

HARDIN COUNTY BOARD OF SUPERVISORS  
MINUTES – AUGUST 5, 2009  
WEDNESDAY - 10:00 A.M.

Chairman Jim Johnson called the meeting to order. Also present was supervisors Ed Bear and Erv Miller. Gary Mauer, Justin Ites, Jane Geerdes and Kelly Collins.

Miller moved, Bear seconded to approve the agenda as posted. All ayes. Motion Carried.

Bear moved, Miller seconded to approve the minutes of the July 29, 2009 regular meeting. All ayes. Motion Carried.

Miller moved, Bear seconded to approve the payment of the August 5, 2009 claims for payment. All ayes. Motion carried.

Bear moved, Miller seconded to appoint George Butler to the Pioneer Cemetery Association. All ayes. Motion carried.

Bear moved, Miller seconded to adopt Resolution No. 2009 – 44, Approval of the Amended 28E Agreement and the Amended By-Laws for the Hardin County Solid Waste Disposal Commission. Roll Call Vote: “Ayes”: Bear, Miller and Johnson. “Nays”: None. Resolution No. 2009 – 44 is hereby adopted and on file in the Auditor’s Office.

Miller moved, Bear seconded to adopt Resolution No. 2009 – 45, Tax Abatement/Compromise. Roll Call Vote: “Ayes”: Miller, Bear and Johnson. “Nays”: None. Resolution No. 2009 – 45 is hereby adopted and on file in the Auditor’s Office.

At 10:15 a.m. Chairman Jim Johnson opened the public hearing for Ordinance No. 44 – An Ordinance Defining County Infractions and Providing Procedures for their Enforcement, with no written or oral comments. The chair then closed the public hearing and the following action was taken:

Bear moved, Miller seconded to approve the first consideration of Ordinance No. 44, An Ordinance Defining County Infractions and Providing Procedures for their Enforcement. Roll Call Vote: “Ayes”: Bear, Miller and Johnson. “Nays”: None. Absent: None.

Miller moved, Bear seconded to set the seconded reading of Ordinance No. 44 for August 12, 2009. All ayes. Motion carried.

Utility Permits:

Miller moved, Bear seconded to approve the Utility Permit Application submitted by Garden Wind, L.L.C. for installation of underground 34.5 kv electrical lines located in Sherman Twp., Concord Twp. And Grant per attached map.

Drainage: D.D.#41

Miller moved, Bear seconded to approve the repair request submitted by Dale Bahr for broken tile/washout in Section 12-88-22. All ayes. Motion carried.

D.D. # 15

Bear moved, Miller seconded to approve the repair request for a possibly plugged tile submitted by Dennis Prochaska in Section 30-89-21. All ayes. Motion carried.

D.D. #48

Miller moved, Bear seconded to approve the repair request submitted by Lowell Skinner. Subject to design approval with the drainage engineer and that the landowner will pay the cost of the project Section 23-89-21. All ayes. Motion carried.

D.D. #55 –Division 3, Lateral10

Bear moved, Miller seconded to pursue litigation against the Union Pacific Railroad in filing suit for recovery of the cost of damages. All ayes. Motion carried.

Miller moved, Bear seconded to contact Gary Sindelar in regards to the remarks made from Tony Silvey and the effects Hawkeye Renewables if possibly having on the drainage district. All ayes. Motion carried.

Other Business:

Miller moved, Bear seconded to approve the Chairman in writing a letter of support in the efforts of Ragbrai traveling through Hardin County in 2010 with special overnight stops in Eldora and Iowa Falls. Including that the County has concerns in cost that would be added to effected departments in this event. All ayes. Motion carried.

Miller moved, Bear seconded to adjourn until August 12, 2009. All ayes. Motion Carried.

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

/s/Reneé McClellan  
Renee' McClellan, Auditor