

May 9, 2017
Mt Pleasant, IA

The Board met in regular session at 9:00 AM. Members present: Chairman, Marc Lindeen, Vice-Chairman, Greg Moeller and Gary See.

Joining the meeting was Randy Wilkerson, Arlo Walljasper and a high school student.

It was moved by Moeller and seconded by See to approve the minutes of the May 4, 2017 meeting. 3 ayes. Motion carried.

Jake Hotchkiss, Engineer, accompanied by Jelen McCall, Office Manager, gave the Secondary Road update. It was moved by See and seconded by Moeller to approve Resolution 19-2017-20 awarding Contract for Project FM-CO44(82)—55-44 to Dormark Construction Co. 3 ayes. Motion carried.

RESOLUTION
19-2017-20

WHEREAS, bids were received by the IDOT on April 18, 2017, for Project FM-CO44(82)--55-44, bridge rehabilitation on Franklin Avenue (W-55) at Oakland Mills.

WHEREAS, the following bids were received and read:

Company	Amount
Dormark Construction Co.	\$244,802.19
Iowa Civil Contracting, Inc.	\$310,342.79

WHEREAS, the estimated cost for this work was \$189,976.20.

NOW THEREFORE BE IT RESOLVED, by the Henry County Board of Supervisors in session this **9th day of May, 2017**, that a contract be awarded to Dormark Construction Co. from Grimes, Iowa, in the amount of \$244,802.19.

BE IT FURTHER RESOLVED, that the Chairman of the Henry County Board of Supervisors be hereby authorized to execute a Contract and Contractor's Bond on behalf of Henry County.

ATTEST:
/s/Shelly Barber
Henry County Auditor

HENRY COUNTY BOARD OF SUPERVISORS
/s/Marc B. Lindeen, Chairman
/s/Greg Moeller, Member
/s/Gary K. See, Member

The Board Reviewed a utility permit for Windstream on Nebraska Ave for utility relocation, a work in Right-of-Way Permit and a self-applied dust control permit. Road maintenance May 1st thru May 5th. Territory operators were in their blades, hauling resurfacing rock to Tippecanoe Twp. And worked on washout locations from heavy rain over the weekend. Removed a silt fence on 260th St and Benton Projects, sent a small crew out to cold patch, moved equipment down to 310th St & March Ave and started mowing paved road shoulders. Resumed seeding operation, worked on signs, continued mowing and installed a crossroad pipe on 250th St and repaired a separated pipe. Started pulling shoulders on White Oak Rd from Old Hwy 34 to the Bridge, worked on couple entrances and ditching in Trenton. Ditched excess material on White Oak Rd, installed detour signs and bagged them for Mondays closure of Winfield Ave. Winfield Ave from Iris St to the west to Grand Ave is closed to through traffic, contractor moved equipment and materials in Monday and will be setting intake boxes and placing storm water pipe this week. Maintenance crew completed road top work on White Oak Rd Monday and will be rocking today in preparation of rain forecasted for Wednesday, next week we will be working on ditching and seeding the project. Next week we plan to start shoulder pulling work on 335th St east of Hwy 218 for approximately 1.5 miles, work will take 2 to 3 weeks depending on the weather. Continue to work on Territory shed plans for Winfield and Wayland sheds.

Joe Buffington, Planning & Zoning Coordinator presented the preliminary plat of Bear Country Estates Subdivision in Sec 23 of Baltimore Twp. Owners John Korschgen, Kyle Reid and their engineer, Jim Warner were present to answer any questions that anyone might have. It was moved by Moeller and seconded by See to approve the Preliminary Plat of Bear Country Estates. 3 ayes. Motion carried.

The Board discussed the Agreement with RUSS and the county for reimbursement from the City Development Board for the delinquent fees owed in discontinued City of Mt Union that will not be able to be special assessed to property owners. The County Attorney reviewed the document and the Board will take action on May 11, 2017.

Moeller read Ordinance 5-6-1. It was moved by Moeller and seconded by See to approve the 3rd Reading of Wastewater Ordinance for Henry County, IA in the former City of Mt Union for Semi-Annual Special Assessment. 3 ayes. Motion carried.

TITLE V WASTEWATER ORDINANCE FOR HENRY COUNTY, IOWA

5-6-1-1	District Area	5-6-4-1	Billing Date; Penalty for Late
5-6-2-1	General Basis		Payment.
	and Classification	5-6-5-1.	When Effective
5-6-3-1	Means of Determination		
	and Specific Rates		

It is determined and declared to be necessary and conducive to the protection of the public health, safety, welfare, and convenience of Henry County to collect charges from all users who contribute wastewater to the County’s treatment works. The proceeds of such charges so derived will be used for the purpose of operating, maintaining, and retiring the debt for such public wastewater treatment works.

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF HENRY COUNTY, IOWA AS FOLLOWS:

5-6-1

5-6-1-1 District Area. The “district area” is the area including the formerly incorporated city of Mt. Union as recorded in Book 101 page 18 of the Henry County, Iowa Recorder’s Office and 200 yards surrounding the border of that area.

5-6-2-1. General Basis and Classification.

- (a) The user charge system shall generate adequate annual revenues to pay costs of annual operation and maintenance costs, and the costs for debt retirement associated with financing the treatment works which the County by this article designates to be paid by the user charge system.
- (b) Those portions of the total user charge collected which is designated for operation and maintenance purposes, replacement purposes and debt retirement purposes, as established in Section 3 hereof, shall be deposited in a separate non-lapsing fund, to be known as the “sewer revenue fund.”
- (c) Monies which have been transferred from other sources to meet temporary shortages in the operation, maintenance and replacement fund shall be returned to their respective accounts upon appropriate adjustment of the user charge rates for operation.

5-6-3-1. Means of Determination and Specific Rates. Rates shall be determined annually by resolution of the Henry County Board of Supervisors.

5-6-4-1. Billing Date; Penalty for Late Payment.

- (a) Accounts shall be billed semi-annually by special assessment.
- (b) A late payment penalty of one and one-half (1 1/2) percent per month of the user charge bill will be added to each delinquent bill.
- (c) Delinquent accounts shall be collected pursuant to Iowa Code Section 445.37.

5-6-5-1. When Effective. This ordinance shall be in effect May 9, 2017 after its final passage, approval, and publication as provided by law.

PASSED on its first consideration on the 2nd day of May, 2017.

PASSED on its second consideration on the 4th day of May, 2017.

FINAL Passage and Adoption on the 9th day of May, 2017.

Approved on this 9th day of May, 2017.

/s/Marc B Lindeen, Supervisor

/s/Gary K See, Supervisor

/s/Greg Moeller, Supervisor

Attest:/s/Shelly Barber, Henry County Auditor

See read the Ordinance 5-7-1. It was moved by Moeller and seconded by See to approve the 3rd Reading of Wastewater Ordinance for Henry County, IA in the former City of Mt Union for Special Assessment of Late Fees. 3 ayes. Motion carried.

TITLE V Wastewater Ordinance to Collect Delinquent Accounts for Henry County, Iowa

5-7-1-1	District Area	5-7-4-1	Billing Date; Penalty for Late Payment.
5-7-2-1	General Basis and Classification	5-7-5-1.	When Effective
5-7-3-1	Definition of Delinquent Accounts		

It is determined and declared to be necessary and conducive to the protection of the public health, safety, welfare, and convenience of Henry County to collect charges from all users who contribute wastewater to the County's treatment works. The proceeds of such charges so derived will be used for the purpose of operating, maintaining, and retiring the debt for such public wastewater treatment works.

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF HENRY COUNTY, IOWA AS FOLLOWS:

5-7-1

5-7-1-1 District Area. The "district area" is the area including the formerly incorporated city of Mt. Union as recorded in Book 101 page 18 of the Henry County, Iowa Recorder's Office and 200 yards surrounding the border of that area.

5-7-2-1. General Basis and Classification.

- (d) The user charge system shall generate adequate annual revenues to pay costs of annual operation and maintenance costs, and the costs for debt retirement associated with financing the treatment works which the County by this article designates to be paid by the user charge system.
- (e) Those portions of the total user charge collected which is designated for operation and maintenance purposes, replacement purposes and debt retirement purposes, as established in Section 3 hereof, shall be deposited in a separate non-lapsing fund, to be known as the "sewer revenue fund."
- (f) Monies which have been transferred from other sources to meet temporary shortages in the operation, maintenance and replacement fund shall be returned to their respective accounts upon appropriate adjustment of the user charge rates for operation.

5-7-3-1. Definition of Delinquent Accounts. For the purposes of this Ordinance, "Delinquent Accounts" are user accounts which have overdue payments outstanding as of the effective date of this ordinance.

5-7-4-1. Billing Date; Penalty for Late Payment.

- (d) Delinquent accounts shall be collected through a one-time special assessment on September 30th, 2017.
- (e) A late payment penalty of one and one-half (1 ½) percent per month of the user charge bill will be added to each delinquent bill.
- (f) Delinquent accounts shall be collected pursuant to Iowa Code Section 445.37.

5-7-5-1. When Effective. This ordinance shall be in effect May 9, 2017 after its final passage, approval, and publication as provided by law.

PASSED on its first consideration on the 2nd day of May, 2017.

PASSED on its second consideration on the 4th day of May, 2017.

FINAL Passage and Adoption on the 9th day of May, 2017.

Approved on this 9th day of May, 2017.

/s/Marc B Lindeen, Supervisor

/s/Gary K See, Supervisor

/s/Greg Moeller, Supervisor

Attest:/s/Shelly Barber, Henry County Auditor

In other county discussion Auditor Shelly Barber gave the Board a copy of the proposed Budget amendment for FY17 before sending it to publication.

No sub-committee meetings.

It was moved by Moeller and seconded by See the meeting be adjourned. 3 ayes.
Motion carried.

Shelly Barber, Auditor

Marc Lindeen, Chairman