Dickinson County Board of Supervisors
April 27th, 2021

9:00 A.M. Present are Supervisors Kim Wermersen, Steve Clark, Jeff Thee, Tim Fairchild Vice-Chairperson, and Chairperson Bill Leupold.

The pledge of allegiance to the flag was recited by those present.

Time for the continuation of the Public Hearing regarding the Reclassification Report on Drainage District #31. Chair Leupold gave a quick overview of the intended flow of the continuation hearing. Leopold then read two letters from landowners associated with the district, those being from Robert Jones and Bryan Heebner. Leupold asked Attorney Scott Halbur (legal counsel for Green Plains Ethanol) to confirm either yes or no if he (Leupold) had the objections sited and identified correctly. Halbur answered yes to all. John Hight, engineer on the project, was then asked to respond to the previously submitted objections to the reclassification report. Halbur had time then to refute points that Hight had made in the presentation. Halbur went on to say that in fairness, Green Plains would like to have someone review the information that was presented at today's meeting as they had not been privy to that information prior to today's meeting. After further discussion between the board, Hight, and Halbur, Hight recommended that the county start the process over with the additional information that has been submitted by multiple parties. Additionally, as part of the recreation process, he will produce parcel maps to each landowner that will alleviate the information gap. Chair Leupold closed the public hearing. It was then moved by Clark, seconded by Fairchild, to direct Hight to prepare and re-issue an amended reclassification report for Drainage District #31, starting the process over. To ensure the receipt of all pertinent data to every landowner, the auditor is directed to send mailings out with a return receipt request. Roll call vote: Clark-aye, Fairchild-aye, Wermersen-aye, Thee-aye, and Leupold-aye.

Derek Behrens, representative from the firm of Jacobson-Westergard and Associates present regarding the annexation of lands in Drainage District #15. While doing research for their preliminary engineering report, it was determined that approximately 2140.80 acres of Dickinson County Lands, and 1882.90 acres of Osceola County are in the district and have never been assessed as such. The firm has also met with the Osceola Supervisors and they have shown interest in this becoming a joint district. Moved by Wermersen, seconded by Thee, to approve and authorize the go ahead with the annexation of lands; a public hearing will be required at a later date. Roll call vote: Wermersen-aye, Thee-aye, Clark-aye, Fairchild-aye, and Leupold-aye.

Moved by Fairchild, seconded by Wermersen, to set the time and date for a bid letting for Drainage District #50, Branch 33 for May 18, 2021, at 10:00 a.m. Roll call vote: Fairchild-aye, Wermersen-aye, Clark-aye, Thee-aye, and Leupold-aye.

10:00 A.M. Time for the Public Hearing on the Vacation of a public street located on a portion of Dawes Drive. Chairman Leupold opened the public hearing. Applicant of the petition, Richard L. Ericsson was present to address questions and explain the purpose for the request, which is his desire to build a garage on a portion of it. The roadway in question does not go anywhere and is not used for any purpose. There are no written or oral objections from the homeowners association. Lonnie Saunders stated that Ericsson has agreed to give a permanent easement to this property if necessary. Ericsson has also had an engineering firm flag out the area so that the neighbors could see the area in the proposed vacated area. After further discussion, it was move by Wermersen, seconded by Fairchild to close the public hearing. All voted aye. Leupold closed the public hearing. Moved by Wermersen, seconded by Thee to approve Resolution 2021-10 as follows:

Resolution 2021-10 calling for the vacation of Public Street

WHEREAS application has been made by RICHARD L. ERICSSON for the Vacation of Public St. described as a portion of Dawes Drive, and legally described as: Parcel F, being a part of Dawes Drive, Plat of North Bay, Dickinson County, IA, more particularly described as: beginning at the Southwesterly

corner of Lot 41, Plat of North Bay, thence North 22 degrees 46'15" West 39.37 feet on the Westerly line of said Lot 41; thence South 81 degrees 24'10" West on the Northerly Projection line of a tract of land described in Quit Claim Deed filed in Instrument No. 03-3362 filed at the Dickinson County Recorder's Office to the Northeasterly Corner of said Tract of land; thence South 25 degrees 00'43" East 54.10 feet on the Easterly line of Lots 39 and 40, Plat of North Bay to the Southeast corner of said Lot 40; thence North 89 degrees 57'15" East 38.87 feet to a point at the Southerly Prolongation of the Westerly line of said Lot 41; thence North 22 degrees 46'15" West 20.11 feet on the Southerly Prolongation of the Westerly line of said Lot 41 to the Point of Beginning, containing 2,082 square feet and being subject to easements and encumbrances both apparent and of record, AND WHEREAS Iowa Code 354.23 allows for said vacation when the roadway being vacated is deemed by the governing body to be of no benefit to the public, AND WHEREAS Richard L. Ericsson is an adjoining landowner of real property generally described as the Southerly part of Lot 39 and all of Lot 40, Plat of North Bay, Dickinson County, Iowa, AND WHEREAS the Dickinson County Board of Supervisors, following consultation with the Dickinson County Engineer and Dickinson County Attorney have determined that the roadway sought to be vacated is of no public benefit, AND WHEREAS Richard L. Ericsson has agreed to provide an easement for additional access into Methodist Camp of land described as Parcel G, being a Part of Lot 40, Plat of North Bay, Dickinson County, Iowa, more particularly described as: Beginning at the Southeasterly corner of said Lot 40; thence South 89 degrees 02'15' West 18.25 feet on the South line of said Lot 40 to the Northwest corner of Lot 1, Block A, Plat of Methodist Camp Ground, Dickinson County, Iowa; thence South 89 degrees 45'27" West 10.00 feet on the North line of a Platted Alley, said Plat of Methodist Camp Ground to the Northeast corner of Lot 4, said Block A; thence North 14 degrees 08'50" East 19.46 feet to the Northerly Prolongation of the Easterly line of said Lot 4; thence North 89 degrees 57'15" East 14.85 feet to a point on the Easterly line of said Lot 40; thence South 25 degrees 00'43" East 20.45 feet on the Easterly line of said Lot 40 to the Point of Beginning, containing 404.5 square feet and being subject to easements and encumbrances both apparent and of record. NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF DICKINSON COUNTY that the portion of Roadway described as Parcel F, being a part of Dawes Drive, Plat of North Bay, Dickinson County, Iowa, more particularly described as: beginning at the Southwesterly corner of Lot 41, Plat of North Bay, thence North 22 degrees 46'15" West 39.37 feet on the Westerly line of said Lot 41; thence South 81 degrees 24'10" West on the Northerly Projection line of a tract of land described in Quit Claim Deed filed in Instrument No. 03-3362 filed at the Dickinson County Recorder's Office to the Northeasterly Corner of said Tract of land; thence South 25 degrees 00'43" East 54.10 feet on the Easterly line of Lots 39 and 40, Plat of North Bay to the Southeast corner of said Lot 40; thence North 89 degrees 57'15" East 38.87 feet to a point at the Southerly Prolongation of the Westerly line of said Lot 41; thence North 22 degrees 46'15" West 20.11 feet on the Southerly Prolongation of the Westerly line of said Lot 41 to the Point of Beginning, containing 2,082 square feet and being subject to easements and encumbrances both apparent and of record be and is hereby VACATED and conveyed to Richard L. Ericsson condition upon his execution of a valid perpetual easement granting to the Methodist Camp Ground access over and across Parcel G, being a Part of Lot 40, Plat of North Bay, Dickinson County, Iowa, more particularly described as: Beginning at the Southeasterly corner of said Lot 40; thence South 89 degrees 02'15' West 18.25 feet on the South line of said Lot 40 to the Northwest corner of Lot 1, Block A, Plat of Methodist Camp Ground, Dickinson County, Iowa; thence South 89 degrees 45'27" West 10.00 feet on the North line of a Platted Alley, said Plat of Methodist Camp Ground to the Northeast corner of Lot 4, said Block A; thence North 14 degrees 08'50" East 19.46 feet to the Northerly Prolongation of the Easterly line of said Lot 4; thence North 89 degrees 57'15" East 14.85 feet to a point on the Easterly line of said Lot 40; thence South 25 degrees 00'43" East 20.45 feet on the Easterly line of said Lot 40 to the Point of Beginning, containing 404.5 square feet and being subject to easements and encumbrances both apparent and of record.

Roll call vote: Wermersen-aye, Thee-aye, Clark-aye, Fairchild-aye, and Leupold-aye. Passed and approved this 27th day of April, 2021.

Moved by Clark, seconded by Thee, to approve a contract in the amount of $290,152.50 for Project #LFM-641—7X-30 with Progressive Structures LLC, of Elkader, Iowa. This project is also known as the Swan Lake Culvert Replacement Project on County Road N16. The road will be closed to through traffic with a posted detour sign during construction. Roll call vote: Clark-aye, Thee-aye, Wermersen-aye, Fairchild-aye, and Leupold-aye.

Shane Walters, CEO of the Sioux Rivers Mental Health Region, was present to give a quarterly update to the board. The region has completed their FY'22 Budget and Service Plans. They are closely watching and waiting for legislative updates as a bill currently on the docket could do away with the Mental Health Fund, county levy, turning the financial responsibility over to the state. There are a lot of new mandates effective July 1, 2021 as well and with limited resources, the region is working diligently on funding these mandates.

Moved by Wermersen, seconded by Clark, to approve the April 20, 2021 minutes as presented. Roll call vote: Wermersen-aye, Clark-aye, Thee-aye, Fairchild-aye, and Leupold-aye.

Moved by Thee, seconded by Fairchild, to approve the claims as listed on the April 27, 2021 Claims Register Listing. Roll call vote: Thee-aye, Fairchild-aye, Wermersen-aye, Clark-aye, and Leupold-aye.

Vendor Name	**Payments**
Airgas USA, LLC	68.72
Aldon Construction Co.	318.00
Alliant Energy	2,266.40
Alpha Wireless Comm	5,170.97
Amazon Capital Services	111.15
AT&T Mobility	41.27
Automatic Door Group	1,082.80
Beck Engineering	35,685.00
Black Hills Energy	234.59
Bob Eilers	10.08
Bomgaars Supply Inc.	37.47
Business Today	1,486.46
C & B Operations, LLC	65.44
Capital One Trade Credit	39.99
Carstensen Meat & Grocerty	11.57
CCP Industries Inc.	730.48
Centurylink	64.60
Centurylink	1,085.09
Cherokee County Sheriff	34.00
Cintas Corporation	215.05
Dickinson County Sheriff	35.00
Dickinson County Treasurer	19.03
Dickinson County Treasurer	85.00
Dickinson County Public Health	2,854.24
Dickinson County News	145.62
Fleet Pride	380.00
Galen's Pro-Mow	171.32
Graves Construction Co.	42,483.05
Half-moon Education, Inc.	289.00
Hillyard/Sioux Falls	741.64
HY-Vee Accounts Receivable	86.01
IA County Attorney Assoc.	520.00
IA County Recorders Assoc.	200.00
IA Lakes Electric Cooperative	1,822.00
IA Law Enforcement Academy	100.00
IGL Sanitary District	35,500.00
IGLA Chamber	250.00

Interstate All Battery Center	115.68
Iowa Information Inc.	114.95
ISACA	100.00
Jack's OK Tire Service	60.00
James Kessler	14.78
Jenny Bengs	229.60
L & C Tire Service Inc.	15.50
Lakes Regional Healthcare	2,692.60
Liberty Tire Recycling LLC	391.47
Lisa Arrowood	10,952.71
Marco Technolgies	923.46
Marsha Carlson	45.00
Matheson Tri-Gas Inc.	1,929.22
Maxyield	2,526.08
Mediacom	202.26
Mid Tech Services	5,479.51
Midwest Contracting, LLC.	81,578.26
Milford Municipal Utilities	37.25
Motorola Solutions	5,552.00
Mueske Electric	210.00
NW Ia Youth Emergency Services	1,502.00
Okoboji Motor Company	113.21
One Office Solution	508.56
Osceola Co. Rural Water Systems	118.87
Powerplan	339.84
R&D Industries, Inc.	150.00
Rage Inc.	46.81
Ricoh USA, Inc	117.61
Rock County District Court	14.00
Sam Wedeking Excavating	290.00
Schuchert-Lentz Funeral Home	1,550.00
SEAT Treasurer	10.00
Shamrock Recycling, Inc	7,586.00
Steve Clark	210.56
Tri-State Litho Co.	96.67
True Value-Milford	45.27
US Bank	927.67
Verizon Connect	323.80
Verizon Wireless	971.72
Woodward Youth Corporation	839.70
Total	263,373.66

Moved by Thee, seconded by Wermersen, to approve the Class C Liquor License Application for Barefoot Bar. The license is effective from 5-1-2021 through 4-30-2022. Roll call vote: Thee-aye, Wermersen-aye, Clark-aye, Fairchild-aye, and Leupold-aye.

Moved by Clark, seconded by Wermersen, to set the time and date for a Public Hearing on the Reclassification Report for Drainage District #25 for July 27, 2021 at 9:00 a.m. Roll call vote: Clark-aye, Wermersen-aye, Thee-aye, Fairchild-aye, and Leupold-aye.

Moved by Clark, seconded by Wermersen, to approve the payment of a stamped warrant to Beck Engineering, in the amount of $2857.50 for reclassification work in Drainage District #31. Roll call vote: Clark-aye, Wermersen-aye, Thee-aye, Fairchild-aye, and Leupold-aye.

Katy Burke, Director of Public Health, and Dr. Zachary Borus physician and Chair of Dickinson County Public Health present to update the board regarding recommendation on the continuation of masking at the courthouse. Burke stated that the infection rate in the last week was at 7.5%, and it is currently trending downward. 35% of Dickinson County residents have been fully vaccinated. Additionally the CDC's current recommendation is to continue to mask. Borus went on to say that people need to trust the science behind the vaccine and the studies surrounding it. Until more individuals have been vaccinated he would encourage masking for a bit longer. The vaccine has now been opened up to nearly every one. Currently most that are testing positive in the county have the UK variant, which is covered by the current vaccines that are being used. Chair Leupold then asked Barbara Clayton and Dr. Brad Meyer for public comment. They stated that the community is tired of masking and that the testing data numbers are skewed. Dr. Meyer voiced that there are other methods of prevention and treatment over the traditional vaccine. His biggest concern is that these are just trial vaccines and have not been properly tested. Meyer said that when you get the virus, your body builds up immunities, and that masking is not effective and should be stopped now. Meyer stated that we should try to protect the vulnerable and infect as many as possible with covid to build up herd immunity. All parties agreed that the population will never ever totally agree on what should be and what has been done. After further discussion, it moved to board action. It was moved by Thee, seconded by Clark, to end the mask moratorium in the Dickinson County Courthouse effective immediately (4-27-2021). Roll call vote: Thee-aye, Clark-aye, Wermersen-aye, Fairchild-nay, and Leupold-nay. Motion passed. Fairchild asked the board how the county should handle an employee that may no longer feel safe coming to work with the new policy in place. Wermersen said that vaccinations are available to nearly everyone now so this will be a personal choice, and one may certainly still choose to mask up while at work. Wermersen went on to say that the county has installed Plexiglas barriers in all offices and have installed a ventilation system to protect those in the courthouse. If issues arise, the department manager will most likely be the one dealing with it.

A couple of petitions were presented to the board for repair/improvements in JT Districts D&O 1 and 3. The board asked Engineer Eckert to obtain additional information as to the extent of the work being requested and if Dickinson County needed to approve since the requested work is all within Osceola County. because with little explanation. The item may come back to the board when additional information is obtained.

The Board gave their board and committee reports and continued into general discussion. There being no further items presented to the board, moved by Thee, seconded by Fairchild, to adjourn. All voted aye. Meeting adjourned to the call of the Chairperson at 11:42 a.m.

_____William Leupold, Chairperson

_____ Lori Pedersen, Auditor