

Clay County Board of Supervisors Minutes from Meeting 19 held on May 23, 2017

The Clay County Board of Supervisors met pursuant to adjournment May 23, 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. Guest: Harold Prior

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 Skelton, seconded by Anderson that the Board meeting agenda for May 23, 2017 be received and placed on file with the County Auditor as approved. Motion carried.

Motion by Skow, seconded by Swanson that the minutes of the Board Meeting #17 held May 9, 2017 and Board Meeting #18 held May 17, 2017 are hereby approved as submitted. Motion carried.

Motion by Skelton, 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 May 23, 2017. Ayes: Anderson, Matthews, Skelton, Skow, Swanson. Nays: None. Abstentions: None. Resolution adopted.

Publication List by Vendor

Advanced Door Systems	Construction & Maint.	11370.00
Advanced Systems	Printer	7358.00
Advanced Systems	Data Processing Serv.	596.82
Airgas USA	Grounds Maintenance	28.00
Alliant Energy	Electric Light & Power	153.52
Alpha Wireless	Radio & Related Equip.	25.00
Safelite Fulfillment	Parts	566.82
Ann Baschke	Flex	19.60
Black Hills Energy	Natural & Lp Gas	1876.07
Boji Information	Office Supplies	396.00
Bomgaars	Buildings	50.05
Boyer Ridge Manufacturing	Parts	60.42
Calhoun County Sheriff	Legal Services	16.50
Canon Fin Services	Copier Charges	163.71
Ronald Carlson	Well Closure	500.00
CenturyLink	Telephone	40.46
Cerro Gordo County Auditor	Medical & Health Services	2392.61
Chapman Doors	Buildings	520.00
City of Spencer	Water & Sewer	7922.00
Class C Solutions Group MSC	Parts	819.05
Clay Co Emerg Mgt Agency	Allocation	8752.08
Clay Co Extension Ed Fund	Agric/Hort. Services	10000.00
Clay Co Sec Road Fund	Fuels	41.65
Audrey Coffman	Other Premiums	18.79
Contech Engineered Solutions	Steel-Iron-& Relat.Metals	19567.20
Copper Cottage	Buildings	153.93
Crown Clinics	Inmate Medical	75.00

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Daily Reporter	Publication	758.31
Diamond Vogel	Parts	194.41
Dickinson County	Employee Travel Expenses	4403.32
Discovery House	Acute & Emergency Treat.	2500.00
Les Drummond	Well Closure	500.00
Farmers Trust & Svgs Bank	Deposit Box	28.00
FASTENAL	Hardware	10.06
Fifth Third Bank Legal Entry	Legal Services	30.86
Foundation Analytical Lab	Well Testing	464.00
Galen's Pro-Mow	Parts	37.64
Sandra Geidl	Employee Travel Expenses	556.27
General Traffic Control	Parts	80.00
Graham Tire Co	Tires & Tubes	96.40
Greer Law Office	Legal Services	265.00
Griffin Construction	Buildings	9650.00
Hartley Sentinal	Board Proceedings	708.19
Daniel Heissel	Flex	1038.80
Carissa Huse	Flex	4.00
Hy-Vee	Inmate Meals	7435.59
IA Lakes Electric Coop	Electric Light & Power	750.26
IA Lakes Regional Water	Water & Sewer	304.49
IA Law Enforcement Academy	Educational & Training	490.00
ICAP IA Communities Assurance	Equipment Insurance	65.60
IDS - Info Dog Security	Buildings	199.15
Innovative Rescue Solutions	Safety Supplies	1841.25
Intab	Election Supplies	163.19
Intoximeters	Safety Supplies	775.00
J&T Rentals	Buildings - Rental	1500.00
Jack's Uniforms & Equipment	Uniforms	336.66
Janitors Closet	Buildings	1312.81
Jasper Co Sheriff	Legal Services	22.49
Johnstone Supply	Buildings	256.11
Kristi Kuester	Other Premiums	64.57
Lawson Products	Parts	146.24
John Lawson	Flex	291.48
Kevin Maassen	Other Premiums	98.70
Mail Services	Postage & Mailing	601.88
MaxYield Cooperative	Fuels	4007.76
Tammy McKeever	Fuels	41.30
Mechanical Sales	Buildings	1268.00
Menards	Buildings	365.81
Midwest Card & ID Solutions	Safety Supplies	1000.00
Pictometry International Corp	Engineering Services	22508.00
Presto X Company	Buildings	84.46
Rage	Custodial Supplies	134.99
Alicia Roos	Flex	300.00
Glenn Rouse	Other Premiums	89.30
Sanders	Cover Aggregate/Sand/Mate	3470.10
Sandy Law Firm	Legal Services	82.37
Sanford Health	Safety	944.34
Darrel Santage	Flex	512.99
Scott Schlichte	Well Closure	300.00
Secretary of State	Voter Registration Services	400.82
Sherwin Williams	Buildings	4.99
Sioux City Foundry Co	Minor Equip & Hand Tools	1220.00
Joe Skow	Flex	254.18
Solutions	Data Processing Equipment	636.30
Speed Printers	Office Supplies	75.00

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Spencer Family Care	Medical & Health Services	165.00
Spencer Hospital	Medical & Health Services	18938.67
SMU	Utilities Payments	769.13
Spencer Office Supplies	Office Supplies	201.44
Spencer Red Power	Parts	95.00
Squire Shoppe	Uniforms	105.40
Sta-Bilt Construction	Engineering Services	126636.15
Staples Credit Plan	Office Supplies	113.96
Thermal Services	Buildings	7645.00
Thrifty White Stores	Safety Supplies	79.64
U S Postal Service	Postage & Mailing	1000.00
Vanguard Appraisals	Data Processing Serv.	10900.00
Verizon	Telephone	464.44
Joan Waller	Employee Travel Expenses	36.15
Walmart Community	Recreational Supplies	107.21
Warren Meier Electric	Buildings	1324.95
Sheila Weeks	Employee Travel Expenses	322.11
Woodward Youth Corporation	Detention	93.30
Ziegler	Parts	4581.93
Grand Total		322744.20

Motion by Anderson, Swanson seconded by to adopt the following resolution: BE IT HEREBY RESOLVED by the Board of Supervisors approve drainage expenditures and that the County Auditor be hereby authorized and directed to issue warrants, against the various settlement of such claims a allowed May 23, 2017. County Auditor is directed to issue stamped warrants from drainage districts which currently have insufficient funds. Ayes: Anderson, Matthews, Skelton, Skow, Swanson. Nays: None. Abstentions: None. Resolution adopted.

Clay County Secondary Roads, 300 West 4th Street, Spencer, IA:

DD #20	Equipment/Labor/Material	\$ 247.08
DD #27	Work by Hagedorn Excavating	\$ 383.04
DD #8 Lat107	Equipment/Labor/Material	\$ 323.91
DD #98	Equipment/Labor/Material	\$ 277.13
		S 53.28 Stamped Warrant
DD #2	Annex & Reclass Legals	\$1,111.86 Stamped Warrant

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

DD #2	Mileage/Travel/Hearing	\$ 742.40
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Total Drainage Claims \$3,490.10

Motion by Anderson, seconded by Swanson to re-appoint Marc E. Gustafson, 3855 180th Ave., Spencer, IA as Clay County Weed Commissioner pursuant to Code of Iowa, Chapter 317.3 for calendar year of 2017, upon approval of the Clay County Conservation Board and authorize the Chairperson to sign the 2017 Weed Commissioner Certification form. There shall be an annual compensation of \$2,000.00 for the responsibilities. Motion carried

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

**RESOLUTION #2017-18
ORDER FOR NOXIOUS WEED CONTROL ON ROADSIDE
PURSUANT TO CHAPTER 317 OF THE IOWA CODE**

BE IT RESOLVED, by the Board of Supervisors of Clay County, Iowa, that pursuant to provisions of Clay County Board of Supervisors

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Chapter 317 of the Code of Iowa. It is hereby ordered:

A. That each owner and each person in the possession or control of any lands in Clay County, Iowa, shall cut, burn, spray, or otherwise destroy all noxious weeds thereon, as defined in this chapter at such times in each year and in such manner as shall prevent said weeds from blooming or coming to maturity. Said lands shall be kept free from such growth of any other weeds, as shall render the streets or highways adjoining said lands unsafe for public travel. Noxious weeds shall be cut, burned, sprayed, or otherwise destroyed on or before the following dates and as often thereafter as it is necessary to prevent seed production:

Group 1. June 10, 2017 for Leafy Spurge, Hoary Cress, Sour Dock, Smooth Dock, Red Sorrel, Curly Dock, Musk Thistle.

Group 2. June 24, 2017 for Canada thistle, Russian Knapweed, Buckhorn Plantain, Wild Mustard, Buckthorn.

Group 3. July 15, 2017 for Field Bindweed, Wild Carrot, Poison Hemlock, Multiflora Rose, Horse nettle, Perennial Sow thistle, Quack grass, Velvetleaf, Puncturevine, Cocklebur, Bull Thistle, Purple Loosestrife, Shatter cane, Tall Thistle, Wild Sunflower, and Teasel.

B. That each owner and each person in the possession or control of any lands in Clay County, Iowa, infested with any noxious weed shall adopt a program of weed destruction, in accordance with this notice, that may be expected to destroy and will immediately keep under control any such infestation of said noxious weeds.

C. That if the owners or persons in possession or control of any land in Clay County, Iowa, fail to comply with any order of the Weed Commissioner for the destruction of weeds in accordance with this notice, the weed commissioner shall cause the weeds to be destroyed and the expense of said work, including cost of serving notice and other costs to be assessed against the real estate. To the total of all sums expended, shall be added an additional 25% to compensate for the cost of supervision and administration.

D. That the County Auditor be and is hereby directed to cause notice of the making and entering of the foregoing order by one publication in each of the official newspapers of the county.

E. Clay County uses Milestone herbicide within the road right-of-ways for the control of noxious weeds. For individuals who harvest grass from the county right-of-ways, please go online and read the label for Milestone and its haying and grazing restrictions.

F. The weed commissioner is Marc L. Gustafson, 420 10th Avenue SE, Spencer, Iowa 51301. Telephone 712-262-2187; Cell 712-240-2148.

The above and foregoing resolution was adopted by the Board of Supervisors of Clay County, Iowa, this 23rd day of May, 2017 and the vote thereon being as follows:

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

/s/ Burlin H. Matthews, Chairperson

ATTEST: /s/Marjorie A. Pitts, Auditor

No Board action taken to authorize Chairperson to sign fireworks permit for Chris Axdahl, 1860 505th Street, Linn Grove, IA due to Iowa law change legalizing the sale and display of fireworks.

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9:00 a.m. Tammy Mc Keever – Zoning - Public Hearing for Change in Zoning from G-1 General Commercial Classification to Lake Residential for Kevin LaRue on Lots 25, 26, 27, 28, 29, 30 and 31, Section 36 of Lake Township, Clay County, IA

The time having arrived for the public hearing to receive and consider any objections and other comments to the application of Kevin LaRue, 912 2nd Avenue SE, Spencer, Iowa for a change in zoning from G-1 General Commercial Classification to Lake Residential on Lots 25, 26, 27, 28, 29, 30 and 31 of Section 36 Township 97 North, Range 35 West of the Fifth Principal Meridian, Lake Township, Clay County Iowa. The Board, finding that the proper notice had been given for the hearing and that there are neither written nor oral objections, the public hearing was declared closed by the Chairperson and it is therefore, moved by Supervisor Swanson, seconded by Supervisor Anderson to accept the recommendation of the Clay County Zoning Commission to approve the change in zoning from G-1 General Commercial Classification to Lake Residential on Lots 25, 26, 27, 28, 29, 30 and 31 of Section 36 Township 97 North, Range 35 West of the Fifth Principal Meridian, Lake Township, Clay County Iowa, presented by the Clay County Zoning Administrator, Tammy McKeever. Motion carried.

9:30 a.m. Public Health Nurses Colleen Paulson and Colette Rossiter from the Spencer Hospital gave the Board a departmental update regarding the ten (10) essential services of public health used in local Clay County activities.

10:00 a.m. Spencer Fire Chief John Conyn spoke with the Board regarding the construction and development of a fire department training tower that would be available to the eight fire departments in Clay County to improve the efficiencies and confidence of our area fire fighters. Conyn asked the Board to consider an investment of \$100,000 to \$125,000. The projected completion date is the fall of 2018.

10:30 a.m. Clay County resident Jerry Crew spoke in opposition to the construction of wind turbines in Clay County and nearly sixty other individuals gathered to listen and offer comments. Other speakers were Becky Schoelerman in opposition and Connie Dykstra-Swan read a statement in support of the wind project. Supervisors Matthews and Anderson asked questions of the speakers during the comment period.

10:45 a.m. Randy & Alice Roghair spoke with the Board voicing their opposition to the wind project.

The Clay County Board of Supervisors recessed the regular Board meeting at 11:30 a.m. to convene as trustees for Drainage District # 26.

Drainage District # 26 Meeting

The Clay County Board of Supervisors convened as trustees for Drainage District #26 at 11:30 a.m. Members present: Anderson, Matthews, Skelton, Skow, Swanson and Marjorie Pitts, County Auditor.

Motion by Skow, seconded by Swanson to appoint Supervisors Matthews as Chairperson and Marjorie Pitts, County Auditor as Secretary for Drainage Ditch#26. Motion carried.

Motion by Skelton, seconded by Anderson to schedule a completion hearing for Drainage District #26 Open ditch repairs and improvement project at 1:30 p.m. in the Clay County Administration Board room on June 20, 2017 in the Board room of the Clay County Administration Building, 300 West 4th Street, Spencer, Iowa. Motion carried.

The Chairperson recessed the Drainage District #26 meeting at 11:32 a.m. to convene as trustees of the drainage districts assessment meeting for various ditches.

Drainage District Jt 22, Jt 52, #118 & 120 Levy Assessments Meeting

The Clay County Board of Supervisors convened as trustees for Drainage Districts Jt #22, Jt 52, #118 and #120 at 11:32 a.m. Members present: Anderson, Matthews, Skelton, Skow, Swanson and Marjorie Pitts, County Auditor.

Motion by Skow, seconded by Anderson to appoint Supervisors Matthews as Chairperson and Marjorie Pitts, County Auditor as Secretary for Drainage Districts Jt #22, Jt 52, #118 and #120. Motion carried.

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

WHEREAS, there are now insufficient funds to cover costs of maintenance and repairs to said drainage districts.

BE IT THEREFORE RESOLVED, by the Clay County Board of Supervisors that there is hereby levied against all land tracts, real estate, highway or railroads in Clay County, Iowa the following:

- 50% Jt DD #22 to raise \$870.18
- 7% Jt DD #52 to raise \$723.59
- 230% DD #118 to raise \$23,000.00
- 5% Jt DD #120 to raise \$1,000.00

BE IT ALSO RESOLVED, by the Clay County Board of Supervisors that there is hereby levied against all land tracts, real estate, highway or railroads in Buena Vista County, Iowa the following:

- Jt DD #22 to raise \$145.42

BE IT ALSO RESOLVED, by the Clay County Board of Supervisors that there is hereby levied against all land tracts, real estate, highway or railroads in Palo Alto County, Iowa the following:

- Jt DD #52 to raise \$490.28

BE IT FURTHER RESOLVED, that said assessments be so levied and payable upon notice through July 1, 2017 without interest. If paid after July 1, 2017, an interest rate of 5% will accrue from date of levy to September 30, 2017 on any single assessment. Any assessment exceeding \$500 per parcel may be paid in installments over a twenty (20) year period by signing a waiver prior to July 1, 2017 at the office of the County Auditor, 300 W. 4th St., Spencer. Any assessment made on any tract of land, parcel, or lot within the District which is computed at less than \$5.00 shall be fixed at \$5.00 as provided by Iowa Code Sec. 468.50.

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The above and foregoing resolution was adopted by the Board of Supervisors of Clay County, Iowa, this 23rd day of May, 2017 and the vote thereon being as follows:

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

Nays: None. Abstentions: None.

/s/Burlin H. Matthews, Chairperson

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

The Chairperson adjourned the Drainage Districts Jt #22, Jt 52, #118 and #120 assessment meeting at 11:38 a.m.

The Clay County Board of Supervisors reconvened the regular Board meeting at 11:38 a.m.

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

Motion by Anderson, seconded by Skelton to approve and authorize the County Auditor to sign the proposal of \$3,642.00 from Thermal Services, 11241 Aurora Avenue, Building 6, Urbandale, IA 50322 for repairs to the second failed compressor on the Daiken VRV System in Clay County Administration Building. Motion carried.

Motion by Swanson, seconded by Anderson to approve the proposal of \$2,283.16 from Halvorson Trane, 2220 NW 108th Street, Clive, IA 50325 to assess trane units and troubleshoot RH Issues in the Governmental Services Building (GSC Building). Motion carried.

Motion by Skelton, seconded by Skow to approve Fund Transfer #357 totaling \$135,112.00 from General Basics fund to the Secondary Roads fund for the Fund Year 2017 allocation. Motion carried.

Motion by Skow, seconded by Anderson to approve Fund Transfer #358 totaling \$1,207,590.00 from Rural Basic fund to the Secondary Roads fund for the Fund Year 2017 allocation. Motion carried.

Motion by Swanson, seconded by Skow to approve Fund Transfer #359 totaling \$2,000.00 from General Supplemental fund to the Capital Improvements fund for Fund Year allocation for election equipment. Motion carried.

Motion by Anderson, seconded by Swanson to approve Fund Transfer #360 totaling \$42,000.00 from Local Option - Any Lawful Use fund to the Capital Improvements fund for Fund Year 2017 allocation for voting equipment. Motion carried.

Motion by Skelton, seconded by Skow to approve Fund Transfer #361 totaling \$1,000.00 from Local Option - Any Lawful Use fund to the Juvenile Drug Court fund for the Fund Year 2017 Allocation. Motion carried.

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Motion by Anderson, seconded by Swanson to approve sixty-three (63) month lease agreement from Advanced Systems, Inc. 2945 Airport Blvd, Waterloo, IA 50704 for Canon imageRunner iRC3530i color multifunction device with payments of \$122.10 per month for the Clay County Emergency Medical Services. Motion carried.

Motion by Anderson, seconded by Skelton to approve sixty (60) month lease agreement from Advanced Systems, Inc. 2945 Airport Blvd, Waterloo, IA 50704 for 1 Canon imageRunner iRC3530i color multifunction device, 2 Cannon imageRunner iRC255if color multifunction devices and 2 Lexmark M5155 monochrome printers with payments of \$527.58 per month for the Clay County Sheriff's Office. Motion carried.

Motion by Skow, seconded by Swanson to approve estimate from Griffin Construction, 911 East 10th Street, Spencer, IA 51301 of \$3,970.00 for concrete along the north east side of the Governmental Services Center (GSC) Building to be flush with existing curb creating water flow away from the existing building. Motion carried.

Supervisors discuss/share information from committees and boards they have attended. Supervisor Skelton reported on the Upper Des Moines Opportunity Board meeting and the LEPC Board meeting. Supervisor Anderson updated the Board on the YES Center Board meeting, the NWICC Board meeting, the Iowa Workforce Development board meeting, Juvenile Drug Court and the ISAC Leadership Seminar he attended. Supervisor Matthews reported on the Iowa Judicial Branch meeting for Courthouse security that he attended and the Season's Advisory Board meeting.

The Chairperson adjourned the meeting at 12:01 p.m. to convene at the next Auditor's called meeting June 6, 2017 at 8:30 a.m.

/s/Marjorie A. Pitts, County Auditor

/s/Burlin H. Matthews, Chairperson