

## Board Minutes of Monday March 30, 2009

The Board of Supervisors met as per adjournment with all members present.

Moved by Ibanez and seconded by Askelson to adopt the proclamation of April 6-12, 2009 as National Public Health Week. Motion carried unanimously. Official proclamation on file in the public health department.

Moved by Logsdon and seconded by Bouska to adopt resolution 09-029 appointing Martha Martinson as the HIPAA privacy officer in the Auditor's office. Motion carried unanimously by roll call vote. Complete resolution on file in the county Auditor's Office.

Moved by Bouska and seconded by Darling to enter into contract and approve bond with Concrete Foundations Inc for project STP-S-C096(83)-5E-96 (Pavement on 337<sup>th</sup>). Motion carried unanimously.

Moved by Askelson and seconded by Ibanez to adopt resolution 09-030 setting the room and board fees for prisoners at the county jail. Motion carried unanimously by roll call vote. Complete resolution on file in the county Auditor's Office.

Moved by Askelson and seconded by Bouska to adopt resolution 09-031 granting application for display of fireworks to Mark Kuhn. Motion carried unanimously by roll call vote. Complete resolution on file in the county Auditor's Office.

Moved by Ibanez and seconded by Logsdon to approve the minutes of Monday March 23, 2009. Motion carried unanimously.

The supervisors opened and reviewed bids for the Air Conditioning installation in the lower level of the court house. Moved by Askelson and seconded by Bouska to accept the low bid by Vick's Heating, Plumbing, Ventilating, Inc. of \$19,300. Motion carried unanimously.

Moved by Logsdon and seconded by Ibanez to assume from Spectrum Industries Inc Terry Buenzow, Keith Sanderson, and Don Muchow as full time employees with their accrued benefits and longevity intact. Motion carried unanimously.

Moved by Bouska and seconded by Logsdon to cast a ballot for Charles Frana for the REC Board. Motion carried unanimously.

Moved by Logsdon and seconded by Askelson to adopt resolution 09-032 granting a conditional use permit to Mathy Construction Company for operation of an asphalt plant in Bruening's quarry on Quarry Hill Road. Moved by Ibanez and seconded by Bouska to amend the resolution to add condition J: Medically Serious and verifiably respiratory condition that may or have resulted from the Asphalt

operation on Quarry Hill Road will result in the immediate suspension of this conditional use permit. This permit will remain suspended until such time that a timely Root Cause Analysis and Investigation by qualified and certified individual(s) have determined "No Fault" by asphalt operation. Moved by Askelson and seconded by Ibanez to table the amendment and resolution pending legal review of the amendment by the county Attorney. Motion to table carried unanimously.

The Board held the second reading of zoning ordinance 09-152 a zoning re-classification request by ME Development. Moved by Askelson and seconded by Logsdon to hold the third reading and final consideration on Monday April 6, 2009 at 10:00am. Motion carried unanimously.

Board held the second reading of zoning ordinance 09-153 a zoning re-classification request by Gary Stortz. Moved by Logsdon and seconded by Askelson to hold the third reading and final consideration on Monday April 6, 2009 at 10:00am. Motion carried unanimously.

Moved by Logsdon and seconded by Askelson to take from the table resolution 09-032 and its corresponding amendment. Motion carried unanimously. Andy VanDerMaaten, county Attorney, stated: The County Attorney's office has reservations about the enforceability concerning the "Respiratory Clause" and feels it should not be included in the Conditional Use Permit. The amendment did not carry with supervisors Logsdon, Askelson, Darling and Bouska voting nay and supervisor Ibanez voting aye by roll call vote. Resolution 09-032 carried with supervisors Logsdon, Askelson and Darling voting aye and supervisors Ibanez and Bouska voting nay by roll call vote. The resolution will be on file in the county Auditor's office as well as recorded with the county Recorder.

Moved by Logsdon and seconded by Ibanez to approve the Easement to the city of Spillville for Riverbank Stabilization. Motion carried unanimously.

Moved by Logsdon and seconded by Askelson to open the public hearing in regards to the ordinance establishing special valuation of wind energy conversion property in Winneshiek County. Motion carried unanimously by roll call vote. Representatives from the Community Energy Group and the Iowa Wind Energy Association spoke in support of the ordinance. Moved by Logsdon and seconded by Askelson to close the public hearing. Motion carried unanimously by roll call vote. Moved by Logsdon and seconded by Ibanez to hold the first reading of ordinance 09-154. The motion carried unanimously and the reading was held. Moved by Logsdon and seconded by Ibanez to hold the second reading at 10:00am on Monday April 6, 2009. Motion carried unanimously.

The Board met with Bruce Goetsch, County Emergency Management Coordinator, to discuss the Disaster Recovery Grant Applications.

Moved by Logsdon and seconded by Askelson to adjourn to 9:30a.m. Monday April 6, 2009. Motion carried unanimously.

ATTEST \_\_\_\_\_

Benjamin D Steines  
County Auditor

Dean H Darling, Chairman  
Board of Supervisors