

Clay County Board of Supervisors Minutes from Meeting 13 held on April 11, 2017

The Clay County Board of Supervisors met pursuant to adjournment April 11, 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, 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, and Skow. Nays: None. Abstentions: None.

Motion by Skow, seconded by Skelton that the Board meeting agenda for April 11, 2017 be received and placed on file with the County Auditor as approved. Motion carried.

Motion by Anderson, seconded by Skow that the minutes of the Board Meeting #11 held March 28, 2017 and Board Meeting #12 held April 5, 2017 are hereby approved as submitted. Motion carried.

Motion by Anderson, seconded by Skow 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 April 11, 2017. Ayes: Anderson, Matthews, Skelton, and Skow. Nays: None. Abstentions: None. Resolution adopted.

Publication List by Vendor

A & M Laundry	Parts	170.92
A-1 Portables	services	66.00
Advanced Systems	Copier charges	320.26
Advanced Systems	Copier charges	310.89
Alliant Energy	Other	750.42
Alpha Wireless Comm	Radio service	40.45
Arnold Motor Supply	Parts	145.98
Black Hills Energy/Assistance	Utilities Payments	35.97
Black Hills Energy	Natural & Lp Gas	2493.73
Blackhawk Sprinklers	Buildings	8310.00
Bomgaars	Custodial Supplies	1357.14
Boyer Trucks	Parts	1125.49
Bud's Service	Lubricants	721.77
Buena Vista Co Sheriff	service	101.74
Cannon Moss Brygger & Arch	Buildings	1099.99
Canon Fin Services	copier charges	163.71
Centec Cast Metal Products	Grave Markers	877.33
Center Cleaners	sewing patches	16.00
CenturyLink	Telephone	13.58
Christians Sheet Mtl	service	1066.18
City of Everly	Natural & Lp Gas	363.38
City of Sioux City	Hazmat plan	7015.48
City of Spencer	Com Center	20837.98
City of Webb	utilities	89.84
Clay Co Sec Road Fund	Fuels	594.17
Cooperative Energy	Natural & Lp Gas	15007.03
Creative Stitches	stitching	7.50
CTS Language Link	interpreter	49.84
Daily Reporter	Publications	2244.70
Dave's Sand & Gravel	Construction	475.88
Debra M Mc Keever	Depositions	79.50
Dickinson County	Expenses	3554.45

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Dickinson County Sheriff	Services	19.00
Don Pierson Ford	service	129.18
Everttek	Telephone	245.82
Fareway Stores	Food	41.20
FASTENAL	Buildings	112.69
Filter Care	Filters	92.80
Fire Proof Plus	Buildings	120.00
FleetPride	Parts	202.30
Galen's Pro-Mow	Parts	89.07
Galls	Uniforms	40.00
Sandra Geidl	Office Supplies	10.92
Shirley Goyette	Expenses	17.50
GRACESOFT	Data Processing Serv.	297.00
Graham Tire Co	Tires & Tubes	30.00
H & N Chevrolet Buick	service	444.00
Brianne Hanson	Recreational Supplies	36.92
Henry M Adkins & Son	election expense	4616.91
Holiday Inn	Employee Expenses	203.84
IA County Atty's	Dues & Memberships	520.00
IA Dept Natural Resources	Permits	200.00
IA Division of Labor Services	Permits	240.00
Iowa Lakes Community College	Rental	3373.07
IA Lakes Regional Water	Water	482.33
IA Natural Heritage Fndation	Dues & Memberships	300.00
IA Negotiation Services	Handbook work	475.00
IEMSA	Dues & Memberships	100.00
Iowa Transit	Engineering Supplies	768.00
ISAC	Educational	250.00
ISCTA Clayton County	Educational	130.00
Isonova Technology	Safety	529.66
J&T Rentals	Rent Payments	200.00
Jack's Uniforms & Equipment	Uniforms	228.34
Janitors Closet	Custodial Supplies	428.20
Jennifer A Jensen	cabin cleaning	515.00
Johnston Automotive	Parts	546.71
Kardell Leasing Company	Parts	134.88
Kirkham Michael & Assoc	Engineering Services/Cont	11850.27
Alison K Kutzbach	Expenses	13.89
Angela M Lawson	Postage	6.59
Sheryl K Lee	registration	30.00
Lexis Nexis	Law Library	823.26
Linn County Public Health	misc	150.00
Kevin D Maassen	registration	15.00
Mar-Lin Business Supply	Office Supplies	149.86
Marco, Inc	copier charges	135.44
Marcus News	Publications	753.65
Matheson Tri-Gas	Parts	405.46
McCreary's Creative Catering	Employee aprr breakfast	680.00
McDonald Supply	Buildings	29.53
Menards	Buildings	1351.27
Mike Wolthuis	Rent Payments	260.00
Minnehaha County Sheriff	Services	54.00
Nat'l Public Safety Info Burea	membership	149.00
Nielsens Tire & Appliance	Tires & Tubes	3571.07
Nobles County Sheriff	Services	65.00
North Central Int'l	Parts	247.36
Noteboom Implement	Misc	1500.00
NW IA Youth Emergency Serv Ctr	Charges	888.50
Office Systems Company	Office Supplies	4011.00

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Robin Patrick	Educational	82.50
Tara Patrick	Educational	82.50
Performance Car & Truck Acc	Parts	217.79
Pitney Bowes	postage maching	417.39
Premier Communications	Telephone	65.71
Rage Inc	Custodial Supplies	85.52
Remillard Custom Wood and Cust	Signs	1160.00
Ricoh USA	Printer service	180.78
Sanders Inc	Cover Aggregate/Sand/Mate	3470.10
Darrel Santage	Employee Expenses	86.40
Kathryn Schwarting	Employee Expenses	37.23
Michael Skonhovd	Registration	15.00
Solutions	Data Processing	1577.19
Speed Printers	Office Supplies	272.50
Spencer Auto Parts	Parts	4758.78
Spencer Family Care/Avera Aver	Services	271.00
Spencer Hospital	Services	4302.82
SMU	Utilities	13766.33
Spencer Office Supplies	Office Supplies	833.40
Spencer Red Power	Lubricants	89.58
Staples	Office Supplies	142.50
Taser International	Equipment	1468.02
Terril Telephone Coop	Telephone	9.44
Thrifty White Stores	Inmate medications	1316.25
Titan Machinery	Parts	126.91
Town & Country	garbage	234.50
Unified Contracting Srv	Buildings	612.50
UPS	shipping	24.40
US Cellular	Telephone	1264.53
Vander Haag's	Parts	22619.77
Verizon	Telephone	162.69
Wahltek, Inc	Hardware	85.00
Windstream	Telephone	41.69
Youth Shelter Care/No Cent Ia	Legal & Ct-Related Serv.	1295.80
Grand Total		173994.31

Motion by Anderson, seconded by Skelton 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 April 11, 2017. The County Auditor is directed to issue stamped warrants from drainage districts which currently have insufficient funds. Ayes: Anderson, Matthews, Skow, Skelton. Nays: None. Abstentions: None.

Bolton & Menk, Inc., 1960 Premier Drive, Mankato, MN 56001			
Drainage District #23	Construction Engineering	\$1,497.00	Stamped
Drainage District #26	Annex & Reclass Srvs	\$1,055.00	Stamped
Drainage District #2	Annex & Reclass Srvs	\$2,287.50	Stamped
Drainage District #37	Survey/Study & Report	<u>\$9,893.00</u>	Stamped
Total Drainage		\$14,732.50	

Resolution adopted.

It was moved by Skow, seconded by Skelton, to adopt the following resolution:

RESOLUTION NO. #2017-14

Clay County Board of Supervisors

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Appoint County Deputy for Sheriff

BE IT RESOLVED, that Eric Ring be appointed deputy for the County Sheriff effective March 28, 2017.

The above and foregoing resolution was adopted by the Board of Supervisors of Clay County, Iowa, this 11th day of April, 2017 and the vote thereon being as follows:

Ayes: Anderson, Matthews, Skow, Skelton. Nays: None. Abstentions: None.

/s/Burlin H. Matthews, Chairperson, Clay County Board of Supervisors

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

Motion by Skelton, seconded by Skow to accept County Auditor's Report of Fees Collected for quarter ending March 31 totaling \$527.00 with detail on file at the County auditor's office. Motion carried.

Motion by Skow, seconded by Anderson to accept the March 31, 2017 Sheriff's Quarterly Report of Fees collected in the amount of \$48,829.97 with detail found in the County Auditor's office. Motion carried.

Motion by Anderson, seconded by Skelton to accept the March 31, 2017 Sheriff's Quarterly Commissary Account Report with December 30, 2016 beginning account balance of \$6,148.61; total deposits of \$9,232.90; total disbursements of \$9,828.44 and ending bank balance of \$5,553.07. Full account detail on file in the County Auditor's office. Motion carried.

Motion by Skow, seconded by Skelton to accept County Recorder's Report of Fees Collected for period ending March 31, 2017 totaling \$33,268.80 with detail on file at the auditor's office. Motion carried.

Motion by Skelton, seconded by Anderson to approve the Clay County Clerk's Report of Fees Collected for the quarter ending March 31, 2017 totaling \$26,225.84 for surcharge, county ordinance fines, court cost and reimbursement of sheriff fees, depositions, filing fees, and blood test. Detail on file at the auditor's office. Motion carried.

Motion by Anderson, seconded by Skelton to approve and authorize the County Attorney, Kristi Kuester to sign Pitney Bowes Digital Mailing System agreement for a DM125 Digital Mailing System with an initial term of 60 months at \$50.78 per month. Motion carried.

Motion by Skelton, seconded by Skow to approve a request for a Clay County Community Services employee to take over the duties associated with NW IA Care Connections Regional cost recovery service. Because of other duties assigned to the current part-time regional employee handling Cost Recovery, it is proposed to engage a current Clay County Community Services employee with experience in collections and time available, to maintain the regional cost recovery program. Motion carried.

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9:00 a.m. FY2017 Budget Amendment Hearing

This being the time and place for the hearing on amending the current 2017 fiscal year budget and the Board finding that the proper notice had been given for the hearing and that there are neither written or oral objections, it is therefore, moved by Supervisor Skow, seconded by Supervisor Anderson to adopt the amendment to the 2017 fiscal year budget in the following expenditure service areas for the following amounts: Public Safety & Legal Services increased \$23,591. Physical Health & Social Services increased by \$3,665. County Environment & Education increased by \$81,948. Roads and Transportation increased by \$430,000. Government Services to Residents increased by \$36,768. Administration increased \$139,057. Non-program current increased \$438,979 and Capital Projects increased by \$2,027,154. The total expenditure amendment is \$3,213,304.

Revenue Accounts increased by \$440,155. Licenses & Permits increased by \$9,120. Charges for Services increased by \$8,973. Use of Money & Property increased by \$11,143. Miscellaneous increased by \$106,272. The total revenue amendment is \$802,148. Excess of Revenues (under) Expenditures= (\$2,411,156.) The roll call being called, the following named Supervisors voted: Ayes: Anderson, Matthews, Skelton, Skow. Nays: None. Abstentions: None. Motion carried.

9:30 a.m. Public Hearing for Construction Permit on Sampson Site in Section 16 of Douglas Twp This being the time and place for the public hearing on the construction permit to convert from existing swine sow site to swine nursey site and increase animal number only, with no new construction at existing confinement feeding operation in Section 16 of Douglas Township, Clay County submitted by Sampson Farms, LLC. The Board determined that notice of the public hearing was published in the Spencer Daily Reporter pursuant to the Iowa Code. Assistant Sanitarian Angie Lawson has notified, by letter, the landowners within one mile of the application location. The Board asked for comments of the attending audience. After discussion the public hearing was closed by the Chairperson at 9:48 a.m.

It was moved by Supervisor Anderson, seconded by Supervisor Skow to recommend approval of the conversion of the Sampson Site into a swine nursey and increase the animal number only in Section 16 of Douglas Township, Clay County, IA. Motion carried.

10:00 a.m. County Treasurer Sandra Geidl introduced the newest employee Lucas Dupic to the Board and gave the Board an update on the Driver's License Station progress and staff training.

Motion by Anderson, seconded by Skow to request the termination of the Kiosk Agreement with the Department of Transportation and authorize the Chairperson to sign the letter requesting its removal pursuant to the Kiosk Agreement process. Motion carried.

The Chairperson recessed the regular board meeting at 10:08 a.m. to convene as Trustee's for Joint Drainage District #61 Branch #61 Open Main.

Joint Drainage District #61 Branch #61 Meeting

The Clay County Board of Supervisors met as Trustees of Joint Drainage District #61, Branch #61 Open Main at 10:08 a.m. on April 11, 2017. Members present: Anderson, Matthews, Skelton, Skow.

Motion by Skow, seconded by Skelton to appoint Supervisor Matthews as chairperson and Marjorie Pitts, Clay County Auditor as Secretary for this meeting. Motion carried.

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Motion by Anderson, seconded by Skow to accept the Preliminary Engineering Report submitted by Richard A. Hopper of Jacobson-Westergard & Associates, Inc. 105 South 6th Street, Estherville, IA 51334 for Joint Drainage District #61 Branch #61 Open Main. Motion carried.

Public hearing for the project will be set at a later date that has been agreed upon by Dickinson, Clay and Emmet Counties.

The Chairperson adjourned the Joint Drainage District #61 Branch #61 Open Main meeting at 10:11 a.m.

The Board reconvened the regular board meeting at 10:11 a.m.

Motion by Skelton, seconded by Anderson to accept the Underground Construction permit for River Valley Telecommunications Coop to place fiber optic cable in Clay County Secondary Roads ROW Section 2, Logan TWP. Motion carried.

Motion by Anderson, seconded by Skow to accept Underground Construction permit for River Valley Telecommunications Coop to place fiber optic cable in Clay County Secondary Roads ROW Section 23, 26 & 27, Freeman TWP. Motion carried.

Motion by Skelton, seconded by Skow to approve change order #1 in the amount of \$12,550.68 for the Clay County Maintenance Building. Making the new contract price \$236,980.68 and authorize the Chairperson to sign the change order form. Motion carried.

10:20 a.m. The Board met with Tom Goeken and nearly twenty (20) other concerned residents related to the construction of wind turbines in Clay County. The damage to wildlife habitat, the interruption of solitude and serenity, and the current Clay County zoning setback regulations were topics discussed. Assistant County Attorney Sackett is actively comparing the zoning ordinances of neighboring counties with Clay County requirements. The Coalition for Rural Property Rights was represented by Janice Swanson during the meeting and shared information regarding current national changes in setbacks regarding wind turbines.

10:45 a.m. Eric Tigges – County EMA Coordinator

Motion by Skelton, seconded by Anderson to approve the Third Amendment to the Agreement for the Provision of Hazardous Materials Response Services between the City of Sioux City, Iowa and Clay County. The agreement spells out the response charges and training. It shall go into effect upon signing with an ending date of June 30, 2027. Motion carried.

It was moved by Anderson, seconded by Skow, to adopt the following resolution:

RESOLUTION NO. #2017-15

A RESOLUTION OF THE CLAY COUNTY BOARD OF SUPERVISORS TO REQUEST THE ASSISTANCE OF THE STAFF OF THE NORTHWEST IOWA PLANNING AND DEVELOPMENT COMMISSION.

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WHEREAS, Clay County has agreed to the intergovernmental Cooperation Agreement creating the Northwest Iowa Planning and Development Commission (hereinafter called the Planning Agency) and is a member in good standing; and

WHEREAS, the county wishes to engage the Planning Agency to provide certain technical and professional services in connection with....

Development of a Multi-Jurisdictional Hazard Mitigation Plan.

WHEREAS, Article III.E of the Intergovernmental Cooperation Agreement gives the Planning Agency the responsibilities outlined in Chapters 28H and 28I, Code of Iowa;

NOW THEREFORE, it is hereby resolved by the Clay County Board of Supervisors that the Planning Agency be requested to provide staff assistance in the above-mentioned project; and

THAT, the Board of Supervisors understands and will comply with Policy Council guidelines regarding the assessments of costs of the Planning Agency staff assistance.

The above and foregoing resolution was adopted by the Board of Supervisors of Clay County, Iowa, this 11th day of April, 2017 and the vote thereon being as follows:

Ayes: Anderson, Matthews, Skelton, Skow. Nays: None. Abstentions: None. Motion carried.

/s/Burlin H. Matthews, Chairperson, Clay County Board of Supervisors

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

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

11:15 a.m. Drainage Technician Aaron Rutter gave an update to the Board. In Drainage District 118 West Assessment, Laterals 5 and 6 are 8 inch clay tiles and have had many issues regarding blowouts and tile in poor condition due to very shallow cover, as little as 3 inches in spots. A repair was asked to be made to these laterals from landowners in the West Assessment. The repair will consist of replacing laterals 5 & 6 with two 10 inch perforated tile. The new lines will be moved to the east keeping them out of the natural water course where more cover can be achieved. Hagedorn Excavating provided an estimate of \$24,554.04 for the work. There will be two road crossings that will be paid for by Clay County Secondary Roads and all private tiles will be hooked into the new lines. The Board of Supervisors agreed with the repair. Reference Drainage Law 468.126.

Motion by Skelton, second by Skow to approve and authorize the Chairperson to sign the 28E Agreement regarding the allocation of local option sales & service tax between Clay County, the City of Spencer, and the Clay County Fair Association, Inc. The parties desire to provide funding from LOSST for the repayment of the County's \$2,325,000 LOSST Improvement and Refunding Revenue Bonds Series 2015 and for providing funding to the Clay County Fair Association, Inc. for Clay County Fairground improvements. Motion carried.

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11:30 a.m. The Board met with Denise Ballard and Cindy Allen representing the Iowa Governmental Health Care Plan (IGHCP) that provides health benefits to the employees of Clay County. The annual renewal for fiscal year 2018 was discussed. The fully insured partially self funded health plans have had a change in total premium rates averaging 3 percent annually since entering the IGHCP Trust in 2005. The projected fiscal year 2018 county cost will be \$1,165,810.

Motion by Skelton, seconded by Anderson to approve the proposal of \$2,283.16 to assess the Mitsubishi Units and troubleshoot random tripping issues at the Clay County Jail HVAC system from Halvorson Trane, 2220 NW 108th Street, Clive, IA 50326. Motion carried.

Motion by Anderson, seconded by Skow to approve and authorize the Chairperson to sign the Cost Advisory Services, Inc., PO Box 755, Johnston, IA 50131 three (3) year renewal contract to provide cost allocation services to Clay County, covering fiscal years 2017 through 2019. The annual fee is \$4,125.00. Motion carried.

Supervisors discuss/share information from committees and boards they have attended. Supervisor Skow reported on the County Safety Committee and the County Department Head meetings. Supervisor Anderson updated the Board on the NW IA Care Connection Board meeting. Supervisor Matthews discussed mental health legislation progress.

The Chairperson adjourned the meeting at 1:16 pm to convene at the next Auditor's called meeting April 25, 2017 at 8:30 a.m.

/s/Marjorie A. Pitts, County Auditor

/s/ Burlin H. Matthews, Chairperson