

Unapproved Minutes Emmet County Board of Supervisors

October 2, 2018 9:00 a.m.

Regular Meeting

Board Room, Courthouse

Present: John Pluth, Vice-Chair

Jeff Quastad

Roger Hash

Tim Schumacher

Absent: Bev Juhl, Chair

Vice-Chairman, Pluth, called the meeting to order at 9:00 a.m. with Juhl absent. Motion was made by Schumacher, seconded by Quastad, to approve the minutes from last week's meeting, also approving them for publication. All ayes, motion carried.

During public forum, Quastad shared information with the Board about the Seasons meeting he had attended recently. Discussion was held at the meeting on why Season's Center does not have a signed contract yet with Avera Health here in Estherville.

During public forum, a member of the news media, Amy Peterson, asked the Board for permission to speak. She asked if any corrective action has been taken by Central Bi-Products and if the Supervisors have backed off the smell issue. Pluth stated that we have not backed off our actions. Peterson was referring to a letter the City Council had reviewed last night at their council meeting from Farmer's Union Industries for Central Bi-Products. Pluth stated that Central Bi-Products are working on the problems. The building is now enclosed and they now have off-site parking for their trucks.

Pluth then talked with Barb Bohm, Emmet County Assessor and Zoning Administrator, she stated that Sheldon Andrews, consultant for Central Bi-Products, had called her office with some updates. Sheldon stated that they are down to collecting dead animals to only five hog sites and will continue to try to find another entity to take care of those sites for disposal. They will now start taking down the inner section of the buildings. They have reduced their production from a millions pounds of material to 400,000 pounds of material. He is hoping that everything will be up and running sometime in December.

County Attorney, Doug Hansen, had reviewed the Iowa Counties Technology Services (ICTS) Business Associate Agreement that was recently presented to the Board for review and signature. After review, Hansen, stated that the reason for this agreement is that all Protected Health Information (PHI) originates from the individual counties that make up the Mental Health Region Emmet County has chosen to be a part of. He stated this agreement essentially provides that Emmet County agree that PHI can be disclosed to ICTS and that ICTS will protect the PHI in the same way and degree required of Emmet County by federal law. It also provides remedies in the event of a "Breach" of PHI by ICTS. Hansen recommends that the Board signs and returns the Agreement to ISAC. It was moved by Schumacher, seconded by Quastad, at the recommendation of the Emmet County Attorney, to sign the Agreement. All ayes, motion carried.

The Board was presented from Dickinson County a bill for joint drainage district ECD#61 (Emmet, Clay & Dickinson) in the amount of \$199.25 to be paid to Hudson Law Firm for work regarding short reach of stream existing and going into Trumble Lake in Joint Drainage District ECD#61. It was moved by Quastad, seconded by Hash, to sign and return the bill to control county, Dickinson County for payment. All ayes, motion carried.

Walter Davis-Oeth, Emmet County Engineer; Rob Patterson, DNR-acting Biologist for the Ingham Lake Wildlife Unit; Mark Gulick, Northwest Iowa Supervisor for the DNR and Rick Verchota, Engineer for Duck's Unlimited, discussed replacement of county culverts on 232nd St. down by the Jenson Slough in High Lake Township, Section 13. The background information on this issue is that the water at the Jenson Slough is going underneath the pipe instead of through it. Davis-Oeth stated that the 42" round pipes are 35-40 years old are in rough condition and are going to start squashing in the future. The DNR asked the Boards view if the county is going to replace the tiles, if they could present some alternatives. Gulick stated that the DNR could add funding for the extra costs involved with their ideas.

Gulick and Patterson stated that what we are trying to do, essentially, is in the investigative state. The project would be similar to the project done at Lost Island Lake, trying to separate and keep the carp fish out, going in aggressively to remove the carp. Lost Island's carp population went from 350 pounds per acres, down to 50 pounds per acre. He stated that carp destroy the habitat of the good fish. He stated that the water quality has improved significantly. This is just a small part of the project; it is all about water quality and better fish. They also stated that you have to have plants; they are the key to clean water. He stated that the blue gills have increased greatly because of the cleanup of water. People around the Lost Island area are happy with the project.

Gulick stated the culvert needs to be replaced for a number of reasons. The DNR and Duck's Unlimited has installed a pump in that area, to pump water out. They are not going to change water levels at all on anything. He stated if we replace the culvert, we would have to put in a structure to put stop logs in and whenever water quality gets bad we will have to pump the basin out. We also need a way to keep adult carp out. We will put in reef barriers, which are hard to engineer. The one done there now may be a little too small and they are planning to rip that one out and make a bigger reef. They did this at Diamond Lake in Spirit Lake and it is working perfectly.

Gulick stated that in the overall big picture, they would like to partner with Emmet County, to get the culvert replaced. He stated that this is a project designed to clean up the slough. He stated we have seen a 5-6 foot water clarity with these projects. He stated that they are, right now, only focusing on the Jenson Slough due to the feasibility and funding.

Gulick stated to the Board whatever you want done out there, you the Board for Emmet County, hold the key and with permission, we will try to make it work on our end. If we could partner, instead of 3-30" pipes maybe a concrete box could be installed. This box, of course, would cost more money, but stating that concrete has a 30-40 year lifespan. You would have a one-time disturbance, with three times the life.

Davis-Oeth stated its biggest concern is that when you are messing with water levels, you have to be careful. Davis-Oeth stated he does not know where the tiles go in and out of this system. Patterson stated that there is tile out there and it is functioning/running most of the time. Patterson and Gulick stated that they would not disturb any tiles. Davis-Oeth stated that he thinks we can find a nice working scenario on this project. Engineer stated that concrete boxes require much less maintenance. The Engineer also stated that this is not a highly utilized road and the elevation of the road is not something we will be putting a whole lot of money into.

The rough agreement would be the County replacing the pipes/tiles, and any extra costs would be the responsibility of the DNR. Verchota stated that Ducks Unlimited partners with the DNR. He stated that the Duck Unlimited put the existing pump in at the slough. It was stated that this is just a preliminary design and wanted to make sure everyone here was on board. They are not upsizing, just changing. The consensus of the Board was to go ahead and move forward on this project.

The Board reviewed the Manure Management Forms (MMP) for:
Pig Palace Feed Lot, Owner Michael Nowicki, Facility ID# 63941;
K & T Olson Swine, Owner Thomas Olson, Facility ID #69122 and
SLP, Owner Scott Park, Facility #64057.

The Emmet County Board of Supervisors recognizes that the Iowa DNR has approved that the tile in drainage district #30 in Emmet Township, Section 14 in the NW1/4 of the NW 1/4 be disconnected from the neighboring farm, so the overflow from the pond will go to the southeast through a tile put in by the DNR after they took possession of the land. This action will be taken at neighboring owners' request to eliminate the perceived issues.

A motion was made by Hash, seconded by Schumacher, to adjourn the meeting at 10:50 a.m. All ayes, motion carried.

Colleen Anderson, Assistant to the Auditor

John Pluth, Vice-Chair