

March 27, 2017

Meeting of the Clayton County Board of Supervisors at their office, 600 Gunder Road, Elkader, Iowa.

Present: Gary Bowden, Ron McCartney, and Ray Peterson

Guests: Eli Garms, Rafe Koopman, J. H., Tom McGreal, Merry French, Pat McTaggart, Daryl Wille, Larry Bries, Gwen Bries, Mary Harstad, Leslie Schiller, Dereje Pollock, Loie Schiller, Ada Schiller, Larry Stone, Vic Vifian, Kyle Pattison, Peg Connor, Sherri Stoffel, Jenna Pollock, Peggy Lane, Alan Heavens, Bill Armstrong, Myron Phelps, Linda Zuercher, Sarah Moser, Andy Loan, Jean Gage, Sue Meyer, Denise Ballard, Mary Jacobs

Merry French, Substance Abuse Services for Clayton County, requested county support to continue with applying for a grant for substance abuse services. The grant serves as a renewal of current services. Bowden moved to support and authorize application for the substance abuse grant. Peterson seconded. Ayes: Bowden, McCartney, Peterson. Motion carried.

Peterson moved to approve the minutes for the March 20, 2017 meeting. Bowden seconded. Ayes: Bowden, McCartney, Peterson. Motion carried.

Bowden moved to approve the minutes for the March 22, 2017 meeting. Peterson seconded. Ayes: Bowden, McCartney, Peterson. Motion carried.

Peterson moved to approve resolution #9-2017 "Advertise for Bids". Bowden seconded. Roll Call Vote: Bowden-aye, Peterson-aye, McCartney-aye. Motion carried.

**RESOLUTION #9-2017**  
**ADVERTISE FOR BIDS**

BE IT HEREBY RESOLVED by the Board of Supervisors of Clayton County, Iowa that the County Auditor is directed to advertise for bids on the following project:

Project 2017-R-1 Class 'A' Crushed Stone for various roads in Clayton County consisting of approximately 130,050 ton delivered on road.

Sealed bids will be received until 1:00 P.M., April 17, 2017 at the Clayton County Engineer's Office in the County Office Building at 600 Gunder Road, Elkader, Iowa.

Board Chair McCartney opened a public hearing relative to a proposal to lease land for the purpose of an underground silica sand mine for said parcels of Great River Rd right-of-way in the NE $\frac{1}{4}$  of the NW $\frac{1}{4}$ , Sec 13 T93N, R3W and NW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  Sec 3 T93N, R3W, Clayton County, Iowa. Engineer Rafe Koopman talked about how the situation is unique in that the county owes the land and the right-of-way and that it is not just an easement. Koopman state that Pattison mines on both sides of the road and that his recommendation is to enter into the agreement. Kyle Pattison stated that he is available to answer questions and appreciates the opportunity to mine under the road. There were no other public comments. The public hearing was closed.

Bowden moved to approve the proposal to enter into a lease/agreement with Pattison Sand Company, LLC to mine under the Great River Road property owned by Clayton County. Peterson seconded. Ayes: Bowden, McCartney, Peterson. Motion carried.

Peterson moved to approve resolution #10-2017 "Approval of Waiver of Clayton County's Right of Appeal Issuance of Final Construction Permit for the Construction of Confined Animal Feeding Operation by the Iowa Department of Natural Resources". Bowden seconded. Roll Call Vote: Bowden-aye, Peterson-aye, McCartney-aye. Motion carried.

### **RESOLUTION #10-2017**

#### **APPROVAL OF WAIVER OF CLAYTON COUNTY'S RIGHT OF 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 Clayton County Board of Supervisors as follows:

Section 1. The Clayton County Board of Supervisors has received notice from the Iowa Department of Natural Resources (DNR) that Gary Dempster has been issued a draft permit for the construction of a confined animal feeding operation building at SE¼ of the NE¼ of Section 11, T93N, R4W in unincorporated Clayton County.

Section 2. The Clayton 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 recommended approval of said application on March 27, 2017.

Section 3. The Clayton 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 Clayton County Board of Supervisors encourages the Iowa DNR to issue the Final Permit immediately upon notification of this waiver.

Section 5. The Clayton County Board of Supervisors authorizes the Board Chairman to notify the Iowa DNR of this waiver.

Section 6. This resolution shall take effect immediately.

Auditor Jennifer Garms presented the applications received for the Health and Zoning Administrator position. The applications were turned over to Supervisor Bowden and Board of Health member Sherri Stoffel for further consideration.

Denise Ballard, with Iowa Governmental Health Care Plan, discussed Clayton County's health care plan, outlined changes, and answered questions from department heads.

The Board attended the countywide safety meeting.

Attest:

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Ron McCartney  
Chairman, Board of Supervisors

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Jennifer Garms  
Clayton County Auditor