

**January 18, 2010**

The Buchanan County Board of Supervisors met in regular session at 9:00 a.m. on Monday, January 18, 2010 with Ralph Kremer, Chairperson in the Chair, Ellen Gaffney and Mike Ferreter present. Absent, none.

The Pledge of Allegiance was recited.

Motion Gaffney second by Ferreter to approve the minutes of the January 11<sup>th</sup>, 12<sup>th</sup>, 13<sup>th</sup> and 14<sup>th</sup> meetings. All in favor, motion carried.

Motion by Gaffney second by Ferreter to approve claims filed with the County Auditor for payment in the amount of \$111,579.78. All in favor, motion carried.

Motion by Ferreter second by Gaffney to approve the monthly reports of the County Recorder \$11,752.95 and Clerk of Court \$1,633.09. All in favor, motion carried.

Motion by Ferreter second by Gaffney to accept the resignation of Betty Odekirk, custodian for the conservation department effective January 22, 2010. All in favor, motion carried.

County Engineer Brian Keierleber presented the Board with plans for bridge replacements. After discussion, motion by Gaffney second by Ferreter to approve the following plans: Olympic Ave. in Byron Township Sec. 16 project # FHWA #82680 and 250<sup>th</sup> St., in Liberty Township Sec. 23 project #82050. All in favor, motion carried.

Motion by Gaffney second by Ferreter to approve the rock purchase contracts with Bruening Rock Products, Inc., Decorah and Paul Niemann Construction Co., Sumner, and authorize the chairman to sign said contracts. All in favor, motion carried.

Motion by Gaffney second by Ferreter to approve the right-of-way agreements for the Quinn Ave. bridge replacement project in Buffalo Township and authorize the chairman to sign said agreements. All in favor, motion carried.

At 9:30 a.m. the public hearing regarding the Freeman and Mattie Gingerich rezoning request with Mike Hohenbrink, Tari Robertson and Ed Fitzgerald, Zoning Administrator present. After discussion, motion by Ferreter second by Gaffney to approve the following resolution. On roll call all voted aye thereon. Motion carried.

#### **RESOLUTION 10-05**

WHEREAS, Gaffney proposed the adoption and enactment of a Zoning Ordinance Amendment on the day 4<sup>th</sup> of January 2010, which action is recorded in Book V Page 97 of the Minutes of the Board of Supervisors; and

WHEREAS, the same was duly published in the Independence Bulletin Journal, an official newspaper of general circulation in the county and complying with Sections 618.3 and 618.14 of the Code of Iowa, on 13<sup>th</sup> day of January 2010; and

UPON MOTION made by Ferreter and second by Gaffney a vote was held to suspend the requirement for three successive readings and votes, which motion passed by a vote of a majority of the Board of Supervisors, as follows:

THOSE VOTING FOR SUSPENSION OF THE REQUIREMENT: Ferreter, Gaffney and Kremer

THOSE VOTING AGAINST SUSPENSION OF THE REQUIREMENT: None

NOW THEREFORE the following was read and voted upon by the Board of Supervisors, and it passed by a vote of a majority of the Board of Supervisors:

AND IT IS NOW THEREFORE ENACTED AND ORDAINED:

#### **ZONING ORDINANCE AMENDMENT 10-A-01 BUCHANAN COUNTY, IOWA**

The rezoning of property located in Fairbank Township, Section 25, .66 of an acre from "A-1" agricultural to "R-1" residential.

The rezoning of the following described property is approved:

The W 250 ft of the S 180.58 ft to the SW qtr of the SW qtr of Sec. 25, T90N, R10W of the 5<sup>th</sup> P.M., Buchanan County, Iowa except road right-of-way, containing .66 of an acre more or less. To allow construction of new rural school.

THOSE VOTING FOR THE PASSAGE: Ferreter, Gaffney and Kremer

THOSE VOTING AGAINST THE PASSAGE: None

Passed this 18<sup>th</sup> day of January 2010.

The Board met with Engineer Brian Keierleber, Roads Superintendent Steve Bantz and Sheriff Bill Wolfgram to discuss the towing of vehicles in storms and law enforcement calling the secondary road department out when vehicles are stranded. No action was taken by the Board.

The Board met with the following members of the Buchanan County Library Association: Elaine Rosberg, Aurora; Karen Teidt, Fairbank; Laura Blaker, Independence; Cindy Lellig, Jesup; Jane Seedorff, Lamont and Missy Mayfield-Cook, Winthrop. Ms. Mayfield-Cook presented information regarding future agreements with cities that do not have library services for their residents. The Board will forward the proposed agreement to the County Attorney for review. Librarians updated the Board on the services provided the past year. The Library Association members requested additional funds for FY11. No action was taken by the Board.

The Board met with Director of Public Health Amy Marlow to discuss the amendment to the Local Public Health Agreement. The amendment will decrease the Home Care Aide allocation by \$4,482 and the Public Health Nursing allocation by \$1,773. After discussion, motion by Ferreter second by Gaffney to approve amendment #2 to the Local Public Health Agreement with the State of Iowa and authorize the chairman to sign said agreement. All in favor, motion carried.

Director Marlow reviewed the final agreement for Public Health Services for FY10 as drafted by County Attorney Allan Vanderhart and Attorney Lans Flickinger. After discussion, motion by Gaffney second by Ferreter to approve the Public Health Services agreement for FY10 and authorize the chairman to sign. All in favor, motion carried.

Director Marlow reviewed the proposed FY11 budget with the Board.

Motion by Ferreter second by Gaffney to approve the following resolutions. On roll call all voted aye thereon. Motion carried.

#### **RESOLUTION 10-06**

WHEREAS, it is desired to authorize the Auditor to periodically transfer sums from general basic fund and rural services basic fund to the secondary road fund during the 2009-2010 budget year; and

WHEREAS, said transfers must be in accordance with Section 331.432, Code of Iowa,

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Buchanan County, Iowa, as follows:

Section 1. The total maximum transfer from the rural services basic fund to the secondary road fund for the fiscal year beginning July 1, 2009 shall not exceed the sum of \$1,397,477 from the rural basic fund; which includes \$450,000 of local option tax dollars and \$75,000 from the general basic fund.

Section 2. The amount of the transfer required by Section 2 shall be equal to the apportionment made under Section 2 to the rural services basic fund, respectively, multiplied by the ratio of said fund total maximum transfer to the secondary road fund, to the sum of said fund current property tax levy, total mobile home taxes and total military service tax credit replacements.

Section 3. Notwithstanding the provisions of Section 2, of this resolution, total transfers to the secondary road fund shall not exceed the amount specified in Section 1.

Section 4. Notwithstanding the provisions of Section 2, the amount of any transfer shall not exceed available fund balances in the transferring fund.

Section 5. The Auditor is directed to correct her books when said operating transfers are made and to notify the Treasurer and County Engineer of the amounts of said transfers.

Passed this 18<sup>th</sup> day of January 2010.

#### **RESOLUTION 10-07**

BE IT RESOLVED that the Buchanan County Board of Supervisors approves the transfer from the General Fund to the Supplemental Fund for operating expenses in the amount of \$300,000.

Passed this 18<sup>th</sup> day of January 2010.

Auditor Cindy Gosse presented the December financial report to the Board. After discussion, motion by Gaffney second by Ferreter to approve the report. All in favor, motion carried.

At 11:40 a.m. motion by Gaffney second by Ferreter to recess until 9:00 a.m., Tuesday, January 19, 2010. All in favor, motion carried.

Ralph J. Kremer, Chairman

ATTEST: Cindy Gosse, Auditor

**January 19, 2010**

The Buchanan County Board of Supervisors reconvened in regular session at 9:00 a.m. on Tuesday, January 19, 2010 with Ralph Kremer, Chairperson in the Chair, Ellen Gaffney and Mike Ferreter present. Absent, none.

The Pledge of Allegiance was recited.

The Board proceeded to meet with County Auditor Cindy Gosse, Treasurer Judy Harland and IT Director Ray McDonald to review the proposed FY11 budgets.

At 11:30 a.m. motion by Ferreter second by Gaffney to recess until 12:30 p.m. All in favor, motion carried.

The Board reconvened at 12:30 p.m. and proceeded to meet with County Auditor Cindy Gosse to review the proposed FY11 budgets.

Motion by Ferreter second by Gaffney to adjourn at 4:15 p.m. All in favor, motion carried.

Ralph J. Kremer, Chairman

ATTEST: Cindy Gosse, Auditor