

HARDIN COUNTY BOARD OF SUPERVISORS  
MINUTES – June 27, 2007  
10:00 A.M.

Chair Jim Johnson called the meeting to order. Also present were Supervisor Ed Bear and Erv Miller; Bob Haylock, Gary Mauer, Sara Konrad, Linn Adams, Kirby Winter, Micah Cutler, Rod Scott and Kelly Collins.

Bear moved, Miller seconded to approve the minutes of the June 20, 2007 meeting. Motion carried.

Miller moved, Bear seconded to approve the June 27, 2007 claims for payment. Motion carried.

Bear moved, Miller seconded to approve the Solutions 2007 – 2008 Support Agreement for services effective July 1, 2007. Motion carried.

Micah Cutler gave an update of the new county website [www.co.hardin.ia.us](http://www.co.hardin.ia.us). No action necessary, discussion only.

Bear moved, Miller seconded to separate the Geographic Information Systems and Information Technology department in separate departments designating Micah Cutler as department head of GIS. Motion carried.

Miller moved, Bear seconded that Ordinance No. 41, Authorizing the County Treasurer to Separately Offer and Sell at the Annual Tax Sale Delinquent Taxes on Parcels that are Abandoned Property and are Assessed as Residential Property or as Commercial Multifamily Housing Property and that are, or are Likely to Become, A Public Nuisance be approved for first consideration. Roll Call Vote: “Ayes” Miller, Bear and Johnson. “Nays”: none. Motion carried.

Bear moved, Miller seconded to waive the second consideration of Ordinance No. 41. Roll Call Vote: “Ayes” Miller, Bear and Johnson. “Nays”: none. Motion carried.

Miller moved, Bear seconded to finally adopt Ordinance No. 41, Authorizing the County Treasurer to Separately Offer and Sell at the Annual Tax Sale Delinquent Taxes on Parcels that are Abandoned Property and are Assessed as Residential Property or as Commercial Multifamily Housing Property and that are, or are Likely to Become, A Public Nuisance. Roll Call Vote: “Ayes” Miller, Bear and Johnson. “Nays”: none. Ordinance No. 41 is hereby adopted as follows:

**HARDIN COUNTY  
ORDINANCE No. 2007 - 41**

**AUTHORIZING THE COUNTY TREASURER TO SEPARATELY OFFER AND SELL AT THE ANNUAL TAX SALE DELINQUENT TAXES ON PARCELS THAT ARE ABANDONED PROPERTY AND ARE ASSESSED AS RESIDENTIAL PROPERTY OR AS COMMERCIAL MULTIFAMILY HOUSING PROPERTY AND THAT ARE, OR ARE LIKELY TO BECOME, A PUBLIC NUISANCE.**

**WHEREAS**, Iowa Code 446.19B, provides that the board of supervisors of a county may adopt an ordinance authorizing the county treasurer to separately offer and sell at the annual tax sale delinquent taxes on parcels that are abandoned property and are assessed as residential property or as commercial multifamily housing property and that are, or are likely to become, a public nuisance; and

**WHEREAS**, the board of supervisors has determined that it is in the best interest of Hardin County that such an ordinance be adopted.

NOW, THEREFORE, BE IT ENACTED BY THE BOARD OF SUPERVISORS AS FOLLOWS:

The county treasurer is authorized to separately offer and sell at the annual tax sale delinquent taxes on parcels that are abandoned property and are assessed as residential property or as commercial multifamily housing property and that are, or are likely to become, a public nuisance, as provided in Section 496.19B of the Code of Iowa as the same may be amended from time to time.

Any ordinance or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjunction shall not affect the validity of the ordinance as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

This ordinance shall become effective upon its final passage, approval and publication as provided by law. It applies to parcels first offered for sale as provided in Section 446.19B of the Code of Iowa at the tax sale held in June, 2008 and in subsequent years.

Passed, approved and adopted this 27<sup>th</sup> day of June, 2007.

/s/Jim Johnson  
Jim Johnson, Chairman  
Hardin County Board of Supervisors

/s/Erv Miller  
Erv Miller, Member  
Hardin County Board of Supervisors

/s/Ed Bear  
Ed Bear, Member  
Hardin County Board of Supervisors

Attest:

/s/Reneé McClellan  
Reneé McClellan  
Hardin County Auditor

#### Public Hearing – Budget Amendments

Chair Jim Johnson opened the Public Hearing on the FY'06/07 Budget Amendments. The proposed amendments were presented. There being no oral or written comments or objections, Bear moved, Miller second that the Chair then close the public hearing and the following action was taken:

Miller moved, Bear seconded to adopt the Budget Amendments for FY '06/07. Roll Call Vote: "Ayes": Miller, Bear and Johnson. "Nays": none. Motion carried.

<b>COUNTY NAME:</b> <b>HARDIN</b>	<b>RECORD OF HEARING AND DETERMINATION ON THE AMENDMENT TO COUNTY BUDGET</b>	<b>COUNTY NO:</b> <b>42</b>
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Date budget amendment was adopted:  
June 27, 2007

For Fiscal Year  
Ending:  
June 30, 2007

The County Board of Supervisors met on the date specified immediately above to adopt an amendment to the current County budget as summarized below. The amendment was adopted after compliance with the public notice, public hearing, and public meeting provisions as required by law.

Iowa Department of Management Form 653 A-R Sheet 2 of 2 (revised 09/20/06)		Total Budget as Certified or Last Amended	Adopted Current Amendment	Total Budget After Current Amendment
<b>REVENUES &amp; OTHER FINANCING SOURCES</b>				
Taxes Levied on Property	1	5,018,040	0	5,018,040
Less: Uncollected Delinquent Taxes - Levy Year	2	0	0	0
Less: Credits to Taxpayers	3	252,950	0	252,950
Net Current Property Taxes	4	4,765,090	0	4,765,090
Delinquent Property Tax Revenue	5	10,650	0	10,650
Penalties, Interest & Costs on Taxes	6	28,700	0	28,700
Other County Taxes/TIF Tax Revenues	7	913,193	0	913,193
Intergovernmental	8	6,964,138	4,000	6,968,138
Licenses & Permits	9	7,475	0	7,475
Charges for Service	10	412,840	0	412,840
Use of Money & Property	11	226,975	0	226,975
Miscellaneous	12	96,483	0	96,483
<b>Subtotal Revenues</b>	13	13,425,544	4,000	13,429,544
Other Financing Sources:				
General Long-Term Debt Proceeds	14	0	0	0
Operating Transfers In	15	2,855,593	0	2,855,593
Proceeds of Fixed Asset Sales	16	0	0	0
<b>Total Revenues &amp; Other Sources</b>	17	16,281,137	4,000	16,285,137
<b>EXPENDITURES &amp; OTHER FINANCING USES</b>				
Operating:				
Public Safety & Legal Services	18	3,001,623	10,000	3,011,623
Physical Health & Social Services	19	343,392	0	343,392
Mental Health, MR & DD	20	1,952,050	0	1,952,050
County Environment & Education	21	946,791	0	946,791
Roads & Transportation	22	4,009,191	262,000	4,271,191
Government Services to Residents	23	387,712	0	387,712
Administration	24	1,502,140	11,100	1,513,240
Nonprogram Current	25	150,613	0	150,613
Debt Service	26	585,613	0	585,613
Capital Projects	27	977,900	(269,100)	708,800
<b>Subtotal Expenditures</b>	28	13,857,025	14,000	13,871,025
Other Financing Uses:				
Operating Transfers Out	29	2,855,593	0	2,855,593
Refunded Debt/Payments to Escrow	30	0	0	0
<b>Total Expenditures &amp; Other Uses</b>	31	16,712,618	14,000	16,726,618
<b>Excess of Revenues &amp; Other Sources over (under) Expenditures &amp; Other Uses</b>	32	(431,481)	(10,000)	(441,481)
Beginning Fund Balance - July 1,	33	5,214,707	0	5,214,707
Increase (Decrease) in Reserves (GAAP Budgeting)	34	0	0	0
Fund Balance - Reserved	35	0	0	0
Fund Balance - Unreserved/Designated	36	58,900	0	58,900
Fund Balance - Unreserved/Undesignated	37	4,724,326	(10,000)	4,714,326
Total Ending Fund Balance - June 30,	38	4,783,226	(10,000)	4,773,226

Date original budget adopted:  
03/08/06

Date(s) current budget was subsequently amended:  
05/30/07

The below-signed certify that proof of publication of the hearing notice and proposed amendment is on file for each official County newspaper, that all public hearing notices were published not less than 10, nor more than 20 days prior to the public hearing, and that adopted expenditures do not exceed published amounts for any of the 10 individual expenditure classes, or in total.

/s/Jim Johnson

Board Chairperson (signature)

/s/Reneé McClellan

County Auditor (signature)

Miller moved, Bear seconded to adopt Resolution 2007 – 25 be adopted, Appropriations Resolution Amendment. Roll Call Vote: “Ayes”: Miller, Bear and Johnson. “Nays”: none. Resolution no. 2007 – 25 is hereby adopted as follows:

WHEREUPON Board Member Miller moved that the following Resolution be adopted:

**APPROPRIATIONS RESOLUTION AMENDMENT**

**RESOLUTION No. 2007 - 25**

Due to the budget amendment of June 27, 2007 the following appropriation amendments will be made.

Office or Department	Amended Appropriation Amount
Medical Examiner	\$10,000
Grants EMS	4,000
Debt Service	(4,400)
Non-Dept	4,400

The motion was seconded by Board Member Bear and after due consideration thereof, the roll was called and the following Board Members voted:

AYES: Miller, Bear and Johnson

NAYS: None

ABSENT: None

ABSTAIN: None

Whereupon, the Chair of the Board of Supervisors declared said Resolution duly passed and adopted this 27<sup>th</sup> day of June, 2007.

/s/Jim Johnson

Jim Johnson, Chairman  
Board of Supervisors

ATTEST:

/s/Reneé McClellan

Renee’ McClellan  
Hardin County Auditor

Miller moved, Bear seconded to approve the Budget Amendment for the Secondary Roads Department to be sent to the DOT. Motion carried.

Bear moved, Miller seconded to adopt Resolution 2007 – 24 be adopted, Ground Water Hazard Reporting System Resolution. Roll Call Vote: “Ayes”: Bear, Miller and Johnson. “Nays”: none. Resolution no. 2007 – 24 is hereby adopted as follows:

**RESOLUTION 2007 – 24**

**GROUND WATER HAZARD  
REPORTING SYSTEM RESOLUTION**

**WHEREAS**, Hardin County and the Iowa County Recorders Association have created a county land record information systems in order to provide public access to real estate documents; and

**WHEREAS**, all Iowa counties are required to process Groundwater Hazard Statements as provided in Iowa Code section 558.69; and

**WHEREAS**, the Department has adopted Iowa Administrative Code chapter 561 IAC 9, which allows the electronic submission of the Groundwater Hazard Statements; and

**WHEREAS**, the County and the Department desire to utilize the county land record information system as a means to provide for more efficient and timely filing of the Groundwater Hazard Statements;

**THEREFORE, BE IT RESOLVED** that the County acknowledges that the County is responsible for the processing and filing of Groundwater Hazard Statements as provided in Section 558.69 of the Iowa Code and the chapter 561 IAC 9 of the Iowa Administrative Code. The County request that in lieu of forwarding a printed version of any affirmative Groundwater Hazard Statement of the Department of Natural Resources, a facsimile or image of the printed version of the Groundwater Hazard Statement shall be stored in local county land record indexing and imaging system.

**BE IT FURTHER RESOLVED** that the County agrees to the following terms and conditions.

- a. A facsimile or image of a printed version of all forms required to be submitted to the Department pursuant to 561 IAC 9 shall be stored within the local county land record indexing and imaging system.
- b. The facsimile or image of the form shall be permanently stored in the local county land record indexing and imaging system.
- c. The image shall be legible and shall comply with the document formatting and imaging standards adopted by the Association.
- d. The county and county recorder shall be members of the Electronic Services System.
- e. The county and county recorder shall maintain compliance with the operating policies, procedures, and standards adopted by Electronic Services System including but not limited to policies concerning the timely uploading of information to the statewide county land record information system, a.k.a. Iowa Land Records.
- f. The county recorder shall index the association document information and the parties (grantors and grantees) for each Groundwater Hazard Statement. The county recorder is not required to index property or legal description information for Groundwater Hazard Statement.
- g. The county and county recorder shall provide 180 days notice prior to reverting to the practice of forwarding a printed version of any affirmative Groundwater Hazard Statement to the Department.

An affirmative response on a Groundwater Hazard Statement means that the Ground Water Hazard Statement indicates a well, underground storage tank, disposal site, or hazardous waste site exists on the property. Pursuant to Iowa administrative rule 561 IAC 9.2(3), Groundwater Hazard Statements on which a private burial site is the sole mater disclosed and which do not reveal the existence of a well, disposal site, underground storage tank, or hazardous waste on the property shall not be submitted to the Department.

/s/Jim Johnson  
Jim Johnson, chairman

06/27/2007  
Date

Attest:

/s/Reneé McClellan  
County Auditor

06/27/2007  
Date

/s/Barbara Nuss  
County Recorder

06/27/2007  
Date

Miller moved, Bear seconded to approve the FY'07 Provider and Program Participation Agreement between Hardin County and Access, Inc. Motion carried.

Bear moved, Miller seconded to approve the Mental Health Advocate Job Description shared with Hamilton and Hardin Counties. Motion carried.

Miller moved, Bear seconded to give permission to proceed with obtaining designation with Preserve America Community Designation and to adopt Resolution 2007 – 26 be adopted, Preserve America Community Designation. Roll Call Vote: “Ayes”: Miller, Bear and Johnson. “Nays”: none. Resolution No. 2007 – 26 is hereby adopted as follows:

Resolution 2007 – 26

**Preserve America Community Designation**

**WHEREAS**, *Preserve America* is a White House initiative developed in cooperation with the Advisory Council on Historic Preservation, the U.S. Department of the Interior, and the U.S. Department of Commerce; and

**WHEREAS**, the goals of this initiative include a greater shared knowledge about our Nation’s past, strengthened regional and local pride, increased local participation in preserving the country’s irreplaceable cultural and natural heritage assets, and support for the economic vitality of communities; and

**WHEREAS**, designation as a Preserve America Community will improve our community’s ability to protect and promote its historical resources; now therefore be it

**RESOLVED**, that the Hardin County Board of Supervisors will apply for the designation of Hardin County as a *Preserve America* Community; and be it further

**RESOLVED**, that Hardin County will protect and celebrate our heritage, use our historic assets for economic development and community revitalization, and encourage people to experience and appreciate local historic resources through education and heritage tourism programs.

/s/Jim Johnson  
Jim Johnson  
Board of Supervisors

Attest:  
Reneé McClellan  
Reneé McCellan  
Auditor

Bear moved, Miller seconded to approve the application for fireworks submitted by the Raum Family Reunion, effective June 30, 2007. Motion carried.

Mill moved, Bear seconded to appoint Ben Culter to the Board of Health. Motion carried.

Bear moved, Miller seconded to approve the fiscal Agent Agreement between Hardin County Area Empowerment Board, Local Board and the Hardin County Board of Supervisors, effective July 1, 2007 – June 30, 2008. Motion carried.

Drainage:  
D.D. #: Big 4  
Miller move, Bear seconded to approve repairs. Motion carried.

D.D. #31  
Bear moved, Miller seconded to approve repairs. Motion carried.

D.D. #109

Miller moved, Bear seconded to approve repairs. Motion carried.

D.D. # 3-55

Bear moved, Miller seconded to approve repairs. Motion carried.

Miller moved, Bear seconded to adjourn until July 11, 2007. Motion carried.

/s/Jim Johnson  
Jim Johnson, Chair  
Board of Supervisors

/s/Reneé McClellan  
Reneé McClellan  
Auditor