

Clay County Board of Supervisors Minutes from Meeting 30 held on September 12, 2017

The Clay County Board of Supervisors met pursuant to adjournment September 12, 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 Swanson, seconded by Skelton that the Board meeting agenda for September 12, 2017 be received and placed on file with the County Auditor as approved. Motion carried.

Motion by Skow, seconded by Anderson that the minutes of the Board Meeting #29 held August 29, 2017 are hereby approved as submitted. Motion carried.

Motion by Anderson, seconded by Skelton 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 September 12, 2017. Ayes: Anderson, Matthews, Skelton, Skow and Swanson. Nays: None. Abstentions: None. Resolution adopted.

Publication List by Vendor

A & M Laundry	Parts	170.92
Advanced Systems	Copier Charges	89.71
Advanced Systems	Copier Charges	518.10
Airgas USA	Grounds Maintenance	28.76
Alliant Energy	Electric Light & Power	242.37
Barry Anderson	Employee Travel Expenses	372.40
Arctic Ice Company	Concessions	80.00
Arnold Motor Supply	Motor Vehicle	482.10
Asher Motor Co	Parts	34.00
Atlas Stamp & Seal Co	Office Supplies	12.00
Robert Bera	Flex	20.00
Black Hills Energy/Assistance	Utilities Payments	24.74
Black Hills Energy	Natural & Lp Gas	818.51
Blackhawk Sprinklers	Buildings	773.00
Bomgaars	Safety Supplies	790.64
Bud's Service	Tires & Tubes	940.87
Kristi Busse	Flex	25.00
Canon Fin Services	Copier Charges	478.14
Bill Caskey	Rent Payments	440.00
CCPOA of Iowa	Registration	260.00
CenturyLink	Telephone	58.38
Christians Sheet Mtl	Buildings	467.50
Cintas Corp	Safety Supplies	62.49
City of Everly	Natural & Lp Gas	64.25
City of Royal	Water & Sewer	33.50
City of Spencer	Comm Center	18255.28
City of Webb	Water & Sewer	83.83
C.J.Cooper & Associates	Safety Supplies	113.89

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Clay Co Sec Road Fund	Fuels	1472.64
Cooperative Energy Company	Natural & Lp Gas	35453.09
Copper Cottage	Buildings	713.33
Crescent Electric Supply	Construction & Maint.	61.90
Crown Clinics	Inmate Medical	150.00
Crysteel Manufacturing	Parts	180.91
CTS Language Link	Services	9.18
Culligan of Spencer	Office Supplies	131.05
Daily Reporter	Office Supplies	1438.56
Dickinson County Sheriff	Sheriff Fees	73.00
Don Pierson Ford	Parts	426.05
Employee Benefit Systems	Emp Grp Health Ins	205.60
Evertex	Telephone	249.02
Fareway Stores	JV Drug Ct Meals	25.81
FASTENAL	Buildings	1145.26
FleetPride	Parts	3579.67
Foundation Analytical Lab	Safety Supplies	126.00
Galen's Pro-Mow	Buildings	81.32
Sandra Geidl	Flex	412.41
Graham Tire Co	Tires & Tubes	23.00
Beth Greene	Registration	320.00
Marc Gustafson	Flex	55.00
GW "Pete" Howe Sanitation	Buildings	390.00
H & N Chevrolet Buick	Vehicle Maintenance	2284.93
IA County Atty's Assn	Registration	325.00
IA Lakes Comm College	Registration	95.00
IA Lakes Regional Water	Water & Sewer	774.41
ICIT	Registration	50.00
IDS - Info Dog Security	Shredding	122.00
IA Municipalities Workers	Workmens' Comp. Ins.	11738.00
ISAA	Registration	325.00
J & J Building Contractors	Buildings	43339.03
Jack's Uniforms & Equipment	Safety Supplies	1016.61
Janitors Closet	Custodial Supplies	568.16
Knight Protection	Buildings	300.00
Koenig Portable Toilets	Engineering Services/Cont	175.00
John Lawson	Employee Travel Expenses	1240.19
Sheryl Lee	Employee Travel Expenses	13.38
Lexis Nexis	Subscription	847.96
Mail Services	Postage & Mailing	4844.27
Mar-Lin Business Supply	Office Supplies	58.78
Marcus News	Publications	566.53
Megan Sankey	Deposition	130.50
Menards	Custodial Supplies	946.34
Michael Todd & Co	Traffic & St Sign	670.02
Midwestern Mechanical	Buildings	400.00
New Sioux City Iron Co	Buildings	746.01
Nielsens Tire & Appliance	Tires & Tubes	1613.30
North Central Int'l	Parts	1434.12
Northwest Glass Co	Supplies	9.50
NW District Assessor	Dues & Memberships	300.00
NW IA Planning & Devlpmnt	Loan Servicing	220.00
O'Brien County Sheriff	Sheriff Fees	75.00
Premier Communications	Telephone	643.45
Quill	Office Equip	1261.07
Rage Inc	Custodial Supplies	129.34
Rainbow Bait	Concessions	55.00
Christopher Raveling	Postage & Mailing	48.12

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Rent-All	Construction & Maint.	42.80
Royal Telephone Co	Telephone	57.41
RR Investments	Rent Payments	240.00
Sanders	Cover Aggregate/Sand/Mate	1678.61
Secretary of State	Dues & Memberships	30.00
Sioux City Foundry Co	Parts	1030.90
Solutions	Data Processing Equipment	4444.52
SOS Technologies	Safety Supplies	169.00
Spencer Auto Parts	Lubricants	3165.14
SMU	Telephone	12320.10
Spencer Office Supplies	Office Supplies	341.23
Spencer Red Power	Parts	5766.54
Star Energy	Fuels	158.00
State Steel Supply Co.	Parts	181.98
Storey Kenworthy	Data Processing Serv.	115.92
Terril Telephone Coop	Telephone	9.41
Thrifty White Stores	Inmate Medical	165.48
Toft Electric	Buildings	2343.95
Town & Country	Sanitation & Disposal	1575.96
US Cellular	Telephone	1963.19
Van Diest Supply	Chemicals	4956.00
Verizon	Telephone	338.63
Sheila Weeks	Flex	200.00
Jeffrey Wiemann	Flex	52.71
Windstream	Telephone	41.69
Woodbury County Sheriff	Sheriff Fees	43.00
Ziegler	Parts	6897.51
Grand Total		198158.88

Motion by Anderson, seconded by Skelton to adopt the following resolution: BE IT HEREBY RESOLVED by the Board of Supervisors to approve DRAINAGE expenditures from Drainage District #108 Open Ditch repair damages totaling \$5,077.28 allowed September 12, 2017 and itemized as follows:

James Wm Christensen	1755 400 th St., Spencer, IA 51301	\$ 731.04
Thomas R. Morrison	2337 160 th St., Ft Dodge, IA, 50501	\$1,776.00
Mae Louise Mortensen Trust/ Ron Christensen,	% US bank Farm Mgmt Dept 233 S 13 th St., Suite 1012, Lincoln, NE 58608	\$2,570.24

Detail of claims to be found in the office of County Auditor.

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

Motion by Swanson, seconded by Skelton to adopt the following resolution: BE IT HEREBY RESOLVED by the Board of Supervisors to approve DRAINAGE expenditures from Drainage District #23 Tile Improvement damages totaling \$9,821.22 allowed September 12, 2017 and itemized as follows:

Ray V Bailey Trust % Bryan Bailey	1024 Hill St, Milford, IA 51351	\$347.56
City of Royal	PO Box 225, Royal, IA 51357	\$298.48
Michael J & Renee D. Elbert	PO Box 34, Roya, IA 51357	\$114.66
Jacobsen Homes Corp	PO Box 180, Spencer, IA 51301	\$125.58
Roger H & Mary Ann Jobst	PO Box 113, Royal, IA 51357	\$123.76
Frances LeMaster	1519 W. 13 th St., Spencer, IA 51301	\$290.40

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Thomas M & Lavonne W McCrill Rev Trusts

Thomas M & Lavonne W McCrill, Trustees	4205 Rock Crest Rd, Middleton, WI 53562	\$5,461.52
John P & Shirley K Nalley	101 W 10 th St., Spencer, IA 51301	\$2,010.03
H.E. Nelson Inc % Denver Nelson	5240 Blackberry, Eureka, CA 95503	\$247.52
Cecilia A Pedersen	PO Box 291, Royal, IA 51357	\$119.21
Francis M Powers-Assn-USA Fin	607 Church St., Royal, IA 51357	\$123.76
George D & Donna L. Schmidt	607 Meadow St., Royal, IA 51357	\$ 93.73
Molly S Sonius	PO Box 63, Royal, IA 51357	\$139.23
FA Walstrom Estate / Town of Royal	Royal, IA 51357	\$325.78

Detail of claims to be found in the office of County Auditor.

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

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 be hereby authorized and directed to issue warrants, against the various settlement of such claims as allowed September 12, 2017. County Auditor is directed to issue stamped warrants from drainage districts which currently have insufficient funds.

The Daily Reporter, PO Box 197, Spencer, IA 51301

DD #23	Completion Hearing Notice	\$ 38.38	Stamped
DD#108	Completion Hearing Notice	\$ 38.38	Stamped
Bolton & Menk Inc., 1960 Premier Drive, Mankato, MN 56001			
DD#2	Engineering Services	\$ 130.00	Stamped
DD#23	Constr Engineering Services	\$ 1,564.00	Stamped
DD#26	Annexation/Reclassification Services	\$ 440.00	Stamped
DD#37	Survey/Study/Report/Wetland/Environ	\$ 8,302.50	Stamped
DD#80	Survey/Study/Report/Annex/Class	\$ 5,059.00	Stamped
DD#108	Constr Engineering/Annex/Reclass	\$ 2,173.00	Stamped
DD#113	Annexation / Reclassification	\$ 200.00	Stamped
Total Claims		\$17,945.26	

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

Motion by Anderson, seconded by Skelton to approve the drainage expenditure from Joint Drainage District #61 CD & E of \$60,910.65 for Payment #7 of work performed from 08/01/2017 to 09/01/2017 for open ditch clean out to Cory Juergens Construction, LLC, 219 West 2nd Street South, Estherville, IA 51334. The County Auditor is instructed to send the billing to Dickinson County for payment after approval. Motion carried.

Motion by Skow, seconded by Swanson to approve the drainage expenditure from Joint Drainage District #61 CD & E of \$2,306.90 for work performed from 07/31/2017 to 8/17/2017 for open ditch clean out to Valley Contracting, 1850 Hwy 4, Estherville, IA 51334. The County Auditor is instructed to send the billing to Dickinson County for payment after approval. Motion carried.

Motion by Anderson, seconded by Skelton to approve the drainage expenditure from Joint Drainage District #61 CD & E of \$5,773.25 for Invoices #10815 and #10803 to Jacobson-Westergard & Assoc,

105 South 6th St., Estherville, IA 51334. The County Auditor is instructed to send the billing to Dickinson County for payment after approval. Motion carried.

Motion by Swanson, seconded by Skelton to approve the drainage expenditure from Joint Drainage District #61 CD & E of \$92.87 for the August 17, 2017 Notice to Bidders to Spencer Daily Reporter, PO Box 197, Spencer, IA 51301. The County Auditor is instructed to send the billing to Dickinson County for payment after approval. Motion carried.

9:00 a.m. County Engineer William Rabenberg

Motion by Anderson, seconded by Swanson to accept the low de-icing salt quote from Sta-Mel Enterprises, Inc., 4830 300th Ave., Webb, IA 51366 in the amount of \$64.00 per ton. Motion carried.

Motion by Skelton, seconded by Anderson to approve the purchase of a used Quad tractor from Noteboom Implement LLC of Spencer IA for \$125,000.00 and authorize the County Engineer to sign the purchase agreement. Motion carried.

Motion by Anderson, seconded by Swanson to approve the employee payroll request form for the non-union promotion to Mechanic Foreman for James Joenks of the Secondary Roads Department effective August 29, 2017 at an hourly rate of \$23.28. Motion carried.

Motion by Skelton, seconded by Swanson to approve the employee payroll request form for the non-union promotion to Parts Manager / Purchasing Agent for Bill Gunnerson of the Secondary Roads Department effective August 29, 2017 at an hourly rate of \$23.00. Motion carried.

County Engineer Rabenberg gave the Board a utility permit update from Iowa Lakes Regional Water location at 350th St and B24 in Section 7 of Riverton Township. Engineer Rabenberg also gave the Board an equipment update for a tractor/semi tractor engine repairs.

Motion by Skelton, seconded by Skow to approve the Clay County Decommissioning Agreement between Upland Prairie, LLC and Clay County, Iowa to comply with Section 17.7 of the County's Code of Ordinances in construction and operation of the project to build wind farm facilities in Clay County and authorize the Chairperson to sign the agreement. Motion carried.

Motion by Anderson, seconded by Skelton to approve the agreement regarding drainage facilities between Upland Prairie, LLC and Clay County, Iowa to which the developer (Upland Prairie, LLC) agrees to repair any affected drains damaged by the construction activities and to authorize the Chairperson to sign the agreement. Motion carried.

Motion by Skow, seconded by Anderson to approve the agreement for road use, repair, and improvements between Upland Prairie, LLC (Developer) and Clay County, Iowa of designated roads (defined in appendix A) acknowledges and agrees that the Developer may use, non-exclusively, all public County roads and authorizes the Chairperson to sign the agreement. Further stipulations regarding closures, repair, improvement and modifications to designated roads contained on file in the Office of County Auditor. Motion carried.

The Board recessed the regular Board meeting at 9:18 a.m. to convene the Drainage District #28 meeting.

9:18 a.m. Drainage District #28 meeting

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

The Board received an update for Drainage Technician Aaron Rutter regarding the clean out of the open ditch servicing nearly 5400 acres. It is the intent of the Secondary Roads department to do the ditch clean out for an amount not to exceed the statutory limit permitted of \$50,000.00.

The Chairperson adjourned the Drainage District #28 meeting at 9:26 a.m.

The Board convened the Drainage District #80 meeting at 9:26 a.m.

Motion by Anderson, seconded by Skelton to appoint Supervisor Matthews as Chair and Clay County Auditor Marjorie Pitts as Secretary for the meeting. Motion carried.

Pursuant to Iowa Drainage Code Chapter 468.24, the Clay County Auditor appointed Jon Rosengren P.E. from Bolton & Menk, Inc. of Spencer as the engineer, Paul Galm and Kent Kimball as two (2) freeholders of the county as appraisers to assess all damages and place value upon open ditch right-of-way proposed to be acquired. Compensation to Galm and Kimball will be \$100.00 per half day and round trip mileage based on the current Federal rate.

The Chairperson adjourned the Drainage District #28 meeting at 9:29 a.m.

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

9:50 a.m. – County Assessor John Lawson spoke with the Board to answer questions related to the development of an Urban Revitalization Plan in the unincorporated areas Clay County.

10:00 a.m. – Kim Kroger and Bernie Nord gave the Board update on the functions and challenges of the Clay County Emergency Medical Service. Volunteerism was discussed along with insurance costs to provide emergency transporting.

10:30 a.m. County Treasurer Sande Geidl

Motion by Anderson, seconded by Skelton to approve the employee payroll request for Christina Marie Carter as a full time Treasurer staff member effective September 19, 2017 at an hourly rate of \$15.50 with a wage review effective July 1, 2018. Motion carried.

Motion by Skow, seconded by Anderson to approve the Certificate of Adjustment #2284 on receipt #16475 for Cathleen Cook, 1408 4th Ave E., Spencer, Iowa 51301 on a property located on Block 3 Lot 8 Tripp Addition, Spencer, IA for fiscal year 2016/2017 and payable 2017/2018. Adjustment made necessary due to the late filing for Elderly Credit. Total to deduct \$690.00. Motion carried.

Treasurer Geidl informed the Board that October 3, 2017 will be a day of mandatory training for three (3) staff members related to DOT driver licensing.

Motion by Anderson, seconded by Swanson to enter into closed session pursuant to Iowa Code 21.5(j) at 10:54 a.m. Motion carried.

10:45 a.m. – Closed Session pursuant to Iowa Code 21.5(j)

Motion by Skelton, seconded by Skow to exit the closed session pursuant to Iowa Code 21.5(j) at 11:25 a.m. Motion carried.

Motion by Anderson, seconded by Skelton to approve the lighting proposal from Toft Electric of Royal, IA to retro fit 8 ft L.E.D. fixtures replacing T12 bulb fixtures in the Courthouse Courtroom ranging in cost from \$2900 to \$3500 depending on accessibility to the fixtures. Scaffolding may be necessary to reach certain areas. All of the eight fixtures are eligible for a \$50 rebate from Spencer Municipal Utilities to recover \$400 back from SMU. Motion carried.

Motion by Swanson, seconded by Skelton to approve the ductwork proposal from Copper Cottage of Spencer, IA to rework the ductwork on the eastside of the Governmental Service Center building. The plan to use the north and south 5 ton RTU to heat and cool the 4160 sq. ft. area which currently has three 5 ton RTU currently. Reducing the number of units will help control the humidity level in that area. The base quote on the east side is \$5,612.00 and additional option #2 to add zone dampers to Vocational Rehabilitation area at a cost of \$1,570. Total approved quote of \$7,182.00. Motion carried.

Motion by Skelton, seconded by Anderson to approve the 60 month lease of a John Deere gator with cab, blade and dump box at a rate of \$395 per month for use in snow removal at county facilities. The lease is based on 200 hours of usage per year and an end of lease buy out of \$1,865.57. Motion failed.

Motion by Swanson, seconded by Skelton to approve the purchase of a Clarke upright automatic floor scrubber model MA10 12E 23 12 inch cylindrical machine from Janitor's Closet for the amount of \$800.00. Motion carried.

The Chairperson adjourned the meeting at 11:43 a.m. to convene at the next Auditor's called meeting September 15, 2017 at 9:00 a.m.

/s/Marjorie A. Pitts, County Auditor

/s/Burlin H. Matthews, Chairperson