

## **Clay County Board of Supervisors Minutes from Meeting #1 held on January 3, 2017**

The Clay County Board of Supervisors met pursuant to adjournment January 3, 2017 at 7:00 a.m. in the boardroom with Chairperson Anderson presiding and with the following other members present: Supervisors Anderson, Matthews, Skow, Randy Swanson, Assistant County Attorney Barry Sackett, and Auditor Marjorie Pitts as clerk for the meeting. Absent: Supervisor Linda Swanson. 2016 Chairperson Anderson led the meeting in the Pledge of Allegiance.

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote: Ayes: Anderson, Matthews, Skow and Randy Swanson. Nays: None. Abstentions: None.

The first order of business for the 2017 session was election of the Chairperson. 2016 Chairperson Barry Anderson called for nominations for the 2017 Chairperson.

Motion by Swanson, seconded by Matthews to nominate Supervisor Matthews as Chairperson and Supervisor Skow as Vice Chairperson of the Clay County Board for the 2017 session year. Supervisor Anderson asked for any further nominations. There being none, a unanimous ballot was cast for Supervisors Matthews and Skow. Motion carried.

Supervisor Matthews stated his thanks to Supervisor Anderson for his leadership and service as the Clay County Board Chairperson during 2016.

Motion by Skow, seconded by Anderson to accept and authorize the Chairperson to sign the Employee Payroll Request from the Sheriff's Department for Zachary Larsen, for the full time, permanent employment at an hourly wage of \$29.85 as chief deputy starting January 2, 2017. Wage reflects 85% of Sheriff's wage and three weeks of vacation. Motion carried.

Motion by Anderson, seconded by Swanson to adopt the following resolution:

### **RESOLUTION 2017-05 Appoint Chief Deputy for Sheriff**

BE IT RESOLVED, that Zachary Larsen be appointed chief deputy for the County Sheriff effective January 2, 2017.

The above and foregoing resolution was adopted by the Board of Supervisors of Clay County, Iowa this 3rd day of January 2017 and the vote there on being as follows:

Ayes: Anderson, Matthews, Skow and Randy Swanson. Nays: None. Abstentions: None.

Resolution adopted.

/s/Burlin H. Matthews, Chairperson

ATTEST: /s/Marjorie A. Pitts, County Auditor

Motion by Matthews, seconded by Skow that the Board meeting agenda for January 3, 2017 be received and placed on file with the County Auditor as approved. Motion carried.

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Motion by Swanson, seconded by Skow that the minutes of the Board Meeting #35 held December 20, 2016 are hereby approved as submitted. Motion carried.

Motion by Skow, seconded by Swanson to adopt the following resolution: BE IT HEREBY RESOLVED by the Board of Supervisors approve expenditures and that the County Auditor be hereby authorized and directed to issue warrants, against the various settlement of such claims a allowed January 3, 2017. Ayes: Anderson, Matthews, Skow and Randy Swanson. Nays: None. Abstentions: None. Resolution adopted.

Publication List by Vendor

A-1 Portables	Sanitation & Disposal	50.00
Advanced Systems	Copier Charges	760.05
Advanced Systems	Copier Charges	549.53
Airgas USA	Grounds Maintenance	25.50
Alliant Energy	Utilities	284.82
Alpha Wireless	Radio & Related Equip.	4922.27
Anderson Print Group	Office Supplies	154.17
Safelite Fulfillment	Parts	684.99
Ayrshire Farmers Mutual	Telephone	184.66
Black Hills Energy	Utilities Payments	61.80
Bomgaars	Supplies	1209.34
Tammy Brown	Flex	20.00
Bud's Service	Fuels	10.55
Carpenter Uniform	Uniforms	181.00
CenturyLink	Telephone	10398.14
Children's Square	Detention	419.85
Christians Sheet	Buildings	2968.00
Cintas Corp	Safety	116.48
City Directory	Office Supplies	889.00
City of Spencer	Water & Sewer	57.25
Copper Cottage	Buildings	150.83
Crescent Electric Supply	Buildings	125.38
Crysteel Truck Equipment	Parts	2157.00
Culligan	Supplies	178.50
Daily Reporter	Publications	242.08
Dickinson County Sheriff	Sheriff Fees	15.00
Employee Benefit Systems	Emp Grp Health Ins	202.40
Employee Data Forms	Office Supplies	27.25
Evertex	Telephone	479.94
FASTENAL	Hardware	467.16
Galen's Pro-Mow	Parts	57.47
David Glienke	Safety	96.29
Godfather's Pizza	Food & Provisions	45.57
Shirley Goyette	Flex	500.00
GRACESOFT	Data Processing Serv.	297.00
Graham Tire Co	Tires & Tubes	1218.88
Greer Law Office	Legal Aid	150.00
H & N Chevrolet Buick	Parts	464.27
Hanson's Plumbing & Heating	Buildings	85.00
Henry M Adkins	Elections	10290.00
Hodgin's Manufacturing	Construction	374.00
IA Dept Natural Resources	Buildings	195.00
IA Lakes Electric Coop	Utilities	551.35
IA Prison Industries	Traffic & St Sign	802.50
IA-ILL Safety Council	Educational	1015.00
IEMA	Dues & Memberships	150.00
IA Municipalities Workers	Workmens' Comp. Ins.	10099.00

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Innovative Rescue Solutions	Safety	245.50
Inst for Env Assessment	Buildings	510.00
Interstate Battery	Parts	227.90
ISU Ext & Outreach-Clay Co	Educational	210.00
J&T Rentals	Rent Payments	200.00
Janitors Closet	Custodial Supplies	222.20
Jennifer Jensen	Custodial	265.00
Johnston Automotive	Parts	90.84
KAPCO	Postage & Mailing	6.96
Karl Emergency Vehicles	Radio & Related Equip.	1122.66
Kate Stouffer	Educational	120.00
Scott Knudtson	Employee Travel Expenses	17.60
Lawson Products	Hardware	189.14
Angela Lawson	Office Supplies	8.53
Lisa Seaman	Custodial	30.00
M&J LLC	Custodial Supplies	131.78
Kevin Maassen	Flex	373.87
Mar-Lin Business Supply	Office Supplies	11.59
Marco	Copier Charges	107.58
Mastercard	Office Equip & Furniture	978.32
Matheson Tri-Gas	Grounds Maintenance	434.91
Maxwell Food Equipment	Supplies	77.13
Menards	Buildings	693.60
Midwest Card & ID Solutions	Data Processing Equipment	1272.34
MorphoTrak	Radio & Related Equip.	6232.00
National Sheriff's Assoc	Dues & Memberships	112.00
Darrell Nordman	Safety	100.00
North Central Int'l	Parts	131.25
Noteboom Implement	Motor Vehicle	12241.82
NWICS	Data Processing	100.00
Pitney Bowes	Postage & Mailing	209.06
Pixler Electric	Buildings	884.23
Plumbing & Heating Wholesale	Buildings	16.74
Robin Patrick	Educational	120.00
Rock Island County Sheriff	Sheriff Fees	47.69
Darrel Santage	Employee Travel Expenses	105.60
Sieh Sand & Gravel	Construction	7505.60
Sioux City Foundry Co	Parts	3200.00
Sioux Sales Co	Other	1322.20
Joe Skow	Flex	18.42
Solutions	Data Processing Equipment	576.80
Spencer Auto Parts	Parts	66.84
Spencer Community School	Transportation	677.07
Spencer Family Care	Medical Services	625.00
Spencer Hospital	Medical & Health Services	4004.35
SMU	Telephone	1266.74
Spencer Office Supplies	Office Supplies	555.93
Staples	Office Equip & Furniture	84.00
State Steel Supply	Parts	207.90
Streicher's	Safety	39.98
The Cartridge Connection	Office Supplies	169.49
Town & Country	Sanitation	268.30
UPS	Postage & Mailing	20.37
US Cellular	Telephone	1152.44
U S Postmaster	Postage & Mailing	470.00
Vander Haag's	Parts	150.00
Verizon	Telephone	139.26
VISA	Supplies	487.24

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Walmart Community	Office Supplies	7.68
Jeffrey Wiemann	Flex	33.06
Winther Stave & Co	Accounting Services	3957.74
Grand Total		109238.52

**Motion by Skow, seconded by Swanson** to adopt the following resolution: BE IT HEREBY RESOLVED by the Board of Supervisors to approve DRAINAGE expenditures and that the County Auditor is hereby authorized and directed to issue warrants, against the various settlement of such claims as allowed January 3, 2017. The County Auditor is directed to issue stamped warrants from drainage districts which currently have insufficient funds. Ayes: Anderson, Matthews, Skow and Randy Swanson. Nays: None. Abstentions: None.

Hagedorn Excavating Inc, 315 Main Street, Royal, IA 51357		
	D.D. #108	\$ 23,887.80 Stamped
	D.D. #26	\$154,126.35 Stamped
LA Carlson Contracting, 20984 C43, Merrill, IA		
	D. D. #2	\$ 65,334.53 Stamped
Hudson Law Firm, PO Box 210, Pocahontas, IA 50574		
	DD#2	\$ 79.25 Stamped
B & W Control Specialists, PO Box 641, Algona, IA 50511		
	Jt DD#22	<u>\$ 2,783.00</u>
Total Drainage Warrants:		\$ 246,210.93
Resolution adopted.		

Motion by Anderson, seconded by Skow to accept the following recommendations of the Chairperson of committee members for the year 2017. Motion carried.

2016 Members

Compass Pointe	(Anderson)
CEO-IWD	(Anderson)
Communication Center	(Matthews / Swanson)
Courthouse & Courthouse Security	(Skow)
Clay County Health Board	(Skow)
Clay County Regional Events Center	(Matthews)
E-911 Board	(Anderson)
Drug Court Advisory Group	(Anderson)
NW IA Regional Airport Board of Trustees	(Matthews)
EMS Council	(Swanson/Anderson)
Grievance Committee	(Co. Attorney/Matthews)
Jobs Trust	(Swanson)
Local Emergency Planning Council (LEPC)	(Anderson)
NW IA Planning and Development	(Skow)
Regional Transit Authority	(Matthews)
Seasons Board & Advisory Board	(Matthews)
Spencer Industries Board	(Swanson)
Upper Des Moines Opportunity	(Skow)
Youth Emergency Services YES-	(Anderson)
3 <sup>rd</sup> Judicial District Dept Correctional Services	(Skow)
Early Childhood (ECI)/DCAT Board	(Anderson)
Clay County Housing Trust Board	(Swanson/Matthews)

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Clay County Revolving Loan Board	(Matthews/Skow)
Clay County Conservation Board	(Matthews)
Betterment Commission	(Swanson/Skow)
Volunteer Network of Clay County	(Skow)
Mental Health Governance Board (NWIACC)	(Anderson)
Clay County EMA Board	(Anderson)
Clay County Visitors Bureau	(Swanson)

**7:30 a.m. Scott Rinehart – County Engineer**

Motion by Anderson, seconded by Skow to set public hearing for building Royal Shed for January 17, 2017 at 10:00 a.m. Motion carried.

Motion by Swanson, seconded by Skow to set bid letting & awarding for building Royal Shed on Feb.14, 2017 at 10:00 a.m. & 10:30 a.m. Motion carried.

Motion by Skow, seconded by Anderson to adopt the following resolution:

**RESOLUTION NO. #2017-01**

BE IT RESOLVED by the Board of Supervisors of Clay County, Iowa, that Scott L. Rinehart, the County Engineer of Clay County, Iowa be and is hereby designated, authorized, and empowered on behalf of the Board of Supervisors of said county to execute the certificate of completion of work and final acceptance thereof in accordance with the plans and specifications thereof in connection with all Farm to Market construction projects in the county.

The above and foregoing resolution was adopted by the Board of Supervisors of Clay County, Iowa this 3rd day of January 2017 and the vote there on being as follows:

Ayes: Anderson, Matthews, Skow and Randy Swanson. Nays: None. Abstentions: None.  
Resolution adopted.

/s/Burlin H. Matthews, Chairperson  
ATTEST: /s/Marjorie A. Pitts, County Auditor

Motion by Anderson, seconded by Swanson to adopt the following resolution:

**RESOLUTION NO. #2017-02**

Determine the depositories of public funds belonging to Clay County, Iowa and execute the amount which may be deposited without further approval.

BE IT RESOLVED, that the Clay County Treasurer will utilize the services of the following depositories for the deposit of public funds belonging to Clay County, Iowa, or coming into its possession, pursuant to a duly executed amount which may be thus deposited without further approval of this Board and the Treasurer of State is as listed:

Name of Depository	Location	Maximum Deposit
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		<b>Under this Resolution</b>
U.S. Bank	Spencer, IA	\$ 100,000.00
Farmers Trust & Savings Bank	Spencer, IA	\$17,000,000.00
State Bank	Spencer, IA	\$ 300,000.00
Farmers Saving Bank	Fostoria, IA	\$ 300,000.00
Home State Bank	Royal, IA	\$ 7,000,000.00
Community State Bank	Spencer & Webb, IA	\$ 100,000.00
Northwest Bank	Spencer, IA	\$ 100,000.00

BE IT RESOLVED, that the following officers are hereby authorized and directed to execute said Agreement, to execute and deliver signature authorization cards to depository concurrently therewith, and to execute all drafts, checks and other documents and correspondence regarding any accounts of Clay County, Iowa at established depositories:

SANDRA S. GEIDL	TREASURER	TERM EXPIRES 12/31/18
ALICIA ROOS	DEPUTY	TERM EXPIRES 12/31/18
LEANN BLACK	DEPUTY	TERM EXPIRES 12/31/18

BE IT RESOLVED, that the officers described above are hereby authorized and directed to take such action, and execute such documents and agreements as may be necessary to secure the repayment of the deposits of public funds authorized hereunder, including to, but not limited to: Security Agreements, Bailment Agreements, Notices, and any documents or instruments supplemental or incidental thereto.

BE IT RESOLVED, that the auditor forward a certified copy of this resolution to Depository, and other parties which may request it for purposes of effectuating the deposit of public funds authorized hereunder or any security therefore, together with a certificate attesting to the names and signatures of the present incumbents to the offices described above; and the auditor further certify to Depository or other parties from time to time the signature of any successor in office of any of the present incumbents.

The above and foregoing resolution was adopted by the Board of Supervisors of Clay County, Iowa this 3rd day of January 2017 and the vote there on being as follows:

Ayes: Anderson, Matthews, Skow and Randy Swanson. Nays: None. Abstentions: None.

Resolution adopted.

/s/Burlin H. Matthews, Chairperson

ATTEST: /s/Marjorie A. Pitts, County Auditor

Motion by Skow, seconded by Anderson to adopt the following resolution:

### RESOLUTION 2017-03

Designate the depositories for 2017 for the Clay County Recorder, Conservationist, and Sheriff with maximum limitations.

BE IT RESOLVED, that the following banks be designated as depositories for 2017 for the Clay County Auditor, Recorder, and Sheriff with maximum limitations as shown.

RECORDER

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Farmers Trust & Savings Bank Spencer, IA 100,000  
SHERIFF  
Farmers Trust & Savings Bank Spencer, IA 100,000  
CONSERVATION  
Farmers Trust & Savings Bank Spencer, IA 20,000

The above and foregoing resolution was adopted by the Board of Supervisors of Clay County, Iowa this 3rd day of January 2017 and the vote there on being as follows:

Ayes: Anderson, Matthews, Skow and Randy Swanson. Nays: None. Abstentions: None.  
Resolution adopted.  
/s/Burlin H. Matthews, Chairperson  
ATTEST: /s/Marjorie A. Pitts, County Auditor

Motion by Anderson, seconded by Swanson to adopt the following resolution:

**RESOLUTION 2017-04  
CONSTRUCTION EVALUATION RESOLUTION**

**WHEREAS**, Iowa Code section 459.304(3) sets out the procedure if a board of supervisors wishes to adopt a “construction evaluation resolution” relating to the construction of a confinement feeding operation structure; and

**WHEREAS**, only counties that have adopted a construction evaluation resolution can submit to the Department of Natural Resources (DNR) an adopted recommendation to approve or disapprove a construction permit application regarding a proposed confinement feeding operation structure; and

**WHEREAS**, only counties that have adopted a construction evaluation resolution and submitted an adopted recommendation may contest the DNR’s decision regarding a specific application; and

**WHEREAS**, by adopting a construction evaluation resolution the board of supervisors agrees to evaluate every construction permit application for a proposed confinement feeding operation structure received by the Board of supervisors between February 1, 2017 and January 31, 2018 and submit an adopted recommendation regarding that application to the DNR; and

**WHEREAS**, the board of supervisors must conduct an evaluation of every construction permit application using the master matrix created in Iowa Code section 459.305, but the board’s recommendation to the DNR may be based on the final score on the master matrix or may be based on reasons other than the final score on the master matrix;

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF CLAY COUNTY** that the Board of Supervisors hereby adopts this construction evaluation resolution pursuant to Iowa Code section 459.304(3).

The above and foregoing resolution was adopted by the Board of Supervisors of Clay County, Iowa this 3rd day of January 2017 and the vote there on being as follows:

Ayes: Anderson, Matthews, Skow and Randy Swanson. Nays: None. Abstentions: None.

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Resolution adopted.

/s/Burlin H. Matthews, Chairperson

ATTEST: /s/Marjorie A. Pitts, County Auditor

**8:00 a.m. Bob Goeken – County Compensation Board Chairperson**

Motion by Anderson, seconded by Skow to accept the recommendation of the Compensation Board for the fiscal year beginning July 2017 through June 30, 2018, resulting in the following salaries for elected officials of the county to be considered during the budget process. Sheriff \$80,331.30; Attorney \$92,820; Auditor \$60,573.44; Recorder \$ 60,573.44; Treasurer \$60,573.44 and Board of Supervisors \$27,726.00. Motion carried.

**8:05 a.m.** Assistant County Attorney Barry Sackett gave the Board a departmental update from the civil division of the County Attorney's office.

**8:45 a.m. Disability Services Director Kim Wilson** gave the Board their annual HIPPA training.

Motion by Skow, seconded by Swanson to adopt the following resolution:

**RESOLUTION 2017-06**

**Re-appoint County Deputies for Sheriff & Auditor**

BE IT RESOLVED, Brad Hawley, Casey Timmer, Jesse Rustad, Brian Davis, Josh Long, Spencer Taylor, Joe Schueller, Christian Copper, and Eric Tigges be reappointed deputies for the County Sheriff; that Ann Baschke, Audrey Coffman and Kris Toay be reappointed deputies for the County Auditor, effective January 2, 2017.

The above and foregoing resolution was adopted by the Board of Supervisors of Clay County, Iowa this 3rd day of January 2017 and the vote there on being as follows:

Ayes: Anderson, Matthews, Skow and Randy Swanson. Nays: None. Abstentions: None.

Resolution adopted.

/s/Burlin H. Matthews, Chairperson

ATTEST: /s/Marjorie A. Pitts, County Auditor

Motion by Anderson, seconded by Skow Anderson to reappoint Darrell Frerichs, 3325 340<sup>th</sup> Avenue, Ruthven, IA 51358 to the Clay County Conservation Board for a term of five (5) years expiring December 31, 2021. Motion carried.

Motion by Swanson, seconded by Anderson to reappoint Darrin Rusk, 2530 550<sup>th</sup> Street, Sioux Rapids, IA 50585 to the Herdland Benefitted Fire District for a three (3) year term expiring December 31, 2019. Motion carried.

Motion by Anderson, seconded by Skow to reappoint Paul Swanson, 3345 440<sup>th</sup> Avenue, Ayrshire, IA 50515 to the Webb Benefitted Fire District for a three (3) year term expiring December 31, 2019. Motion carried.

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Motion by Swanson, seconded by Skow to reappoint David Kaus, 930 E 4<sup>th</sup> Street, Spencer, IA, Rita Smith, 2882 510<sup>th</sup> Street, Webb, IA, and Dave Wyatt, 3240 335<sup>th</sup> Avenue, Ruthven, IA to serve on the Clay County Zoning Board pursuant to Code of Iowa Chapter 335.8 for a term of three (3) years expiring December 31, 2019. Motion carried.

Motion by Anderson, seconded by Swanson to reappoint Jim Christensen, 4375 160<sup>th</sup> Avenue, Royal, IA 51357 to serve on the Clay County Zoning Board of Adjustment for a term of five (5) years expiring December 31, 2021. Motion carried.

Motion by Anderson, seconded by Swanson to designate the Spencer Daily Reporter, The Hartley Sentinel-Everly-Royal News, and the Marcus News-Peterson Patriot as the official newspapers for the county for the year 2017. Motion carried

Motion by Skow seconded by Anderson that Clay County, Iowa designate Scott L. Rinehart, the County Engineer, as its representative on the Northwest Iowa Planning and Development Commission Intermodule Surface Transportation Efficiency (SAFTEA-LU) Committee for the year 2017. Motion carried

Motion by Swanson, seconded by Anderson that the Chairperson be authorized to sign all Farm to Market road vouchers for the year 2017, and the County Engineer be authorized to act in all Farm to Market road projects subject to the approval of the Clay County Board of Supervisors. Motion carried.

Motion by Anderson, seconded by Skow that pursuant to Section 321.471 of the Code of Iowa, that paved and gravel portions of the Clay County secondary roads system be placed under a local embargo to become effective when appropriate signs are erected by the County Engineer. The local limitation imposed by the embargo shall be 4, 6, or 8 ton gross load to be applied as conditions warrant. Also, to authorize the County Engineer to temporarily close any Clay County secondary roads for emergency reasons as determined by the engineer for the year 2017. Motion carried.

Motion by Anderson, seconded by Swanson to appoint Supervisor Skow to serve on 3<sup>rd</sup> Judicial District Department of Correctional Services for 2017. Motion carried

Motion by Skow, seconded by Anderson to re-appoint the following list of Clay County residents, by category, to serve on the Commission to Assess Damages pursuant to Section 6B.4 of the *Iowa Code* for the year 2017.

**FARMERS**

Gary Jackson	2780 340 <sup>th</sup> Street	Dickens, IA 51333
Cynthia J. Kress	4830 270 <sup>th</sup> Ave	Webb, IA 51366
John Olson	2150 460 <sup>th</sup> Street	Sioux Rapids, IA 50585
Javotte McCarty	1760 440 <sup>th</sup> Street	Linn Grove, IA 51033
Frank Parks	3 Grandview Blvd	Spencer, IA 51301
John Goeken	1445 350 <sup>th</sup> St	Everly, IA 51338
Jack D Sylvester	4800 Sylvester Road	Webb, IA 51366

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**CITY OWNERS**

Robert Alderman	912 W 11 <sup>th</sup> Street	Spencer, IA 51301
Kathy Anderson	102 5 <sup>th</sup> Ave SW	Fostoria, IA 51340
Jon Bang	110 2nd Street	Peterson, IA 51047
Robert Becker	204 N Washington St-Box 382	Everly, IA 51338
Pam Virelli	203 King Ave	Royal, IA 51357
Jan Yungbluth	120 Willow Lane	Rossie, IA 51357
Clark Marshall	1102 St Luke Drive	Spencer, IA 51301

**REAL ESTATE BROKERS**

John Cotton	2075 355 <sup>th</sup> Street	Spencer, IA 51301
Vance Frommie	1021 N Grand-PO Box 961	Spencer, IA 51301
John Goede	700 3 <sup>rd</sup> Ave SE	Spencer, IA 51301
Norma Haack	722 4 <sup>th</sup> Ave East	Spencer, IA 51301
Richard Hallett	Highlands-1211 St Lukes Drive	Spencer, IA 51301
Jon Hjelm	PO Box 833	Spencer, IA 51301
Dave Jacobsen	1217 18 <sup>th</sup> Ave W	Spencer, IA 51301
Kyle Norris	1205 W 9 <sup>th</sup> Street	Spencer, IA 51301

**OTHER**

Jo Ann Anderson	105 Ash Street	Peterson, IA 51047
Bryan Bailey	3580 130 <sup>th</sup> Ave	Everly, IA 51338
Kenneth Essick	302 W Main Street	Webb, IA 51366
Eldon Goff	1310 W 9 <sup>th</sup> Street	Spencer, IA 51301
Dennis Johnke	401 Long Street	Royal, IA 51357
Melissa Loving	4975 260 <sup>th</sup> Ave	Webb, IA 51366
Shirley Nalley	101 W 10 <sup>th</sup> Street	Spencer, IA 51301

Motion by Swanson, seconded by Skow to appoint Supervisor Anderson as the Clay County Board alternate to the Executive Board of the Iowa Lakes Resource conservation and Development (RC & D) Board and appoint Clay County Conservationist Daniel Heissel as the At-Large Alternate and the voting member on the Iowa Lakes RC & D Executive Board for the Year 2017. Motion carried.

Motion by Anderson, seconded by Skow to appoint five (5) persons to the Pioneer Cemetery Commission pursuant to Iowa Code Chapters 566 and 566A for the following terms. Their successors shall be appointed for a term of three years and all appointments to fill vacancies shall be for the unexpired term.

John D. Sheridan	4560 230 <sup>th</sup> Ave, Greenville, IA 51343	expiring December 31, 2017;
Darrell R. Frerichs	3325 340 <sup>th</sup> Ave, Ruthven, IA 51358	expiring December 31, 2017;
Ken L. Chalstrom	2750 470 <sup>th</sup> St., Webb, IA 51366	expiring December 31, 2018;
Joel F. Roos	325 W. 1 <sup>st</sup> , Spencer, IA 51301	expiring December 31, 2018;
Brian V. Carlson	1660 480 <sup>th</sup> St., Linn Grove, IA 51033	expiring December 31, 2019;

Motion carried.

Chairperson Matthews recessed the Board meeting to be reconvened at 2:00 p.m. after the attendance of the funeral for Supervisor Linda K. Swanson.

***2:00 p.m. Public Hearing for Amendment to Jake Brake Ordinance to add 2new locations.***

The time having arrived for the first hearing and reading on the proposed Amendment to the Clay County Ordinance for Prohibiting the Unlawful Use of Engine and Compression Brakes. The purpose of this ordinance is to prohibit the excessive, loud, unusual or explosive use of engine and compressed air-braking devices within designated areas in Clay County. The purpose of this amendment is to include two additional designated areas in Clay County. They are: 365<sup>th</sup> Street between M38 & Hwy 71 to city limits of City of Spencer & 200<sup>th</sup> Avenue from 365<sup>th</sup> Street North to B24.

The Board determined that proper notice of the public hearing was accomplished and finding there to be no oral or written objections the Chairperson opened the hearing to oral comments and discussion of the proposed ordinance. After discussion by Board members, it was moved by Supervisor Anderson, seconded by Supervisor Skow to close the hearing, place the proposed ordinance on file and read it for the first time.

The Amendment to the Clay County Ordinance Prohibiting the Unlawful Use of Engine and Compression Brakes was read and voted upon by the Board of Supervisors for the first time, and it passed by a vote of the majority of the Board of Supervisors. The second reading of the Ordinance Amendment will be on January 17, 2017 at 9:30 a.m. in the Clay County Board of Supervisors room at the Administration Building. Those voting for passage: Ayes: Anderson, Matthews, Skow and Randy Swanson. Nays: None. Abstentions: None.

No Board action taken to accept and authorize the Chairperson to sign the Employee Payroll Request from Conservation Department for Brianne Hanson for full time permanent employment per hour, starting January 4, 2017 as the new County Naturalist.

Motion by Anderson, seconded by Skow to accept and authorize the Chairperson to sign the Employee Payroll Request from the Secondary Roads Department for Mike Heuck for a change in hourly wages to \$21.83 effective January 1, 2017. The change is due to completion of six months probationary period. Motion carried

Motion by Swanson, seconded by Anderson to accept and authorize the Chairperson to sign the Employee Payroll Request from the Secondary Roads Department for Chad Huckfelt as a new full time employee at an hourly rate of \$20.83 effective January 4, 2017. Motion carried

Motion by Skow, seconded by Anderson to accept and authorize the Chairperson to sign the Employee Payroll Request from the Sheriff's Department for Bradley Hawley, for a change in hourly wage to \$28.80 effective January 2, 2017. Change is due to rank change from chief deputy to sergeant. Motion carried

Motion by Anderson, seconded by Skow to accept the recommendation from the County Auditor, Marjorie Pitts to appoint Spencer City Clerk as filing officer for March 7, 2017 Special Spencer Ward 4 Election. These responsibilities include distributing nomination papers and candidate guides,

receiving, reviewing, and accepting or rejecting nomination papers during the candidate filing period. Motion carried

Motion by Anderson, seconded by Skow to accept and authorize Marjorie A. Pitts, County Auditor to sign the lease agreement with Advanced Systems, Inc., 2945 Airport Blvd, Waterloo, IA 50704 for a Canon IR C25if copier with serial number QNR12125 for the Veteran Affairs Office. The term of the agreement is 63 months at \$96.64 per month and includes 1000 black & white copies per month with overages billed monthly at \$0.0140 per black & white page. Motion carried

Motion by Swanson, seconded by Skow to accept and authorize Supervisor Barry Anderson and Auditor Marjorie Pitts to sign the Drainage District #108 Open Ditch Improvement contract with Hagedorn Excavating, Inc. entered into on September 13, 2016. Motion carried

Motion by Skow, seconded by Anderson to accept and authorize the Chairperson to sign the Pay Request No. 1 for completion of the work to date on the Drainage District No. 108 Open Ditch Improvement Project No P11.108759 in the amount of \$23,887.80 payable to Hagedorn Excavating, Inc., 315 Main St., Royal, IA. Motion carried.

The Chairperson adjourned the meeting at 2:04 p.m. to convene at the next Auditor's called meeting January 13, 2017 at 8:30 a.m.

/s/Marjorie A. Pitts, County Auditor

/s/Burlin Matthews, Chairperson