

MONTGOMERY COUNTY SUPERVISORS MINUTES
November 25, 2009

The Montgomery County Board of Supervisors met in quorum, Wednesday, November 25, 2009, at 9:00 a.m. at the courthouse for their regular meeting. The meeting was called to order by Chairman Bryant Amos. There was a roll call of members with Supervisors Amos, Glen Benskin, Karen Blue, Steve Ratcliff, and Donna Robinson present.

Motion to approve the agenda by Benskin, second by Ratcliff. Roll call: Yes: Amos, Benskin, Blue, Ratcliff, Robinson. No: None. Motion carried.

Minutes of the November 19, 2009 regular meeting were approved as read.

The Chairman called for public comments. There were no audience comments.

Under Supervisor weekly updates and assignments, Blue reported that she had attended a MCMH board meeting and a Red Oak Chamber and Industry Association meeting. Amos stated he had attended a meeting with Engineer Brad Skinner and the union steward regarding employee health insurance.

Weed Commissioner Damien Bond presented his 2009 Weed Commissioner's report. Motion by Benskin, second by Robinson to receive the Weed Commissioner's report. Roll call: Yes: Blue, Ratcliff, Robinson, Amos, Benskin. No: None. Motion carried.

At 9:05 a.m. the Chairman moved out of the regular session into the public hearing for the Spruce Avenue Bridge closure.

Engineer Skinner gave an overview of the proposed closure and reasons why he believed it would be best to close the bridge. He stated the bridge had been damaged in the floods of '08 and is eligible for approximately \$187,000 of FEMA funds for repair. He said it would cost \$500,000 or more to repair, plus \$100,000 for engineering services. He recommended closing the bridge and redirecting the money for upgrading the roads leading to the nearest pavement.

Public comment was received from Rex Knowles, resident of Spruce Avenue and his wife Rita, who are opposed to the closure. He cited several inconveniences the closure would create, and believed the cost to replace the bridge is not as high as stated by Skinner. He asked the Engineer to review the bridge built in Cass County over Turkey Creek. Skinner addressed several points, and said that there are a number of differences between the Turkey Creek bridge and the Spruce Avenue bridge. Philip Chalmers said he would love to have a bridge, but understands the cost restrictions. His main concern was the access to the bottom of the hill to access his livestock. Brad said that would be considered in the solution. Jerry Jones said that if any of the Board members owned a home in that area, they would make sure the bridge was replaced. Rita Knowles asked why it has taken 1 ½ years to have the public hearing. Skinner responded that they had been negotiating with FEMA to receive more money for the project, and they were recently offered the \$187,000. Further discussion and suggestions with the audience followed.

No written comments were received.

At 9:45, the Chairman closed the public hearing and moved back into regular session. Ratcliff stated that the audience had given some good points, but cost-wise he hated to see more than \$300,000 of local money spent on a project that would benefit so few residents. He did state he would like to see what other alternatives are available.

The Chairman said he would question taking FEMA money and using it elsewhere and using county money to replace the bridge at a lower standard. Skinner said that would jeopardize any future funding from FEMA. Blue stated we didn't want to lose FEMA funding.

Blue said she hated to close a bridge or vacate, and understands the inconveniences, but it tough economic times, everyone will be inconvenienced as services are cut.

The Board asked Skinner to review other options, and bring it back to the Board.

Under the Secondary Roads update, Skinner asked that the Board approve a requested temporary road closure. Resolution 09-20 was moved for approval by Karen Blue, seconded by Ratcliff, and read as follows:

Detour for Project BRS-CO69(38)—60-69

WHEREAS: The Board of Supervisors is empowered under authority of Iowa Code Section 306.4 2009 Code of Iowa to operate and manage the Secondary Road System, WHEREAS: Construction of the Indian Creek Bridge will take more than 48 hours of closure to construct and Iowa Code Chapter 306.41 requires that a numbered road have an authorized detour if closed for more than 48 hours,

WHEREAS: The County Engineer recommends closure of the following Bridge: The Bridge over Indian Creek, on County Road H-20 (150th Street) between A & B Avenue, in Section 32 of Lincoln Township T-37N, R-39W of Montgomery County, Iowa.

WHEREAS: The County Engineer recommends that the Official Detour be as follows: North of 150th and B Avenue to 140th Street, then West on 140th to A Ave., then South on A Ave. to 150th Street.

NOW THEREFORE, BE IT RESOLVED: That we, the Board of Supervisors of Montgomery County do hereby declare that above described Road H-20 (150th Street) temporarily closed and the described detour established, further direct the County Engineer to have the appropriate signs placed so to indicate, and that the said closure and detour shall remain in effect until the aforementioned construction is completed.

Passed and adopted this 25th day of November, 2009.

Roll call: Yes: Amos, Benskin, Blue, Ratcliff, Robinson. No: None. Motion carried.

Skinner reported that the sign crews were replacing signs to meet the higher intensity requirement.

Under Old Business, employee health insurance was discussed. Amos stated he had met with the union steward at Secondary Roads and explained that the county would save money if switching to a new company. The United Healthcare River Valley Plan was compared to the Wellmark Blue Cross Blue Shield Plan. The plans offer the same benefits, except the River Valley Plan has a better prescription option, and no maximum lifetime cap. The BCBS plan is a 18% increase over the current year and the River Valley Plan is a 6% increase over the current year plan. Several department heads were present, and stated that customer service is a big concern. The department heads will meet again prior to next Thursday's meeting.

The Durrant payment was discussed. Motion by Blue to pay Durrant \$5,000 plus reimbursables. The motion died with no second. Chairman Amos stated he didn't want to pay that much, and Blue stated that if the payment was too low, it would insult Durrant and they would refuse the offer and counter. Motion by Robinson, second by Benskin to pay \$3,000 plus reimbursables. In discussion Ratcliff said that \$4,500 would be half. Amos said he didn't want to pay \$5,000 but maybe \$3,000 was low. Roll call: Yes: Ratcliff, Robinson, Amos, Benskin. No: Blue. Motion carried. The Board asked Auditor Joni Ernst to bring the letter to accompany the payment back to the Board for review. Blue left the meeting to attend another meeting in Council Bluffs.

Robinson gave a Jail Committee update. She stated that the jail committee had met and reviewed the proposals submitted by Prochaska and Associates, DLR, and HMN Associates. She stated that the committee was recommending Prochaska out of Omaha, and would have their approval on the next board agenda.

There was no additional information to present to the Board regarding the septic system requirements. Ernst will follow up with Sanitarian Richard Price.

Ernst advised the Board that the homestead claim requests for FY10 had been reduced due to the governor's executive order from the original rate of 73% to 69.872%.

Ernst explained the new Government Accounting Standards Board 45 requirements. She said this was an unfunded mandate and will require an actuarial firm to prepare the statement regarding retired employees benefits and cost to the county. She said it would cost between \$2,000 and \$3,000.

Motion by Ratcliff, second by Benskin to approve claims payable Wednesday, November 25, 2009 in the amount of \$213,944.72. Roll call: Yes: Robinson, Amos, Benskin, Ratcliff. No: None. Motion carried.

Deputy Chris Stephens salary was discussed. Sheriff Sampson stated he would no longer be the chief deputy, and asked that the Board decrease his salary. Benskin stated it looked like he was being penalized for going away for his overseas service. Ratcliff recommended "red-lining" him. He said he wasn't in favor of decreasing his salary, but would support holding him at the current salary until he would meet the percentage of the patrol deputy salary. Motion by Benskin, second by Robinson to leave Deputy Stephens salary as it currently is. There was additional discussion about the precedence that had been set previously by the Board when then Sheriff Updegrave had attempted to decrease then Deputy Sampson's salary. The decrease had been denied by the Board at that time. Sheriff Sampson stated that he had been previously decreased. Roll call: Yes: Benskin, Ratcliff, Robinson, Amos. No: None. Motion carried.

Agenda items discussed for next regular board meeting are the jail committee recommendation for a consultant, payroll, health insurance, septic system requirements update, and review of the letter to Durrant.

Motion by Benskin, second by Ratcliff to adjourn. All in favor. Meeting adjourned at 11:15 a.m.

BRYANT AMOS, CHAIRMAN

ATTEST: JONI K ERNST
AUDITOR