

July 16, 2019

The Lee County Board of Supervisors met on Tuesday, July 16, 2019, at 9:00 a.m. at the Correctional Center.

Present: Gary Folluo, Rick Larkin, Ron Fedler, Rich Harlow and Matt Pflug.

All votes are unanimous unless otherwise indicated.

The Board opened the meeting by reciting the Pledge of Allegiance.

Moved by Fedler, seconded by Pflug, to approve the agenda. Motion carried.

At 9:01 a.m., Folluo opened a Public Hearing for vacation of a street in Denmark. There were no comments received prior to the Hearing. Paul Smith and John Bonar, residents of Denmark, asked the Board about access to this site if there is future development. At 9:10 a.m., it was moved by Pflug, seconded by Harlow, to close the Public Hearing. Roll call: Pflug-aye, Harlow-aye, Larkin-aye, Fedler-present and Folluo-aye. Motion carried.

Moved by Harlow, seconded by Pflug, to approve Resolution #2019-71. Roll call: Harlow-aye, Pflug-aye, Larkin-aye, Fedler-present and Folluo-aye.

RESOLUTION OF THE LEE COUNTY BOARD OF SUPERVISORS

RESOLUTION NO. 2019-71

FINAL RESOLUTION VACATING AND CONVEYING A CERTAIN PLATTED STREET WITHIN THE UNINCORPORATED TOWNSHIP OF DENMARK, LEE COUNTY, IOWA

BE IT RESOLVED that the Lee County Board of Supervisors pursuant to its authority under Section 354.23, Code of Iowa, 2019, hereby vacates the following described platted street in the unincorporated township of Denmark, Lee County, Iowa:

1. The West Half of 9th Street Lying East and Adjacent to the South 20 Feet of Out lot 12, in the Town of Denmark, Lee County, Iowa;
2. The West Half of 9th Street Lying East and Adjacent to the North 280 Feet of Out lot 12, in the Town of Denmark, Lee County, Iowa
3. The East Half of 9th Street Lying West and Adjacent to Lot 4 Block 7 in the Town of Denmark, Lee County, Iowa
4. The East Half of 9th Street Lying West and Adjacent to Lot 3 Block 7 in the Town of Denmark, Lee County, Iowa

BE IT FURTHER RESOLVED that pursuant to its authority under Section 354.23, Code of Iowa, 2019, the Board now conveys the property so vacated to the surrounding landowners as follows:

1. The West Half of 9th Street Lying East and Adjacent to the South 20 Feet of Outlot 12, in the Town of Denmark, Lee County, Iowa is hereby conveyed to adjoining landowner Dravis, Duane H/Ruth E -12-05-04-29-452-0040, reserving therefrom a perpetual easement to Rathbun Water Services, 16166 Hwy J26 Centerville IA 52544, for their existing water line
2. The West Half of 9th Street Lying East and Adjacent to the North 280

Feet of Outlot 12, in the Town of Denmark, Lee County, Iowa is hereby conveyed to adjoining landowner Bonar Farms Corp -12-05-04-29-452-0030, reserving therefrom a perpetual easement to Rathbun Water Services, 16166 Hwy J26 Centerville IA 52544, for their existing water line

3. The East Half of 9th Street Lying West and Adjacent to Lot 4 Block 7 in the Town of Denmark, Lee County, Iowa is hereby conveyed to adjoining landowner Dravis, Duane H/Ruth E husband and wife with, as joint tenants with full right of survivorship and not as tenants in common-12-05-04-29-455-0040, reserving therefrom a perpetual easement to Rathbun Water Services, 16166 Hwy J26 Centerville IA 52544, for their existing water line
4. The East Half of 9th Street Lying West and Adjacent to Lot 3 Block 7 in the Town of Denmark, Lee County, Iowa is hereby conveyed to adjoining landowner Smith, Paul T -12-05-04-29-455-0050, reserving therefrom a perpetual easement to Rathbun Water Services, 16166 Hwy J26 Centerville IA 52544, for their existing water line

Consistent with the conveyances as listed above the adjoining property owners are conveyed the said legally described and designated vacated portions of 9th street to the center line of such vacated street.

Upon approval, pursuant to Section 354.23, Code of Iowa, 2019, this Resolution will serve as the lawful conveyance of the said vacated property.

Dated this the 16th day of July, 2019.

LEE COUNTY BOARD OF SUPERVISORS. /s/ Gary Folluo, Chairman; /s/ Rick Larkin, Vice-Chair; /s/ Ron Fedler, Member; /s/ Rich Harlow, Member and /s/ Matt Pflug, Member. Attest: /s/ Denise Fraise, Lee County Auditor. Motion carried.

Moved by Larkin, seconded by Pflug, to approve the Tuesday, July 9, 2019 Board minutes. Motion carried with Fedler abstaining.

Moved by Fedler, seconded by Larkin, to approve payment of claims. Motion carried.

Public Input: Al Nelson, Keokuk, asked about recent work that has been done on Argyle Road.

Moved by Fedler, seconded by Larkin, to approve Resolution #2019-72. Roll call: Fedler-aye, Larkin-aye, Pflug-aye, Harlow-aye and Folluo-aye.

Resolution #2019-72

A RESOLUTION OF THE LEE COUNTY BOARD OF SUPERVISORS RECOGNIZING BOB DODDS

WHEREAS, Bob Dodds has been a leader and visionary for Iowa State University Extension since 1983;

WHEREAS, he helped guide Lee County through the Farm Crisis of the 1980s as well as the Flood of 1993;

WHEREAS, he has held a number of leadership positions in Lee County professional organizations;

WHEREAS, he has received many awards including the R.K.Bliss Award from Iowa State University and the Iowa Outstanding Professional Award given by the Rural and Community Forestry Council of Iowa;

WHEREAS, his career has focused on making Iowa and Lee County stronger by feeding people, keeping them healthy, helping communities to prosper and thrive, and turning the world over to the next generation in better shape;

NOW THEREFORE, BE IT RESOLVED that the Lee County Board of Supervisors express its grateful appreciation to Bob Dodds for his 36 years of service to the citizens of Lee County.

Dated this 16th day of July, 2019.

LEE COUNTY BOARD OF SUPERVISORS. /s/ Gary Folluo, Chairman; /s/ Rick Larkin, Vice-Chair; /s/ Ron Fedler, Member; /s/ Rich Harlow, Member and /s/ Matt Pflug, Member. Attest: /s/ Denise Fraise, Lee County Auditor. Motion carried.

Moved by Fedler, seconded by Pflug, to approve Resolution #2019-67. Roll call: Fedler-aye, Pflug-aye, Larkin-aye, Harlow-aye and Folluo-aye.

Resolution #2019-67

WHEREAS, by letter dated April 1, 2019, Dakota Access, LLC informed the Lee County Board of Supervisors that construction of the Dakota Access Pipeline was mechanically completed on May 15, 2017;

WHEREAS, Iowa Code § 479B.30 requires the Lee County Board of Supervisors to determine when construction of a pipeline is complete for purposes of landowners petitioning the Board of Supervisors for a compensation commission to determine damages arising from construction of the pipeline;

NOW THEREFORE BE IT RESOLVED, that the Lee County Board of Supervisors does hereby determine that construction of the Dakota Access Pipeline in Lee County has been completed for the purposes of Iowa Code § 479B.30.

Approved this 16th day of July, 2019.

LEE COUNTY BOARD OF SUPERVISORS. /s/ Gary Folluo, Chairman; /s/ Rick Larkin, Vice-Chair; /s/ Ron Fedler, Member; /s/ Rich Harlow, Member and /s/ Matt Pflug, Member. Attest: /s/ Denise Fraise, Lee County Auditor. Motion carried.

Moved by Pflug, seconded by Larkin, to approve a three-year Employment Agreement with Lee County Engineer Ben Hull. Motion carried.

Moved by Pflug, seconded by Fedler, to approve the County Engineer's Job Description. Motion carried.

Moved by Harlow, seconded by Fedler, to approve a Class C Liquor License with Outdoor Service and Sunday Sales, for Charleston Board of Trade, Charleston, for the period August 23, 2019 through August 22, 2020. Motion carried.

Moved by Pflug, seconded by Fedler, to approve an address change for Sassy Slushy, Hillsboro, for the period July 23, 2019 through July 27, 2019. Motion carried.

Moved by Fedler, seconded by Larkin, to approve a Class B Beer Permit with Outdoor Service, for J & L Farms Properties, LLC, West Point, for the period July 24, 2019 through July 29, 2019. Motion carried.

Received and filed the Recorder's Report of Fees Collected for the months of May and June and the Semi Annual Settlement of the Board of Supervisors for the period January 1, 2019 through June 30, 2019.

Committee Reports: Pflug reported on a Board of Health meeting. Larkin reported on a Regional Mental Health Commission meeting and an Economic Development Board meeting. Fedler reported on a RUSS Board meeting. Folluo also attended the Economic Development Board meeting.

At 9:40 a.m., a motion was made by Fedler, and seconded by Harlow, to adjourn. Motion carried.

The next meeting of the Board of Supervisors will be Tuesday, July 23, 2019 at 9:00 a.m. at the Correctional Center.

Gary Folluo, Chairman

Attest: _____

Denise Fraise, Lee County Auditor