

Dickinson County Board of Supervisors
July 12, 2022

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.

Mary Dreier, curator of the Dickinson County Museum was present with an update to the museum happenings and activities. She thanked the county for their support. Dreier keeps a census log on live and virtual visits to the facility, since the end of June, there have been 6112 visitors. People are noticing because of their enhanced programming. She stated that current challenges will be to make the exhibits more interesting and appealing. They are also in the process of creating a new website that will allow for a total virtual experience on the facility and exhibits. They recently received a \$40,000 grant from the Okoboji Foundation which covered the cost of a new roof. She is actively working with local libraries and agencies on additional programs.

Judge Carl Peterson was present with a Court System Annual Update. Chief Judge Patrick Tott of District 3 is asking area judges to give annual updates to the County Board of Supervisors. Petersen focused on the changes to the judicial system over the past 15 years. There are now District Court and Assistant District Court Administrators. Dickinson County is in District 3A. Additionally there has been a major revamping of the Clerk of Court System, now referred to as the Big 'C'. With the recent retirement of Marcia Eckerman, Teresa Gregory was appointed to that position and now resides over Dickinson, Emmet, Lyon, and Osceola counties. Petersen went to say he is curious to see how the rural judicial efficiencies play out in the future. A lot of judges are retiring and are in a serious need for court reporters. He would like to entertain further discussion with the board regarding courthouse security.

Moved by Wermersen, seconded by Fairchild, to approve the June 28, 2022, minutes as presented. Roll call vote: Wermersen-aye, Fairchild-aye, Clark-aye, Thee-aye, and Leupold-aye

Moved by Fairchild, seconded by Thee, to approve the claims as listed on the July 12, 2022, Claims Register Listing. Roll call vote: Fairchild-aye, Thee-aye, Wermersen-aye, Clark-aye, and Leupold-aye.

VENDOR

Ahlers & Cooney	2250.00
Alliant Energy	273.73
Alpha Wireless	9587.57
Amazon Capital Services	244.87
Arnold Motor Supply	0.64
Arnolds Park Library	15178.00
Arnolds Park, City of	750.00
AT&T Mobility	863.35
Black Hills Energy	2207.16
Bomgaars Supply	490.68
Brent Lloyd	474.01
C & B Operations	365.21
Capital One Commercial	13.65
Card Service Center	2437.93
Centurylink	407.69
Consumers Lumber	23.14
Cooperative Farmers Elevator	240.73
Dave Kuker Trucking	1168.63
David Kohlhaase	277.29
DC Historical Society	34500.00
DC Ag Society	45000.00
DC Emergent Mgmt	36480.78
DC Treasurer	511.64

DC Treasurer	10825.73
DC Public Health	25271.42
DC News	454.60
DC Recycling Comm.	33768.00
Discovery House	1500.00
Eric Sorensen	11.77
Fast Lane Motor Parts	143.44
Fick's Ace Hardware	128.14
Frank Franek	330.00
Govconnection	1506.90
HCI Imaging	410.00
IA CO Attorney Assoc.	390.00
IA Comm. Assurance Pool	378498.00
IDDA	3660.00
IA Lakes Regional Water	238.24
IMWCA	25017.00
Inspiron Logistics	4975.00
Institute of IA Certified Assessors	350.00
Interstate All Battery Center	293.90
IA Prison Industries	897.05
ISAC	6100.00
Jack's OK Tire Service	728.67
Jacobson Westergard & Assoc.	7002.95
Jennings Tow & Repair	172.92
John Miller	233.26
Kapp's Fire Equip & Service	372.05
Kim Wermersen	250.38
Koening Portable Toilets	44.00
L & C Tire Service	60.00
Lake Park Utilities	272.47
Lake Park Library	12462.00
Lake Park, City of	400.00
Lakes News Shopper	181.80
Lakes Regional Healthcare	580.00
LBR Enterprises	290.00
Liftoff, LLC	23946.00
Lisa Arrowood	12157.91
Mail Services	839.98
Marco	7034.30
Mary Arnold	1267.20
Mediacom	1180.33
Michael Dunn	1500.00
Milford Library	17346.00
Milford Utilities	383.37
Motor Inn	121.00
Northwest District ISAA	300.00
NW IA Planning & Dev.	2129.00
One Office Solutions	307.29
Orleans, City of	1000.00
Osceola Co. Rural Water	131.49
Piper & Sandler	1250.00
Powerplan	5995.75
Route 86 Music	500.00
Safety Kleen	167.06
Sandy Law Firm	254.30
Scott Mingus	500.00

Shawn Syverson	20.27
Spirit Lake Library	28188.00
Spirit Lake, City of	1462.83
Stephanie Early	200.50
Storey Kenworthy/Matt Parrott	74.22
Superior, City of	350.00
Terril Library	12462.00
Terril Telephone	208.52
Terril, City of	454.00
Titan Machinery	571.88
Trans Source	222.31
United States Treasury	267.84
Unity Point Clinic	33.00
US Bank	75.32
US Postmaster	62.00
Valley Contracting	12125.90
Verizon Wireless	160.06
Webster County Sheriff	39.00
Wex Bank	7546.15
Wittrock Holdings, LLC	12.98
<u>Ziegler, Inc.</u>	<u>811478.44</u>
TOTAL	\$1,625,892.60

Moved by Clark, seconded by Fairchild, to approve the drainage claim for DD48 to Jacobson Westergard in the amount of \$1,080.00. Roll call vote: Clark-aye, Fairchild, Wermersen-aye, Thee-aye, and Leupold-aye.

Moved by Clark, seconded by Fairchild, to approve the drainage claim for DD48 to Dickinson County News in the amount of \$3.99. Roll call vote: Clark-aye, Fairchild, Wermersen-aye, Thee-aye, and Leupold-aye.

Moved by Clark, seconded by Fairchild, to approve the drainage claim for DD48 to Dickinson County Treasurer in the amount of \$10.07. Roll call vote: Clark-aye, Fairchild, Wermersen-aye, Thee-aye, and Leupold-aye.

Moved by Wermersen, seconded by Clark, to approve Resolution 2022-13 Assessment of DDJT 1&2 D&O. Roll call vote: Wermersen-aye, Clark-aye, Thee-aye, Fairchild-aye, and Leupold-aye.

Resolution 2022-13
Assessment of Drainage District Joint 1 & Joint 2

WHEREAS, the Board of Supervisors of Osceola County, Iowa and Dickinson County, Iowa in session on the 12th day of July, 2022, do determine that an assessment should be levied on all the tracts of land, lots, railroad companies and public highways within the boundaries of Drainage Districts – Joint #1 & Joint #2 in Osceola County and Dickinson County to procure funds with which to pay the cost anticipated for the general upkeep and maintenance of the aforementioned districts; and WHEREAS, the Boards determined and find that the original assessment furnishes a fair and equitable basis for a proper apportionment of the costs and expenses of said assessment and the Boards concur that no good reason exists for a new or different assessment. THEREFORE, BE IT RESOLVED by the Board of Supervisors of Osceola County, Iowa and Dickinson County, Iowa that the following percentage of original assessment be levied on each tract of land, lots, public roads and railroad companies in those districts and that the County Auditor of Osceola County and Dickinson County be directed and ordered to extend assessment of the following percentage of the original assessment and certify the same to the County Treasurer of each county, to be collected by the Treasurer in the manner as provided by law.

D.D. JT#1 – 106.23% - \$37,608.93

Osceola County Share - \$21,555.30
Dickinson County Share - \$16,053.63

D.D. JT#2 – 15.87% - \$9,752.59
Osceola County Share - \$5,502.60
Dickinson County Share - \$4,249.99

Passed and approved this 12th day of July 2022.

Trails Director Erin Reed, along with several landowners from 230th Street in Milford were present to discuss concerns over the bike trail that is proposed to pass through their area. Reed stated like in every project they do a feasibility analysis to see what is most effective to get from “Point A to Point B”. As this project moved forward, they became aware of some significant drainage issues within the proposed path. The landowners also voiced concerns regarding overall safety of the proposed path. Reed went onto say that quite often they have resistance from landowners regarding trails near their properties, but she pointed out many successful areas of development that were enhanced by the trail system. The Trails Board have discussed in recent meetings the re-routing of the trail connection through Pioneer Park on 225th Avenue, this would also enhance the rider’s experience. She is in need of certain DOT approval however. Terry Dirks, Kay Buchanan, and Terry Kramer then addressed the board as concerned landowners. They were disappointed that they had no previous knowledge of this trail until surveyors showed up in January. Reed deeply apologized for this miscommunication. They had several proposals on route variations highlighting advantages and disadvantages, with the most favorable being the route through the Pioneer Park. After continued discussion no action was taken by the board but Reed stated that the resolution being passed next included the language of the route change.

Moved by Fairchild seconded by Clark, to approve Resolution 2022-14 Resolution by the Dickinson County Board of Supervisors -Clay County Connection Phase I). Roll call vote: Fairchild-aye, Clark-aye, Wermersen-aye, Thee-aye, and Leupold-aye.

Whereas, Dickinson County has been a strong supporter of the development of the Dickinson County Recreational Trails System, and we recognize that recreational trails are beneficial to our residents; Whereas, the Dickinson County Trails Board is proposing a recreational trail segment known as Clay County Connection Phase I; Whereas, the proposed trail segment will begin in Milford and continue west and south to County Road A48 (240th Street) for a distance of 1.5 miles, and through existing trails connect to the entire Great Lakes Trail system; Now therefore, let it be resolved that the Dickinson County Board of Supervisors encourages and supports the efforts of the Dickinson County Trails Board in their application for all grants to which they qualify to fund the cost of construction of this recreational trail and Dickinson County will provide the local match funds through the Dickinson County Trails Board development fund. Let it also be known that Dickinson County will be responsible for the maintenance funding of the trail, as administered by the Dickinson County Trails Board, and as determined necessary and appropriate by the Dickinson County Board of Supervisors, for not less than twenty (20) years from the date of completion of the trail. Passed, approved and adopted by the Dickinson County Board of Supervisors, Dickinson County, Iowa this 12th day of July, 2022.

Moved by Fairchild, seconded by Thee, to approve Pay Application # 2 and Change Order # 1 for the 2022 Dickinson County Phase III (c) Trail Project. Pay Application # 2 in the amount of \$209,499.70 to Cory Juergen’s Construction, and Change Order # 1 in the amount of \$6,250.00 to add traffic control and flaggers. Roll call vote: Fairchild-aye, Thee-aye, Wermersen-aye, Clark-aye, and Leupold-aye.

Moved by Wermersen, seconded by Thee, to approve the Liquor License Application for Dickinson County Trails Board for the 2022 Bikes-Brews-Bites Fundraiser. Approval is contingent on Dramshop Verification. Roll call vote: Wermersen-aye, Thee-aye, Clark-aye, Fairchild-aye, and Leupold-aye.

Assistant County Attorney Steve Goodlow requested to table the discussion regarding a county courthouse paper policy until he could gather additional information.

Zoning Director David Kohlhaase told the supervisors that due to litigation and a pending application he had been advised by County Attorney Amy Zenor that it was in the county's best interest not to discuss RV/Campground Regulations that had been placed on this week's agenda. A concerned citizen, Lu Clark wanted to know when the county's Comprehensive Plan would be updated to address the questions and concerns that residents have had over the recent applications. Supervisor Clark stated that he would like to put a moratorium on any future applications received until the plan could be updated. Assistant County Attorney Goodlow will look into this further. In the meantime, Kohlhaase stated that the Planning and Zoning Commission will work closely with the NWIPDC and when the timing is right, they will look at the Comprehensive Plan and consider some updates.

County Engineer Dan Eckert present. Moved by Clark, seconded by Fairchild, to approve the placement of three Stream Sensors for the University of Iowa Flood Center. The locations are on 230th Avenue near Lower Gar Outlet, 240th Avenue at the Spring Run Crossing, and on 140th Street near the Big Spirit Outlet. Roll call vote: Clark-aye, Fairchild-aye, Wermersen-aye, Thee-aye, and Leupold-aye.

Moved by Wermersen, seconded by Thee, to approve the Amended 165th Street Road Replacement Agreement with the Iowa Great Lakes Sanitary District (IGLDS). The agreement is changed to read that the IGLSD will pay a flat fee of \$220,000 and the county will take over maintenance of that road. Roll call vote: Wermersen-aye, Thee-aye, Clark-aye, Fairchild-aye, and Leupold-aye.

Eckert asked to table the approval of the Certificate of Substantial Completion on the Spirit Lake Shop until an upcoming meeting. They are working on a couple of deficiencies.

Moved by Wermersen, seconded by Fairchild, to approve the 2023 Gravel Crushing Contract with Keith Hagedorn Construction. The gravel will be crushed at the Milford West Pit, Neppi Pit, and Westport Pit. Roll call vote: Wermersen-aye, Fairchild-aye, Clark-aye, Thee-aye, and Leupold-aye.

Moved by Clark, seconded by Thee, to approve the repair work in Drainage District #3, Section #28 of Milford Township for RJMO Farms. The repair should be less than \$500. Roll call vote: Clark-aye, Thee-aye, Wermersen-aye, Fairchild-aye, and Leupold-aye

Moved by Wermersen, seconded by Clark, to approve the repair work in Drainage District #19, Section #5 of Okoboji Township for Steve Titterington. The repair should be less than \$1000. Roll call vote: Wermersen-aye, Clark-aye, Thee-aye, Fairchild-aye, and Leupold-aye

Moved by Wermersen, seconded by Fairchild, to accept the Drainage Petition from Tom and Julia Kaiser to consider establishment of a Drainage District in Okoboji Township, and to appoint Jacobson-Westergard & Associates as Drainage Engineer on the project. Roll call vote: Wermersen-aye, Fairchild-aye, Clark-aye, Thee-aye, and Leupold-aye

A resident of Leisure Beach Drive came to the board to request that no parking signs be placed in the area around 237th Avenue. Prior to the road being paved there had been signs there. Eckert will have the sign foreman place them again.

The Board gave their board and committee reports and continued into general discussion. There being no further items presented to the board, moved by Wermersen, seconded by Fairchild, to adjourn. All voted aye. Meeting adjourned to the call of the Chairperson at 11:22 a.m.

William Leupold, Chairperson

Lori Pedersen, Auditor