

**Dickinson County Board of Supervisors
February 9, 2010**

9:30 A.M. Present are Supervisors Mardi Allen, Pam Jordan, Paul Johnson Vice-Chairperson, Wayne Northey, and David Gottsche, Chairperson.

The Pledge of Allegiance was recited to open the meeting.

Time for the canvass of the Spirit Lake School Special Election held on February 2, 2010 on the question:

To adopt a Physical Plant and Equipment Levy within the Spirit Lake Community School District for the purposes set forth in Iowa Code Section 298.3. Said levy shall remain in place for a period of three (3) years, and shall be funded by the imposition of 65¢ property tax per thousand dollars of assessed valuation in the district, and be authorized annually to levy a physical plant and equipment property tax with the levy of property taxes for collection commencing in the fiscal year beginning July 1, 2010. This proposition is adopted if a majority of those voting on the proposition at the election approves it. **Yes-816 No-638**

Complete election returns are on file in the Auditor's office in the Election Returns book.

Moved by Paul, seconded by Wayne to approve the agreement with the City of Spirit Lake for the TIF reimbursement as set out in the agreement of the DC/SL Urban Renewal. All voted aye.

Moved by Allen, seconded by Johnson to approve the following claims at hand as listed on the claims register dated. February 9, 2010. All present voted aye.

CLAIMS LISTING 2-9-10

ALLIANT ENERGY	UTILITIES	5,585.69
ALPHA WIRELESS COMM CO	RADIO	2,601.52
AOSNC, LLC	SERVICE	4,200.00
ARNOLD MOTOR SUPPLY	PARTS	1,244.14
AT&T	UTILITIES	133.48
ATLAS STAMP & SEAL COMPANY	SUPPLIES	12.50
AUTO GLASS CENTER INC.	PARTS	95.44
BARNES DISTRIBUTION	PARTS	228.73
BCBS, ISAC	INSURANCE	2,648.00
BECK ENGINEERING INC.	SERVICE	12,544.50
BLACK HILLS ENERGY	SERVICE	9,115.12
BOMGAARS SUPPLY INC.	SEC RD SUPPLIES	1,473.05
BONNSTETTER, JIM	EXPENSE	101.00
BOYER TRUCKS SIOUX FALLS	PARTS	171.78
BUY RITE FOODS	ACCT 14 SUNDRY	21.96
CDW GOVERNMENT INC.	SUPPLIES	471.46
CEDAR VALLEY CORP.	L-597--73-30 (WAR EAGLE)	21,630.68
CERTIFIED TESTING SERV.INC.	EXPENSE	52.00
COMMUNITY SERVICES ASSOC.	EXPENSE	50.00
COOPERATIVE ELEVATOR ASSOC.	SUPPLIES	7,958.32
COUNTY CASE MANAGEMENT SERV.	EXPENSE	280.00

COYOTE MOTOR CO	SERVICE	36.95
CRYTEEL TRUCK EQUIP INC	PARTS	881.26
DAKOTA BUSINESS SYSTEMS	EXPENSE	281.84
DALEN, JASON	REIMBURSEMENT	5.65
DAVIS TYPEWRITER CO INC	SUPPLIES	893.28
DEETS, WILLIAM	EXPENSE	150.00
DELTA DENTAL OF IOWA	INSURANCE	65.88
DERNER, JOHN	EXPENSE	150.00
DICK COUNTY ANIMAL CLINIC	SERVICE	17.00
DICKINSON CO EMERG.MGMT	EXPENSE	8,241.79
DICKINSON CO SHERIFF	EXPENSE	18.39
DICKINSON CO TREASURER	EXPENSE	2,480.17
DICKINSON CO TREASURER	INSURANCE	4,050.00
DICKINSON CO.PUBLIC HEALTH	EXPENSE	688.52
DICKINSON COUNTY NEWS	EXPENSE	24.17
DISCOVERY HOUSE INC.	EXPENSE	1,150.00
ECHO PLUS INC	EXPENSE	16,373.18
FICK'S ACE HARDWARE	SUPPLIES	58.15
FLEET SERVICES	FUEL ACCT	9,115.02
FOX INTERNATIONAL INC	PARTS	33.74
GMS INDUSTRIAL SUPPLIES INC.	PARTS	379.10
GREEN PLAINS GRAIN CO.LLC	FUEL ACCT 5287	20,115.68
GREEN PLAINS GRAIN CO.LLC	EXPENSE	336.34
H & H RECYCLING	SERVICE	3,500.00
HENRY M.ADKINS & SON INC.	EXPENSE	392.25
IA COMM.ASSURANCE POOL	EXPENSE	1,801.91
IA LAKES ELECTRIC COOP	UTILITIES	4,788.04
IA LAW ENFORCEMENT ACAD.	EXPENSE	225.00
INTERSTATE BATTERY SYSTM	BATTERIES	300.85
IOWA CONCRETE PAVING ASSN	46 ANNUAL WKSHP PCC CONF	140.00
IOWA OFFICE SUPPLY INC.	EXPENSE	19.41
ISAC	EXPENSE	110.00
JENNINGS TOW & REPAIR	OUTSIDE SERVICE	510.00
JIM BLUM SURVEYING	SURVEY	585.00
K BRAND MARKETING	EXPENSE	639.00
KOHLHAASE, DAVID L	EXPENSE	326.00
LAKE PARK AUTO PARTS	PARTS	596.82
LAKE PARK EQUIPMENT CO.INC.	PARTS	140.74
LAKE PARK FARM&HOME CENTER INC	SUNDRY	59.99
LAKES NEWS SHOPPER	EXPENSE	47.60
LAKES REGIONAL HEALTHCARE	RDT ACCT 516002	2,778.90
LARSEN, ELMER	EXPENSE	14.00
LAWSON PRODUCTS INC	PARTS	281.02
MAIL SERVICES LLC	EXPENSE	465.10
MID IOWA SALES CO	PARTS	12.56
MILFORD APTS "NORTH"	EXPENSE	200.00
MILFORD MUN UTILITIES	UTILITIES	320.25
MOTOROLA	SUPPLIES	2,408.66

MUESKE ELECTRIC	SERVICE	600.00
MUMM, JENNA L	SERVICE	123.75
NACVSO	EXPENSE	300.00
NORTHEY, WAYNE	EXPENSE	330.00
NORTHWEST BANK	EXPENSE	225.00
NW IA YOUTH EM SHELTER	EXPENSE	300.00
OLSON, ROSALISE	EXPENSE	190.00
OSCEOLA CO SHERIFF	SERVICE	59.80
PAKOR INC.	SUPPLIES	203.58
PRINTING TODAY	EXPENSE	41.25
QLT LEASE SERVICES	UTILITIES	7.26
QWEST	UTILITIES ACCT IA	240.17
QWEST	UTILITIES	1,325.65
RDJ SPECIALTIES INC.	SUPPLIES	241.24
RDO EQUIPMENT COMPANY	PARTS	650.25
REEKERS CLEANING SERVICE LLC	SERVICE	11,229.75
REIMAN, NANCY	EXPENSE	77.96
RYLIN OFFICE TECH.INC.	SUPPLIES	157.43
SANDY LAW FIRM	SERVICE	382.26
SEASONS CENTER FOR CMH	EXPENSE	9,183.74
SECRETARY OF STATE	EXPENSE	90.00
SIDWELL COMPANY, THE	EXPENSE	1,495.00
SIMONSON PROPERTIES INC.	EXPENSE	150.00
SOCIETY OF LAND SURVEYOR	DUES	100.00
SPENCER OFFICE SUPPLIES	SUPPLIES	187.44
SPIRIT LAKE MED. CENTER	EXPENSE	290.00
SPIRIT LAKE PARTS CITY	SUPPLIES	22.07
SPIRIT LAKE, CITY OF	EXPENSE	573.44
STAPLES CREDIT PLAN	SUPPLIES	52.47
STAPLES CREDIT PLAN	SUPPLIES	82.74
SUNSHINE SERVICES INC	EXPENSE	2,051.54
T&T MATS	EXPENSE	40.00
TD TOOLS	TOOLS	22.16
TERRIL TELEPHONE COOPERATIVE	UTILITIES	238.77
TERRIL, CITY OF	UTILITIES	29.00
TEXAS REFINERY CORP.	ANTIFREEZE	1,563.84
TRI-STATE EMERGENCY MGMT ASSN	EXPENSE	10.00
UMSCHEID, ROBERT	EXPENSE	10.00
UPPER DES MOINES	ALLOCATION	4,115.75
US CELLULAR	SERVICE	811.23
VANDERHAAG'S INC	TIRES/OUTSIDE SERVICE	2,583.30
VERIZON WIRELESS	SERVICE	291.98
VON EHWEGER, DONALD E.	EXPENSE	14.50
WALMART COMMUNITY	SUPPLIES	27.18
WEST PAYMENT CENTER	EXPENSE	1,089.99
ZEE MEDICAL INC.	SUPPLIES	298.13
ZEP MANUFACTURING CO	SUNDRY	109.02
ZIEGLER INC.	PARTS	1,662.42

GRAND TOTAL 200,709.64

FUND TOTALS RECAP

0001	GENERAL BASIC FUND	57,860.31
0010	MH-DD SERVICES FUND	28,370.72
0011	RURAL BASIC FUND	3,500.00
0020	SECONDARY ROAD FUND	82,010.16
0024	RECORDER RECORD Mgmt	285.16
0027	CONS. LAND ACQUISITION	1,414.11
0041	DC/ORLEANS URBAN RENEWAL	12,544.50
1500	BUILDING & GROUNDS	52.00
1600	CAPITAL PROJ.-COURTHOUSE	639.00
4000	EMERGENCY MANAGEMENT	2,288.96
4010	E-911 SURCHARGES	11,744.72
GRAND TOTAL		200,709.64

Moved by Northey, seconded by Allen to approve the six month Class C liquor license application and outdoor service area for Silver Lake Country Club. All voted aye.

Moved by Allen, seconded by Northey to approve the Class B liquor license application for Main Event Bar and Eatery for full year. All voted aye.

Moved by Allen, seconded by Jordan to approve the Community Mental Health center Affiliation and Megellan case Management contract as presented by CPC. All voted aye.

Moved by Northey, seconded by Allen to approve the appointment of Teresa Eakin as full-time dispatcher in the Dickinson County Communications Center beginning February 9, 2010 at a starting wage of \$13.51 per hour. All voted aye.

Chris LaRue, DNR, present for approval of Wetland restoration projects in DD 24 and DD 20. Following a review of the projects, it was moved by Allen, seconded by Northey to approve the Wetland Restoration project in DD #20. All voted aye.

Moved by Northey, seconded by Allen to approve the wetland restoration agreement with DNR in DD #24 as presented. All voted aye.

Moved by Johnson, seconded by Northey to go into closed session to discuss potential litigation with legal counsel per Iowa Code Section 21.5(1)c. (Tape recording made). All present voted aye. Moved by Northey, seconded by Allen to go to open session and to make Assistant County Attorney Lonnie Saunders as the contact and/or spokesperson for the Oak Haven issue. All voted aye.

Chairperson Gottsche asked those present to introduce themselves. Present are Kim Scorza, JoAnn Reed, Beth Will, Mike Webb, Bob Shaw, Lonnie Saunders, John Kraght. Attorney Saunders voiced this concern to the Season's center staff about the mold issue brought to their attention at the Oak Haven facility. He said he recommend the county shut down the facility in the next 10 days. Ms. Scorza said there were 26 placements that would need to be made and that was unrealistic. The County stood by the 10 day notice. The Director of Seasons that they would need a letter to present to the state.

Moved by Johnson, seconded by Allen to hire Shaw's of Okoboji to follow up on the letter of February 5, 2010 to give a more definitive description of their findings at Oak Haven Facility not to exceed \$400 cost. Moved by Allen, seconded by Jordan to table this motion. All voted aye.

Moved by Allen, seconded by Jordan to approve pursuant to the rental agreement in Section VII (7) Sub F Sub 2 to give 10 days notice of termination of lease based on information on Wednesday, February 3, 2010 at the Seasons Center Board meeting and confirmed by letter on February 5, 2010. All voted aye.

Moved by Jordan, seconded by Allen to open back up the previous motion. All voted aye. Chairperson asked for roll call voted on the previous motion to hire Shaw's: Allen-aye, Jordan-aye, Northey-nay, Johnson-aye, Gottsche-aye. Motion carried.

John Kraght present for Airport Authority to request funding to assist in the 2" overlayment of the runway of whatever the board is able to do. The board will consider the funding during the budget work sessions.

The Board is presented with the compensation board recommendation for the salary increases for the elected officials for the Fiscal Year 2012. The comp board is recommending a 2% increase for all elected officials. Chair asked for a motion. Moved by Allen, seconded by Johnson to recommend no salary increase for the upcoming fiscal year on the compensation board recommendation for the elected officials that is to reduce the recommendation of the compensation board by 100%. Roll call vote: Allen-aye, Jordan-nay, Johnson-aye, Northey-aye, Gottsche-nay. Motion carried.

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

David Gottsche, Chairperson

Nancy Reiman, Auditor