

November 17, 2020

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

Present: Steve Doepcke, Sharon Keehner, and Ray Peterson

Guests -- In Person: Mike Tschirgi, Myron Phelps, John Anderson, Rafe Koopman, Bart Burgin, Tina Nieland, Tom Pittman

Keehner moved, Doepcke seconded to approve the minutes of the November 10, 2020 meeting. Ayes: Doepcke, Keehner, Peterson. Motion carried.

Doepcke moved, Keehner seconded to approve the claims as presented totaling \$79,420.58. Ayes: Doepcke, Keehner, Peterson. Motion carried.

Doepcke moved, Keehner seconded to approve the renewal of a Class B Beer Permit with Sunday Sales for Bow Benders Enterprises, Inc., DBA TJ's Pizza. Ayes: Doepcke, Keehner, Peterson. Motion carried.

Keehner moved, Doepcke seconded to authorize the chair to sign a letter of support for Alpine Communications for a State of Iowa Broadband Grant. Ayes: Doepcke, Keehner, Peterson. Motion carried.

Keehner moved, Doepcke seconded to not proceed with a communications cost analysis with SpyGlass. Ayes: Doepcke, Keehner, Peterson. Motion carried.

The Board had a FY2021 County Budget Amendment workshop. Items related to the Motor Mill Trail will be included in the publication.

Closed session was not utilized. The Board discussed strategy for upcoming Collective Bargaining Negotiations.

Peterson opened the public hearing regarding a reclassification request for a portion of 310th St lying in Sections 19 and 20 of T92N, R2W of Clayton County, Iowa. Requestor Tom Pittman made comments and stated that neighboring landowners were also in favor of the move to class "C". Engineer Rafe Koopman stated that certified letters were sent and marked as received of adjoining landowners. The public hearing was closed. Keehner moved, Doepcke seconded to approve resolution #44-2020 "Resolution for Class C Classification". Roll Call Vote: Doepcke-aye, Keehner-aye, Peterson-aye. Motion carried.

RESOLUTION #44-2020
RESOLUTION FOR CLASS C CLASSIFICATION

WHEREAS, Clayton County desires to classify certain roads on the area service system in the County to provide for a minimal level of maintenance and access by means of a gate or barrier, and

WHEREAS, the County, after consultation with the County Engineer, has the authority to specify certain roads within the County as Area Service 'C' roads pursuant to Iowa Code Section 309.57; and

WHEREAS, the County has received a request that the following road be classified as an Area Service 'C' road:

That portion of "310th Street", originally established on April 7, 1849 (See Road Record Volume 1, pages 76-77) lying in Sections 19 and 20 of T92N, R2W of Clayton County, Iowa, be reclassified to a Level C Road. The intention of this reclassification is to change the segment of public road commencing at approximately 34669 310th St heading East to the border with the City of Guttenberg to Class C Classification.

1. Blading: Blading or dragging will not be performed on a regular basis. Landowner may maintain road on his own (using own equipment and materials) if he does not 1. divert water; 2. crop right of way; 3. use for personnel gain i.e.: storage of hay, equipment, etc.

2. Snow and Ice Removal: Snow and ice removal will not be performed on a regular basis, only for emergency situation after all other roads open. Sanding and salting will not be performed.
3. Bridges: Bridges on Area Service 'C' roads may not be maintained to carry legal loads but will be posted as appropriate to advise of any load limitations.
4. Weeds, Brush and Trees: Mowing or spraying weeds, cutting brush and tree removal will not be performed on a regular basis. Adequate sight distances will not be maintained as on a regular road.
5. Structures: Bridges and culverts may not be maintained on a regular basis to carry legal loads. Upon failure or loss, the replacement structure will be for traffic thereon, if any replacement at all.
6. Road Surfacing: There will be no surfacing materials applied to Area Service 'C' roads. Landowner may apply surfacing at landowners' expense.
7. Shoulders: Shoulders will not be maintained
8. Crown: A crown will not be maintained.
9. Repairs: There will be no road repairs on a regular basis.
10. Uniform Width: Uniform width for the traveled portion of the road will not be maintained.
11. Inspections: Regular inspections will not be conducted.
12. Gate: The gate shall be purchased, installed and maintained by the adjoining landowners. If not so maintained, the County may remove and the gate; and

WHEREAS, the only persons who will have access rights to the road shall be:

- (1) the owner, lessee, or person in lawful possession of any adjoining land,
- (2) the agent or employee of the owner, lessee or person in lawful possession of adjoining land,
- (3) any peace officer,
- (4) any magistrate,
- (5) any public employee whose duty it is to supervise the use or perform maintenance of the road,
- (6) any agent or employee of any utility located upon the road.

THEREFORE BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF CLAYTON COUNTY that this County does hereby establish the road described as an Area Service 'C' road, with restricted access and a minimal level of maintenance.

Attest:

Ray Peterson
Chairperson, Board of Supervisors

Jennifer Garms
Clayton County Auditor