in February and work will begin in the spring, and completion by July 1<sup>st</sup>, weather permitting.  
Motion by Blankenship seconded by Crouch to approve a temporary grading easement to be signed by the County. Motion carried on a vote: Ayes: 2 Nays: 0

Engineer Mayberry presented pay voucher #2 BHS (78)63-65 for Cramer and Associates for bridge rehab projects. These are not County funds. The bridge is located over Keg Creek on Gaston Avenue.  
Motion by Blankenship seconded by Crouch to authorize chair to sign pay voucher #2 in the amount of \$63,640.82.  
Motion carried on a vote: Ayes: 2 Nays: 0

Supervisors Blankenship and Crouch expressed various road concerns throughout the County.

Supervisor Crouch requested that the Engineer contact Superintendent of Schools, Devin Embray and provide him a list of on call Secondary Roads personnel for inclement weather.

Motion by Blankenship seconded by Crouch to approve the hire of an assistant for the Mills County Attorney's office effective December 1, 2010. Tricia McSorley has passed the physical, drug screen and background check. McSorley will become Deputy County Attorney in January at a salary of \$56,500.  
Motion carried on a vote: Ayes: 2 Nays: 0

Motion by Blankenship seconded by Crouch to approve and disallow the Military and Homestead credits for 2009/2010 and also the 100% Disabled Veterans Homestead Credit.  
Motion carried on a vote: Ayes: 2 Nays: 0

Crouch stepped down to make a motion to approve a letter of support for the Conservation Board to consider the options of purchasing Camp Neyati Girl Scout Camp. Blankenship seconded.  
Motion carried on a vote: Ayes: 2 Nays: 0

The Board received the October Sheriff's Bank reconciliation report.

Supervisor Blankenship updated the Board on a Port Authority Meeting he attended earlier this week.

There being no further business to come before the Board at this time, they adjourned to meet on Tuesday, December 7, 2010.

Mills County Board of Supervisors

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R.E. Kohn, Chairperson

Attest: \_\_\_\_\_  
Auditor

Office of Mills County Auditor  
Carol Robertson  
Courthouse  
Glenwood, IA

The Mills County Board of Supervisors met this 7<sup>th</sup> day of December, 2010, at the Courthouse in Glenwood with all members present.

Motion by Blankenship seconded by Crouch to approve the agenda and by same motion the November 30, 2010 minutes. Motion carried on a vote: Ayes: 3 Nays: 0

Junior Hughes was present for Engineer Mayberry.

There were three requests for utility permits:  
Millstream Trenching on Ingraham Avenue and 415<sup>th</sup> Street  
Extreme Trenching on 221<sup>st</sup> North  
Pierce Pumping on Paddock

Motion by Blankenship seconded by Kohn to approve the driveway variance request at 54156 230<sup>th</sup> Street. Crouch abstained from voting.  
Motion carried on a vote: Ayes: 2 Nays: 0 Crouch - Abstain

Motion by Blankenship seconded by Crouch to approve the Intangible Asset Policy.  
Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Blankenship seconded by Crouch to table signing the sidewalk repair assessment agreement until an approved State of Iowa contractor has been hired by the City of Glenwood.  
Motion carried on a vote: Ayes: 3 Nays: 0

Blankenship reported on his Workforce Development meeting.

Blankenship reported that he discussed the Mineola water project with Jade Wilcoxon of Rural Water. Wilcoxon explained he will be coming to the Board in January in regards to this project.

Supervisor Blankenship requested that the Auditor contact the Mills County Fair Board to have them present their financial statement.

The Board discussed the possible definitions of Ag property for permitting purposes. The Board will contact the County Attorney to find out where the definition needs to be placed and the correct terminology.

There being no further business to come before the Board at this time, they adjourned to meet on Tuesday, December 14, 2010.

Mills County Board of Supervisors

\_\_\_\_\_  
R.E. Kohn, Chairperson

Attest: \_\_\_\_\_  
Auditor

Office of Mills County Auditor  
Carol Robertson  
Courthouse  
Glenwood, IA

The Mills County Board of Supervisors met this 14<sup>th</sup> day of December, 2010, at the Courthouse in Glenwood with all members present.

Motion by Crouch seconded by Blankenship to approve the agenda with an amendment to re-schedule pay voucher #3 until the next regular Board meeting and by same motion the December 7, 2010 minutes.

Motion carried on a vote: Ayes: 3 Nays: 0

There was one request for utility permits:

MidAmerican Energy on East side of 295<sup>th</sup> Street for underground cable for a new house.

Motion by Blankenship seconded by Crouch to authorize the Chair to sign the construction easement for the Railroad Avenue pavement construction.

Motion carried on a vote: Ayes: 3 Nays: 0

Pay voucher #3 has been re-scheduled until the December 21<sup>st</sup> meeting.

Darin Whatcott joined the session with Lyle Mayberry, Zoning Commission Chairperson to discuss non-conforming lots that pre-existed before subdivisions and zoning ordinances where implemented. The problem is these lots do not meet all the setback requirements. Mayberry is proposing for the building department to be able to streamline the variance process administratively due to the time frame it takes to complete the variance. The Board requested that Mayberry have a zoning commission meeting and write up a proposal of changes and return with these changes for consideration.

The Closed Session was re-scheduled for the December 21<sup>st</sup> meeting due to illness.

The decision on the closed session litigation discussion was re-scheduled for the December 21<sup>st</sup> meeting.

Tricia McSorley, Assistant attorney, was present to discuss approval to purchase 3 computers for the county attorney's office.

Motion by Crouch seconded by Blankenship to approve the quote received from Patrick Binns, IT Coordinator, for the Mills County Attorney's office in the amount of \$4,520 for 2 laptops and 1 desktop computer.

Motion carried on a vote: Ayes: 3 Nays: 0

Sara Ketcham, CPC Coordinator, presented the observed Christmas and New Year holiday schedules for Montgomery and Mills Counties. Due to the conflicting schedules, the Board stated that the department head of the CPC staff could use their discretion on how to observe the Montgomery holiday schedule since their offices are located in Montgomery County.

Motion by Crouch seconded by Blankenship to approve changing the payroll date from December 24, 2010 to December 23, 2010 due to the banks being closed on the 24th.

Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Blankenship seconded by Crouch to contribute \$5,573.00 to the Glenwood/Mills County Economic Development to assist in promoting jobs and businesses to locate in Mills County and contribute to the tax base of the County.

Motion carried on a vote: ayes: 3 Nays: 0

The Board of Supervisors met as a Board of Canvass for the purpose of canvassing the results from the December 7, 2010 election for the public measure; Shall the Malvern School District and the Nishna Valley School District reorganize to form a new school district called East Mills?

Official results are: 413 Ayes for Public Measure A

70 Nays for Public Measure A

Board members concluded the Canvass and returned to regular session.

The Board received the November month end reports from the Auditor.

There being no further business to come before the Board at this time, they adjourned to meet on Tuesday, December 21, 2010.

Mills County Board of Supervisors

\_\_\_\_\_  
R.E. Kohn, Chairperson

Attest: \_\_\_\_\_ Auditor

The Mills County Board of Supervisors met this 21st day of December, 2010, at the Courthouse in Glenwood with all members present.

Motion by Crouch seconded by Blankenship to approve the agenda and by same motion the December 14, 2010 minutes.

Motion carried on a vote: Ayes: 3 Nays: 0

There were no requests for utility permits:

Pay Voucher #3 in the amount of \$62,827.48 for project L-300-73-65, 300<sup>th</sup> Street RCB structure is 60% complete. Motion by Crouch seconded by Blankenship to authorize Chair to sign pay voucher #3.

Motion carried on a vote: Ayes: 3 Nays: 0

The potential of completing the pavement project on 190<sup>th</sup> Street was discussed. The Engineer has an estimate of \$800,000 for the ¾ mile. The higher cost is due to an access road that needs to be built. Funding would come from TIF that is presently in place.

Motion by Blankenship seconded by Crouch to go into Closed Session according to Iowa Code 21.5(c) To discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the government body in that litigation.

Roll Call Vote: Blankenship – Aye, Kohn – Aye, Crouch –Aye. Motion carried.

Into closed session at 9:51 a.m.

Motion to come out of closed session was made by Blankenship, seconded by Crouch.

Roll Call Vote: Ayes – Blankenship – Aye, Crouch – Aye, Kohn – Aye. Motion carried.

Out of closed session at 10:15 a.m.

Motion by Blankenship seconded by Crouch to authorize the Assistant County Attorney to contact Kris Madsen to offer settlement of \$500. If not agreeable to defendant, Mills County will request a Summary Judgment.

Motion carried on a vote: Ayes: 3 Nays: 0

Assistant County Attorney Eric Hansen, County Assessor Christina Govig, Pam Mayberry and Brenda Mintle from the Assessor's office were present to discuss the reappraisal.

Motion by Crouch seconded by Blankenship to authorize the County to enter into a financial agreement to loan funds to the Assessor for the reappraisal project and to aid the Assessor's Department to meet their obligations for the current fiscal year.

Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Blankenship seconded by Crouch to authorize the Auditor to purchase a new HP Computer to replace one that crashed in the amount of \$1088.60.

Motion carried on a vote: Ayes: 3 Nays: 0

The Board received the Recorder's November month end statement of fees.

The Board also received the Sheriff's bank reconciliation statement for October.

There being no further business to come before the Board at this time, they adjourned to meet on Tuesday, December 28, 2010.

Mills County Board of Supervisors

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R.E. Kohn, Chairperson

Attest: \_\_\_\_\_ Auditor

Office of Mills County Auditor  
Carol Robertson  
Courthouse  
Glenwood, IA

The Mills County Board of Supervisors met this 28<sup>th</sup> day of December, 2010, at the Courthouse in Glenwood with all members present.

John Paul, Chairperson of the seven member Compensation Board reported to the Supervisors the results of their December 22<sup>nd</sup> meeting. Paul explained the Board looks equally at all of the Elected Officials job performances and the operations of their departments. The economy, union raises, insurance increases, salary comparisons and the overall status of the County were taken into consideration and a 2% salary increase for all Elected officials was approved unanimously by the Compensation Board. Paul asked the Board to accept the recommendation made.

Motion by Blankenship seconded by Crouch to accept the recommendation made.

Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Crouch seconded by Blankenship to approve the December 28, 2010 agenda and the December 21, 2010 minutes as presented.

Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Blankenship seconded by Crouch to pay accounts payable as presented.

Motion carried on a vote: Ayes: 3 Nays: 0

The Engineer was not present as there was no business to bring before the Board.

Joel Dierks, West Central Community Action, presented an overview for the County use of services for 2010 and has requested the FY2011 appropriation to be the same as last year.

Motion by Crouch seconded by Blankenship to appoint Lonnie Mayberry as the County representative for the City Board of Adjustment. The representative must live within a 2 mile radius of the City.

Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Crouch, seconded by Blankenship to approve the Class C liquor license permit request for the Beer Barn.

Motion carried on a vote: Ayes: 3 Nays: 0

No formal action was taken for the funding request for the Loess Hills Scenic Byways. This request is for next fiscal year's funding.

Mike Sukup, Environmental Representative from Mills County Public Health, was present to update the Board that Mr. Mead had not applied for a septic permit to date.

The Board received the November report of fees from the County Recorder.

There being no further business to come before the Board at this time, they adjourned to meet on Tuesday, January 4, 2011.

Mills County Board of Supervisors

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R.E. Kohn, Chairperson

Attest: \_\_\_\_\_ Auditor