

Clay County Board of Supervisors Minutes from Meeting #33 held on October 10, 2017

The Clay County Board of Supervisors met pursuant to adjournment October 10, 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 October 10, 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 #32 held September 26, 2017 are hereby approved as submitted. Motion carried.

Motion by Skelton, 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 October 10, 2017. Ayes: Anderson, Matthews, Skelton, Skow and Swanson. Nays: None. Abstentions: None. Resolution adopted.

Publication List by Vendor

A & M Laundry	Parts	145.16
A-1 Portables	Other	55.00
Abel Drainage & Excavating	Construction & Maint.	15193.10
Advanced Network	Hardware	100.00
Advanced Systems	Copier Charges	903.57
Advanced Systems	Copier Charges	452.05
Airgas USA	Fuels	105.13
Alliant Energy	Utilities	335.21
Alpha Wireless	Hardware	7038.06
American Legion	Office Supplies	20.00
Barry Anderson	Flex	151.04
Arctic Ice Company	Concessions	125.50
Armstrong Teams	Fuels	194.71
Astech	Engineering Services	58737.12
Atlas Stamp & Seal Co	Office Supplies	19.90
Safelite Fulfillment	Parts	457.90
Ayrshire Farmers Mutual	Telephone	185.32
Ann Baschke	Flex	70.24
Robert Bera	Employee Travel Expenses	26.79
Black Hills Energy/Assistance	Utilities Payments	46.22
Black Hills Energy	Utilities	854.94
Bomgaars	Minor Equip & Hand Tools	1601.08
Bound Tree Medical	Safety Supplies	289.05
Boyer Trucks	Parts	2126.02
Bud's Service	Lubricants	1256.57
Kristi Busse	Flex	1519.00

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Carpenter Uniform	Uniforms	124.98
Carroll Distributing Accounts	Buildings	82.00
Cintas	Safety Supplies	715.95
Cintas Corp	Safety Supplies	74.95
City of Everly	Utilities	67.95
City of Royal	Utilities	49.50
City of Spencer	Comm Center	18373.60
City of Webb	Water & Sewer	83.84
Clay Co Extension Service	Certification	35.00
Clay County Safety	Safety Program	6000.00
Clay Co Sec Road Fund	Fuels	1842.48
Cooperative Energy Company	Fuels	23185.45
Crescent Electric Supply	Buildings	82.59
Crittenton Center	Detention	2799.00
Crown Clinics	Inmate Medical	875.00
Crysteel Manufacturing	Construction & Maint.	193964.00
CTS Language Link	Services	4.96
Culligan of Spencer	Supplies	443.43
Daily Reporter	Publication	360.73
Dave's Sand & Gravel	Construction & Maint.	814.14
Dickinson County Sheriff	Sheriff Fees	23.00
Dockendorf Equipment Co.	Buildings	159.78
Draper's Super Bee	Recreational Supplies	35.48
Doug Duncan	Safety Supplies	10.52
Employee Benefit Systems	Cobra Fees	102.30
Everttek	Telephone	725.70
Fareway Stores	JV Drug Court	33.16
FASTENAL	Construction & Maint.	19.12
FleetPride	Parts	345.38
Foundation Analytical Lab	Well Testing	42.00
Galen's Pro-Mow	Parts	11.75
GRACESOFT	Data Processing	297.00
Graham Tire Co	Lubricants	143.95
Greg's Repair	Parts	13.95
Marc Gustafson	Supplies	100.00
H & N Chevrolet Buick	Vehicle Purchase	40216.70
Hargens Court Reporting	Deposition	36.00
Hartley Sentinel	Publication	54.61
Heartland Asphalt	Engineering Services	4493.45
Daniel Heissel	Flex	750.00
Thomas Herrig	Safety Supplies	100.00
Holiday Inn	Employee Travel Expenses	997.92
IA Dept of Pub Health Bureau	Certification	180.00
Iowa Lakes Community College	Buildings - Rental	3110.18
IA Lakes Electric Coop	Electric Light & Power	22.00
IA Lakes Regional Water	Water & Sewer	547.27
IA Law Enforcement Academy	Education	1800.00
IA Negotiation Services	Consulting Services	1200.00
IA Prison Industries	Hardware	1550.00
Jason Idtensohn	Rent Payments	150.00
IA Municipalities Workers	Workmens' Comp. Ins.	11738.00
IDS - Info Dog Security	Sanitation & Disposal	61.00
IA Dept of Trans Cashiers	Parts	28866.10
J & D Lawn Service	Custodial	900.00
Janitors Closet	Custodial Supplies	615.59
Jennifer Jensen	Custodial	535.00
Jeremy Jensen	Flex	64.05
Debra Jessen	Mileage	14.00

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Johnston Automotive	Lubricants	95.88
Sheryl Lee	Employee Travel Expenses	125.24
Lexis Nexis	Online Subscription	847.96
Maahs & Walleck	Legal Fees	252.00
Mar-Lin Business Supply	Office Supplies	117.44
Marcus News	Publication	400.14
Marshall & Swift/Boeck	Valuation Book	634.20
Matheson Tri-Gas	Grounds Maintenance	139.64
McDonald Supply	Buildings	29.53
Tammy McKeever	Flex	104.00
Menards - Spencer	Custodial Supplies	2395.97
Mid-Iowa Sales	Parts	28.95
New Sioux City Iron	Tools	284.15
North Central Int'l	Parts	451.57
Noteboom Implement	Parts & Access	857.14
Office Systems Company	Office Supplies	98.70
Palo Alto County Sheriff	Sheriff Fees	11.77
Performance Car & Truck	Parts & Access	405.00
Pitney Bowes	Postage & Mailing	474.68
Pitney Bowes Purchase Power	Postage & Mailing	1725.00
PMMIC	Buildings	2796.00
Polk County Sheriff	Sheriff Fees	36.07
Premier Communications	Telephone	643.75
Rage Inc	Custodial Supplies	123.50
Ricoh USA	Copier Charges	222.66
Royal Telephone	Telephone	31.19
Darrel Santage	Equipment Insurance	677.30
Kathryn Schwarting	Employee Travel Expenses	22.06
Secure Shred Solutions	Shredding	48.00
Sioux County Sheriff	Sheriff Fees	55.92
Solutions	Hardware	11030.70
Spencer Auto Parts	Shop Equipment	4605.98
Spencer Chamber of Commerce	Dues & Memberships	321.00
Spencer Hospital	Medical & Health Services	5074.08
SMU	Utilities	13168.68
Spencer Office Supplies	Office Supplies	904.32
Spencer Red Power	Parts	5964.47
Squire Shoppe	Uniforms	30.00
Staples	Office Supplies	416.26
State Steel Supply Co.	Parts	51.10
Terril Telephone Coop	Telephone	9.55
Town & Country	Sanitation & Disposal	634.12
Treat America Food Services	Employee Travel Expenses	119.14
UPS	Parts	40.35
US Cellular	Telephone	910.17
Verizon	Telephone	212.75
Windstream	Telephone	41.69
Grand Total		499722.96

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 October 10, 2017. The County Auditor is directed to issue stamped warrants from drainage districts which currently have insufficient funds. Ayes: Anderson, Matthews, Skelton, Skow and Swanson. Nays: None. Abstentions: None.

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B & R Excavating LLC, 6570 420 th St., Sutherland, IA 51058	
D.D. #23	\$ 5,640.00 Stamped
Bolton & Menk Inc., 1960 Premier Dr., Mankato, MN 56001-5900	
D. D. #23	\$ 2,397.00 Stamped
D. D. #26	\$ 640.00 Stamped
D. D. #37	\$ 6,998.50 Stamped
D. D. #80	\$ 4,666.50 Stamped
D. D. #108	\$ 2,065.00 Stamped
Abel Drainage & Excavating Inc., 2380 440 th St., Greenville, IA 51343	
DD#103	<u>\$ 148.00</u>
Total Drainage Warrants:	\$ 22,555.00
Resolution adopted.	

Motion by Skelton, seconded by Anderson to approve drainage expenditure from Joint Drainage District #61 CDE, dated October 10, 2017 totaling \$1,931.70 for engineering services on ditch cleanout payable to Jacobson-Westergard & Associates, Inc., 105 South 6th Street, Estherville, IA 51334. County Auditor is instructed to send the billing to Dickinson County for payment after approval. Motion carried.

8:38 a.m. Assistant County Attorney Barry Sackett civil update
Assistant County Attorney Barry Sackett gave the Board a departmental update from the civil division of the County Attorney's office.

8:54 a.m. Engineer William Rabenberg
Engineer Rabenberg discussed equipment warranty for two snow plow trucks and a belly dump truck. There was discussion regarding the Region 3 Transportation Grant funding for the county trail system as well as the replacement of parking lots at the Courthouse and the Administration buildings.

Motion by Anderson, seconded by Skelton to approve the Supplemental Professional Services Agreement #1 for the Bridge Replacement KB25-1 on B53 over the Little Sioux River in Gillett Gove, IA and authorize Engineer Rabenberg to sign the supplemental agreement. Motion carried.

Motion by Swanson, seconded by Skelton to approve the final payment of \$58,737.12 and accept the work of Astech Corp for project LST-5817RS-1 (Route & Seal on B17, B40 & 150th Avenue). Motion carried.

Motion by Anderson, seconded by Skow to review a blade quote and authorize the purchase of blade equipment and authorize the Engineer to sign the purchase agreement with Red Power for blade equipment in the amount of \$45,635.00. Motion carried.

Motion by Skelton, seconded by Swanson to approve Transfer #366 of \$58,737.12 from the Local Option Sales Tax- Rural Use Fund to the Secondary Roads Fund. Motion carried.

9:25 a.m. Drainage District #23 Meeting

The Chairperson recessed the regular board meeting at 9:25 a.m. to convene as trustees for Drainage District #23.

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The Clay County Board of Supervisors convened as Trustees of Drainage District #23 at 9:25 a.m.

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

Drainage Technician Aaron Rutter discussed the fact that the City of Royal has forfeited their R-O-W land payment but do have an invoice from B & R Excavating LLC from Sutherland, IA for seeding throughout the district. The Trustees were asked to pay the seeding invoice that is less money than the cost of Royal R-O-W. The Trustees agreed to pay the seeding invoice.

Motion by Skow, seconded by Swanson to adjourn the drainage meeting at 9:28 a.m. Motion carried.

9:28 a.m. Drainage District #80 Meeting

The Clay County Board of Supervisors convened as Trustees of Drainage District #80 at 9:28 a.m.

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

Drainage Technician Aaron Rutter spoke with the Board regarding the October 2, 2017 letter from Bolton & Menk Engineer Jon Rosengren discussing an alternate recommendation for construction of an open ditch from the creek in Section 36-95-38. The recommended open ditch improvement was met with landowners expressing their displeasure with the open ditch option which extends the creek south.

Drainage Attorney Jim Hudson wrote on October 4, 2017 that he concurred with the opinion that rather than move forward with an open ditch there should be an alternate buried tile. The buried tile would eliminate the purchase of right of way. The alternate option should be treated as a change order and hold a hearing to approve the change. The landowners should be mailed a letter explaining the situation and intended outcome..

Motion by Skelton, seconded by Swanson to set a hearing date and time as Tuesday, November 21, 2017 at 1:00 p.m. Motion carried.

Motion by Skelton, seconded by Swanson to adjourn the drainage meeting at 9:35 a.m. Motion carried.

The Chairperson reconvened the regular board meeting at 9:36 a.m.

Motion by Anderson, seconded by Swanson to enter into closed session at 9:42 a.m. pursuant to Iowa Code Chapter 21.5(i). Motion carried.

9:45 a.m. – 10:15 a.m. Closed Session pursuant to IA CODE 21.5.1(i)

Motion by Skow, seconded by Anderson to exit closed session at 10:23 a.m. Motion carried.

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10:30 a.m. Jerry Crew approached the Board asking the role played by the Assistant County Attorney during the Planning & Zoning Board meeting held August 1, 2017.

10:45 a.m. RIDES Executive Director Hugh Lively spoke with the Board regarding their funding request for fiscal year 2019. The funding request remains the same as the previous fiscal year at \$15,000 which includes operational funding and capital replacement for the transportation services in Clay County to aid in the operations of the countywide ADA Demand Response Service, Taxi Service and the Medivan Bus Service that operates throughout Clay County and Spencer.

11:00 a.m. The Board met with a group of thirteen (13) residents from Clay County and surrounding counties and Senator David Johnson regarding Confined Animal Feeding Operations (CAFO). Spokesperson Sarah Lewis asking the Board of Supervisors to call for a moratorium on CAFO until legislators change the master matrix laws. Joan Olive of Spirit Lake also spoke sharing her personal story and experience related to CAFOs. Senator Johnson and others in attendance exchanged conversation with the Board. No motions were acted upon.

Motion by Skow, seconded by Anderson to authorize the Chairperson to sign the NW IA Regional Housing Trust Local Match commitment letter to be applied toward the fiscal year 2018 State Housing Trust Fund application. The financial pledge is in the amount \$8,281.00. Motion carried.

Motion by Swanson, seconded by Skelton to approve the proposal from Midwestern Mechanical, Inc., 3905 4th Ave W., Spencer, IA in the amount of \$500.00 for the installation of a condensate neutralization kit in the boiler at the Clay County Administration Building. Motion carried.

Motion by Swanson, seconded by Skelton to approve the Certificate of Adjustment #2285 on receipt #16893 for Gale E. Igou, 413 3rd Ave SE, Spencer, Iowa 51301 on a property located on Block 1 Lot 4 Woodcock 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 \$188.00. Motion carried.

Motion by Skow, seconded by Anderson to accept the September 30, 2017 Sheriff's Quarterly Report of Fees collected in the amount of \$33,768.58 with detail found in the County Auditor's office. Motion carried.

Motion by Anderson, seconded by Swanson to accept the September 30, 2017 Sheriff's Quarterly Commissary Account Report with beginning quarterly account balance of \$9,320.89; total deposits of \$13,852.44; total disbursements of \$14,692.97; less outstanding checks in the amount of \$281.19; and ending bank balance of \$8,761.55. Full account detail on file in the County Auditor's office. Motion carried.

Motion by Swanson, seconded by Skow to accept the County Auditor's Report of Fees Collected for the quarter ending September 30, 2017 totaling \$241.59 with detail on file at the County Auditor's office. Motion carried.

Motion by Skelton, seconded by Anderson to accept County Recorder's Report of Fees Collected for period ending September 30, 2017 totaling \$36,384.18 with detail on file at the County Auditor's office. Motion carried.

Motion by Anderson, seconded by Skelton to approve the Clay County Clerk's Report of Fees Collected for the quarter ending September 30, 2017 totaling \$20,336.65 for surcharge, county ordinance fines, court cost and reimbursement of sheriff fees, depositions, filing fees, and blood test. Detail on file at the County Auditor's office. Motion carried.

Motion by Skelton, seconded by Skow to accept the estimate for cleaning carpets in the Clay County Administration Building from ServiceMaster by Rice, 7555 University Ave, Clive, IA 50325 in the amount of \$1,331.60 to be accomplished on Friday, November 24, 2017. Motion carried.

Motion by Skow, seconded by Anderson to accept the estimate from Covenant Tile of Brandon, SD 57005 to install acoustical ceiling tile at the Clay County Magistrate court waiting room. Motion carried.

Supervisors discuss/share information from committees and boards they have attended. Supervisor Skow reported on the department head and safety meetings. Supervisor Skelton updated on the Upper Des Moines Opportunity board meeting and the REAP council meeting. Supervisor Anderson reported on the YES Center Board meeting, the Drug Court meeting, the NW IA Care Connections board meeting, and the Iowa Workforce Department meeting. Supervisor Matthews reported on the ISAC Retreat, the Alcohol Bureau of Licensing Permits meeting, the ILCC ribbon cutting ceremony, the Airport Board meeting, and the Conservation Board meeting.

The Chairperson adjourned the meeting at 12:27 p.m. to convene at the next Auditor's called meeting October 24, 2017 at 8:30 a.m.

/s/Marjorie A. Pitts, County Auditor

/s/Burlin H. Matthews, Chairperson