

March 12, 2019

The Lee County Board of Supervisors met on Tuesday, March 12, 2019, at 9:00 a.m. at the Correctional Center.

Present: Gary Folluo, Ron Fedler, Rich Harlow and Matt Pflug. Rick Larkin was present by phone.

All votes are unanimous unless otherwise indicated.

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

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

At 9:01 a.m. Folluo opened a Public Hearing concerning approval of the Fiscal Year 2020 County Budget. There were no comments received prior to the hearing and no comments from those in attendance. At 9:02 a.m. it was moved by Pflug, seconded by Harlow, to close the Public Hearing. Roll call: Pflug-aye, Harlow-aye, Larkin-aye, Fedler-aye and Folluo-aye. Motion carried.

Moved by Pflug, seconded by Fedler, to approve Resolution #2019-52. Roll call: Pflug-aye, Fedler-aye, Harlow-aye, Larkin-aye and Folluo-aye.

RESOLUTION # 2019 - 52

Resolution - Adoption of Budget & Certification of Taxes FY2020

WHEREAS, a Public Hearing has been completed concerning the Proposed Lee County Budget for Fiscal Year July 1, 2019 - June 30, 2020 in accordance with the Iowa Department of Management guidelines and, per Iowa Code Section 331.434, Subsection 5;

NOW, THEREFORE, be it resolved by the Board of Supervisors of Lee County, Iowa, the Public Hearing is acknowledged and the Budget & Certification of Taxes for Fiscal Year July 1, 2019 - June 30, 2020 as presented is hereby adopted.

Dated at Montrose, Iowa on the 12th day of March, 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 the Tuesday, March 5, 2019 Board minutes. Motion carried.

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

There was no Public Input.

Moved by Pflug, seconded by Fedler, to approve the Third Reading and Publication of an ATV/UTV Ordinance. Roll call: Pflug-aye, Fedler-aye, Larkin-aye, Harlow-aye and Folluo-aye. Motion carried.

Moved by Fedler, seconded by Pflug, to approve Resolution #2019-53.
Roll call: Fedler-aye, Pflug-aye, Harlow-aye and, Larkin-aye and Folluo-aye.

Resolution # 2019-53

RESOLUTION SETTING FEE FOR LEE COUNTY REGISTRATION PERMIT FOR ATV'S/UTV'S PER
LEE COUNTY ORDINANCE 4-6-6

WHEREAS, the Lee County Board of Supervisors have enacted county ordinance Title IV Chapter 6 allowing for the use of ATV's and UTV's on county secondary roads;

WHEREAS, 4-6-6 paragraph two of the ATV/UTV ordinance states no person shall operate an ATV/UTV on Lee County roadways unless the owner possesses a Lee County Permit issued by the Lee County Recorder. The fee for this permit will be set by the Lee County Board of Supervisors by Resolution;

WHEREAS, the permit will allow the County Recorder to ensure the proper pre-requisites for acquiring a permit under that ordinance are being met by those registering their ATV's/UTV's in order to further the purpose and intent of that ordinance;

WHEREAS, there will be administrative costs in the time and supplies/materials the Recorder will be providing as a result of the issuance of ATV/UTV permits under the ordinance;

WHEREAS, it is also projected there will be additional costs as a result of the additional use of the county secondary roads by ATV/UTV riders under the ordinance; and

WHEREAS, it is the intent of the Lee County Board of Supervisors that a \$25.00 annual fee for the Lee County Permit to operate ATV's and UTV's on Lee County Secondary Roads be implemented under county ordinance 4-6-6 paragraph 2.

NOW THEREFORE BE IT RESOLVED that the Lee County Board of Supervisors hereby sets a \$25.00 fee for the annual permit required for the operation of ATV's/UTV's on county secondary roads per Lee County Ordinance Title IV Chapter 6: ATV's/UTV's.

Dated and signed at Montrose, Iowa on this the 12th day of March, 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.

CPC Director Ryanne Wood held a discussion with the Board about the importance of Crisis Intervention Training for County Law Enforcement.

Moved by Fedler, seconded by Harlow, to approve Resolution #2019-54.
Roll call: Fedler-aye, Harlow-aye, Pflug-aye, Larkin-aye and Folluo-aye.

Resolution #2019-54

A RESOLUTION OPPOSING SENATE STUDY BILL1045 AND SENATE FILE 184 PASSED BY THE
SENATE COMMITTEE ON TRANSPORTATION

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, Lee County owns and maintains nonprimary highways, and is fiscally and legally responsible for the nonprimary highways within the County, and;

WHEREAS, Lee County owns and maintains 138 structures classified as bridges by the National Bridge Inspection Standards, and;

WHEREAS, many of the bridges owned by Lee 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 Lee 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 Lee 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 Lee 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 Lee 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, Lee 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, Lee County is not financially able to repair or replace bridges which would be subject to accelerated deterioration by increased loads, and;

WHEREAS, Lee 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 Lee County Board of Supervisors strongly urges all

Iowa lawmakers to vote in opposition to this legislation.

Resolved this 12th day of March, 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 replacing a Sheriff's Deputy. Motion carried.

Moved by Pflug, seconded by Pflug, to approve a Special Class C Liquor License for Harvestville Farms, Donnellson, for the period April 1, 2019 through March 31, 2020. Motion carried.

Received and filed the Auditor's Report of Fees Collected for the month of February and the Treasurer's Report of Fees Collected for the month of February.

Committee Reports: Folluo reported on a Keokuk Economic Development Board meeting and a meeting with representatives from Iowa Fertilizer Company concerning 180th Street.

At 10:16 a.m., a motion was made by Fedler, seconded by Pflug, to adjourn. Motion carried.

The next meeting of the Board of Supervisors will be Tuesday, March 19, 2019 at 9:00 a.m. at the Correctional Center.

Gary Folluo, Chairman

Attest: _____

Denise Fraise, Lee County Auditor