

LYON COUNTY AUDITORS OFFICE  
April 25, 2016

ROCK RAPIDS, IOWA

Chairman Randy Bosch convened the adjourned session with Peters, Bosch, Behrens, Koedam and Michael present. Motion carried assumes unanimous vote unless otherwise stated.

The minutes of the April 11, 2016 meeting were reviewed. Motion made by Behrens, second by Peters, to approve minutes, with corrections to Gerald Brands to Gerry Stai and to the portion of the City of George minutes to remove the request of financial help. Motion carried.

Gina Sypersma, consultant with IBC, met with the Board to discuss the health insurance renewal for 16/17. Sypersma reported that the total increase to the plan for 16/17 would be 7.72%. There will be an increase in stop loss premiums (253,725 to 266,934), Wellmark administrative fees (48.69 to 49.15), and the costs of the plans (single \$744.30, family \$1,860.75). Sypersma recommended staying at the \$55,000 stop loss limit for 16/17, and also recommends renewing the organ transplant policy for 16/17 (18,530.28). The IBC fees will stay the same at \$20,400 for 16/17. Lyon County's health insurance plan is a grandfathered plan and Sypersma recommends staying grandfathered as it lessens claim amounts. The Cadillac tax has been pushed back to 2020. Motion by Michael, second by Behrens to approve the renewal for 16/17. Motion carried.

Lyon County Economic Development Director Steve Simons and Joe Kramer, Alvord City Council member presented a request from the City of Alvord to have the County administer a tax increment financing (TIF) project involving the new fertilizer plant being built by Cooperative Farmers Elevator within the Alvord city limits. The Tax Increment Financing on this project would include infrastructure improvements on County Road A34 to service the facility and surrounding area. The project cost estimation is \$405,000 at this time. Alvord does not have a high enough debt limit to efficiently administer the TIF. Simons stated that this TIF would be administered like any other county TIF with paperwork to set up the project/agreement being done by TIF Attorney John Danos of Dorsey Whitney Law Firm. Motion by Koedam, second by Michael to have the county administer a TIF for the City of Alvord regarding the CFE property. Motion carried.

Chairman Bosch introduced Resolution 2016-12 Authorization to make contribution. Lyon County Economic Development Director Steve Simons and Justin Christensen, Chairman of Lyon County Economic Development Advisory Board presented the LCED Advisory Board recommendation to the Board of Supervisors to approve Resolution 2016-12. Simons explained that LCED Advisory Board was tasked in making a process for entities requesting funds from the Lyon County Economic Development Project Fund which the Board of Supervisors approved on 4-11-2016. The Kids Club application has now gone through said process of the LCED Advisory Board. Supervisor Michael agreed with the process in place for review of applications, but expressed concerns about the Kids Club request. As an explanation point, Simons stated that the dollars being used are not tax dollars as they are contributions given to the

Lyon County Economic Development Project Fund for support of economic development projects. Attorney Mayer also stated that the application process is to give the LCED Advisory Board a means to differentiate the projects and clear reasons as to why projects are approved or not, based on Iowa Code, public purpose, and economic development.

**RESOLUTION NO. 2016-12**  
**A RESOLUTION SUPPORTING CONTRIBUTION TO KIDS CLUB**

WHEREAS, the Lyon County Board of Supervisors support economic development efforts to make Lyon County more inviting to potential employees, current residents and county employers, and to provide the resources and assistance necessary to make this occur; and

WHEREAS, the 501c3 non-profit Kids Club daycare construction project will double its capacity in daycare services available to Lyon County employees and residents and meet the public purpose of job creation and alleviating adverse economic conditions; and

WHEREAS, under the economic development public purpose, the partial funding this project from the Lyon County Economic Development Project Fund (non-tax generated dollars) will meet the requirement of Chapter 15A of the Iowa Code by expanding daycare opportunities in Lyon County for employment creation and retention benefit to Lyon County families and employers by providing increased access to this critical economic development factor; and

WHEREAS, the Lyon County Board of Supervisors determines as written in Iowa Code 15A.1 (2) that a public purpose will reasonably be accomplished by the dispensing or use of funds is appropriate based on the factors:

- a. Businesses that add diversity to or generate new opportunities for the Iowa economy should be favored over those that do not. This does.
- b. Not applicable. The project does not produce export or import or generate tourism-related activities.
- c. Development policies in the dispensing or use of funds should be targeted toward businesses that generate public gains and benefits, which gains and benefits are warranted in comparison to the amount of funds dispensed.
- d. Development policies in dispensing the funds . . . to Kids Club relocation to a new larger facility and expansion of daycare available will generate significant new job creation. The dispensed \$25,000 funds gains and benefits equate less than 1% of the total project cost.

WHEREAS, the Lyon County Board of Supervisors determines Iowa Code 15.A1 (3) does not apply to this determination since no federal or state environmental protection statute, regulation, or rule has been violated OR the business does not generate solid or hazardous waste;

WHEREAS, the Lyon County Board of Supervisors determines Iowa Code 15.A1 (5) the business is located in an area that meets the criteria of:

- a. Not applicable. The area is not a brownfield site.
- b. Applicable. The area is a blighted area - Central Rock Rapids Urban Renewal Area 9.

WHEREAS, current Kids Club child enrollment serves six of eight Lyon County communities and has served all Lyon County zip codes over time for the benefit of Lyon County families, employees and their employers; and

WHEREAS, Lyon County Economic Development and its LCED Advisory Board supports this project for its economic development benefits, including employment growth and important quality daycare services, and supports the \$25,000 funding requested by the Kids Club for its new building construction project utilizing the non-tax dollar Lyon County Economic Development Project Fund, which consists of contributions from local businesses to support economic development in Lyon County; and

WHEREAS, the Board of Supervisors of Lyon County has requested Kids Club provide the Board with information on how the funds are utilized in the project, and Kids Club has agreed to provide said information at Board's request, and

WHEREAS, the Board of Supervisors of Lyon County finds that it is in the best interest of Lyon County economic development to participate in funding for the Kids Club new building construction project.

WHEREAS, in summary, the Board of Supervisors of Lyon County hereby finds the above meets the definition of public purpose in addition to serving the purpose of economic development:

NOW, THEREFORE, it is resolved by the Board of Supervisors of Lyon County, Iowa, to make a **\$25,000 grant** from the Lyon County Economic Development Project Fund to Kids Club in support of its new daycare building construction project.

WHEREAS, this Resolution was introduced and Koedam moved that said Resolution be adopted. The motion was seconded by Behrens. The roll was called and the vote was: **AYES**: District 2 Koedam, District 3 Behrens, District 4 Bosch, and District 5 Peters;  
**NAYS**: District 1 Michael.

PASSED AND APPROVED this 25<sup>th</sup> day of April, 2016.

/s/Randy Bosch  
Chairman, Board of Supervisors

ATTEST:/s/Jen Smit, Auditor

Attorney Mayer presented Resolution 2016-14 "Approval of Offer to Purchase Interest in Real Estate Pursuant to Iowa Code 331.212(d)". The project #248-LOKFC04, Bridge 12W on 140<sup>th</sup> Street needs a Perpetual Easement from property owned by Virginia M. Berg Revocable Trust for a purchase total of \$8,800.

**RESOLUTION 2016-14**

APPROVAL OF OFFER TO PURCHASE INTEREST IN REAL ESTATE PURSUANT TO IOWA CODE  
331.212(d)

**WHEREAS**, the Lyon County Board of Supervisors has previously approved a project to build a bridge, said project being a project to build a bridge, Bridge 12W on 140<sup>th</sup> Street in Lyon County, Iowa, and hereinafter referred to as "The Project";

**WHEREAS**, to comply with the requirements set by the Iowa Department of Transportation, and other applicable laws and regulations, the proposed project will contemplate the building of a bridge, and the foregoing interests in real estate are necessary to completion of said project;

**WHEREAS**, in order to complete The Project, the Lyon County Engineer's Office must obtain a Perpetual Easement. Attached to this resolution is a copy of the Easement Drawing. The Easement Drawing outlines the property and area necessary to the completion of The Project;

**WHEREAS**, in order to complete The Project, the Lyon County Engineer's Office must obtain a Perpetual Easement, as located on said survey. The said property is owned by the Virginia M. Berg Revocable Trust;

**WHEREAS**, said requested Perpetual Easement is legally described as follows:

A perpetual bridge and grading easement located in part of the Southwest Quarter (SW 1/4) of Section 25, Township 100 North, Range 45 West of the 5<sup>th</sup> P.M., Lyon County, Iowa. Said perpetual easement being more particularly described as follows:

Commencing as a point of reference at the Southwest corner of said SW 1/4; thence North 01°35'34" East (all bearings reference to Grid North Iowa Real Time Network North Zone), a distance of 33.00 feet along the West line of said SW 1/4 to the North right-of-way of 140<sup>th</sup> Street, said point being the point of beginning; thence continuing North 01°35'34" East, a distance of 22.00 feet along said West line; thence South 88°24'26" East, a distance of 205.30 feet; thence North 77°17'05" East, a distance of 182.09 feet; thence South 88°24'26" East, a distance of 366.67 feet; thence South 35°01'38" East, a distance of 83.48 feet to said North right-of-way of 140<sup>th</sup> Street; thence North 88°24'26" West, a distance of 798.20 feet along said North right-of-way to the point of beginning.

Containing 33,603 square feet, more or less.

**WHEREAS**, the Lyon County Engineer, Laura Sievers, has engaged in negotiations to acquire the above described property and hereby informs the Lyon County Board of Supervisors that said Trust, by and through its respective Trustees, have agreed to convey the Perpetual Easement for a total of \$8,800; and

**WHEREAS**, stated above the property interest will be acquired for the above project and will be used for a public purpose; to wit: to construct, install, and maintain a concrete slab bridge for use by the traveling public; and

**WHEREAS**, this Resolution was introduced and Peters moved that said Resolution be adopted. The motion was seconded by Behrens. The roll was called and the vote was: AYES: District 1, District 2, District 3, District 4, District 5 and NAYS: None.

**NOW, THEREFORE, BE IT RESOLVED** by the Lyon County Board of Supervisors of Lyon County Iowa:

1. That the Lyon County Engineer be and is hereby authorized to proceed with the necessary activities to acquire the aforesaid property interest for The Project;
2. That if the above property owner agrees to convey the property interest to the County in the above amount, the Lyon County Auditor's Office is authorized and directed to issue a check in the amount outlined above as necessary to carry out these transactions and to pay any unforeseen additional costs as certified by the Lyon County Engineer's Office; the Lyon County Attorney's Office is authorized and directed to complete these transaction in accordance with Iowa Code.

Passed and approved this 25th day of April, 2016.

/s/ Randy Bosch, Chairman  
Lyon County Board of Supervisors

ATTEST: /s/Jennifer Smit  
Lyon County Auditor

Motion by Peters, second by Behrens to approve and sign Resolution 2016-14.  
Motion carried.

Patrick Boddie was present to ask the Board if they would consider a policy to allow UTV/ATVs on county roads. Boddie brought with him sample ordinances from other counties in Iowa. The Board took Boddie's information and stated they would need to talk with the County Engineer and County Attorney on the subject.

Lori Van Maanen, secretary with Secondary Roads, was present. Justin Christensen with DGR was also present to explain that the County's DGR agreement with Dakota Access Pipeline has been tabled due to an inability to determine a reasonable cost for services. It was also noted that it was last stated that work in Lyon County will probably not start until late August or September.

Van Maanen asked to have Resolution 2016-11 tabled until a further meeting.

A bid letting was held this morning for L-TIFF(1W)-73-60 culvert replacement. There were 6 bidders: Midwest Construction, Inc \$141,278; Henning Construction Inc. \$152,312; Prahm Construction \$173,557; Carlson, L.A. Contracting, Inc. \$195,370; Graves Construction Co., Inc. \$233,844; and Peterson Contractors Inc. \$234,404. Motion by Peters, second by Koedam, to accept the low bid with Midwest Contracting, Inc. at \$141,278 as well as approving Chairman to sign contract. Motion carried.

Lyon Rural Electric Cooperative has 3 utility accommodation applications in Cleveland Township sections 20, 29, and 32 on Elmwood and 190<sup>th</sup> Street. Motion by Koedam, second by Behrens to approve and have Chairman sign applications. Motion carried.

Osceola Rural Water has utility accommodation applications for Grant Township sections 32 & 33 on Larch Avenue and Elgin Township sections 29 & 32 on 140<sup>th</sup> St. Motion by Behrens, second by Peters to approve and have Chairman sign applications. Motion carried.

The IA DOT requests the Board sign off on a utility easement for 5 miles of Hwy 9 West of the Lyon/Osceola line. Motion by Peters, second by Behrens to approve request. Motion carried.

John Smidstra has received the certifications required for the weed commissioner position. Motion by Peters, second by Behrens to approve John Smidstra as a Weed Commissioner for East of Hwy 75 as of May 1, 2016. Motion carried.

Motion by Peters, second by Behrens to approve and have Chairman sign application to have John Smidstra added to the County's pesticide license. Motion carried.

The Cost Advisory Services report needs to be signed before the County can receive its dollars recovered by the service. CAS estimates that the county will receive back \$10,203. Motion by Michael, second by Peters to approve and have Chairman sign cost advisory report. Motion carried.

Chairman Bosch introduced Resolution 2016-13 Increase to Department Appropriations.

**Resolution 2016 - 13  
Increase Department Appropriations FY 15/2016**

**Whereas**, Iowa Code Section 331.434 provides for department appropriations.

With the end of the fiscal year coming to a close, some departments currently at a 90% appropriation, will need a 100% appropriation for fiscal year 15/2016.

**THEREFORE BE IT RESOLVED** by the Lyon County Board of Supervisors to approve a 100% appropriation for all departments

The remaining appropriation amount will be \$1,520,707; for a total of \$19,097,297 for fiscal year 15/2016.

Passed and approved this 25th day of April, 2016.

/s/Randy Bosch, Chairman  
Lyon County Board of Supervisors

ATTEST: /s/ Jen Smit  
Lyon County Auditor

Motion by Koedam, second by Michael to approve and Chairman sign Resolution 2016-13. Motion carried.

Motion by Michael, second by Behrens, to approve the ambulance write off amount of \$8,842.84. Motion carried.

Rock Rapids Gun Club submitted a Class C liquor license. Motion by Peters, second by Michael to approve and have Chairman sign liquor license. Motion carried.

The Board needs to set a budget hearing date for the budget amendment. Motion by Behrens, second by Peters to set the public hearing date as May 23, 2016 at 9:30 A.M. Motion carried.

Correspondence: Behrens-League of Cities mtg., Landfill mtg.; Koedam-League of Cities mtg., NWIA Planning and Development, RIDES, and Eggs and Issues; Peters-met with Engineer and Bosch, safety mtg, TIF information meeting, League of Cities mtg.; Bosch- met with Engineer and Peters, TIF information meeting, League of Cities mtg., Seasons mtg.

Handwritten claim dated 4-12-2016 in the amount of \$17,834.78 was reviewed and approved. Check sequence #121320.

Wellmark BlueCross BlueShield	4/2/2016 - 4/8/2016 Claim	17834.78
Grand Total		17834.78

Health Insurance Fund 17,834.78

Conservation claims dated 4-12-2016 in the amount of \$13,888.06 were reviewed and approved. Check sequence #121321-121352.

Alliance Communications	LPRa Telephone/LD & Inter	30.00
Campbell Supply	Hardware	150.42
Central Iowa Distributing	TP, Soap, garbage bags	1790.90
Kyle Ciesielski	Reimb: District III Mtg	10.00
Cooperative Energy Company	March Fuel - 81.7 G Gasah	157.02
Cooperative Farmers Elevator	Hydrothol	302.60
Dadant & Sons Sioux City	Vented Gloves/hooded veil	99.45
Denny's Sanitation Inc.	Dumpster pick up	90.00
Gleason's Instant Tree Co, INC.	4 Trees Transplanted	720.00
Iowa Association of Naturalist	25 Jr Naturalist Patches	50.00
Iowa Department of Revenue -	Jan-March 2016 Excise Tax	2879.00
Jack's Uniforms & Equipment	3 AXII Type II Male Vests	2717.19
Lyon & Sioux Rural Water	16,000 G Water	115.25

Lyon County Fair	Fair Booth	175.00
Lyon Rural Electric Coop	LPRA Electric	960.00
Manitou Carpets	494 SqFt flooring-sm cabi	1427.66
Menards	Mail slot, piping, bolts	151.90
Emily Ostrander	Reimb: Spring IAN	66.00
Premier Communications	Office Phone, LD, Interne	109.49
Rapid Auto Repair Michael D. K	Replace Brake pads, Rotors	315.46
Rent-All Inc	Shingle Rip Cart Rent	25.00
Rock Rapids Ace Hardware	Chisel & Grater	26.47
Rock Rapids Machine & Welding	Oxygen/WS Acetylene	96.25
Rock Valley Rent All	Overseeder Rental	267.00
Justin Smith	Reimb: District III Mtg	10.00
Sturdevant's	Wix Filters	18.87
Sunshine Foods	Eggs & Sugar	10.76
Tessman Company	Grass Seed	580.06
Todd's True Value	Galvanized Coupling-Dock	27.98
US Bank - Purchase Card Purcha	Nat.training,lodging,meals,fuel	394.13
Craig A. VanOtterloo	Reimb: Dist III Mtg	10.00
Verizon Wireless	Wireless phone	104.20
Grand Total		13888.06

General Basic Fund 13,888.06

Payroll dated 4-15-2016 was reviewed and approved.

Payroll Warrant Register in the amount of \$67,955.67 is listed by fund.

General Basic Fund	8,833.91
Rural Service Basic Fund	17,957.30
Secondary Road Fund	41,164.46

Payroll Disbursement Register in the amount of \$31,274.63 is listed by Fund.

General Basic Fund	3,623.16
Rural Services Basic Fund	8,569.86
Secondary Road Fund	19,081.61

Claims dated 4-25-2016 in the amount of \$ were reviewed and approved. Check sequence #121412-121504.

A & B Business Solutions	4/21-5/20/16 Printer Cont	554.74
Advanced Systems, Inc.	4/21-7/20/16 Copier Maint	427.58
Alliant Energy	LR/GE shops	371.01
Apple Time Inc.	Fair/DARE Handouts Pens	1014.73
AT & T	911 Recurring 71-233-0016	41.26
Ban-Koe Systems, Inc.	Fire System Maint FY2017	1153.00
Business Forms & Systems Co.	Tax Statements & shipping	24.37
Butler Machinery Company	door glass #55, glass	978.65
City of George	utilities	26.25
Cost Advisory Services, Inc.	FY2015 Plan/FY2017 Recove	4125.00
CovertTrack Group, Inc	Stealth3/Replace Tracker	810.00
Culligan Soft Water Serv.	#50 Bags Salt,water,filter	274.25
Custom Truck Equipment Inc.	exhaust pipe #101	11.64
Dakota Fluid Power Inc.	hose, quick disconnect, adapters	438.06
Dollar General-Regions 410526	Dish Soap Bx/for handouts	19.60

4-25-2016



Doon Press	RE Property Taxes due 3/3	24.00
DRG Mechanical, Inc.	Water Faucet maint room	51.58
Richard Dail Fellin	May SRT Tactical Training	450.00
Richard F. Fellin	May SRT Tactical Training	450.00
Jeff Folkens	Fill Well	434.27
GCC Alliance Concrete Inc.	8.75 yds conc - L26 culv	1060.00
George Office Products	Toner, sharpis, ribbon ckwtr	155.98
Graham Tire S.F. North	4 New Eagle Tires 603 Imp	435.60
Brad Hindt Getting Around Tuit	full depth patch - Little	16274.80
Russ Hopp	4/13/16 Dist III Mtg Mile	125.00
I-State Truck Center	hear core asy #26	176.14
IDALS - Pesticide Bureau	Weed/Pesticide License	15.00
Jebro Inc.	193 gal CRS-2	675.50
Jim Hawk Tr Trailers Inc.	diaphram #15,valves,	145.68
Kooiker Inc.	culvert extension - L-26	32140.65
Lewis Family Drug, LLC	March RX for Inmates	42.34
Little Rock Free Lance	RE Property Taxes due,intern	48.00
Lyon County News	RE Prop tx due,ordinance,hrq	217.29
Lyon County Sheriff Dept.	Sheriff Fees	416.08
Lyon County Treasurer	4/8/16 Deposit Slips/Prem	45.00
Lyon Rural Electric Coop	utilities - Lester/LR shop	1125.79
Mail Services. LLC	May renewal printing, postage	413.56
Martin Marietta Materials	41.35 tons chips	599.58
Matheson Tri-Gas Inc	4/8/16 Oxygen	81.25
Shayne Mayer	4/6/16 Mileage (48) SxCen	24.00
Andrew McCarty	steel toe shoes, mileage	221.18
MidAmerican Energy	ALV/INW shops	276.25
Midwest Card and ID Solutions	LicenseKey-GunPermits-ID	250.00
Mike's Sales & Service Michael	Hotsy Pressure Washer LR	5800.00
Mouw Motor Company	2016 F-150 Pickup (RS 27	16388.00
Colette Nath	4/15/16 Dist Mtg Mileage	47.50
Neopost USA Inc	Equip Rent 4/30/16-7/29/1	53.85
New Century Press	Public Not/brd minutes	205.93
North Central International	sensor #29	208.43
Northern Iowa Construction Pro	48" X 20' CMP, 48" band	1161.60
Northern States Supply Inc.	18V cordless impact drive	99.99
Northwest Iowa Planning & D	SHIELD FY2016 Final Draw	3500.00
OakLeaf Property Management	Rental Assistance	200.00
PCC, Inc. Physician's Claim Co	March Amb Billing	1334.32
Carolyn Plueger Schuetts Repor	Depositions St vs R.Klein	136.50
Prahn Construction Inc.	L-(51R)--73-60 - Est #4	30204.20
Prahn Construction Inc.	L-(36W)-73-60 - Est #2	61309.60
Premier Network Solutions d/b/	Replace Desktop Computer	675.00
Premier Network Solutions	May IT / Courthouse	1665.00
RDO Equipment Company	hy-gard oil #54	71.75
Rock Rapids Ace Hardware	Cleaning Supplies,paint	147.79
Rock Rapids Machine & Welding	Cut & Drill Flat Bar - Ca	14.51
Safety-Kleen	parts washer rental	318.00
Sanford Health	Medical Records	18.50
Sanford USD Medical Center	Health Screen,post,supplies	1051.71
SimplexGrinnell LP	5yr internal Assess/gauge	2136.00
Sioux Falls Two Way Radio	4 Pagers / Larchwood Fire	1700.00
Jennifer Smit	4/21 Unisyn Mtg-Fuel Sher	18.71
Michele Stewart	Solutions Mtg 4/21 Mile/meals	229.63
Sunshine Foods	2 Coffee / Annex bldg. /soap	25.53
Tifco Industries Inc.	plow bolts	201.66
Pamela R. Tille	4/13/16 Zoning Mileage (8	40.00

U.S. Postal Service Postage-By	postage	500.00
United Court Reports, Inc	Deposition - St vs Rojas	154.70
United States Postal Service	BRM Acct - NCOA Mailing	100.00
Lorna Van Maanen	Mileage - 94 mi @ .50	47.00
Vanguard Appraisals Inc.	Comm/Indust 3/13-4/9/16	172.50
Verizon Wireless	4/10-5/9/16 Cell Phone/At	388.38
Wall Street Printers	20 Pads of Requistion For	72.50
WebClimber Services c/o Scott	Domain Name Renewal	35.00
Ziegler Inc.	door glass #55	574.11
Grand Total		197652.56

General Basic Fund	34,019.72
Rural Services Basic Fund	4,942.27
Secondary Road Fund	155,456.59
Surcharge on E911	1,741.26
Co. Assessor Agency Fund	563.81
Health Insurance Fund	928.91

There being no further business there was a motion by Michael, seconded by Behrens to adjourn. Motion carried.

ATTEST	APPROVED
_____	_____
County Auditor	Chairman