

LYON COUNTY AUDITORS OFFICE
August 11, 2014

ROCK RAPIDS, IOWA

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

The minutes of the July 28, 2014 meeting were reviewed. Motion made by Peters to approve minutes, seconded by Koedam. Motion carried.

Hillside Ag has asked the Board to waive the 14 day appeal process regarding their draft construction permit. As the Board has no intention of appealing the draft permit, motion by Koedam, second by Peters to approve and sign Resolution 2014-19 to waive the 14 day waiting period. Motion carried.

RESOLUTION 2014-19 LYON COUNTY BOARD OF SUPERVISORS

August 11, 2014

Approval of Waiver of Lyon County's right to appeal issuance of final construction permit for the confined animal feeding operation by the Iowa Department of Natural Resources.

Be it Resolved by the Lyon County Board of Supervisors as follows:

Section 1. The Lyon County Board of Supervisors has received notice from the Iowa Department of Natural Resources (DNR) that Mark Vant'Hul has been issued a draft permit for the construction of a confined animal feeding operation building(s) in Section 13 of Garfield Township in unincorporated Lyon County.

Section 2. The Lyon County Board of Supervisors reviewed the construction permit application and the manure management plan and determined that both appeared to be in compliance with the Master Matrix, Iowa Code Section 459 and Iowa DNR rules and recommended approval of said Application on June 23, 2014.

Section 3. The Lyon County Board of Supervisors hereby waives its right to appeal the issuance of the final permit within the fourteen (14) day limit from the time of receipt of notice of the issuance of the draft permit.

Section 4. The Lyon County Board of Supervisors encourages the Iowa DNR to issue the Final Permit immediately upon notification of this waiver.

Section 5. The Lyon County Board of Supervisors authorizes the Board Chairman to notify the Iowa DNR of this waiver.

Section 6. This resolution shall take effect immediately.

ATTEST /s/ Jen Smit
County Auditor

APPROVED /s/ Steve Michael
Vice Chairman

There was discussion over the remodel of the old ambulance garage for the temporary office space for Conservation. Sheriff VanderStoep joined the meeting to be part of the discussion. VanderStoep wanted to inform the Board that his department does have plans for that office area, but not to the finished extent being talked about currently. Supervisor Peters estimates the costs for the remodel to be around \$25,000. The Board is in favor of the project as it benefits two departments and it is improving facilities that are currently owned by the county, but due to many unforeseen/unknown costs due to the flooding, the Board would like to see an overview of all projects for the year and estimated costs. Auditor Smit will compile information regarding current projects and those slated for FY14/15 and bring it to the Board.

Fred Landis and Anita Hopp with George Emergency Medical Services asked the Board for approval of blocking the intersection of Kingbird Avenue and 200th Street on September 4 for training. The GEMS are having Northeast Community College simulate a tractor rollover by a grant through the National Education Center for Agricultural Safety. The GEMS are inviting George Fire, Little Rock Fire and Rescue and Lyon County Ambulance to participate as well. Landis has spoken to County Engineer Sievers regarding and Sievers would support the approval. Motion by Behrens, second by Peters to close intersection of Kingbird Avenue and 200th Street on September 4 for training. Motion carried. Landis and Hopp thanked the Board for their time.

Resolution 2014-18 was tabled until the City of Inwood has completed their proceedings in relation to the resolution.

Steve Simons presented information about the Northwest Iowa Housing Trust Fund funding letter. Motion by Koedam, second by Behrens to approve and have Vice Chairman sign funding letter of \$6,491.00 for Northwest Iowa Housing Trust Fund. Motion carried.

The Board needs to set a public hearing date to amend the Lyon County Urban Renewal Area for the new Sudenga project. Motion by Behrens, second by Koedam to set date at September 8, 2014 at 11:00 a.m. and approve and sign Resolution 2014-20 which will fix the date and time of public hearing. Motion carried.

RESOLUTION NO.2014-20

Resolution setting date for public hearing on designation of the expanded Lyon County-Sudenga Urban Renewal Area and on urban renewal plan amendment

WHEREAS, the Board of Supervisors (the "Board") of Lyon County, Iowa (the "County") by resolution previously established the Lyon County-Sudenga Urban Renewal Area (the "Urban Renewal Area") and adopted an urban renewal plan (the "Plan") for the governance of projects and initiatives to be undertaken therein; and

WHEREAS, a proposal has been made which shows the desirability of expanding the Urban Renewal Area to add and include all the property (the "Property") lying within the legal description set out in Exhibit A; and

WHEREAS, the Property lies within two miles of the City of George, Iowa and, pursuant to the requirements of Section 403.17 of the Code of Iowa, a consent agreement (the "Consent Agreement") has been prepared to facilitate the necessary approval from said City; and

WHEREAS, this Board is desirous of obtaining as much information as possible from the residents of the County before making this decision; and

WHEREAS, an amendment (the "Amendment") to the Plan has been prepared which covers the addition of the Property to the Urban Renewal Area and authorizes the undertaking of a new urban renewal project in the Urban Renewal Area consisting of using tax increment financing to support Sudenga Industries, Inc./Diversified Technologies, Inc. in the expansion of its production facilities for use in its business operations on the Property; and

WHEREAS, it is now necessary that a date be set for a public hearing on the designation of the expansion of the Urban Renewal Area and on the Amendment;

NOW, THEREFORE, Be It Resolved by the Board of Supervisors of Lyon County, Iowa, as follows:

This Board will meet at the Lyon County Courthouse, Rock Rapids, Iowa, on September 8, 2014, at 11:00 o'clock a.m., at which time and place it will hold a public hearing on the designation of expanded Urban Renewal Area described in the preamble hereof and on the Amendment.

The County Auditor shall publish notice of said hearing, the same being in the form attached to this resolution, which publication shall be made in a legal newspaper of general circulation in Lyon County, which publication shall be not less than four (4) nor more than twenty (20) days before the date set for the hearing.

Pursuant to Section 403.5 of the Code of Iowa, the County Auditor and Steve Simons are hereby designated as the County's representatives in connection with the consultation process which is required under that section of the urban renewal law.

The proposed Amendment is hereby submitted to the County's Planning and Zoning Commission for review and recommendations, as required by Section 403.5, Code of Iowa.

The Consent Agreement is hereby approved for execution and presentation to the City of George for consideration, approval, execution and delivery to the Board prior to September 8, 2014.

Passed and approved August 11, 2014.

ATTEST: /s/ Jen Smit
County Auditor

/s/ Steve Michael
Vice Chair, Board of Supervisors

EXHIBIT A

Legal Description

Lyon County Economic Development Urban Renewal Area

Certain real property in the County of Lyon, State of Iowa, more particularly described as follows: PARCEL E EXCEPT PARCEL F IN FRL NW ¼, 31-99-43, Grant Township, Lyon County, Iowa.

Being that the Sudenga project will be within 2 miles of the City of George an Urban Renewal Joint Agreement will need to be signed by both the Lyon County Board of Supervisors and the City of George. Simons stated if the Board approves the agreement today, he will take it to the George City Council meeting on Wednesday night. Motion by Behrens, second by Peters to approve and have Vice Chair sign the agreement. Motion carried.

County Engineer Sievers and Mechanic, Jared Van Engen talked about the purchase of a new motor grader. They have received about 7 quotes from 2 different vendors - John Deere and CAT. They have narrowed the quotes to a CAT 12M2AWD(\$218,780 with addition of Vplow) and a John Deere 772GP(\$210,025 Vplow included). This motor grader will go to the Little Rock shop and the trade in will come from the Alvord shop. The county currently has all CAT equipment as John Deere has not been the best equipment in the past. The county has done a demo with the John Deere and the crew was impressed with it. It is the recommendation of Van Engen to purchase the Deere as it is comparable to the CAT in features and less money. The Board agrees with the decision to purchase the John Deere at \$210,025. The Board thanked Van Engen for all the research he put into the quotes. Van Engen left the meeting.

Sievers is looking for Board approval of the plans for project ER-CO60(104)-58-60 slide repair on Hwy A18. Sievers stated because it is emergency work that they may just do quotes from previous contractors if the federal hiway approves. Motion by Koedam, second by Behrens to have Vice Chair approve and sign plans for ER-CO60(104)-58-60 slide repair on A18. Motion carried.

Approval plans for project ER-CO60(103)-58-60 Slide repair on Hwy A26 are also needed. There are multiple slides on this road from the flood and will require some work on private property. The owners have been contacted and have agreed to let workers on their property during repair. Motion by Behrens, second by Peters to approve and have Vice Chair sign plans. Motion carried.

Sievers also gave a handout to the Board regarding all projects created/items lost due to the flood.

Vice Chairman opened the public hearing at 11:04 am to receive comments regarding the application from Sudenga on the rezoning of Parcel F in 31-99-43 from I2 to A1. In attendance are Fred Christians, County Zoning Officer, Pam Tille, Zoning Secretary and Ron Stewart, Sudenga Industries, Inc. and Veronna Kelly. Stewart stated that the parcel is being rezoned back to A1

upon request of neighboring land owners at the first rezoning for Parcel E and Sudenga Industries is happy to work with the land owners. Public hearing was closed at 11:06 a.m.

Motion to approve rezone of Parcel F in 31-99-43 from I2 to A1 made by Behrens, second by Peters. Motion carried.

The public hearing for the first reading of Ordinance 2014-01 Amendment of Zoning Map was opened 11:35 a.m. by Vice Chair Michael. In attendance were Stewart VanderStoep, Lyon County Sheriff and Verdonna Kelly. As there was no public input Michael closed the public hearing closed at 11:37 a.m.. Motion to waive 2nd and 3rd readings was made by Behrens, second by Koedam. Motion carried.

ORDINANCE NO. 2014-01

(ZONING MAP AMENDMENT)

AN ORDINANCE AMENDING THE LYON COUNTY ZONING MAP BY CHANGING THE ZONING DISTRICT BOUNDARIES AS FOLLOWS:

BOUNDARY 1: FROM A1 TO I2 ON: Parcel E in Fractional NW1/4 of Section 31-99-43, LYON COUNTY, IOWA.

BOUNDARY 2: FROM I2 TO A1 ON: Parcel F in Fractional NW1/4 of Section 31-99-43, LYON COUNTY, IOWA.

WHEREAS, the Lyon County Zoning Ordinance on file in the office of the County Auditor designating certain standards as provided by Chapter 335, Code of Iowa, and

WHEREAS, Sudenga Industries, Inc., property owners, are petitioning Lyon County for a change in the zoning district to accommodate space to inventory product and expand the manufacturing facility, AND

WHEREAS, Sudenga Industries, Inc., property owners, are petitioning Lyon County for a change in the zoning district to return the rest of Parcel E, know known as Parcel F, not involved in the aforementioned paragraph back to the original zoning of A1.

WHEREAS, the Lyon County Planning and Zoning Commission has previously considered the zoning change and has recommended the proposed zoning amendment to the Lyon County Zoning Ordinance, Iowa;

NOW THEREFORE IT BE ORDAINED, by the Lyon County Board of Supervisors:

Section 1. AMEND ZONING MAP TO REFLECT CHANGE OF ZONING DISTRICT. The Zoning Ordinance and Official Zoning Map of Lyon County, Iowa is hereby amended by changing the zoning classification and zoning district on the county's Official Zoning Map for property legally described as:

Parcel E in the Fractional NW1/4 of Section 31-99-43, Lyon County, Iowa from A1 to I2, AND

Parcel F in the Fractional NW1/4 of Section 31-99-43, Lyon County, Iowa from I2 to A1.

Section 2: REPEALER. All ordinances or parts of the previously adopted Lyon County Zoning Ordinance or Official Zoning Map in conflict with the provisions of this zoning amendment are hereby repealed.

Section 3: SEVERABILITY CLAUSE. If any section, provision or any part of this zoning amendment is determined to be invalid or unconstitutional, such adjudication shall not affect the validity of the previously adopted Lyon County Zoning Ordinance or Official Zoning Map as a whole, or any part or provision of the zoning amendment not determined to be invalid or unconstitutional.

Section 4: EFFECTIVE DATE. This zoning amendment shall be in full force and effect from after passage and publication in a newspaper of general circulation within Lyon County, Iowa.

Passed and approved this 11th day of August, 2014.

/s/ Steve Michael
Vice Chair, Board of Supervisors

Attest: /s/ Jen Smit
Lyon County Auditor

Motion by Peters, second by Behrens to have Vice Chair sign and adopt Ordinance 2014-01 Zoning Map Amendment. Motion carried.

Auditor Smit noted that the Lyon County Reporter had the FY13/14 salary of Chairman Randy Bosch entered incorrectly at \$6,268.96 instead of \$26,268.96.

Supervisor Behrens attended a Northwest Iowa Care Connections Governance Board meeting.

Supervisor Michael attended a conservation meeting.

Supervisor Peters met with Conservation Director Van Otterloo in regards to the temporary office space in the old ambulance garage.

Payroll dated 7-30-2014 was reviewed and approved.

Payroll Disbursement Register in the amount of \$277,071.30 is listed by fund.

General Basic Fund	98,117.75
General Supplemental Fund	55,418.18
Mental Health Fund	3,337.88
Rural Service Basic Fund	33,660.04
Economic Development Fund	4,157.70
Secondary Road Fund	69,196.70
Emergency Management Serv	1,024.10
Co Assessor Agency Fund	12,158.95

Payroll Warrant Register in the amount of \$200,067.21 is listed by Fund.

General Basic Fund	127,165.61
Mental Health Fund	2,558.78
Rural Services Basic Fund	19,089.12
Economic Development Fund	3,226.10
Secondary Road Fund	36,527.46
Emergency Management Serv	1,807.29
Co. Assessor Agency Fund	9,692.85

Handwritten claim in the amount of \$15,355.43 to Wellmark BlueCross BlueShield for claims from 7-19-14 thru 7-25-14 was reviewed and approved. Check sequence #110943. Health insurance fund \$15,355.43.

Handwritten claim in the amount of \$8,402.80 to Wellmark BlueCross BlueShield for insurance claims was reviewed and approved. Check sequence#110944. Health insurance fund \$8,402.80

Claims dated in the amount of \$209,379.58 were reviewed and approved. Check sequence #110945-111107.

A & B Business, Inc.	Samsung contract	287.82
Ability Network, Inc.	Service Cont.7-1-14 to 7-	30.00
Air Conditioning & Heating Inc	Repair Kits & Seats	222.20
Alliance Communications Attn:	Aug 911 Recurring	300.00
Alliance Communications	LES, ALV, IW & LW telephone	130.08
Architectural Roofing Inc	7/24/14 Repair Annex Roof	190.60
AT & T Mobility	Cell Phone 6/16-7/15	31.75
Angie Beek	July Mileage - 450 Miles & Cell	240.00
Ben's Plumbing & Repair, Inc.	install water heater - RR	588.20
Bierschbach Equipment & Supply	conc flat saw rental & blade	980.00
Amy Borman	Amb ThankYou Reporter	10.00
Vicki Borman	July Mileage - 624 Miles & Cell	327.00
Boulders Inn & Suites	7/16/2014 SEAT-JJ/SS/CJ	110.00
Calhoun-Burns & Associate Inc.	bridge inspection	18420.70
Campbell Supply	Seafoam, shop tools, drill bits	135.80
Century Link - Business	6/16/14-7/15/14 LD - Amb	255.75
Fred J. Christians	7/25/14 Dist. Meeting 90m	105.00
City of Alvord	utilities	48.50
City of Doon	utilities	33.00
City of Larchwood	utilities	53.83
City of Rock Rapids Municipal	Utility Assistance-P.Elli	195.00
Continental Research Corp	degreaser, cleaner	652.59
Cooperative Energy Company	July Fuel, tires	21138.33
Cooperative Gas & Oil Company	1735 gal diesel fuel	5696.20
Corner Rexall Drugs	Kerlix	4.44
Corner Service	wheel bearings, seats #99	176.46
Crime Victim Assistance Div.	Conf Registration-HH	70.00
Dakota Alignment & Frame Servi	fr springs, steer gear#22	5799.74
Dakota Data Shred DDS	7/8/14 Shred 529 lbs.	115.59
Dave's Bulk Service	1428 gal diesel fuel	13472.75
Dave's Lock & Key David J. Hor	Repair Back Door @SO	317.50
Denny's Sanitation Inc.	garbage service-Larchwood	43.05
DJ's Service	7 gal gasahol	2569.09
Connie Douglass	July Cell Phone	15.00
Electronic Engineering	Aug Console/Repeater Main	1000.00
Employee Data Forms of MO LLC	calendar forms	23.00
Enventis	7/25/14 Phone Service #11	1385.97
Fabers Farm Equipement, Inc.	skid shoes #96	107.00

Jody Folkens	July Mileage - 221 Miles & Cell	125.50
Frontier	George telephone	46.09
George Office Products	Office Supplies	985.50
H & S Homebuilding Center	Caulk, br lumber	52.77
Hargens Court Reporting Karen	Depositions - JVJV500185	81.20
Heiman Inc.	fire extinguisher checks	1299.83
Hiller Lumber	6X6X18' br beam Dale 2/11	167.39
Char Huisman	July Mileage - 928 Miles & Cell	479.00
Institute of Iowa Certified As	IA Assessment & Tax Revie	550.00
Iowa Communities Assur Pool	Liability Insurance E911	3148.00
Iowa County Attorney Ass'n.	Registration 10/3/14 Mtg	65.00
Iowa Department of Justice Att	Additional Forfeiture Fee	100.00
IA Dept. of Public Safety ATTN	July-Sept Terminal Billin	1380.00
Iowa Secretary of State	I-voters maint Fee @.14	1141.70
ISACA Treasurer Attn:Mindy Sch	Annual 2014 Dues	225.00
JCL Solutions-Janitors Closet	Cleaning Supplies	284.18
Jim Hawk Tr Trailers Inc.	exh clamp,flex pipe #15	314.80
Keith's Korner	July Fuel - 97.99 G Gasah	323.90
Kone, Inc.	Annual Elevator Safety Te	350.00
Kooiker Inc.	bridge repair 17R (flood)	28610.85
Eric Kupferschmid	7/10/14 UPS to ship amb p	5.80
Marilyn Lafrenz	Mileage(1,050 mi)&cellphn reimb	540.00
Larchwood Lumber Company	Thermometer, shop supplies	43.27
Larchwood Quick Stop	61 gal gasahol	207.31
Lyon & Sioux Rural Water	water - Lester/LW shop	56.00
Lyon County News	8/11/14 Zoning Hrg/Sudeng	14.82
Lyon County Reporter	Renew Subscription-Auditor office	45.00
Lyon County Sheriff Dept.	Sheriff Fees - Albert	505.42
Lyon County Treasurer	Stop Payment Fee/Sam's Ch	83.00
Lyon Manor & Rehab Center	July Inmate Meals 229x\$4.	1030.50
Marco	4/27-7/26/14 Copier Maint	79.58
Matheson Tri-Gas Inc	7/24/2014 Oxygen & Tags	218.08
Debra M. McKeever, CSR,RPR McK	Depositions-DeBoer	111.50
Medical Excess	Aug Transplant Ins 19s/66	1648.55
Meyer Electric Inc.	Move Electrical outlet/As	186.25
MidAmerican Energy	acct 71790-18012	104.96
Midwest Radar	Tuning Fork	44.00
Mike's Sales & Service Michael	Pressure Washer - RR shop	6999.00
Modern Gas Company	100 gal LP gas	148.00
Moon Creek Veterinary Clinic	Clean Dog's ears	38.10
MSC Industrial Supply Company	hardware	49.37
Colette Nath	Schneider Conf Meal, mileage	25.40
New Century Press	Semi Annual Report 7/2014	275.07
Northern Iowa Construction Pro	30" CMP	9500.00
Northwest District of Assessor	Residential Property Val-	350.00
Northwest Iowa Comm. College N	7/21/14 Amb Mtg Certifica	60.00
Northwest MFG, Inc.	Dumpster @SO	427.00
Oak Street Station	July Fuel - 101.91 G E-10	531.99
Osceola County Rural Water	water service - LR shop	14981.25
PERB Public Employment Relatio	reg fee - L Sievers	195.00
Popkes Car Care, Inc.	July Fuel - 65.8 G Dyed D	332.59
Premier Communications	August phone - Assessor	2411.93
Print Express	Shipping Cost to Return j	17.65
Public Safety Center	Sanitizer	77.35
Rapid Auto Repair Michael D. K	A-1 Freon & rear line lea	68.00
Richarz Repair LLC.	injector #10	2296.48
Rock Rapids Ace Hardware	Light-Jail, shop supplies	269.83

Rock Rapids Cashway Lumber	ring shank nails	128.76
Rock Rapids Machine & Welding	Radar Mount Repair	72.37
Lisa R. Rockhill	July Mileage - 48 Miles	212.67
Sanford Health	4 random drug test	151.00
Marilee Schleusner	Schneider Mileage-460 mil	236.95
Steve Simons	Water & HDMI cable laptop	545.32
Sirchie Finger Print Laborator	Finger Print Pad	59.95
Sara Sprock	Summer School Mileage-846	423.00
Stewart Construction Inc.	Back Office Remodel	860.06
Melissa Stillson	July Mileage - 387 Miles & Cell	221.50
Sturdevant's	parts	3327.22
Sun Life Financial	August StopLoss Single (1	28107.84
Sunshine Foods	9 coffee & 1 decaf	683.80
Superior Garage Door Inc	16X12 door - RR shop	3114.00
SYSCO Lincoln	7/24/14 Inmate Food	844.45
The Shop	4 Firestone Tires	1058.24
Pamela R. Tille	Schneider Conference Meal	8.24
Town & Country	July Garbage Service/Jail	56.83
Treasurer ICEOO Kim Toliver	reg fee - Van Maanen	200.00
U.S. Cellular	7/22-8/21 Tablet WiFi	117.85
United Farmers Coop	July Fuel - 60.38 G Gasah	405.25
Chris VanderZee	July Mileage - 492 Miles & Cell	261.00
Verizon Business	acct 4512330	3.67
Verizon Wireless	7/19-8/18 Cell Phone	531.74
Vermeer High Plains	oil seals,filter #109	246.76
Waagmeester Law Office Attorne	Legal Fees - VanOort	228.00
Wall Street Printers	26 pads of Eligibility Fo	174.50
Wellmark BlueCross BlueShield	7/26/14-7/31/14 Claims	4924.29
Wells Fargo Bank	Custodial Fees 7/1-12/31/	375.00
Western Iowa Tourism Region	2015 Membership/Match Fun	500.00
Bonnie Wilson	July Cell Phone	15.00
Ziegler Inc.	oil samples - flood	2293.62

General Basic Fund	19,197.35
General Basic Sub Fund	500.00
Mental Health Fund	413.37
Rural Services Basic Fund	8.49
Economic Development Fund	549.38
Secondary Road Fund	145,353.11
Surcharge on E911	4,347.15
Emergency Management Services	1,665.63
Sheriff Assesst Forfeiture	100.00
Co. Assessor Agency Fund	2,564.42
Health Insurance Fund	34,680.68

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

ATTEST

County Auditor

APPROVED

Chairman