**January 2, 2018** The Cass County Board of Supervisors met at 8:30 a.m. with all members present: Gaylord Schelling, 2017 chair; Steve Baier, Stephen Green, Frank Waters and Mark Wedemeyer. Agenda upon motion by Green, 2nd by Wedemeyer was approved. Minutes of December 29, 2017 upon motion by Waters, 2nd by Baier were approved as read.

The Board determined that old business was completed.

The 2017 Chair called for a vote to elect a permanent chair for 2018.

Vote: Waters- Schelling; Wedemeyer- Schelling; Baier- Schelling; Green- Schelling; and Schelling. Schelling. Auditor declared that Schelling had been elected Chair for 2018.

2018 Chair Schelling called for vote to elect a vice-chair.

Vote: Wedemeyer- Waters; Baier- Waters; Green- Waters; and Schelling- Waters; Waters- Waters. Auditor declared that Waters had been elected Vice-chair for 2018.

Determination of qualified applicants for Cass County Attorney based on submitted applications and Code of Iowa: Only one application was received: Michael D. Hooper. It was determined that the applicant was both qualified and eligible for appointment as Cass County Attorney. The Auditor noted that the appointment is to fill the vacancy term until the 2018 General Election and no petition was filed requesting a special election.

After due discussion, motion by Green, 2nd by Baier: to adopt RESOLUTION 2018-003.

After due consideration, the Chairperson put the question on the motion and the roll being called, the following named Supervisors voted:

Aye: Wedemeyer, Baier, Green, Waters and Schelling. Nay: none. Carried unanimously. Whereupon, the Chairperson declared the resolution duly adopted

#### **RESOLUTION NO. 2018-003 APPOINTMENT OF A CASS COUNTY ATTORNEY**

**WHEREAS**, a vacancy exists in the Office of Cass County Attorney due to the resignation of David Wiederstein;

**NOW, THEREFORE, BE IT RESOLVED** by the Cass County Board of Supervisors that Michael D. Hooper be and he is hereby appointed as County Attorney of Cass County, Iowa, to fill the vacancy created by the resignation of David Wiederstein; said appointment to be effective immediately and until the next general election.

PASSED AND ADOPTED this 2nd day of January, 2018.

Cerificate of appointment was completed and presented to Cass County Attorney Michael Hooper who then took the oath of office.

After due discussion, motion by Baier, 2nd by Green: to adopt **RESOLUTION 2018-004**. After due consideration, the Chairperson put the question on the motion and the roll being called, the following named Supervisors voted: Aye: Wedemeyer, Baier, Green, Waters and Schelling. Nay: none. Carried unanimously.

# RESOLUTION NO. 2018-004 Providing that the County Attorney is a full-time county officer effective January 2, 2018

WHEREAS the Cass County Attorney is now a part-time county officer; and

**WHEREAS** the Board of Supervisors on August 15, 2017 changed the status to full-time effective January 1, 2019 (rather than immediately because the current County Attorney was opposed to the change); and

**WHEREAS** that County Attorney resigned effective January 1, 2018 and a new county attorney was appointed January 2, 2018 who agrees that the change in status and annual salary should take place immediately; and

**WHEREAS** lowa Code requires that the Board of Supervisors set the initial annual salary of the full-time county attorney and the effective date of the change;

**NOW BE IT RESOLVED** that the effective date of the change to a full-time status shall be January 2, 2018 with an initial annual salary of \$100,000.

PASSED AND ADOPTED this 2nd day of January, 2018.

Motion by Baier, 2nd by Wedemeyer: to adopt **RESOLUTION 2018-005**. Carried unanimously.

#### **RESOLUTION NO. 2018-005 APPOINTMENT OF ASSISTANTS AND DEPUTIES**

WHEREAS, a new Cass County Attorney was duly appointed on January 2, 2018; and

WHEREAS, the Cass County Sheriff has a vacant deputy position; and

**WHEREAS**, in accordance with section §331.903(1) of the Code of Iowa, each officer may appoint, with approval of the board, one or more deputies, assistants, or clerks for whose acts the principal officer is responsible. . . . and the approval of each appointment shall be adopted by a resolution recorded in the minutes of the board;

## **NOW, THEREFORE, BE IT RESOLVED** by the Cass County Board of Supervisors that the following appointments are approved:

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Beverly Groves Attorney's Administrative Assistant
Eva Jensen Attorney's Administrative Assistant
Kris Schuler Attorney's Administrative Assistant
Tim Olsen Deputy Sheriff
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#### PASSED AND ADOPTED this 2nd day of January, 2018.

Motion by Waters, 2nd by Green: to set the following schedule for sessions of the Board during the year 2018: Every Wednesday (unless otherwise noted in preceding minutes) and the last working day of each month. Sessions will begin at 8:30 a.m. unless otherwise noted in the agenda. Carried unanimously.

Motion by Green, 2nd by Baier: to issue general checks twice monthly on the working day closest to the 15th and the last working day of month, unless otherwise authorized, and to hold over claims for payment to the next period if filed with the County Auditor less than three full working days before pay date; and to authorize the County Auditor to issue checks in accordance with section 331.506(3) Code of Iowa. Carried unanimously.

Motion by Green, 2nd by Baier: to set mileage rate reimbursement for use of personal vehicles for county business at forty cents per mile for 2018 {70A(9)} Aye: Wedemeyer, Baier, Green, Schelling. Nay: Waters. Carried.

Motion by Green, 2nd by Baier: to set 2018 per mileage fee to be charged by sheriff for civil process at the standard IRS per mile rate. Carried unanimously.

Motion by Waters, 2nd by Wedemeyer: to continue medical examiner's fee at \$200 per call (331.803). Carried unanimously.

Motion by Wedemeyer, 2nd by Baier: to name the Atlantic News Telegraph, Anita Tribune and the Griswold American as the official newspapers for Cass County for 2018 331.303(6)}. Carried unanimously.

Motion by Waters, 2nd by Green: to appoint Steve Baier to the Fourth Judicial District Department of Correctional Services Board of Directors for 2018 (331.211 & 905.3 <u>IA CODE</u>). Carried unanimously.

Motion by Wedemeyer, 2nd by Green: to appoint Frank Waters (and Gaylord Schelling as alternate) to the 28E Southwest Iowa Mental Health and Disability Services (MHDS) Region Board. Carried unanimously.

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Motion by Baier, 2nd by Waters: to make the following committee assignments for 2018:
(Alt = Alternate)
Cass County Board of Health
                                                        Gaylord Schelling
Cass County Environmental Control Agency (Landfill) Cass County Farm
                                                        Frank Waters & Stephen Green
                                                        Steve Baier & Frank Waters
Cass County Food Policy Council
                                                        Stephen Green (Alt: Gaylord
Schelling)
Cass County Joint E911 Service Board (IA CODE 34A.3)
                                                        Gaylord Schelling (Alt:
Stephen Green)
Cass County Local Emergency Management Commission (29C.9)
                                                        Gaylord Schelling (Alt:
Stephen Green)
Cass County Local Emergency Planning Committee (30.6, 30.10)
                                                        Gaylord Schelling (Alt:
Stephen Green)
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Cass County Public Safety Communications Commission Gaylord Schelling /Stephen

Green

Cass County Resource Enhancement Committee ( $\underline{\text{IA CODE}}$  455A.20) Gaylord Schelling Stephen Green & Mark Wedemeyer

Courthouse Committee Healthy Cass Caounty Baier

Nishna Valley Trails

Regional Planning Affiliate 13 (transportation funds) Resource Enhancement and Protection Board (REAP)

Loess Hills Development and Conservation Authority Wedemever)

Rural Conservation and Development (Hungry Canyons Alliance) Steve Baier (Alt: Mark

Wedemever)

Southlawn Memory Gardens Cemetery Committee

Stephen Green)

Southwest Iowa Coalition

Green)

Southwest Iowa Mental Health Center Board West Central Community Action. Board of Directors

Workforce Investment Act/Chief Elected Officials

Zion Recovery Services

Green)

Mark Wedemeyer (Alt: Stephen Carried unanimously.

Gaylord Schelling & Steve

Steve Baier (Alt: Mark

Gaylord Schelling (Alt:

Steve Baier (Alt: Stephen

Frank Waters (Alt: Steve

Mark Wedemever

Mark Wedemeyer

Mark Wedemever

Frank Waters

Frank Waters

Motion by Waters, 2nd by Wedemeyer: to make or approve the following appointments:

CABEDA BOARD MEMBERS (CABEDA-Cass-Audubon Border Economic Development **Agreement Board**)

VALLEY BUSINESS PARK CORPORATION MEMBERS (2yr term ending 01/15/2019)

Cass Co. Supervisor Mark Wedemeyer

Cass Co. At Large Don Sonntag

CASS ATLANTIC DEVELOPMENT CORPORATION-CADCO

Stephen Green and Mark Wedemeyer, 1 yr term ending 12/31/2018

CASS COUNTY WEED COMMISSIONER (IA CODE 317.3)

Alan Peterson, Atlantic (1 yr term ending 12/31/2018) (subject to pesticide application certification)

CASS COUNTY CIVIL SERVICE COMMISSION (Ia Code 341A.2)

Ryan Askeland, Rep, Griswold (6 yr term ending 12/31/2023)

COUNTY CONSERVATION BOARD (5 yr term 350.2)

Jerry Hudson, Lewis (ending 12/31/2022)

AIRPORT ZONING BOARD OF ADJUSTMENT (5 yr term 329.12)

Sam Fager, Atlantic (ending 12/31/2022)

CASS COUNTY ZONING BOARD OF ADJUSTMENT (5 yr term 335.11)

Karen Thomsen, Cumberland (ending 12/31/2022)

CASS COUNTY ZONING COMMISSION (5 yr term 335.8)

Lynn Dorsey, Anita (ending 12/31/2022)

CASS COUNTY BOARD OF HEALTH (IA CODE 137.4)

Dr. Todd Bean, Atlantic 3 yr term ending 12/31/2020

Jason Rouse, Massena 3 yr term ending 12/31/2020

Mary Strong, Atlantic remainder of 3 yr term ending 12/31/2018

CASS COUNTY RESOURCE ENHANCEMENT COMMITTEE (IA CODE 455A.20)

Chairperson of county board Gaylord Schelling (term ending 12/31/2018)

CASS COUNTY LOCAL PLANNING COMMITTEE for CASS CO. COMPREHENSIVE **PLAN** 

Steve Baier & Stephen Green, 1 yr term ending 12/31/2018

CASS COUNTY HOUSING COMMISSION (1 yr term ending 12/31/2018)

Pat McCurdy, Atlantic; Phyllis Stakey, Massena; and Steve Baier, Griswold

SOUTHWEST IOWA PLANNING COUNCIL-B.O.S. REPRESENTATIVE (1 yr term ending 12/31/2018)

Frank Waters (Alternate: Steve Baier)

2nd Representative- Mayor of Atlantic (see 02/11/04 minutes)

WESTERN IOWA TOURISM COUNCIL REGION # 1

Kenner Baxter, Marne; Barbara Stensvad, Atlantic 2 year term ending 12/31/2019

Carried unanimously.

Motion by Baier, 2nd by Green: to adopt the following holiday schedule for County employees not covered by bargaining agreements for the year 2018:

President's Day, Feb. 19 Memorial Day, May 28 Independence Day, July 4 Labor Day, Sept. 3 Veterans Day, Nov. 12 Thanksgiving Day, Nov. 22 Day after Thanksgiving, Nov. 23 Christmas Eve Day, Dec. 24 Christmas Day, Dec. 25

Motion by Green, 2nd by Baier: to authorize county officials to destroy records in their possession which have been on file for ten or more years and are not required as permanent records {331.323(2)(d) CODE OF IOWA}. Carried unanimously.

Motion by Wedemeyer, 2nd by Waters: to make the following appointments:

**CONDEMNATION IN EMINENT DOMAIN PROCEEDINGS** appointees: (1 yr term ending 12/31/2018)

Section 6B.4, <u>IA CODE</u>: appoint residents of Cass County to be eligible to serve on the **condemnation in eminent domain** proceedings:

### OWNER-OPERATORS OF AGRICULTURAL PROPERTY

Randy Euken, 67242 610th St, Lewis IA 51544

Glen Dinkla, 64666 750th St, Massena IA 50853

Billie Wilson, 60253 Wichita Rd, Griswold IA 51535

Calvin McCurdy, 73928 770th St, Massena IA 50853

Royal Bierbaum, 68131 570th St, Griswold IA 51535

Ryan Rich, 76122 Independence Rd, Anita IA 50020

Dennis E. Schwanke, 58806 Marne Rd, Marne IA 51522

#### CITY TOWN PROPERTY OWNERS

Deb Rosener, 2102 Redwood Dr, Atlantic IA 50022

James Schwartz, 2304 Olive St, Atlantic IA 50022

Maynard Hansen, 111 Center St, Wiota IA 50274

Randall McCunn, 507 Clark St, Massena IA 50853

Brent Wohlenhaus, 300 Harrison, Box 10, Griswold IA 51535

Lynn Hansen, 926 Turner St, Anita IA 50020

Robert K. Jackson, 909 Ridge Rd, Box 362, Anita IA 50020

Kevin Paulsen, 54968 730th St, Anita IA 50020

#### KNOWLEDGE OF PROPERTY VALUES

Beverly Schelling, 3100 Palm St, Atlantic IA 50022

Dean Eilts, 58164 710th St, Wiota IA 50274

Robert Gerlock Sr., 71293 Pella Rd, Cumberland IA 50843

Clarence Jessen, 904 Park Dr, Anita IA 50020

Ernest Thomsen, 66757 680th St. Cumberland IA 50843

Clint Freund, Atlantic IA 50022

Larry Follmann, 67222 770th St, Massena IA 50853

## LICENSED REAL ESTATE PERSONS

Jane Kay, 63717 Hamburg Rd, Atlantic IA 50022

Peggy Larsen, 2823 Country Club Dr, Atlantic IA 50022

Norma Hemphill, 71031 560th St, Griswold IA 51535

Melissa Ihnen, 68495 Memphis Road, Wiota IA 50274

Charles Miller, 68343 Scott St, Griswold IA 51535

Reatha Scheibeler, 412 W 22nd St, Atlantic IA 50022

Gary D. Steffens, 70319 Memphis Rd, Wiota IA 50274 Carried unanimously.

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Motion by Waters, 2nd by Wedemeyer: to adopt: RESOLUTION No. 2018-001 CONSTRUCTION EVALUATION RESOLUTION

WHEREAS, Iowa Code section 459.304(3) sets out the procedure if a board of supervisors wishes to adopt a "construction evaluation resolution" relating to the construction of a confinement feeding operation structure; and

WHEREAS, only counties that have adopted a construction evaluation resolution can submit to the Department of Natural Resources (DNR) an adopted recommendation to approve or disapprove a construction permit application regarding a proposed confinement feeding operation structure; and WHEREAS, only counties that have adopted a construction evaluation resolution and submitted an adopted recommendation may contest the DNR's decision regarding a specific application; and WHEREAS, by adopting a construction evaluation resolution the board of supervisors agrees to evaluate every construction permit application for a proposed confinement feeding operation structure received by the board of supervisors between February 1, 2018 and January 31, 2019 and submit an adopted recommendation regarding that application to the DNR; and

WHEREAS, the board of supervisors must conduct an evaluation of every construction permit application using the master matrix created in Iowa Code section 459.305, but the board's recommendation to the DNR may be based on the final score on the master matrix or may be based on reasons other than the final score on the master matrix;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF CASS COUNTY that the Board of Supervisors hereby adopts this construction evaluation resolution pursuant to Iowa Code section 459.304(3). Carried unanimously. Resolution adopted.

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Reports filed: December 2017 Sheriff's and Recorder's reports of fees collected. Meeting adjourned.