

THE FORTY-NINTH DAY

The Board of Supervisors of Howard County, Iowa met in regular session as required by law at the Office of the Howard County Board of Supervisors, Cresco, Iowa on December 17, 2018.

Unless noted in the minutes, all motions were passed unanimously.

The meeting was called to order by Chairman Don Burnikel at 9:00 a.m.

Those present were: Chairman in the Chair Don Burnikel and Jan McGovern. Absent; Pat Murray.

Jerry Steven, Supervisor-elect, was in attendance.

A motion by Jan McGovern and seconded by Don Burnikel to approve the agenda as posted. Motion passed.

A motion by Jan McGovern and seconded by Don Burnikel to approve the minutes of the last meeting. Motion passed.

A motion by Jan McGovern and seconded by Don Burnikel to approve to pay claims. Motion passed.

Nick Rissman came before the board to discuss Secondary Roads Business.

1. Project updates.
2. Other road issues.

John Hansen, Rick Harness and Mike Miner came before the board to give a New Jail update.

A motion by Jan McGovern and seconded by Don Burnikel to approve Contract No. 6 Change Order No. 1, sprinkler system for vestibule in the amount of \$670. Motion passed.

A motion by Jan McGovern and seconded by Don Burnikel to approve Contract No. 5 Change Order No. 4, additional wiring and conduit for security electronic upgrades per RFP No. 10 in the amount of \$4,955. Motion passed.

A motion by Jan McGovern and seconded by Don Burnikel to approve Contract No. 1 Change Order No. 4, upgrade door closers, provide access panels to access motorized smoke dampers and provide water main from the new building to the existing steel building in the amount of \$4,667. Motion passed.

A motion by Jan McGovern and seconded by Don Burnikel to approve the New Jail Expenses in the amount of \$388,264.40. Motion passed.

A motion by Jan McGovern and seconded by Don Burnikel to open the Hastings Public Hearing at 11:30 a.m. Motion passed.

Michael Hastings was not present.

Mike Miner gave a brief explanation on a livestock issue with Michael Hastings as defined by Iowa Code Section 169C.6.

Kevin Schoeberl stated there needs to be a finding by the Howard County Board of Supervisors that Michael Hastings' livestock are a habitual trespass. There was a letter submitted showing the number of times there was an issue of the livestock straying on public roads and other landowner's real estate.

A motion by Jan McGovern and seconded by Don Burnikel to close the Public Hearing at 11:45 a.m. Motion passed.

The Sheriff and Attorney are requesting the board to consider this as a habitual trespass as defined by Iowa Code Section 169C.6.

Michael Hastings was still not present for this meeting.

A motion by Jan McGovern and seconded by Don Burnikel to approve the request by the Sheriff and Attorney for a finding of habitual trespass as defined by Iowa Code Section 169C.6 pertaining to Michael Hastings' livestock. The board specifically finds that the livestock of Michael Hastings strayed from his land onto a neighboring landowner's real estate and/or onto a public road on three or more separate occasions within the prior 12-month period. Motion passed.

Chairman Don Burnikel adjourned to a Jail Tour at 11:52 a.m.

ATTEST:

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Julie Chapman, Howard County  
Auditor

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Don Burnikel, Chairman Howard County Board  
of Supervisors