

**Dickinson County Board of Supervisors
April 17, 2012**

9:30 A.M. Present are Supervisors Mardi Allen, Pam Jordan, Paul Johnson, William Leupold, and David Gottsche.

The Pledge of Allegiance was recited to open the meeting.

Time for the public hearing on the application for the rezoning from R-5 Mobile Home District to R-3 Multi-Family Residential District on Chalstrom Beach property. Zoning Administrator Kohlhaase gave an explanation of why the rezoning was being requested. There being no written or oral objections, the Chairperson closed the hearing. Moved by Jordan, seconded by Allen to concur with the recommendations of the Planning and Zoning Commission and approve the rezoning requests for:

- 1) R-5 Mobile Home District to R-3 Multi-Family Residential District on the following described property:
Lot 72, Chalstrom Beach and Lots 73 - 77 Replat Lots 73 to 77 Chalstrom Beach and
- 2) R-5 Mobile Home District to R-4 Lakeshore Residential District on the following described property: Lots 1 – 19 Replat of Chalstrom Beach, Lot 20 Knudson's Chalstrom Beach Condos, Lots 21 - 24 Replat Lots 21 to 24 Chalstrom Beach, and Lot 25 Chalstrom Beach. All voted aye.

Moved by Allen, seconded by Leupold to approve the ordinance to amend the zoning map to reflect the above approved zoning changes. All voted aye.

Time for the consideration of the amendments to the Zoning Ordinance No. 102. Chairperson opened the public hearing and asked for comment. There being no written or oral objections, the chair announced the public hearing closed. It was moved by Allen, seconded by Leupold with all voting aye to amend Zoning Ordinance as follows:

Article #3 Definitions/Use Classifications

B. General Description of Commercial Use Types

37. Wind Energy Conversion Systems (WECS):

At the end of the sentence add the following wording "and any meteorological tower."

Moved by Johnson, seconded by Allen with all voting aye to amend zoning ordinance as follows:

2) Article #3. Definitions/Use Classifications

D. General Description of Civic Use Types

34. Wind Energy Conversion Systems (WECS):

At the end of the sentence add the following wording "and any meteorological tower."

Moved by Jordan, seconded by Allen to amend zoning ordinance as follows:

Article #21 Conditional Uses.

Section 5. Supplemental Standards

D. Wind Energy Conversion Systems (WECS)

9. Color and finish.

Change to Color, finish, and markings.

Add a last sentence "All WECS will be marked as required by FAA. Any guy wires will have a colored spherical marker."

All voted aye.

Time for the continuation of the public hearing on the engineer's report for repairs to DD #28. The property owner requesting the repair was present as well as several property owners of the district. Discussions on the need to study all of Drainage District 28 and the possible need of repairs to more than what is being considered. It was the consensus of the group that they would file a petition to ask for an engineer's study of all of Drainage District No. 28 to investigate

a solution for better drainage for the entire district. The hearing was closed to the call of the chairman.

County Engineer present. Moved by Jordan, seconded by Allen to approve the placement of a fiber optics cable along 28th Street in Section 9 of Center Grove Township, a small portion of this fiber line will lie in the incorporated part of Spirit Lake. All voted aye.

Moved by Leupold, seconded by Allen to approve the preconstruction agreement #2012-C-166 with the Iowa DOT. All voted aye. This agreement addresses the reconstruction of Hwy 86 from Hwy 9 north to the Minnesota Border. In addition, this agreement addresses the \$600,000 funding commitment from Dickinson County to the Iowa DOT spread out over three payments following the completion of the construction.

Moved by Paul, seconded by Leupold to approve an indemnification agreement with Brian VandeHoef in Joint Drainage District #4 Dickinson/Osceola Counties. All voted aye. The said landowner, at this expense, shall locate an existing 18 inch county drainage tile in the E 1/2 of the NE 1/4 of Section 13 of Allison Township, Osceola County. The replacement tile shall be 18 inch non-perforated dual wall plastic tile and the discontinued 18 inch tile shall be totally removed and the trench re-compacted.

Moved by Allen, seconded by Jordan that conditional to a successful pre-employment drug test, the Secondary Road Department hire Randy Wittrock of Spirit Lake as a regular part-time employee at a rate of \$14.00 per hour to the Lake Park staff, with this appointment to be effective May 7, 2012. All voted aye.

Veterans Affairs Director present for approval of part-time staff. Moved by Johnson, seconded by Allen to approve the appointment of Pat Olson as a part-time clerk in the Veterans Affairs office beginning April 30, 2012 at a salary of \$7.50 per hour. All voted aye.

Moved by Allen, seconded by Leupold to amend the appropriations for the fiscal year 2012 for the Veterans Affairs Department in the amount of +\$12,500 for the health insurance benefit line. All voted aye.

The Board discussed the sink hole problem in the area of Jones Pasture and the possibility of using the urban renewal plan and TIF funds for the cost of the repairs. The board will continue to pursue available grants to use rather than TIF funds.

Board members gave their committee reports.

There being no further items for business presented before the Board, it was moved by Johnson, seconded by Leupold to adjourn. All voted aye.

_____ David Gottsche, Chairperson

_____ Nancy Reiman, Auditor