

CLAYTON COUNTY Board of Supervisors

AUGUST 20, 2019

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

Present: Steve Doeppke and Ray Peterson

Absent: Sharon Keehner

Guests: Shirley Christianson, Terry Puelz, Myron Phelps, Russ Rudolph, Rob Medberry, Samantha Wagner, Chris Schroeder, Joe Shirbroun, Erling Bilden, Katie Othoff, Kaleb VanFossen, Ben Wilkner, Merry French, Scott Cherne, John Finley, Matt Winters, Larry Stone, Greg Koether, Phil Specht, Pat McTaggart

Doeppke moved, Peterson seconded to approve the minutes of the August 13, 2019, meeting. Ayes: Doeppke, Peterson. Motion carried.

Doeppke moved, Peterson seconded to approve claims as presented. Ayes: Doeppke, Peterson. Motion carried.

Merry French discussed the in kind value allotment to the office space and elected official time. Doeppke moved, Peterson seconded to approve in kind rates as follows: Conference Room 1, \$50/hr; Conference Room 3, \$25/hr; Public Meeting Room, \$75/hr; Office Space, \$10/sq. ft. (unless under different contract); and Depart of Labor Management Occupations, \$50.11/hr. Ayes: Doeppke, Peterson. Motion carried.

Larry Stone presented a resolution for consideration regarding asking the Governor of Iowa and the State Legislature to address inadequacies of the Master Matrix that was adopted seventeen years prior. Stone cited in the resolution a need for clearer, unambiguous guidelines, and to take into consideration the geography, geology, water sources, health, karst topography, and economic interest of the

citizens. Several members of the public had comments relating to conflicting research on health concerns, effects on smaller family farms, effects of heavy rains/floods, neighbor relations/working together, responsible application, costs associated with change, not all issues being farm related (some urban), and information disclosure per the current Master Matrix guidelines. Peterson moved, Doeppke seconded to not support the resolution and to continue reviewing construction permit applications for CAFOs with the current Master Matrix in place, while revisiting the subject in January. Ayes: Doeppke, Peterson. Motion carried.

Peterson moved, Doeppke seconded to approve resolution #20-2019 "Approval of Waiver of Clayton County's Right to Appeal Issuance of Final Construction Permit for the Construction of Confined Animal Feeding Operation by the Iowa Department of Natural Resources". Roll Call Vote: Doeppke-aye, Peterson-aye. Motion carried.

**RESOLUTION #20-2019
APPROVAL OF WAIVER OF CLAYTON COUNTY'S RIGHT TO 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 Kregel Farms, Inc. has been issued a draft permit for the construction of a confined animal feeding operation building(s) at SE ¼ of the NW ¼ of Section 13, T93N, R4W, Garnavillo Township 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 July 2, 2019.

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.

Attest:
Ray Peterson, Chairperson,
Jennifer Garms, Clayton County Auditor

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MO: 1-1

THE IOWA DISTRICT COURT Clayton County

IN THE MATTER OF
THE ESTATE OF
JACQUELINE K. RADLOFF, DECEASED
CASE NO. ESPR007169
NOTICE OF PROBATE OF WILL, OF APPOINTMENT OF EXECUTOR, AND NOTICE TO CREDITORS

To All Persons Interested in the Estate of JACQUELYN K. RADLOFF, Deceased, who died on or about August 9, 2019:

You are hereby notified that on August 19, 2019, the last will and testament of JACQUELYN K. RADLOFF, deceased, bearing date of June 3, 2016, *Codicil, July 31, 2019, was admitted to probate in the above named court and that KEVIN A. RADLOFF was appointed executor of the estate. Any action to set aside the will must be brought in the district court of said county within the later to occur of four months from the date of the second publication of this notice or one month from the date of mailing of this notice to all heirs of the decedent and devisees under the will whose identities are reasonably ascertainable, or thereafter be forever barred.

Notice is further given that all persons indebted to the estate are requested to make immediate payment to the undersigned, and creditors having claims against the estate shall file them with the clerk of the above named district court, as provided by law, duly authenticated, for allowance, and unless so filed by the later to occur of four months from the date of the second publication of this notice or one month from the date of mailing of this notice (unless otherwise allowed or paid) a claim is thereafter forever barred.
Dated August 20, 2019.

/s/ Kevin A. Radloff
Executor of estate
2725 270th Avenue
Ridgeway, IA 52165

Gregory J. Schiller, ICIS PIN No: 8401
Attorney for executor
Firm Name: Schiller Law Office
Address: 105 West Center Street, P.O. Box 418, Monona, IA 52159
Date of second publication: September 4, 2019.

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CLAYTON COUNTY Board of Supervisors

AUGUST 13, 2019

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

Present: Steve Doeppke, Sharon Keehner, and Ray Peterson

Guests: Eli Garms, Mike Tschirgi, Patti Ruff, Rafe Koopman, Kyle Pattison, Chad Ihde, Cole Pattison

Keehner moved, Doeppke seconded to approve the minutes of the August 6, 2019, meeting. Ayes: Doeppke, Keehner, Peterson. Motion carried.

Doeppke moved, Keehner seconded to approve the renewal of a Class B Native Wine Permit with Living Quarters and Sunday Sales for Spook Cave & Campground, LLC. Ayes: Doeppke, Keehner, Peterson. Motion carried.

Kyle Pattison requested that the Board consider a temporary closure of Mississippi Rd to have Pattison Sand Company install a new railroad bridge. The road would have to close for a minimum of three months to complete the project. Pattison Sand Company will be holding a public information meeting on August 22, 2019 to discuss the project with residents. There was also discussion about access to the mine, driveway turnarounds, possible road vacation, emergency access, and length of road closure.

Attest:
Ray Peterson, Chairperson,
Jennifer Garms, Clayton County Auditor

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PUBLIC NOTICE Clayton County Conservation Board

Clayton County Conservation Board is accepting bids for two riverbank projects. Details available at www.claytoncounty-conservation.org or 563.245.1516 Due 10/7/2019.

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