

**Dickinson County Board of Supervisors**  
**May 19, 2009**

Present are Supervisors Mardi Allen, Pam Jordan, Paul Johnson, Wayne Northey, and David Gottsche, Chairperson.

The Pledge of Allegiance was recited to open the meeting.

Time for the public hearing on the proposed plans, specification, form of contract, and estimated cost of the Bay Harbor Trail Tunnel and Storm Sewer Project for the Trails Board. There being no one present commenting for or against and no written objections filed, the Chairperson closed the public hearing. Moved by Johnson, seconded by Northey to approve the plans, specifications, form of contract and engineer's estimated for the Bay Harbor Trail project. All voted aye.

Moved by Johnson, seconded by Jordan to award the contract for the Bay Harbor Trail Tunnel Grading and Paving Project, to Diamond Concrete, Spirit Lake, IA, in the amount of \$462,263.99. All voted aye.

Moved by Allen, seconded by Johnson to award the contract for the Bay Harbor Trail-Tunnel and Storm Sewer Project to Peterson Contractors, Reinbeck, Iowa, in the amount of \$331,733.34. All voted aye.

Kathy Fahy, present with an update on the grand opening of the courthouse brochure and final timetable for the open house on June 14, 2009.

Moved by Northey, seconded by Allen to approve the Judicial **Memorandum of Understand** (MOU) and authorize the Chairman to sign said agreement as follows: Concerning court operations during emergencies impacting court operations in any county of the Third Judicial District Court.

ISSUE: The court is interested in having a plan in place to provide every county court with a plan for emergency operations—defined as 30 days from the onset of the emergency. An emergency is defined as any event preventing the court from operating in its normal physical facilities. Having a plan agreed to in advance to address the immediate (30 days) situation will allow county and court authorities to work together for a more permanent solution to the emergency situation.

Objective: The Court will work with the county officials from each county during any emergency situation impacting the court in their county. The court strives to take care of its immediate needs/operation with as little disturbance to other county operations as possible. This MOU provides that the court may use any of the court office/work areas utilized in any county of the Third Judicial District Court to address any emergency impacting any other county of the Third Judicial District for a period of 30 days while a plan for a permanent solution after the immediate emergency is determined.

**County and Court agreement**

Dickinson County consents to permit the third Judicial District Court to utilize generally recognized court office/work areas in this county to operate any other county court functions during an emergency impacting another county, and conversely, acknowledges that key court functions from this county may be relocated to another county during any emergency that makes court facilities in this county unusable for a period of time. It is the mutual goal of this county and the Third Judicial District to restore operations as soon as practicable given the emergency situation at hand. This agreement is effective on the date it is signed by the chair of the respective Board of Supervisors and may be

terminated by either party with 30 days notice. Dated this 19<sup>th</sup> day of May, 2009. All voted aye.

Time for the receiving of bids for the curbside pick-up of recyclable materials within the unincorporated areas of Dickinson County. Two bids were received: H&H Recycling—twice monthly-\$48,000, once monthly-\$42,000 and seasonal-\$44,500 Shamrock Recycling, Inc.-twice monthly-\$53,520, once monthly-\$43,404 and seasonal-\$47,619

The board will review the bids and award a contract before July 1, 2009.

County Engineer present. Moved by Northey, seconded by Allen to approve the recommendation to award the low bid from Flynn Company, Inc. of Dubuque, Iowa, in the amount of \$1,417,702.03 for Project Number ESFM-CO30(37)-5S-30 which is also known as the M27 PCC overlay project. This is an American Recovery and Reinvestment Act of 2009 Project and will involve the closure of County Road M27 from Highway #9 southerly 4 miles. All voted aye.

Engineer presented an employment contract for the next three years. Following discussion, it was moved by Northey, seconded by Johnson to extend the County Engineer's employment contract for the next year, 2009-2010, with a 3.5% cost of living raise and to review merit increases during the budget process next year. All voted aye.

The Board approved the Joint #3 D&O drainage repair work order for Wayne Rossman in Westport #19.

Representatives from Global Entertainment Corporation present to discuss with the Board if there was interest in a multi-purpose event center. The center would be a community events center with an enclosed and controlled environment. The Events Center would be owned by either the County or City with Global Entertainment to pay a flat management fee. The approximate cost is 25 to 30 million. The group will be meeting also with the City of Spirit Lake. The Board took no action at this time.

Moved by Northey, seconded by Allen to approve the following claims at hand as listed on the claims register. All voted aye.

CLAIMS LISTING 5-15-09(WIRE)

BANKERS TRUST	BOND	100.00
	PAYMENT	
	GRAND TOTAL	100.00
FUND TOTALS		
RECAP		
2000 DEBT		100.00
SERVICE		
GRAND TOTAL		100.00

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

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David Gottsche, Chairperson

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Nancy Reiman, Auditor