

Clay County Board of Supervisors Minutes from Meeting #11 held on March 28, 2017

The Clay County Board of Supervisors met pursuant to adjournment March 28, 2017 at 8:30 a.m. in the boardroom with Chairperson Matthews presiding and with the following other members present: Supervisors Anderson, Matthews, Skelton, Skow, Swanson, Assistant County Attorney Barry Sackett, and Auditor Marjorie Pitts as clerk for the meeting. Chairperson Matthews 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, Skelton, Skow and Swanson. Nays: None. Abstentions: None.

Motion by Skow, seconded by Swanson that the Board meeting agenda for March 28, 2017 be received and placed on file with the County Auditor as approved with the amendment to set the hearing date and time for the Sampson Site Master Matrix hearing. Motion carried.

Motion by Skelton, seconded by Anderson that the minutes of the Board Meeting #10 held March 14, 2017 are hereby approved as submitted. Motion carried.

Motion by Anderson, 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 March 28, 2017. Ayes: Anderson, Matthews, Skelton, Skow and Swanson. Nays: None. Abstentions: None. Resolution adopted.

Publication List by Vendor

Doug Abel	Safety	80.00
Advanced Systems	Copier Contract	862.33
Advanced Systems	Copier Contract	627.41
AIA Corporation	Uniforms	126.27
Airgas USA	Grounds Maintenance	26.48
Alliant Energy	Utilities	372.41
Allied-Manatts Group	Roads	19071.36
Alpha Wireless	Radio Repair	236.20
American Legion Post	Allocation	1200.00
Arts on Grand	Allocation	2000.00
Aurelia Lumber Company	Construction	67872.47
Avery Outdoor	Advertising	1000.00
Ayrshire Farmers Mutual	Telephone	31.10
Black Hills Energy	Utilities	178.00
Blackhawk Sprinklers	Buildings	301.00
Bomgaars	Buildings	442.74
Carpenter Uniform	Uniforms	473.21
CenturyLink	Telephone	467.64
Christians Sheet	Buildings	45.00
Cintas Corp	Safety	154.32
City of Spencer	Contract Carriers	7502.00
Clay Co Emerg Mgt Agency	Allocation	8752.08
Clay County Fair Assn	Allocation	6574.27
Audrey Coffman	Flex	378.85
Coffman's Locksmith	Buildings	255.00
Compass Pointe	Allocation	4128.75
Copper Cottage	Buildings	770.00

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CoZO	Education	100.00
Daily Reporter	Publication	117.50
Matthew Dehrkoop	Safety	80.00
Diamond Vogel	Parts	28.92
Dickinson County	Employee Travel Expenses	3373.51
Dickinson County Sheriff	Sheriff Fees	15.00
District III Co Treas	Educational	18.00
Don Pierson Ford	Parts	209.01
Elderbridge	Allocation	2794.08
Electrical Engineering	Buildings	787.20
FASTENAL	Buildings	225.04
Fire Proof Plus	Buildings	324.50
Foundation Analytical Lab	Safety	555.00
Frank Dunn Company	Cover Aggregate/Sand/Mate	789.00
Galen's Pro-Mow	Parts	108.22
Galls an Aramark Company	Uniforms	255.96
H & N Chevrolet Buick	Parts	964.00
Daniel Heissel	Educational	30.00
Hoffman Filter Service	Parts	75.00
Holiday Inn	Employee Travel Expenses	215.04
Hy-Vee	Food & Provisions	110.64
IA County Recorders Assn	Education	100.00
Iowa Lakes Community College	Buildings	105.00
IA Lakes Electric Coop	Utilities	317.49
IA Lakes Regional Water	Water & Sewer	56.87
IA Law Enforcement Academy	Education	835.00
IA State Auditor	Audit Fees	625.00
ICAP	Equipment Insurance	5000.00
Imperial Scott Specialties	Office Supplies	152.34
Innovative Rescue Solutions	Safety	236.75
Inukshuk Technologies	Data Processing Serv.	2136.75
IOWWA	Education	100.00
ISACA	Dues & Memberships	225.00
J & J Building Contractor	Buildings	8296.35
J&T Rentals	Buildings - Rental	1500.00
Jack's Uniforms & Equipment	Uniforms	511.05
Janitors Closet	Custodial Supplies	748.40
James Joenks	Safety	50.00
Johnston Automotive	Parts	110.93
Knight Protection,	Buildings	75.00
Kristi Kuester	Flex	64.57
John Lawson	Employee Travel Expenses	643.49
L-3 Com Mobile Vision	Safety	1547.20
Kevin Maassen	Flex	98.70
Mail Services	Postage	527.71
Mar-Lin Business Supply	Office Supplies	293.58
Mastercard	Fuels	281.15
Matheson Tri-Gas	Grounds Maintenance	444.49
Burlin Matthews	Employee Travel Expenses	275.78
Menards	Custodial Supplies	619.52
Michael Todd	Grounds Maintenance	961.07
Midwest Fence & Gate Company	Buildings	354.87
Northwest Glass	Buildings	3296.00
NW IA Planning & Devlpmnt	Loan Fees	100.00
Office Systems Company	Office Supplies	358.73
Pakor	Office Supplies	250.38
Physicians Lab	Medical Services	1500.00
Pitney Bowes	Postage & Mailing	438.38

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Pitney Bowes	Postage & Mailing	5275.00
Positive Promotions	Office Supplies	116.45
Rage Inc	Custodial Supplies	136.50
Christopher Raveling	Protection/Security Serv.	30.00
Glenn Rouse	Flex	89.30
Safeguard Business Systems	Uniforms	258.00
Safety-Kleen Systems	Parts	534.65
Sanders	Cover Aggregate/Sand/Mate	10168.44
Darrel Santage	Flex	163.14
Schoeneman's Bros	Parts	420.92
Share Corp	Grounds Maintenance	336.22
Shield Technology Corp	E911 Software	4370.00
Solutions	Data Processing Equipment	652.48
Spencer Area Jobs Trust	Housing Trust	5000.00
Spencer Auto Parts	Safety	216.13
Spencer Hospital	Medical & Health Services	21593.67
Spencer Office Supplies	Office Equip & Furniture	1621.25
State Steel Supply	Parts	156.90
Randy Swanson	Employee Travel Expenses	38.58
Thrifty White Stores	Inmate Medical	18.77
Eric Tigges	Employee Travel Expenses	345.90
U S Postal Service	Postage & Mailing	1000.00
Upper DesMoines	Allocation	5375.00
UPS	Postage & Mailing	32.40
US Cellular	Telephone	98.06
U S Postmaster	Postage & Mailing	287.00
Verizon	Telephone	367.91
Vermeer Sales & Service	Hardware	111.86
VISA	Fuels	2570.41
Joan Waller	Flex	300.00
Walmart	Office Supplies	25.05
Jeffrey Wiemann	Flex	33.88
Winther Stave & Co	Audit Fees	1194.43
Grand Total		231280.36

Motion by Anderson, seconded by Skow to approve drainage expenditure from Drainage District Jt61 CD & E, dated March 23, 2017 totaling \$38,587.50 for open ditch clean out payable to Jacobson-Westergard, 105 South 6th Street, Estherville, IA 51334. County Auditor is instructed to send the billing to Dickinson County for payment after approval. Motion carried.

Motion by Skow, seconded by Anderson to adopt the following resolution: BE IT HEREBY RESOLVED by the Board of Supervisors to approve DRAINAGE expenditures and that the County Auditor be hereby authorized and directed to issue warrants, against the various settlement of such claims as allowed March 28, 2017. County Auditor is directed to issue stamped warrants from drainage districts which currently have insufficient funds.

Hudson Law Firm, PO Box 210, Pocahontas, IA 50574

DD #23	Teleconference	\$ 60.00	Stamped
Bolton & Menk Inc., 1960 Premier Drive, Mankato, Mn 56001			
DD#80	Survey/Study/Report	\$3,509.00	Stamped
DD#37	Survey/Study/Report	\$ 627.50	Stamped
DD #2	Construction Engineering Services	\$2,250.00	Stamped
DD#23	Construction Engr/Annex & Reclass	\$ 542.50	Stamped

Hagedorn Excavating, 315 Main Street, Royal, IA 51357

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DD#108 District Improvements (Materials) \$11,213.37 Stamped
 Total Claims \$18,220.37
 Ayes: Anderson, Matthews, Skelton, Skow and Swanson. Nays: None. Abstentions: None.
 Resolution adopted.

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

Compass Pointe	(Anderson)
CEO-IWD	(Anderson)
Communication Center	(Matthews / Skelton)
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/Skelton)
Grievance Committee	(Co. Attorney/Matthews)
Jobs Trust	(Swanson)
Local Emergency Planning Council (LEPC)	(Skelton)
NW IA Planning and Development	(Skow)
Regional Transit Authority	(Matthews)
Seasons Board & Advisory Board	(Matthews)
Spencer Industries Board	(Swanson)
Upper Des Moines Opportunity	(Skelton)
Youth Emergency Services YES-	(Anderson)
3 rd Judicial District Dept Correctional Services	(Skow)
Early Childhood (ECI)/DCAT Board	(Anderson)
Clay County Housing Trust Board	(Skelton/Matthews)
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)

Motion carried.

Motion by Swanson, seconded by Skelton to approve an upgraded services package from Iowa Negotiation & Consulting Services, LLC, 427 Crestview, Ottumwa, IA 52501 at a cost of \$400.00 per month. Additional services included are:

- Safety Manual-reformatted, rewrite, coordinate, adjustments
- Sheriff's Manual-format, rewrite, coordinate, adjustments
- Consulting-handbook, manuals, department heads
- Job Descriptions-review, update, rewrite
- Employment Practices-review, advise
- Human Resources consulting
- Union contract items conversion to the handbook
- Training session(s) on handbook, manuals, avoiding liabilities

During discussion the motion was tabled by Supervisors Swanson and Anderson to allow discussion to include Mr. Jack Reed from Iowa Negotiations & Consulting Services. Upon Reed's arrival, Supervisors Swanson and Anderson moved to untable the motion. During further discussion Iowa Negotiations & Consulting Services will provide a revised agreement at a future meeting. No Board action taken on the original motion.

Motion by Anderson, seconded by Skelton to approve and authorize the Chairperson to sign the North Raccoon River Watershed Management Coalition 28E Agreement. The purpose of this Agreement is to provide for the manner in which the parties shall cooperate with one another to successfully encourage, plan for, and implement watershed activities within the North Raccoon River watershed, including but not limited to the following activities authorized pursuant to Code of Iowa 466B.22.

- Assess the flood risks in the watershed.
- Assess and improve water quality in the watershed.
- Assess options for reducing flood risk and improving water quality in the watershed.
- Monitor federal flood risk planning and activities.
- Educate residents of the watershed regarding flood risks and water quality.
- Seek and allocate monies made available to the Coalition for the purposes of water quality and flood mitigation.
- Make and enter into contracts and agreements and execute all instruments necessary or incidental to the performance of the duties of the Coalition. The Coalition shall not have the power to acquire property by eminent domain. All interests in lands shall be held in the name of the Party wherein said lands are located.

Motion carried.

Motion by Anderson, seconded by Swanson to approve Fund Transfer #356 of \$5000.00 from LOSST-Any Lawful Use fund to the Quality Housing Initiative fund to cover two housing applications. Motion carried.

Motion by Skow, seconded by Swanson to accept and authorize the Chairperson to sign the Employee Payroll Request from the County Treasurer's department for Lucas R. Dupic for full time status at an hourly rate of \$14.50 per hour effective March 20, 2017. Dupic will not be eligible for the July 1, 2017 increase in wages, but would be on July 1, 2018 per approval of the Board with recommendation of the county treasurer. Motion carried.

Motion by Anderson, seconded by Skelton to accept and authorize the Chairperson to sign Employee Payroll Request from the Sheriff's Office for Eric M. Ring for full time status as a deputy at an hour rate of \$28.32 effective March 29, 2017. Ring will not be eligible for the July 1, 2017 increase in wages, but would be on July 1, 2018 per approval of the Board with recommendation of the county sheriff. Motion carried.

Motion by Anderson, seconded by Swanson to accept and authorize the Chairperson to sign Employee Payroll Request from the Sheriff's Office for Lucille Faulkner for Temporary/Seasonal status to work as needed at an hourly rate of \$16.00 effective April 1, 2017. Motion carried.

Motion by Skow, seconded by Swanson accept and authorize chairperson to sign the Employee Payroll Request form for Brad Day from the Secondary Roads Department for a change in hourly wages to \$21.83 per hour effective March 24, 2017. Change per Union Contract. Motion carried.

Motion by Skelton, seconded by Anderson to approve the Employee Payroll Request by the Secondary Roads department to hire Clayton Henrichsen, Robert Schoorman, and Monte Newgard at temporary full time status effective May 1 or May 15, 2017 for the hourly rate of \$15.76 as seasonal mower operators. Motion carried.

Motion by Anderson, seconded by Skow to authorize the Chairperson to sign the 2017 County Government Month Proclamation to be celebrated in April 2017. Each year since 1991, the National Association of Counties has encouraged counties across the country to actively promote programs and services to the public we serve that provide essential services to create healthy, safe, vibrant and economically resilient communities. This year's theme is Brilliant Ideas at Work. Motion carried.

Motion by Skelton, seconded by Swanson to approve an application, as recommended by the County Assessor, for the Disabled Veteran Homestead Tax Credit for 2016 pursuant to Iowa Code Chapters 425.15 and 35.1. Motion carried.

9:00 a.m. Drainage District #2 Meeting

The Chairperson recessed the regular board meeting at 9:11 a.m. to convene as trustees for Drainage District #2.

The Clay County Board of Supervisors convened as Trustees of Drainage District #2 at 9:11 a.m.

Motion by Anderson, seconded by Skow to appoint Supervisors Matthews as Chair and Clay County Auditor, Marjorie Pitts as Secretary for this meeting. Motion carried.

Motion by Skow, seconded by Anderson to accept the Drainage District #2 Engineer's Report for Annexation prepared by Bolton & Menk, Inc. The Engineer recommends the annexation of benefited lands not now included in Drainage District #2. The annexation area contains two separate drainage districts. Drainage District #114 covers approximately 200 acres in Sections 26, 35, and 36 of Waterford Twp and Drainage District #2 Sub 1 lies along the west edge of the DD 2 watershed in Sections 28, 33 and 34 of Waterford Twp. Motion carried.

Motion by Swanson, seconded by Anderson to set the public hearing date and time to approve the Drainage District #2 Annexation schedule to be May 9, 2017 at 9:00 a.m. and direct the County Auditor to send written notice of the hearing and annexation schedule to each property owner effected by the annexation report not less than twenty (20) days before the hearing date. Motion carried.

Motion by Skow, seconded by Swanson to accept the Classification Commission Report of Drainage District #2 submitted by the duly appointed commissioners of Bernie Campbell, David Simington, landowners in Clay County, and Jonathan Rosengren, engineer. The reclassified lands are within the boundaries of Drainage District #2. Motion carried.

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Motion by Anderson, seconded by Skelton to set the public hearing date and time to approve the Drainage District #2 Classification Report to be May 9, 2017 at 9:45 a.m. and direct the County Auditor to send written notice of the hearing and classification schedule to each property owner effected by the classification report not less than twenty (20) days before the hearing date. Motion carried.

Motion by Swanson, seconded by Skow to adjourn the drainage meeting at 9:19 a.m. Motion carried.

The Chairperson reconvened the regular board meeting at 9:19 a.m.

9:30 a.m. Dave Gunnerson – College Apartments, Inc. regarding Fiscal Year 2017 Taxes

Motion by Anderson, seconded by Skelton to approve Certificate of Adjustment #2277 on receipt #12273 for College Apartments Inc. on a property located at Lots 1-2-3 Kirchner's 1st, Peterson, IA for fiscal year 2015/2016 and payable 2016/2017. Adjustment made necessary due to the request by the owner to reinstate the 2015 exemption status since the property was actually refinanced and not paid off. Total to deduct \$1,990.00. Motion carried.

County Treasurer Sandra Geidl's appointment with the Board cancelled due to illness.

10:00 a.m.: County Assessor John Lawson spoke with the Board regarding property valuations. Lawson has been requested to give a presentation at the next Spencer City Council meeting so took this opportunity to give the same presentation to the Board of Supervisors.

10:30 a.m. Construction Permit Hearing for Grey Owl Farms in Section 36 of Peterson Township Clay County, Iowa This being the time and place for the public hearing for one new confinement feeding operation in Clay County submitted by Grey Owl Farms1, LLC, 824 Brooks Road, Iowa Falls, IA 50126 in Section 36, Peterson Township, Clay County, Iowa. The Board determined that notice of the public hearing was published in the Spencer Daily Reporter pursuant to the Iowa Code. Sanitarian McKeever has notified, by letter, the landowners within one mile of the application location. After County Sanitarian Angie Lawson reviewed with the Board the Master Matrix scoring questions, the Board asked for comments of the attending audience. After discussion the public hearing was closed by the Chairperson at 10:34 a.m.

It was moved by Supervisor Anderson, seconded by Supervisor Swanson to adopt the following resolution with the continence of a favorable report from the Iowa DNR site inspection:

RESOLUTION NO. #2017 - 13

Recommending approval of the New Confinement Feeding Operations Application to the Iowa Dept. of Natural Resources.

WHEREAS, the Clay County Board of Supervisors has adopted the Master Matrix for the purpose of scoring CAFO construction applications to provide an opportunity for local input, and

WHEREAS, a construction application for a new Confinement Feeding Operations by Grey Owl Farms I, LLC; and

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WHEREAS, the Clay County Environmental Health Director, has reviewed the application using the Master Matrix, finding a score of 445 points, and has verified all of the elements of the application for accuracy; and

WHEREAS, the minimum score set by the DNR is 440 points.

WHEREAS, the Board of Supervisors published a notice of public hearing in the Daily Reporter as required, and, held said public hearing in the Public Meeting Room at the Clay County Administration Building on March 28, 2017 for the purpose of receiving public comment; and

WHEREAS, the Board of Supervisors, has assembled their comments and those of the public for submission to the DNR;

NOW THEREFORE BE IT RESOLVED that the Clay County Board of Supervisors hereby recommends approval of the construction application of Grey Owl Farms I, LLC.

The above and foregoing resolution was adopted by the Board of Supervisors of Clay County, Iowa, this 28th day of March, 2017 and the vote thereon being as follows:

Ayes: Anderson, Matthews, Skelton, Skow and Swanson.

Nays: None.

Abstentions: None.

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

/s/Burlin H. Matthews, Chairperson
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Motion by Skelton, seconded by Anderson to set the date and time of April 11, 2017 at 9:30 a.m. at the Clay County Administration Building board room for the public hearing of the DNR Construction Permit Application to build a new confinement building for Sampson Site, 914 w 15th St., Carroll, IA 50126 located in NENE Section 16 Douglas Township, Clay County, Iowa. Motion carried.

11:00 a.m. Dan Eckhert - County Engineer - Dept Update

Motion by Anderson, seconded by Swanson to approve FY2017-2018 Clay County Secondary Roads Budget. Motion carried.

Motion by Skow, seconded by Skelton to approve the Clay County 2018 5-Year Construction Program. Motion carried.

Engineer Dan Eckhert informed the Board that the IDOT will be doing bridge work on HWY 71 south of Spencer in late April that will cause the highway closing and there will also be a detour in Royal for nearly five miles for road repair.

Assistant County Attorney Barry Sackett gave the Board a departmental update from the civil division of the County Attorney's office.

Supervisors discussed and shared information from committees and boards they have attended since their last regular board meeting. Supervisor Anderson reported on the Compass Pointe

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Leadership meeting and the YES Center Board meeting. Supervisor Swanson updated the Board on the Clay County Visitor's Bureau Board meeting and the Jobs Trust Board meeting. Supervisor Skelton reported on the Local Housing Trust Board meeting and the Upper Des Moines Opportunity orientation meeting. Supervisor Matthews updated on the Pioneer Cemetery Board meeting, the RIDES Board meeting, and the Season's Board meeting. Supervisor Skow had not report.

The Chairperson adjourned the meeting at 12:21 p.m. to convene at the next Auditor's called meeting April 11, 2017 at 8:30 a.m.

/s/Marjorie A. Pitts, County Auditor

/s/Burlin H. Matthews, Chairperson