

Office of Mills County Auditor
Carol Robertson
Courthouse
Glenwood, IA

The Mills County Board of Supervisors met this 28th day of December, 2011, at the Courthouse in Glenwood with Richard Crouch, Joe Blankenship and Ron Kohn present.

Motion by Blankenship seconded by Kohn to approve the December 28, 2011 agenda and the December 20, 2011 minutes as corrected. Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Kohn, seconded by Blankenship to approve accounts payable with one correction to a claim submitted. Motion carried on a vote: Ayes: 3 Nays: 0

There was one utility permit to report for a water main tap on 195th Street.

Motion by Blankenship seconded by Kohn to authorize the Board Chair to sign the Iowa D.O.T. inspection costs from the Farm to Market account in the amount of \$571.75 for project CO82.

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

Motion by Kohn seconded by Blankenship to approve voucher #3 for project #BHOS-CO65(83)-5N-65, 390th Street bridge repairs in the amount of \$7,164.42 to A.M. Cohron.

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

Motion by Kohn seconded by Blankenship to approve voucher #6 for Project #BHS-CO65(85)-63-65, 310th Street bridge repairs to Murphy Heavy Construction in the amount of \$8,607.78.

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

Motion by Blankenship seconded by Kohn to approve voucher #3 (final) for Project \$LB244615-73-65, Masters Road RCB culvert to Graves Construction in the amount of \$4,852.21.

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

Motion by Kohn seconded by Blankenship to authorize chair to sign the 28E Agreement with the City of Pacific Junction for maintenance of Jessup Avenue, extension of Pacific Junction city limits and including bridge inspections. Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Blankenship seconded by Kohn to authorize the Board Chair to sign Consent to Assignment Contract with BNSF, Glenwood Municipal Utilities and Mills County.

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

Joel Dirks, representing West Central Community Action, was present to update the Board on the services that Mills County received in fiscal year 2011 that totaled \$1,700,067. Dirks requested the County funding of \$2000 stay the same as last year for 2012.

Motion by Kohn seconded by Blankenship to authorize Chair to sign the Amended MAPA/Mills County FY10 Hazard Mitigation Plan Agreement to extend the date for completion to June 30, 2012. Motion carried on a vote: Ayes: 3 Nays: 0

Larry Winum was present on behalf of the Mills County Economic Development to discuss approval of the JEO contract.

Motion by Blankenship seconded by Kohn to approve the funding of \$16,500 from Mills County towards JEO for the continuation of the I-29/Hwy 34 Corridor Master Plan for site selection and development of the area.

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

Pete Franks from Frank's Design rescheduled for the January 3, 2012 meeting.

There being no further business to come before the Board at this time, they adjourned to meet on Tuesday, January 10, 2012.

Mills County Board of Supervisors

Richard Crouch – Chairperson

Attest: _____
Carol Robertson, Auditor

Office of Mills County Auditor
Carol Robertson
Courthouse
Glenwood, IA

The Mills County Board of Supervisors met this 20th day of December, 2011, at the Mills County Courthouse in Glenwood with Richard Crouch, Joe Blankenship and Ron Kohn present.

Motion by Kohn seconded by Blankenship to approve the December 20, 2011 agenda and the December 13, 2011 minutes as presented.

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

There were no utility permits to report this week.

Motion by Blankenship seconded by Kohn to approve Resolution 11-35, Bridge Embargo List which includes 30 bridges throughout the County.

**RESOLUTION 11-35
BRIDGE EMBARGO**

WHEREAS: The Board of Supervisors is empowered under authority of Section 321.236 Sub. (8), 321.255, and 321.471 to 321.473 of the Code of Iowa to prohibit the operation of vehicles or impose limitations as to the weight thereof on designated highways or highway structures under their jurisdiction, and

WHEREAS: the Mills County Engineer has completed (or has caused to be completed) the Structural Inventory and Appraisal of certain bridges, in accordance with the National Bridge Inspection Standards and has determined (or it has been determined) that they are inadequate for two-lane legal loads at allowable operating stress.

NOW, THEREFORE, BE IT RESOLVED by the Mills County Board of Supervisors that vehicles and load limits be established and that signs be erected advising of permissible maximum weights thereof on the bridges listed, as follows:

| FHWA # | County ID | Posting | Type of Vehicle | Fac. Carried | Feat. Crossed |
|--------|----------------|---------|-----------------|-----------------|------------------|
| 245490 | 215673/L-120 | 15 | All | LCL-RIST AVE | DRAINAGE |
| 245450 | 217667 / L-108 | 4 | All | LCL-QUACKENBUSH | DRAINAGE |
| 245411 | 238660/L-80 | 10 | All | LCL-QUANDT ROAD | WAUBONSIE CR |
| 247090 | 244550/O-303 | 10 | All | LCL-ELLINGTON | KEG CREEK |
| 246160 | 245614/C-140 | 10 | All | LCL-245TH ST | DRAINAGE |
| 245281 | 245650/R-108 | 30 | All | LCL-PATHFIELD | WAUBONSIE CR |
| 246180 | 259619/C-159 | 13 | All | LCL-MONTAQUE RD | WAUBONSIE CR |
| 246110 | 272577/C-39 | 22 | All | LCL-272ND ST | OVER BNSF RR |
| 246950 | 273500/I-21 | 10 | All | LCL-APPLEWOOD | STREAM |
| 245301 | 288665/R-161 | 15 | All | LCL-QUIGG AVE | SPRING VALLEY CR |
| 245870 | 303595/S-68 | 4 | All | LCL-JAHNKE AVE | SILVER CREEK |
| 245911 | 323605/S-76 | 17 | All | LCL-KEYS AVE | RAINES BR |
| 245040 | 330642/W-62 | 25 | All | FA-330TH ST | NISHNABOTNA R |
| 245005 | 340648/W-58 | 15 | All | LCL-340TH ST | SMALL STREAM |
| 246000 | 345610/IC-193 | 18 | All | FA-LAMBERT AVE | NISHNABOTNA R |
| 244921 | 345620/W-4 | 8 | All | LCL-MARH AVE | NISHNABOTNA R |
| 246550 | 404527/A-115 | 3 | All | LCL-COMPASS AVE | STREAM |
| 246820 | 348535/A-157 | 21 | All | LCL-DONNER AVE | LOCAL CREEK |
| 246910 | 353554/A-243 | 25 | All | LCL-FRY AVE | MUD CREEK |
| 244850 | 368660/D-181 | 10 | All | LCL-QUEEN AVE | DEER CREEK |
| 244730 | 373650/D-116 | 17 | All | FA-PADDOCK AVE | DEER CREEK |
| 244720 | 378640/D-94 | 21 | All | LCL-OMAN AVE | DEER CREEK |
| 244670 | 391630/D-56 | 18 | All | LCL-NOYES AVE | DEER CREEK |
| 245600 | 395580/IC-99 | 15 | All | LCL-INGRAHAM AV | STREAM |
| 244880 | 397670/D-224 | 3 | All | LCL-RAINS AV | HUNTERS BRANCH |
| 245591 | 400575/IC-67 | 4 | All | LCL-400TH ST | INDIAN CREEK |

| | | | | | |
|--------|---------------|----|-----|----------------|----------------|
| 245730 | 400602/IC-162 | 21 | All | LCL-400TH ST | INDIAN CREEK |
| 244810 | 401662/D-155 | 10 | All | LCL-400TH ST | HUNTERS BRANCH |
| 245710 | 413604/IC-158 | 4 | All | LCL-KROON ROAD | LOCAL STREAM |
| 245681 | 418595/IC-153 | 8 | All | LCL-JARRED AVE | CREEK |

Motion carried on a roll call vote:

Blankenship – Aye, Kohn – Aye, Crouch – Aye

The Sheriff and Communications director met with the Engineer and Supervisors to discuss the snow removal policy and how to address frost and icy road issues which cause hazardous driving conditions outside scheduled work hours. The roads department will respond to requests from the Sheriff department dealing with icy road conditions.

William Parsons and Phil Cooper, representing the Homeowners Association in Pony Creek, were present to discuss road concerns on 202nd Street. There are several ruts and soft spots on the road. The Engineer stated that he realizes rock is needed in the area and he will check records of the grader operator and determine what can be done.

The bid opening for the Radio System RFP's began at 10:00 A.M.

- 1) Electronic Engineering bid - \$299,362.32 with all options total of \$550,121.77 – with bid bond still being held by Mills County
- 2) First Wireless bid - \$394,104.81. Bid includes options. Bid bond on file

Tom Ling, Communications Director, will meet with the Radio Committee to review bids then meet with the Board of Supervisors on January 25, 2012 at 7:00 P.M. with the 911 Board for a final recommendation.

Motion by Kohn seconded by Blankenship to approve the appointment of Kreg Kinzle for a 5 year term on the Mills County Conservation Board effective January 1, 2012.

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

Wayne Phipps and Rob Simmon, representing Loess Hills Archaeological Interpretive Center board of directors, were present to request a donation of \$15,000 as part of fund raising efforts to build the Loess Hills Interpretive Center. For grant purposes, local funding is an important part of the process.

Motion by Blankenship seconded by Kohn to appropriate \$10,000 from LOST funds at this time and another \$5,000 after July 1, 2012 from the LOST fund.

Pete Franks from Franks Design updated the Board on the estimated costs for the elevator addition to the building and electrical upgrade. He will return at a later date with a service agreement.

Linda Washburn presented a draft of a contract with JEO for the Supervisors input. This contract was a part of the original contract but due to the flooding in the area the Board wanted to make sure it was still marketable. Supervisors would like to see the feasibility study completed before they move to the next phase.

Motion by Kohn seconded by Blankenship to approve the Beer Barn liquor license BC0028484 renewal. Motion carried on a vote: Ayes: 3 Nays: 0

The Board received the November monthly jail report and bank reconciliation.

There being no further business to come before the Board at this time, they adjourned to meet on Wednesday, December 28, 2011.

Mills County Board of Supervisors

Richard Crouch – Chairperson

Attest: _____
Carol Robertson, Auditor

Office of Mills County Auditor
Carol Robertson
Courthouse
Glenwood, IA

The Mills County Board of Supervisors met this 13th day of December, 2011, at the Courthouse in Glenwood with Richard Crouch, Joe Blankenship and Ron Kohn present.

Motion by Blankenship seconded by Kohn to approve the December 13, 2011 agenda and the December 6, 2011 minutes as presented. Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Kohn, seconded by Blankenship to approve accounts payable as presented. Motion carried on a vote: Ayes: 3 Nays: 0

There were no utility permits to report.

The Engineer addressed road concerns by the Board. Snow removal and the Engineer's concerns with the barrow area were discussed.

Bob Blum, Chad McColleston, Brady Smith, Woody Wright, Nathan Mass and EMA Director Larry Hurst were present to discuss a new building on the fairgrounds. McColleston, spokesman for the Mills County Fair Board, stated that a building committee has been created develop a plan for a new building on the Mills County Fairgrounds. This facility would be used for various Fair and 4-H events as well as community events with the ability to host 300-500 people and provide food services. The Fair Board requested the approval of the Board of Supervisors to continue since the fairgrounds are owned by the County.

Motion by Blankenship seconded by Kohn to authorize the Fair Board to continue planning for the new building. Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Kohn seconded by Blankenship to hire Debra Bailey as a dispatcher with a start date of December 19, 2011 at \$13.70 per hour per the union contract. Bailey has passed all necessary testing that is required with this position. Motion carried on a vote: Ayes: 3 Nays: 0

Gary Stephenson and members of the American Legion were present along with the media to make the presentation of a donated framed lithograph picture of the Constitution. The Supervisors will find a place in the Courthouse where it will be visible for the public. The Board thanked Mr. Stephenson and the American Legion for their service.

Sheri Bowen, Mills County Public Health Director, expressed her financial concerns pertaining to the Mills County Public Health offices upcoming move in January. She requested that Public Health budget be amended to cover essential costs and upgrades. The Board stated it would prefer to amend for essential costs only at this time.

Motion by Kohn seconded by Blankenship to approve a Carryout Native Wine Permit renewal #BC0029784 for Cheap Smokes/Beer City. Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Blankenship seconded by Kohn to approve four new family farm credit applications that meet the criteria in Iowa Code Chapter 425A. With this same motion to disallow two applications that did not meet the Code criteria. Motion carried on a vote: Ayes: 3 Nays: 0

The Board received the November month end reports.

There being no further business to come before the Board at this time, they adjourned to meet on Tuesday, December 20, 2011.

Mills County Board of Supervisors

Richard Crouch – Chairperson

Attest: _____
Carol Robertson, Auditor

Office of Mills County Auditor
Carol Robertson
Courthouse
Glenwood, IA

The Mills County Board of Supervisors met this 6th day of December, 2011, at the Mills County Courthouse in Glenwood with Richard Crouch, Joe Blankenship and Ron Kohn present.

Motion by Blankenship seconded by Kohn to approve the December 6, 2011 agenda and the November 29, 2011 minutes as presented.

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

There was one utility permit to report this week.
Cable connections for a phone line for BNSF on Hornby Road.

Motion by Kohn seconded by Blankenship to authorize the Chair to sign the easement documents for the Lambert Avenue Bridge when they are received by the Engineer.

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

Motion by Blankenship seconded by Kohn to approve voucher #2 for project #L-B244615-73-65, RCB Culvert on Masters Road to Graves Construction in the amount of \$24,266.67 leaving a remaining amount of \$4090.00 for a 3% retainage.

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

Motion by Kohn seconded by Blankenship to approve and disallow the 2011 Homestead and Military Credits.

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

Motion by Blankenship seconded by Kohn to approve 100% Disabled Veteran's Homestead Credits.

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

The Board received the October bank reconciliation report from the Sheriff Department and the November Recorder's report of fees.

Supervisors Crouch and Kohn left to attend an Economic Development seminar in LaVista.

There being no further business to come before the Board at this time, they adjourned to meet on Tuesday, December 13, 2011.

Mills County Board of Supervisors

Richard Crouch – Chairperson

Attest: _____
Carol Robertson, Auditor

Office of Mills County Auditor
Carol Robertson
Courthouse
Glenwood, IA

The Mills County Board of Supervisors met this 29th day of November, 2011, at the Courthouse in Glenwood with Richard Crouch, Joe Blankenship and Ron Kohn present.

Motion by Blankenship seconded by Kohn to approve the November 29, 2011 agenda and the November 22, 2011 minutes as presented. Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Blankenship, seconded by Kohn to approve accounts payable as presented.
Motion carried on a vote: Ayes: 3 Nays: 0

There were no utility permits to report.

Motion by Kohn seconded by Blankenship to authorize chair to sign the easement documents to purchase .24 acres for \$1200.00 for the Lambert Avenue Bridge. Motion carried on a vote: Ayes: 3 Nays: 0

Jim Hughes and Deanne Fuller were present to discuss the Level B road off of 245th Street and Masters Road. Assistant Engineer Parks explained that the County will continue the same maintenance and rocking of the road that has been done in the past. There was some confusion over replacing the bridge on Masters Road since it was understood to be on the 5 year plan. Parks explained it is on the 5 year plan but priorities go to replacement of bridges that can receive Federal dollars for replacement not just local dollars. He also stated that if funding would come in through another source it could be replaced sooner. Hughes stated that he understood things to be the same unless something happens to the bridge.

A Department Head meeting was held with seventeen people present. A scheduled agenda was followed.

Motion by Blankenship seconded by Kohn to authorize chair to sign a lease agreement between the Department of Human Services and Rolling Prairie Case Management for \$90.30 a month for a 3 room office space including utilities and trash removal at the Glenwood Resource Center.
Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Kohn seconded by Blankenship to authorize chair to sign contracts for counseling services with Kathy Bustos and Kim Plummer at the agreed Medicaid rate.
Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Kohn seconded by Blankenship to authorize Sheriff to purchase a replacement commercial dishwasher at a rate not to exceed \$1000.00.
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, December 6, 2011.

Mills County Board of Supervisors

Richard Crouch – Chairperson

Attest: _____
Carol Robertson, Auditor

Office of Mills County Auditor
Carol Robertson
Courthouse
Glenwood, IA

The Mills County Board of Supervisors met this 22nd day of November, 2011, at the Mills County Courthouse in Glenwood with Richard Crouch, Joe Blankenship and Ron Kohn present.

Motion by Kohn seconded by Blankenship to approve the November 22, 2011 agenda and the November 15, 2011 minutes as presented.

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

There were no utility permits to report this week.

Motion by Blankenship seconded by Kohn to approve voucher #1 for project L-B244615-73-65 for a box on Masters Bridge to Graves Construction in the amount of \$112,094.37, which is approximately 74% of the total cost.

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

Dan Golezal was present for discussion and is requesting that a Level B road be brought up to Level A standards for a portion of road near 245th Street and Master Road which is located near property he is currently considering to purchase.

The Engineer shared Resolution 08-46 and was signed on November 18, 2008 which addresses bringing a Level B road to Level A standards. The Board explained that the policy is in place and unless the purchaser wishes to bear the complete cost, there is nothing the County will do at this time.

The Engineer explained that he has requested 75% of FEMA monies and should be receiving funds soon. The Engineer also stated he has been contacted by MidAmerican Energy to abandon a light at the intersection of 370th Street and Highway 34. The Board's concern is that this could be a safety or liability issue and asked the Engineer to check with the County Attorney to see what our liability is before it is removed.

Motion by Blankenship seconded by Kohn to approve the Class E liquor license with Sunday Sales for Cheap Smokes/Beer City.

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

Karl Priebe was present to discuss land owned by the DNR with the Board. The DNR cash rents the land and receives revenues but is exempt from taxes. Priebe showed where the State paid County taxes of \$7157.00. Priebe gave the Board maps of property at Nottelman Island and St. Mary's Island. He explained any revenues received must be put back for conservation on the property. The Board asked about any long-term plans for recreation on these properties. Priebe shared some scenarios.

Tom Ling, E911 Communications Director submitted a new Radio System RFP for consideration to be sent out for bidding.

Motion by Blankenship seconded by Kohn to approve the Radio System RFP.

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

Motion by Blankenship seconded by Kohn to accept a donation from the Kenneth Asmussen Estate to the Conservation department. The total acreage amount will be determined by a survey. The Conservation Department may not hold title in their name so the County must take ownership. Getter stated this would be considered as a Timber Wildlife Management area.

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

Diana Konfrst was present to discuss county recycling with the Board. Konfrst explained she currently has a contract with the City of Glenwood through December 2012. The Board explained they would like to have a contract with her to pay for County Recycling. The Board asked her to get a cost estimate and stated that the County would assist with funding towards a DNR grant that she has applied for.

Patrick Binns, IT Director was requesting an exemption from the Social Networking policy to have access to use U-tube for training and Facebook for the Communications Director.
Motion by Kohn seconded by Blankenship to approve the exemption for access to U-tube for training and Facebook for the Communications Director.

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

Motion by Blankenship seconded by Kohn to approve the consolidation of County phone lines for volume discount for a savings of \$370 per month over a 2 year period and to increase our internet band to 3 mgs, which is double the present capacity for \$610 per month.

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

Gary Stephenson presented a framed copy of a Constitution Lithograph. He shared his goal to have a framed Constitution Lithograph in all 99 County Courthouses. These are purchased by businesses and organizations throughout the county and then presented to the Board by Veterans.

There being no further business to come before the Board at this time, they adjourned to meet on Tuesday, November 29, 2011.

Mills County Board of Supervisors

Richard Crouch – Chairperson

Attest: _____
Carol Robertson, Auditor

Office of Mills County Auditor
Carol Robertson
Courthouse
Glenwood, IA

The Mills County Board of Supervisors met this 15th day of November, 2011, at the Courthouse in Glenwood with Richard Crouch and Ron Kohn present. Joe Blankenship was absent.

Motion by Kohn seconded by Crouch to approve the November 15, 2011 agenda as presented and the November 8, 2011 minutes as corrected. Motion carried on a vote: Ayes: 2 Nays: 0

Motion by Kohn, seconded by Crouch to approve accounts payable as presented.
Motion carried on a vote: Ayes: 2 Nays: 0

There was one utility permit to report: Larry Skalberg to dig in the right-of-way to find a water line leak west of Emerson.

Motion by Kohn seconded by Crouch, at Engineer's recommendation to approve Resolution 11-34, Accepting Edson Road into the secondary road system.

RESOLUTION 11-34

Establishing Edson Road, formally known as Oak Hills Road within the Waubonsie Woods Subdivision as a part of the Mills County Secondary Road System

WHEREAS, Chapter 25 of the Mills County Code of Ordinances in accordance with the provisions of Iowa Code Chapter 354, as amended, establishes rules, regulations, and minimum standards for all new subdivisions within the County and

WHEREAS, the final plat of Waubonsie Woods Subdivision was approved by Mills County in 1979 with Oak Hills Road (now known as Edson Road) as the only finished public access road in the subdivision and

WHEREAS, the County Secondary Roads Department has been providing maintenance and service to Edson Road since 1979 and

WHEREAS, no record exists whereby the County has formally accepted Edson Road as part of the secondary road system

NOW THEREFORE LET IT BE RESOLVED THAT Mills County hereby formally accepts Edson Road within the Waubonsie Woods Subdivision as part of the Mills County Secondary Road system.

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

Motion by Kohn seconded by Crouch to approve voucher #2 for bridge project #BHOS-CO65(83)-5N-65 on 390th Street to A.M. Cohron in the amount of \$102,489.62.

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

Motion by Kohn seconded by Crouch to approve voucher #5 for bridge project #BHS-CO65-(85)-63-65 south of Malvern to Murphy Heavy Contracting in the amount of \$120,399.15.

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

The Engineer and Board received a letter of retirement from Bob Moore effective December 31, 2011. Supervisor Crouch had road concerns with ditches throughout areas of the County.

Motion by Kohn seconded by Crouch to approve Resolution 11-33, Abatement of Taxes for the DNR in the amount of \$19.00.

Resolution 11-33

The Mills County Board of Supervisors sitting in session on this 15th day of November, 2011 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 State of Iowa, Department of Natural Resources a tax exempt entity of the State Government and property located in Section 4 Twn 71 Rng 43(12715001010000); Section 9 Twn 71 Rng 43(127950010000000) located in Lyons Township in the Glenwood School district in Mills County, IA, to be abated in the amount of **\$8.00; \$11.00 for a total amount of \$19.00**. These parcels have been set to the exempt status and no taxes will be collected for fiscal year 2012-2013.

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

Discussion was held regarding correspondence received by Diana Konfrst in regards to recycling. The Board will contact Ms. Konfrst and put her on the agenda for discussion at a future meeting.

There being no further business to come before the Board at this time, they adjourned to meet on Tuesday, November 22, 2011.

Mills County Board of Supervisors

Richard Crouch – Chairperson

Attest: _____
Carol Robertson, Auditor

Mills County Supervisors Ron Kohn and Richard Crouch met as a Board of Canvassers on Tuesday, November 15, 2011 for the purpose of canvassing election results from the November 8, 2011 City elections. The five cities being canvassed today do not have a runoff provision. Results are as follows:

Emerson: Mayor: Charles Moyer; Council: Carl Newsome, Judith Magers, David Galley and Paul Faxon to fill a vacancy.

Hastings: Mayor: Troy Hatcher; Council: Mike Coates, Kindra Copperstone, Christine Courtier, Dustin Crouse, Michael D. Moraine; Treasurer: Brandy Coates

Malvern: Mayor: Toni R. Michel; Council: Lantz Powles, Charles Bowley, Dwain Pelzer and Jessica Winstead to fill a vacancy.

Due to a tie in the City of Malvern for City Council, canvassers drew lots.

Pacific Junction: Mayor: James Lovely; Council: Patricia Hatcher, Cory Kerns, Richard Kerres, Connie Turner, Andy Young

Silver City: Mayor: Rose Mary Schoening; Council: Debra Belt – 4 year term, Peter Kloeckner – 4 year term, Betty Millard – 4 year term, Jamie Cheyney – 2 year term, Sally Vitamvas – 2 year term

Public Measure A – Staggered Council terms – passed

Public Measure B – Hiring of Personnel – did NOT pass

Mills County Board of Supervisors

Richard Crouch – Chairperson

Attest: _____
Carol Robertson, Auditor

Mills County Supervisors Ron Kohn and Richard Crouch met as a Board of Canvassers on Tuesday, November 15, 2011 for the purpose of canvassing election results from the November 8, 2011 City elections.

The two cities being canvassed today have a runoff provision. Results are as follows:

Henderson: Mayor: Mike Baumfalk; Council: Steve Frink, Wanda L. Williams, Adam Viner and Garrett Horgdal to fill a vacancy

Glenwood: Mayor: Kimberly Clark; Council: Cheryl Evans – Ward 1, Craig Florian – Ward 2 , Kay LeFever – At Large

Mills County Board of Supervisors

Richard Crouch – Chairperson

Attest: _____
Carol Robertson, Auditor

Office of Mills County Auditor
Carol Robertson
Courthouse
Glenwood, IA

The Mills County Board of Supervisors met this 8th day of November, 2011, at the Mills County Courthouse in Glenwood with Richard Crouch, Joe Blankenship and Ron Kohn present.

Motion by Blankenship seconded by Kohn to approve the November 8, 2011 agenda as presented and the November 1, 2011 minutes as corrected.

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

The Board and Engineer went on a site visit to the Lake Ohana subdivision to view road conditions.

There were 2 utility permits to report this week:

- 1) Sherrill Dashner for a utility permit to put in tile lines on Norris Avenue.
- 2) Matthews Company for a tile line along Hutchings and 390th Street.

Effective November 8, 2011 the Engineer has adopted a policy statement for the property damage from snow removal as follows:

Mills County will assume no liability for mailboxes and fences, or any property located within the right of way that are damaged because of snow and ice removal unless such action can be determined to be malicious.

Properly maintained mailboxes should be able to withstand the force of snow thrown from the plows; therefore, Mills County will not replace or repair mailboxes damaged or knocked down by the force of snow thrown from the plows.

The Engineer will return at a later meeting date and present a resolution to formally accept Edson Road of the Waubonsie Woods Subdivision as part of the secondary road system for formal action.

Larry and Karen Lincoln and Jay Christensen were present to discuss concerns regarding the railroad crossings on 180th and 190th Streets and encroachment on private property. The Engineer and Board were unaware of this information. The Engineer will contact the railroad to determine what the railroad's plans are for these crossings. Communication between the Board and the land owners will continue until this issue is resolved.

Motion by Blankenship seconded by Kohn to purchase a 2012 Chrysler Charger from Jeff Henry Chevrolet in Plattsmouth, Nebraska in the amount of \$24,612.00 for the Sheriff Department.

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

Phyllis Frederickson and Ruby Millsap representing Malvern Senior Center along with Shari Carson and Kelly Butts from Southwest 8 Seniors were present to present an opportunity to move the present Malvern Senior Center Meeting site to the Malvern Community Building. Adding a handicapped ramp, plumbing and electrical work are updates that are required in order to make the move. The group has applied for grants and is doing fundraisers to help with the updates and moving costs and are asking the Board for \$4150.

Motion by Kohn seconded by Blankenship to approve the request of \$4150 out of local option tax funds to assist with the costs of the \$7335 project.

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

Motion by Blankenship seconded by Kohn to have the Board sign a letter of support for the Davis Oriole Earth Lodge site (located at the Pony Creek Park).

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

Motion by Kohn seconded by Blankenship to sign a letter of support for LHAIC projects.

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

Larry Hurst, Tim Hauber and Zachary Ellison of the State Demolition and Debris team were present to explain to the Board how assistance with demolition of structures identified to be in need of demolition due to flooding can be requested from FEMA.

This is a 75% Federal 10% State and 15% applicant division of costs to do projects if the County is interested.

They explained to the Board that they have been contacting local residents where residences may have been affected by flooding. They are trying to contact all residents through service organizations to have them complete an application.

There being no further business to come before the Board at this time, they adjourned to meet on Tuesday, November 15, 2011.

Mills County Board of Supervisors

Richard Crouch – Chairperson

Attest: _____
Carol Robertson, Auditor

Office of Mills County Auditor
Carol Robertson
Courthouse
Glenwood, IA

The Mills County Board of Supervisors met this 1st day of November, 2011, at the Mills County Courthouse in Glenwood with Richard Crouch, Joe Blankenship and Ron Kohn present.

Motion by Blankenship seconded by Kohn to approve the October 25, 2011 agenda and the November 1, 2011 minutes as presented.

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

There was 1 utility permit to report this week:

- 1) Peirce Pump in Oakland for Deer Creek Township near 380th and Paddock for replacement of a tile line.

Motion by Kohn seconded by Blankenship to approve Resolution 11-31 – Establishment of a Speed Limit Zone on 240th Street.

RE: ESTABLISHMENT OF SPEED LIMIT ZONE

WHEREAS, Mills County has examined traffic conditions along 240th Street North from the City limits of Glenwood North along 240th Street in Section 1&12, Township 72 North, Range 43 West in Glenwood Township

WHEREAS, the Mills County Board of Supervisors may determine and declare reasonable and proper speed limits on county roads,

NOW THEREFORE BE IT RESOLVED by the Mills County Board of Supervisors in session this 1st day of November 2011, that speed limits be established and appropriate signs be erected at the locations described below be posted at a speed of 35MPH and 45MPH.

Start at a point 3300' feet South of the Intersection of Gaston Ave. and 240th Street on 240th Street; thence South along 240th Street 450' feet at 45MPH; thence continuing South along 240th Street to the Glenwood City Limits at 35MPH as shown on the attached drawing.

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

The engineer will work on the Secondary Road Department policy on property damage related to snow and ice removal and will return to the Board for review and approval at the next meeting.

Motion by Blankenship seconded by Kohn to approve Resolution 11-32 – Authorizing the Engineer to execute the requirements of the Iowa DOT agreement for the RISE project on 190th Street.

RESOLUTION 11-32

**A RESOLUTION OF THE MILLS COUNTY BOARD OF SUPERVISORS
AUTHORIZING THE MILLS COUNTY ENGINEER TO FULLY EXECUTE AND
ADMINISTER THE RISE GRANT AGREEMENT NUMBER 2012-R-006 WITH THE
IOWA DOT FOR ROADWAY IMPROVEMENTS TO 190TH STREET BETWEEN
JESUP AVENUE TO THE NORTH AND US HIGHWAY 34 TO THE SOUTH.**

WHEREAS, Mills County proposes to improve 190th Street from gravel to Portland Concrete Cement (PCC), to facilitate business retention, recruitment, and growth through the creation of shovel ready development sites suitable for industry and commercial businesses, and

WHEREAS, Mills County wishes to ensure the safety of all citizens traveling on its public roadways, and

WHEREAS, the proposed project will greatly enhance traffic safety in the project area and improve access to prime industrial land, and

WHEREAS, the RISE program was created to promote economic development in Iowa through the establishment, construction, improvement, and maintenance of roads and streets, and

WHEREAS, the Mills County Engineer has the responsibility and authority to construct and maintain the secondary road system for the traveling public,

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Mills County, Iowa That the Board of Supervisors hereby authorize the Mills County Engineer to execute the terms of the RISE grant agreement for the roadway improvements to 190th Street.

BE IT FURTHER RESOLVED that the road improvements will continue to be dedicated to public use, and

BE IT FURTHER RESOLVED that the road improvements constructed under the RISE project will be the jurisdictional responsibility of Mills County and will be adequately maintained by the same entity.

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

Heath Rodney, new owner of the Harley Davidson Dealership in Pacific Junction was present to discuss his road concerns on 190th Street near his business. The Engineer explained the future plans of 190th Street and will work up some cost estimates for temporary repairs of the road. He will contact him when the estimates are complete.

Motion by Blankenship seconded by Kohn 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.

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

The Board went into Closed Session at 9:35 A.M.

Motion by Blankenship seconded by Kohn to return to open session

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

The Board returned to Open Session at 10:08 A.M.

Motion by Kohn seconded by Blankenship to table the pending information on the NT road proposal until it is reviewed by the Engineer and the County Attorney.

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

Patrick Binns, IT Director and John Larson from Specialized Engineering presented the electrical assessment the Board of Supervisors had requested to identify the current and potential electrical problems in the courthouse. The Board will look at necessary upgrades, compliance with current standards and determine a timeline for upgrades.

Motion by Blankenship seconded by Kohn to authorize Franks Design to move forward with the elevator and Communications Center project as presented.

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

Motion by Kohn seconded by Blankenship to move the November 11, 2011 payroll pay date to November 10, 2011 due to the holiday (Veteran’s Day) and the bank being closed.

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

Pete Franks asked for clarification of the terms of the members of the Board of Adjustment.

There being no further business to come before the Board at this time, they adjourned to meet on Tuesday, November 8, 2011.

Mills County Board of Supervisors

Richard Crouch – Chairperson

Attest: _____
Carol Robertson, Auditor

Office of Mills County Auditor
Carol Robertson
Courthouse
Glenwood, IA

The Mills County Board of Supervisors met this 25th day of October, 2011, at the Courthouse in Glenwood with Richard Crouch, Joe Blankenship and Ron Kohn present.

Motion by Blankenship, seconded by Kohn to approve the October 25, 2011 agenda and the October 18, 2011 minutes as corrected. Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Kohn, seconded by Blankenship to approve accounts payable as presented. Motion carried on a vote: Ayes: 3 Nays: 0

Engineer Kevin Mayberry reported that his office is preparing a Resolution to address speed limit concerns on a portion of 240th Street in the vicinity of the Glenwood Community Church.

The Engineer presented a revised Driveway Variance Application form which requires the applicant to identify the location of proposed driveway and describe the hardship conditions which supports their request for a variance as required in Chapter 4 of the Entrance and Driveway Ordinance.

The Engineer and the Board then discussed Chapter 7 of the Mills County Code of Ordinances, Snow and Ice Removal, policy and services. The challenges of traveling during the winter and providing road maintenance were discussed and no changes were made in current policies.

Mills County Treasurer Becky Killpack reported that clerks, Teresa Anderson and Jill Ford have completed their 6-month probationary periods and she is requesting an increase in their respective salaries to \$33,849.00, which is 70% of the Treasurer's salary.

Motion by Kohn, seconded by Blankenship to approve the salary increases as presented by Killpack. Motion carried on a vote: Ayes: 3 Nays: 0

Deputy Auditor Pam Madison presented a request by Sheriff Eugene Goos to hire Sandy Hook and Lori Severn for jailer positions. They have passed all testing/screening requirements and have a tentative start date of November 1, 2011. Their starting salary will be \$24,483.00 and after successfully completing the 6 month probationary period their salary will become \$27,199.00.

Motion by Blankenship, seconded by Kohn to approve the hire of Hook and Severn as requested by Sheriff Goos. Motion carried on a vote: Ayes: 3 Nays: 0

Mills County Attorney Eric Hansen was present to request the hire of Betty Pullen as a temporary secretary in his office, due to the unexpected health issue of a staff member. Her salary will be \$9.00 per hour and employment should last 2-3 weeks.

Motion by Kohn, seconded by Blankenship to approve the temporary hire of Betty Pullen as requested by County Attorney Hansen. 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, November 1, 2011.

Mills County Board of Supervisors

Richard Crouch – Chairperson

Attest: _____
Carol Robertson, Auditor

Office of Mills County Auditor
Carol Robertson
Courthouse
Glenwood, IA

The Mills County Board of Supervisors met this 18th day of October, 2011, at the Engineer's Building in Glenwood with Richard Crouch, Joe Blankenship and Ron Kohn present.

Motion by Blankenship seconded by Kohn to approve the October 18, 2011 agenda and the October 11, 2011 minutes as presented.

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

The Board accompanied the Engineer on a site visit for a driveway variance request near 61395 Levi Road.

Motion by Kohn seconded by Blankenship to approve the driveway variance request providing the adequate sight distance is met, the road is repaired and the driveway is built to County specifications. Motion carried on a vote: Ayes: 3 Nays: 0

There were no utility permit reports this week.

Max Willison, representing the Glenwood Community Church on 240th Street, was present for discussion of a speed limit request. The Engineer stated that he could move the reduce speed sign to the north edge of the church property. The Engineer will contact Sheriff Goos as per protocol when changing speed limits and will return with a recommendation for formal action at the next regular scheduled board meeting.

Bid Opening for Project #L-B244615-73-65 (a bridge on Masters Road) with the following bids:

- 1) K&L Landscaping & Construction – Scotts Bluff, IA - Bid Bond included - \$175,902.60
- 2) Herberger Construction- Indianola, IA – Bid Bond included - \$165,824.03
- 3) Nelson & Rock Contracting – Onawa, IA – Bid Bond included - \$166,930.40
- 4) Graves Construction – Spencer, IA – Bid Bond included - \$175,051.90
- 5) Mid Contracting LLC – Marshall, MN – Bid Bond included - \$168,523.70
- 6) Gus Construction – Casey, IA – Bid Bond included - \$177,800.28

These bids will be reviewed and the Engineer will return for formal approval before the Board adjourns this meeting.

Mike Sullivan of MHS Systems, Inc. was present with the Engineer to discuss purchasing a panic button security system for the Engineer's office on Railroad Avenue. Sullivan presented a proposal to the Engineer, but the Engineer explained that there is a bid process that needs to be followed. Once this is completed, he will return to the Board for formal action.

Eric Hansen, County Attorney, Attorney Matt Woods and Craig Nakamoto representing NT Lands LLC and Mark Selzer were present to discuss a proposal that is being offered by Attorney Woods. The proposal indicated that the bank would relinquish \$1,000 to the County from each of the 36 lots when they are sold as payment towards the repairs of the road if the County takes it over. Attorney Hansen stated this proposal is something that needs to be presented to State Auditors as to the feasibility. The Board requested time to gather this information and to consult with legal counsel before a commitment is made. Woods stated that is acceptable.

Pete Franks presented revised drawings of the proposed communications center. The Board accepted the drawings and Franks will continue the process and return to the Board of Supervisors in two weeks with a cost estimate proposal to determine if this will go to bid in January.

Sara Ketcham joined the general discussion to update the Board of Supervisors of office space that her department is looking at which is located at the Glenwood Resource Center. The office space is in building 106 and would be \$91.40 per month for rent. Ketcham wanted to inform the Board before signing a contract to address any concerns they may have. The Board was acceptable to this move.

The Board received the following month end reports: Recorder's September Fees collected, Sheriff's Bank Reconciliation Statement, the September Jail Report and the September month-end report.

The engineer returned at this time to take formal action on the bids received earlier in the meeting. The Engineer and Assistant Engineer went over the bids and realized that Graves Construction had a math error on their bid. After contacting Graves Construction and informing them of this error, their bid is \$152,155.90 as opposed to the \$175,051.90 as previously reported. Graves Construction accepted this adjustment. At the recommendation of the Engineer, motion by Blankenship seconded by Kohn to award the bid to Graves Construction for \$152,155.90 which is the lowest bid. 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 25, 2011.

Mills County Board of Supervisors

Richard Crouch – Chairperson

Attest: _____
Carol Robertson, Auditor

Office of Mills County Auditor
Carol Robertson
Courthouse
Glenwood, IA

The Mills County Board of Supervisors met this 11th day of October, 2011, at the Courthouse in Glenwood with Joe Blankenship and Ron Kohn present. Richard Crouch was attending the Iowa Transportation Commission Meeting with Engineer Mayberry in Council Bluffs.

Motion by Kohn seconded by Blankenship to approve the October 11, 2011 agenda and the October 4, 2011 minutes as presented.

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

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

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

Blankenship and Kohn met Road Foreman Hugh Hansen and a property owner who has requested a variance.

Motion by Kohn seconded by Blankenship to approve the driveway variance request at 64156 360th Street due to the sight distance being adequate. Motion carried on a vote: Ayes: 2 Nays: 0

There were no utility permits to report this week.

Motion by Kohn seconded by Blankenship to approve voucher #2 for Project BHS-CO65(81)-63-65 to A.M. Cohron in the amount of \$81,944.52 for a bridge deck overlay on Gaston Avenue.

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

Motion by Kohn seconded by Blankenship to approve voucher #1 for Project BHOS-CO65(83)-5N-65 to A.M. Cohron in the amount of \$94,351.34 for a bridge deck overlay on 390th Street.

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

Motion by Kohn seconded by Blankenship to approve voucher #2 for Project BHS-CO65(85)-63-65 to Murphy Heavy Construction for a bridge deck overlay on 310th in the amount of \$110,998.56.

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

Motion by Kohn seconded by Blankenship to authorize Engineer Mayberry to continue with negotiations with BNSF for possible closure of the 180th Street crossing and possible construction of an overpass on 190th Street crossing.

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

Supervisor Blankenship forwarded an email to the Engineer about any leftover 2010 flooding funding that may be available to clean culverts or other flood related expenses.

Supervisor Crouch and Engineer Mayberry joined the session at this time.

The Engineer reported that he had a meeting with Matt Woods in regards to the Lake Ohana subdivision. Woods and his client Craig Nakamoto, will address the Board on this issue at next week's meeting.

Craig Hagenau updated the Board on RAGBRAI funding in the amount of \$8200 for a wireless sound system, installation of ground speakers in the nodes around the courtyard and 14 other speakers throughout the square. This system is anticipated to have a complete installation by November 1, 2011.

Motion by Kohn seconded by Blankenship to approve the purchase of a laptop for the IT Department in the amount of \$1687.50 with half being paid by Montgomery County and the remainder by Mills County.

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

Tom Ling, 911 Communications Director had bids for radio equipment as follows:

- 1) E.F. Johnson Technologies from Irving, Texas. Bid bond in the amount of \$5000 was received with a baseline bid of \$560,309.00
- 2) First Wireless Inc. from Omaha, Nebraska. Bid bond in the amount of \$5,000 was received with a baseline bid of \$255,638.00
- 3) Electronic Engineering from Omaha, Nebraska. Bid bond in the amount of \$5,000 with a baseline bid of \$535,785.99

These bids will be reviewed by the Communications Director and Review Committee to make sure all bids are equal. This Review Committee will make a recommendation to the E-911 Board and Board of Supervisors at a meeting at 7:30 P.M. on October 25, 2011 at the Engineer's meeting facility.

Motion by Blankenship seconded by Kohn to approve the 2nd reading of Ordinance 11-03 – Census Precincts. Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Blankenship seconded by Kohn to waive the 3rd reading of Ordinance 11-03 – Census Precincts. Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Kohn seconded by Blankenship to approve Ordinance 11-03 – Census Precincts.

ORDINANCE #11-03

AN ORDINANCE FOR THE REPRECINCTING OF MILLS COUNTY AS PER 2010 CENSUS AS REQUIRED BY IOWA CODE 49.3 & 49.4

BE IT THEREFORE ORDAINED BY THE

BOARD OF SUPERVISORS OF MILLS COUNTY, IOWA:

SECTION 1. . **ENACTMENT.** A new CHAPTER 29 PRECINCT BOUNDARIES AND POPULATIONS is enacted as follows:

SECTION 2. 29.1.1 PURPOSE: To Amend Ordinance number 01-02A to accurately record precinct populations and boundaries following the 2010 Federal decennial census in compliance with current laws.

SECTION 3. 29.1.2 LEGAL DESCRIPTION OF PRECINCTS

1. Emerson and Hastings cities and Indian Creek Township
2. Glenwood Township (rural part of Glenwood Township)
3. Glenwood Ward 1-The first ward and first precinct include all territory and land within the municipality lying south of the following described line: Beginning at the intersection of the centerline of Green Street and the west corporate limits; thence easterly along the centerline of Green Street to the centerline of Grove Street; thence northerly along the centerline of Grove Street to the centerline of Coolidge Street; thence easterly along the centerline of Coolidge Street to the centerline of Walnut Street; thence northerly along the centerline of Walnut Street to the centerline of Third Street; thence easterly along the centerline of Third Street to the centerline of Linn Street; thence northerly along the centerline of Linn Street to the centerline of Fourth Street; thence easterly along the centerline of Fourth Street to the east corporate limits.
4. Glenwood Ward 2-The second ward and second precinct include all territory and land within the municipality lying north and west of the following describe line: Beginning at the intersection of the centerline of Green Street and the west corporate limits; thence easterly along the centerline of Green Street to the centerline of Grove Street; thence northerly along the centerline of Grove Street to the centerline of Coolidge Street; thence easterly along the centerline of Coolidge Street to the centerline of Walnut Street; thence northerly along the centerline of Walnut Street to the centerline of Fourth Street; thence westerly along the centerline of Fourth Street to the centerline of Locust Street thence northerly along the centerline of Locust Street to the north corporate limits.
5. Glenwood Ward 3-The third ward and third precinct include all territory and land within the municipality lying east and north of the following described line: Beginning at the intersection of the centerline of Locust Street and the north corporate limits; thence southerly along the centerline of Locust Street to the centerline of Fourth Street; thence easterly along the centerline of Fourth Street to the centerline of Walnut Street; thence southerly along the centerline of Walnut Street to the centerline of Third Street; thence easterly along the centerline of Third Street to the centerline of Linn Street; thence northerly along the centerline of Linn Street to the centerline of Fourth Street; thence easterly along the centerline of Fourth Street to the east corporate limits.
6. Deer Creek & White Cloud Townships
7. Henderson City and Anderson Township

8. Malvern City and Mills County portion of Tabor(north of Mills/Fremont County line) & Silver Creek, Center & Rawles Townships
9. Oak and Saint Marys Townships
10. Pacific Junction City and Plattville & Lyons Townships
11. Silver City and Ingraham Township

SECTION 4. 29.1.3 STATEMENT OF POPULATION OF EACH PRECINCT: The subsections below correspond to the same subsection in 29.1.2.

1. Population is 883
2. Population is 1,217
3. Population is 1,729
4. Population is 1,754
5. Population is 1,786
6. Population is 350
7. Population is 448
8. Population is 2,642
9. Population is 2,622
10. Population is 1,096
11. Population is 532

For a total of 15,059

SECTION 5. EFFECTIVE DATE: This ordinance shall become effective after its passage and publication by law.

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

There being no further business to come before the Board at this time, they adjourned to meet on Tuesday, October 18, 2011.

Mills County Board of Supervisors

Richard Crouch – Chairperson

Attest: _____
 Carol Robertson, Auditor

Office of Mills County Auditor
Carol Robertson
Courthouse
Glenwood, IA

The Mills County Board of Supervisors met this 4th day of October, 2011, at the Courthouse in Glenwood with Richard Crouch, Joe Blankenship and Ron Kohn present.

Motion by Kohn seconded by Blankenship to approve the agenda for the October 4, 2011 meeting as amended and minutes for September 27, 2011 as corrected.

The 10:00 appointment was cancelled and re-scheduled for next week and the 11:45 appointment was moved to the 10:00 time frame. Motion carried on a vote: Ayes: 3 Nays: 0.

There was one utility permit to report this week: MidAmerican Energy boring under Barrus Road for electrical service.

Chad Scherwinsel of BNSF Railway and Gary Bellas of Trans Systems were present along with Rick Allely and Lucas Billesbach of JEO to discuss the proposal for repairs to the crossings at 180th and 190th Streets. A proposal was presented to the Engineer regarding the potential closing of the 180th Street crossing and building an overpass over the 190th Street crossing.

This plan will not be submitted to BNSF for approval until the County deems this plan option to be acceptable. Scherwinsel stated this plan is being proposed due to further track expansion by BNSF from Plattsmouth across the river that will be completed by 2013. He stated that normally another entity like the County would come to the railroad to request to buy into a project like this, but due to the fact that the crossing would need to be repaired from the flood berm that was erected over the tracks this option has been proposed by BNSF instead. The Engineer will return at a later date to receive formal action from the Board of Supervisors for him to continue work on plans and details for this proposed project.

Motion by Blankenship seconded by Kohn to approve a \$3,000 donation from the Local Option Tax monies to assist with carpet replacement for the Senior Center due to the money that was gifted to them cannot be used for carpeting. Motion carried on a vote: Ayes: 3 Nays: 0

Discussion was held regarding whether the County could support costs related to well and septic permitting in the evacuated areas of the County due to flooding. Sheri Bowen, Mills County Public Health Director stated presently no funding has been needed and this will be a case by case situation. The Board felt there would be monies set aside for assisting flood relief.

Bowen told the Board of Supervisors that she has an opportunity to move Mills County Public Health to the empty AEA 13 building which would have more room for her agency, Boost 4 Families and Mills / Montgomery CPC offices. Having the other offices in the building would help defray the extra cost of \$300 per month that the rent would increase. Bowen has taken this proposal and gotten approval from the Mills County Public Health Board and is also requesting approval from the Board of Supervisors as well. The Board had no problem with the move.

The Public Hearing for Ordinance 11-03 – Census Precincts was opened at 11:15 a.m. by Chairman Crouch. There were no written or verbal comments. Public Hearing closed at 11:22 a.m. by Chairman Crouch.

Motion by Kohn seconded by Blankenship to approve the 1st reading of Ordinance 11-03 – Census Precincts. Motion carried on a vote: Ayes: 3 Nays: 0

Darin Whatcott was present to present a draft proposal for renewing the JAS contract which will be due soon. Whatcott wanted the Board of Supervisors to have this draft to look at, discuss and take formal action at a later date with any changes that need to be made.

There being no further business to come before the Board at this time, they adjourned to meet on Tuesday, October 11, 2011.

Mills County Board of Supervisors

Richard Crouch – Chairperson

Attest: _____
Carol Robertson, Auditor

Office of Mills County Auditor
Carol Robertson
Courthouse
Glenwood, IA

The Mills County Board of Supervisors met this 27th day of September, 2011, at the Courthouse in Glenwood with Richard Crouch, Joe Blankenship and Ron Kohn present.

Motion by Kohn seconded by Blankenship to approve the agenda for the September 27, 2011 meeting and minutes for September 16, and September 20, 2011 as presented.

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

There were no utility permits to report this week.

Motion by Blankenship seconded by Kohn to authorize the Board of Supervisors to sign off on plans for the BRS-CO65(75)-60-65 Nishnabotna bridge replacement bid letting for December with potential construction in April.

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

Engineer Mayberry reported that the Gaston Avenue and Brothers Road bridges are now open.

Correspondence was received regarding the speed limit of 35 mph in an area on 195th Street. It was determined that this was established for a grain business that had trucks entering and exiting the road at this location. A business remains in operation at this site and no change in speed limit is recommended.

Motion by Kohn seconded by Blankenship to approve Resolution 11-29 – To Abate Taxes.

Resolution 11-29

The Mills County Board of Supervisors sitting in session on this 27th day of September, 2011 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 Mills County, Iowa, a tax exempt entity of the County Government and property located in Section 7 Township 72 Range 43(038870030000000); Section 18 Township 72 Range 43(040130000200000); and Section 18 Township 72 Range 43(040130000300000) located in Plattville Township in the Glenwood School district in Mills County, IA, to be abated in the amount of **\$468.00; \$148.00; \$34.00 for a total amount of \$650.00**. These parcels have been set to the exempt status and no taxes will be collected for fiscal year 2012-2013.

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

Motion by Kohn seconded by Blankenship to approve Resolution 11-30 – To Abate Taxes State of Iowa.

Resolution 11-30

The Mills County Board of Supervisors sitting in session on this 27th day of September, 2011 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 State of Iowa, a tax exempt entity of the State Government and property located in Section 8 Twn 72 Rng 43(039190000200000); Section 8 Twn 72 Rng 43(039110010100000); Section 8 Twn 72 Rng 43(039160020000000); Section 17 Twn 72 Rng 43(040090000000000); Section 8 Twn 72 Rng 43(039140010100000); Section 8 Twn 72 Rng 43(039120010200000); Section 17 Twn 72 Rng 43(040050020000000); Section 17 Twn 72 Rng 43(040050030000000); Section 17 Twn 72 Rng 43(040050040000000); Section 17 Twn 72 Rng 43(040050050000000) located in Plattville Township in the Glenwood School district in Mills County, IA, to be abated in the amount of **\$654.00; \$272.00; \$68.00; \$346.00; \$166.00; \$622.00; \$920.00; \$88.00; \$24.00; \$14.00 for a total amount of \$3174.00**. These parcels have been set to the exempt status and no taxes will be collected for fiscal year 2012-2013.

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

Supervisor Crouch left the session to attend a meeting with the County Attorney.
Motion by Blankenship seconded by Kohn to stay with the current cell phone plan for Case Management and re-evaluate after a 3 month trial period.
Motion carried on a vote: Ayes: 2 Nays: 0

Motion by Kohn seconded by Blankenship to sign the contract for mental health counseling between Mills County and Deborah Pfeiffer dba Whispering Pines LLC.
Motion carried on a vote: Ayes: 2 Nays: 0

Motion by Kohn seconded by Blankenship to approve the agreement with Pottawattamie County for mental health advocate services.
Motion carried on a vote: Ayes: 2 Nays: 0

Tom Ling, 911 Director, updated the Board on the progress of the bid process and due to a change in the RFP, the due date is now October 11, 2011 at 11:30 a.m. for the bid opening. The approval of the bids will be a joint meeting between the Board of Supervisors and the E911 Board on Tuesday, October 25, 2011 at 7:00 p.m. in the Engineer's meeting room.

There being no further business to come before the Board at this time, they adjourned to meet on Tuesday, October 4, 2011.

Mills County Board of Supervisors

Richard Crouch – Chairperson

Attest: _____
Carol Robertson, Auditor

Office of Mills County Auditor
Carol Robertson
Courthouse
Glenwood, IA

The Mills County Board of Supervisors met this 20th day of September, 2011, at the Courthouse in Glenwood with Richard Crouch, Joe Blankenship and Ron Kohn present.

Motion by Blankenship seconded by Kohn to approve the September 20, 2011 agenda and the September 13, 2011 minutes as presented.

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

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

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

There were two utility permits to report:

- 1) Cable Connections for a phone line on 340th North of Paddock
- 2) MidAmerican Energy for a buried line on 380th Street

Motion by Blankenship seconded by Kohn to approve voucher #1 for project # BHS-CO65(82)-63-65 for bridge rehab on Brothers Avenue over Mud Creek in the amount of \$71,855.99.

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

The item to abate taxes on parcels 038870030000000, 040130000200000, and 040130000300000 will be re-scheduled until the September 27th meeting. A resolution is needed to abate these taxes.

Motion by Kohn seconded by Blankenship to approve the plans to replace the bridge with a culvert on Masters Road. Motion carried on a vote: Ayes: 3 Nays: 0

Supervisors were updated on the progress of the anticipated opening of particular roads that are closed due to the bridges being re-decked. Parks explained that Gaston Road should be open by Friday, September 23, 2011 at the latest.

Motion by Kohn seconded by Blankenship to approve Resolution 11-28 – For abatement of taxes for the State of Iowa.

Resolution 11-28

The Mills County Board of Supervisors sitting in session on this 20th day of September, 2011 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 State of Iowa, a tax exempt entity of the State Government and property located in Section 7 Township 72 Range 43(038870020000000); Section 18 Township 72 Range 43(040130000101000); and Section 18 Township 72 Range 43(040130000100000); and Section 13 Township 72 Range 44(042800030000000); and Section 12 Township 72 Range 44(042700020000000); and Section 13 Township 72 Range 44(042920080000000) located in Plattville Township in the Glenwood School district in Mills County, IA, to be abated in the amount of **\$8.00; \$98.00; \$760.00; \$252.00; \$302.00; \$10.00 for a total amount of \$1430.00**. These parcels have been set to the exempt status and no taxes will be collected for fiscal year 2012-2013.

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

Motion by Kohn seconded by Blankenship to approve a new Class C beer permit to Cheap Smokes / Beer City. Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Blankenship seconded by Kohn to approve the renewal of the Class C liquor license for Knights of Columbus. Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Blankenship seconded by Kohn to approve the computer with dual monitors for the real estate deputy in the amount of \$1399.93. Motion carried on a vote: Ayes: 3 Nays: 0

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

There being no further business to come before the Board at this time, they adjourned to meet on Tuesday, September 27, 2011.

Mills County Board of Supervisors

Richard Crouch – Chairperson

Attest: _____
Carol Robertson, Auditor

Office of Mills County Auditor
Carol Robertson
Courthouse
Glenwood, IA

The Mills County Board of Supervisors met this 16th day of September, 2011, at the Courthouse in Glenwood with Richard Crouch, Joe Blankenship and Ron Kohn present.

Motion by Blankenship seconded by Kohn to approve the agenda for the September 16, 2011 meeting as presented.

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

Motion by Kohn seconded by Blankenship to accept the results of the school canvass as follows:
Glenwood Director: 2 elected

Craig Patzer 153 votes

Theresa Romens 137 votes

Glenwood Director Vacancy: One elected to fill Glenwood Director vacancy

Ann Stairet 177 votes

IWCC#1

Fred Lisle 12 votes

IWCC#2

Larry Winum 218 votes

Official results are available at the Mills County Auditor's office.

Linda Washburn was present to discuss the JEO Agreement for Economic Development Engineering.

Motion by Kohn seconded by Blankenship to enter into an Agreement with Glenwood/Mills County Economic Development to fund the Economic Development Engineering Agreement.

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 20, 2011.

Mills County Board of Supervisors

Richard Crouch – Chairperson

Attest: _____

Carol Robertson, Auditor

Office of Mills County Auditor
Carol Robertson
Courthouse
Glenwood, IA

The Mills County Board of Supervisors met this 13th day of September, 2011, at the Courthouse in Glenwood with Richard Crouch, Joe Blankenship and Ron Kohn present.

Motion by Blankenship seconded by Kohn to approve the agenda for the September 13, 2011 meeting and minutes for September 6, 2011 as corrected.

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

There was one utility permits to report: Mid-American for a 3” conduit under Ashton Road.

There were 3 bids received for a 24x38 3-bay garage without electrical:

- 1) Shaun Fencil Remodeling & Construction LLC from Council Bluffs in the amount of \$36,918.45
- 2) Blum Brothers Construction from Malvern in the amount of \$29,730.00
- 3) Collins construction of Glenwood in the amount of \$27,752.00

Motion by Blankenship seconded by Kohn to authorize the Engineer to make his selection for the best value proposal for a 3-bay garage at 403 Railroad Avenue.

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

Motion by Kohn seconded by Blankenship to approve payment of retainage for seal coat contract FM-CO65-(80)—55-65 in the amount of \$13,883.98 from Farm to Market funds to Sta-Bilt Construction. Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Kohn seconded by Blankenship to approve the Proclamation for Constitution Week September 17 – September 23, 2011. Motion carried on a vote: Ayes: 3 Nays: 0

Linda Washburn and Larry Winum of Glenwood/Mills County Economic Development were present to discuss the JEO proposal to be discussed by the Economic Development Board. There were items identified that they and the Board would like to see changed.

Washburn requested that Port-a-Potties be put in the same areas as last year for Homecoming.

Motion by Kohn seconded by Blankenship to authorize Communications Director Tom Ling to proceed with a request for proposal for a radio system for the County.

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

Motion by Kohn seconded by Blankenship to approve FMLA papers.

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

The Board received the August month end report.

Supervisor Kohn updated the Board members on the jail committee process and the Archeological Preserve Program.

There being no further business to come before the Board at this time, they adjourned to meet on Tuesday, September 20, 2011.

Mills County Board of Supervisors

Richard Crouch – Chairperson

Attest: _____
Carol Robertson, Auditor

Office of Mills County Auditor
Carol Robertson
Courthouse
Glenwood, IA

The Mills County Board of Supervisors met this 6th day of September, 2011, at the Courthouse in Glenwood with Richard Crouch, Joe Blankenship and Ron Kohn present.

Motion by Blankenship seconded by Kohn to approve the September 6, 2011 agenda and the August 30, 2011 minutes as presented.

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

Motion by Kohn seconded by Blankenship to approve the accounts payable.

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

There was one utility permit to report: MidAmerican Energy for a conduit under Allis Road.

Motion by Blankenship seconded by Kohn to approve voucher #1 for contract BHS-CO65 (81)-63-65 on the Gaston Avenue bridge deck which is being completed by A.M. Cohron in the amount of \$93,739.88.

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

Motion by Kohn seconded by Blankenship to approve voucher #2 for contract BHS-CO65 (85)-63-65 south of Malvern for the bridge deck which is being completed by Murphy Heavy Contracting Corp. in the amount of \$22,840.74.

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

The Engineer reported that the property near Kane Avenue and 221st Street south has been mowed. He questioned if there would be interest in putting this out for bids for hay. Supervisor Crouch felt that it would be in the best interest of the bidder to consider a 2 to 3 year contract to recoup expenses. The Board will consider this option or consider selling the property.

The Engineer discussed his findings for federal functionality classifications of county roads and eligibility for STP funding with the Board.

The Board expressed several concerns with the Engineer regarding fields that contain thistles, vines growing on poles and bushes growing that need trimmed. There were also concerns regarding the mowing of road ditches and washouts. The Engineer will look into these items and report back to the Board.

Motion by Blankenship seconded by Kohn to authorize the Chair to sign the annual Solutions software contract. Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Kohn seconded by Blankenship to approve Resolution 11-26 – Tax Abatement for A&M Green Power.

Resolution 11-26

The Mills County Board of Supervisors entered into a Relocation Agreement with A&M Green Power Group LC which stated the County would abate property taxes for the A&M business location on a sliding fee scale for a period of (5) years. Said scale and its payments are as follows: The County shall abate 75% of all property taxes due for the 2010 assessment due September 2011 and March 2012. The County will then abate 60% for the 2011 assessment, abate 45% for the 2012 assessment, abate 30% for the 2013 assessment, abate 15% for the 2014 assessment and the full amount will be due with the 2015 assessment.

The Mills County Board of Supervisors hereby directs the Treasurer to abate the taxes on parcel #0402900000000000 described as NE ¼ SE ¼ of Section 18, Township 72, Range 43 approximately **38.48 net acres** in Plattville Township in the amount of **\$22,765.50** and send a revised tax statement for assessed 2010 taxes that are due and payable on September 1, 2011 and March 1, 2012 to A& M Green Power Group LC in the amount of \$7,588.50.

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

Motion by Blankenship seconded by Kohn to approve Resolution 11-27 – Bunge Abatement Assessment.

Resolution 11-27

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 6th day of September, 2011 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 2010 taxes due and payable on September 1, 2011 and March 1, 2012 to Bunge Corporation for \$107,100.00 and abate the total taxes generated on these parcels in the amount of \$9,064.00 and direct the treasurer to make payment of \$53,550.00 to Pottawattamie County reflecting the Revenue Sharing Agreement and Mills County will then be allowed to apportion their share of the \$53,550.00 in taxes to the appropriate entities.

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

Department Heads and Elected Officials were present for a department head meeting.
Items discussed: Updates from Wellness Committee, Flooding and Department Updates.
The Board returned to regular session at 11:45 A.M.

The Board and General Relief/Veteran's Affairs Director Jim Goos discussed requirements for general relief assistance legal settlements and where in policy it identifies legal settlement. They questioned why a bill for an out of County utility payment was paid out of County funds. County Attorney Eric Hansen joined the session at this time and it was determined that local settlement for assistance in General Relief requires a 1 year residency in the County as stated in the policy. Supervisor Kohn stated that the Board may have to look at the policy and make some revisions.

Sheriff Goos presented a bid from Jeff Henry Motors of Plattsmouth to replace the 1997 Ford pickup currently driven by Deputy Walkers. The bid was \$24,981 for a 2011 Chevy Silverado 1500 4x4 extended cab.

Motion by Kohn seconded by Blankenship to approve the purchase of a 2011 Chevy Silverado 1500 4x4 extended cab. 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 13, 2011.

Mills County Board of Supervisors

Richard Crouch – Chairperson

Attest: _____
Carol Robertson, Auditor

Office of Mills County Auditor
Carol Robertson
Courthouse
Glenwood, IA

The Mills County Board of Supervisors met this 23rd day of August, 2011, at the Courthouse in Glenwood with Richard Crouch, Joe Blankenship and Ron Kohn present.

Motion by Kohn seconded by Blankenship amend the agenda to approve accounts payable.
Motion carried on a vote: Ayes: 3 Nays: 0.

Motion by Blankenship seconded by Kohn to approve the amended August 23, 2011 agenda and the August 16, 2011 minutes as presented.
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 to report. Cable Connections for phone service on Applewood.

Motion by Kohn seconded by Blankenship to approve Resolution 11-24 for RISE grant.

RESOLUTION 11-24

A RESOLUTION OF THE MILLS COUNTY BOARD OF SUPERVISORS ENDORSING AN APPLICATION FOR RISE PROGRAM FUNDS TO COMPLETE ROADWAY IMPROVEMENTS TO 190TH STREET BETWEEN JESUP AVENUE TO THE NORTH AND US HIGHWAY 34 TO THE SOUTH FOR THE PURPOSE OF FACILITATING THE DEVELOPMENT OF THE SURROUNDING LAND AREA.

WHEREAS, Mills County wishes to ensure the safety of all citizens traveling on its public roadways; and

WHEREAS, Mills County proposes to improve 190th Street from gravel to Portland concrete cement (PCC); to facilitate business retention, recruitment, and growth through the creation of shovel ready development sites suitable for industry and commercial businesses; and

WHEREAS, RISE funds are requested in the amount of \$990,000.00 and will be matched by \$990,000 in Surface Transportation Program (STP) funds and \$81,000.00 in construction administration and inspection services from Mills County for the roadway improvement project; and

WHEREAS, Farm-to-Market funds in the amount of \$115,000 will be utilized for engineering services to be provided by JEO Consulting Inc.; and

WHEREAS, the proposed project will greatly enhance traffic safety in the project area and improve access to prime industrial land; and

WHEREAS, the RISE program was created to promote economic development in Iowa through the establishment, construction, improvement, and maintenance of roads and streets, and the improvement of 190th Street qualifies as an eligible project.

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Mills County, Iowa That the Board of Supervisors hereby endorses the RISE Application dated August 31, 2011 to fund improvements to 190th Street between Jesup Avenue to the north and US Highway-34 to the south; and

BE IT FURTHER RESOLVED that the road improvements will continue to be dedicated to public use; and

BE IT FURTHER RESOLVED that the road improvements constructed under this project will be the jurisdictional responsibility of Mills County and will be adequately maintained by the same entity.

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

Motion by Blankenship seconded by Kohn to authorize chair to sign the RISE grant application.
Motion carried on a vote: Ayes: 3 Nays: 0

The final voucher to Sta-Bilt in the amount of \$462,799.44 is to be paid from Farm to Market funds.
Motion by Kohn seconded by Blankenship to authorize chair to sign the final voucher and authorize funds to be taken from the farm to market fund.
Motion carried on a vote: Ayes: 3 Nays: 0

Renee Rumbaugh and Lyn Mintle were present to discuss a proposal for the animal shelter. A committee has been set up to give the animal shelter a second chance. Mintle gave a proposed budget and detailed plan to the Board and explained if the goal of \$50,000 cannot be raised by October 3, 2011 to re-open,

they will return all monies, close and sell all property. Mintle also explained that funding from the County is still needed in the amount of \$1.25 per capita.

Motion by Kohn seconded by Blankenship to authorize \$1.25 per capita for a one year contribution from the County contingent under the conditions set forth by the steering committee that they receive all funding by October 3, 2011 in order to continue.

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

Craig Hagenau from Spiral Solutions was present with a request from the Glenwood Chamber of Commerce to have music played around the square 365 days a year for set hours during the day. Hagenau is requesting permission to place speakers and/or bury cable on Courthouse property. They will bring back plans to the Board once they have been completed.

Motion by Kohn seconded by Blankenship to approve the use of the Courthouse drive for Squarecrow Days on October 22nd. Motion carried on a vote: Ayes: 3 Nays: 0

Patrick Binns, IT Director and Larry Hurst, Emergency Management Director joined the session to express concerns about the current generator that's used for the Courthouse. This generator was purchased in 1993 and with additional electronics, etc. that have been added since its purchase, it has problems working and keeping the Communications Center in operation.

Binns suggested an electrical engineering study for the Courthouse needs to be done before determining the size and kind of generator to purchase. Hurst suggested there may be money from his agency to assist with the purchase of a generator. The Board authorized Binns to move forward with getting a study done before a generator would be purchased.

Kohn stated that a jail meeting has been set by the Sheriff next week and gave an update on the recycling grant process.

There being no further business to come before the Board at this time, they adjourned to meet on Tuesday, August 30, 2011.

Mills County Board of Supervisors

Richard Crouch – Chairperson

Attest: _____
Carol Robertson, Auditor

Office of Mills County Auditor
Carol Robertson
Courthouse
Glenwood, IA

The Mills County Board of Supervisors met this 16th day of August, 2011, at the Courthouse in Glenwood with Richard Crouch, Joe Blankenship and Ron Kohn present.

Motion by Blankenship seconded by Kohn to approve the agenda for the August 16, 2011 meeting as presented and minutes for August 9, 2011 as corrected.
Motion carried on a vote: Ayes: 3 Nays: 0.

There were two utility permits to report. Cable Connections for phone service on Gaston Avenue and Northern National Gas to remove a farm tap for 51823 275th Street.

The Engineer updated the Board on roads that have been seal-coated, bridges and other road projects. He explained they have had problems with mowers so are behind with mowing.

Motion by Blankenship and seconded by Kohn to approve the Castle Unicorn liquor license renewal LC0034855 for a Class C license with catering privilege, living quarters, outdoor service and Sunday sales. Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Kohn seconded by Blankenship to approve the Fairview Country Club Liquor License renewal LC0037864 for a Class C liquor license for outdoor service and Sunday sales.
Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Kohn seconded by Blankenship to approve the Back Room liquor license refund in the amount of \$463.13 from the County portion.
Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Blankenship seconded by Kohn to approve Resolution 11-22 – Policy and Procedure for Re-Entry to the Mandatory Flood Evacuation.

RESOLUTION # 11-22

RESOLUTION SETTING POLICY AND PROCEDURE FOR RE-ENTRY TO THE MANDATORY EVACUATION AREA

WHEREAS, Mills County, Iowa, experienced significant flooding from the Missouri River as result of additional releases of water from Gavin's Point Dam requiring an order of mandatory evacuation from certain areas of the county.

WHEREAS, flooding within certain areas of the mandatory evacuation area have subsided sufficiently to allow re-entry to certain homes and businesses.

NOW, THEREFORE, BE IT RESOLVED by the Mills County Board that the following procedures shall be followed by the those person(s) or business(es) re-entering areas no longer designated as part of the mandatory evacuation area:

- 1) Prior to occupancy of the residence or business the owner shall contact the Mills County Building and Zoning Office to determine if an inspection is necessary and schedule an inspection of the premises. If property is serviced by a well and/or a septic system, the owner shall also contact Mills County Public Health to determine if an inspection is necessary and schedule the inspection.
- 2) If the property has had uninterrupted electrical service and has potable water and sanitary system, absent substantial structural damage that make occupancy unsafe, the owner, after inspection if the inspection is necessary, may re-enter the property.
- 3) If electrical service had been temporarily discontinued, power may be re-established to the property per guidelines as set forth by Mid-American Energy once an inspection has been done. Once electrical service has been established and if the home has an operational water and sewer/septic, absent substantial structural damage that make occupancy unsafe, the owner may re-enter the property.
- 4) If after inspection, electrical service may not be reestablished and/or the property does not have potable water and sanitary system, the property owner may only enter the property during daylight hours for the purposes of making sufficient repairs to establish the necessary utilities. Once sufficient repairs are made, the property owner shall contact

Mills County Building and Zoning office and/or Mills County Public Health to determine occupancy.

- 5) If after inspection it is determined that there is substantial structural damage as determined by applicable building codes, the owner may not occupy the property and may only enter the property during daylight hours to make such repairs as necessary to allow for occupancy.
- 6) There shall be no fee for the occupancy inspection or occupancy permit. Any other costs associated with permits required for repair may be subject to reimbursement or waiver upon application to the Mills County Board of Supervisors.
- 7) The above conditions are also applicable to those person(s) or business(es) that have remained on his/her property during the evacuation period.
- 8) Appropriate county departments and offices shall coordinate and prepare an information packet for affected property owners.

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

Motion by Kohn seconded by Blankenship to approve Resolution 11-23 – Allowing Re-Entry to Certain Portions of the Mandatory Evacuation Area.

RESOLUTION # 11-23

RESOLUTION ALLOWING RE-ENTRY INTO CERTAIN PORTIONS OF THE MANDATORY EVACUATION AREA

WHEREAS, Mills County, Iowa, experienced significant flooding from the Missouri River as result of additional releases of water from Gavin’s Point Dam requiring an order of mandatory evacuation from certain areas of the county.

WHEREAS, flooding within certain areas of the mandatory evacuation area have subsided sufficiently to allow re-entry to certain homes and businesses.

NOW, THEREFORE, BE IT RESOLVED by the Mills County Board that the following roads are designated sufficiently safe to allow travel and re-entry to homes, and farms with addresses on the following roads:

- Gaston Avenue west of I-29
- 190th Street from Jardine Avenue north to the end of county maintenance
- Hammond Avenue from 190th to 175th Street
- 175th Street from Hammond Avenue north to the end of county maintenance
- 180th Street from Hammond Avenue north to the end of county maintenance
- 194th Street from US 34 north to the end of county maintenance
- 195th Street from US 34 south to Paddock Avenue
- That portion of US 34/State Hwy 978 from I 29 West to the Plattsmouth bridge.

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

Frank Grover requested that a speed limit sign be placed on Hillman Road. The Engineer will investigate whether a current Resolution for a speed limit sign on Hillman Road is in place. If so, he will notify the Board and will proceed with putting up the signage.

If a resolution does not exist, he will return with a new resolution to put a speed limit sign on Hillman Road.

The Board received the June month end report.

There being no further business to come before the Board at this time, they adjourned to meet on Tuesday, August 23, 2011.

Mills County Board of Supervisors

Richard Crouch – Chairperson

Attest: _____
Carol Robertson, Auditor

The Mills County Board of Supervisors met this 9th day of August, 2011, at the Courthouse in Glenwood with Richard Crouch, Joe Blankenship and Ron Kohn present.

Motion by Kohn seconded by Blankenship to approve the agenda for the August 9, 2011 meeting as presented and the minutes of the July 25, 2011 and July 26, 2011 board meetings as corrected.
Motion carried on a vote: Ayes: 3 Nays: 0.

There were three utility permits to report:
Two for Cable Connections for phone lines and one for Huntel for phone lines.

Motion by Blankenship seconded by Kohn to approve pay voucher #1 for BHS-CO65(85)-63-65 south of Malvern on 310th Street for bridge decking, with two thirds of the cost for the stock pile materials on site in the amount of \$91,072.09. Motion carried on a vote: Ayes: 3 Nays: 0

Dan Hardcastle was present to request to use the Courthouse drive for the beginning and end of a 10K race. Motion by Blankenship seconded by Kohn to approve the use of County property and a potential County road for this run. Hardcastle will be in touch with the County engineer to assist with signage for the use of the County roads. Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Blankenship seconded by Kohn to authorize the Chair to sign a letter of support for MAPA. Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Blankenship seconded by Kohn to table the liquor license renewal for Mr. Delanty at this time until the lawsuit has been settled between Delanty and Timberline Holdings. Timberline Holdings has a consent agreement with the Iowa Dept. of Commerce Alcoholic Beverage Division and the County cannot approve two licenses for the same business. Motion carried on a vote: Ayes: 3 Nays: 0

The Engineer will look into the removal of the red shed that is located behind the Sheriff Department and will report back to the Board of Supervisors with his findings.

Motion by Kohn seconded by Blankenship to authorize the Chair to sign the annual Rural Transit Joint Participation Agreement with SWIPCO. Motion carried on a vote: Ayes: 3 Nays: 0

Linda Washburn, from Glenwood/Mills County Economic Development updated the Board on Economic development progress in the County and invited the Board to a meeting with IPEP on September 6, 2011 at 10:00 a.m. at the Engineer's building. This is on a regular scheduled Board meeting date, so the Board will schedule time away to attend.

Larry Hurst, EMA Director, Tom Ling, Communications Director and Pete Franks from Frank's Design Group were present to discuss Communications Center renovations. Franks provided drawings of potential additional space for the Communications area.

Motion by Blankenship seconded by Kohn to have Franks Design proceed with plans to go to bid for this project. 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 August 2, 2011 election for the Silver City special election;
Shall the following amendment to chapter 15.01 of the Silver City Code of Ordinances be adopted? That the term of Mayor of Silver City be changed from 2 yr. to a 4 yr. term? New Ordinance language: 15.01 Term of Office. The Mayor is elected for a term of 4 years.
Official results are: 10 votes for the question
31 votes against the question
41 Total votes

New Ordinance Language: 15.01 Term of Office. The Mayor is elected for a term of 4 years. Not to be adopted.

The Board of Supervisors met as a Board of Canvass for the purpose of canvassing the results from the August 2, 2011 election for the Silver City special election;
Shall the following amendment to Chapter 17.01 of the Silver City Code of Ordinances be adopted?

That elected term for city council members be changed from two to four year term. Said four year term would be staggered so either two or three of the city council member positions are elected every two years.

22 votes for the question
19 votes against the question
41 total votes

That elected term for city council members be changed from two to four year term. Said four-year term would be staggered so either two or three of the city council member positions are elected every two years to be adopted.

Board members concluded the Canvass and returned to regular session.

The Board received the Recorder's July report of fees collected.

Discussion was held with various department representatives about individuals who have evacuated the mandatory evacuation area. It was agreed that there are roads in that area that may be re-opened and homes in which the utilities are operable. The Roads Department will inspect roads/bridges for re-opening. Attorney Hansen will gather information about possible inspections and re-entry criteria. **The County Attorney explained certain policies would need to be put into place before re-entry into the evacuation area.** This would enable those residents, whose homes are habitable, the opportunity to return to their homes, if they choose. A policy will be drafted for approval at the August 16, 2011 Board of Supervisor's meeting.

There being no further business to come before the Board at this time, they adjourned to meet on Tuesday, August 16, 2011.

Mills County Board of Supervisors

Richard Crouch – Chairperson

Attest: _____
Carol Robertson, Auditor

The Mills County Board of Supervisors met this 26th day of July, 2011, in the meeting room at the engineer's building in Glenwood with Richard Crouch, Joe Blankenship and Ron Kohn present.

Motion by Blankenship seconded by Kohn to approve the agenda for the July 26, 2011 meeting and the July 19, 2011 minutes as presented. Motion carried on a vote: Ayes: 3 Nays: 0.

Motion by Kohn seconded by Blankenship to pay the accounts payable as presented.
Motion carried on a vote: Ayes: 3 Nays: 0

There were no utility permits to report.

After the 2010 census, the City of Pacific Junction's population is below 500, therefore the D.O.T. sends the Farm to Market money to the County. With the 28E Agreement with Pacific Junction the Engineer transfers this money to the City of Pacific Junction in June and December and the City continues to maintain their own roads. Motion by Blankenship seconded by Kohn to authorize the Chair to sign the 28E Agreement with Pacific Junction. Motion carried on a vote: Ayes: 3 Nays: 0

The Engineer received correspondence from BNSF with plans to add double tracks from near Plattsmouth, through Pacific Junction and east, with a request to close 180th Street. The Engineer was to receive an incentive sheet from BNSF but currently it has not been submitted. The Engineer will contact BNSF and express concerns from the Board, who did not express much interest in closing the road.

The Engineer reported that the construction had begun on several bridge projects throughout the County. He also reported on the seal-coating for local and farm to market roads. The Board gave the Engineer weed complaints.

Supervisor Crouch reported he has received calls regarding campgrounds at the County Fairgrounds. The Board of Supervisors has not been contacted about putting in campgrounds on county fairground property. The Board will contact the Mills County Fair Board to discuss this further.

There were no oral or written comments received by the Auditor or the Building and Zoning Division for the 2nd reading regarding Zoning Ordinance Amendment 11-02. Sean Monahan from Chat Mobility was present.

Motion by Blankenship seconded by Kohn to approve the 2nd reading of Zoning Ordinance Amendment 11-02.
Motion carried on a vote: Ayes: 3 Nays: 0

The Board had a 3rd reading for Zoning Ordinance Amendment 11-02.

Motion by Blankenship seconded by Kohn to approve the 3rd reading of Zoning Ordinance Amendment 11-02.
Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Blankenship seconded by Kohn to approve Zoning Ordinance Amendment 11-02.

ORDINANCE NO. 11-02

AN ORDINANCE TO AMEND THE COUNTY CODE OF ORDINANCES OF MILLS COUNTY, IOWA, BY AMENDING CHAPTER 27 THE ZONING ORDINANCE SAID AMENDMENTS INCLUDE AN AMENDMENT TO 27.10.1-7 CHANGING THE SECTION ON TOWERS TO APPLY TO WIND TOWERS ONLY AND TO ALLOW A VARIABLE HEIGHT FOR THE WIND TOWERS DEPENDING ON THE ZONE FROM 50 FEET TO 200 FEET. IN ADDITION, THE AMENDMENT WILL INCLUDE A NEW SECTION 27.11.1-8 WHICH REGULATES THE PLACEMENT, HEIGHT, APPLICATION PROCESS AND INSPECTION OF COMMUNICATIONS TOWERS AND WHICH WILL ALLOW TOWERS OF BETWEEN 200 FEET TO 500 FEET DEPENDING ON THE ZONE.

BE IT THEREFORE ORDAINED BY THE
BOARD OF SUPERVISORS OF MILLS COUNTY, IOWA:

Section 1. ENACTMENT. TO AMEND CHAPTER 27 SECTION 10 FROM TOWERS TO WIND TOWERS is enacted as follows:

Section 2. 27.10.1 Intent and Purpose

The unique and diverse landscapes of Mills County, Iowa are among its most valuable assets, and greatly benefit both the residents of the County as well as visitors and tourists to the area each year. The protection of these assets mandates the location and design of wind tower facilities be sensitive to as well as in scale and harmony with the aesthetics of the County. This Ordinance will provide standards for the proper placement and design of wind tower facilities in order to ensure their compatibility with surrounding development.

The goal of the Ordinance is to provide predictable and balanced regulations for the siting and screening of wind tower facilities within the County. These regulations are designed with the intent to protect the health, safety, and general welfare of the people as well as the natural environment in the area surrounding each wind tower facility from possible adverse effects related to the placement, construction, use and subsequent disposition of regulated wind towers.

Section 3. 27.10.2 Placement of Wind Towers and Antennas

A wind tower in excess of the maximum allowable height for structures in the zoning district may be permitted upon determination the wind tower meets all of the applicable conditions in this Ordinance.

Section 4. 27.10.3 Height Limitations

The maximum height restrictions for each zoning district will be as follows:

- a. **Agricultural District (AG)**
A wind tower with a maximum height of 80 feet may be permitted in this zoning district.
- b. **Agricultural/Residential (AR)**
A wind tower with a maximum height of 80 feet may be permitted in this zoning district.
- c. **Loess Hills Conservation Development (LH)**
A wind tower with a maximum height of 80 feet may be permitted in this zoning district.
- d. **Open Space (OS)**
No wind towers will be permitted in this zone.
- e. **Village (V)**
A wind tower with a maximum height of 50 feet may be permitted in this zoning district.
- f. **Convenience Commercial (C-1)**
A wind tower with a maximum height of 150 feet may be permitted in this zoning district.
- g. **Highway-Oriented Commercial (C-2)**
A wind tower with a maximum height of 150 feet may be permitted in this zoning district.
- h. **Industrial (I)**
A wind tower with a maximum height of 200 feet may be permitted in this zoning district.

Section 5. 27.10.4 Application Requirements

The landowner or his/her designee constructing a wind tower shall file an application for a Special Use Permit with the Zoning Officer accompanied by the required fee. The application shall include the following:

- a. **Description of Use**
A narrative by the applicant stating the purpose and use of the proposed wind tower.
- b. **Site Plan**
A site plan drawn to scale as well as dimension that displays the following information:
 - (1) Lot lines and dimensions;
 - (2) Location and height of all buildings, structures, above ground utilities and trees on the lot;
 - (3) Location and height of both existing and proposed structures and guy wire anchors on the lot;
 - (4) Location and height of all adjacent buildings, structures, above ground utilities and trees located within 300 feet of the exterior boundaries of the lot; and
 - (5) Location of all existing and proposed setbacks for all structures located on the lot.
- c. **Location Map**
A map depicting the location of the wind tower within the County. The applicant shall include the latitude and longitude of the proposed wind tower location as well as elevations based on NAD 83.
- d. **Structural Engineer Report**
A structural engineering report containing the description of the wind tower, including the design characteristics and material, as well as documentation to establish that the wind tower has sufficient structural integrity for the proposed use and location.

Section 6. 27.10.5 Conditions

- a. **Setback**
The wind tower facility shall have a minimum distance to the parcel and or recorded easement boundary equal to the height of the wind tower. This shall be the minimum required setback for all wind towers. The setback may be reduced provided the applicant submits an engineering report from a registered professional engineer in the State of Iowa that certifies that the wind tower is designed to collapse upon failure within the distance from the proposed wind tower base to the property line or recorded easement. The setback shall not be less than the requirement for all other permanent structures within the zoning ordinance.

b. Other Regulations

Land use regulations, visibility, fencing, screening, landscaping, parking, access, lot size, exterior illumination, sign, storage, and all other general zoning regulations except setbacks and height, shall apply to the wind tower.

c. Illumination

Wind towers shall not be illuminated by artificial means, except if the illumination is specifically required by the FAA or other authority. Any light source utilized for security lighting shall feature down directional, sharp cut-off luminaries, which shall ensure there is no spillage of illumination off the parcel or easement boundary.

d. Screening

Screening may be required by the County subject to the site location and existing available vegetation.

e. Security

All wind tower facilities shall be secured by a fence at least six (6) feet high or an anti-climbing device installed to prohibit access by unauthorized person(s).

Section 7. 27.10.6 Inspections

The County reserves the right, upon issuing any Special Use Permit, to inspect the premises on which the applicant intends to erect the wind tower. If a landowner or his/her designee does not maintain the wind tower in an operational condition or the wind tower poses a potential safety hazard, the landowner or his/her designee shall take immediate action to correct the situation. The County reserves the right to have the wind tower inspected by a qualified person to determine if the landowner or his/her designee is maintaining the wind tower in an operational condition or if the wind tower poses a potential safety hazard.

Section 8. 27.10.7 Abandonment

If the event a landowner or his/her designee discontinues the use of any wind tower for a period of 365 consecutive days, the County shall deem the wind tower abandoned by the landowner or his/her designee. The landowner or his/her designee shall:

- a. Reactivate the use of the wind tower by submitting an application for special use permit; or
- b. Dismantle and remove the wind tower.

Section 9. ENACTMENT TO AMEND CHAPTER 27 TO ADD SECTION 11 COMMUNICATIONS TOWERS is enacted as follows:

Section 10. 27.11.1 Intent and Purpose

The unique and diverse landscapes of Mills County, Iowa are among its most valuable assets, and greatly benefit both the residents of the County as well as visitors and tourists to the area each year. The protection of these assets mandates the location and design of communications tower facilities be sensitive to as well as in scale and harmony with the aesthetics of the County. This Ordinance will provide standards for the proper placement and design of communications tower facilities in order to ensure their compatibility with surrounding development.

The goal of the Ordinance is to provide predictable and balanced regulations for the siting and screening of communications tower facilities within the County. These regulations are designed with the intent to protect the health, safety, and general welfare of the people as well as the natural environment in the area surrounding each communications tower facility from possible adverse effects related to the placement, construction, use and subsequent disposition of regulated communications towers.

Section 11. 27.11.2 Placement of Communications Towers and Antennas

A communications tower in excess of the maximum allowable height for structures in the zoning district may be permitted upon determination the communications tower meets all of the applicable conditions in this Ordinance.

Section 12. 27.11.3 Height Limitations

The maximum height restrictions for each zoning district will be as follows:

a. Agricultural District (AG)

A communications tower with a maximum height of 350 feet may be permitted in this zoning district.

b. Agricultural/Residential (AR)

A communications tower with a maximum height of 350 feet may be permitted in this zoning district.

c. Loess Hills Conservation Development (LH)

A communications tower with a maximum height of 350 feet may be permitted in this zoning district. Also see Section 27.11.5.

d. Open Space (OS)

No communications towers will be permitted in this zone.

e. Village (V)

A communications tower with a maximum height of 200 feet may be permitted in this zoning district.

f. Convenience Commercial (C-1)

A communications tower with a maximum height of 450 feet may be permitted in this zoning district.

g. Highway-Oriented Commercial (C-2)

A communications tower with a maximum height of 450 feet may be permitted in this zoning district.

h. Industrial (I)

A communications tower with a maximum height of 500 feet may be permitted in this zoning district.

Section 13. 27.11.4 Application Requirements

The landowner or his/her designee constructing a communications tower or placing a telecommunications antenna on an existing structure shall file an application for a Special Use Permit with the Zoning Officer accompanied by the required fee. The application shall include the following:

a. Description of Use

A narrative by the applicant stating the purpose and use of the proposed communications tower.

b. Site Plan

A site plan drawn to scale as well as dimension that displays the following information:

- (1) Lot lines and dimensions;
- (2) Location and height of all buildings, structures, above ground utilities and trees on the lot;
- (3) Location and height of both existing and proposed structures and guy wire anchors on the lot;
- (4) Location and height of all adjacent buildings, structures, above ground utilities and trees located within 300 feet of the exterior boundaries of the lot; and
- (5) Location of all existing and proposed setbacks for all structures located on the lot.

c. Location Map

A map depicting the location of the communications tower within the County. The applicant shall include the latitude and longitude of the proposed communications tower location as well as elevations based on NAD 83.

d. Structural Engineer Report

A structural engineering report containing the description of the communications tower, including the design characteristics and material, as well as documentation to establish that the communications tower has sufficient structural integrity for the proposed use and location.

Section 14. 27.11.5 Distance Limitations within the Loess Hills Conservation Development (LH) District

Communications towers within the Loess Hills Conservation Development (LH) District must be constructed at a distance of at least 2 miles apart from each other, except pursuant to a Special Use Permit as set forth herein. Prior to consideration of a Special Use Permit for a tower in that area and in addition to the requirements set forth in Section 27.11.4(a)-(d) above, a landowner or his/her designee desiring to construct a communications tower within the Loess Hills Conservation Development (LH) District that is within 2 miles from another communications tower within the LH District must also set forth in his/her application for a Special Use Permit sufficient documentation which evidences the necessity of an exception to this 2 mile limitation, the sufficiency of which is to be determined by the Board of Supervisors.

Section 15. 27.11.6 Conditions

a. Setback

The communications tower facility shall have a minimum distance to the parcel and or recorded easement boundary equal to the height of the communications tower. This shall be the minimum required setback for all communications towers. The setback may be reduced provided the applicant submits an engineering report from a registered professional engineer in the State of Iowa that certifies that the communications tower is designed to collapse upon failure within the distance from the proposed communications tower base to the property line or recorded easement. The setback shall not be less than the requirement for all other permanent structures within the zoning ordinance.

b. Other Regulations

Land use regulations, visibility, fencing, screening, landscaping, parking, access, lot size, exterior illumination, sign, storage, and all other general zoning regulations except setbacks and height, shall apply to the communications tower.

c. Illumination

Communications towers shall not be illuminated by artificial means, except if the illumination is specifically required by the FAA or other authority. Any light source utilized for security lighting shall feature down directional, sharp cut-off luminaries, which shall ensure there is no spillage of illumination off the parcel or easement boundary.

d. Screening

Screening may be required by the County subject to the site location and existing available vegetation.

e. Security

All communications tower facilities shall be secured by a fence at least six (6) feet high or an anti-climbing device installed to prohibit access by unauthorized person(s).

Section 16. 27.11.7 Inspections

The County reserves the right, upon issuing any Special Use Permit, to inspect the premises on which the applicant intends to erect the communications tower. If a landowner or his/her designee does not maintain the communications tower in an operational condition or the communications tower poses a potential safety hazard, the landowner or his/her designee shall take immediate action to correct the situation. The County reserves the right to have the communications tower inspected by a qualified person to determine if the landowner or his/her designee is maintaining the communications tower in an operational condition or if the communications tower poses a potential safety hazard.

Section 17. 27.11.8 Abandonment

If the event a landowner or his/her designee discontinues the use of any communications tower for a period of 365 consecutive days, the County shall deem the communications tower abandoned by the landowner or his/her designee. The landowner or his/her designee shall:

- a.** Reactivate the use of the communications tower by submitting an application for special use permit; or
- b.** Dismantle and remove the communications tower.

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

There being no further business to come before the Board at this time, they adjourned to meet on Tuesday, August 9, 2011.

Mills County Board of Supervisors

Richard Crouch – Chairperson

Attest: _____
Carol Robertson, Auditor

Office of Mills County Auditor
Carol Robertson
Courthouse
Glenwood, IA

The Mills County Board of Supervisors met this 25th day of July, 2011, at the meeting room at the Engineer's building in Glenwood with Richard Crouch, Joe Blankenship and Ron Kohn present.

Motion by Kohn seconded by Blankenship to approve the agenda for the July 25, 2011 meeting as presented.
Motion carried on a vote: Ayes: 3 Nays: 0.

Those present for the public hearing on the Zoning Ordinance Amendment 11-02 were Sean Monahan, Bob Mauer and Krystal Campa.

Supervisor Crouch opened the public hearing at 9:15 a.m. No oral or written comments were received by the Auditor or the Zoning Department for Zoning Ordinance Amendment 11-02.

Motion by Blankenship seconded by Kohn to close the public hearing at 9:18 a.m.
Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Blankenship seconded by Kohn to approve the 1st reading of Zoning Ordinance Amendment 11-02 by adding Section 11 communications towers.
Motion carried on a vote: Ayes: 3 Nays: 0

There were no items for discussion.

There being no further business to come before the Board at this time, they adjourned to meet on Tuesday, July 26, 2011.

Mills County Board of Supervisors

Richard Crouch – Chairperson

Attest: _____
Carol Robertson, Auditor

The Mills County Board of Supervisors met this 19th day of July, 2011, at the Courthouse in Glenwood with Richard Crouch, Joe Blankenship and Ron Kohn present.

Motion by Kohn seconded by Blankenship to approve the agenda for the July 19, 2011 meeting as presented and the minutes of the July 12th and July 15th, 2011 board meetings as corrected.

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

The Engineer was not present today as he was attending another meeting.

There were no utility permits to report.

Darin Whatcott joined the session to discuss the potential of writing a nuisance ordinance to identify issues that are causing concerns in the village areas. Whatcott will gather other ordinances to bring before the Planning & Zoning Board in September for further discussion.

Motion by Kohn seconded by Blankenship to raise the attorney fees for commitment at the recommendation of CPC Sara Ketcham from \$180 up to an amount not to exceed \$200.

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

Ketcham updated the Board on the potential of now hiring 3 individuals for Case Management. Another employee has requested to terminate which will require hiring an additional employee than what she previously requested.

Motion by Blankenship seconded by Kohn to approve the update of the Knights of Columbus officers with their current liquor license.

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

Motion by Kohn seconded by Blankenship to approve the liquor license for Timberline Holding Inc. dba The Back Room effective August 1, 2011. This includes Sunday sales and outdoor services.

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

Motion by Blankenship seconded by Kohn to accept the receipt of the Treasurer's Semi-Annual Report.

| Semi-Annual Report | | 1 | | | | | |
|------------------------------------|--------------|-----------------------------|---------------|---------------|--------------|--------------------|--|
| Rebecca Killpack | | Treasurer | Mills County | Glenwood | , IA | | |
| Certification Date 06/30/2011 | | For the period from January | | - June | , Inclusive | | |
| Fund | Balance | Revenues | Total To be | Disbursements | Fund Balance | Auditor's Warrants | |
| | January | | Accounted For | | June | Outstanding | |
| 01 General Basic | 3,351,581.69 | 2,009,105.72 | 5,360,687.41 | 2,227,404.64 | 3,133,282.77 | 98,193.13 | |
| 02 General Supplemental | 1,346,941.64 | 654,368.21 | 2,001,309.85 | 657,505.37 | 1,343,804.48 | 85,715.22 | |
| 03 Rural Services Basic | 402,507.16 | 711,248.74 | 1,113,755.90 | 805,888.47 | 307,867.43 | 22,232.41 | |
| 05 Secondary Roads | 1,601,781.29 | 2,120,448.05 | 3,722,229.34 | 2,362,691.02 | 1,359,538.32 | 254,878.37 | |
| 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 | 27,745.00 | 27,745.00 | 27,745.00 | .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 | 705,416.23 | 211,715.43 | 917,131.66 | 186,061.06 | 731,070.60 | 15,243.44 | |
| 16 Joint Disaster Service | 70,313.23 | 47,115.08 | 117,428.31 | 58,240.39 | 59,187.92 | 9,694.23 | |
| 18 Property Tax Agency | 196,558.48 | 211,694.19 | 408,252.67 | 31,211.67 | 377,041.00 | .00 | |
| 20 Township Control | 5,851.43 | 125,457.61 | 131,309.04 | 129,527.94 | 1,781.10 | .00 | |
| 21 Corporation Control | 68,167.19 | 1,374,925.78 | 1,443,092.97 | 1,378,672.65 | 64,420.32 | .00 | |
| 22 School Control | 274,848.37 | 5,787,665.55 | 6,062,513.92 | 5,932,487.27 | 130,026.65 | .00 | |
| 23 Area School Control | 12,792.00 | 270,247.85 | 283,039.85 | 276,910.14 | 6,129.71 | .00 | |
| 24 Decat | 15,927.88 | 44,956.00 | 60,883.88 | 34,858.53 | 26,025.35 | 647.00 | |
| 29 County Ag. Extension | 3,825.45 | 80,952.23 | 84,777.68 | 82,879.58 | 1,898.10 | .00 | |
| 30 Co. Cons. Land Aqu. Trust | 147,539.46 | 40,573.69 | 188,113.15 | .00 | 188,113.15 | .00 | |
| 31 County Assessor | 184,418.33 | 426,764.14 | 611,182.47 | 401,653.96 | 209,528.51 | 30,325.97 | |
| 32 Motor Vehicle Trust | 371,537.98 | 2,105,720.52 | 2,477,258.50 | 2,115,003.24 | 362,255.26 | .00 | |
| 33 Use Tax Trust | .00 | .00 | .00 | .00 | .00 | .00 | |
| 34 City Special Assessment Control | 289.15 | 9,316.62 | 9,605.77 | 5,151.19 | 4,454.58 | .00 | |
| 35 Tax Redemption Trust | .00 | 393,209.22 | 393,209.22 | 393,209.22 | .00 | .00 | |
| 36 Mh/Dd Services Fund | 1,291,291.96 | 674,258.36 | 1,965,550.32 | 819,852.88 | 1,145,697.44 | 59,120.37 | |
| 37 Data Processing | .00 | .00 | .00 | .00 | .00 | .00 | |
| 40 Recorders Record Management | 18,000.60 | 1,683.39 | 19,683.99 | 791.32 | 18,892.67 | .00 | |
| 41 Reap Trust | 87,091.95 | 170.61 | 87,262.56 | .00 | 87,262.56 | .00 | |
| 42 Anatomical Gift Fund | .00 | .00 | .00 | .00 | .00 | .00 | |
| 43 Holding Account | 4,783.98 | .00 | 4,783.98 | .00 | 4,783.98 | .00 | |
| 44 Urban Renewal Tax revenue fund | 311,106.14 | 40,508.92 | 351,615.06 | 117,154.69 | 234,460.37 | 9,254.42 | |
| 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 | 4,989.00 | 4,989.00 | 4,989.00 | .00 | .00 | |
| 48 Woodfield UR Tax Revenue | 2,132.79 | 7,072.41 | 9,205.20 | .00 | 9,205.20 | 4,370.00 | |
| 53 Dare | .00 | .00 | .00 | .00 | .00 | .00 | |
| 54 K9 Fund | 2,962.32 | 10,099.25 | 13,061.57 | .00 | 13,061.57 | .00 | |
| 55 Drug Forfeiture | 605.57 | .16 | 605.73 | .00 | 605.73 | .00 | |

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|-----------------------------------|---------------|---------------|---------------|---------------|---------------|------------|
| 56 Explorers | .00 | .00 | .00 | .00 | .00 | .00 |
| 57 County Attorney Drug Dollars | 3,142.74 | 2.86 | 3,145.60 | .00 | 3,145.60 | .00 |
| 59 MH Trust and Agency | 54,019.58 | 436,180.93 | 490,200.51 | 446,640.42 | 43,560.09 | 53,082.23 |
| 60 County Conservation | 72,001.26 | 7,752.13 | 79,753.39 | 6,069.24 | 73,684.15 | .00 |
| 77 E911 Surcharge | 125,652.67 | 49,253.87 | 174,906.54 | 57,904.38 | 117,002.16 | 4,486.40 |
| 78 E911 Contributions | 33,178.28 | 2,960.00 | 36,138.28 | .00 | 36,138.28 | .00 |
| 79 Bunge | .00 | 25,875.00 | 25,875.00 | 25,875.00 | .00 | .00 |
| 99 Woodlands Benefited Water Dist | 79,954.08 | 270.82 | 80,224.90 | 1,339.25 | 78,885.65 | .00 |
| | 10,846,220.88 | 17,914,307.34 | 28,760,528.22 | 18,587,717.52 | 10,172,810.70 | 647,243.19 |

Receipts and Disbursements

Revenue

| | |
|--------------------------------------|---------------|
| 1000 Current Net Prop. Taxes | 10,000,762.42 |
| 1010 Delinquent Property Taxes | 591.00 |
| 1100 Pen.,Int. - Current Taxes | 52,788.00 |
| 1110 Pen.,Int. - Delinquent Tx | 618.00 |
| 1120 Pen.,Int.-Mobile Home | 409.00 |
| 1200 Mobile Home Taxes | 5,802.00 |
| 1240 Grain Handled Tax | 472.00 |
| 1310 E911 Surcharge | 33,870.32 |
| 1320 Local Option Sales & Serv Tax | 210,564.92 |
| 1500 Tax Increment Financing Rev | 47,581.33 |
| 1600 Utility Tax Replacement | 378,820.00 |
| 2000 Road Use Taxes | 1,060,263.59 |
| 2020 Liquor Licenses/Beer Permits | 3,482.50 |
| 2100 Homestead Tax Credit | 205,855.57 |
| 2250 Mental Health Property Tax Rel | 206,839.00 |
| 2331 Childhood Lead Poisoning | 3,789.96 |
| 2332 Immunization Grants | 4,342.41 |
| 2333 Maternal Child Health Grants | 12,313.46 |
| 2338 Empowerment | 42,220.00 |
| 2341 Special Programs for the Aging | 24,362.47 |
| 2342 DHS Administration Reimb | 16,746.25 |
| 2345 Medicaid | 114,216.14 |
| 2393 Local Purchase Services | 59,456.00 |
| 2395 Medicaid Case Management | 191,981.70 |
| 2421 Comm Dev Block Grant - CDBG | 313.00 |
| 2442 FEMA | 274,604.30 |
| 2490 Other State/Federal Pass-Thru | 71,543.25 |
| 2501 Contract Law Enforcement | 23,556.94 |
| 2504 Unified Law Enforcement Fundng | 59,687.50 |
| 2511 Emerg Mngmnt Serv Agency Fundi | 46,879.00 |
| 2517 District Court Fees/Revenues | 4,034.70 |
| 2530 MH/MR/DD/CMI-CASE MGMT | 107,143.55 |
| 2571 Elections | 6,448.34 |
| 2593 INTRA-County Reimbursements | 244,168.33 |
| 2594 Misc Contrib & Reimb-Oth Gover | 45,254.07 |
| 2622 Home Care Aide Grant | 19,614.47 |
| 2624 Well Testing and Abandonment | 5,275.00 |
| 2645 State Payment Program | 15,940.48 |
| 2671 Transfer Roads Jurisdiction | 65,931.09 |
| 2740 Misc State Grants & Reimburse | 40,206.00 |
| 2741 E-911 Payments | 14,386.10 |
| 2880 Medicare | 49,487.42 |
| 2890 Misc Fed Grants & Reimbursement | 28,647.32 |
| 2900 Federal Government | 8,826.00 |
| 3040 Cigarette Permits | 100.00 |
| 3200 Building Permits | 20,466.72 |
| 3300 Swimming Pool & Spa Licenses | 2,225.00 |
| 3310 Sewage Dispsl/Septic Tank Perm | 4,500.00 |
| 3320 Water Well Permits | 3,500.00 |
| 3500 Trip Permits | 1,365.00 |
| 3510 Entrance Permits | 1,300.00 |
| 3590 Other Misc Licenses & Permits | 14,163.55 |
| 4000 Recording of Instruments | 32,800.00 |
| 4010 Snowmobile Fees | 58.75 |
| 4020 Boat Fees | 106.25 |
| 4030 Hunting & Fishing Fees | 291.00 |
| 4040 Real Estate Transfer Tax | 8,835.58 |
| 4070 All Terrain Vehicle Fees | 352.50 |
| 4100 Auditor's Transfer Fees | 2,335.00 |
| 4120 Boat Certif of Title Fees-Cons | 170.00 |
| 4130 Vital Statistics Fees | 1,040.00 |
| 4140 Document Management Fees | 1,673.00 |
| 4150 Passport Fees | 2,100.00 |
| 4160 Electronic Transaction Fee | 4,989.00 |
| 4200 Tax Sale Fees | 6,253.00 |
| 4210 Auto Registration Fees | 82,119.50 |
| 4260 Special Assessment Charge | 165.00 |
| 4270 NSF Check Charge | 30.00 |
| 4280 Driver's License Fees | 12,432.00 |
| 4400 Sheriff's Fees | 16,976.23 |
| 4410 Weapons Permits | 16,002.00 |
| 4440 Prisoner Rm & Bd Reimb | 8,056.15 |
| 4450 Sex Offender Registration Fees | 50.00 |
| 4490 Other Sheriff Fees | 1,410.00 |
| 5000 Zoning and Subdivision Fees | 3,250.00 |
| 5010 Plat Book Fees | 275.00 |
| 5030 Computer Printouts/Disks & Ser | 185.00 |
| 5090 Other General Government Fees | 6,609.31 |
| 5120 E911 Sign Sales | 1,534.30 |
| 5190 Other Public Safety Fees | 80.00 |
| 5200 Camping Fees | 1,899.00 |
| 5310 Client Care Charges | 23,213.84 |
| 5390 Other Health Fees | 1,803.17 |
| 5500 Photocopy/FAX Fees | 4,587.14 |
| 5590 Other Miscellaneous Fees | 135.50 |
| 6000 Interest On Investments | 22,905.41 |
| 6190 Other Rents | 7,777.13 |
| 8100 Donations | 1,463.50 |
| 8110 Reimb from Private Source | 2,400.00 |
| 8200 Unclaimed Warrants-Prior Yrs | 2,054.77 |
| 8330 Secondary Road Material | 11,106.64 |
| 8490 Miscellaneous | 248,200.64 |
| 9000 General Basic Fund | 40,000.00 |
| 9020 Rural Service Basic Fund | 661,000.00 |
| 9080 County Assessor Appraiser | 67,858.87 |
| 9190 Other Long-Term (NONCURRENT) | 200,000.00 |
| 16100 Motor Vehicle Lic. Issued | 2,090,863.02 |
| 16200 Use Tax Collected | 14,721.50 |
| 16250 Drivers License Fees Coll | 27,881.00 |
| 16300 Sp. Assessments Collected | 12,124.62 |
| 16500 Drainage Tax Collected | 11,208.63 |

| | |
|--------------------------------------|---------------|
| 16600 Tax Sale Redemption | 393,209.22 |
| Total Revenue | 17,914,307.34 |
| Other Financing Sources In | 768,858.87 |
| Other Financing Sources Out | .00 |
| Expense | |
| 10300 Operating Transfers | 768,858.87 |
| 20000 Auditors Warrants Paid | 7,445,253.56 |
| General Basic Fund | 2,187,404.64 |
| General Supplemental Fund | 657,505.37 |
| MH/DD Services Fund | 819,852.88 |
| Rural Services Basic Fund | 144,888.47 |
| LOST | 30,060.00 |
| Urban Renewal Tax Revenue Fund | 117,154.69 |
| Secondary Road Fund | 2,362,691.02 |
| Co.Conserv./GRC Preserve | 6,069.24 |
| Decat | 34,858.53 |
| Recorders Record Managemt | 791.32 |
| MH Trust and Agency | 446,640.42 |
| Emergency Management Fund | 58,240.39 |
| Co. Assessor Agency Fund | 333,795.09 |
| E911 Surcharge | 57,904.38 |
| Drainage Funds | 187,397.12 |
| 20800 M.V. Fees Paid To State | 2,020,451.74 |
| 20810 M.V. Fees Paid To Gen'L Basic | 82,119.50 |
| 20850 Drivers License Funds To State | 27,745.00 |
| 20860 Drivers License County Share | 12,432.00 |
| 20870 Rec Transaction Fee to State | 4,989.00 |
| 21000 Paid By Treas. Ck. | 394,360.89 |
| 21200 Treas. Orders - By Computer | 7,831,503.77 |
| 21400 Int. Paid On D.D. Warrants | 3.19 |
| Total Expense | 18,587,717.52 |

Glenwood, IA 51534 - 1756
06/30/2011 Balance on Hand 10,172,810.70
I, Rebecca Killpack 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

County Attorney Eric Hansen and Tom Ling E911 Communications Director joined the session. Hansen presented a letter from the City’s attorney with a proposal to pay for two dispatchers for \$95,387.60 with a 3% increase per year and a 5 year contract.

Motion by Kohn seconded by Blankenship to reject this proposal and direct the County Attorney to send a letter to the City’s attorney. Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Kohn seconded by Blankenship to go into Closed session according to Iowa Code 21.5(1)(g) – To avoid disclosure of specific law enforcement matters, such as current or proposed investigations, inspection or auditing techniques or schedules, which if disclosed would enable law violators to avoid detection.

County Attorney Eric Hansen was also present.

Motion carried on a Roll Call vote: Blankenship – Aye, Kohn – Aye, Crouch – Aye. The Board went into closed session at 11:23 A.M.

Motion by Blankenship seconded by Kohn to return to open session at 11:38 A.M.

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

Motion by Blankenship seconded by Kohn at the request of the County Attorney, to appoint a special prosecutor. Motion carried on a Roll Call Vote: Blankenship – Aye, Kohn – Aye, Crouch – Aye

The Board received the June monthly jail report and bank reconciliation for June 30, 2011 from the Sheriff.

There being no further business to come before the Board at this time, they adjourned to meet on Tuesday, July 26, 2011.

Mills County Board of Supervisors

Richard Crouch – Chairperson

Attest: _____
Carol Robertson, Auditor

Office of Mills County Auditor
Carol Robertson
Courthouse
Glenwood, IA

The Mills County Board of Supervisors met this 15th day of July, 2011, at the Courthouse in Glenwood with Richard Crouch, Joe Blankenship and Ron Kohn present.

Motion by Kohn seconded by Blankenship to approve the agenda for the July 15, 2011 meeting as presented. Motion carried on a vote: Ayes: 3 Nays: 0.

Motion by Kohn seconded by Blankenship to pay claims with the exception of a claim that was taken out. Motion carried on a vote: Ayes: 3 Nays: 0

The Mills County Engineer was present to request a purchase of a laptop computer and software. Motion by Kohn seconded by Blankenship to approve the purchase of software and cables from International Trucks in the amount of \$2200 and a rugged laptop from CDW in the amount of \$2965.00. The total cost of this purchase is \$5165.00. Motion carried on a vote: Ayes: 3 Nays: 0

Supervisor Kohn reported to the Board that he rode along with Emergency Management Director Larry Hurst to view County roads, levees and seep water west of I-29. The Engineer shared some road concerns for the roads that are already under water.

There being no further business to come before the Board at this time, they adjourned to meet on Tuesday, July 19, 2011.

Mills County Board of Supervisors

Richard Crouch – Chairperson

Attest: _____
Carol Robertson, Auditor

The Mills County Board of Supervisors met this 12th day of July, 2011, at the Courthouse in Glenwood with Richard Crouch, Joe Blankenship and Ron Kohn present.

Motion by Blankenship seconded by Kohn to approve the agenda for the July 12, 2011 meeting as presented.
Motion carried on a vote: Ayes: 3 Nays: 0.

There were no utility permits to report.

Motion by Blankenship seconded by Kohn to extend the agreement amendment with Hungry Canyons Alliance for project number HC 08-2. This would be for a notched weir at no cost to the County.
Motion carried on a vote: Ayes: 3 Nays: 0

Lyle Mayberry from the Glenwood Park Board was present to let the Board know that Sheri Bowen had contacted him with a request to lower the rent at Glenwood Lake Park campground for those individuals that have been displaced due to flooding. Mayberry stated that the County has been good to the Park Board over the years and he feels something could be done but needs to discuss and take action at the next Park Board meeting.

Attorney Eric Hansen and Duane Kahl were present to discuss the County Nuisance update. Hansen updated the Board and Mr. Kahl on his research with the Attorney General about creating an Ordinance to specifically deal with nuisances in a village. In order to enforce such Ordinance the Board will need to meet with the Planning and Zoning Board and the Zoning administrator to change the existing Ordinance.

Motion by Kohn seconded by Blankenship to authorize the Chair to sign the lease for Juvenile Court Services shared by Mills, Montgomery, Fremont and Page Counties.
Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Blankenship seconded by Kohn to authorize the Chair to sign the Law Enforcement Service Contracts with Cities of Emerson, Hastings, Henderson, Malvern, Pacific Junction and Silver City.
Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Kohn seconded by Blankenship to approve a contribution of \$19,861.00 to the Glenwood/Mills County Economic Development Foundation to continue to promote jobs and industry to the County.
Motion carried on a vote: Ayes: 3 Nays: 0

James Connell was present with Treasurer Becky Killpack to discuss purchasing a County owned tax certificate for property adjacent to Mr. Connell's property. The Treasurer explained the process to Connell. Connell decided he would think about this and contact the Treasurer if he decides to pursue this process.
The Board received the June month end reports.

Supervisor Blankenship updated the Board on the current status of the Loess Hills Humane Society, concerns with the present Board members resigning and the financial status.

Supervisor Kohn reported on his meeting at the Clarinda Mental Health Center and the proposed structuring of the mental health system.

There being no further business to come before the Board at this time, they adjourned to meet on Tuesday, July 19, 2011.

Mills County Board of Supervisors

Richard Crouch – Chairperson

Attest: _____
Carol Robertson, Auditor

The Mills County Board of Supervisors met this 5th day of July, 2011, at the Courthouse in Glenwood with Richard Crouch, Joe Blankenship and Ron Kohn present.

Motion by Blankenship seconded by Kohn to approve the agenda for the July 5, 2011 meeting as presented and the minutes of the June 28, 2011 board meeting as corrected. Motion carried on a vote: Ayes: 3 Nays: 0.

There were no utility permits to report.

The on-going flood conditions on County Roads were discussed.

Motion by Kohn seconded by Blankenship to hire Teresa Hirt effective July 6, 2011 as a dispatcher with starting salary of \$13.70 per hour. Hirt has passed the psychological, drug screening and fitness exam as required. Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Blankenship seconded by Kohn to continue with the Auditor taking applications for persons displaced due to flooding or potential flooding. It was determined that the County would set aside funds from the local option sales tax fund. There will be an opportunity for those previously assisted to receive additional funds at a lesser amount. Further assistance after that time will be determined pending funding. Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Blankenship seconded by Kohn to authorize Chair to sign the ICAP policy. Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Kohn seconded by Blankenship to approve Resolution 11-20 – FY 2011/2012 Budget Appropriations.

RESOLUTION 11-20

BE IT RESOLVED, this 5th day of July, 2011, that the Mills County Board of Supervisors, Mills County, Iowa, appropriate funds to the various county offices and departments for the fiscal year 2011-2012:

| DEPARTMENT | AMOUNT |
|-----------------------------------|---------------|
| 01 Board of Supervisors | 160,505 |
| 02 Auditor | 367,081 |
| 03 Treasurer | 326,522 |
| 04 County Attorney | 330,765 |
| 05 Sheriff | 1,649,114 |
| 06 Clerk of Court | 2,200 |
| 07 Recorder | 198,075 |
| 10 Communications | 503,706 |
| 18 LOST | 286,013 |
| 20 County Engineer | 5,999,728 |
| 21 Veterans Affairs | 38,570 |
| 22 Conservation | 272,540 |
| 23 Health Board | 1,350,000 |
| 24 DECAT | 73,273 |
| 25 Human Services | 21,850 |
| 26 Reap/Co. Conservation | 400 |
| 27 General Relief | 81,707 |
| 28 Medical Examiner | 31,500 |
| 33 Libraries | 53,986 |
| 51 Courthouse | 287,250 |
| 53 Custodian | 93,779 |
| 54 Zoning Comm./Building & Safety | 121,000 |
| 55 IT | 121,692 |
| 58 Safety Management | 9,431 |
| 59 Mental Health Trust & Agency | 857,958 |
| 60 Mental Health | 1,776,873 |
| 61 Juvenile Probation | 63,068 |

| | |
|---------------------------------|---------|
| 62 CD Treatment Services | 12,700 |
| 63 Juvenile Foster Shelter Care | 12,000 |
| 70 Emergency Management | 166,662 |
| 99 Nondepartmental | 864,863 |

TOTAL EXPENDITURES 16,134,781.00

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

Motion by Kohn seconded by Blankenship to approve Resolution 11-19 – FY 2011/2012 Salaries.

RESOLUTION #11-19

Salaries effective July 1, 2011 are as follows:

Deputies: Kristine Schoening, Pam Madison; \$41,305.00; Marilee Gayer, LuAnne Christiansen; \$41,102.00, Lisa Tallman; Melinda Lucy: \$38,684.00; **Clerks:** ; Julie Snyder; \$38,389.00; Teresa Andersen, Jill Ford; \$31,431.00; **Election Assistant:** Lori Ingoldsby; \$39,847.00; **Secretary:** Janice Johansen; \$40,148.00; **Office Manager:** Mary King; \$38,693.00; **Civil Process Clerk:** Sandy Wyszenski; \$34,324.00; **Record’s Clerk:** Christina Shere; \$34,324.00; **Lieutenant:** Mike Osler; \$52,423.00; **Chief Deputy:** Bruce Paulsen; \$53,047.00; **Sergeant:** Kim Clark; \$51,799.00; **County Attorney Assistant:** Patricia McSorley; \$57,630.00; **Victim Witness Coor/Sec Asst:** Jill McAleer; \$38,596.00; **Emergency Management:** Larry Hurst; \$45,164.00; **Safety Director:** Larry Hurst; \$4,820.00; **Custodian:** Michael Roenfeld-\$14.50/hr; Stephen Poole-\$13.50/hr; **General Relief Director:** Jim Goos; \$24,021.00; **Veteran Affairs Director:** Jim Goos; \$10,000.00; **CPC/Director of Case Management:** Sara Ketcham; \$63,048.00; **Case Management Supervisor:** Danelle Bruce; \$50,658.00; **Case Managers:** Monica Carlson, Reba Richie; \$46,053.00; Denise Shull; \$43,410.00; John Olson; \$40,394.00; **Administrative Assistant:** Chris Falk-\$15.18/hr; **Communications Director;** Tom Ling; \$58,206.00.

Salaries for Secondary Roads personnel are as follows:

County Engineer: Kevin Mayberry; \$88,970.00; **Administrative:** Nancy Lincoln-\$20.29/hr; Richard Parks-\$22.88/hr; Charlene Johnson-\$16.58/hr; **Management & Technical:** Bill Horton-\$22.48/hr; Junior Hughes-\$20.29/hr; Hugh Hansen, Roger Sell-\$23.84/hr; David Yezek-\$28.27/hr.

Motion carried on a Roll Call vote: Blankenship – Aye, Kohn – Aye, Crouch – Aye

Motion by Blankenship seconded by Kohn to approve Resolution 11-21 – Secondary Roads Transfers.

Resolution 11-21

The Mills County Board of Supervisors met on this 5th day of July, 2011 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 2011-2012 budget year in accordance with Sections 331.432 and 331.429 Code of Iowa. The total maximum transfer from General Basic for fiscal year 2011-2012 shall not exceed **\$125,230**. The total maximum transfer from Rural Services Basic fund shall not exceed the sum of **\$1,404,095**. The total maximum transfer from Other Special Revenue fund (LOST) shall not exceed the sum of **\$190,675**. The Auditor shall order periodic transfer from said funds 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, Kohn – Aye, Crouch – Aye.

The Board received the Recorder’s June Statement of Fees.

There being no further business to come before the Board at this time, they adjourned to meet on Tuesday, July 12, 2011.

Mills County Board of Supervisors

Richard Crouch – Chairperson

Attest: _____
Carol Robertson, Auditor

Office of Mills County Auditor
Carol Robertson
Courthouse
Glenwood, IA

The Mills County Board of Supervisors met this 28th day of June, 2011, at the Courthouse in Glenwood with Joe Blankenship, Ron Kohn and Richard Crouch present.

Motion by Blankenship, seconded by Kohn to approve the agenda for the June 28th meeting and the minutes of the June 21, 2011 board meeting as presented.

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

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

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

There were no utility permit reports this week.

Darin Whatcott joined the session at this time. Engineer Mayberry stated his concerns regarding the non-conforming lots amendment prepared by the Planning & Zoning Commission. It was determined that Whatcott will work with the Engineer on a draft that will identify the issues of concern and will return to the Board with proposed changes and recommendations at a later date.

Motion by Kohn seconded by Blankenship to approve payment for voucher #10 (final) for L300-73-65, RCB culvert on 300th Street south of Rains Avenue in the amount of \$14,614.68

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

George Turcotte was present to comment on the lack of culverts in his area on Kanes Avenue. The Engineer explained that putting in a culvert might keep water off his side of the road but would still make it flood on the opposite side. Turcotte also expressed concerns regarding the curfew resolution that the County is putting in place because he wants to be able to access his property to protect it. County Attorney Hansen explained that Mr. Turcotte would need to contact the Sheriff if he wished to enter his property. At that time, if the Sheriff deems it not safe to enter, he will decline the request and Turcotte could be arrested and fined if he proceeds to his property.

Discussion was held with regards to the County roads that are under water as well as an update on the flooding issues.

After much discussion and concerns from the Board of Supervisors, motion by Kohn seconded by Blankenship to approve resolution 11-15 – Mandatory Evacuation.

**RESOLUTION # 11-15
RESOLUTION PROCLAIMING CIVIL EMERGENCY AND
AUTHORIZING CHAIRMAN TO ISSUE ORDERS OF MANDATORY EVACUATIONS**

WHEREAS, Mills County, Iowa, including both incorporated and unincorporated areas thereof, is currently experiencing flooding of historic proportions; and

WHEREAS, the Governor of Iowa has proclaimed a state of disaster emergency in Mills County due to said flooding and related consequences; and

WHEREAS, Mills County may, pursuant to its home rule authority, exercise any power and perform any function it deems appropriate to protect and preserve the rights, privileges, and property of the County and/or of its residents, and to preserve and improve the peace, safety, health, welfare, comfort, and convenience of its residents; and

WHEREAS, the Mills County Board of Supervisors has determined that it is necessary to order the mandatory evacuation of certain areas of unincorporated Mills County in order to protect or preserve life or property; to assist in disaster mitigation, response or recover; and to generally preserve and improve the peace, safety, health, welfare, comfort and convenience of its residents.

NOW, THEREFORE, BE IT RESOLVED by the Mills County Board of Supervisors that due to the current flooding in Mills County, Iowa, there is proclaimed to be a Civil Emergency in the unincorporated areas of the County; and

BE IT FURTHER RESOLVED that the Chairman of the Board of Supervisors may, in response to this civil emergency, issue Orders of Mandatory Evacuation for any part of unincorporated Mills County the Chairman deems advisable as necessary to protect or preserve life or property or as necessary to assist in disaster mitigation, response or recovery; and

BE IT FURTHER RESOLVED that any such Order of Mandatory Evacuation shall be made in writing and communicated in such a manner as to reasonably apprise the affected residents and the general public of the specific location of the areas to be evacuated and shall indicate the date and time by which said areas shall be evacuated; and

BE IT FURTHER RESOLVED that in addition to the evacuation of the designated areas, ingress and egress to and from an area subject to an Order of Mandatory Evacuation shall be limited to authorized law enforcement, emergency management personnel and other authorized government officials.

Motion carried on a Roll Call vote: Blankenship – Aye, Kohn – Aye, Crouch – Aye

Motion by Kohn seconded by Blankenship to approve Resolution 11-16 – Mandatory Curfew.

RESOLUTION # 11-16
RESOLUTION PROCLAIMING CIVIL EMERGENCY AND
AUTHORIZING CHAIRMAN TO ISSUE ORDERS OF MANDATORY CURFEW

WHEREAS, Mills County, Iowa, including both incorporated and unincorporated areas thereof, is currently experiencing flooding of historic proportions; and

WHEREAS, the Governor of Iowa has proclaimed a state of disaster emergency in Mills County due to said flooding and related consequences;

WHEREAS, the Mills County Board of Supervisors has determined that it is necessary to order the mandatory curfew of certain areas of unincorporated Mills County in order to protect or preserve life or property; to assist in disaster mitigation, response or recover; and to generally preserve and improve the peace, safety, health, welfare, comfort and convenience of its residents.

NOW, THEREFORE, BE IT RESOLVED by the Mills County Board of Supervisors that due to the current flooding in Mills County, Iowa, there is proclaimed to be a Civil Emergency in the unincorporated areas of the County;

BE IT FURTHER RESOLVED that the Chairman of the Board of Supervisors may, in response to this civil emergency, issue Orders of Mandatory Curfew for any part of unincorporated Mills County the Chairman deems advisable as necessary to protect or preserve life or property or as necessary to assist in disaster mitigation, response or recovery; and

BE IT FURTHER RESOLVED that any such Order of Mandatory Curfew shall be in writing and communicated in such a manner as to reasonably apprise the affected residents and the general public of the specific times and locations of the curfew and shall indicate the date and times in which said curfew shall be in effect;

BE IT FURTHER RESOLVED that the curfew order shall not apply to authorized law enforcement, emergency management personnel and other necessary government officials or to individuals directed by law enforcement, emergency management personnel and other authorized government personnel.

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

Motion by Blankenship seconded by Kohn to approve Resolution 11-17 – Fee Schedule for Violation of Resolution 11-15 and 11-16.

RESOLUTION # 11-17
RESOLUTION PROCLAIMING A COMPREHENSIVE
SCHEDULE OF FEES FOR VIOLATIONS OF MANDATORY EVACUATION
AND MANDATORY CURFEW PROVISIONS

WHEREAS, Mills County, Iowa, including both incorporated and unincorporated areas thereof, is currently experiencing flooding of historic proportions; and

WHEREAS, the Governor of Iowa has proclaimed a state of disaster emergency in Mills County due to said flooding and related consequences therefrom;

WHEREAS, Mills County may, pursuant to its home rule authority, exercise any power and perform any function it deems appropriate to protect and preserve the rights, privileges and property of the county and/or of its residents, and to preserve and improve the peace, safety, health, welfare, comfort, and convenience of its residents; and

WHEREAS, the Mills County Board of Supervisors has determined that it is necessary to order the mandatory evacuation of certain areas of unincorporated Mills county in order to protect or preserve life or property; to assist in disaster mitigation, response or recover; and to generally preserve and improve the peace, safety, health, welfare, comfort and convenience of its residents.

NOW , THEREFORE BE IT RESOLVED by the Mills County Board of Supervisors that due to the current flooding in Mills County, Iowa, where there is proclaimed to be a civil emergency in which the Chairman of the Board of Supervisors has responded and may further respond by issuing Orders of Mandatory Evacuation for any part of unincorporated Mills County the Chairman deems advisable as necessary to protect or preserve life or property or as necessary to assist in disaster mitigation, response or recovery, this order shall be made in writing and communicated in such a manner as to reasonably apprise the affected residents and the general public of the specific location of the areas to be evacuated and shall indicate the date and time by which the said areas shall be evacuated; and

BE IT FURTHER RESOLVED that ingress and egress to and from an area subject to an Order of Mandatory Evacuation shall be limited to authorized law enforcement, emergency management personnel and other authorized government officials; and

BE IT FURTHER RESOLVED that the Chairman of the Board of Supervisors, may issue an Order of Mandatory Curfew for any part of unincorporated Mills County the Chairman deems advisable as necessary to protect or preserve life or property; as necessary to assist in disaster mitigation, response or recover; or as necessary to otherwise carry out the purposes of this resolution; and

BE IT FURTHER RESOLVED that exemptions to the curfew order shall be limited authorized law enforcement, emergency management personnel and other necessary government officials and those individuals directed by law enforcement, emergency management personnel and other authorized government officials; and

BE IT FURTHER RESOLVED that it shall be the duty of the County Sheriff to administer and enforce this resolution in accordance with its provisions; and

BE IT FURTHER RESOLVED that the penalties for violating the provisions of this resolution shall be as set forth hereinafter:

WHEREAS, the Mills County Board of Supervisors met on June 28, 2011, to consider and approve said Schedule of Fees.

NOW, THEREFORE, BE IT RESOLVED BY THE
MILLS COUNTY BOARD OF SUPERVISORS

The Mills County Board of Supervisors hereby adopts the Schedule of Fees as follows:

Fees Authorized For Violation of Mandatory Evacuation and/or Mandatory Curfew as Set Out in
Resolution # 11-15 & 11-16

A violation of Resolution #11-15 or #11-16 may result in a county infraction, punishable by civil penalties of \$750 for the first offense or \$1000 for 2nd and all subsequent offenses.
Motion carried on a Roll Call Vote: Blankenship – Aye, Kohn – Aye, Crouch – Aye

There was an error on Resolution 11-18 – Resolution Granting Overhead and Underground Electric Easement for Mills County Fairgrounds. Action was postponed until the correction is made. It will be placed on the agenda for June 30, 2011 for final approval.

Sheriff Goos, Tom Ling, Communications Director, County Attorney Eric Hansen and Jack Reed were present to discuss the Union Contract Negotiation Agreement. Mr. Reed asked the Board if they would sign an agreement with his company for Union negotiations and Human Resource duties. The Board stated they need to look at the present costs before committing to anything.

Motion by Kohn seconded by Blankenship to approve the transfer of \$40,000 from the Conservation fund to the Land Acquisition fund. The Board also agreed to carryover \$80,000 from the Conservation Fund for next year that had been in this year's budget to assist with costs for a new building. This would be done when the County amends the FY11-12 budget.

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

Motion by Blankenship seconded by Kohn to approve Resolution 11-14 – Abatement of Taxes on the following properties owned by the State of Iowa:

Resolution 11-14

The Mills County Board of Supervisors sitting in session on this 28th day of June, 2011 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 State of Iowa, a tax exempt entity of the State Government and property located in Section 8 Township 72 Range 43 and Section 8 Township 72 Range 43 and Section 17 Township 72 Range 43 and Section 8 Township 72 Range 43 located in Platteville Township, Glenwood School district in Mills County, IA parcel #039120010200000; 039140010100000; 040050020000000 and parcel #039150010000000 to be abated in the amount of **\$106.00; \$7.00; \$261.00 and \$1467.00 for a total amount of \$1841.00**. The transaction deed on this parcel of land was done on April 27, 2010; May 19, 2010; April 1, 2010 and September 10, 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 Kohn seconded by Blankenship to approve fireworks permit for July 4, 2011 at 25616 Irish Avenue, Glenwood, Iowa providing there is no burn ban in effect.

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

Motion by Blankenship seconded by Kohn to allow the cleaning of the bronze plaque on the south side of the Courthouse in the Courtyard fountain.

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 Thursday, June 30, 2011.

Mills County Board of Supervisors

Richard Crouch, Chairperson

Attest: _____
Carol Robertson, Auditor

The Mills County Board of Supervisors met this 21st day of June, 2011, at the Courthouse in Glenwood with Richard Crouch, Joe Blankenship and Ron Kohn present.

Motion by Blankenship seconded by Kohn to approve the agenda for the June 21st meeting as presented and the minutes of the June 14th board meeting as corrected. Kohn abstained from final approval of the minutes due to being absent from the June 14th meeting. Motion carried on a vote: Ayes: 2 Nays: 0.

There was one utility permit to report: Oneok for pipeline work in East right of way on M16 South of Hastings.

Voucher #10 (final) for L300-73-65, RCB culvert on 300th Street south of Rains Avenue, was postponed until all items are acceptable and signed before the voucher is paid.

Darin Whatcott, Planning & Zoning, Krystle Campa, Bob Mauer and Sean Monahan from RSA 1 Limited Partnership were present with the proposed application for Zoning Amendment. The Board accepted the proposed changes for the current Ordinance with regards to tower heights. The Board shared concerns on preserving the Loess Hills area. The Board recognizes that communications in this County are very important. Attorney Krystle Campa will make the suggested changes and she will get them to Whatcott who will forward the approved changes to the Auditor for a public hearing notice.

The Non-Conforming Lots Definition Amendment will be put on the June 28th agenda since the engineer had some written comments for the Board to use and the County Attorney was absent.

Discussion was held with regards to road concerns in the County that have water on or across them and the status of roads closed to date.

Sara Ketcham, CPC Administrator was present to discuss the Alegent contract. Motion by Kohn seconded by Blankenship to approve the amendment to the contract for hospital and out- patient services.

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

Ketcham updated the Board on changes with one of her case managers going from full-time to part-time. She also will be promoting someone in her office to Case Management Supervisor in order to train them prior to Ketcham's retirement and will be hiring another full time case manager.

Bonnie Millsap was present to report to the Board that the Senior Center was gifted a trust and will not need the approved monies from the County to complete the carpet project. She thanked the Board for their support of the Senior Center in the past.

Millsap has concerns about the speed on Ives Avenue. Engineer Mayberry explained the procedure needed to request changes to a speed limit. The Board will request that the Sheriff come in and discuss the potential options to change a speed limit. The engineer will do some preliminary work before the Sheriff comes in. Millsap also had concerns and questions about paving on Ives Avenue. The engineer explained to Millsap the process to go through in order to petition for paving of a road. The Engineer offered Millsap an opportunity to contact him and he will give her the code section and samples of the process.

Motion by Blankenship seconded by Kohn to authorize the Auditor to cancel outstanding warrants over one year old. Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Kohn seconded by Blankenship to approve the purchase of a replacement computer for the Auditor's office in the amount of \$1,251.62. Motion carried on a vote: Aye: 3 Nays: 0

Motion by Blankenship seconded by Kohn to approve the Flood Disaster Relief Fund to go through the Omaha Community Foundation and Sheri Bowen will sign the preliminary paperwork needed today.

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

The Board received the May monthly jail report from the Sheriff.

There being no further business to come before the Board at this time, they adjourned to meet on Tuesday, June 28, 2011.

Richard Crouch – Chairperson

Attest: _____
Carol Robertson, Auditor

Office of Mills County Auditor
Carol Robertson
Courthouse
Glenwood, IA

The Mills County Board of Supervisors met this 14th day of June, 2011, at the Courthouse in Glenwood with Joe Blankenship and Richard Crouch present. Ron Kohn was absent.

Motion by Blankenship, Crouch stepped down to second to approve the agenda for the June 14th meeting and the minutes of the June 7, 2011 board meeting as presented.

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

Junior Hughes was representing Mills County Secondary Roads due to Engineer Mayberry being absent.

Supervisor Kohn joined the session at this time via telecommunications to discuss the Planning and Zoning waiver of fees for Teen Serve.

Motion by Kohn, seconded by Blankenship to allow a private individual to pay the permit cost of \$23.50 instead of waiving the permit fee.

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

There were no utility permit reports this week.

No formal action was taken on the final voucher #10(final) for L300-73-65 culvert on 300th Street south of Rains Avenue due to waiting for a signed voucher from the contractor. This will be re-scheduled when all paperwork is received.

Motion by Blankenship seconded by Crouch to approve the hiring of Kyle Anderson for sign control position, at a salary of \$15.60 per hour as per union contract with a start date of June 20, 2011.

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

Jerad Getter, Conservation Director and Patrick Binns, IT Director were present to discuss exceptions to the new social networking policy. Motion by Blankenship seconded by Crouch to allow the Conservation and Public Health Department to be exempt from the social networking policy so they can still manage their Facebook Organization page.

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

Sheri Bowen, Mills County Public Health Administrator was present to discuss the potential of funds being donated by the public for flood relief. It was determined that the Auditor should contact the State Auditor's office as to how these funds should be handled.

Mike Sukup, Environmental Public Health, Sheri Bowen, Public Health Administrator and County Attorney Eric Hansen were present with Duane Kahl to discuss a county nuisance policy. Mr. Kahl expressed concerns of several houses in the Mineola area which are harboring junk cars, trucks and garbage. Since the County has no nuisance ordinance in place at this time, it may be difficult to enforce an infraction. Hansen said he would look into provisions the County may be able to enforce. Sukup stated that he would send letters to the homeowners in the pictures Mr. Kahl provided. Supervisor Blankenship suggested that a provision to exempt Ag from the proposed Ordinance be considered.

Motion by Blankenship seconded by Crouch to approve the Class E liquor license for Lake Ohana Market with Sunday Sales.

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

Larry Hurst, Emergency Management Coordinator updated the Board on flood conditions and road closures as well as updates on the status of BNSF crossings.

There being no further business to come before the Board at this time, they adjourned to meet on Tuesday, June 21, 2011.

Mills County Board of Supervisors

Richard Crouch, Chairperson

Attest: _____
Carol Robertson, Auditor

The Mills County Board of Supervisors met this 7th day of June, 2011, at the Courthouse in Glenwood with Richard Crouch, Joe Blankenship and Ron Kohn present.

Motion by Blankenship seconded by Kohn to approve the agenda for the June 7th meeting as presented and the minutes of the May 31st board meeting as corrected. Motion carried on a vote: Ayes: 3 Nays: 0.

There were no utility permits to report.

Motion by Blankenship seconded by Kohn to approve Resolution 11-13 Establishment of Speed Limit in Pony Creek area.

Resolution 11-13 – Establishment of Speed Limit Zone

WHEREAS, Mills County has examined traffic conditions on Deacon Road North to the intersection of Ellington Ave. then on Ellington Ave. East to the intersection of 221st Street in Glenwood Township & Oak Township, and

WHEREAS, the Mills County Board of Supervisors may determine and declare reasonable and proper speed limits on county roads,

NOW THEREFORE BE IT RESOLVED by the Mills County Board of Supervisors in session this 7th day of June 2011, that speed limits be established and appropriate signs be erected at the locations described below be posted at a speed of 35MPH.

Deacon Road North from U.S. HWY 34 to the intersection of Ellington Ave. then Ellington Ave. to the intersection of 221st Street all located in Sections 4 & 9-72-43, 33-73-43 and along the section line between 26, 27, 24 and 35-73-43 for an approximate distance of 4.30 Miles.

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

Motion by Kohn seconded by Blankenship to authorize the Court Administrator to purchase replacement chairs for the jury box and the County will purchase the hardware needed to fasten them to the floor.

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

Motion by Blankenship seconded by Kohn, at the recommendation of the Engineer, to reject all bids for projects L-B244615-73-65, RCB at Masters Road and L2215-73-65, RCB at 221st Street South. The Engineer will contact HGM to redesign the projects.

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

Motion by Blankenship seconded by Kohn to approve the Flood Declaration.

WHEREAS, Mills County has suffered from a flooding event beginning on May 24, 2011, which has caused and/or continues to cause damage to public and private property, disruption of utility services, and;

WHEREAS, Citizens of Mills County, especially residents in municipal and rural areas in proximity of the Missouri River, have little or no access to roads and as such have limited ability to access health care, emergency and essential goods and services, and;

WHEREAS, Public Safety Agencies have been limited by the conditions to access citizens needing emergency assistance endangering the life and safety of the citizens of Mills County, Iowa and where required access would pose an unnecessary risk to emergency responders;

THEREFORE, The County Board of Supervisors has declared a state of emergency authorized under Iowa State Statute and will execute the expenditure of emergency funds from all available sources, the invoking of mutual aid agreements, and the application to the State of Iowa for assistance.

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

Motion by Blankenship seconded by Kohn to approve funding through the Declaration to assist those affected by flooding that qualify under modified General Relief guidelines, with resources for moving related expenses for the flood disaster.

The Board of Supervisors, Engineer, and Auditor left to attend the 4-County meeting in Sidney.

The Board received the June month end reports.

There being no further business to come before the Board at this time, they adjourned to meet on Tuesday, June 14, 2011.

Mills County Board of Supervisors

Richard Crouch – Chairperson

Attest: _____
Carol Robertson, Auditor

The Mills County Board of Supervisors met this 31st day of May, 2011, at the Courthouse in Glenwood with Richard Crouch, Joe Blankenship and Ron Kohn present.

Motion by Blankenship seconded by Kohn to approve the agenda for the May 31st meeting and the minutes of the May 24th board meeting as presented. Motion carried on a vote: Ayes: 3 Nays: 0.

Engineer Mayberry and the Board of Supervisors did a site visit to view the Pleasant Hill Cemetery entrance to determine what repairs are needed.

There were no utility permits to report.

Motion by Blankenship seconded by Kohn to approve voucher #9 for L300-73-65 in the amount of \$17,690.68 to Graves Construction Company.

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

Motion by Kohn seconded by Blankenship to approve the final voucher for FM-CO65(79)-55-65, Farm to Market Rock in the amount of \$194,723.62.

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

Motion by Blankenship seconded by Kohn, at the recommendation of the Engineer, to reject all bids for projects L-B244615-73-65, RCB at Masters Road and L2215-73-65, RCB at 221st Street South. The Engineer will contact HGM to redesign the projects.

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

Motion by Kohn seconded by Blankenship to approve a FMLA request for a County employee.

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

Ed Morrisson from IWMCA, along with several department heads was present to discuss seat belt and safety concerns. IMWCA has concerns with non-compliance; i.e.: county employees not wearing seat belts in County vehicles or when in their own vehicles on County business. Morrisson recommended that the County add some stiffer penalties to the safety policy, and suggested materials from the Government Safety Council that could be used as a resource.

Discussion was held on changes made by JEO with regards to their contract.

Becky Killpack, Mills County Treasurer, submitted a bid for a Lanier copier from Counsel Office in the amount of \$1486.00 and a bid for a replacement computer as recommended by IT Director Patrick Binns in the amount of \$1347.88.

Motion by Kohn seconded by Blankenship to approve the purchase of the Lanier copier and replacement computer as presented by Treasurer Becky Killpack.

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

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

Larry Hurst, Emergency Management Coordinator, updated the Board on the water situation in Mills County. He will keep the Board informed of any evacuation plans that would need to be put into place. Presently unless something happens with the Platt River, ground water seepage will be the immediate issue.

There being no further business to come before the Board at this time, they adjourned to meet on Tuesday, June 7, 2011.

Mills County Board of Supervisors

Richard Crouch – Chairperson

Attest: _____
Carol Robertson, Auditor

Office of Mills County Auditor
Carol Robertson
Courthouse
Glenwood, IA

The Mills County Board of Supervisors met this 24th day of May, 2011, at the Courthouse in Glenwood with Joe Blankenship, Ron Kohn and Richard Crouch present.

Motion by Kohn, seconded by Crouch to approve the agenda for the May 24th meeting and the minutes of the May 17, 2011 board meeting as corrected.

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

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

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

There was a utility permit report:

Mid American Energy on Hershey Avenue to bury conduit underground.

Engineer Mayberry explained the concerns that Steve Walker had regarding 190th Street North by his business. The seal coat is in bad shape and there are dust control issues. This road is not in the program to pave this year, so a short-term fix to help the situation will be put into place. The Engineer will contact Mr. Walker for further discussion.

Motion by Kohn seconded by Blankenship at the recommendation of IT Director, Patrick Binns to purchase a HP Compact 6200 Pro for \$933.20 for Junior Hughes in Secondary Roads Office.

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

3 bids were received for the Bid Opening for L-B244615—73-65, RCB at Masters Road:

- 1) Gus Construction of Casey, Iowa – bid bond received - \$251,865
- 2) Dixon Construction of Correctionville, Iowa – bid bond received - \$240,114.10
- 3) Graves Construction of Spencer, Iowa – bid bond received - \$224,636.90

No action was taken.

2 bids were received for Bid Opening L-221S—73-65, RCB at 221st Street South:

- 1) Gus Construction of Casey, Iowa – bid bond received - \$299,798.80
- 2) Graves Construction of Spencer, Iowa – bid bond received - \$248,960.40

No action was taken.

The Engineer explained that the farm to market rock was almost complete. Other road concerns were addressed and the Board will go on a site visit with the Engineer to look at some other potential concerns.

Ted Smith, Elaine Burwell and Bonnie Millsap were present to discuss new carpet for the Senior Center. Millsap stated when they had been to see the Board in early Spring requesting assistance with the purchase of carpet for the Senior Center. The Board asked them to come back when they have a bid and have received fundraising or grant monies.

They have 2 bids:

- 1) Doyle Flooring of Hastings, Iowa - \$5448
- 2) Nebraska Furniture Mart of Omaha, Nebraska - \$5646

They received a \$2000 grant from the Endowment fund and \$500 from fundraising. They requested \$2948 from the County.

Motion by Blankenship seconded by Kohn to assist the Senior Center with the purchase from LOST funds in the amount of \$2948 since this facility is used by County residents not just City of Glenwood residents.

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

Rob Simmon and Wayne Phipps were present to update the Board on the Loess Hills Archaeological Interpretive Center and their progress.

County Attorney Eric Hansen joined the session via telecommunications. Engineer Mayberry was also present to discuss the DNR Agreement on Dam Site 21. The Board made several suggestions for changes to be made to answer the Administrative Consent Order. Hansen noted changes and will prepare them so Mills County can answer the order to the DNR Agreement.

Supervisor Crouch left the session at this time.

The bid award for the 221st Street and Masters Road projects were tabled at this time with the potential to re-bid the project.

Motion by Kohn seconded by Blankenship to approve the Memorandum of Understanding Addendum to personnel policy with the stipulation the County Attorney would look at and comment on different wording in the addendum, Section Two.

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

Motion by Kohn seconded by Blankenship to approve liquor license WBN000323 for Briar Patch Farm Antiques.

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

There being no further business to come before the Board at this time, they adjourned to meet on Tuesday, May 31, 2011.

Mills County Board of Supervisors

Richard Crouch, Chairperson

Attest: _____
Carol Robertson, Auditor

The Mills County Board of Supervisors met this 17th day of May, 2011, at the Courthouse in Glenwood with Richard Crouch, Joe Blankenship and Ron Kohn present.

Motion by Blankenship seconded by Kohn to approve the agenda for the May 17th meeting and the minutes of the May 10th board meeting as presented. Motion carried on a vote: Ayes: 3 Nays: 0.

There was one utility permit to report:

Cable Connections of Grimes, Iowa, doing business for Qwest for a phone drop on Bentley Street in the Strahan area.

The public hearing for consideration of Resolution 11-12; Vacation of County Road #551, a portion of Barrus Road was opened at 9:05 a.m. by Chairman Crouch. No written comments were received. Supervisor Crouch received an oral request from the local fire department and the Engineer received a call from a neighbor who had no problem with the road closure. The public hearing was closed at 9:10 a.m.

Motion by Blankenship seconded by Kohn to approve Resolution 11-12 authorizing vacation and closure of county road right of way.

Resolution 11-12

RESOLUTION AUTHORIZING THE VACATION AND CLOSURE OF ROAD RIGHT-OF-WAY LOCATED IN MILLS COUNTY, IOWA

WHEREAS, Mills County, Iowa, maintains certain road right-of-way described as:

Road No. 551

located in the SE $\frac{1}{4}$ of Section 16, and in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 21, Township 73 North, Range 43 West of the 5TH Principal Meridian, Mills County, Iowa.

Commencing at a point 181.00 feet East and 186.00 feet South of the Center of said Section 16 and the Point of Beginning; Said point being in the centerline of Road No. 551 (Barrus Rd.); thence southerly 2890.00 \pm feet along the centerline of said Road running through the NW $\frac{1}{4}$ SE $\frac{1}{4}$ and the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 16 and through part of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 21 to the end of said road as recorded in Book O, Page 315 of the Board of Supervisors Minutes.

Note: Utilities are granted a permanent and perpetual easement for the continuance of maintaining existing facilities for such construction, reconstruction, replacement and repair thereof as may be deemed necessary by the utilities in the future.

And

WHEREAS, the above-described road right-of-way is not used by the general public; and

WHEREAS, the Mills County Board of Supervisors determined that it is in the best interest of Mills County, Iowa, to vacate and close the above-described road right-of-way; and

WHEREAS, Iowa Code Sections 306.10 and 306.11 authorizes the Mills County Board of Supervisors to vacate certain road right-of-way located in Mills County, Iowa, upon conclusion of a public hearing considering the vacation and closure of the above-described road right-of-way; and

WHEREAS, the Mills County Auditor published notice of the time and place of the public hearing considering the vacation and closure of the above-described road right-of-way in the Glenwood Opinion Tribune on May 11, 2011 and the Malvern Leader on May 12, 2011 as required by Iowa Code Sections 306.12 and 306.13; and

WHEREAS, the Mills County Engineer notified all adjoining property owners and all utility companies whose facilities are on the above-described road right-of-way of the time and place set for hearing as required by Iowa Code Sections 306.12 and 306.13; and

WHEREAS, the Mills County Board of Supervisors held a public hearing on May 17, 2011, at 9:00 A.M. in Mills County Courthouse, Glenwood, Iowa as set forth in the published notice; and

WHEREAS, the Mills County Board of Supervisors duly considered all comments made both for and against the vacation and closure of the above-described road right-of-way and

WHEREAS, citizens of Mills County, conveyed unto Mills County, Iowa, an easement for road purposes and for use as a Public Highway the above-described road right-of-way as evidenced by the Road Petition number 551 located in the Auditor's Office Mills County Courthouse, and

WHEREAS, the Mills County Board of Supervisors determined that it is in the best interest of Mills County, Iowa to abandon all right, title and interest in the easement to the above-described road right-of-ways; and

WHEREAS, Tk3 Enterprises, LLC holds fee title to parts of the above-described road right-of-way with deed recorded date of April 13, 2011 in Book 2011, Page 1038 of the Miscellaneous Records, Mills County Recorder's Office

NOW, THEREFORE, BE IT
RESOLVED BY THE MILLS
COUNTY BOARD OF SUPERVISORS

That the Mills County Board of Supervisors hereby agrees to vacate and close the above-described road right-of-way. Furthermore, the Mills County Board of Supervisors hereby agrees to abandon all right, title and interest in the easement to the above-described road right-of-way. Finally, the Mills County Board of Supervisors hereby agree to execute a Quit Claim Deed transferring all right, title and interest in the easement to the above-described road right-of-way to Tk3 Enterprises, LLC.

Approved this 17th day of May, 2011.

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

The Board and Engineer discussed several items regarding to bridges and culverts in the County and speed limitations near Pony Creek Park.

The DNR Agreement on Dam Site 21 will be rescheduled for the May 24th meeting. The County Attorney was unable to be present for this action.

Supervisor Crouch left the session at this time.

Supervisor Kohn reported on the meeting that was held with Jim Webel of the City of Glenwood in regards to the DNR grant for improvements to the Glenwood recycling site. The County would make the financial contribution of matching funds for the concrete and fencing of the recycling site. Steve & Michelle Konfrst were present to discuss the potential of single stream recycling in rural areas of the County. Kohn presented the information to the Board for discussion and consideration of further discussions with the Konfrsts.

The Board received the March jail report and bank reconciliation report from the Sheriff.

Larry Winum and Linda Washburn joined the session during general discussion to discuss the JEO proposal and work out the details of the contract.

There being no further business to come before the Board at this time, they adjourned to meet on Tuesday, May 24, 2011.

Mills County Board of Supervisors

Richard Crouch - Chairperson

Attest: _____
Carol Robertson, Auditor

Office of Mills County Auditor
Carol Robertson
Courthouse
Glenwood, IA

The Mills County Board of Supervisors met this 10th day of May, 2011, at the Courthouse in Glenwood with Joe Blankenship, Ron Kohn and Richard Crouch present.

Motion by Blankenship, seconded by Kohn to approve the agenda for the May 10th meeting and the minutes of the May 3, 2011 board meeting as corrected.

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

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

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

Assistant Richard Parks was present in the absence of the Engineer.

There was one utility permit this week to report;

Phone line on Elrod

Parks took the Board to view a variance request at 56673 310th Street.

Motion by Kohn, seconded by Blankenship to move the existing driveway at 56673 310th Street 150 ft. to the north of current location and remove the existing drive.

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

Motion by Blankenship, seconded by Kohn to authorize chair to sign the Provisionally

Accredited Levee agreements for the Missouri River, Emerson and Pony Creek levees.

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

Motion by Kohn seconded by Blankenship to approve the purchase of a 2011 CAT 320DL at a purchase price of \$150,500 from Ziegler minus \$65,000 for a CAT 320CL trade in for a balance of \$85,000. The Engineer will purchase a hydraulic thumb and a rear camera in the amount of \$30,015 in addition to the excavator in FY2012.

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

Parks informed the Board on the Farm to Market road rock placements schedule throughout the County.

Motion by Blankenship seconded by Kohn to approve the hire of Jill Ford as a full-time Driver's License Clerk, at 65% of the Treasurer's salary (\$30,814) effective April 25, 2011.

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

Jack Reed, a S.W. Iowa representative for Iowa Negotiations Services, gave a presentation on what they have to offer for services. No action was taken at this time. Mr. Reed will send an electronic version of their contract for the County Attorney to review.

Motion by Kohn, seconded by Blankenship to approve the purchase of a GPS unit for Patrick Binns, IT coordinator for GIS work, including software for a cost of \$1945.00.

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

Motion by Blankenship seconded by Kohn to approve liquor license renewal WBN000518 for McCormick Station.

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

Motion by Kohn seconded by Blankenship to approve liquor license renewal BC0029223 for Lake Ohana Market.

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

JEO representatives and Linda Washburn, Mary Gunderson and Larry Winum from Glenwood/Mills County Economic Development were present to discuss the I-29/Hwy 34 Marketing proposal that would provide services in Phases I, II, and III to market the I-29/Hwy 34

interchange. This contract will be between JEO Consulting Group and Consulting Team and Glenwood/Mills County Economic Development.

Motion by Kohn seconded by Blankenship to authorize chair to sign the annual agreement with Cost Advisory Services.

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

The Board received the April month end reports.

There being no further business to come before the Board at this time, they adjourned to meet on Tuesday, May 17, 2011.

Mills County Board of Supervisors

Richard Crouch, Chairperson

Attest: _____
Carol Robertson, Auditor

The Mills County Board of Supervisors met this 3rd day of May, 2011, at the Courthouse in Glenwood with Joe Blankenship and Ron Kohn present. Supervisor Crouch was absent.

Motion by Kohn, seconded by Blankenship to approve the agenda for the May 3rd meeting and the minutes of the April 26th board meeting as presented. Motion carried on a vote: Ayes: 2 Nays: 0.

There was one utility permit to report:

Cable Connections of Grimes, Iowa, doing business for Qwest for 5 phone line installations.

- 1) 20248 Forest Avenue
- 2) 52300 220th Street
- 3) 50524 221st Street
- 4) 62388 Montague Rd.
- 5) 21919 Elderberry

Motion by Kohn, Blankenship stepped down to second, to authorize the Co- Chair to sign the agreement for the D.O.T. to withdraw \$210.40 from farm to market funds to cover the inspection costs for the Gaston Avenue bridge. Motion carried on a vote: Ayes: 2 Nays: 0

Motion by Kohn seconded by Blankenship to approve Resolution 11-11 – Proposing Vacation of a portion of Barrus Road and set public hearing to consider the vacation and closure.

Resolution 11-11

RESOLUTION PROPOSING THE VACATION OF ROAD RIGHT-OF-WAY LOCATED IN MILLS COUNTY, IOWA, SETTING A PUBLIC HEARING TO CONSIDER SAID VACATION AND AUTHORIZING THE NOTIFICATION OF ADJOINING PROPERTY OWNERS

WHEREAS, Mills County, Iowa, maintains certain road right-of-way described as:

Road No. 551 located in the SE¹/₄ of Section 16, and in the NW¹/₄ NE¹/₄ Section 21, Township 73 North, Range 43 West of the 5TH Principal Meridian, Mills County, Iowa.

Commencing at a point 181.00 feet East and 186.00 feet South of the Center of said Section 16 and the Point of Beginning; Said point being in the centerline of Road No. 551 (Barrus Rd.); thence southerly 2890.00± feet along the centerline of said Road running through the NW¹/₄ SE¹/₄ and the SW¹/₄SE¹/₄ of said Section 16 and through part of the NW¹/₄ NE¹/₄ of said Section 21 to the end of said road as recorded in Book O, Page 315 of the Board of Supervisors Minutes.

Note: Utilities are granted a permanent and perpetual easement for continuance of maintaining existing facilities for such construction, reconstruction, replacement and repair thereof as may be deemed necessary by the utilities in the future.

And WHEREAS, the above-described road right-of-way is not used by the general public; and

WHEREAS, the Mills County Board of Supervisors determined that it is in the best interest of Mills County, Iowa, to vacate and close the above-described road right-of-way; and

WHEREAS, Iowa Code Section 306.10 enables Mills County, Iowa, the jurisdiction with control over the above-described road right-of-way, to vacate and close same on motion of the Mills County Board of Supervisors; and

WHEREAS, Iowa Code Section 306.11 requires the Mills County Board of Supervisors to fix a date and time for a hearing on the vacation and closing of the above-described road right-of-way; and

WHEREAS, Iowa Code Section 306.12 states notice of the hearing, as set forth in Iowa Code Section 306.13, shall be published in a newspaper of general circulation in Mills County, Iowa, not less than four (4) nor more than twenty (20) days prior to the date of the hearing; and

WHEREAS, Iowa Code Section 306.12 also states Mills County Board of Supervisors shall notify, by certified mail, as set forth in Iowa Code Section 306.13, all adjoining property owners and all utility companies whose facilities are on the above-described road right-of-way of the time and place set for hearing.

NOW, THEREFORE, BE IT
RESOLVED BY THE MILLS
COUNTY BOARD OF SUPERVISORS

That the Mills County Board of Supervisors hereby agrees to hold a public hearing on Tuesday, May 17, 2011, at 9:00 a.m. in the Mills County Courthouse, Glenwood, Iowa, to consider the vacation and closure of the above-described road right-of-way located in Mills County, Iowa. Furthermore, the Mills County Board of Supervisors hereby directs the Mills County Auditor to publish notice of said public hearing in accordance with Iowa Code Sections 306.11, 306.12 and 306.13. In addition, the Mills County Board of Supervisors hereby directs the Mills County Engineer to notify all adjoining property owners and all utility companies whose facilities are on the above-described road right-of-way in accordance with Iowa Code Section 306.12 and 306.13. Finally, the Mills County Board of Supervisors hereby agrees to consider Resolution 11-12 authorizing the vacation and closure of the above-described road right-of-way.

Approved this 3th day of May, 2011.

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

Motion by Kohn seconded by Blankenship to authorize payment of \$11,026.77 to Graves Construction for 300th Street project which is 93% complete. Motion carried on a vote: Ayes: 2 Nays: 0

Becky Killpack, Mills County Treasurer joined the session along with John Larson and Pete Franks to discuss the remodel of the Treasurer’s office and Communications Center and placing an elevator in the Courthouse. The Board looked at preliminary plans and discussed a possible time frame for this project. Franks stated that he would put together a set of plans with some alterations and present them to the Board at which time they will take formal action. Taking into consideration the drawing of construction plans, bid letting and construction, it could potentially be complete by early 2013.

Joe Foreman, from the Glenwood Opinion Tribune joined the session with Jim Webel representing the City of Glenwood to discuss recycling. Supervisor Kohn went over the specifications the City of Glenwood had to increase the size of the recycling area and to promote a cleaner location for recycling by placing a fence around the area. Supervisor Kohn was waiting for a call from the DNR with regards to grant funding for this project. Mills County will be looking to participate with an in-kind donation when the DNR indicates the amount of match required. An agreement will need to be in place defining what contributions will be made by all entities involved. Formal action will be taken when all plans are formalized.

There being no further business to come before the Board at this time, they adjourned to meet on Tuesday, May 10, 2011.

Mills County Board of Supervisors

Joseph Blankenship, Co-Chairperson

Attest: _____
Carol Robertson, Auditor

The Mills County Board of Supervisors met this 26th day of April, 2011, at the Courthouse in Glenwood with Richard Crouch and Ron Kohn present. Supervisor Blankenship was attending a meeting in Council Bluffs.

Motion by Kohn, seconded by Crouch to approve the agenda for the April 26th meeting and the minutes of the April 19th board meeting as corrected. Motion carried on a vote: Ayes: 2 Nays: 0.

Engineer Mayberry and Supervisors viewed a driveway request that would require a variance due to lack of separation distance.

At the recommendation of the Engineer, a motion was made by Kohn, seconded by Crouch to approve a driveway variance involving separation distance for a field entrance near 66263 360th Street.

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

The Board of Supervisors met as Trustees of the Chantry Drainage District to discuss the 2011-2012 levy. Motion by Kohn, seconded by Crouch to certify a levy in the amount of \$1,720 for the Chantry Drainage District, to be collected in September 2011.

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

Patrick Binns, IT Director, presented information about the installation of outdoor security cameras for the courthouse.

Motion by Kohn, seconded by Crouch to approve the installation of two outdoor security cameras for the courthouse in the amount of \$1,260. Motion carried on a vote: Ayes: 2 Nays: 0.

There being no further business to come before the Board at this time, they adjourned to meet on Tuesday, May 2, 2011.

Mills County Board of Supervisors

Richard Crouch, Chairperson

Attest: _____
Carol Robertson, Auditor

The Mills County Board of Supervisors met this 19th day of April, 2011, at the Courthouse in Glenwood with Joe Blankenship, Ron Kohn and Richard Crouch present.

Motion by Blankenship, seconded by Kohn to approve the agenda for the April 19th meeting and the minutes of the April 12, 2011 board meeting as corrected.

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

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

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

Engineer Mayberry had no utility permits this week to report.

Attorney Eric Hansen was present to discuss road concerns with Secondary Roads Engineer Mayberry to advise the Board of Supervisors of a potential lawsuit.

Engineer Mayberry discussed seal coat concerns with the Board.

Motion by Kohn seconded by Blankenship to approve liquor license BC0028525 with Sunday Sales for the Bluffs View Café. Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Blankenship seconded by Kohn to approve Resolution 11-10 ó Amendment to Comprehensive Land Use Plan and Supplemental Map.

Resolution 11-10

A RESOLUTION TO AMEND THE MILLS COUNTY COMPREHENSIVE USE PLAN BY ADOPTING THE I-29/HIGHWAY 34 CORRIDOR OVERLAY DISTRICT TO CHAPTER 5 SETTING FORTH THE LONG-RANGE GOALS AND OBJECTIVES FOR ALL ACTIVITIES THAT AFFECT GROWTH AND DEVELOPMENT IN MILLS COUNTY, IOWA AS WELL AS A RESOLUTION TO AMEND THE MILLS COUNTY LAND USE MAP BY ADOPTING THE SUPPLEMENTAL I-29/HIGHWAY 34 CORRIDOR LAND USE MAP TO THE MILLS COUNTY, IOWA COMPREHENSIVE PLAN ACCORDING TO PRESENT AND POTENTIAL USES.

WHEREAS, Iowa Code Section 335.5 mandates the County Board of Supervisors regulate land development in accordance with a comprehensive plan; and

WHEREAS, the Mills County Board of Supervisors determined that it was in the best interest of Mills County, Iowa to review and revise the Mills County Comprehensive Use Plans and land use map; and

WHEREAS, the Mills County Board of Supervisors concluded that it is in the best interest of Mills County, Iowa to incorporate the I-29/Highway 34 Corridor Overlay District into Chapter 5 of the Mills County Comprehensive Plan; and

WHEREAS, the Mills County Board of Supervisors decided to amend the Mills County Comprehensive Plan, and the Mills County Land Use Map to avoid any confusion concerning the amendment to the Mills County Comprehensive Plan as well as the amendment and addition to the Mills County, Iowa Land Use Map; and

WHEREAS, the Mills County Planning and Zoning Commission held a public hearing on March 1, 2011 on the proposed amendments to the Mills County Comprehensive Plan and the Mills County Land Use Map and made recommendation for approval of such amendments to the County Board of Supervisors; and

WHEREAS, Iowa Code Section 335.6 mandates the Mills County Board of Supervisors hold a public hearing prior to adopting the amendment of to the Mills County, Iowa Comprehensive Plan as well as the Mills County, Iowa Land Use Map; and

WHEREAS, the Mills County Auditor published notice of the time and place of the public hearing considering the amendment to the Mills County, Iowa Comprehensive Plan as well as the amendment to the Mills County,

Iowa Land Use Map in the Glenwood Opinion Tribune on 23 March 2011 and the Malvern Leader on 24 March 2011 as required by Iowa Code Sections 331.305 and 335.6; and

WHEREAS, the Mills County Board of Supervisors held a public hearing on 29 March 2011 at 9:45 a.m. in Mills County Courthouse, Glenwood, Iowa as set forth in the published notice; and

WHEREAS, the Mills County Board of Supervisors duly considered all comments made both for and against the amendment to the Mills County, Iowa Comprehensive Plan as well as the amendment to the Mills County, Iowa Land Use Map; and

WHEREAS, the Mills County Board of Supervisors considered the amendment to the Mills County, Iowa Comprehensive Plan as well as the amendment to the Mills County, Iowa Land Use Map during its meetings on 29 March 2011, 5 April 2011 and 12 April 2011.

NOW, THEREFORE, BE IT
RESOLVED BY THE MILLS
COUNTY BOARD OF SUPERVISORS

I-29/Hwy 34 Corridor Overlay District (CO Overlay)

The CO Overlay District identifies certain areas within the County that have been considered for more specific land use planning based upon their development potential. One such study area includes the interchange and surrounding area of I-29 and new Highway 34. This area falls within the Highway Oriented Commercial District and encourages establishment of additional regulations to control such development, including design guidelines.

A land use plan for the I-29/Hwy 34 Study Area was developed and various land uses were identified. Such land uses are based upon goals and expectations of the County, environmental and man-made constraints, opportunities and development capacities, County beautification, and the County's current Comprehensive Plan. Managing and guiding future change can be accomplished in many ways, with varying degrees of public and private influence. This land use section aims to develop an understanding with appropriate public guidance that encourages and facilitates intelligent and sustainable growth patterns while allowing enough flexibility to allow the market to fluctuate and respond to its changing demands and influences.

The purpose of this I-29/Hwy 34 Corridor Land Use Plan is to guide public and private decisions regarding the use of land in the specified area of Mills County as it evolves over time. The corridor comprises an area lying approximately one half mile (1/2 mile) east of I-29 west to 180th Street and from Old Highway 34 north to approximately two miles north of new Highway 34 and is illustrated in the I-29/Hwy 34 Study Area Land Use Map. This supplemental land use plan assists the County in determining the type, direction, and timing of future growth to the area. The criteria established in this Plan reflect the following:

- ◆ The current use of land within and around the corridor.
- ◆ The desired types of growth, including location of growth.
- ◆ Growth pressures in the county and relocation of Highway 34.
- ◆ Physical characteristic, and strengths and constraints to future growth.

To be useful as a day-to-day decision-making guide with a long-range focus, this I-29/Hwy 34 Corridor Land Use Plan must be flexible enough to balance the seemingly opposite goals of being both adaptable to unanticipated changes and specific to current conditions and issues in the county. The following land uses and descriptions for the area are below.

Commercial

The Commercial land use areas encompass all retail, office and service uses. Commercial uses may vary widely in their intensity of use and impact, varying from low intensity offices, specialty shops, and indoor storage to more intensive uses such as convenience stores, truck stops, restaurants, grocery stores, strip malls, sales and service, or automobile repair.

Mixed Use Commercial

The Mixed Use Commercial land use areas encompass all retail, specialty shops, copy centers, office, educational, medical and service uses. Commercial uses may vary widely in their intensity of use and impact, varying from low intensity offices, to more intensive uses such as convenience stores, truck stops, restaurants, motels/hotels, shopping centers, banks, tourism, and automobile sales. Parking lots are usually shared by adjacent uses.

Office/Business

The Office/Business land use designation refers to a development that will cater to large-scale employers, provide numerous office buildings and flexible configurations, and attract high-paying, professional jobs to this area of Mills County. These areas are generally located along the corridor for visibility and utilize natural or man-made features such as the borrow pit area for aesthetic designs. The Office/Business designation includes such developments as office parks, corporate campuses, and research and development parks.

- ◆ **Office Park** ó Office Parks include small offices and service use enclaves which have similar but lower level intensity uses than a Corporate Campus. These uses generally do not require a high level of visibility or access.
- ◆ **Corporate Campus** ó Corporate Campuses feature a mix of office types, including multi-tenant mid-rise offices, single-tenant corporate offices, medical and post-secondary research facilities, and office support services such as retail, restaurants, and hotels. A Corporate Campus is designed around an integrated master plan. Visibility and access are very important.
- ◆ **Research and Development Park** ó Research and Development Parks provide for research and development facilities and office uses that form the backbone of corporate campus uses. Visibility is important, but excellent access is necessary, especially for deliveries. Large distribution centers, warehouses, truck terminals, and outdoor storage are inappropriate in a Research and Development Park.

Logistical

The Logistical land use area is intended to accommodate warehousing, distribution, employment centers, and secondary educational or training institutions. This particular land use will utilize large open parcels with easy accessibility. Visibility is important, but excellent access is necessary, especially for large truck traffic.

Light Industrial / Flex

The Light Industrial/Flex land use area is intended to accommodate commercial uses and smaller, less intensive industrial uses. Such uses may vary from agriculture retail, service uses, and automobile repair to truck terminals, self storage, warehousing, light manufacturing, and laboratories. Location is important, as proximity to major roads and railroad may be needed and can help ensure heavy traffic, tourism and pedestrian activity centers are avoided. Careful consideration shall be given before designation of any industrial uses so as not to encroach upon or conflict with less intrusive uses or destroy important view corridors. Buffering of these uses to protect the view corridors should be required.

Public

The intent of the Public Use area is to provide areas for specific public and quasi-public uses within the study area. Such uses may include government facilities, educational facilities, visitor centers, interpretive centers, rest areas, and other public or semi-public uses.

Recreation

The intent of the Recreation land use areas are to provide a location within this area of Mills County for county, State or private commercial recreational uses. These areas may be used for various recreational purposes and may be held for future public or private use such as amusement parks, race tracks, golf courses, and ball field complexes. Recreational trails and corridors should also be included in this land use district.

Conservation

The intent of the Conservation land use area is to provide protection for natural resources areas that are critical to the County. Such areas may follow river corridors, critical soils, areas prone to erosion, etc. and may include natural areas, detention or retention facilities, drainage swales, wetlands, floodplain areas, and identified wildlife areas. Recreational trails and corridors should also be included in this land use district where appropriate.

Open Space / Ag.

The Open Space/Agriculture land use area accommodates those undeveloped properties that are intended to benefit the public by remaining undeveloped as open space or parks or continued to be used for less intense agriculture uses such as ranch land and/or row crop farming. Uses within this area include agriculture, parks, passive recreation areas, trails, and natural areas, as well as drainage and flood control structures such as detention or retention facilities, drainage swales, and floodplain areas.

That the Mills County Board of Supervisors hereby adopts the amendment by adding the I-29/Highway 34 Corridor Overlay District to Chapter 5 of the Mills County Comprehensive Plan, for Mills County, Iowa and amending the Mills County Land Use Map to include a supplemental I-29/Highway 34 Corridor Land Use Map. Furthermore, the Mills County Board of Supervisors hereby adopts the amendment to Chapter 5 of the Mills County, Iowa Comprehensive Plan as well as the amendment to the Mills County, Iowa Land Use Map. Motion carried on a roll call vote: Blankenship ó Aye, Kohn ó Aye, Crouch ó Aye.

Motion by Kohn seconded by Blankenship to approve Ordinance 11-01 ó Amendment to Zoning Ordinance and Map of I29/Hwy 34 Corridor Overlay District.

Mills County Zoning Ordinance Amendment
ORDINANCE NO. 11-01

AN ORDINANCE TO AMEND THE COUNTY CODE OF ORDINANCES OF MILLS COUNTY, IOWA, BY AMENDING CHAPTER 27 ó ZONING ORDINANCE AND OFFICIAL ZONING MAP WHICH GOVERNS THE ORDERLY LAND DEVELOPMENT FOR ALL THE UNINCORPORATED AREA OF MILLS COUNTY, IOWA, BY SETTING FORTH THE NEW SECTION 27.7.5 ó CO. CORRIDOR OVERLAY DISTRICT THAT WILL SET SPECIFIC STANDARDS FOR BUILDING AND CONSTRUCTION OF PROPERTY WITHIN THE HIGHWAY ORIENTED COMMERCIAL ZONING DISTRICT AND SET MINIMUM STANDARDS TO HELP PRESERVE AND PROMOTE THE NATURAL FEATURES, PRESERVE THE APPEARANCE OF THE NATURAL AND AGRICULTURAL LANDSCAPE, AND PROMOTE ECONOMIC DEVELOPMENT ALONG AND NEAR THE INTERSTATE AND 29 AND U.S. HIGHWAY 34 INTERCHANGE AND CORRIDOR. SAID STANDARDS WILL BE IN THE CONSTRUCTION OF THE NEW BUILDINGS AS WELL AS LANDSCAPING AND OTHER CONSIDERATIONS. THE MODIFICATION OF SECTION 27.4.2 ó ESTABLISHMENT OF DISTRICTS UNDER SECTION 4 ZONING DISTRICT REGULATIONS. 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. Introductory paragraph of Section 27.4.2 ó Establishment of Districts is hereby repealed and a new Subparagraph of Section 27.4.2 under General Provisions of Chapter 27- Zoning Ordinance of the Mills County Code of Ordinances is hereby enacted as follows:

Section 2.

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.

| BASE ZONING DISTRICTS | DISTRICT NAMES |
|------------------------------|---|
| AG | Agricultural District |
| AR | Agricultural/Residential District |
| LH | Loess Hills Conservation Development District |
| V | Village District |
| C-1 | Convenience Commercial |
| C-2 | Highway Oriented Commercial |
| I | Industrial District |
| OS | Greenway/Open Space Conservation District |
| OVERLAY DISTRICTS | |
| GP | Grading Permit Overlay District |
| PUD | Planned Unit Development Overlay District |
| CO | Corridor Overlay District |

Section 3. AMENDMENT TWO. New Subparagraph added to Section 27.4.2 to add (k) Corridor Overlay District (CO) ó Establishment of Districts under General Provisions of Chapter 27- Zoning Ordinance of the Mills County Code of Ordinances is hereby enacted as follows:

Section 4. (k). Corridor Overlay District (CO): The Corridor Overlay District is intended to promote quality design, preserve the appearance of the natural and agricultural landscape, and promote economic development along and near the I-29 and U.S. Highway 34 interchange and corridor. The regulations

in the overlay district are in addition to those of the underlying zoning district for the property and effect all new or expanded public, commercial, industrial, and mixed used buildings and properties.

Section 5. AMENDMENT THREE. Section 7 Overlay Districts under Subparagraph 27.7.2 has been repealed and a new Subparagraph of 27.7.2 Establishment of Districts General Provisions of Chapter 27- Zoning Ordinance of the Mills County Code of Ordinances is enacted as follows:

Section 6. NEW SUBPARAGRAPH 27.7.2 Establishment of Districts

The following Overlay districts are hereby established.

OVERLAY DISTRICTS

- GP Grading Permit Overlay District**
- PUD Planned Unit Development Overlay District**
- CO Corridor Overlay District**

Section 7. AMENDMENT FOUR. New Title and initial Subparagraph of Section 27.7.5 Corridor Overlay (CO Overlay District has been added to Chapter 27- Zoning Ordinances of the Mills County Code of Ordinances and is hereby enacted as follows:

27.7.5 CO CORRIDOR OVERLAY DISTRICT

a. Intent:

Mills County has established basic site and building development criteria to be implemented within the boundaries of this overlay district. These criteria include, but are not limited to the following: landscaping, building material selection, lighting, and road development. The purpose for regulating these issues is to provide for a cohesive and properly developed corridor area along and near Interstate 29 and Highway 34. Guiding development in this manner promotes the general health, safety and welfare of the residents and property owners within the zoning jurisdiction of Mills County, by providing quality design and construction which will also aid in the protection of past and future investment in the corridor. The regulations in the overlay district are in addition to those of the underlying zoning district for the property and effect all new or expanded public, commercial, industrial, and mixed use buildings and properties. Such criteria provided herein is to be a base set of guidelines. Detailed design guidelines are to be developed and administered through development covenants and approved subdivision agreements. Where regulations are in direct conflict with other regulations in this ordinance, the stricter shall apply.

b. Purpose:

The purpose of these adopted minimum design standards is to promote quality design, preserve the natural features, preserve the appearance of the natural and agricultural landscape, and promote economic development along and near the I-29 and U.S. Highway 34 interchange and corridor. The design standards will encourage design compatibility with the surrounding area, achieve greater architectural cohesiveness and compatibility where appropriate, and minimize the negative visual impacts of site development. These minimum standards shall apply to the design and placement of landscaping, buffers, buildings, and exterior architectural features and finishes.

The purpose of these criteria is to establish a checklist of those items that affect the physical aspect of Mills County. Pertinent to appearance is the design of the site, building and structures, planting, signs, and miscellaneous other objects that are observed by the public.

The criteria contained herein are not intended to restrict imagination, innovation or variety, but rather to assist in focusing on design principles that can result in creative solutions that will develop a satisfactory visual appearance within the county, preserve taxable values, and promote the public health, safety and welfare.

c. Geographic Area:

The CO Corridor Overlay District shall apply to those areas lying approximately one half mile (1/2 mile) east of I-29 west to 180th Street and from Old Highway 34 north to approximately two miles north of new Highway 34, herein referred to as the corridor overlay area. In the event the standards and regulations of this overlay district are in conflict with those of the underlying zoning district, the standards and regulations of the overlay district shall apply. If a site or property is partially covered by said overlay district, then the entire portion of the site or property facing the corridor is to be covered by these regulations. For a graphically defined area, see the Official Zoning Map of Mills

County.

d. Permitted Uses:

The following principal uses are permitted in the CO District and location of specific uses is determined by the current land use plan.

- (1) All permitted uses contained in the underlying base zoning district unless specifically noted in these regulations, and except for:
 - (a) livestock sales
 - (b) primary education
 - (c) religious assembly
 - (d) funeral services
 - (e) large alternative energy production devices

e. Special Uses:

The following uses are subject to any conditions listed in this Ordinance and are subject to other conditions relating to the placement of said use on a specific tract of ground in the CO Overlay District as approved by the Zoning Board of Adjustment. Location of special uses is determined by the current Land Use Plan.

- (1) All special uses contained in the underlying base zoning district unless specifically noted in these regulations, and except for:
 - (a) residential uses
 - (b) detention facilities
 - (c) recycling processing
 - (d) construction batch plants
 - (e) landfills

f. Minimum Lot Requirements:

The minimum lot size for all commercial and industrial developments within the Corridor Overlay district shall be 20,000 square feet, provided such lots have public/community water and public /community sewer. All other lot requirements and setbacks are subject to the underlying zoning district regulations.

g. Criteria for Application:

All commercial and industrial building projects within the required geographic region shall comply with the Corridor Overlay District standards and regulations. The Developer shall place maintenance provisions required by this section and specific design guidelines within all restrictive covenants. The application and review procedure for a site plan review shall be as follows:

(1) Pre-application Conference

- (a) The applicant shall schedule and attend a pre-application conference with the County planner or representative of the Mills County Building and Zoning Department no more than 60 days prior to submitting a complete site plan application. Site plan information shall be submitted to the Building and Zoning Department at least 14 business days prior to the pre-application conference in a form identified by the Building and Zoning Department.
- (b) The purpose of the pre-application conference shall be for the applicant to review the site plan with the Building and Zoning Department and other departments, as appropriate, and to identify any initial conflicts between the site plan and these standards.

(2) Site Plan Application

- (a) The applicant shall submit a complete application in accordance with the county requirements.
- (b) The application generally shall be made within 60 days of the pre-application conference.

(3) Design Review Committee.

The application shall be sent to the Mills County Design Review Committee for review and recommendation prior to either a Building and Zoning Department or Planning and Zoning Commission consideration of the application.

(4) Building and Zoning Department Review and Decision on the Site Plan

- (a) For site plan applications that are considered by the Building and Zoning Department, the Building and Zoning Department shall review the application

and make a decision to approve, approve with conditions, or disapprove the site plan application in accordance with these standards and State law.

(b) For site plan applications considered by the Planning and Zoning Commission, the Building and Zoning Department shall review the site plan application and prepare a recommendation for the Planning and Zoning Commission. The Planning and Zoning Commission shall hold a public meeting to review the application and make a decision to approve, approve with conditions, or disapprove the site plan application in accordance with this ordinance and State law.

(5) Approval Criteria

Recommendations and decisions on a site plan shall be based on consideration of the following criteria:

- (a) That the proposed development is consistent with all the requirements of these standards and other related codes and ordinances enforced by the county;
- (b) That the proposed development is in compliance with the applicable base district and overlay districts; and
- (c) That the proposed development meets all the requirements or conditions of any applicable development approvals (e.g., rezoning or special use permit approval).

(6) Time Limit

(a) Unless otherwise specified in the site plan approval, an application for a building permit shall be applied for and approved within one year of the date of the site plan approval or the site plan shall become invalid. Permitted timeframes do not change with successive owners.

(b) Upon written request, one extension of one year may be granted by the Building and Zoning Department if the applicant can show good cause.

(7) Amendments of an Approved Site Plan

(a) If an applicant desires to amend an approved site plan, then the amendment may be made without the approval of the Building and Zoning Department with the exception of those changes stated in paragraph (b) below. However, if a proposed change will, in the opinion of the Building and Zoning Department, substantially affect the terms of the original approval or would result in significant adverse impacts on the surrounding properties or the county at-large, then a re-submittal to the Building and Zoning Department or the Planning and Zoning Commission (as appropriate) shall be required pursuant to the provisions of this ordinance.

(b) A change to an approved site plan shall require a re-submittal to the decision making body responsible for the original approval, if:

- (i) The density of the development is to be increased;
- (ii) The gross square footage of nonresidential buildings is to be increased or the number of stories is to be reduced or increased;
- (iii) Required landscaping materials are to be deleted;
- (iv) Required open space is to be deleted;
- (v) There is any change in plans for historic structures or sites; and/or
- (vi) Drainage, streets, or other engineering design changes will materially alter items approved in the rezoning or subdivision approval.

Identify categories of changes that should subject the site plan to re-review and approval, such as stormwater issues.

(8) Certificate of Occupancy and Maintenance

(a) Certificate of Occupancy Permit: After the zoning permit is issued, all design requirements must be completed as approved in order for a Certificate of Occupancy to be issued.

(b) The property owner is required to maintain the design requirements of the project. Neglect in maintaining the structure's appearance, landscaping, lighting and other design requirements may result in the revocation of the Occupancy Permit.

(9) Structures Required for Review

(a) All developments consisting of one principal building with single or mixed uses shall comply with the design criteria of this section.

(b) All developments consisting of more than one principal building, mixed-uses,

multiple-pad development and/or similar developments shall also comply.

(c) Rehabilitation

The model design standards shall apply to existing, conforming development within the corridor when changes (renovation, restoration, modification, addition, or retrofit; collectively referred to as rehabilitation) are proposed to a structure or a site that will meet or exceed the standard of 20 percent of the existing size of the structure or 50 percent of the current appraised value of the structure or site, as established by the county, whichever is less. Rehabilitation costs or measurements shall be aggregated over a five year period to determine whether the rehabilitation is subject to the design standards.

Rehabilitation projects shall conform to the model design standards to the greatest extent possible. Where conformance is not possible, for all or any part of a standard, the applicant shall provide written explanation for each area of non-compliance.

(d) Exceptions

The standards shall not apply to construction of individual homes on existing lots or agricultural use and operations, but shall apply to new developments and/or subdivisions that consist of one or more lots.

h. Criteria for Appearance:

(1) General Design Standards

The goal and purpose of these design standards is to create a sense of place within the county. Here, the design standards are intended to establish the baseline requirements for design that reflects the desired regional character, while allowing flexibility for individual project design that works with the jurisdiction of Mills County.

The following standards are applicable to all development types:

(a) Protection of Natural Features, Resources, and Sensitive Areas

(i) Intent

Protect significant natural features, resources, and sensitive areas (ie. flood plain, wetlands, loess hills, etc.) in order to minimize the impacts of development on the environment and create more distinctive site development. Where appropriate, natural features, resources, and sensitive areas may be used as amenities to enhance the value of development.

(ii) Standards

Development shall be organized and designed to protect, appropriately use, or enhance the following types of natural resources and features. This shall be accomplished by restricting development in these areas and then including such features in common landscaped areas or dedicated open space, by allowing construction in these areas sensitive to the protection of these features, or by mitigating impacts. If possible, these features shall be connected or integrated with similar features on adjacent lands. The following features shall be given consideration in this category:

- Water features (in addition to floodplains, which are dedicated);
- Parks and public open space areas on or adjacent to the site;
- Historic or archeological sites or areas that have been recognized by the local governing body as significant;
- Significant views of the Missouri River and Loess Hills and other significant views from the I-29 and Highway 34 roadways;
- Riparian wildlife habitat, as identified by State and/or Federal Agencies;
- Other natural features such as bluffs, ridges, steep slopes, stands of mature trees, rock outcroppings, or wetlands; and
- Noise corridors/envelopes.

In addition,

- a. Development shall be prohibited from locating within the 100-year floodplain boundary as defined by the Federal Emergency Management Agency.
- b. Development shall be set back a minimum of 100 feet from the edge of a wetland or natural area as defined by the Mills County. Where an existing setback is in place, the larger of the two shall apply.

c. Many best management practices (BMPs) for the protection of natural features exist and may be applicable within the corridor.

(b) Open Areas and Amenities

(i) Intent

Developments shall dedicate and develop open space, trails, and amenities in accordance with the Mills County Comprehensive Plan, adopted master plan, and the adopted subdivision regulations. "Open areas" means unoccupied space on the same lot with the building subject to the open area requirement and shall consist of private open space, open recreational facilities, and areas used exclusively for pedestrian and non-motorized traffic. Parking lots, recreational vehicle and equipment storage areas, public and private roadways, and structures shall not be considered "open areas".

(ii) Standards

To the maximum extent practicable, and in accordance with any applicable subdivision regulations, open areas shall be organized so as to include or protect as many of the natural resources and features identified in the previous section as possible.

a. Open areas shall be organized so as to create integrated systems of open areas that connect with the following types of lands located within or adjacent to the development plan or plat:

- Dedicated park lands;
- Dedicated open spaces;
- Any local or regional trail or open space system; and
- Activity or community centers.

b. Each open area shall be adjacent to or visible from at least one dedicated public street or public site of the development. The majority of open areas shall not be located in isolated corners of the development, in peripheral strips along the borders of the development, or in unconnected patterns unless such a location is necessary to achieve one of the connections or visibility requirements.

c. Stormwater management systems shall be located, designed, and managed to serve as visual amenities, entryways features, or opportunities for passive recreation whenever possible.

d. The following stormwater management techniques, when designed pursuant to generally recognized standards and specifications and when long-term maintenance is provided, may be included as open space and may qualify for a reduction in required landscaping up to 10 percent of the total:

- Bioretention facilities,
- Rain gardens,
- Infiltration swales and trenches, or
- Any alternative method identified by the jurisdiction.

e. On sites with existing, mature trees, at least twenty percent of significant trees shall be preserved or transplanted on the site. For the purposes of this section, "significant" trees include the following:

- Deciduous trees with 12 inch minimum caliper;
- Evergreen trees 12 feet or more in height; or
- Groups or stands of 10 or more trees with a minimum caliper of six inches.

Significant Tree Replacement.

- Where significant trees cannot feasibly be preserved, the total caliper inches of the tree(s) that are removed shall be replaced by the same caliper inches of new trees. If trees cannot be replaced size for size then additional trees are required. The new trees shall either be of the same or similar species, or if identified by the Building and Zoning Department for species diversification, shall be from a list of permissible species approved by the County through the Iowa State University County Extension Office.
- If site limitations affect the ability of the applicant to replace the total caliper inches of the removed tree(s), the county may allow the applicant to reduce the replacement measurement in an amount that

allows for the maximum replacement of caliper inches feasible on the site. This reduction may not exceed 50 percent of the total caliper inches removed. Where this reduction is applied, the applicant shall make a contribution to the county's Tree Fund for the overlay district area for the remaining caliper inches not replaced. The amount of the in-lieu fee shall be calculated as the cost to replace the remaining total caliper inches not planted with new trees with new trees of the same or similar species purchased wholesale at two inch caliper.

- The Tree Fund shall be used to replace or provide new trees within the corridor overlay district area of Mills County.

(c) On-Site Automobile, Pedestrian, and Bicycle Circulation

(i) Intent

Create an efficient vehicular circulation system that avoids the creation of large, isolated tracts without routes for through traffic. Create a safe, continuous pedestrian and bicycle network that minimizes conflict with vehicular movement while promoting a convenient option for movement within and between developments.

(ii) Standards

- All developments shall provide pedestrian and vehicular connections to each adjoining public street.
- Primary circulation and access to and from non-residential use areas shall be oriented toward collector and local roads.
- All on-site sidewalks and pedestrian walkways shall be a minimum width of five feet. All trails and sidewalks designated as part of a trail system shall be a minimum of ten feet in width.
- All sidewalks and pedestrian walkways shall be aligned and connected with those on adjacent properties and public rights-of-way.
- Private full movement driveways giving access to development sites shall be aligned across public streets to contribute to circulation efficiency unless determined otherwise by the local government.
- On-site sidewalk systems (or identified walkways) shall provide pedestrian connections that do not require walking across grass, landscaped areas, or the drive lanes of parking areas.
- Each point at which the system of sidewalks or walkways must cross an internal street, drive, or parking lot shall be clearly marked through the use of: change in paving materials, height, or distinctive colors.
- The hardscape features described in this section, e.g. sidewalks, driveways, etc., should seek to minimize imperviousness whenever possible and be designed to complement the LID (low impact development) stormwater management features on the site with proven engineered design.
 - All parking requirements shall meet the minimum standards for the use of the property and parking and related drive-thru uses shall be designed to promote efficient circulation.

(d) On-Site Surface Parking

(i) Intent

Parking areas shall be designed and located to minimize negative visual impacts, particularly as viewed from I-29 and Highway 34, frontage streets, and adjacent residential developments. All parking requirement shall follow off-street parking requirements within the Mills County Zoning Ordinance in addition to those provided herein:

(ii) Standards

- All applicable local minimum off-street parking and loading requirements shall be met and all parking shall be hard surfaced and striped.
- No more than 50% of a site's frontage along: 1) I-29 and Highway 34 or 2) an I-29 or Highway 34 frontage road shall be occupied by parking. If a property has dual or reverse frontage on both I-29 and Highway 34 and a frontage road, this standard shall apply to the frontage on I-29 and Highway 34.
- Garage entries, carports, and parking structures shall be internalized in

building groupings or oriented away from street frontage to the maximum extent feasible.

d. The number of contiguous parking spaces shall be limited to 20 and each block of 20 shall be separated from each other by at least one of the following methods:

- A landscaped island that separates the blocks and is at least nine feet wide;
- A pedestrian walkway or sidewalk within a landscaped median that is at least nine feet wide;
- A decorative fence or wall, a minimum of three feet in height, bordered by five feet of landscaping on at least one side;
- An access drive or public street bordered by five feet of landscaping on at least one side; or
- A building or buildings.

e. All of the required landscaped areas must contain a minimum of 75 percent living landscaping material, with a maximum of 25 percent nonliving landscaping material. Approved sidewalks are not counted toward the non-living landscape material percentage.

f. Parking lot design should incorporate terminal islands at the end of parking row. Divider strips between parking rows should be used to help disperse the required landscaping throughout the entire parking lot.

g. Large areas of parking (50 or more spaces) shall be distributed between the back or sides of a building, with not more than 50% of the parking for the entire property remaining between the principal building and the primary abutting street.

h. The perimeter of all parking areas shall be buffered from adjacent streets, public rights-of-way, public open space, and adjacent uses by at least one of the following methods:

- A berm three feet high with a maximum slope of 3:1 in combination with evergreen and deciduous trees and shrubs;
- A hedge at least three feet high, consisting of a double row of shrubs planted three feet on center along 75% of the perimeter length; or
- A fence or wall at least three feet high in combination with landscaping.

i. All plant materials shall be installed in the following minimum sizes:

- Deciduous shade trees 6 2 inch caliper
- Ornamental trees 6 2 inch caliper
- Evergreen trees 6 5 feet high
- All shrubs 6 5 gallon container
- Groundcover, annuals, and perennials 6 1 gallon container

(e) Landscaping and Buffers

(i) Intent

Create an attractive environment along the edges of each development parcel, open space, and pedestrian area, and use landscaping to break-up the apparent size and monotony of parking areas.

(ii) Standards

a. Interstate/Highway Buffer

- Developments with a site perimeter directly adjacent to the I-29 and Highway 34 corridors shall provide a landscaped buffer of at least 50 feet wide between the building or parking lot edge and the right-of-way or frontage road. Buffers shall consist of informal clusters of deciduous and evergreen trees and shrubs planted in an offset pattern and shall include a minimum of one tree and 10 shrubs per 25 lineal feet of frontage. Uses inside the buffer may include:
 - Permitted entrances;
 - Underground utilities;
 - Pedestrian and bike trails;
 - Stormwater management facilities; and
 - Frontage roads with a minimum buffer of 40 feet.

- For lots that exist prior to the adoption of these regulations, the following buffer exceptions shall be applied:
 - If the minimum buffer width exceeds 25% of the lot length then the buffer width shall be reduced by half; however in no case shall the buffer width go below 20 feet.
 - Where a lot is previously developed and a primary structure encroaches into the minimum buffer area, the building line of the existing structure shall be used as the setback line for future development provided it meets the minimum setback for the zone district.

b. Minimum Landscaping

A minimum of 20% of a site's total square footage (not including any Interstate/Highway Buffer) shall be reserved for landscaping consisting of a variety of trees, turf grasses, shrubs, annual and perennial flower species, mulches, and/or ground covers.

c. Setback Buffer

Building setback areas along all arterial, collector, or local roads/streets, as well as private streets and internal drives shall be landscaped with a minimum of one tree for every 40 lineal feet of frontage.

d. Plant Materials

- A current list of acceptable plant materials, including native plants, for the area can be obtained from the Iowa State University County Extension Office. Coniferous trees shall not be used as street trees.
- Trees shall have an average spread of crown of greater than 15 feet at maturity. Trees having a lesser average mature crown of 15 feet may be substituted by grouping the same so as to create the equivalent of 15 feet crown of spread.
- Hedges, where installed, shall be planted and maintained so as to form a continuous, unbroken, solid visual screen which will be three feet high within one year after time of planting.
- Upon installation of required landscape materials, each owner shall take actions to ensure continued health and maintenance of such. Required landscaping that does not remain healthy shall be replaced consistent with these regulations or any other approved guidelines.

e. Deer Fence

Any deer fence constructed by the Iowa Department of Transportation is exempt from these design standards.

f. To the maximum extent possible, site landscaping shall include native landscape elements.

g. To the maximum extent possible, each landscaped area shall promote "water smart" landscaping through plant material and design.

h. If native landscape elements are used, these plant materials shall not be permitted to overhang, extend, or encroach onto any private properties, or public sidewalks, streets, or alleys that are adjacent to the lot, tract, or parcel on which it is planted.

i. No plant material shall obstruct, obscure, block, or impede regulatory, warning or street identification signs; required sight triangles; or street lighting required to ensure the safe mobility of vehicles and pedestrians on streets, trails, and sidewalks.

j. If native landscape elements are used, these plant materials must be cut at least once annually between April 15th and July 15th to a height no greater than ten (10) inches.

(2) Development Pattern/Site Layout

(a) Intent

Identify standards required to create a pedestrian-oriented scale and Appearance within development centers.

(i) Standards

- a. To the maximum extent possible, development on larger sites containing multiple buildings shall be composed of a series of blocks of development defined by streets and driveways that provide links to adjacent streets along the perimeter of the site.
- b. New buildings located along a street frontage shall, to the maximum extent feasible, align building walls with existing adjacent buildings and buildings across the street to help create a consistent building edge.
- c. New buildings shall be oriented so that loading bays, dock and service areas are not visible from the corridor and public right-of-way, or otherwise screened from view of such corridor and public right-of-way with landscape and/or earthen berms or other building materials.
- d. Unless part of a larger planned development or commercial center:
 - When there is one building with a single tenant, the building's active wall shall be oriented toward the primary abutting street; or
 - When there is one building with multiple tenants, at least 50 percent of the building's active wall shall be oriented toward the primary abutting street.
- e. Where there is more than one building in a development, all principal and pad site buildings shall be arranged and grouped so that their primary orientation complements adjacent, existing development and either:
 - Frames the corner of an adjacent street intersection;
 - Frames and encloses a main street pedestrian and/or vehicle access corridor within the development site;
 - Frames and encloses on at least three sides parking areas, public spaces, or other site amenities.
- f. To the maximum extent feasible, building layout shall follow and respect the natural topography of the site. Berms, channels, swales, and similar man-made change to the landscape shall be designed and graded to be an integral part of the natural landscape and to provide a smooth transition in changes in slope.

(3) Building Design

(a) Intent

Provide a high quality architectural character in all commercial and industrial developments.

(b) Standards

(i) Building Orientation

Buildings on lots that front the I-29 and Highway 34 corridors and other roads/streets in the overlay district area should be oriented to present a front or side view to the street/highway/interstate roadways. Architectural or landscape features are also encouraged to be located facing the roadways.

(ii) Four-Sided Design

These standards shall apply to the primary façade of a building and all sides of the building where visible from public rights-of way, adjacent residential properties, and park/recreation areas shall include design characteristics and material consistent with those of the primary façade, except as provided. Additional building screening shall be required where certain façade requirements are waived by the county.

(iii) Building Form

The design of all buildings shall avoid incorporating monotonous, unbroken flat walls through the use of textured surfaces, projections, recesses, shadow lines, color, window patterns, overhangs, reveals, changes in parapet heights, and similar architectural devices. Buildings having single walls exceeding 50 feet in length shall incorporate two or more of the following at 50 foot intervals:

- a. Changes in color, graphical patterning, changes in texture, or changes in material(s);
- b. Projections, recesses, and reveals with a minimum change in plane of 24 inches;
- c. Windows and fenestration;
- d. Arcades and pergolas;
- e. Towers;
- f. Gable projections;

- g. Horizontal/vertical breaks; or
- h. Other similar techniques.

(c) Franchise Architecture

Franchise architecture that meets minimum standards is allowed. National standard, prototype, or trademark designs should be adapted to be compatible with these standards.

(d) Building Materials and Colors

- (i) Intense, bright, or fluorescent colors shall not be used as the predominant color on any wall or roof of any primary or accessory structure. These colors may be used as building accent colors, but shall not constitute more than 10% of the area of each elevation of the building. Permitted sign areas shall be excluded from this calculation.
- (ii) Highly reflective or glare producing glass with a reflectance factor of .25 or higher is prohibited on all façades. Such prohibition shall apply whether the glass is used in windows or spandrels areas.
- (iii) All building façades visible from the I-29 and Highway 34 corridors shall be finished with the same mix of materials and colors and the same degree of fenestration and articulation used on the major entry walls that are the front of the building.

(e) Roofs

- (i) Roof types should be related to the building's function and character. Gabled and pitched roofs are generally appropriate for one and two-story construction, while more massive buildings are best suited for hipped roofs or flat roofs placed behind a parapet wall.
- (ii) Sustainable roofs are encouraged. Sustainable roofs include:
 - a. Cool roofs that for a minimum of 75 percent of the total roof surface have a Solar Reflectance Index (SRI) of 78 or higher for a roof with a slope of 2:12 or less, or 29 or higher for a roof with a slope greater than 2:12; or
 - b. A vegetated roof consisting of a minimum of 50% of the total roof surface.

(f) Screening and Fencing

- (i) Rooftop Equipment and Screening. All rooftop mechanical equipment and vents greater than eight inches in diameter shall be screened from the immediately adjacent rights-of-way. Screening may be done either with an extended parapet wall or a free-standing screen wall. Screens shall be at least as high as the equipment they hide, and shall be of a color material matching or compatible with the dominant colors and materials found on the façades of the primary building.
- (ii) Service Area and Loading Dock Screening. Loading docks, on-site storage yards, and all other service areas shall be oriented away from the roadways, where possible, and shall be fully screened from view from all public and private rights-of-way by berms, walls, fences, and/or opaque landscaping. Screens shall be of a color material matching or compatible with the dominant colors and materials found on the façades of the primary building. The screen height shall be of sufficient height to hide the equipment, vehicles, materials, or trash being screened from public view, but in no case shall the screen exceed 10 feet. Chain link fences, with or without slats, shall not be used to satisfy this screening requirement.

(g) Lighting

Lighting standards and fixtures for the roadways, parking areas and drives within the commercial and industrial building areas shall be similar in appearance and quality level. Such style shall be submitted by the developer, determined by the county, and adopted as part of established covenants and/or subdivision agreement.

(4) Towers, Alternative Energy, Signs

(a) Cell Towers

Within the corridor overlay district, the use of stealth cell towers with regionally appropriate design is strongly recommended and shall meet all required regulations.

(b) Solar Energy

- (i) Purpose
This section is intended to promote the compatible use of solar energy systems and to assist in decreasing Mills County's dependence upon nonrenewable energy systems through the encouragement of solar energy systems for the heating of buildings and water.
- (ii) Standards
Solar energy systems shall be a permitted use. Private restrictions on solar energy systems, such as business owners association covenants or restrictions, are not permitted.
- (iii) Height
In solar retrofit installations, solar energy collectors, storage tanks and equipment, roof ponds, or other solar equipment appurtenant to a solar energy system may exceed by three feet the local maximum height limits. Systems taller than three feet above any maximum height shall be subject to local approval.
- (iv) Setbacks
In solar retrofit installations, solar energy collectors, storage tanks and equipment, roof ponds, or other solar equipment appurtenant to a solar energy system may extend into the required setbacks a maximum of three feet. Systems extending more than three feet into any required setback shall be subject to local approval.
- (v) Conflict with Other County Policies and Ordinances
Nothing in this subsection does, or is intended to abrogate the owner's responsibility to meet all other requirements of the county's land use regulations, including, but not limited to, the preservation of private and public views, the quality of architectural design, and the preservation of historic landmark structures.

(5) Small Wind Energy Systems

- (a) Purpose
This section is intended to promote the compatible use of small wind energy systems. Wind energy is an abundant, renewable, and nonpolluting energy resource. When converted to electricity, it reduces our dependence on nonrenewable energy resources and reduces air and water pollution that result from conventional sources. Distributed wind energy structures also enhance the reliability and power quality of the power grid, reduce peak power demands, and increase local electricity generation.
- (b) Standards
Small wind energy systems shall be limited to one (1) tower and shall be permitted on lots of at least 20,000 square feet that are not adjacent to residential uses. They are subject to the following requirements:
 - (i) Setbacks
A wind tower for a small wind system shall be set back a distance of 1.0 times its total height from:
 - a. Any public road right-of-way, unless written permission is granted by the governmental entity with jurisdiction over the road;
 - b. Any overhead utility lines, unless written permission is granted by the affected utility; and
 - c. All property lines, unless written permission is granted from the affected land owner or neighbor. Written permission must be recorded in the property chain of title and will run with the land.
 - d. No part of the system, including guy wire anchors, may be closer than five feet from any property boundary.
 - (ii) Access
 - a. All ground mounted electrical and control equipment shall be labeled or secured to prevent unauthorized access.
 - b. The tower shall be designed and installed so as to not provide step bolts or a ladder readily accessible to the public for a minimum height of eight feet above the ground.
 - (iii) Lighting
A wind tower and generator shall not be artificially lighted unless such lighting is required by the Federal Aviation Administration. A light temporarily used to inspect a turbine, tower, and associated equipment is permissible, providing said light is only used for inspection purposes and not left on for an extended period of time.

(iv) Decibel Levels

Decibel levels for the system shall not exceed the lesser of 60 decibels (Dba) as measured at the closest neighboring inhabited dwelling, except during short-term events such as utility outages and severe wind storms.

(v) Signs

All signs, other than the manufacturer's or installer's identification, appropriate warning signs, or owner identification on a wind generator, tower, building, or other structure associated with a small wind energy system visible from any public road shall be prohibited.

(vi) Code Compliance

A wind energy structure including tower shall comply with all applicable State construction and electrical codes, and the National Electrical Code as adopted by the county.

(vii) Height

- a. The maximum height of a wind energy system shall comply with the underlying zoning district.
- b. The structure shall comply with all applicable Federal Aviation Administration requirements, including but not limited to Subpart B (commencing with Section 77.11) of Part 77 of Title 14 of the Code of Federal Regulations regarding installations in excess of 200 feet in height and, installations close to airports. The system shall also comply with any and all Iowa aeronautics regulations.

(viii) Met and New Technology

- a. Temporary meteorological (Met) towers shall be permitted under the same standards as a small wind energy system, except that the requirements shall be the same as those for a temporary structure. A permit for a temporary met tower shall be valid for a maximum of three (3) years after which an extension may be granted. Permanent Met towers may be permitted under the same standards as a small wind energy system.

(6) Commercial Wind Energy Systems

Commercial wind energy systems shall not be permitted to locate within the corridor overlay district.

(7) Signs

Local and IDOT sign standards shall apply in the corridor overlay district, except as modified in this section:

(a) The combined area of all wall signs attached to any façade of a building shall not exceed twenty five percent of the façade area of the building (including doors and windows).

(b) Roof signs are not permitted, and wall signs shall not extend beyond the top edge of any façade of the building.

(c) Projecting signs shall not project over public property more than 1/3 the distance from the building to the curb, and not project into a public alley or public parking lot. A sign shall not project over the street line. Projecting signs shall fit within the architectural features of the building and be a minimum of eight feet above the ground.

(d) Projecting signs shall not exceed 15 square feet per building face.

(e) Window signs shall consist of lettering applied to the interior of display windows.

(f) Window signs shall not fill up more than 20 percent of the window area, and shall be limited to letters of 8 inches or less in height.

(g) Billboards shall not be permitted in the district.

(h) Pole signs shall be limited to on premise only and all other regulations of the underlying zoning district shall apply.

(i) All freestanding signs shall be monument signs (i.e., the lower edge of the sign is attached to a foundation with no visible air space in between the lower edge of the sign face and the foundation) constructed of materials that are similar to or are compatible in quality and appearance with the primary materials used on primary buildings on the site. The addition of skirting between the lower edge of the sign face and the foundation of a pole sign, in order to avoid visible air space between the two, is prohibited.

(j) The maximum height of a monument sign shall be 12 feet above grade along the I-29 and Highway 34 corridors and eight feet above grade for internal streets, and the maximum sign face of a monument sign shall be 24 square feet, or comply

with the regulations of the underlying zoning district, of which the stricter of the two shall apply. If the monument sign is oriented approximately perpendicular to the street frontage, or if it is located diagonally on a corner lot in order to be seen from two streets, it may contain a sign face of up to 24 square feet on each of its two sign faces. Maximum sign areas shall apply to each lot or parcel, and not per street frontage or per user.

(8) Commercial, Office, and Business Development

(a) Intent

These standards focus on the development of commercial, office, and business development at a scale that meets local needs with design elements that are geared to a human scale with a site balance between pedestrian and vehicle preferences.

(b) Standards

(i) Preferred Location

Commercial, office, and business development should be concentrated within activity centers at the interchange and Highway 34 intersections. These uses should not be developed in a linear strip along frontage roads.

(ii) Building Design

a. Exterior Building Materials

- Permitted exterior building materials shall be high quality, durable materials that include, but are not limited to, brick; native or manufactured stone (Renaissance stone or similar masonry materials); integrally colored, burnished, textured, or glazed concrete masonry units; pre-finished metal panel systems; quality metals such as copper; high quality pre-stressed concrete systems; tilt-up concrete panels with an architectural finish; and drainable (water managed) EIFS.
- The following exterior materials are prohibited: split shakes, rough sawn wood; painted concrete block; tilt-up concrete panels without an architectural finish; field-painted or pre-finished standard corrugated metal siding; standard single- or double-tee concrete systems; or barrier type EIFS. Any of these materials may be used as accent materials provided they do not exceed 10% of the associated façade.
- Materials on all sides of the building shall be consistent with materials and colors of the front façade when visible from public streets and trails and adjacent residential areas.

b. Pedestrian Scale Details

To promote a sense of human scale, special accent materials and design details shall be incorporated into all first floor façades and paving areas abutting pedestrian walkways. Such features shall include, but are not limited to:

- Changes in paving patterns and materials at pedestrian building entrances and other significant pedestrian locations.
- Special decorative wall patterns, textures, accent materials, or graphics;
- Reveals;
- Special architectural features marking pedestrian entries; and
- Display windows (Darkly tinted and mirrored windows are prohibited as ground floor windows or doorways).
- All pedestrian circulation design and building access shall be ADA compliant
- The development and layout of internal street systems shall promote pedestrian linkage, accessibility, and interconnectivity among commercial uses within a development.
- All pedestrian walkways shall be designed to maximize access to commercial entryways, places of social interaction, parks, and parking areas.

c. Common Architectural Theme

All use, buildings, and areas in a commercial, office, and business development shall share common architectural and landscaping themes, materials, and styles.

Each commercial, office, and business development shall create its own identity with unique design themes based on a palette of compatible rooftops, materials, and colors. Both pads and anchor stores shall incorporate all such thematic design, materials, landscaping, roof types, and colors.

- Highly visible commercial or office entryways are required to incorporate canopies, awnings, outdoor patios, arcades, display windows, and/or overhangs.
- All new commercial, business or office buildings shall be constructed with a base; middle; and top. Each component shall be articulated through horizontal and/or vertical articulation, which may consist of changes in the wall plane, use of openings and projections, material changes, and/or color variations

d. Building Height

Structures shall not exceed the height requirement of the underlying zoning district.

e. Building Orientation

The main or front façade of all commercial or office units shall orient to a public street/road.

c) Mass Retail Standards

(i) Applicability

These standards are applicable to all single-story retail buildings containing 40,000 square feet or more of gross floor area.

(ii) Façade Articulation

Each façade greater than 50 feet in length, measured horizontally, shall incorporate wall plane projections or recesses having a depth of at least two feet and extending at least 20% of the length of the building.

(iii) Façade Design

Each building façade shall have a repeating pattern that includes no fewer than three instances of either:

- a. Color change;
- b. Texture change;
- c. Material change; or
- d. Expression of an architectural or structural bay through a change in plane no less than 12 inches in width.

At least one of those elements shall repeat horizontally at an interval of no more than 30 feet.

(iv) Concealing Equipment

Each building shall have either (i) overhanging eaves extending at least three feet past supporting walls, or (ii) parapets to conceal rooftop equipment from public view. If parapets are incorporated, they shall have an average height of no more than 15% of the supporting wall, a maximum height at any point equal to 33% of the height of the supporting wall, and three-dimensional cornice treatments.

(v) Customer Entrances

Each building shall have clearly defined, highly visible customer entrances featuring at least three of the following elements:

- a. Canopies or porticoes;
- b. Overhangs;
- c. Recesses or projections;
- d. Arcades;
- e. Arches;
- f. Peaked roof forms;
- g. Outdoor patios;
- h. Display windows;
- i. Architectural tile work or moldings integrated into the building design;
- j. Integrated planters or wing walls that incorporate landscaped areas or seating areas.

(vi) Outdoor Amenities

Each site containing a mass retail building shall provide at least two of the following within a public area that measure at least 1,000 square feet:

- a. Patio or seating area;

- b. Pedestrian plaza with benches;
- c. Window shopping walkway;
- d. Outdoor playground;
- e. Water feature; or
- f. Other deliberately shaped and highly visible outdoor amenity such as public art.

(9) Industrial, Transportation , and Warehousing Development

(a) Intent

This section is intended to provide minimum design standards to ensure that where industrial, transportation , and warehousing development occurs with other development types that the industrial, transportation and warehousing structures are designed in keeping with the overall development pattern.

(b) Standards

(i) Building Design

a. Concrete tilt-up buildings are allowed subject to the following standards:

- Panels shall be embossed with reveals that repeat a common pattern.
- All elevations visible from a public or private street shall include variable parapet heights and two feet minimum projections with the distance between not to exceed 60 feet.
- All main entries (or storefronts) shall be identified by the use of an arcade, covered entry, spandrel glass, or other similar architectural feature.

b. Metal is prohibited as a primary exterior surface material on industrial, transportation, or warehousing buildings (including manufacturing, storage, distribution, or assembly buildings) on the side of the building oriented to the corridors or other public road/street. Metal may be used as a trim material on the side of the building oriented to the corridor or other public street, covering no more than 30% of the façades of such buildings.

(ii) Landscaping - Exterior Boundaries

A landscaped buffer of a minimum of 25 feet in width shall be maintained within and along the exterior boundaries of any development or industrial park, except those portions of the boundaries adjacent to dedicated public streets and alleys.

(iii) Landscaping - Developed Lots

All of a developed lot except that portion covered by buildings, parking lots, and driveways, shall be landscaped. Landscaping may consist of grass, trees, decorative walls, screenings, terraces, fountains, pools, or other landscaping approved by the local jurisdiction. Proposed landscaping shall be included upon the preliminary plat. Landscaping in accordance with the approved final plat and subdivision agreement is mandatory.

(iv) Outdoor Waste Storage - Screened From View

Outdoor storage of waste material or refuse and all refuse collection bins, cans, or other containers shall be concealed from view such that the same cannot be seen from any point under ten feet in height outside of the district, or from any point, indoors or outdoors, on adjoining property within the district.

(v) Landscaping - Interior Property Lines

A landscaped buffer of a minimum of ten feet in width shall be established and maintained along the interior of property lines of all lots in any development or industrial park, except for those areas used for ingress and egress to the property through curb-cuts opening onto dedicated public streets and alleys.

Section 8. 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 9. REPEALER. All other ordinances, rules, regulations, or part thereof, in conflict with this ordinance are hereby repealed by this ordinance.

Section 10. 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 11. 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 12. 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: Aye: Blankenship ó Aye, Kohn ó Aye, Crouch ó Aye.

Motion by Blankenship seconded by Kohn to purchase a SWICIVIL computer software license from Shield Technology for the Sheriff's office with a total cost of \$13,000; half of which will be paid from the current year's budget and the second half after July 1, 2011. Motion carried on a vote: Ayes: 3 Nays: 0

The Board received the March month end reports.

Pete Franks and Becky Killpack, Mills County Treasurer, updated the Board on the remodel of the Treasurer's office. Franks suggested putting this on hold and completing the elevator project at this time to save money. This item will be discussed at the May 2, 2011 meeting.

Larry Winum and Linda Washburn from the Glenwood/Mills County Economic Development updated the Board on Economic Development projects.

Sheriff Goos and County Attorney Eric Hansen were present to discuss the proposed changes for the Loess Hills Humane Society.

There being no further business to come before the Board at this time, they adjourned to meet on Tuesday, April 26, 2011.

Mills County Board of Supervisors

Richard Crouch, Chairperson

Attest: _____
Carol Robertson, Auditor



Office of Mills County Auditor
Carol Robertson
Courthouse
Glenwood, IA

The Mills County Board of Supervisors met this 12th day of April, 2011, at the Courthouse in Glenwood with Joe Blankenship, Ron Kohn and Richard Crouch present.

Motion by Kohn, seconded by Blankenship to approve the agenda for the April 12th meeting and the minutes of the April 5, 2011 board meeting as presented. Motion carried on a vote: Ayes: 3 Nays: 0

Engineer Mayberry and Supervisors viewed a driveway request that would require a variance due to lack of separation distance.

Engineer Mayberry had three utility permits this week to report.
Anderson Underground for 2 water lines on 225th Street
Utility Permit for field ditching outlet on Jessup Avenue for Wiles Brothers

At the recommendation of the engineer, a motion was made by Kohn seconded by Blankenship to approve a driveway variance involving separation distance at 28110 Gaston Avenue. Blankenship shared concerns for the speed limit on this road. Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Blankenship seconded by Kohn to authorize Chair to sign the 2012 Budget for Secondary Roads to be filed with the Department of Transportation. Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Kohn seconded by Blankenship to approve the 5 year construction plan to be submitted to the Department of Transportation. Motion carried on a vote: Ayes: 3 Nays: 0

The projects for the 221st bridge replacement L-221-S-73-65 and Masters Road bridge L-B244615-73-65 were both designed by HGM and are to be done with FEMA funding.
Motion by Blankenship seconded by Kohn to authorize Chair to sign the Bridge Replacement Plans.
Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Kohn seconded by Blankenship to authorize Chair to sign the 28E Agreement between Silver City and the Secondary Roads Department. Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Blankenship seconded by Kohn to approve to hire a second clerk in the Treasurer's office pending the passage of drug and medical testing. Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Kohn seconded by Blankenship to approve the 3rd reading of the Comprehensive Land Use Plan Amendment and Supplemental Map. Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Blankenship seconded by Kohn to approve the 3rd reading of the Amendment to Zoning Ordinance and Map of I-29/Hwy 29 Corridor Overlay District with noted changes.
Motion carried on a vote: Ayes: 3 Nays: 0

The Amendment to Zoning Ordinance 11-01 will be re-scheduled until April 19, 2011 meeting.

Motion by Blankenship seconded by Kohn to approve the I-29/Hwy 34 Master Plan with noted changes.
Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Kohn seconded by Blankenship to approve the County IT Policy. Patrick Binns, IT Coordinator, will meet with individual departments to go over the policy and have the employees sign off.
Motion carried on a vote: Ayes: 3 Nays: 0

Lori Ingoldsby, Election Assistant and the Board of Supervisors met as a board of canvassers for the East Mills Revenue Purpose Statement election which was held on April 5, 2010.
The outcome of the election was as follows: Yes: 67 votes No: 8 votes.
Motion by Kohn seconded by Blankenship to approve the canvass of the East Mills Revenue Purpose Statement election as presented. 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, April 19, 2011.



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Attest: _____
Carol Robertson, Auditor

Mills County Board of Supervisors

Richard Crouch, Chairperson

The Mills County Board of Supervisors met this 5th day of April, 2011, at the Courthouse in Glenwood with Joe Blankenship, Ron Kohn and Richard Crouch present.

Motion by Kohn, seconded by Blankenship to approve the agenda for the April 5th meeting and the minutes of the March 29, 2011 board meeting as corrected.

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

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

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

Engineer Mayberry had two utility permits this week to report;
Mid-American Energy on the North side of Hammond for an overhead electrical for the D.O.T.
and Mid-American for a 2" conduit on Hilman Road

Motion by Blankenship seconded by Kohn to approve easement documents for a bridge replacement on Masters Road. .17 acres for a permanent right of way and .25 acres of temporary work easement was purchased from Stephen Bomer at 61472 245th Street for \$1000.00. .2 acres for a permanent easement and .34 acres to Troy and Tia Bach at 24294 Masters Avenue for \$1000.00. An easement was also obtained from Kevin and Krystal Mayberry with no payment. Motion carried on a vote: Ayes: 3 Nays: 0

Karen Reinert was present to request the use of the Engineers facility for Relay for Life Fundraising events. It was determined that meetings will still be allowed but Supervisors feel that fundraising events do not fit the policy for use of the facility. The Engineers training room facility needs to be available for County meetings.

Motion by Kohn seconded by Blankenship to approve the hire of Teresa Andersen as Clerk in the Treasurer's office at 65% of the Treasurer's salary with a 2% increase effective July 1, 2011. Starting salary is \$30,814.00 with a start date of April 11, 2011 providing passage of a pre-employment physical. Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Blankenship seconded by Kohn to approve Resolution 11-09 of Abatement of Taxes.
Resolution 11-09

The Mills County Board of Supervisors sitting in session on this 5th day of April, 2011 upon recommendation from the Treasurer and as per Senate file 478 and IA Code 445.16 shall abate the utility taxes, interest and penalties on the following and direct the County Treasurer to strike the amount due from the County system:

The Mills County Treasurer recommends that the utility taxes on phone lines owned by Qwest Corporation and located throughout Mills County be abated due to an error in the valuation in the total amount of **\$349.00** including penalty and interest for both the September and March taxes.

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

Motion by Blankenship seconded by Kohn to approve BB0028579 liquor license renewal, with Sunday sales for MidAmerica Motorplex. Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Kohn seconded by Blankenship to share in the costs of 3 chairs for dispatchers with the 911 Board. The total cost is \$2,799.00 with the County paying \$1,399.50.

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

Darin Whatcott from Mills County Planning & Zoning, Linda Washburn from Glenwood Chamber & Economic Development and Mark Hughes, Contractor were present for the 2nd reading of the Comprehensive Land Use Amendment plan and supplemental map. Motion by Kohn seconded by Blankenship to accept the 2nd reading of the Comprehensive Land Use Amendment plan and Supplemental Map. Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Kohn seconded by Blankenship to accept the 2nd reading of the I-29/Hwy 34 Corridor Overlay District with a recommendation noted for the third reading. Motion carried on a vote: Ayes: 3 Nays: 0

County Attorney Eric Hansen was present for discussion of the RAGBRAI Ordinance. He suggested other options the Board may want to explore. No action was taken at this time.

The Board received the February jail report and the County Recorder's March Statement of Fees.

There being no further business to come before the Board at this time, they adjourned to meet on Tuesday, April 12, 2011.

Mills County Board of Supervisors

Richard Crouch, Chairperson

Attest: _____
Carol Robertson, Auditor

The Mills County Board of Supervisors met this 29th day of March, 2011, at the Courthouse in Glenwood with Joe Blankenship, Ron Kohn and Richard Crouch present.

Motion by Kohn, seconded by Blankenship to approve the agenda for the March 29th meeting and the minutes of the March 22, 2011 board meeting as presented. Motion carried on a vote: Ayes: 3 Nays: 0

Engineer Mayberry had no utility permits this week to report.

Bridge re-decking plans for June 21, 2011 were discussed. Federal Bridge funding monies can be used on these 4 bridges: 1) Gaston Avenue
2) Brothers Avenue
3) 390th Street over Silver Creek
4) 310th Street over Silver Creek.

Motion by Kohn seconded by Blankenship to approve the bridge re-decking plans and authorize the Chair to sign the agreement. Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Blankenship seconded by Kohn to authorize the Chair to sign the contract with Crushed Aggregate in the amount of \$193,151.00. Motion carried on a vote: Ayes: 3 Nays: 0

The embargo of certain Mills County Roads was tabled until the engineer can meet with the contractors.

Supervisor Crouch opened the public hearing at 9:50 a.m. for the Amendment to comprehensive land use and map with 11 members of the public present. Dave Potter from JEO did a presentation of the proposed amendment to the Comprehensive Land Use Plan by adding an overlay in the highway oriented commercial district established by the zoning ordinance. Potter also explained the map of this area would be a supplemental map of the land use in this particular area. Questions were asked by the Board for clarification and with there being no written comments; Supervisor Crouch closed the public hearing at 10:24 a.m.

Supervisor Crouch opened the public hearing at 10:25 a.m. for the Amendment to the Zoning Ordinance with 7 members of the public present. Dave Potter discussed the proposed amendment to the Zoning Ordinance and map by adding the I29/Hwy 34 corridor district overlay. He explained it is not a change in the C-2 district of zoning just an overlay of the specific area for development purposes. There being no further comments or acceptance of any written comments Supervisor Crouch closed the public hearing at 11:04 a.m.

Motion by Blankenship seconded by Kohn to accept the 1st reading of the comprehensive land use plan with changes as presented and will be in place for future readings. Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Kohn seconded by Blankenship to accept and approve the 1st reading of the zoning ordinance amendment map and overlay district proposed changes and will be in place for the future readings. Motion carried on a vote: Ayes: 3 Nays: 0

A presentation and discussion led by Dave Potter from JEO on the I-29/Hwy34 Master Plan including conceptual drawings. Consideration of the Master Plan is set for approval on the April 12th agenda.

Motion by Blankenship seconded by Kohn to approve to appoint Joann Kohn as representative to the Southern Iowa Regional Housing Authority by Resolution (11-08).

**CERTIFICATE OF APPOINTMENT OF COMMISSIONERS
OF THE HOUSING AUTHORITY OF THE COUNTY OF
MILLS, IOWA**

WHEREAS, The Board of Supervisors of Mills County, Iowa held a duly authorized regular meeting on the 29th day of March 2011;

WHEREAS, at said meeting the following resolution was passed and adopted:

RESOLUTION 11-08
BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE
COUNTY OF MILLS, IOWA

That the Board of Supervisors of the County of Mills, Iowa hereby make the following resolution.

WHEREAS, a resolution has been passed and adopted entitled "Resolution Approving and Authorizing the Execution of a Certain Joint Exercise of Powers Agreement for the Purpose of Creating a Multi-County Housing Authority."

NOW, THEREFORE, Pursuant to the provision of Chapter 28E, Code of Iowa, and by virtue of our office as Supervisors, we hereby appoint Joanne Kohn for Three years as the one (1) person to serve as Commissioner of the Southern Iowa Regional Housing Authority, representing the County of Mills, Iowa and serve for the number of years appearing after her name respectively, from the 9th day of April 2011.

IN WITNESS WHEREOF, I have hereunto signed my name as Chairman of the Board of Supervisors of the County of Mills, Iowa and caused the official corporate seal of said County of Mills, Iowa to be attached hereto this 29th day of March, 2011.

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

Motion by Blankenship seconded by Kohn to approve a Class C Commercial liquor license LCV33302 with outdoor service and Sunday sales for Timberline Holdings Inc. d/b/a The Back Door.

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

Motion by Kohn seconded by Blankenship to hire Dan Cain as a part-time drive test examiner on Tuesdays at \$16.00 per hour beginning on April 5th. Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Blankenship seconded by Kohn to approve an InfoPrint 1852 Laser Printer, Ipds card and 3 year Extended Warranty from Solutions in the amount of \$2,099.00 and a Lanier LD635 csp Digital Color Imaging System Network Scanner and Printer copier with a trade in for \$7,277.00 for the Auditor's office.

Motion carried on vote: Ayes: 3 Nays: 0

Motion by Kohn seconded by Blankenship to approve the loan agreement between the Mills County Assessor and the Board of Supervisors and approve the outstanding invoices to be paid.

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

Motion by Blankenship seconded by Kohn to authorize the Chair to sign the Wellmark Renewal contract.

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

Motion by Kohn seconded by Blankenship to approve fireworks displays on Fridays, Saturdays and Sundays beginning April 1, 2011 through October 31, 2011 at the MidAmerica Motorplex at 19340 Jessup Avenue in Pacific Junction. The stipulation on this approval is for MidAmerica Motorplex to provide an updated insurance certificate to the Board prior to April 20, 2011 with a later expiration date than the current certificate and providing that a burn ban is not in place. Motion carried on a vote: Aye: 3 Nays: 0

Supervisor Blankenship updated board members on the progress of providing water to the Pony Creek Development.

There being no further business to come before the Board at this time, they adjourned to meet on Tuesday, April 5, 2011.

Mills County Board of Supervisors

Richard Crouch, Vice-Chairperson

Attest: _____
Carol Robertson, Auditor

The Mills County Board of Supervisors met this 22nd day of March, 2011, at the Courthouse in Glenwood with all members present.

Motion by Kohn seconded by Blankenship, to approve the agenda for the March 22nd meeting and the minutes of the March 15, 2011 board meeting as corrected.

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

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

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

Engineer Mayberry had no utility permits to report.

Motion by Blankenship seconded by Kohn to approve voucher #7 for the L300-73-65 300th Street project in the amount of \$256.08 to Graves Construction.

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

Representatives from two companies were present for the bid opening on Project FM-CO65(79), Farm to Market Granular Surfacing. The bids received were:

1) Crushed Aggregate LLC of Omaha for 13,460 ton Class D Road Stone for \$14.35 per ton/\$193,151.00 total. Bid Bond was received.

2) Schildberg Construction of Greenfield for 13,460 ton Class D Road Stone for \$15.46 per ton/\$208,091.60 total. Bid Bond received.

At the recommendation of the County Engineer, motion by Blankenship seconded by Kohn to award the bid to the lower bidder; Crushed Aggregate LLC of Omaha at a cost of \$14.35 per ton, total cost being \$193,151.00 for 13,460 ton of Class D Road Stone with the stipulation that they meet their contract deadlines.

Motion carried on a vote: Blankenship ó Aye, Kohn ó Aye, Crouch ó Nay

The Engineer asked if the Board would entertain having a County wide clean-up day for trash along roadsides. This will be considered at a later date.

Motion by Kohn seconded by Blankenship to accept the 2% salary increase for the Engineer, administrative, management and technical staff for 2011/2012 fiscal year.

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

Discussion was held with the Engineer regarding several items. Supervisor Blankenship explained there is a committee of individuals wanting a walking trail from Emerson to Indian Creek. The Engineer was asked to provide the length and costs for a grant they are writing. Road concerns were also addressed at this time.

Motion by Kohn seconded by Blankenship to approve the applications received by the Assessor for impoundments. Roll Call vote: Crouch ó Aye, Kohn ó Aye, Blankenship ó Abstain

Sandy Winton requested use of the courthouse yard for RAGBRAI.

Motion by Kohn seconded by Blankenship to allow the use of the green space at the Courthouse with conditions of no vehicles on the lawn and no holes are to be dug on the property.

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

Brandt Hopp requested a fireworks permit to be used at the Darryl Leu Farm at 33181 Gaston Avenue in Malvern on April 9, 2011 with a rain date of April 10, 2011.

Motion by Kohn seconded by Blankenship to approve the fireworks permit providing a burn ban is not in place. Motion carried on a vote: Ayes: 3 Nays: 0

All items for the MidAmerica Motorplex liquor license request were not available at this time. This will be rescheduled at a later date.

Motion by Kohn seconded by Blankenship to re-appoint Richard Crouch as a voting member and Larry Hurst as the alternate voting member to the E-911 Service Board.
Motion carried on a vote; Blankenship ó aye, Kohn ó Aye, Crouch ó Abstained

The Board received the Recorder's February and March Report of Fees.

The Board received the January and February bank reconciliation from the Sheriff Department.

There being no further business to come before the Board at this time, they adjourned to meet on Tuesday, March 29, 2011.

Mills County Board of Supervisors

Richard Crouch, Chairperson

Attest: _____
Auditor

The Mills County Board of Supervisors met this 15th day of March, 2011, at the Courthouse in Glenwood with Joe Blankenship, Ron Kohn and Richard Crouch present.

Motion by Kohn, seconded by Blankenship to approve the agenda for the March 15th meeting and the minutes of the March 8, 2011 board meeting as presented. Motion carried on a vote: Ayes: 3 Nays: 0

Engineer Mayberry had no utility permits this week to report.

The Engineer presented three road assessment district reports with explanations. They are on Goode Avenue, 220th Street and Ellington Avenue. The Board accepted these reports and the Engineer will contact the petitioners of these districts with the information that he has prepared.

Motion by Kohn seconded by Blankenship to accept the changes to the proposed overlay district. Darrin Whatcott will give the information needed to the Auditor to prepare a public hearing notice that is set for March 29, 2011. Motion carried on a vote: Ayes: 03 Nays: 0

Elected officials and department heads or their designees were present for the Department Head meeting.

Don Brantz, citizen, and Rod Siepold and Brett Hayes from Farm Bureau were present for the budget public hearing. Supervisor Crouch opened the public hearing at 10:00 a.m. and an overview of the 2011/2012 budget was given by the Supervisors.

Don Brantz had questions for various Board members and Department heads. There were no other comments. The public hearing was closed at 10:50 a.m.

Motion by Blankenship seconded by Kohn to approve Resolution 11-05 to approve the 2011/2012 budget.

RESOLUTION 11-5

Whereas, the Mills County Board of Supervisors met on this 15th day of March 2011 to adopt the proposed FY 2011-2012 budget as published and direct the Mills County Auditor to spread the levy and submit the budget to the Iowa Department of Management .

Motion carried on a roll call vote: Ayes: Blankenship ó Aye, Kohn ó Aye, Crouch ó Aye. Nays: 0

Motion by Kohn seconded by Blankenship to approve Resolution 11-06; Approval of 2011/2012 Salaries.

RESOLUTION 11-6

Whereas, the Mills County Board of Supervisors met in session this 15th day of March, 2011, to approve the proposed increases from the Compensation Board recommendations and set FY 2011-2012 salaries for Mills County elected officials as follows: County Attorney: \$76,324; 2% increase, County Auditor: \$48,594; 2% increase, County Recorder: \$48,355; 2% increase, County Treasurer: \$48,355; 2% increase, County Sheriff: \$62,408; 2% increase and County Supervisors: \$27,659; 2% increase.

Motion carried on a roll call vote: Kohn ó Aye, Blankenship ó Aye, Crouch ó Aye. Nays: 0

Supervisor Kohn left the meeting at this time for a Tourism meeting in Denison.

Mark Hughes, Darrin Whatcott, Larry Winum and Linda Washburn were present to discuss the JEO proposal with the Board. A contract proposal from JEO was discussed for marketing of the 34/I29 corridor overlay project. The Glenwood/Mills County Economic Development didn't feel they can contribute the full amount and would like the County to participate. Board members asked for clarification on some items listed in the proposal. JEO representatives will be present at the public hearing on March 29th and can respond to these questions. No formal action was taken at this time.

There being no further business to come before the Board at this time, they adjourned to meet on Tuesday, March 22, 2011.

Mills County Board of Supervisors

Richard Crouch, Vice-Chairperson

Attest: _____
Carol Robertson, Auditor

Office of Mills County Auditor
Carol Robertson
Courthouse
Glenwood, IA

The Mills County Board of Supervisors met this 8th day of March, 2011, at the Courthouse in Glenwood with all members present.

Motion by Kohn seconded by Blankenship, to approve the agenda for the March 8th meeting and the minutes of the March 1, 2011 board meeting as presented.

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

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

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

Engineer Mayberry had one utility permit request to report: Extreme Trenching for a Qwest phone line for a resident on Montague Road.

Darrin Whatcott presented colored maps showing proposed overlay areas of the I-29 / Hwy 34 Corridor with proposed changes to the Zoning Ordinance and Comprehensive Plan. Whatcott will contact JEO for changes and will return for review at the next Supervisors meeting.

Motion by Blankenship seconded by Kohn to approve LC0037472 Class C Commercial renewal liquor license with outdoor and Sunday sales for Toby Jacks in Mineola.

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

Tom Ling and Pete Franks were present to discuss a courthouse elevator. The first plan for an elevator was drawn in 2007. There are items that will need to be considered before placement of an elevator. The electrical system will need to be updated, the chiller will need replaced or a new heating and cooling system will need to be considered. Franks will be in contact with the company that did the initial assessment for the Communications Center to see if they have any suggestions to add to this project. The Board instructed Franks to move forward to obtain preliminary costs and report back at a future meeting. The Board will then determine when and how to begin this project.

Motion by Kohn seconded by Blankenship to authorize Chair to sign a lease agreement for rented space at the Glenwood Resource Center for the Department of Human Services.

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

Motion by Blankenship seconded by Kohn to approve Resolution 11-04 ó Letter of Support for the West Central Community Action Corporation.

Resolution 11-04

WHEREAS, the Mills County Board of Supervisors has developed confidence and trust with West Central Community Action Corporation (WCCA) in its 40+ year partnership for the common good of our residents; and

WHEREAS, WCCA has utilized Community Services Block Grant funds (CSBG) during the partnership to maintain a local Outreach office in Mills County to provide economic stability to people in need; and

WHEREAS, WCCA in 2010 has utilized those offices to provide \$462,204 to address emergency needs within the County thus alleviating a drain on County Relief budgets; and

WHEREAS, WCCA provided services to 1,491 Mills County residents this past year which represents 10% of the total county population; and

WHEREAS, WCCA employs 12 Mills County residents providing opportunities throughout the county; and

WHEREAS, In 2010 Mills County supported WCCA with an investment of \$2,000 of County funds to enhance the work of the agency in our county; and the towns in Mills County also invested an additional \$1,203 to ensure community action programs; and

WHEREAS, the Outreach offices that are funded by CSBG are the òglueö that enables WCCA to administer federal, state and locally funded programs with efficiency; and

WHEREAS, a 50% cut of CSBG funding would diminish the efficiency in service delivery by eliminating a full-time presence in Mills County; and
WHEREAS, President Obama has proposed a 50% reduction of the CSBG funding and made the remaining funds competitive, which due to their smaller voice places rural communities at an unfair disadvantage; and
THEREFORE, BE IT RESOLVED, that the Mills County Board of Supervisors supports the positive impact of CSBG in Mills County and opposes action by Congress or the President to reduce CSBG funding disproportionately compared to the rest of the federal domestic discretionary budget.

Dated this 8th Day of March, 2011.

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

There being no further business to come before the Board at this time, they adjourned to meet on Tuesday, March 15, 2011.

Mills County Board of Supervisors

Richard Crouch, Chairperson

Attest: _____
Auditor

The Mills County Board of Supervisors met this 1st day of March, 2011, at the Courthouse in Glenwood with Joe Blankenship and Ron Kohn present. Richard Crouch was attending a meeting at the State Capital in Des Moines.

Motion by Kohn, Blankenship stepped down to second, to approve the agenda for the March 1st meeting and the minutes of the February 22, 2011 board meeting as corrected.
Ayes: Blankenship and Kohn. Nays: 0 Motion carried.

Motion by Kohn, seconded by Blankenship to approve a correction to the January 25, 2011 minutes on the amount of rock purchased from \$13,460 to 13,460 tons of rock. Motion carried on a vote: Ayes: 2 Nays: 0

Engineer Mayberry had no utility permits this week to report.

Motion by Kohn seconded by Blankenship to approve voucher #6 for project L-300-73-65 in the amount of \$19,699.49 and also request a signature on L-300-73-65 contract with Graves Construction.
Motion carried on a vote: Ayes: 2 Nays: 0

The Engineer attended the Silver City Council Meeting to clarify the 28E Agreement that had been put into place in 1996. He has made corrections to the previous 28E for clarification purposes and will present this revised agreement to the Silver City Council for approval. It will then be presented to the Board of Supervisors for approval and filed with Mills County and the State of Iowa.

Supervisor Kohn received concerns from a resident driving on 221st Street during inclement weather. Discussion was held regarding pretreating the roads. The Engineer explained that the County does not pre-treat due to costs and manpower. The engineer will look into costs for pre-treating and will return to the Board with his findings.

Motion by Kohn seconded by Blankenship to approve the Class C Beer Permit, including Sunday Sales, BC0029208 for the E-Stop. Motion carried on a vote: Ayes: 2 Nays: 0

Motion by Kohn seconded by Blankenship to approve the Class C Commercial Liquor License for outdoor services, LC-V-32809 for Lienzo Charro Rodriquez. Motion carried on a vote: Ayes: 2 Nays: 0

Motion by Kohn seconded by Blankenship to approve the Class C Commercial Liquor License with Sunday Sales and outdoor services for the Glenwood Golf Course. Motion carried on a vote: Ayes: 2 Nays: 0

Motion by Kohn seconded by Blankenship to approve the FMLA request as presented by Pam Madison, Deputy Auditor. Motion carried on a vote: Ayes: 2 Nays: 0

Discussion was held regarding the elevator project. Supervisor Kohn will contact Pete Franks to invite him to attend a Board meeting to discuss this project.

There being no further business to come before the Board at this time, they adjourned to meet on Tuesday, March 8, 2011.

Mills County Board of Supervisors

Joseph Blankenship, Vice-Chairperson

Attest: _____
Carol Robertson, Auditor

The Mills County Board of Supervisors met this 22nd day of February, 2011, at the Courthouse in Glenwood with all members present.

Motion by Blankenship, Crouch stepped down to second, to approve the agenda for the February 22nd meeting and the minutes of the February 15, 2011 board meeting as presented.

Ayes: Blankenship and Crouch. Kohn abstained due to not being present at the February 15th meeting.
Motion carried.

Motion by Kohn seconded by Blankenship to approve accounts payable as presented with the exception of two claims to Montgomery County Auditor for wages until verified.

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

Engineer Mayberry had no utility permits this week to report.

The Engineer explained that he would be attending the Silver City Council meeting to clarify a bill that was sent to Silver City for rock on 295th Street. There is a written agreement that was set up several years ago between the City and the Secondary Roads Department.

County Attorney Eric Hansen was present for the discussion of the animal control contract. Several items were clarified within the contract. Hansen will prepare a final draft for review and approval.

The budget hearing for the 2010/2011 budget amendment was opened at 10:35 by Supervisor Crouch. There were no comments except from the Board which was clarification of expenditures. The public hearing was closed at 10:41 a.m.

Motion by Kohn seconded by Blankenship to approve Resolution 11-03 - 2010/2011 budget amendment and appropriation.

RESOLUTION 11-03

BE IT REMEMBERED on the 22nd day of February 2011, 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 Services | from \$2,522,883 to \$2,561,683 |
| Physical Health & Soc. Services | from \$1,659,114 to \$1,691,114 |
| County Environ. & Education | from \$ 911,284 to \$ 978,869 |
| Administration | from \$1,502,272 to \$1,515,172 |
| Non-program Current | from \$ 0 to \$ 200,000 |
| Total Expenditures | from \$17,720,025 to \$18,071,110 |

REVENUES:

| | |
|-----------------------|--|
| Intergovernmental | from \$6,669,325 to \$6,773,326 |
| Total Revenues | from \$15,446,498 to \$15,550,499 |

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:

| | |
|--------------------------|---------------------------------|
| Board of Supervisors | from \$ 154,471 to \$ 155,371 |
| Conservation | from \$ 967,648 to \$ 975,033 |
| Public Health Department | from \$1,302,320 to \$1,334,320 |
| Sheriff | from \$1,514,331 to \$1,553,131 |
| Urban Renewal | from \$ 104,530 to \$ 164,530 |
| Courthouse | from \$ 319,975 to \$ 324,975 |
| General County Mgt. | from \$ 94,700 to \$ 101,700 |
| Loan to Co. Assessor | \$ 200,000 |

Roll Call Vote: Blankenship ó Aye, Crouch ó Aye, Kohn ó Aye

Doug Meggison, Dick Davis, John Dean, Lonnie Mayberry, Dale Marshall, Jim Olmsted, Barb Simmons and Marjean Sargent were present to discuss the water line needed for Pony Creek. The USDA will loan and grant monies for a 4ö line but will not financially support an upgrade to a 6ö or 8ö line. John Dean explained that he would not raise the fees for Glenwood residents to provide rural water. GMU will try to negotiate an agreement with Mr. Nakamoto for hook-ups on the route. The additional cost to upgrade the line will be approximately \$50,000 - \$100,000 but Pony Creek has concerns on incurring that much debt to increase the line size. Their main goal is to supply adequate water to Pony Creek residents. The Board suggested that GMU visit with Mr. Nakamoto about costs then schedule another meeting for discussion of possible funding avenues.

Motion by Kohn, Crouch stepped down to second, to authorize Joseph Blankenship to sign the 28E Agreement with Juvenile Detention.

Ayes: Crouch, Kohn. Abstain: Blankenship

Motion carried.

The Board set March 15, 2011 at 10:00 a.m. as the Hearing date to approve the 2011/2012 Budget.

There being no further business to come before the Board at this time, they adjourned to meet on Tuesday, March 1, 2011.

Mills County Board of Supervisors

Richard Crouch, Chairperson

Attest: _____
Auditor

The Mills County Board of Supervisors met this 15th day of February, 2011, at the Courthouse in Glenwood with Supervisors Crouch and Blankenship present. Supervisor Kohn was absent attending the NARC meeting in Washington D.C.

Motion by Blankenship, Crouch stepped down to second to approve the agenda for the February 15th meeting and the minutes of the February 8, 2011 board meeting as presented.

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

Engineer Mayberry had no utility permits this week to report.

Motion by Blankenship seconded by Crouch to approve voucher #5 for project L-300-73-65 in the amount of \$53,332.30. Motion carried on a vote: Ayes: 2 Nays: 0

Amanda Downey from Wellmark presented the FY2010 Group Health Program overview and the ISAC wellness program incentive strategy for 2011. Downey explained the incentive program this year for County employees to promote wellness by getting a physical and participating in an online survey. Employees will then receive a \$250 VISA gift card from ISAC. They also promoted incentives to lower County premiums.

Motion by Blankenship seconded by Crouch to approve the purchase of a HP Pro 3130 replacement computer for the Treasurer's office in the amount of \$1,177.93.

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

Motion by Blankenship seconded by Crouch to approve the renewal of Fountains Ballroom liquor license.

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

The Board received the January 2011 jail report from the Mills County Sheriff.

There being no further business to come before the Board at this time, they adjourned to meet on Tuesday, February 22, 2011.

Mills County Board of Supervisors

Richard Crouch, Chairperson

Attest: _____
Auditor

The Mills County Board of Supervisors met this 8th day of February, 2011, at the Courthouse in Glenwood with all members present.

Motion by Kohn, seconded by Blankenship to approve the agenda for the February 8th meeting and the minutes of the February 1, 2011 board meeting as presented.

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

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

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

Engineer Mayberry had no utility permits this week to report.

Motion by Kohn, seconded by Blankenship to reappoint Kevin Mayberry, Mills county Engineer as the County Weed Commissioner for 2011.

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

Motion by Kohn seconded by Blankenship to approve the plans for project #FM-CO 65(80)-55-65. This is for an area with approximately 26 miles of County roads that are proposed to seal coat for 2011.

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

The Engineer stated he receives calls from the media requesting information for County snow emergency declaration procedures. It was determined that the County does not have snow emergency procedures in place. The Engineer will contact other Counties to see what procedures they use for snow emergencies.

Mayberry presented information about a subdivision for which the final plat had been approved, but the road has not been accepted because it does not comply with required road standards. The Engineer discussed shortcomings of the road and the Board agreed that the road needs to meet required standards before the County accepts responsibilities for the maintenance of the road. Mayberry will meet with developer or his representative to attempt to resolve this issue.

A member of the Silver City council visited with the Engineer about some signage they felt was County responsibility. The Engineer feels he is correct in saying they would be the City's responsibility, but will do more investigation on the matter.

Motion by Kohn seconded by Blankenship to make the following re-appointments to the Planning & Zoning Board: Alan Hughes, Nick Jameson and Dick Biermann for a term of 5 years ending 12-31-2015.

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

Motion by Blankenship seconded by Kohn to approve closing the street in Mineola on the following dates: May 26, 2011, June 30, 2011, July 21, 2011, July 24, 2011 and September 1, 2011 for street dances.

Supervisor Crouch told Mr. Goode that he needed to communicate with Sheriff's Department to make them aware of the dates in case calls are received.

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

Joni Sell, Paul Hathaway and Brian Gross from the Mills County NRCS office were present to update the Board on the cost share EQIP plans which provides funds of approximately one million dollars for county projects. County funding is used to support a part-time position in the local district office. A request was made for the current amount of funding during the 2011-2012 fiscal year.

Motion by Blankenship, seconded by Kohn to provide the Mills County NRCS with \$7,000 to assist in funding a part-time position. Motion carried on a vote: Ayes: 3 Nays: 0

Becky Killpack, Mills County Treasurer and Pete Franks of Frank's Design were present for discussion on the remodeling of the Treasurer's office. Franks explained there are a couple of options that can be done during the remodeling; The Treasurer's office could move to one side of the office until first side is complete, then move to the other side. If this option is chosen, Killpack requested the remodeling not be started until April at which time taxes are collected. The second option was to let the Treasurer's office set up in the Board of Supervisors meeting room, which would reduce the time needed to complete the remodel. The Board agreed that setting up

in the Board of Supervisors meeting room would be the best option. They instructed Killpack to continue with the bid-letting and to move forward with the remodel. Killpack requested the remodeling not be started until April because most taxes have been collected by then.

Larry Winum and Linda Washburn from Glenwood/Mills County Economic Development Foundation handed out packets to the Supervisors that explained projects they have done and are currently involved with. She requested that the County provide funding for Economic Development activities in Mills County in the amount of \$19, 681. Motion by Blankenship seconded by Kohn to approve the July 1, 2011 commitment to Economic Development in the amount of \$19,681. Motion carried on a vote: Ayes: 3 Nays: 0

The Board of Supervisors met at 12:00 as a Board of Canvassers for the Glenwood Community School ISL election. Election Assistant Lori Ingoldsby reported a total of 1,709 votes were cast with 868 as öyesö and 841 as önoö. The ISL passed by a simple majority.

The Board returned to open session at this time. The Board worked on budgets until the next agenda item at 2:30 p.m.

Chris Roenfeld, Ralph Kerkemeyer and Curtis Keierleber from Cash Money 24/7 LLC presented information regarding placing an ATM in the Courthouse. Mr. Kerkemeyer told the Board they had ATM machines in several facilities, including Nebraska Courthouses. The Board wasn't certain that this is a service that the Courthouse needs to provide as there is an ATM across the street that can be accessed during business hours. The Board took the information and will inform them of their decision at a later meeting.

Motion by Kohn seconded by Blankenship, at the Auditors request to correct the January 3, 2011 minutes to correct Resolution 10-1 Treasurer's Depositories. This should have been Resolution 11-1. The resolution was approved by was inadvertently not published with the January 3, 2011 minutes.

RESOLUTION 11-01

BE IT RESOLVED by the Board of Supervisors of Mills County, Iowa on this 3rd day of January, 2011: 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 depositories and that the Mills County Treasurer is hereby authorized to deposit the state, county and all other public funds in amounts not to exceed in the aggregate that amount named for said bank as follows:

| Name of Depository | Location | Maximum Deposit Under This Resolution |
|-------------------------------------|------------------|--|
| Glenwood State Bank | Glenwood, Iowa | 18,000,000.00 |
| First National Bank | Glenwood, Iowa | 5,000,000.00 |
| Malvern Trust and Savings | Malvern, Iowa | 5,000,000.00 |
| Houghton State Bank | Emerson, Iowa | 1,000,000.00 |
| First State Bank | Tabor, Iowa | 2,000,000.00 |
| Great Western Bank | Glenwood, Iowa | 2,000,000.00 |
| Iowa Public Agency Investment Trust | Des Moines, Iowa | 1,000,000.00 |

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, February 15, 2011.

Mills County Board of Supervisors

Richard Crouch, Chairperson

Attest: _____
Auditor

The Mills County Board of Supervisors met this 1st day of February, 2011, at the Courthouse in Glenwood with all members present.

Motion by Blankenship seconded by Kohn to approve the agenda for the February 1, 2011 meeting and the minutes of the January 25, 2011 meeting as corrected.

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

There was one request for a utility permit; repairing the phone cable for Qwest north of Highway 34 on 350th Street.

The Engineer received a quote from CDW-G per the IT Director's specifications in the amount of \$1200.78 for a computer for the administrative assistant in the Engineer's office. Motion by Kohn seconded by Blankenship to approve the purchase of a computer for the Engineer's office in the amount of \$1200.78. Motion carried on a vote: Ayes: 3 Nays: 0

The plan for project #FM-C065 (80)-55-65, for the 2011 seal coat, was tabled by the Engineer until he receives further information.

Motion by Blankenship seconded by Kohn to approve the recommendation of Tom Ling, E-911 Director to hire Mark Michalski, as a dispatcher, starting February 9, 2011 at a starting wage of \$13.37 per hour. This will bring the total to eight dispatchers. Motion carried on a vote: Ayes: 3 Nays: 0

The NRCS and SWCC Funding were rescheduled until the February 8, 2011 meeting due to inclement weather.

Motion by Kohn seconded by Blankenship to approve the Generator Service Agreement with T-N-T Engine Repair.

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

Becky Killpack, Mills County Treasurer presented the Semi Annual Report. The Board accepted the report from the Treasurer.

For the period from July 1, 2010 - December 31, 2010

| Fund | Statement of Account By Fund | | | | | |
|------------------------------------|------------------------------|---------------|------------------------------|---------------|-----------------------------------|-----------------------------------|
| | Balance July 1, 2010 | Revenues | Total To be Accounted For | Disbursements | Fund Balance December 31, 2010 | Auditor's Warrants Outstanding |
| | .00 | 72,001.26 | 72,001.26 | .00 | 72,001.26 | .00 |
| 01 General Basic | 3,385,308.68 | 2,633,135.81 | 6,018,444.49 | 2,666,862.80 | 3,351,581.69 | 44,308.99 |
| 02 General Supplemental | 1,366,011.40 | 767,742.66 | 2,133,754.06 | 786,812.42 | 1,346,941.64 | 57,304.45 |
| 03 Rural Services Basic | 315,271.23 | 851,216.03 | 1,166,487.26 | 763,980.10 | 402,507.16 | 442.38 |
| 05 Secondary Roads | 1,388,062.17 | 3,168,332.14 | 4,556,394.31 | 2,954,613.02 | 1,601,781.29 | 129,714.60 |
| 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 | 29,109.00 | 29,109.00 | 29,109.00 | .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 | 135,972.52 | 826,922.66 | 121,506.43 | 705,416.23 | 17,092.65 |
| 16 Joint Disaster Service | 36,445.14 | 114,966.35 | 151,411.49 | 81,098.26 | 70,313.23 | 1,389.18 |
| 18 Property Tax Agency | 317,691.49 | 232,105.04 | 549,796.53 | 353,238.05 | 196,558.48 | .00 |
| 20 Township Control | 2,288.84 | 147,277.45 | 149,566.29 | 143,714.86 | 5,851.43 | .00 |
| 21 Corporation Control | 43,963.81 | 1,482,666.43 | 1,526,630.24 | 1,458,463.05 | 68,167.19 | .00 |
| 22 School Control | 128,652.56 | 6,692,277.62 | 6,820,930.18 | 6,546,081.81 | 274,848.37 | .00 |
| 23 Area School Control | 6,946.27 | 312,328.57 | 319,274.84 | 306,482.84 | 12,792.00 | .00 |
| 24 Decat | 36,441.82 | 18,518.89 | 54,960.71 | 39,032.83 | 15,927.88 | 1,205.58 |
| 29 County Ag. Extension | 1,582.67 | 93,490.30 | 95,072.97 | 91,247.52 | 3,825.45 | .00 |
| 30 Co. Cons. Land Aqu. Trust1 | 49,586.77 | 702.69 | 150,289.46 | 2,750.00 | 147,539.46 | .00 |
| 31 County Assessor | 258,603.32 | 263,305.70 | 521,909.02 | 337,490.69 | 184,418.33 | 4,110.84 |
| 32 Motor Vehicle Trust | 364,982.07 | 2,047,502.30 | 2,412,484.37 | 2,040,946.39 | 371,537.98 | .00 |
| 33 Use Tax Trust | .00 | .00 | .00 | .00 | .00 | .00 |
| 34 City Special Assessment Control | 2,584.67 | 46,224.85 | 48,809.52 | 48,520.37 | 289.15 | .00 |
| 35 Tax Redemption Trust | .00 | 87,378.06 | 87,378.06 | 87,378.06 | .00 | .00 |
| 36 Mh/Dd Services Fund | 1,214,016.18 | 649,640.77 | 1,863,656.95 | 572,364.99 | 1,291,291.96 | 66,720.99 |
| 37 Data Processing | .00 | .00 | .00 | .00 | .00 | .00 |
| 40 Recorders Record Management | 16,196.31 | 1,804.29 | 18,000.60 | .00 | 18,000.60 | .00 |
| 41 Reap Trust | 73,036.41 | 14,055.54 | 87,091.95 | .00 | 87,091.95 | .00 |
| 42 Anatomical Gift Fund | .00 | .00 | .00 | .00 | .00 | .00 |
| 43 Holding Account | 4,783.98 | 194,067.76 | 198,851.74 | 194,067.76 | 4,783.98 | .00 |
| 44 Urban Renewal Tax revenue | 285,530.96 | 43,540.18 | 329,071.14 | 17,965.00 | 311,106.14 | 8,323.12 |
| 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 | 5,315.00 | 5,315.00 | 5,315.00 | .00 | .00 |
| 48 Woodfield UR Tax Revenue | 7,325.18 | 7,089.61 | 14,414.79 | 12,282.00 | 2,132.79 | .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 | .18 | 605.57 | .00 | 605.57 | .00 |
| 56 Explorers | .00 | .00 | .00 | .00 | .00 | .00 |
| 57 County Attorney Drug Dollar | 3,351.59 | 3.40 | 3,354.99 | 212.25 | 3,142.74 | .00 |
| 59 MH Trust and Agency | 52,209.08 | 439,372.59 | 491,581.67 | 437,562.09 | 54,019.58 | 67,339.55 |
| 77 E911 Surcharge | 144,858.76 | 53,111.87 | 197,970.63 | 72,317.96 | 125,652.67 | 34.14 |
| 78 E911 Contributions | 27,897.28 | 5,281.00 | 33,178.28 | .00 | 33,178.28 | .00 |
| 79 Bunge | .00 | 25,875.00 | 25,875.00 | 25,875.00 | .00 | .00 |
| 99 Woodlands Benefited Water Dis | 72,747.72 | 7,206.36 | 79,954.08 | .00 | 79,954.08 | .00 |
| | 10,400,894.21 | 20,642,617.22 | 31,043,511.43 | 20,197,290.55 | 10,846,220.88 | 397,986.47 |

Motion by Blankenship seconded by Kohn to accept the Semi Annual Report as presented by the Treasurer.

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

Discussion on the Treasurer's Office Remodel Project with Pete Franks was rescheduled until the February 8, 2011 meeting due to inclement weather.

The Board received the Sheriff's December Jail report and Bank Reconciliation report.

There being no further business to come before the Board at this time, they adjourned to meet on Tuesday, February 8, 2011.

Mills County Board of Supervisors

Richard Crouch, Chairperson

Attest: _____
Auditor

Office of Mills County Auditor
Carol Robertson
Courthouse
Glenwood, IA

The Mills County Board of Supervisors met this 25th day of January, 2011, at the Courthouse in Glenwood with all members present.

Motion by Blankenship, seconded by Kohn to approve the agenda for the January 25th meeting and the minutes of the January 18th board meeting as presented.

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

Engineer Mayberry had no utility permits this week to report.

Motion by Kohn, seconded by Blankenship to approve plans for project FM-CO65(79)-55-65, farm to market road for 2011 for 33.65 miles, in the amount of \$13,460 to be spread throughout all portions of the county.

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

The Engineer has not received all paperwork for project #FM-CO65(80)-55-65, seal coat for 2011. He will place this item back on next week's agenda for formal action.

Motion by Blankenship seconded by Kohn to authorize Chair to sign the Wellness Program Agreement.

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

Tom Ling, Communications Director, was present to update the Board and to start formal discussion regarding the upgrades of radio equipment the County is required to purchase in order to comply by 2013.

There were representatives from three Mills County Libraries for the library presentation. Six represented the Glenwood Public Library, one from Emerson Public Library and one from Silver City Public Library provided information about their respective operations.

There were no liquor license requests at this time. This will be re-scheduled when all information is received.

There being no further business to come before the Board at this time, they adjourned to meet on Tuesday, February 1, 2011.

Mills County Board of Supervisors

Richard Crouch, Chairperson

Attest: _____
Auditor

The Mills County Board of Supervisors met this 18th day of January, 2011, at the Courthouse in Glenwood with all members present.

Motion by Blankenship, seconded by Kohn to approve the agenda for January 18, 2011 and by the same motion the minutes for the January 11, 2011 Board meeting.

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

There were no utility permit reports this week.

Motion by Kohn, seconded by Blankenship to approve the final voucher for project #BHS-CO65(78)-63-65 for the Gaston Avenue bridge over Keg Creek in the amount of \$75,288.31.

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

Motion by Blankenship, seconded by Kohn to approve voucher #4 for project L-300-73-65 RCB for the culvert on 300th Street in the amount of \$26,308.75. Motion carried on a vote: Ayes: 3 Nays: 0

Supervisor Crouch updated the Board regarding meeting he attended for possible expansions by Glenwood Municipal Utilities to assist in Rural Water for Pony Creek.

Patrick Binns, IT Coordinator explained to the Board that he has been contacted by an out of town company that does not want to purchase a full year access fee for the GIS. It was decided that a 90 day fee would be offered for \$115.00. Motion by Blankenship, seconded by Kohn to offer a 90 day fee of \$115.00.

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

Doug Bowen, Nathan Mass, Woody Wright, Ryan Wilgenbusch and Sheri Ford were present to update the Board on the projects that the Fair Board has completed in the last few years. They also presented their annual financial report.

Eric Hansen, County Attorney, Tom Ling, Communications Director, Marsha Liddell, Dispatcher, and Matt Butler, AFSCME staff representative, were present to discuss concerns employees have about record retention of time off requests, treating union and non-union employees equally when requesting time off and the union contract is being enforced. There were other prior issues but Liddell stated those issues have been resolved.

There being no further business to come before the Board at this time, they adjourned to meet on Tuesday, January 25, 2011.

Mills County Board of Supervisors

Richard Crouch

Attest: _____
Auditor

The Mills County Board of Supervisors met this 11th day of January, 2011, at the Courthouse in Glenwood with all members present.

Motion by Blankenship, seconded by Kohn to approve the agenda for the January 11th meeting and the minutes of the January 3rd and January 4th Board Meetings as corrected.

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

Engineer Mayberry was present to discuss Road Department issues. The supervisors had independently visited the driveway site south of 55974 237th Street for which a resident was requesting a variance. Mayberry recommended approval of the driveway variance request because: 1) property owner has the right to access to a county road; 2) a property line adjustment by the property owner provides necessary driveway width; 3) property owner agrees not to develop a circle drive to adjoining property.

Motion by Blankenship, seconded by Kohn to approve the driveway variance at the site described previously, with the conditions stipulated. Motion carried on a vote: Ayes: 3 Nays 0.

Mayberry presented copies of current Snow Removal Ordinance for review and discussion. No formal action taken.

Mayberry presented Property Damage Policy and past practices for discussion. No formal action taken.

Motion by Kohn, seconded by Blankenship to approve Resolution 11-02 Construction Evaluation Resolution, which establishes regulations for construction of confinement feeding operations and structures.

RESOLUTION #11-02

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, 2011 and January 31, 2012 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 a vote: Ayes: 3 Nays 0.

Rebecca Killpack, Mills County Treasurer requested approval of certificates of appointment, for 4-year terms, to the position of Treasurer Deputy for Marilee Gayer, Tammy Gammon and Melinda Lucy. Lucy's salary will be increased to 80% of the Treasurer salary, from current salary of 79% of Treasurers salary, effective January 3, 2011.

Motion by Kohn, seconded by Blankenship to approve the appointment to Treasurer Deputy as requested and salary increase for Lucy as presented. Motion carried on a vote: Ayes: 3 Nays 0.

Vicky McClintic, Mills County Recorder requested approval of certificates of appointment, for 4-year terms, to the position of Recorder Deputy for Luanne Christiansen and Lisa Tallman.

Motion by Kohn, seconded by Blankenship to approve the appointments to Recorder Deputy as requested. Motion carried on a vote: Ayes: 3 Nays 0.

Request from Sheri Bowen, Mills County Public Health Director to re-appoint Dr. Ron Silvius to the Mills County Board of Health for a 3 year term.

Motion by Blankenship, seconded by Kohn to approve the appointment of Dr. Silvius to the Mills County Board of Health for a 3 year term. Motion carried on a vote: Ayes: 3 Nays 0.

Christina Govig, Mills County Assessor, Pam Mayberry and Brenda Mintle were present to discuss funding options for the current reappraisal program. Options for paying for the cost of the reappraisal were discussed but no action was taken at this time.

The Board then discussed the request for funds by Lyle Mayberry on behalf of the Glenwood Park Board. The Park Board has estimated a need of approximately \$10,000 to supplement current funds, possible grants and anticipated work contributions to build a shelter which would include an office to facilitate rental transactions. Motion by Kohn, seconded by Blankenship to contribute \$5,000 from LOST funds, which are designated for community improvements, to the Glenwood Park Board for the construction of a shelter as presented. 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, January 18, 2011.

Mills County Board of Supervisors

Richard Crouch, Chairperson

Attest: _____
Auditor

Office of Mills County Auditor
Carol Robertson
Courthouse
Glenwood, IA

The Mills County Board of Supervisors met this 4th day of January, 2011, at the Courthouse in Glenwood with all members present. John Scherle was present to express his concerns about the funding of various projects.

Motion by Kohn seconded by Blankenship to approve the agenda.

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

There were no requests for utility permits:

Engineer Mayberry will update the Board next week on the county snow removal policy. The Board brought driveway concerns to the attention of the Engineer. He will look into these and report back into the Board.

Supervisor Crouch stated he has been visiting with Legislators regarding funding for roads.

Motion by Kohn, seconded by Blankenship to approve the purchase of a HP desktop for the County Recorder's Office, per recommendation of IT Director Patrick Binns, in the amount of \$1,175.99.

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

Elaine Burwell, Bonnie Millsap and Ted Smith were present to request assistance for the Senior Center for the following items: dishes, tablecloths and carpet. The replacement of the carpet and dishes are safety issues. The carpet is the original carpet that was installed in the building 35 years ago. The members do fundraisers and have written grants. The approximate cost of the project is \$5900. The Board will wait to see what monies the Senior Center doesn't receive from other sources and will try to assist with the remaining balance with LOST funds.

Bonnie Millsap and Gary Schoening were present to discuss a county wide pool and transportation for senior citizens. The Board explained that the pool is the City's project. They do not want to start funding for a pool, nor do they want to be obligated to assist with funding for other pools. The County gives a sum of monies agreed upon through the LOST funds to the YMCA from an agreement that was made prior to this Board. Schoening questioned why the Board didn't try to fix the existing outdoor pool and the Board explained he would need to discuss that with the City.

Schoening explained he and Millsap would like to have transportation available for senior citizens to get to meal sites and other functions. Supervisor Crouch stated that funding from the County is paid to SWIPCO which provides a taxi for senior citizens in the county. Crouch suggested they should visit with the City of Glenwood about assisting with funding to SWIPCO; then perhaps the City could have a taxi service that is more available for use.

Charles Goodman, Malvern was present to request the use of space for a soccer/flag football field on the Mills County Fairgrounds in Malvern. The Board has no problem with this nor does the Mills County Fair Board President. Goodman will work out the details of the use of this field with the Mills County Fair Board.

J. Keith Johnson from Colonial Life was present to discuss insurance benefits from Colonial Life. The Board explained to Mr. Johnson that the services he had to offer were not something the County needed at this time.

Darin Whatcott, Building and Permits Department was present to discuss the Board of Supervisors hosting a joint meeting with the Planning and Zoning Committee and the Board of Adjustment. This will give all the Boards an opportunity to discuss changes or ideas. February 1, 2011 has been set as a tentative date.

There being no further business to come before the Board at this time, they adjourned to meet on Tuesday, January 11, 2011.

Mills County Board of Supervisors

R.E. Kohn, Chairperson

Attest: _____
Auditor

Office of Mills County Auditor
Carol Robertson
Courthouse
Glenwood, IA

Order of Board of Supervisors Meeting

Swearing in of elected officials was held at 9:00 a.m. in the courtroom, Mills County Courthouse.

The Mills County Board of Supervisors met this 3rd day of January, 2011, 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 Kohn, seconded by Blankenship to nominate Crouch as Chairman, Mills County Board of Supervisors.

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

Chairman Crouch asked for nominations for Vice Chair.

Motion by Kohn, Crouch stepped down to nominate Blankenship as Vice Chairman, Mills County Board of Supervisors.

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

Motion by Kohn, seconded by Blankenship to approve the agenda for January 3, 2011 and the minutes for the December 28, 2010 board meeting as corrected.

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

Organizational

Motion by Blankenship, seconded by Kohn to designate the Malvern Leader and Opinion Tribune as official County papers.

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

Motion by Kohn, seconded by Blankenship to authorize Mills 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, and court reporting. Claims paid when the Board is not in regular session MUST BE SIGNED by two (2) members of B.O.S.

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

Motion by Blankenship, seconded by Kohn to designate Dr. Robert Fryzek as County Medical Examiner and Dr. Thomas Baer as Deputy County Medical Examiner.

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

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

President's Day Monday, February 21, 2011;

Memorial Day Monday, May 30, 2011

Independence Day, Monday July 4, 2011

Labor Day, Monday September 5, 2011

Veterans Day, Friday, November 11, 2011

Thanksgiving, Thursday & Friday November 24th & 25th, 2011

Christmas, Monday and Tues December 26th & 27th, 2011

New Years, Monday, January 2, 2012

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

Motion by Blankenship, seconded by Kohn 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 BOS meeting date.

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

Motion by Blankenship, seconded by Kohn 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:

Motion by Crouch, seconded by Blankenship 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, Malvern Donna Rieken, Henderson
Jacque Young, Glenwood, Krystal Mayberry, Glenwood, Terry Craig, Glenwood,
Richard Roenfeld, Silver City, Jeff Copperstone, Malvern
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, Malvern

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

John Dean, PJ Larry Johnson, Emerson
Jay Burdic, Malvern Monte West, Malvern
Jodi Evans, Glenwood Rod Seipold, Hastings
Sharon LeMaster, Glenwood John Paul, Henderson Duane Kahl, Glenwood
Lee Dinklage, Malvern

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

Motion by Kohn, seconded by Blankenship to approve the following Supervisor Committee Assignments for 2011 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
4th Judicial Corrections Crouch Alt. Blankenship
Gold Hills RC&D Kohn Alt. Crouch
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 Co YMCA Board. Kohn Alt. Crouch
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 Kohn to approve .51 cents for mileage reimbursement to Mills County employees effective January 1, 2011, with option to change the rate should the need arise.
Motion carried on vote: Ayes: 3; Nays: 0.

Motion by Blankenship, seconded by Kohn 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 Kohn, seconded by Blankenship to reappoint Brad Rasmussen to a 5-year term to conservation Board.
Motion carried on vote: Ayes: 3 Nays: 0

Motion by Kohn seconded by Blankenship to approve Resolution 10-01 Treasurer Bank Depository, as presented by Treasurer Rebecca Killpack.
Motion carried on a roll call vote: Ayes: Blankenship, Crouch, Kohn. Nays: None

Motion by Kohn, seconded by Blankenship to accept Mills County Investment Policy as presented by Treasurer Rebecca Killpack.
Motion carried on a vote: ayes: 3 Nays: 0

Motion by Blankenship, seconded by Kohn to authorize chair to sign cost allocation plan for Cost Advisory.
Motion carried on a vote: Ayes: 3 Nays: 0

Lyle Mayberry, Glenwood Park Board Chairman, was present during General discussion to request funding from LOST funds for the Glenwood Lake Park Board to help fund a shelter at the campgrounds with office space for rental. The estimated cost of this project is approximately \$10,000 and they will be requesting funding from the City to assist with the project. Mayberry understands the Board did not have this on as an agenda item so consequently this will be put on the January 11th agenda for formal action.

There being no further business to come before the Board at this time, they adjourned to meet again on Tuesday, January 4, 2011.

Chair

Attest: _____
Auditor