

February 14, 2019
Mt Pleasant, IA

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

Joining the meeting was Ted Mohrfeld.

It was moved by See and seconded by Lindeen to approve the February 14, 2019 Agenda as presented. 3 ayes. Motion carried.

It was moved by See and seconded by Lindeen to approve the minutes of February 12, 2019 as presented. 3 ayes. Motion carried.

It was moved by Lindeen and seconded by See to approve the third and final reading and approve the Re-Codification of Henry County Ordinances. 3 ayes. Motion carried.

**HENRY COUNTY ORDINANCE TITLE X CHAPTER 1,
ADMINISTRATION**

TITLE: AN ORDINANCE READOPTING THE EXISTING COUNTY CODE AND REPEALING HENRY COUNTY ORDINANCE #2011 AND ALL AMENDMENTS THERETO, HENRY COUNTY, IOWA.

BE IT ENACTED by the Board of Supervisors of HENRY County, Iowa:

10-1-1 Purpose. Code of Iowa section 331.302(9), requires that once every five years a County shall compile its Code of Ordinances. This ordinance readopts ordinances already in affect, adopts ordinances that become effective after the last readopting and repeals any ordinance deemed no longer necessary to the operation of HENRY County, Iowa or the health, safety, and welfare of its' citizens.

10-1-2. Readopting of Current Code. The following ordinances have been previously adopted and enacted into law and were duly published as the law provides. They are stated herein by number and subject matter and by the authority of the HENRY County Board of Supervisors, comprise HENRY County Code of Ordinances

TITLE I ORGANIZATION AND STRUCTURE

CHAPTER 1 ORDINANCE ADOPTION PROCEDURE

CHAPTER 2 GENERAL PROVISIONS

CHAPTER 3 LOCAL OPTION TAX

(CITY OF WAYLAND AND UNINCORPORATED AREAS OF HENRY COUNTY)

CHAPTER 4 LOCAL OPTION SALES AND SERVICE TAX

(CITIES OF MOUNT PLEASANT, NEW LONDON, COPPOCK, HILLSBORO, MOUNT UNION, OLDS, ROME, SALEM, WESTWOOD AND WINFIELD)

CHAPTER 5 VOTING PRECINCTS
CHAPTER 6 CEMETERY ORDINANCE
CHAPTER 7 STANDARD PENALTIES

TITLE II PUBLIC SERVICES

CHAPTER 1 UCC FEES REPEALED (RESERVED)

TITLE III BUSINESS AND OCCUPATIONS (RESERVED)

TITLE IV STREETS, ROADS, PUBLIC WAYS AND TRANSPORTATION

CHAPTER 1 E911 RURAL ADDRESS SYSTEM
CHAPTER 2 CLEARANCE OF SNOW OR ICE ON SECONDARY ROAD
CHAPTER 3 CONSTRUCTION AND RECONSTRUCTION OF ROADWAYS
AND BRIDGES

TITLE V PUBLIC ORDER, SAFETY AND HEALTH

CHAPTER 1 NONPUBLIC WATER WELLS
CHAPTER 2 ONSITE WASTEWATER TREATMENT AND DISPOSAL
SYSTEMS
CHAPTER 3 HAZARDOUS WASTE REPEALED (RESERVED)
CHAPTER 4 SOCIAL HOST
CHAPTER 5 TRASH COLLECTION
CHAPTER 6 COLLECT DELINQUENT ACCOUNTS HENRY COUNTY,
IOWA
CHAPTER 7 COLLECT DELINQUENT ACCOUNTS HENRY COUNTY,
IOWA

TITLE VI PROPERTY AND LAND USE

CHAPTER 1 SUBDIVISION ORDINANCE
CHAPTER 2 ZONING ORDINANCE
CHAPTER 3 AIRPORT ZONING ORDINANCE
CHAPTER 4 ALTERNATIVE ASSESSMENT OF WIND ENERGY
CONVERSION PROPERTY

TITLE VII SOCIAL AND HUMAN SERVICES

CHAPTER 1 GENERAL RELIEF
CHAPTER 2 VETERAN AFFAIRS GENERAL ASSISTANCE REPEALED
(RESERVED)

TITLE VIII CULTURE, EDUCATION AND RECREATION (RESERVED)

TITLE IX FRANCHISES (RESERVED)

TITLE X ADMINISTRATION

10-1-3. Code of Ordinances. Copies of the code as adopted herein shall be on file and available for public inspection in the Office of the County Auditor at the HENRY County Courthouse.

10-1-4. When effective. This ordinance shall be effective after its final passage, approval, and publication as provided by law.

Adopted and passed this 14th day of February 2019, by the HENRY

County Board of Supervisors.

/s/Greg Moeller, Chairman

/s/Marc Lindeen

/s/Gary See

ATTEST:

/s/Shelly Barber, Auditor

HENRY County, Iowa

Public Hearing held February 7, 2019

Adopted Ordinance published: _____, 2019

It was moved by Lindeen and seconded by See to approve Resolution #18-2019 setting the Sewer Rates for the community of Mt. Union from RUSS for FY20. 3 ayes. Motion carried.

RESOLUTION #18-2019

A RESOLUTION ESTABLISHING RATES AND CHARGES FOR THE USE AND SERVICE OF THE SANITARY SEWER UTILITY OF REGIONAL UTILITY SERVICE SYSTEMS COMMISSION IN **HENRY COUNTY/MOUNT UNION, IOWA**.

BE IT RESOLVED BY THE BOARD OF THE REGIONAL UTILITY SERVICE SYSTEMS COMMISSION:

Section 1. There shall be and there are hereby established sewer service charges for the use of and for the service supplied by the Regional Utility Service systems Commission (RUSS) in the City/Town of **HENRY COUNTY/MOUNT UNION, Iowa** based upon the amount and flat rate as follows:

AMOUNT

SEWER SERVICE CHARGE

Flat Rate Amount per User/Hookup

\$62.46 per month (monthly bill)

In the case of flat rate services, the service charge shall not be less than **10%** per month, which is necessary to retire the indebtedness, to pay operating, maintenance and replacement and to fund reserves necessary for maintaining the sanitary sewer facility.

Service to industrial establishments may be by contract if the Board deems this to be in its best interest.

SECTION 2. Bills for the rates and charges as herein established shall be self-billing, based on the flat rate established and paid monthly by Henry County to RUSS. All bills shall be payable on the first day of the month for the period of service and shall be paid at the office of Regional Utility Service Systems, 1501 West Washington Street Mount Pleasant, IA. If any charges for the services of the system shall not be paid by the 15th day of the month in which it shall become due and payable, a late payment charge of ten percent (10%) of the amount of the bill shall be added and only assessed on the month due, and collected therewith. Failure to pay in a timely manner may result in discontinuance of service pursuant to RUSS Resolution R05-19 and Iowa Code § 384.84.

SECTION 3. Applications for sewer service shall be filed with RUSS upon a form to be supplied by RUSS. The application shall state the name of the applicant and the premises to be served. All applications filed after the commencement of the operation of the system, shall be accompanied by a fee of estimated cost, payable to RUSS, for the connection charge. Final connection fee will be the actual cost.

SECTION 4. The owner of the premises served shall be liable of the sewer service provided to said premises.

SECTION 5. It is hereby the duty of the Treasurer of RUSS to bill and to collect all money for sewer service and all other charges in connection herewith.

SECTION 6. RUSS shall report the rates and charges herein established to the HENRY COUNTY/MOUNT UNION Iowa (the "County"), and the County shall by ordinance (the "Mount Union Sewer System Rate Ordinance") fix, establish and maintain such rates and charges as reported by RUSS. The county shall amend the Mount Union Sewer System Rate Ordinance from time to time to reflect adjustments in the rates and charges reported by RUSS. As provided in Section 28F.5, the rates and charges shall be collected by RUSS from the consumers of the services provided by the Mount Union Sewer System, and to the extent not paid by such consumers as provided by the Mount Union Sewer System Ordinance when due, such unpaid rates and charges are hereby levied against and payable by the County, and the County agrees to pay the same within 60 days of being billed therefore by RUSS. In accordance with Section 28F.5, all such unpaid rates and charges shall constitute a lien upon the real property served by the Mount Union Sewer System and shall be collected in the same manner as general taxes and, to the extent previously paid by the County, shall be applied to reimburse the County for such payments.

SECTION 7. All revenues and moneys derived from the operation of the sewer system shall be paid to and held by RUSS separate and apart from all other funds of RUSS and all of said sums and all other funds and moneys incident to the operation of said system, as may be delivered to RUSS, shall be deposited in a separate fund designated the “Sewer Revenue Fund”, and the Board shall administer said fund in the manner provided by the Code of Iowa and all other laws pertaining thereto.

SECTION 8. RUSS shall establish a proper system of accounts and shall keep proper records, books and accounts in which complete and correct entries shall be made of all transactions relative to the sewer system. At regular annual intervals RUSS Commission shall cause to be made an audit by an independent auditing concern of the books to show the receipts and disbursements of the sewer system, or other financial statements and reports, as required by USDA – Rural Development. RUSS shall be required annually to prepare a budget of the Sanitary Sewer System to show the required revenues and expenses. If necessary, user charge rates will be adjusted to produce adequate income to retire indebtedness, meet operation; maintenance and replacement needs, and establish required reserves.

SECTION 9. All Resolutions and parts of Resolutions in conflict herewith are hereby repealed insofar as the conflicting portions thereof are concerned.

SECTION 10. This Resolution shall be in full force and effect upon its approval by the RUSS Board of Directors and the Henry County Board of Supervisors.

Dated this 14th day of February 2019.

ATTEST:

HENRY COUNTY BOARD OF SUPERVISORS

/s/Shelly Barber
Henry County Auditor

/s/Greg Moeller, Chairman
/s/Marc Lindeen
/s/Gary K See

Approved the Deerwood Golf Inc. Liquor License.

Other county business was asked to help with Pickle Ball Court. It was moved by Lindeen and seconded by See to table this until we find out if they are applying for a CAT grant. 3 ayes. Motion carried.

In sub-committee meetings See attended Healthy Henry County Communities, Lindeen attended SEIL, Moeller attended Board of Health and RUSS.

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

Shelly Barber, Auditor

Greg Moeller, Chairman