

The Union County Board of Supervisors met in Regular Session on Monday March 18, 2019. The meeting was called to order at 9:00 AM with the following members present: Ron Riley, Rick Friday and Dennis Brown.

AGENDA: Motion by Friday and seconded by Riley to approve the Agenda. All voting aye, motion carried.

MINUTES: Motion by Riley and seconded by Friday to approve the minutes from March 11, 2019. All voting aye, motion carried.

OPEN FORUM: No one spoke in open forum. The Board recognized and presented certificates to Union County Attorney Tim Kenyon for his 35 years of service and Union County Auditor Sandy Hysell for her 30 years of service.

ENGINEER: Union County Engineer, Zach Gunsolley, (per phone conference) discussed the weekly maintenance activity report. **Amend Agenda:** Motion by Friday and seconded by Riley to amend the agenda and add Resolution #27 FYR 18/19 Opposing Senate Study Bill 1045 and Senate File 184 Passed by the Senate Committee on Transportation. All voting aye, motion carried. **Resolution #27 FYR 18/19:** Motion by Riley and seconded by Friday to approve Resolution #27 FYR 18/19 Opposing Senate Study Bill 1045 and Senate File 184 Passed by the Senate Committee on Transportation as follows: WHEREAS, the Transportation Committee in the Iowa Senate has passed House Study Bill 1045 (SF 184) which would amend and make changes to Iowa Code Chapter 321 related to transportation of indivisible loads and raw forestry products on primary and non-primary highways, and; WHEREAS, Union County owns and maintains nonprimary highways, and is fiscally and legally responsible for the nonprimary highways within the County, and; WHEREAS, Union County owns and maintains 160 structures classified as bridges by the National Bridge Inspection Standards, and; WHEREAS, many of the bridges owned by Union County are aging and structurally deficient or functionally obsolete, and; WHEREAS, current funding is not adequate to replace or rehabilitate these bridges at the rate their conditions are deteriorating, and; WHEREAS, the nonprimary roads and bridges owned by Union County serve a critical need for residents, agricultural users, businesses, schools, post offices, and emergency responders, and; WHEREAS, the proposed bill would allow the Iowa Department of Transportation to issue annual permits to forestry industry haulers for loads up to 130,000 pounds on nonprimary highways throughout Iowa, without knowledge of or notice given to the agencies which own these highways and the structures thereon, and; WHEREAS, bridges within Union County have been designed for loads that were legal on Iowa roads at the time of their construction, and bridges have only been rated or posted with weight restrictions for loads that are currently legal on roads, and; WHEREAS, each bridge within Union County is unique based on its age, design, and current condition, and; WHEREAS, load rating to ensure safe passage of loads greater than 80,000 pounds would be unique for each load on each individual bridge, and; WHEREAS, the traversing of Union County bridges by loads up to 130,000 pounds without the County being afforded the knowledge of or the ability to restrict each occurrence, would result in gradual and possibly sudden failure of bridges within the County, and; WHEREAS, Union County would likely bear legal and financial liability for subsequent failure of its bridges, even if such failures are caused by loads they did not permit, and; WHEREAS, Union County is not financially able to repair or replace bridges which would be subject to accelerated deterioration by increased loads, and; WHEREAS, Union County and its residents, farmers, businesses, schools, post offices, and emergency responders, would be subjected to undue operational and economic hardships by further degradation of its road system and the structures thereon; THEREFORE BE IT RESOLVED, that the Union County Board of Supervisors strongly urges all Iowa lawmakers to vote in opposition to this legislation. Roll Call vote: Friday aye, Riley aye, Brown aye, motion carried.

PUBLIC HEARING ON WIND FARM ORDINANCE: Motion by Riley and seconded by Friday to open the Public Hearing at 10:10AM for the 1st reading of the Wind Farm Ordinance. Roll call vote: Friday aye, Riley aye, Brown aye, motion carried. Present at the public hearing were as follows: Mary Hill, Jordan Oster, Gordon Bolton, Sheryl Bolton, Paul Ehm, Larry Mark, Jean E Mark, Adam Jablonski, Jesse Giza, Mary Ann Walsh, Roger Vicker, Regina Smith, Raquel Linch, Joanie Finck, Tanya Lamb, Mark Zaccone, Jerry Oxley, Colleen Oxley, Walter Fengler and Randy Miller. No written or oral comments were received from the Auditor's Office. No oral but written comments were forward to the Board of Supervisors from the Attorney's Office. Written and oral comments were received from the members of the Board of Supervisors. The following spoke against the wind farm

projects were as follows: Joanie Finck, Larry Mark, Jean E Mark, Walter Fengler, Paul Ehm and Mary Ann Walsh. The following spoke in favor of the wind farm projects were as follows: Jessie Giza, Adam Jablonski, Randy Miller, and Jordan Oster. Roger Vicker also commented that the board has had many meetings that he had attended and appreciated the opportunity to speak during the meetings. Public Hearing was closed at 11:03. Motion by Riley and seconded by Friday to approve the 1st reading of the Wind Farm Ordinance. Roll call vote: Riley aye, Friday aye, Brown aye, motion carried.

CLERK'S REPORT: Motion by Friday and seconded by Riley to accept the clerks monthly report as presented by Union County Auditor, Sandy Hysell. All voting aye, motion carried.

SET PUBLIC HEARING: Motion by Riley and seconded by Friday to set a public hearing on April 1, 2019 at 10:00AM in the Union County Board Room for considering a possible USDA Application for a Union County Sheriff's Vehicle. Roll call vote: Friday aye, Riley aye, Brown aye, motion carried.

SET PUBLIC HEARING: Motion by Friday and seconded by Riley set a public hearing on April 1, 2019 at 10:10AM in the Union County Board Room for considering a possible USDA Application for a new command and response vehicle for the Emergency Management Agency. Roll call vote: Friday aye, Riley aye, Brown aye, motion carried.

TYLER INSURANCE: Phil Tyler, Tyler Insurance, discussed the County's Liability Insurance and going out for bids for fiscal year 19/20.

DISASTER PROCLAMATION: Motion by Riley and seconded by Friday for the chair to sign the Local Disaster/Emergency Declaration presented by EMA Director JoAnn Duckworth as follows: Union County has suffered from a Flood Incident that occurred on March 13, 2019 and continuing severe damage to public and private property, disruption of utility service, and endangerment of health and safety of the citizens of Union County within the disaster area. Therefore, the County Board of Supervisors has declared a state of emergency authorized under Iowa State Statute and will execute the expenditure of emergency funds from all available sources, the invoking of mutual aid agreements and the applying to the State of Iowa for assistance. Roll call vote: Riley aye, Friday aye, Brown aye, motion carried.

ADJOURNMENT: There being no further business, the meeting was adjourned at 2:20PM

BY: _____
DENNIS J BROWN, CHAIRMAN

ATTEST: _____
SANDY HYSELL, AUDITOR