

Courthouse  
Emmetsburg Iowa  
April 21st, 2015, 8:00 a.m.

The Palo Alto County Board of Supervisors met in regular session. Members present: Craig Merrill, Chair, Linus Solberg, Ron Graettinger, Keith Wirtz and Ed Noonan.

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote: Ayes: Noonan, Wirtz, Graettinger, Solberg, Merrill. Nays: None. Abstentions: None.

Motion by Solberg, seconded by Graettinger to approve agenda for April 21st, 2015. Motion carried.

Motion by Noonan, seconded by Wirtz to approve the minutes of April 14th, 2015. Motion carried.

Maureen Sandberg, CPC, met with the Board to present substance abuse contract with Mercy Health. Maureen notified the Board of the SSBG (social services block grant) money received from the state and will submit to the region. Graettinger gave an update on the Northwest Iowa Care Connections Regional Governance meeting.

Motion by Solberg, seconded by Noonan to approve the Mercy Health/Mason City financial contract for substance abuse. Motion Carried.

Rick Hopper, P.E., Jacobson-Westergard & Assoc., met with the Board to discuss update on long stick cleanout on Drainage District 80 Lateral F Open Ditch. Present: Amber Brownell, Auditor's Office. Changes to Iowa Code Section 468.126 sets the limit at \$50,000 or less for the repair, the Board may select a contractor and proceed with the work. The consensus of the Board was to continue with the cleanout on Drainage District 80 Lateral F open ditch.

Eli Wirtz met with the Board to discuss drainage concerns in Ellington Township Section 2. Present: Jim Hudson, Attorney; Amber Brownell, Auditor's Office. Eli Wirtz owns the SE1/4 of Section 2. Eli Wirtz requested that the county road ditch be cleaned out along 510<sup>th</sup> Avenue in Ellington Township Section 2. Hudson informed Eli Wirtz that he can divert water on his own land to any available outlet. Hudson also stated that when activity is done in a district it will be reclassified to apportion and assess benefits.

Don Etlar, P.E. Bolton & Menk, Inc. and Jim Hudson, Drainage Attorney, met with the Board to review engineer's report on Drainage District 80. Present: Linda Koppie, Jim Moser, Mary Moser, Jim Crawford, Jamie Moser. Amber Brownell, Auditor's Office. Dennis Knoer present by telephone conference.

Etlar reviewed petition filed on February 17<sup>th</sup>, 2015, by Linda Koppie to restore drainage efficiency by removing levees along creek both north and south of its intersection with 420<sup>th</sup> Street. Etlar presented the engineer's report stating that the drainage district did not construct a levee and the spoil piles placed beside the open ditch do not impair the original efficiency and capacity of the drainage district. Etlar advised that the Board do no work at this time.

Knoer asked questions regarding flood flows and capacity of channel. Etlar stated that there is limited capacity of the ditch to handle the flood flows and the spoil piles are not impeding the proper flow of the creek.

Hudson stated that Iowa Code Section 468.152 of the drainage code gives the landowner the beneficial use of the land within the drainage districts permanent ROW. Spoil piles are the result of the construction of ditch and cleanout. The drainage district did not build any levees.

Linda Koppie commented that the long stick excavations done in the last 5 years added to the berm piles.

Hudson stated that if the private landowners want to work in the ROW to do something with the spoil piles they may do so but with the permission and supervision of the drainage district and they will need to get a permit with the DNR.

Motion by Noonan, seconded by Wirtz to accept engineer's report for Drainage District 80. Motion Carried.

Kent Rode, P.E., I & S Group, met with the Board to give update on tile investigation for Drainage District No. 15 North. Present: Joe Neary and Jim Hudson, Drainage Attorney. Rode presented letter to the Board with information on tile investigation for Drainage District No. 15 along with topographic map and district boundary. It was found that two private tile lines were installed across the district boundary and they were excavated, cut off and capped off just inside the district boundary. Landowner will have option to voluntarily annex land into Drainage District North 15.

Dan Berven, Engineering Technician, presented plans for county roads safety project to the Board. Motion by Graettinger, seconded by Noonan to approve the county roads safety project- HSIP. Motion Carried.

Walter Davis-Oeth, Interim County Engineer, met with the Board and presented the CSR curve for ROW purchases for 2015 and recommended approval of four utility permits.

Motion by Noonan, seconded by Solberg to approve CSR curve for ROW purchases for 2015. Motion Carried.

Motion by Wirtz, seconded by Graettinger to approve an underground utility permit application for Ringsted Telephone Company in Vernon & Independence Townships for buried fiber optic replacing the existing copper in multiple sections. Motion Carried.

Motion by Solberg, seconded by Noonan to approve an underground utility permit application for Iowa Lakes Regional Water in Highland Township Section 6. Motion Carried.

Motion by Graettinger, seconded by Solberg to approve a DOT utility permit for River Valley Telecommunications at intersection of 410<sup>th</sup> Avenue and Highway 18. Motion Carried.

Motion by Noonan, seconded by Wirtz to approve an underground utility permit application for River Valley Telecommunications to bury fiber optic communication cable in ROW of 410<sup>th</sup> Avenue in Walnut Township. Motion Carried.

Walter discussed items for shared engineering services with the Board. The Board consensus was to move forward with a sharing agreement.

Motion by Solberg, seconded by Wirtz to accept FY14 audit report for Central Iowa Detention. Motion Carried.

Ed Noonan gave a committee report on IDDA meeting. Craig Merrill gave report on economic development meeting.

Motion by Wirtz, seconded by Solberg to adjourn. Motion Carried.

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Craig Merrill, Chairman

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Carmen Moser, County Auditor