

<b>PROCEEDINGS OF THE FRANKLIN COUNTY BOARD OF SUPERVISORS</b>
May 9 <sup>th</sup> , 2022

The Board of Supervisors met at 8:30AM on Monday, May 9<sup>th</sup>, 2022, at the Franklin County Courthouse with Board members McVicker & Vanness in attendance. Nolte attended via Zoom.

Chairman McVicker led the Pledge of Allegiance.

Motion by Vanness, seconded by McVicker to approve the Agenda as presented. All ayes. Motion carried.

Motion by Vanness, seconded by McVicker to approve the Board Minutes from the regular meeting & drainage minutes dated 5/2/22. All ayes. Motion carried.

Public Comment & Board Committee Updates: Vanness attended Conservation. Nolte attended Board of Health. There was no comments from the public.

Jay Waddingham, County Engineer met with the Board and gave an update on his department.

Motion by Vanness, seconded by Nolte to approve a Resolution Approving a DOT Budget Amendment. The resolution reads in full:

**Resolution 2022-28**

**A RESOLUTION APPROVING IOWA DOT SECONDARY ROAD BUDGET AMENDMENT**

**WHEREAS**, The Iowa Code 309.94, 309.95, and 309.96 allows the Secondary Road Budget be revised due to unforeseen conditions and submitted to the Iowa Department of Transportation before June 1<sup>st</sup> by the Board of Supervisors.

**NOW THEREFORE BE IT RESOLVED** that the Franklin County Board of Supervisors amends the 2022 Fiscal Year Secondary Road Budget as presented by the Franklin County Engineer and to recommend that said budget be approved by the Iowa Department of Transportation.

Roll call vote was as follows, Ayes: McVicker, Nolte, Vanness. Motion carried and resolution duly adopted.

Motion by Vanness, seconded by Nolte to approve the closure of Finch Ave. between 230<sup>th</sup> Street and 240<sup>th</sup> Street as of 1:00PM on 5/2/22 for roadwork. All ayes. Motion carried.

Motion by Vanness, seconded by Nolte to set Monday June 6<sup>th</sup> at 11:00AM at the Franklin County Courthouse as the Public Hearing for disposing of County owned property in Chapin. All ayes. Motion carried.

Russell Wood, CEO of CICS, met with the Board to provide them with an update on his department.

Motion by Vanness, seconded by Nolte to hire Meghan Freie as CICS Program Manager & Setting Wage at \$29.02 per hour. All ayes. Motion carried.

Motion by Vanness, seconded by Nolte to approve the CICS Supplemental Employee Manual. All ayes. Motion carried.

Toni Wilkinson, Recorder, met with the Board to give them an update on happenings in her department.

Dan Tilkes, Planning & Zoning Administrator, met with the Board to discuss the approval of a subdivision.

Motion by Vanness, seconded by Nolte to approve a resolution approving the final plat for Brandt's 2<sup>nd</sup> Subdivision. The resolution reads in full:

**Resolution 2022-31**

**A RESOLUTION APPROVING BRAND'S 2<sup>ND</sup> SUBDIVISION**

**WHEREAS**, The Franklin County Subdivision Ordinance 6.2 governs subdivisions in Franklin County, and

**WHEREAS** Le Roy Brandt has requested a minor subdivision titled Brandt's 2<sup>nd</sup> Subdivision at the following location:

DESCRIPTION: Parcel 2019-23

That part of the Northwest Quarter (NW  $\frac{1}{4}$ ) and the Northeast Quarter (NE  $\frac{1}{4}$ ) of Section Thirty-four (34), Township Ninety (90) North, Range Nineteen (19) West of the Fifth Principal Meridian, Franklin County, Iowa more particularly described as follows:

Beginning at the north quarter corner of said Section thirty-four (34); thence North 89°33'49" West along the north line of said Northwest Quarter (NW  $\frac{1}{4}$ ) a distance of 211.00 feet to a line of Parcel C Recorded as Inst#20161632 at the Franklin County Recorder's Office; thence South 04°14'38" West along said line 392.25 feet to a line of said Parcel C; thence S89°10'08" East along said line 201.37 feet to a line of said Parcel C; thence South 01°34'49" West along said line 85.28 feet to a line of said Parcel C; thence North 89°36'06" East along said line 181.35 feet to a line of said Parcel C; thence South 04°55'41" West along said line 85.17 feet to a line of said Parcel C; thence South 51°56'38" West along said line 16.28 feet to a line of said Parcel C; thence South 10°51'57" West along said line 140.96 feet to a line of said Parcel C; thence South 82°39'06" East along said line and extension thereof 483.19 feet; thence North 00°27'32" East 766.99 feet to the north line of said Northeast Quarter (NE  $\frac{1}{4}$ ); thence North 89°32'28" West along said north line 579.00 feet to the point of beginning.

Said Parcel 2019-23 contains 11.17 acres more or less including 0.83 acres of county road easement across the north side and subject to other recorded and unrecorded easements, restrictions and servitudes, if any.

DESCRIPTION: Description for Lot 29 Area

That part of the Northwest Quarter (NW  $\frac{1}{4}$ ) and the Northeast Quarter (NE  $\frac{1}{4}$ ) of Section Thirty-four (34), Township Ninety (90) North, Range Nineteen (19) West of the Fifth Principal Meridian, Franklin County, Iowa more particularly described as follows:

Beginning at the southeast corner of Brandt's First Subdivision in said Section thirty-four (34); thence North 18°38'35"W along a line of said First Subdivision a distance of 69.70 feet more or less to the edge of the water; thence Northerly 255.55 feet more or less along said edge of water and the east line of said First Subdivision; thence North 00°07'11" East along said east line 909.20 feet more or less; thence South 55°39'22" East 352.53 feet; thence South 49°00'40" East 195.24 feet; thence South 00°07'11" West 1014.72 feet; thence North 64°29'27" West 453.07 feet to the point of beginning.

Said area contains 10.70 acres more or less, subject to other recorded and unrecorded easements, restrictions and servitudes, if any.

**WHEREAS** the required documentation has been submitted, and

**WHEREAS** the County Auditor, Engineer, Sanitarian, and Plats Officer have reviewed the subdivision request

**BE IT RESOLVED** that the Franklin County Board of Supervisors approves the Subdivision:

Roll call vote was as follows, Ayes: McVicker, Nolte, Vanness. Motion carried and resolution duly adopted.

Supervisor Nolte left the meeting at 10:10AM.

Maricela Rodriquez met with the Board regarding the elimination of the Navigator position. She spoke about the need for a Navigator/Interpreter/Translator for the Latino community within Franklin County. Denise Pralle, from Hampton, spoke about the need to provide this service to the Latino population in Franklin County. After they spoke, Supervisor McVicker explained that back in December, the State of Iowa announced that they would be ending the funding for the Navigator position. At that point, the Board of Health voted to not continue funding the position as they felt the services provided did not fall under the realm of their responsibilities as outlined by Iowa DHS. The Supervisors held discussions regarding the topic and with the availability of state forms in Spanish, La Luz offering translation services here in Franklin County, hospitals and clinics offering translation services, and the use of apps and phones, they do not feel that it is in the best interest of the county's budget nor do they feel it is the responsibility of the County to fund a full-time translator/interpreter. Additionally, Franklin County has for many years and continues to offer General Assistance. This person helps with a variety of assistance and if they don't have the resources for a specific situation, they help guide the person to the correct agency for more assistance. This service is offered to everyone in Franklin County regardless of race, religion, or sexual preference. They acknowledged Veronica Guerrero's service to Franklin County and wish her only the best in her future.

Motion by Vanness, seconded by McVicker to approve an ABD License for Ites Properties dba The Goat Barn. All ayes. Motion carried.

Motion by Vanness, seconded by McVicker to approve a resolution approving a waiver appeal issuance of Final Construction Permit for Rose Grove LLC. The resolution reads in full:

**Resolution 2022-30**

**APPROVAL OF WAIVER OF FRANKLIN COUNTY'S RIGHT TO APPEAL ISSUANCE OF FINAL CONSTRUCTION PERMIT FOR THE CONSTRUCTION OF CONFINED ANIMAL FEEDING OPERATION BY THE IOWA DEPARTMENT OF NATURAL RESOURCES.**

**BE IT RESOLVED** by the Franklin County Board of Supervisors as follows:

SECTION 1 – The Franklin County Board of Supervisors have received noticed from the Iowa Department of Natural Resources that Rose Grove LLC has been issued a draft permit for the construction of a confined animal feeding operation building at SE ¼ ¼ in the SE ¼ of Section 30, T90N R22W in Oakland Township along Balsam Avenue in unincorporated Franklin County.

SECTION 2 – The Franklin County Board of Supervisors reviewed the construction permit application and the manure management plan and determined that both appeared to be in compliance with the requirements of the Master Matrix, Iowa Code Section 459 and Iowa DNR rules and recommend approval of said application on May 9<sup>th</sup>, 2022.

SECTION 3 – the Franklin County Board of Supervisors hereby waives its right to appeal the issuance of the final permit within the fourteen (14) day limit from the time of receipt of notice of the issuance of the draft permit.

SECTION 4 – The Franklin County Board of Supervisors encourages the Iowa DNR to issue the Final Permit immediately upon notification of this waiver.

SECTION 5 – The Franklin County Board of Supervisors authorizes the Board Chairman to notify the Iowa DNR of this waiver.

SECTION 6 – This resolution shall take affect immediately.

Roll call vote was as follows, Ayes: McVicker, Vanness. Absent: Nolte. Motion carried and resolution duly adopted.

Motion by Vanness, seconded by McVicker to approve a resolution approving a waiver appeal issuance of Final Construction Permit for Otter Creek Pork, LLC. The resolution reads in full:

**Resolution 2022-29**

**APPROVAL OF WAIVER OF FRANKLIN COUNTY'S RIGHT TO APPEAL ISSUANCE OF FINAL CONSTRUCTION PERMIT FOR THE CONSTRUCTION OF CONFINED ANIMAL FEEDING OPERATION BY THE IOWA DEPARTMENT OF NATURAL RESOURCES.**

**BE IT RESOLVED** by the Franklin County Board of Supervisors as follows:

SECTION 1 – The Franklin County Board of Supervisors have received noticed from the Iowa Department of Natural Resources that Otter Creek Pork LLC has been issued a draft permit for the construction of a confined animal feeding operation building in the SE ¼ ¼ of the SE ¼ in Section 24, T93N R21W in Richland Township along Mallard Avenue (Sheffield) in unincorporated Franklin County.

SECTION 2 – The Franklin County Board of Supervisors reviewed the construction permit application and the manure management plan and determined that both appeared to be in compliance with the requirements of the Master Matrix, Iowa Code Section 459 and Iowa DNR rules and recommend approval of said application on May 9<sup>th</sup>, 2022.

SECTION 3 – the Franklin County Board of Supervisors hereby waives its right to appeal the issuance of the final permit within the fourteen (14) day limit from the time of receipt of notice of the issuance of the draft permit.

SECTION 4 – The Franklin County Board of Supervisors encourages the Iowa DNR to issue the Final Permit immediately upon notification of this waiver.

SECTION 5 – The Franklin County Board of Supervisors authorizes the Board Chairman to notify the Iowa DNR of this waiver.

SECTION 6 – This resolution shall take affect immediately.

Roll call vote was as follows, Ayes: McVicker, Vanness. Absent: Nolte. Motion carried and resolution duly adopted.

Motion by Vanness, seconded by McVicker to approve a resolution entering into a 28E Agreement with Hardin County. The resolution reads in full:

**RESOLUTION #2022-32**

**28E AGREEMENT BETWEEN FRANKLIN COUNTY AND HARDIN COUNTY**

RESOLUTION #2022-32: Approving the 28E Agreement between Hardin County and Franklin County entering into an agreement for Franklin County to act as employer of record for Hardin County Employee Jodi Hamilton.

Roll call vote was as follows, Ayes: McVicker, Vanness. Absent: Nolte. Motion carried and resolution duly adopted.

Motion by Vanness, seconded by McVicker to set Monday, May 16<sup>th</sup> at 10:30AM at the Franklin County Courthouse as the date, time, and location for the 1<sup>st</sup> reading and subsequent public hearing for the proposed UTV Ordinance for Franklin County. All ayes. Motion carried.

The Board discussed vacancies on the Compensation Condemnation Board. Motion by Vanness, seconded by McVicker to appoint Tyler Flint to the Compensation Condemnation Board. Ayes: Vanness, McVicker. Absent: Nolte. Motion carried. There will be two more positions that need appointed. Both Supervisor Vanness and Supervisor McVicker will work on finding people to fill those positions.

There was discussion regarding a movie production company who has interest in filming some movie scenes in the Franklin County Courthouse.

Motion by Vanness, seconded by McVicker to adjourn at 11:20PM until Monday, May 16<sup>th</sup> at 8:30AM at the Franklin County Courthouse. All ayes. Motion carried.

ATTEST:

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Gary McVicker, Chairman

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Katy A Flint, Auditor & Clerk to the Board