

MONTGOMERY COUNTY SUPERVISORS MINUTES  
January 8, 2010

The Montgomery County Board of Supervisors met in quorum, Friday, January 8, 2010, at 9:00 a.m. at the courthouse for their organizational meeting. The meeting was called to order by Chairman Bryant Amos. There was a roll call of members with Supervisors Amos, Donna Robinson, Steve Ratcliff and Karen Blue present. Supervisor Glen Benskin was absent.

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

Minutes of the January 4, 2010 organizational meeting were read and stand as read.

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

In Supervisor Update, Blue stated she had attended two Red Oak Chamber and Industry Association meetings. Robinson had attended the Landfill Commission meeting and Amos attended a Joint Communications meeting.

Engineer Brad Skinner reported that there was nothing new, and the road crews continued to battle the snow and drifting.

The Employee Holiday Schedule was discussed under old business. Motion by Blue, second by Robinson to set the schedule as follows for 2010: New Year's Day – January 3, 2011; President's Day – February 15; Memorial Day- May 31; Independence Day – July 5; Labor Day – September 6; Veteran's Day – November 11; Thanksgiving – November 25; Day after Thanksgiving – November 26; Christmas Day – December 24; Floating Holiday – December 27. Roll call: Yes: Blue, Ratcliff, Robinson, Amos. No: None. Motion carried.

The Board reviewed the appeal of agland tax credit disallowance for the Church of Jesus Christ of Latter Day Saints. Because the parcel owned is only 4 acres, it doesn't meet the Code requirements of 10 acres. Motion by Blue, second by Robinson to not approve the appeal for agland tax credit. Roll call: Yes: Ratcliff, Robinson, Amos, Blue. No: None. Motion carried.

Motion by Ratcliff, second by Blue to approve the final plat for Hunt's Subdivision, Resolution 10-4, read as follows:

RESOLUTION APPROVING FINAL PLAT OF THE HUNT SUBDIVISION IN MONTGOMERY COUNTY, IOWA

RE: A parcel of land located on M Avenue, part of the SW1/4 SW1/4 of Section 17, Frankfort Township.

WHEREAS, a final plat of the Hunt Subdivision in Montgomery County, Iowa, has been presented for approval to the Board of Supervisors of Montgomery County, Iowa, along with approval of the Zoning Commission of Montgomery County, Iowa, to said final plat, as well as all necessary supporting material required by the Ordinances of Montgomery County, Iowa; and

WHEREAS, the final plat and accompanying material is found to comply with the Zoning and Subdivision Ordinances of Montgomery County, Iowa;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Montgomery County, Iowa, the final plat of the Hunt Subdivision in Montgomery County, Iowa, as presented, is hereby approved.

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

Motion by Robinson, second by Ratcliff to set the budget work session dates and times as January 15, 18, 19, 20, and 22 from 9:30 a.m. to Noon. Roll call: Yes: Amos, Blue, Ratcliff, Robinson. No: None. Motion carried.

Motion by Blue, second by Ratcliff to receive the Recorder's report of fees for December in the amount of \$30,347.72 Roll call: Yes: Blue, Ratcliff, Robinson, Amos. No: None. Motion carried.

Motion by Ratcliff, second by Robinson to receive the Sheriff's report of fees for December in the amount of \$2,654.29. Roll call: Yes: Blue, Ratcliff, Robinson, Amos. No: None. Motion carried.

Motion by Robinson, second by Ratcliff to receive the Auditor's quarterly report of fees in the amount of \$158.50. Roll call: Yes: Ratcliff, Robinson, Amos, Blue. No: None. Motion carried.

Motion by Robinson, second by Ratcliff to receive the Treasurer's ending fund balance for December in the amount of \$4,098,081.25. Roll call: Yes: Robinson, Amos, Blue, Ratcliff. No: None. Motion carried.

Motion to receive the Treasurer's semi-annual report by Ratcliff, second by Robinson. Roll call: Yes: Amos, Blue, Ratcliff, Robinson. No: None. Motion carried.

TREPPFR 1/04/10 16:43:09						
Semi-Annual Report						
Certification Date DECEMBER 31 2009		Treasurer For the period from JULY 1, 2009	Red Dat - DECEMBER 31 2009		IA Inclusive	
MONTGOMERY COUNTY Statement of Account By Fund						
Fund	Balance JULY 1 2009	Revenues	Total To be Accounted For	Disbursements	Fund Balance DECEMBER 31, 2009	Auditor's Warrants Outstanding
01 General Basic Fund	425 091 56	1 483 456 40	1 908 547 96	1 291 234 99	617 312 96	88 779 44
02 General Supplemental	306 566 37	602 414 91	908 981 28	514 689 72	394 371 56	107 319 69
03 Rural Services Basic	212 288 46	593 271 51	805 559 97	620 148 16	185 411 81	11 768 51
04 Rural Services Supp Fund	199 051 09	160 727 47	358 778 56	132 391 45	226 387 11	18 764 59
05 Secondary Road	2 382 510 04	1 691 440 32	4 073 950 36	2 558 489 39	1 515 460 97	334 738 79
06 General Revenue Sharing	00	00	00	00	00	00
07 Flood Erosion Control	810 52	00	810 52	00	810 52	00
08 Seized & Forfeited Fund-CoAtty	2 075 82	00	2 075 82	00	2 075 82	00
09 Seized & Forfeited Fd-Sheriff	8 947 78	925 00	9 872 78	1 534 38	8 338 48	00
10 Mh-Id Services Fund	158 361 02	516 786 27	675 127 29	464 761 18	210 366 11	48 195 10
11 DEBT SERVICE	989 99	5 596 47	6 486 46	5 456 36	1 040 10	201 80
13 Rural Water Cdbq Grant	00	00	00	00	00	00
14 Traco Cdbq Grant	00	00	00	00	00	00
15 State Grant/R O Die Casting	00	00	00	00	00	00
16 Emergency Management Fund	20 035 55	25 387 62	45 423 17	25 662 66	18 760 51	319 54
18 Property Tax Agency	00	00	00	00	00	00
19 Banks & Brucel tests	27 27	695 44	722 67	664 27	57 98	00
20 Levy Type For Townships	2 591 49	80 172 98	82 764 39	78 055 03	4 209 36	00
21 Levy Type For Cities	59 191 08	1 582 040 89	1 561 231 97	1 514 348 48	46 863 49	00
22 School Control	114 741 23	3 675 576 12	3 750 317 35	3 626 396 49	163 920 86	00
23 Area Community College Levy Ty	5 583 12	169 666 19	175 255 31	167 546 73	7 708 58	00
24 Fire District Sherman Township	00	00	00	00	00	00
26 RECORDER ELECTRONIC TRANS FUND	180 00	2 562 08	2 742 08	2 290 00	452 08	00
27 Basic 911 Contribution	00	00	00	00	00	00
28 Recorder Records Fee	12 539 98	964 33	13 504 31	00	13 504 31	00
29 Ag Extension	2 334 11	69 853 61	72 187 72	69 037 76	3 149 36	00
30 Co Cons Land Acquisition	21 198 87	00	21 198 87	00	21 198 87	00
31 Assessor	85 494 82	63 153 08	148 647 18	64 501 21	84 045 89	3 741 13
32 Motor Vehicle	137 777 10	910 323 78	1 048 100 88	790 784 50	257 316 30	00
33 Use Tax	75 717 12	492 815 48	567 732 52	580 481 99	67 250 53	00
34 Special Assessment	00	5 291 03	5 291 03	5 291 03	00	00
35 Tax Redemption Trust	00	106 345 78	106 345 78	106 345 78	00	00
38 Tax In Advance	16 805 66	5 541 94	21 547 08	15 728 06	5 818 98	00
39 Regional Jail Fund	00	00	00	00	00	00
42 Trust and Agency	00	00	00	00	00	00
43 Spectal Appraiser	127 843 82	78 201 46	206 045 28	138 927 85	67 117 43	32 681 00
44 Assessor Fica Fund	00	3 829 32	3 829 32	00	3 829 32	00
45 Assessor Ipers Fund	00	3 328 58	3 328 58	00	3 328 58	00
47 Local Option Tax	25 587 83	160 461 68	186 058 71	159 323 05	26 735 66	00
48 Local Option Tax-Sec Roads	00	00	00	00	00	00
49 Local Option Tax Public Safety	00	00	00	00	00	00
50 Local Option Tax Courthouse	00	00	00	00	00	00
51 Local Option Tax Fair	00	00	00	00	00	00
52 E911 Service Commission Fund	00	00	00	00	00	00
53 E911 Service Commission Fund	98 906 73	45 507 81	139 413 74	11 454 98	107 958 84	596 29
58 Basic 911 Contributions	00	00	00	00	00	00
59 Drivers License Trust	00	32 756 00	32 756 00	32 756 00	00	00
60 County Hospital	24 324 40	696 807 49	721 131 89	689 711 51	31 420 38	00
62 Anatomical Gift Trust	9 80	51 50	60 50	33 08	27 50	00
	4 522 606 22	13 185 841 30	17 707 647 52	13 619 566 27	4 098 081 25	634 381 88

I Carol Strovers Treasurer of MONTGOMERY 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

End of report

Motion by Blue, second by Ratcliff to approve Resolution 10-1, Master Matrix Construction Evaluation, read as follows:

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

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

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

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

**WHEREAS**, the board of supervisors must conduct an evaluation of every construction permit application using the master matrix created in Iowa Code section 459.305, but the board's

recommendation to the DNR may be based on the final score on the master matrix or may be based on reasons other than the final score on the master matrix;

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF MONTGOMERY COUNTY** that the Board of Supervisors hereby adopts this construction evaluation resolution pursuant to Iowa Code section 459.304(3).

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

Motion by Blue, second by Robinson to approve Resolution 10-2, Naming Depositories, read as follows:

**BE IT RESOLVED**, that the Board of Supervisors of Montgomery County in Montgomery County, Iowa, approves the following list of financial institutions to be depositories of the Montgomery County funds in conformance with all applicable provisions of Iowa Code Chapters 452 and 453 (2003), as amended by Iowa Acts, S.F. 2220. The County Treasurer is hereby authorized to deposit the Montgomery County funds in the amounts not to exceed the maximum approved for each respective financial institution as set out below.

Depository Name	Location of Home Office	Maximum Balance in Effect under prior Resolution	Maximum Balance in Effect under this Resolution
<b>TREASURER:</b>			
Houghton State Bank	Red Oak	\$5,000,000	\$5,000,000
US Bank of Red Oak, N.A.	Red Oak	\$100,000	\$100,000
Bank Iowa	Villisca	\$300,000	\$300,000
Great Western Bank	Red Oak	\$1,000,000	\$2,000,000
Bank Iowa	Red Oak	\$1,000,000	\$5,000,000
<b>AUDITOR:</b>			
Great Western Bank	Red Oak	\$10,000	\$10,000
<b>SHERIFF:</b>			
Houghton State Bank	Red Oak	\$250,000	\$250,000
<b>RECORDER:</b>			
Houghton State Bank	Red Oak	\$50,000	\$50,000

**CERTIFICATION:** I hereby certify that the forgoing is a true and correct copy of a resolution of the Montgomery County Board of Supervisors adopted at a meeting of said public body, duly called and held on the 8<sup>th</sup> day of January, 2010, a quorum being present, as said resolution remains of record in the minutes of said meeting, and it is now in full force and effect. Dated this 8<sup>th</sup> day of January, 2010.

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

Motion by Ratcliff, second by Robinson to approve the tax transfer from Rural Services Basic to Secondary Roads in the amount of \$20,116.65. Roll call: Yes: Ratcliff, Robinson, Amos, Blue. No: None. Motion carried.

Motion by Robinson, second by Ratcliff to approve the LOSST transfers as follows: Secondary Roads, \$21,388.53; Public Safety, \$2,673.57; Courthouse Repairs, \$1,336.78; County Fair, \$1,335.78. Roll call: Yes: Robinson, Amos, Blue, Ratcliff. No: None. Motion carried.

Motion by Blue, second by Robinson to approve Resolution 10-3, Fixed Charges, read as follows:

**BE IT RESOLVED** that the Board of Supervisors of Montgomery County, Iowa authorizes the County Auditor to issue warrants in payment of fixed charges such as freight, express, postage, water, lights, gas, telephone or contractual services. Also, salaries and payrolls previously fixed by the Montgomery County Board of Supervisors.

**THIS RESOLUTION** is in effect during the year 2010. This is in accordance with Section 331.506 Code of Iowa.

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

Motion by Blue, second by Robinson to approve the Eminent Domain Members for 2010 as follows: ¼ Owner-Operators of Agricultural Property: Donna Devries, Larry Heuer, Clyde Jones, Tony Johnson, David Hart, Jerry Sandin, Cecil Conry; ¼ Owners of City Property: Kirk Requist, Les Smith, Cheryl Miller, Zelda Swartz, Bill Jones, Dave Reynolds, Janice Phillis, Carla Coissart, Linda Southworth; ¼ Realtors: Chris Amos, Bill Jacobs, Steve Bergren, Marty Barnett, Julie Rubey, Charles Walker, Leo Smith; ¼ Appraisers/Auctioneers/Bankers: Paula Harold, Roger Ehmke, Mary Gohlinghorst, Doug Reiken, Dennis Walker, Deb Maher. Roll call: Yes: Blue, Ratcliff, Robinson, Amos. No: None. Motion carried.

Motion by Ratcliff, second by Blue to approve claims payable January 8, 2009 in the amount of \$112,787.33. Roll call: Yes: Blue, Ratcliff, Robinson, Amos. No: None. Motion carried.

Agenda items were discussed for next week including budgets and payroll.

Motion by Ratcliff, second by Robinson to adjourn. All in favor. Meeting adjourned at 10:35 a.m.

BRYANT AMOS, CHAIRMAN

ATTEST: JONI K. ERNST, AUDITOR