

Clay County Board of Supervisors Minutes from Meeting #1 held on January 2, 2004

The Clay County Board of Supervisors met pursuant to adjournment. The named supervisors were present: Sorenson, Brockshus, Schoer, and Chalstrom Absent: Zinn

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote: Ayes: Sorenson, Brockshus, Schoer, and Chalstrom. Nays: none. Abstentions: none.

Motion by Chalstrom, seconded by Brockshus to appoint Supervisor Joel M. Sorenson as the Chairperson of the Clay County Board for the year of 2004. Motion carried.

Motion by Schoer, seconded by Brockshus to appoint Supervisor William D. Zinn as Vice Chairperson of the Clay County Board for the year of 2004. Motion carried.

Motion by Schoer, seconded by Chalstrom to approve the meeting agenda for January 2, 2004. Motion carried.

Motion by Brockshus, seconded by Schoer to approve Resolution #2004-01 as follows. Resolution adopted.

RESOLUTION #2004-01

BE IT RESOLVED by the Board of Supervisors of Clay County, Iowa, that Scott L. Rinehart, the County Engineer of Clay County, Iowa be and is hereby designated, authorized, and empowered on behalf of the Board of Supervisors of said county to execute the certificate of completion of work and final acceptance thereof in accordance with the plans and specifications thereof in connection with all Farm to Market construction projects in the county.

Marjorie A. Pitts, Auditor

Joel M. Sorenson, Chairperson

Motion by Chalstrom, seconded by Schoer to adopt the following resolution. Resolution adopted.

RESOLUTION 2004-2

Determine the depositories of public funds belonging to Clay County, Iowa and execute the amount which may be deposited without further approval.

BE IT RESOLVED, that the Clay County Treasurer will utilize the services of the following depositories for the deposit of public funds belonging to Clay County, Iowa, or coming into its possession, pursuant to a duly executed amount which may be thus deposited without further approval of this Board and the Treasurer of State is as listed:

NAME OF DEPOSITORY	LOCATION	MAXIMUM DEPOSIT	UNDER
THIS RESOLUTION			
U.S. Bank	Spencer, Ia	\$ 4,000,000	
Farmers Trust & Savings Bank	Spencer, Ia	\$ 6,000,000	
Bank of America	Spencer, Ia	\$ 6,000,000	
State Bank	Everly, Peterson, Spencer, Ia	\$ 4,000,000	
Farmers Savings Bank	Fostoria, Ia	\$ 2,000,000	
Home State Bank	Royal, Ia	\$ 2,000,000	
Community State Bank	Spencer and Webb, Ia	\$ 2,000,000	
First State Bank	Sioux Rapids, Ia	\$ 400,000	

First State Bank	Linn Grove, Ia	\$ 400,000
N.W. Federal Savings Bank	Spencer, Ia	\$ 4,000,000
Telco-Triad Credit Union	Spencer, Ia	\$ 400,000

BE IT RESOLVED, that the following officers are hereby authorized and directed to execute said Agreement, to execute and deliver signature authorization cards to depository concurrently therewith, and to execute all drafts, checks and other documents and correspondence regarding any accounts of Clay County, Iowa at established depositories:

LAVON MONTGOMERY	TREASURER	TERM EXPIRES 12/31/06
PATRICIA APPELATE	DEP TREASURER	TERM EXPIRES 12/31/06
SANDRA GEIDL	DEP TREASURER	TERM EXPIRES 12/31/06

BE IT RESOLVED, that the officers described above are hereby authorized and directed to take such action, and execute such documents and agreements as may be necessary to secure the repayment of the deposits of public funds authorized hereunder, including to, but not limited to: Security Agreements, Bailment Agreements, Notices, and any documents or instruments supplemental or incidental thereto.

BE IT RESOLVED, that the auditor forward a certified copy of this resolution to Depository, and other parties which may request it for purposes of effectuating the deposit of public funds authorized hereunder or any security therefore, together with a certificate attesting to the names and signatures of the present incumbents to the offices described above; and the auditor further certify to Depository or other parties from time to time the signature of any successor in office of any of the present incumbents.

 Marjorie A. Pitts, Auditor

 Joel M. Sorenson, Chairperson

Motion by Brockshus, seconded by Chalstrom to adopt the following resolution. Resolution adopted.

RESOLUTION 2004-3

Designate the depositories for 2004 for the Clay County Auditor, Recorder, and Sheriff with maximum limitations.

BE IT RESOLVED, that the following banks be designated as depositories for 2003 for the Clay County Auditor, Recorder, and Sheriff with maximum limitations as shown.

AUDITOR		
Farmers Trust & Savings Bank	Spencer, IA	\$ 20,000
RECORDER		
U.S. Bank	Spencer, IA	20,000
Farmers Trust & Savings Bank	Spencer, IA	20,000
Bank of America	Spencer, IA	20,000
SHERIFF		
Farmers Trust & Savings Bank	Spencer, IA	100,000
Home State Bank	Royal, IA	100,000
Telco Triad Credit Union	Spencer, IA	100,000

 Marjorie A. Pitts, Auditor

 Joel M. Sorenson, Chairperson

Motion by Schoer, seconded by Brockshus to adopt the following resolution. Resolution adopted.

RESOLUTION 2004-4

To appoint County Deputies for Recorder, Treasurer, and Sheriff

BE IT RESOLVED, that Ann Spooner be reappointed deputy for the County Recorder; Patricia Applegate and Sandra Geidl be reappointed deputies for the County Treasurer; Monte Dan Lekwa, Jeffrey Jay Traughber, Timothy Robert Small, Casey James Timmer, Dennis Ramon Linn, Bradley Allen Hawley, Donald Duane Bates and Jeremy Kyle Bellis be reappointed deputies for the County Sheriff effective January 1, 2004.

Marjorie A. Pitts, Auditor

Joel M. Sorenson, Chairperson

Motion by Chalstrom, seconded by Brockshus to accept the recommendations of the Chairperson for the following committees for the year 2004. The Chairperson appointed those board members not appointed as members of each committee to be alternates for each committee.
Motion carried.

A.D.T.U. - (Brockshus / Zinn)
CEO-IWD- (Chalstrom)
Communication Center - (Chalstrom / Sorenson)
Courthouse - (Zinn / Sorenson)
E-911 Board & Airport Board of Trustees - (Chalstrom)
EMS Council - (Sorenson)
Grievance Committee - (Zinn/Brockshus)
Jobs Trust - (Brockshus)
Joint Civil Defense Board - (Chalstrom)
L.E.P.C. - (Chalstrom)
N.W. Ia. Planning and Development - (Zinn)
NW Ia Solid Waste (NWISWA) (January - June)(Schoer/Sorenson, alternate)
Regional Transit Authority - (Schoer)
Seasons Board - (Schoer / Brockshus)
Spencer Industries Board - (Brockshus)
Upper Des Moines Opportunity - (Sorenson)
Youth Emergency Services - (Chalstrom)

Motion by Schoer, seconded by Brockshus that Clay County, Iowa designate Scott L. Rinehart, the County Engineer, as its representative on the Northwest Iowa Planning and Development Commission Intermodule Surface Transportation Efficiency Act (ISTEA) Committee for the year 2004.
Motion carried.

Motion by Brockshus, seconded by Schoer that the chairperson be authorized to sign all Farm to Market road vouchers for the year 2004, and the County Engineer be authorized to act in all Farm to Market road projects subject to the approval of the Clay County Board of Supervisors. Motion carried.

Motion by Chalstrom, seconded by Schoer that pursuant to Section 321.471 of the Code of Iowa, that paved and gravel portions of the Clay County secondary roads system be placed under a local embargo to become effective when appropriate signs are erected by the County Engineer. The local limitation imposed by the embargo shall be either 4, 6, or 8 ton gross load to be applied as conditions warrant. Also, to authorize the County Engineer to temporarily close any Clay County secondary roads for emergency reasons as determined by the engineer. Motion carried.

Motion by Chalstrom, seconded by Brockshus that in preparing right-of-way compensation estimates for Clay County for 2004 that a factor of 3 times the assessed value per acre as obtained from the records of the Clay County Assessor be used to determine the fair market value. The 3.0 factor was established through the services of the Clay County Assessor's records of previous land sales in Clay County. The following payments for fence removal and replacement are also established for Clay County right-of-way purchases: \$.25 per foot for barbed wire and \$.30 per foot for woven wire removal; fence replacement to be paid at the rate of \$.70 per foot for barbed wire and \$.90 per foot for woven wire when the fence has been replaced. Motion carried.

Motion by Schoer, seconded by Brockshus to appoint Supervisor William D. Zinn, pursuant to *Iowa Code* Section 905.3(1)(a), to serve on the Board of Directors of the Third Judicial district Department of Correctional Services for the calendar year 2004. Motion carried.

Motion by Schoer, seconded by Chalstrom to appoint Marc E. Gustafson, 3855 180th Ave, Spencer, IA as the Clay County Weed Commissioner pursuant to Code of Iowa, Chpt 317.3 effective March 1, 2004 until a replacement is appointed and upon approval of the Clay County Conservation Board. There shall be an annual compensation of \$1000.00 for the responsibilities. Motion carried / failed.

Motion by Brockshus, seconded by Chalstrom to appoint Jim Eldridge, 2925 340th Avenue, Terril, IA to serve on the Clay County Zoning Board filling the unexpired term of Bonny Swart pursuant to Code of Iowa Chapter 335.8 effective until December 31, 2004. Motion carried.

Motion by Chalstrom, seconded by Brockshus to appoint Sylvia D. Schoer, 1212 16th Ave. W., Spencer, IA to serve on the Clay County Board of Health pursuant to Code of Iowa Chapter 137.4 for a term of three (3) years ending December 31, 2006. Motion carried.

Motion by Schoer, seconded by Brockshus to reappoint Dale L. Peters, 1405 13th Ave. W., Spencer, IA as a member of the Clay County Conservation Board pursuant to Code of Iowa Chapter 350.2 for a term of five (5) years ending December 31, 2008. Motion carried.

Motion by Brockshus, seconded by Schoer to reappoint David Simington, 2955 210th Ave, Spencer, IA to serve on the Clay County Zoning Board of Adjustment pursuant to Code of Iowa Chapter 335.11 for a term of five (5) years ending December 31, 2008. Motion carried.

Motion by Schoer, seconded by Brockshus to appoint Clay County Central Point Coordinator Kim Wilson as Clay County's representative and Supervisor Sylvia D. Schoer as the alternate representative to the Cherokee Mental Health Advisory Board. Motion carried.

Motion by Schoer, seconded by Brockshus to reappoint Marilyn White, 4720 130th Ave., Peterson, IA 51047 as a Lay Person to the Season's Board. Motion carried.

Motion by Schoer, seconded by Chalstrom to appoint the Spencer Daily Reporter, Everly-Royal News, and the Peterson Patriot as the official newspapers for the county for the year 2004. Motion carried.

Motion by Brockshus, seconded by Schoer to appoint Supervisor Joel M. Sorenson as the Clay County Board alternate to the Executive Board of the Iowa Lakes Resource Conservation and Development (RC&D) Board and appoint Clay County Conservationist Daniel Heissel as the At-Large Alternate and the voting member on the Iowa Lakes RC & D Executive Board for the year 2004. Motion carried.

Motion by Chalstrom, seconded by Schoer to reappoint Russell Kress, 4830 270th Ave., Webb, IA to the Webb Benefited Fire District for a three-year term ending December 31, 2006. Motion carried.

Motion by Brockshus, seconded by Chalstrom to reappoint Esta M. Fraley, 2360 490th St., Sioux Rapids, IA to the Herdland Benefited Fire District for a three year term ending December 31, 2006. Motion carried.

Motion by Schoer, seconded by Chalstrom to reappoint Wayne Kress, 2795 480th St., Webb, IA and Lee Boltjes, 201 Washington, Everly, IA to the Clay County Board of Review for a term of six years ending December 31, 2009. Motion carried.

Motion by Brockshus, seconded by Schoer to reappoint the following list of Clay County residents, by category, to serve on the Commission to Assess Damages pursuant to Section 6B.4 of the *Iowa Code* for the year 2004. Motion carried.

FARMERS

Robert Swan, 3181 310th Ave., Dickens, IA 51333
John Olson, 4670 200th Ave., Sioux Rapids, IA 50585
Jack Schoelerman, 208 S. Washington St., Everly, IA 51338
Robert White, 4720 130th Ave., Peterson, IA 51047
Wayne Kress, 2795 480th St., Webb, IA 51366
Frank Parks, 3 Grandview Blvd, Spencer, IA 51301
Gary Jackson, 2780 340th St., Dickens, IA 51333
Jack D. Sylvester, 4800 Sylvester Rd, Webb, IA 51333

CITY OWNERS

Lee Shatto, 412 1st Ave SW, Fostoria, IA 51340
Robert Wetherell, 112 College St., Peterson, IA 51047
Dennis Galloway, 103 King Ave., Royal, IA 51357
Robert Alderman, 912 W. 11th St., Spencer, IA 51301
Jan Yungbluth, 120 Willow Lane, Rossie, IA 51357
Donald Hintz, 610 Hwy Ave. SW, Spencer, IA 51301

REAL ESTATE BROKERS

G. Kennon Norris, 2113 W. 11th St., Spencer, IA 51301
Jon Hjelm, Box 833, Spencer, IA 51301
David Jacobsen, 1604 Country Club Dr., Spencer, IA 51301
Norma Haack, 722 4th Ave E., Spencer, IA 51301
Richard Hallett, 1313 Country Club Dr., Spencer, IA 51301
Bonnie Hoover, 1312 18th Ave W., Spencer, IA 51301
John Cotton, 2075 355 St., Spencer, IA 51301
Mary McLaughlin, 2460 340th St., Spencer, IA 51301

Vance Frommie, 1021 N. Grand, Spencer, IA 51301
OTHER

Paul E. Strautz, 503 E. 17th St., Spencer, IA 51301

Bryan Bailey, 3580 130th Ave., Everly, IA 51338

Loren W. Reed, 1207 Michael's Ct., Spencer, IA 51301

Tom Cornwall, Box 3046, Spencer, IA 51301

JoAnn Anderson, 105 Ash St., Peterson, IA 51047

Kenneth Essick, Webb, IA 51366

Eldon Goff, 1310 W. 9th St., Spencer, IA 51301

The Chairperson adjourned the meeting at 11:45 a.m. to convene at the Auditor's called meeting
Tuesday, January 6, 2004 at 8:30 a.m.

Marjorie A. Pitts, County Auditor

Joel M. Sorenson, Chairperson

Clay County Board of Supervisor Meeting #2 held on January 6, 2004

The Clay County Board of Supervisors met pursuant to adjournment. The named supervisors were present:

Chalstrom, Brockshus, Zinn, Schoer, and Sorenson. Absent: None. Guest: Marlin Voss.

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote: Ayes:

Sorenson, Brockshus, Zinn, Schoer, and Chalstrom. Nays: none. Abstentions: none.

Motion by Schoer, seconded by Zinn to approve the meeting agenda for January 6, 2004. Motion carried.

Motion by Chalstrom, seconded by Schoer to approve the County Board minutes for Meeting #42 dated December 23, 2003 and Meeting #1 dated January 2, 2004. Motion carried.

Motion by Chalstrom, seconded by Zinn to approve the payment of the claims for January 6, 2004 with the detail on file in the County Auditor's office for review. Motion carried.

General Basic Fund		
A T & T	DHS phone calls	13.52
Ace Hardware	Shrf keys	16.14
Annette Schaeffer	Gaming election worker	12.00
Asher Motors	Shrf jail van ignition	50.00
Bill Caskey	rent asst	400.00
Bob's Auto	Shrf windshield repair	1235.00
Canon Financial Services Inc	DP copier contract	103.45
Carpenter Uniform & Promotions	Shrf jacket	103.60
Cellular One	Shrf cell phone	293.05
Cerro Gordo Co Sheriff	CSRU shrf fees	15.40
City of Spencer	GSC garbage removal	20008.76
Clay County Sheriff	CSRU shrf fees	425.62
Clay County E911 Fund c/o Gary	Shrf annual sup't Shield	2523.33
Clay County Fair Assn	FY04 Local Opt alloc	33122.72
Crescent Electric Supply	Shrf elect outlet supplies	5.26
Dickinson Co Sheriff	CSRU shrf fees	47.16
Ecolab Pest Elimination	Cths wing command	88.50
Emmet County Sheriff	CSRU shrf fees	36.00
Employment Connections, Inc	GA clerical	81.27
Fidlar Companies	Treas apportionment check	611.49
Four Points Sheraton DM Air	Shrf mtg expense	164.16
Francis Lauer Youth Serv	shelter care	1509.17
G E Capital	DHS copier contract	139.30
H & N Chevrolet Buick	Shrf repair S21-4	295.90
Hy-Vee #1636	Shrf batteries	17.34
IOWWA c/o Alic Vinsand, Inc.	Mtg registration	120.00
Janitor's Closet Ltd	Admn floor cleaning	613.00
Johnson Supply	Consv supplies	129.02
Keith DeJager	rent asst	220.00
Dennis R Linn	Shrf mtg exp	15.88
Lyon County Sheriff	CSRU Shrf fees	25.95
Mar-Lin Business Supply	Aud correct tape	75.99
Meyer Oil Co.	Gas	10.50
Michelle A Krile	Gaming election worker	12.00
Mid-States Organized Crime Inf	Shrf '04 membership fee	100.00

Midwest Wireless	GSC cell phone serv	79.98
Minolta Corporation	DHS copier contract	18.87
M P H Industries Inc	Shrf install/radar	1995.00
NW IA Community College % Evan	Shrf CPR recert	26.00
O'Brien County Sheriff	CSRU shrf fees	65.40
Office Systems Company	Admn copy charges	73.27
Perkins Office Solutions	DHS office supplies	134.20
Peterson Patriot	Pub ord#19 scharnberg loan	389.88
Pitney Bowes	DHS mail machine contract	311.94
Pottawattamie Co Sheriff	CSRU shrf fees	17.00
Providea, Inc	Shrf 6 channels/line chrg	22.20
Qwest	Bldg trunk lines	1304.45
Randy Krile	Gaming election worker	12.00
RIDES fka Reg Transit Authori	Gaming Rides to the polls	860.00
Melinda L Roman	CSRU mileage	84.09
Don K Sadler	Shrf transport/gas	20.00
Shoppers Supply	Shrf key	2.58
Sioux County Sheriff	CSRU shrf fees	84.42
Sioux Sales Co	Shrf boots	106.45
SoftChoice Corporation	DP sftwr-winxp-Eng	1416.65
Solutions, Inc	Install support pc auditor	192.50
Spencer Mun Utilities	CCSO utilities	2671.64
Spencer Office Supplies	DHS file folders	78.86
Staples	DHS office supplies	165.55
Staples Credit Plan	CSRU office supplies	87.86
Synergy Center	sa	1820.00
Trancite Logic Systems	Shrf ESD license	700.00
U S Postmaster	stamps	50.80
Virginia Beach Sheriff Dept At	CSRU shrf fees	53.00
VISA	Consv gas 412126806010474	30.00
Woodbury County Sheriff	CSRU shrf fees	33.36
Worth County Sheriff	CSRU shrf fees	7.00
Xerox Corporation	Rec base charge Nov 03	357.17
Zee Medical Service Co	Admn first aid supplies	15.00
	General Supplemental Fund	
Clay County Sheriff	Shrf trans chrgs jv	89.00
Fiscal Services Bureau Dept of	Juvenile county base	1780.00
IA Municipalities Workers Comp	Worker comp prem	3928.00
West Group Payment Center Thom	Law library	2988.44
	MH-DD Services Fund	
Cass Incorporated	wa	283.59
Clay County Sheriff	sheriff fees	89.00
Employment Connections, Inc	MH clerical	189.63
Greer Law Office John P. Greer	attry fees	66.44
IA Dept of Human Services DHS	CM 1/03-6/03	21757.08
Midwest Wireless	cell phn charges	45.49
Pam Wingert	attry fees	205.00
Plymouth County Sheriff	sheriff fees	66.60
REM Developmental Services Inc	adc	284.03
U S Postmaster	stamps-mh	50.80
	Secondary Road Fund	
Ace Hardware	Fasteners	2.10
Airgas North Central	Strickers for Torch	67.67
Alliant Energy	Electric - Spencer	199.93
Alpha Wireless Comm	Radio Repair #10	65.60
Aquila	Gas - Royal	404.75
Barnes Distribution	BOLTS	451.61
Catco Parts & Service	2 - Strobe Lights	202.60
Cellular One	Eng. Cell Phones -Spencer	164.35
Christians Sheet Mtl Wrks	40 VA Transformer	14.46

City of Royal	Water & Sewer - Royal	24.00
City of Spencer	2 tires	58.00
Crescent Electric Supply	Spencer Shed	49.78
Everttek	Telephone - Everly	74.39
John F Fogarty	Reimb. for Safety Shoes	69.95
The Hotel at Gateway Center	Lodging - Eng. Conference	560.70
H & N Chevrolet Buick	Cables	22.42
Hartley Farm & Home Center Inc	Everly Shed Materials	36.09
Jason H Hass	Reimb. for Safety Shoes	50.00
IA Concrete Paving Assn	ICPA Workshop - Pete	360.00
IA Nature Conservancy, The	Worker's Comp Inst. #7	5892.00
IA State University c/o Terrie	Reg. Fee Budget Workshop	165.00
Iowa Telecom	Telephone - Peterson	49.13
Robert B Kluender	Reimb. for Safety Shoes	50.00
Lawson Products Inc	BOLTS	358.31
Mar-Lin Business Supply	Diskette Holder	43.42
Metal Culverts Inc	125 - 18" CMP	17191.73
Safety-Kleen Systems Inc.	Service Parts Cleaner	332.05
Shoppers Supply	Ladder, Dickens Washer	746.45
Spencer Auto Parts Inc	PARTS	2547.54
Spencer International	Fittings	30.24
Triple R Inc	56-Shoe Skins	1528.00

Motion by Schoer, seconded by Brockshus to approve the payment of Jt Drainage Ditch 14-42 Lateral 198 totaling \$331.00 and Jt Drainage Ditch #14-42 Main totaling \$320.00 payable to the Clay County Secondary Roads for Tile Repair. Motion carried .

Motion by Zinn, seconded by Brockshus to reappoint David Robinson as the Clay County Coroner for a two year term ending December 31, 2005. Motion carried.

9:00 A.M. The time having arrived for the first public hearing and reading on County Ordinance #20 prohibiting the maintenance of a nuisance in Clay County, Iowa and providing for the abatement and prosecution of nuisances. The Board determined that proper notice of the public hearing was accomplished and finding there to be no oral or written objections it was moved by Supervisor Schoer, seconded by Supervisor Brockshus to set the second public hearing date and time for the adoption of County Ordinance #20 to be Tuesday, January 20, 2004 at 9:15 a.m. in the Supervisor's Board Room of the Clay County Administration Building, 300 West 4th St., Spencer, IA. Motion carried.

Moved by Chalstrom, seconded by Zinn to approve Resolution #2004-5. Motion carried.

RESOLUTION #2004-5

CONSTRUCTION EVALUATION RESOLUTION

WHEREAS, Iowa Code section 459.304(3) (2003), sets out the procedure if a board of supervisors wishes to adopt a "construction evaluation resolution" relating to the construction of a confinement feeding operation structure; and

WHEREAS, only counties that have adopted a construction evaluation resolution can submit to the Department of Natural Resources (DNR) an adopted recommendation to approve or disapprove a construction permit application regarding a proposed confinement feeding operation structure; and

WHEREAS, only counties that have adopted a construction evaluation resolution and submitted an adopted recommendation may contest the DNR's decision regarding a specific application; and

WHEREAS, by adopting a construction evaluation resolution the board of supervisors agrees to evaluate every construction permit application for a proposed confinement feeding operation structure received

by the board of supervisors between February 1, 2004 and January 31, 2005 and submit an adopted recommendation regarding that application to the DNR; and

WHEREAS, the board of supervisors must conduct an evaluation of every construction permit application

using the master matrix created in Iowa Code section 459.305, but the board's recommendation to the DNR

may be based on the final score on the master matrix or may be based on reasons other than the final score

on the master matrix;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF CLAY COUNTY

that the Board of Supervisors hereby adopts this construction evaluation resolution pursuant to Iowa Code section 459.304(3).

Joel M. Sorenson, Chairperson

Marjorie A. Pitts, Clay County Auditor

Moved by Schoer, seconded by Zinn to accept the Clay County Auditor's Report of Fees Collected for the quarter ending December 31, 2003 totaling \$322.35. Motion carried.

Motion by Zinn, seconded by Chalstrom to reappoint Sharon McKeever, 1942 350th St., Spencer,, IA and Keith

Kruse, 1235 360th St., Everly, IA to serve on the Clay County Zoning Board pursuant to Code of Iowa Chapter 335.8 for a term of three (3) years expiring December 31, 2007. Motion carried .

Motion by Brockshus, seconded by Zinn to approve the transfer of \$33,122.72 from Local Option –Fair fund to General Basic. Motion carried.

Motion by Schoer, seconded by Chalstrom to approve the Memorandum of Agreement stated in Resolution #2004-6. Motion carried.

RESOLUTION #2004-6

**Memorandum of Agreement between the Iowa Child Advocacy Board
and the Clay County Board of Supervisors**

WHEREAS, the Iowa Child Advocacy Board is desirous of operating its two volunteer child advocacy programs, the Iowa Court Appointed Special Advocate (CASA) program and the Iowa Citizen Foster Care Review Board (ICFCRB) program in Clay County; and

WHEREAS, the Clay County Board of Supervisors is supportive to giving the children of Clay County the benefit of the CASA and ICFCRB programs; and

WHEREAS, both the Iowa Child Advocacy Board and the Clay County Board Supervisors are committed to cooperation

for the benefit of abused and neglected children in Clay County and the surrounding area;

THEREFORE, in the interest of cooperation, the Iowa Child Advocacy Board and the Clay County Board of Supervisors agree as follows:

1. **PROVISION OF OFFICE SPACE**; Clay County has prepared office space for occupation by the Iowa Child Advocacy Board in the Clay County Courthouse in Spencer, Iowa, and will provide such space to the Iowa Child Advocacy Board for operation of the CASA and ICFCRB programs on a rent-free basis.
2. **RESPONSIBILITY FOR ONGOING EXPENSES**: The ongoing, recurring expenses for the operation of the CASA and ICFCRB programs from the Clay County Courthouse shall be the sole responsibility of the Iowa Child Advocacy Board, and the Iowa Child Advocacy Board shall hold Clay County harmless for any such expenses.
3. **MAINTENANCE OF PROPERTY**: The Iowa Child Advocacy Board shall, at all times, maintain the property occupied by its staff in the Clay County Courthouse in the same condition as existed at the time that the Iowa Child Advocacy Board began to occupy said property.
4. **MODIFICATION OF PREMISES**: The Iowa Child Advocacy Board shall not make any material modification to the space provided in the Clay County Courthouse without prior authorization from the Clay County Board of Supervisors.
5. **TERMINATION OF AGREEMENT**: This agreement shall continue until terminated by one of the parties hereto. Either party shall have the unconditional right to terminate this agreement with six months' prior written notice.

Dated this 6th day of January, 2004.

Joel M. Sorenson, Chairperson

Marjorie A. Pitts, Clay County Auditor

Safety Director Tammy McKeever reported to the Board the results of the OSHA Form 300A for 2003. There were six recorded cases and zero days away from work. The six cases were basically first aid

needs.

Kim Wilson, Central Point Coordinator for Mental Health & Director of Community Services requested input from the Board regarding a young adult client that may need additional services in an Adult Rehab Option (ARO) setting that would require the county to share in additional costs. A 90 day time trial was proposed but with a progress report given after 60 days to determine if the final 30 days were approved. Wilson also discussed the Representative Payee Program with the Board. The Program has been offered an application to underwrite a portion of administrative costs from the Senior Living Trust. Further investigation was recommended before completing the application process.

Motion by Zinn, seconded by Schoer to approve the permit for the Iowa Department of Transportation's automatic traffic recorder to remain in the Secondary Road ROW on and along the West side of US71 at Fostoria, IA.
Motion carried.

The Chairperson adjourned the meeting at 10:50 a.m. to convene at the Auditor's called meeting Friday, January 9, 2004 at 9:00 a.m.

Marjorie A. Pitts, County Auditor

Joel M. Sorenson, Chairperson

Clay County Board of Supervisors Minutes from Meeting #3 held on January 9, 2004

The Clay County Board of Supervisors met pursuant to adjournment. The named supervisors were present:

Chalstrom, Brockshus, Zinn, Schoer, and Sorenson. Absent: None.

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote: Ayes:

Sorenson, Brockshus, Zinn, Schoer, and Chalstrom. Nays: none. Abstentions: none.

Motion by Zinn, seconded by Schoer to approve the meeting agenda for January 9, 2004. Motion carried.

The Board discussed the submitted 2005 fiscal year departmental budgets and spoke with County Assessor Larry Rozeboom regarding the status of future valuation growth in Clay County. Rozeboom.

The Chairperson adjourned the meeting at 12:15 p.m. to convene at the Auditor's called meeting Monday, January 12, 2004 at 9:00 a.m.

Marjorie A. Pitts, County Auditor

Joel M. Sorenson, Chairperson

Clay County Board of Supervisors Minutes from Meeting #4 held on January 12, 2004

The Clay County Board of Supervisors met pursuant to adjournment. The named supervisors were present:

Chalstrom, Brockshus, Zinn, Schoer, and Sorenson. Absent: None.

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote:

Ayes: Sorenson, Brockshus, Zinn, Schoer, and Chalstrom. Nays: none. Abstentions: none.

Motion by Schoer, seconded by Brockshus to approve the meeting agenda for January 12, 2004.

Motion carried.

The Board discussed the submitted 2005 fiscal year departmental budgets.

The Chairperson adjourned the meeting at 11:50 a.m. to convene at the Auditor's called meeting Tuesday, January 13, 2004 at 8:30 a.m.

Marjorie A. Pitts, County Auditor

Joel M. Sorenson, Chairperson

Clay County Board of Supervisors Minutes from Meeting #5 held on January 13, 2004

The Clay County Board of Supervisors met pursuant to adjournment. The named supervisors were present:

Chalstrom, Brockshus, Schoer, Zinn & Sorenson. Absent: None.

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote: Ayes:

Sorenson, Brockshus, Zinn, Schoer, and Chalstrom. Nays: none. Abstentions: none.

Motion by Chalstrom, seconded by Schoer to approve the meeting agenda for January 13, 2004. Motion carried.

The Board met with Department Heads and Elected Officials regarding their submitted 2005 fiscal year budgets.

The Chairperson adjourned the meeting at 4:45 p.m. to convene at the Auditor's called meeting Tuesday, January 20, 2004 at 8:30 a.m.

Marjorie A. Pitts, County Auditor

Joel M. Sorenson, Chairperson

Clay County Board of Supervisor's Minutes for Meeting # 6 held on January 20, 2004

The Clay County Board of Supervisors met pursuant to adjournment. The named supervisors were present:

Schoer, Zinn, Chalstrom, Brockshus, & Sorenson Absent: None.

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote:

Ayes: Sorenson, Brockshus, Zinn, Schoer, and Chalstrom. Nays: none. Abstentions: none.

Motion by Schoer, seconded by Zinn to approve the meeting agenda for January 20, 2004. Motion carried.

Motion by Chalstrom, seconded by Zinn to approve the County Board minutes for Meeting #2 dated January 6; #3 dated January 9; #4 dated January 12; and #5 dated January 13, 2004. Motion carried.

Motion by Zinn, seconded by Brockshus to approve the payment of the claims for January 20, 2004 with the detail on file in the County Auditor's office for review. Motion carried.

	General Basic Fund	
ABC Computers Plus	Shrf brochure paper	2871.25
Ace Hardware	Consv tubing	44.08
Agrisafe	Consv safety items	24.25
Allied Document Solutions	Treas renewals feb	425.95
Patricia A Applegate	2003 unused sick time	120.00
Aquila	CCSO utilities	2763.00
Arch Wireless	DHS pager serv	91.21
Bank of America	Treas bank chrg	46.54
Ann L Baschke	2003 unused sick pay	74.30
Donald D Bates	2003 unused sick time	78.50
Bill Stevenson Const	GSC snow removal December	465.00
Bud's Service	Shrf battery/blades	383.03
Edward D Campbell	2003 unused sick time	115.00
City of Everly	VA utility assist	250.00
Clay Co Sec Road Fund	Election gas	1617.16
Clay County Sheriff	Shrf fees	1129.06
Clay Regional Water	Consv water usage	60.00
Crescent Electric Supply	Cths ult t8 blst	232.80
Daily Reporter	Bd pub/DP ad	469.42
De Linda Leu Reporting	Depositions	584.56
Debra M Mc Keever	Transcripts	19.50
Denny's Pest Control	Bldg pest control maint	161.00
Dickinson Co Sheriff	Shrf fees	152.52
Dorsey & Whitney-LLP	Professional serv/scharnb	2476.30
Gina L Ean	2003 unused sick time	80.50
Emmet County Sheriff	CSRU shrf fees	15.00
Employment Connections, Inc	CPC clerical	179.55
Everly-Royal News	Pub magistrate apptment	129.95
Farmers Trust & Svgs Bank	Treas service charges	133.74
Floyd County Sheriff	CSRU shrf fees	17.00
Galen's Pro-Mow	consv washers/nuts	14.72
G E Capital	Consv copier contract	119.48
Sandra S Geidl	2003 unused sick time	120.00
Goodhue County Sheriff	CSRU shrf fees	60.00
Graham Tire Co	Shrf tires	314.86
Great Lakes Cooperative	Cths potash	20.00

Bradley A Hawley	2003 unused sick time	115.00
Daniel J Heissel	consv mtg registrations	20.00
Helen's Comm Laundry Inc	CCSO rugs/mops	138.55
IA County Recorders Assn	Rec assoc dues	100.00
IA Dept Natural Resources	Consv wkshp reg	40.00
IA Environmental Health Assoc	Env Hlth annual dues	20.00
IA Lakes Electric Coop	cons utilities	59.11
IA Secretary of State	Election microfiche copies	6.75
IA State University	Safety registration	300.00
ISSDA	Shrf civil sch reg	315.00
Jackson County Sheriff	CSRU shrf fees	30.00
Janitor's Closet Ltd	Cths cust supplies	314.12
Kern County Sheriff	CSRU shrf fees	38.00
Kossuth Co Sheriff	CSRU shrf fees	30.75
Randy Krukow	Shrf mtg meal	3.58
L-Tron Corporation	Shrf scanners for patrol	868.96
Lake County Sheriff	CSRU shrf fees	50.00
Francis D Lehman	2003 unused sick time	117.90
Monte D Lekwa	2003 unused sick time	102.35
Dennis R Linn	2003 unused sick time	64.10
Los Angeles County Sheriff	CSRU shrf fees	38.00
Lyon County Sheriff	CSRU shrf fees	18.65
Kevin D Maassen	2003 unused sick time	97.50
Mangold Environmental Test	Well testing	12.00
Mar-Lin Business Supply	office supplies	179.52
McLeodUSA	Phone long distance	408.33
Melissa Rosales	Shrf interpreter	30.00
Midwest Wireless	DHS cell phone serv	193.94
Minolta Corporation	Consv copier contract	3.59
Northwest One	Consv internet serv	18.00
O'Brien County Sheriff	CSRU shrf fees	73.20
Office Systems Company	Copier charges	275.64
Orlyn Wiemers	VA transport	68.00
Osceola Co Sheriff	CSRU shrf fees	17.00
Overhead Door Sales	consv vinyl seals	228.90
Page Investigations	CSRU shrf fees	60.00
Palo Alto County Sheriff	Shrf fees	68.00
Perkins Office Solutions	DHS off supplies	240.51
Peterson Patriot	Pub gaming ballot	227.94
Janice M Pithan	2003 unused sick time	105.00
Pitney Bowes	Post mach contract	1527.00
Plymouth County Sheriff	CSRU shrf fees	44.00
Proforma Millennium Graphics	Aud envlp	145.50
Qwest	Bdlg circuits	112.33
Melinda L Roman	CSRU mileage	68.70
Sac County Sheriff	CSRU shrf fees	22.70
Nancy A Schlichting	2003 unused sick time	23.10
Shine Bros Steel	Consv steel	109.00
Shoppers Supply	Consv pipe	3690.38
Sioux County Sheriff	CSRU shrf fees	61.79
Michael M Skonhovd	2003 unused sick time	102.80
Timothy R Small	2003 unused sick time	118.20
SoftChoice Corporation	Shrf new pc's 2(rk/db)	2536.11
Solutions, Inc	DP pc problm & install	3600.50
South 66	Consv tire repair	6.50
Spencer Auto Parts Inc	Shrf filter	954.99
Spencer Family Care	ME services	375.00
Spencer Mun Hospital	PHN/jail meals	9125.40
Spencer Mun Utilities	Shrf phone serv	349.99
Spencer Office Supplies	office supplies	449.00

Ann E Spooner	2003 unused sick time	85.00
Staples	Consv off supplies	16.16
Mary E Storley	2003 unused sick time	120.00
Sullivan County Sheriff	CSRU shrf fees	50.00
SWIFT AIR	Bldg scheduled maint	330.00
Terry Morgan	Well closure	53.81
The Nature Conservancy Members	Consv renewal	100.00
Thrifty White Stores	Inmate medications	40.94
Casey J Timmer	2003 unused sick time	14.50
Jeffrey J Traughber	2003 unused sick time	105.10
U S Bank	Rec check order	28.25
U S Postmaster	DHS postage	75.00
Underground Vaults & Storage	Rec microfilm storage	192.00
Joan M Waller	2003 unused sick pay	120.00
Warner Funeral Home	Services provided	2600.00
WearGuard, Corp	Env health parka	137.79
Kimberly S Wilson	2003 unused sick time	35.30
Wright County Sheriff	CSRU shrf fees	42.00
Theresa E Wurth	2003 unused sick time	78.30
Xerox Corporation	Rec copier contract	460.63
Yakima Co Sheriffs Dept.	Shrf fees jv	22.50
Zenor & Houchins	Atty monthly expenses	2824.32
General Supplemental Fund		
Correctional Services Corp	Sheltered care jv	673.80
Iowa Workforce Development	2003 4th qtr unemployment	51.45
NW IA Youth Emergency Serv Ctr	JV detention	11250.00
MH-DD Services Fund		
Cass Incorporated	wa-care	220.57
Cherokee County Sheriff	sheriff fees	57.00
Clay Co Sec Road Fund	car/gas usage	10.33
Clay County Sheriff	sheriff fees	335.42
Echo Plus	scl-care	2694.19
Employment Connections	MH clerical	418.95
Hope Haven	res-care	7811.86
Horizons Unlimited of PAC	MH care	2179.22
Innovative Industries	wa-care	81.99
ISAC Multi-Co Serv Agency	registratn fee	30.00
Loughlin Law Firm	attry fees	50.00
Nishna Productions Inc	wa-care	3308.41
Northwoods Living	res-care	102.08
Oak Haven Care Facility	res-care	6051.64
Opportunity Village	res-care	7316.62
Plymouth Life Inc	res-care	1363.00
REM Developmental Services	adc-care	405.75
Seasons Center	1/04 mh services	21512.00
Spectra Health Care Living	res-care	2010.12
Spencer Office Supplies	offc suppl	69.38
Sunshine Services Inc.	wa-care	23856.22
SW Iowa Residential Facility	res-care	1381.05
Village N. W. Unlimited	res-care	3084.97
Kimberly S Wilson	2003 unused sick time	82.35
Rural Services Basic Fund		
Alpha Wireless Comm	Shrf install 21-3	1537.63
City of Spencer	Rural garbage service	4466.00
Clay County General Fund	FY04 Jt disaster funding	3754.00
CoZO	Zoning annual dues	50.00
Marc E Gustafson	2003 unused sick time	110.00
IA Dept Natural Resources	Consv wkshp reg	20.00
Iowa Workforce Development	2003 4th qtr unemployment	.05
McLeodUSA	Zn phone chrg	8.27

Northwest Equipment Inc	IRVM filters	62.88
Public Safety Center, Inc	Shrf batteries/portables	78.63
Shoppers Supply	wiper blades	7.95
	Secondary Road Fund	
A & M Laundry Inc.	Uniforms	223.20
Airgas North Central	WELDING SUPPLIES	20.18
Alliant Energy	Electric - Webb	770.91
Alpha Wireless Comm	Radio Repair in #110	136.85
Aquila	Gas - Spencer Sheds	4987.03
Arnold Motor Supply	PARTS	485.45
Ayrshire Farmers Mutual Tele	Telephone - Gillett Grove	27.19
Catco Parts & Service	Cyl. Repair	675.01
City of Everly	Gas - Everly	460.66
City of Hartley	Non-Metered	50.00
City of Webb	Water & Garbage - Webb	65.00
Clay County Drainage District	Reimb. to D.D. #39	207.35
Crysteel Truck Equipment	Seal Kit	661.38
Daily Reporter,	Job Ad - Serv. Tech 2x2	192.00
Great Lakes Cooperative	Kerosene	42.00
Hagedorn Excavating	Water Shutoff - Royal	233.64
Harmon AutoGlass	#2 Grader Windows	316.08
Holcomb Freightliner	Fan Drive	1064.57
IA Municipalities Workers Comp	Work Comp 03-04 Intal. #7	5892.00
Interstate Batteries	3 - 31-MHD Batteries	230.85
Iowa Workforce Development	2003 4th Qtr Unemployment	7.99
Johnston Autostores	Altinator, Core, Shipping	300.45
Lakes Propane Gas Co	Propane for Forklift	1434.70
Lawson Products Inc	BOLTS	49.32
Mar-Lin Business Supply	Calendars, Post-Its	43.25
McLeodUSA	Telephone - Office	8.19
Mid-Iowa Sales Co.	Windshield Solvent	38.50
New Sioux City Iron Co	1 x 6 Web Sling	191.26
Nielsen Tire Co	Service, Bal., O-ring	332.84
North Iowa Door Inc	Door Repairs - Royal Shop	51.50
Northwest Glass	Old Motorgrader Shed	19.60
Northwest One	Internet - Spencer	34.95
Peter J Paulsen	2003 Sick Leave Credit	120.00
Pixler Electric Inc	Electric Impact	175.00
L. F Rouse	2003 Sick Leave Credit	100.00
Royal Telephone Co	Telephone - Royal	36.19
Shine Bros Steel	1 x 1 x 1/4 x 20'	105.21
Sioux Falls Kenworth	FILTERS	352.80
Snap On Tools Corp	12A Crowfoot	94.00
Spencer Mun Utilities	Telephone - Spencer	480.71
Star Energy LLC	Gasohol 1365.00	21545.64
Town & Country Disposal	Garbage - Dickens	20.00
Webb-Dickens Telephone Co	Telephone - Dickens	59.26
West Bend Elevator Co	Double Paid on Account	3494.30
Jeffrey M Wiemann	2003 Sick Leave Credit	115.00
Xerox Corporation	Copy Cost	25.00
Zep Manufacturing Co	Choke & Carb Cleaner	241.90
Ziegler Inc	PARTS	4447.72
	Capital Projects	
Crescent Electric Supply	Consv Schbrg/elect	2185.62
Johnson Supply Co	Consv supplies	40.82
Little Rock Farm & Home	Consv Schbrg/shower & rr	12675.85
Spencer Ready-Mix Inc	Consv concrete-7	536.00
	E-911 Surcharge	
Ayrshire Farmers Mutual Tele	E911 phone	154.30

GeoComm Corporation	E911 systems maint servic	475.00
Qwest	E911 circuits	13.58
Royal Telephone Co	E911 system design agreem	1016.37
Jnt Co Emergency Mgt Fund		
Iowa Workforce Development	2003 4th qtr unemployment	7.50
McLeodUSA	Emg Mgt phone chrg	.90
Perkins Office Solutions	Emg Mgt office supplies	32.42

Motion by Schoer, seconded by Chalstrom to approve the payment of the drainage claims for January 20, 2004 with the detail on file in the County Auditor's office for review. Motion carried.

Motion by Zinn, seconded by Chalstrom to accept the Clay County Clerk's Report of Fees Collected for the quarter ending December 31, 2003 totaling \$4,359.50 for surcharge, county ordinance fines, and reimbursement of sheriff fees, depositions, filing fees, and blood tests. Motion carried.

Motion by Brockshus, seconded by Zinn to accept the Clay County Treasurer's Semi-Annual Report for the period ending December 31, 2003 with detail on file in the County Auditor's office. Motion carried.

Motion by Chalstrom, seconded by Brockshus to accept the Clay County Treasurer's Settlement of Funds on Hand as of December 31, 2003 totaling \$5,207,134.53 with detail on file in the County Auditor's office. Motion carried.

Motion by Schoer, seconded by Chalstrom to accept the Clay County Recorder's Report of Fees Collected for the quarter ending December 31, 2003 totaling \$38,588.00. Motion carried.

Motion by Zinn, seconded by Chalstrom to accept the Clay County Sheriff's Report of Fees Collected for the quarter ending December 31, 2003 totaling \$17,591.43. Motion carried.

Motion by Schoer, seconded by Brockshus to appoint Michelle Lachner, 3550 260th Ave., Spencer,, IA, as a member of the Clay County Conservation Board pursuant to Code of Iowa Chapter 350.2 to fill the unexpired term of Judy Johnson, 805 W. 9th St., Spencer, IA ending December 31, 2005. Motion carried.

Motion by Schoer, seconded by Chalstrom to appoint Kenneth L. Chalstrom, 2750 470th St., Webb, IA as a member of the Clay County Eminent Domain Commission pursuant to Iowa Code Section 6B.4 for a period of one year with term ending December 31, 2004.

Motion carried.

Motion by Brockshus, seconded by Zinn to set the first public hearing date and time for the discussion/acceptance of the amendment to Ordinance #17 establishing the election precincts in all the unincorporated areas of Clay County to be on February 3, 2004 at 9:00 o'clock a.m. and second hearing date and time for February 17, 2004 at 9:00 o'clock a.m. Motion carried.

9:15 a.m. This being the time and place for the second public hearing on the proposed Clay County Ordinance #20 prohibiting the maintenance of a nuisance in Clay County, Iowa and providing for the abatement and prosecution of nuisances. Whereupon, the Chairperson called for any written or oral objections and there being none, it was moved by Supervisor Schoer, seconded by Supervisor Zinn to set the third public hearing date and time for the adoption of County Ordinance #20 to be Tuesday, February 3, 2004 at 9:15 a.m. in the Supervisor's Board Room of the Clay County Administration Building, 300 West 4th St., Spencer, IA. Motion carried.

10:00 A.M. This being the time and place for the hearing on amending the current fiscal year 2004 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 Brockshus, seconded by Supervisor Chalstrom to adopt the amendment to the current fiscal year budget in the following expenditure service areas for the following amounts: Public Safety & Legal Services increased by \$60,000; Physical Health & Social Services increased by \$5,500; County Environment & Education increased by \$8,000; Government Services to Residents increased by \$26,000; Administration increased by \$60,225; and Capital Projects increased by \$250,160. Other financing uses of General Long-term Debt Proceeds increased by \$250,160. Motion carried.

Cindy McGranahan, Parker Historical Museum Director, presented the Board with an update of goals accomplished in 2003, highlights of activities, and projected events and programs for 2004. A cash flow report of revenues and expenditures was also given and explained to the Board.

Kim Wilson, Central Point Coordinator and General Assistance Director, updated the Board on client issues and discussed a proposal of funding assistance presented by the Cherokee County Economic Development Director relating to the Plymouth Life provider in Cherokee.

Motion by Schoer, seconded by Zinn to authorize the chairperson to sign a letter of support for

an ISAC legislation
proposal relating to the MHDD redesign. Motion carried.

The Seasons Center for Community Mental Health gave the Board their quarterly report on twenty-nine clients.

The Northwest Aging Association executive director Cynthia Beauman reviewed with the Board their 2004 Annual Report that covers a nine county area.

Motion by Zinn, seconded by Schoer, that permission be granted to Alliant Energy to install poles and down guys

in Secondary Road ROW, 2 miles West of Royal, Iowa at the intersection of M27 & 410th Street as set out in their application number 1-04 filed with the County Engineer. Motion carried.

The Board conducted a budget workshop with the County Treasurer, GIS/Data Processing, County Auditor, Court Services and non-program departments. Supervisor Sorenson left the meeting at 2:45 p.m.

The Vice-Chairperson Supervisor Zinn adjourned the meeting at 4:20 p.m. to convene at the Auditor's called meeting Thursday, January 22, 2004 at 8:30 a.m.

Marjorie A. Pitts, County Auditor

Joel M. Sorenson, Chairperson

Clay County Board of Supervisors Minutes for Meeting #7 held on January 22, 2004

The Clay County Board of Supervisors met pursuant to adjournment. The named supervisors were present:

Brockshus, Zinn, Schoer, Chalstrom, and Sorenson Absent: None

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote: Ayes:

Sorenson, Brockshus, Zinn, Schoer, and Chalstrom. Nays: none. Abstentions: none.

Motion by Zinn, seconded by Schoer to approve the meeting agenda for January 22, 2004. Motion carried.

The Board met to discuss FY05 departmental budgets. Supervisor Schoer left the meeting at 10:20 a.m. and returned at 11:15 a.m.

The Chairperson adjourned the meeting at 12:20 p.m. to convene at the Auditor's called meeting Friday, January 30, 2004 at 1:30 p.m.

Marjorie A. Pitts, County Auditor

Joel M. Sorenson, Chairperson

Clay County Board of Supervisors Minutes from Meeting #8 held on January 30, 2004

The Clay County Board of Supervisors met pursuant to adjournment. The named supervisors were present:

Brockshus, Zinn, Schoer, Chalstrom, and Sorenson Absent: None.

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote: Ayes:

Sorenson, Brockshus, Zinn, Schoer, and Chalstrom. Nays: none. Abstentions: none.

Motion by Zinn, seconded by Brockshus to approve the meeting agenda for January 30, 2004. Motion carried.

Motion by Chalstrom, seconded by Schoer to rescind the motion of January 20, 2004 setting the first public hearing date and time for the discussion/acceptance of the amendment to Ordinance #17 establishing the election precincts in all the unincorporated areas of Clay County to be on February 3, 2004 at 9:00 o'clock a.m.

and second hearing date and time for February 17, 2004 at 9:00 o'clock a.m. .

Motion carried.

Motion by Zinn, seconded by Brockshus to set the first public hearing date and time for the discussion/acceptance of the amendment to Ordinance #17 establishing the election precincts in all the unincorporated areas of Clay County to be on February 10, 2004 at 9:30 o'clock a.m. and second hearing date and time for February 17, 2004 at 9:00 o'clock a.m. Motion carried.

The Board discussed election precinct configurations for the unincorporated areas of the county. The current ordinance defines twenty-one precincts which includes the City of Spencer. The configuration that groups two townships together through out the county were most favored resulting in thirteen precincts in the unincorporated areas of the county. The Board also recognized the delivery of a petition requesting that Logan Township voting be conducted at the Logan Center School #5.

The Chairperson adjourned the meeting at 3:10 p.m. to convene at the Auditor's called meeting Tuesday, February 3, 2004 at 8:30 a.m.

Marjorie A. Pitts, County Auditor

Joel M. Sorenson, Chairperson

Clay County Board of Supervisors Minutes from Meeting # 9 held on February 9, 2004

The Clay County Board of Supervisors met pursuant to adjournment. The named supervisors were present:

Schoer, Zinn, Chalstrom, Brockshus & Sorenson Absent: None Guests: Wade Nelson, Farm Bureau; Allen

McCarty, Clay County Pork Producers; Joel Hartmann & Jim Christiansen, Clay County Cattlemen.

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote: Ayes:

Sorenson, Brockshus, Zinn, Schoer, and Chalstrom. Nays: none. Abstentions: none.

Motion by Schoer, seconded by Zinn to approve the meeting agenda for February 3, 2004. Motion carried.

Motion by Zinn, seconded by Schoer to approve the County Board minutes for Meeting #6 dated January 20th, #7

dated January 22nd & # 8 dated January 30th, 2004 with correction to strike the motion appointing Ken Chalstrom to Clay County Compensation Commission. Motion carried.

Motion by Brockshus, seconded by Chalstrom to approve the payment of the claims for February 3, 2004 with the detail on file in the County Auditor's office for review. Motion carried.

General Basic Fund

ABC Computers Plus	Jail ink cartridge	24.05
Ace Hardware	Bldg supplies	23.81
Alpha Wireless Comm	Shrf serv car	32.75
Barb Rupert	sew patches on uniforms	6.00
Blackhawk Auto Sprinklers	Adm inspect/test system	333.00
Blue Earth Co Sheriff	CSRU shrf fees	28.50
BOJI Information Systems	DOT cabling treas	576.00
Budget Lighting Inc	Cthse bulbs	149.06
Canon Financial Services Inc	DP gestetner maint	103.45
Carpenter Uniform & Promotions	Shrf uniforms	64.98
Cellular One	Shrf cell phone	311.33
Clay Co Sec Road Fund	Cths hdcuff bar	84.31
Clay County Sheriff	CSRU shrf fees	37.00
Clay County Treasurer	Special assmnt	16.00
Audrey Coffman	SEAT training meals	33.24
Coffman's Locksmith	Cthse keys	27.50
Community Services Association	2004 membership dues	15.00
Crescent Electric Supply	Bldg supplies	214.49
Denny's Drain Clean & Plbg	Shrf shower drain	30.00
Des Moines Stamp Mfg Co	Rec perma stamps	65.95
Dickinson Co Sheriff	CSRU shrf fees	25.98
Don C Carter	copies of hearings	5.00
Don Pierson Ford	Shrf oil	83.52
Gina L Ean	SEAT training exp	47.68
Emmet County Sheriff	CSRU shrf fees	60.00
Employee Data Forms Inc	Treas forms	11.25
Employment Connections, Inc	GA clerical	269.01
Everly-Royal News	Pub budget amendment	448.39
Farm & Home Publishers	Shrf plat books	230.00

Lucille H Faulkner	Shrf gas/transport	10.00
Fidlar Companies	Shrf shrf deeds	15.54
Galls Incorporated	Shrf tactical shirts	425.67
Gateway North Center	Elect 3rd ward rent	10.00
G E Capital	DHS copier contract	161.30
H & N Chevrolet Buick	Shrf battery replacement	164.07
Ervin D Harves	twp mileage	8.40
IA Secretary of State	election microfiche novem	6.75
Imperial Scott Specialties	Shrf patriotic pencils	452.87
Janitor's Closet Ltd	Bldg custodial supplies	54.00
Jasper Co Sheriff	CSRU shrf fees	17.25
Jim Christensen	Well closure	200.00
Judy Knudsen	twp mileage	12.60
Richard R Knudsen	twp mileage	53.40
Randy Krukow	Shrf postage	28.10
Lawrence Ragen Comm., Inc.	Shrf mag subscription	28.88
Lyon County Sheriff	CSRU shrf fees	22.50
Matt Parrott and Sons	Rec time stamp labels	150.25
Tammy R Mckeever	Env hlth mtg exp room	146.58
Midwest Wireless	GSC custodial phone	81.98
National Sheriff's Assoc	Shrf membership	100.00
O'Brien County Sheriff	CSRU shrf fees	24.00
OMB Police Supply	Shrf laptop mt/desk comp	717.97
Otis Elevator Co	Admn elevator contract	220.62
Perkins Office Solutions	envelopes	50.78
Pocahontas Co Sheriff	CSRU shrf fees	23.34
Providea, Inc	Shrf network fees	22.20
Qwest	Bldg trunk lines	1303.85
Melinda L Roman	CSRU mileage	62.50
Schoeneman Bros	Cths sheetrock	419.57
Sylvia D Schoer	Bd mileage	114.00
Sherwin Williams	Cths voc poly sat	19.39
Sidwell Company, The	Feb web service	500.00
Sioux County Sheriff	CSRU shrf fees	54.82
Sioux Sales Co	Shrf grn shirt	45.93
SoftChoice Corporation	PC/monitors	2081.76
Speed Printers	Shrf envelopes/note cards	122.70
Spencer Family Care	ME services	125.00
Spencer Mun Utilities	CCSO utilities	2494.47
Spencer Office Supplies	DHS ink cartridge	256.50
Spencer Trophy & Awards	Cthse CASA board	33.75
Staples	Equip new printer	315.43
Staples Credit Plan	Shrf batteries/usb cable	781.41
SWIFT AIR	Admn service call	90.00
Tazewell County Sheriff	CSRU shrf fees	16.00
The Cartridge Connection	Treas toner cartridge	208.95
UPS	Shrf shipping charges	25.92
VISA	Shrf gas	426.91
Walter Stephens Jr Inc	Shrf thermal tops	44.59
Kimberly S Wilson	GA mtg expense meals	32.56
Winther Stave & Co.	Financial report assist	475.00
Michael L Zenor	continuing ed mileage	108.00
General Supplemental Fund		
Clay County Sheriff	Shrf trans charges	90.50
NW IA Youth Emergency	Detention	1800.00
MH-DD Services Fund		
Clay County Sheriff	sheriff fees	40.00
Community Services Association	2004 membership dues	35.00

Co Case Management Serv	CCMS for 12/03	196.00
Employment Connections, Inc	MH clerical	266.49
IA Dept of Human Services	mrwaiv-scl	49864.56
Midwest Wireless	phn chrgs	79.47
Kimberly S Wilson	MH mtg exp meals	43.06

Rural Services Basic Fund

City of Spencer	rural garbage serv Feb 04	4466.00
Mobile Vision	Shrf mic lapel	155.00
Perkins Office Solutions	Zon ink cartirdge	14.99

Secondary Road Fund

Airgas North Central	WELDING SUPPLIES	108.55
Alliant Energy	Electric - Royal	165.02
Alpha Wireless Comm	Radio Repairs	264.45
Aquila	Gas - Royal	478.34
Arnold Motor Supply	PAINT	1707.42
Asphalt Paving Assn of IA	Asphalt Paving Conference	360.00
Bowman Distribution	Gloves	256.65
Cellular One	Cell Phone - Spencer	132.86
City of Royal	Water & Sewer - Royal	24.00
City of Spencer	Rent on 2 Yd Cont	65.00
Continental Safety Equip	175 - White Coveralls	747.45
Crescent Electric Supply	Electrical - Spencer Yard	21.85
Crysteel Truck Equipment Inc.	Decals for Snow Equip.	54.92
Galen's Pro-Mow	Sharpen Blades	56.88
H & N Chevrolet Buick	Tail Light	88.49
IA League of Cities	Annual Drug Testing Fees	100.00
Iowa Telecom	Telephone - Peterson	50.45
Johnson Supply Co	Floor Drain Stopper	45.95
Northwest Equipment Inc	Spacer & Bushing	1.85
Office Systems Company	Copycost	31.28
John M Rosacker	Reimb. for Safety Shoes	80.00
L. F Rouse	Reimb. to Renew Notary	30.00
Royal Telephone Co	Telephone - Royal	2.20
Share Corp	Finish Wax	114.67
Shoppers Supply	SIGN MAINT. REPAIR	196.81
Snap On Tools Corp	Diag Cutter	29.25
Spencer International	Bushing	31.16
Spencer Mun Utilities	Telephone - Spencer	52.04
Spencer Office Supplies	Clasp Envelopes	4.99
Zalaznik Equipment Corp	32 - 6652802 (Poly Brist)	299.22

Capital Projects

Little Rock Farm & Home, Inc	Scharnberg shower/restroo	59250.55
R.J. Thomas Mfg Co	Picnic tables Scharnberg	11512.20

Motion by Zinn, seconded by Chalstrom to authorize Northwest Iowa Planning & Development commission to proceed with writing a grant to the Public Safety Foundation of America to integrate the mapping system into the E-911 Computer Aided Dispatch on behalf of the Clay County E-911 Service Board. Motion carried.

Motion by Schoer, seconded by Zinn to approve the following resolution. Motion carried.

RESOLUTION NO.2004-7

To fix a date for a public hearing on a loan agreement

WHEREAS, Clay County (the "County"), proposes to enter into a loan agreement (the "Loan Agreement") in the principal amount of not to exceed \$125,000 pursuant to the provisions of Section 331.402 of the Code of Iowa for the purpose of paying the cost, to that extent, of acquiring computer equipment for County office; and

WHEREAS, it is necessary to fix a date of meeting of this Board at which it is proposed to take action to enter into the Loan Agreement and to give notice thereof as required by such law;

NOW, THEREFORE, Be It Resolved by the Board of Supervisors of Clay County, Iowa, as follows:

Section 1. This Board shall meet on the 10th day of February, 2004, at the Clay County Administration Building,

Board of Supervisors Room, 300 W. 4th St., Spencer, Iowa, at 9:15 o'clock a.m., at which time and place a hearing will be held and proceedings will be instituted and action taken to enter into the Loan Agreement.

Section 2. The County Auditor is hereby directed to give notice of the proposed action on the Loan Agreement setting forth the amount and purpose thereof, the time when and place where the said meeting will be held by publication at least once and not less than four nor more than twenty days before the meeting, in a legal newspaper of general circulation in the County.

Section 3. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Passed and approved February 3, 2004.

Marjorie A. Pitts, County Auditor

Joel M. Sorenson, Chairperson

9:15 a.m. This being the time and place for the public hearing on the proposed Clay County Ordinance #20 prohibiting the maintenance of a nuisance in Clay County, Iowa and providing for the abatement and prosecution of nuisances. The Chairperson called for any written or oral objections. Upon the oral objections raised by Joel Hartmann & Allen McCarty and the written objections received from Jim Christiansen the proposed ordinance was delivered to the Clay County attorney to be amended. It was moved by Supervisor Schoer, seconded by Supervisor Chalstrom to reschedule the public hearing date and time to be on February 10th, 2004 at 9:00 a.m. Motion carried.

Motion by Schoer, seconded by Brockshus to authorize the Chairperson to sign the Northwest Iowa Solid Waste Agency – City of Spencer Withdrawal Agreement dated February 3, 2004 stating the City of Spencer, Iowa, and

Clay County's desire to withdraw from the Agency and have served notice of their intention to the chairman of the executive committee of the Agency, as required by the 28E Agreement. The Agreement signed by the Chairman of the Northwest Iowa Area Solid Waste Agency, the City of Spencer Manager, and the Chairman of the Clay County Board of Supervisors will be kept on file in the Clay County Auditor's office. Motion carried.

Gary Mahood, the Loss Control Coordinator from the Iowa Municipalities Workers' Compensation Association updated the Board on work compensation injuries from Clay County before conducting his safety review of the county.

Kim Wilson, Clay County Central Point Coordinator updated the board on consumer usages, discussed issuance of Iowa City state papers and introduced the IDACTION (Iowans with Disabilities in Action) group offering.

Motion by Chalstrom, Seconded by Zinn, to accept the quotation of Wayne T. Hansen Corp of Algona, IA for maintenance gravel resurfacing of \$104,000 for 2004 and authorized the Chairperson to sign the contract. Motion carried.

Motion by Schoer, Seconded by Chalstrom, to accept the Iowa Department of Transportation Agreement for Federal-Aid Highway Bridge Replacement and Rehabilitation Program Project for BROS-CO21(93)--8J-21, and authorized the chairperson to sign all three copies of the agreement. Motion carried.

John Torbert, Iowa Drainage Ditch Association discussed both federal and state level issues of the IDDU with the Board. Two of the federal issues deal with the Clean Water Act for drinking water and the "Dead Zone" located in the Gulf of Mexico where nitrogen kills the aquatic life. The corn belt states are responsible for creating this area. Getting Iowa off the Impaired Waters list by 2010 has a strong support from the Governor and the DNR is to put together a task force to accomplish this goal. Working toward this goal, the IDDU will increase the number of buffer strips, use GIS to monitor wetland placement and work with farmers to be more precise with fertilizers.

Dan Hiessel updated the Board on the progress being made on the Scharnberg Project.

Supervisor Sylvia Schoer left the meeting at 11:20 a.m.

The Chairperson adjourned the meeting at 11:28 a.m. to convene at the Auditor's called meeting at 8:30 a.m.

on February 10, 2004

Marjorie A. Pitts, County Auditor

Joel M. Sorenson, Chairperson

Clay County Board of Supervisors Minutes from Meeting #10 held on February 10, 2004

The Clay County Board of Supervisors met pursuant to adjournment. The named supervisors were present:

Chalstrom, Brockshus, Zinn, Schoer, and Sorenson. Absent: None.

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote: Ayes:

Sorenson, Brockshus, Zinn, Schoer, and Chalstrom. Nays: none. Abstentions: none.

Motion by Schoer, seconded by Zinn to approve the meeting agenda for February 10, 2004. Motion carried.

Motion by Chalstrom, seconded by Zinn to authorize chairperson to sign the application for fiscal year 2005 Grants to Counties Program. Clay County is eligible for \$13,130. Motion carried.

Motion by Zinn, seconded by Chalstrom to set the hearing date and time for the Proposed Fiscal Year 2005 County Budget to be Tuesday, March 2, 2004 at 9:00 a.m. in the Supervisor's Board Room of the Clay County Administration Building, 300 West 4th St., Spencer, IA. Motion carried.

9:00 a.m. This being the time and place for the public hearing on the proposed Clay County Ordinance #20

prohibiting the maintenance of a nuisance in Clay County, Iowa and providing for the abatement and prosecution

of nuisances. Whereupon, the Chairperson called for any written or oral objections. Written objection was filed by

Morris Larson. It was moved by Supervisor Zinn, seconded by Supervisor Schoer to set the next public hearing

date and time for the adoption of County Ordinance #20 to be Tuesday, February 17, 2004 at 8:45 a.m. in the

Supervisor's Board Room of the Clay County Administration Building, 300 West 4th St., Spencer, IA. Motion carried.

Motion by Zinn, seconded by Brockshus to adopt the following Resolution #2004-8. After due consideration and discussion, the Chairperson put the question upon the adoption of said resolution, and the roll being called, the following Supervisors voted:

Ayes: Chalstrom, Brockshus, Schoer, Zinn & Sorenson

Nays: None.

Whereupon, the Chairperson declared the resolution duly adopted as hereinafter set out.

RESOLUTION NO 2004-8

Authorizing a Loan Agreement and providing for the issuance of a \$125,000

General Obligation

Computer Equipment Note and providing for the levy of taxes to pay the same

WHEREAS, pursuant to the provisions of Section 331.402 of the Code of Iowa, Clay County, Iowa (the "County"), has heretofore proposed to contract indebtedness and enter into a loan agreement in the principal amount of \$125,000 to provide funds to pay the cost, to that extent, of acquiring computer equipment for County offices, and has published notice of the proposed action and has held a hearing thereon; and

WHEREAS, it is necessary at this time to authorize and approve the Loan Agreement and to make provision for the issuance of a General Obligation Computer Equipment Note in the principal amount of \$125,000 (the "Note") in evidence of the obligation of the County under the Loan Agreement;

NOW, THEREFORE, Be It Resolved by the Board of Supervisors of Clay County, Iowa, as follows:

Section 1. The County hereby determines to enter into the Loan Agreement with a lender (the "Lender") to be hereafter determined, in substantially the form as has been placed on file with the Board, providing for a loan to the County in the principal amount of \$125,000 for the purpose or purposes set forth in the preamble hereof.

Section 2. The Note is hereby authorized to be issued in the principal amount of \$125,000, and shall be dated as of the date of its delivery to the Lender.

The Note shall bear interest, shall be payable as to principal and interest on the dates and in the amounts, may be subject to prepayment prior to maturity and may contain such other terms and provisions as shall be determined by the Board at the time the Lender is selected, and this resolution shall then be amended to so provide.

Section 3. For the purpose of providing for the levy and collection of a direct annual tax sufficient to pay the principal of and interest on the Note as the same become due, there is hereby levied on all the taxable property in the County the following direct annual tax for collection in each of the following fiscal years, to-wit:

For collection in the fiscal year beginning July 1, 2004, sufficient to produce the net annual sum of \$44,000;

For collection in the fiscal year beginning July 1, 2005, sufficient to produce the net annual sum of \$44,000;

For collection in the fiscal year beginning July 1, 2006, sufficient to produce the net annual sum of \$44,000;

provided, however, that at the time the Lender is selected, the actual tax levy amounts required to pay the principal of and interest on the Note in each year shall be determined based upon the interest rate or rates at which the Note is issued, and this resolution shall be amended by resolution of the Board to provide for such actual and necessary tax levy amounts.

Section 4. A certified copy of this resolution shall be filed with the County Auditor, and the Auditor is hereby instructed to enter for collection and assess the tax hereby authorized. When annually entering such taxes for collection, the County Auditor shall include the same as a part of the tax levy for Debt Service Fund purposes of the County and when collected, the proceeds of the taxes shall be converted into the Debt Service Fund of the County and set aside therein as a special account to be used

solely and only for the payment of the principal of and interest on the Note hereby authorized and for no other purpose whatsoever.

Section 5. All resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Passed and approved on February 10, 2004.

Joel M. Sorenson Chairperson, Board of
Supervisors

Attest:

Marjorie A. Pitts, County Auditor

Motion by Brockshus, seconded by Zinn to adopt the following Resolution #2004-9. After due consideration and discussion, the Chairperson put the question upon the adoption of said resolution, and the roll being called, the following Supervisors voted:

Ayes: Chalstrom, Brockshus, Zinn, Schoer & Sorenson

Nays: None.

Whereupon, the Chairperson declared the resolution duly adopted as hereinafter set out.

RESOLUTION NO.2004-9

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Authorizing a Loan Agreement and providing for the issuance of a \$150,000 General Obligation Park Improvement Note and providing for the levy of taxes to pay the same

WHEREAS, pursuant to the provisions of Section 331.402 of the Code of Iowa, Clay County, Iowa (the "County"), has heretofore proposed to contract indebtedness and enter into a loan agreement in the principal amount of \$150,000 to provide funds to pay the cost, to that extent, of constructing improvements to Scharnberg Park, including a campground, shower restroom building and related facilities, cabins, playground and fishing pier, and has published notice of the proposed action and has held a hearing thereon; and

WHEREAS, it is necessary at this time to authorize and approve the Loan Agreement and to make provision for the issuance of a General Obligation Park Improvement Note in the principal amount of \$150,000 (the "Note") in evidence of the obligation of the County under the Loan Agreement;

NOW, THEREFORE, Be It Resolved by the Board of Supervisors of Clay County, Iowa, as follows:

Section 1. The County hereby determines to enter into the Loan Agreement with a lender (the "Lender") to be hereafter determined, in substantially the form as has been placed on file with the Board, providing for a loan to the County in the principal amount of \$150,000 for the purpose or purposes set forth in the preamble hereof.

Section 2. The Note is hereby authorized to be issued in the principal amount of \$150,000, and shall be dated as of the date of its delivery to the Lender.

The Note shall bear interest, shall be payable as to principal and interest on the dates and in the amounts, may be subject to prepayment prior to maturity and may contain such other terms and provisions as shall be determined by the Board at the time the Lender is selected, and this resolution shall then be amended to so provide.

Section 3. For the purpose of providing for the levy and collection of a direct annual tax sufficient to pay the principal of and interest on the Note as the same become due, there is hereby levied on all the taxable property in the County the following direct annual tax for collection in each of the following fiscal years, to-wit:

For collection in the fiscal year beginning July 1, 2004, sufficient to produce the net annual sum of \$32,000;

For collection in the fiscal year beginning July 1, 2005, sufficient to produce the net annual sum of \$32,000;

For collection in the fiscal year beginning July 1, 2006, sufficient to produce the net annual sum of \$32,000;

For collection in the fiscal year beginning July 1, 2007, sufficient to produce the net annual sum of \$32,000;

For collection in the fiscal year beginning July 1, 2008, sufficient to produce the net annual sum of \$32,000;

provided, however, that at the time the Lender is selected, the actual tax levy amounts required to pay the principal of and interest on the Note in each year shall be determined based upon the interest rate or rates at which the Note is issued, and this resolution shall be amended by resolution of the Board to provide for such actual and necessary tax levy amounts.

Section 4. A certified copy of this resolution shall be filed with the County Auditor, and the Auditor is hereby instructed to enter for collection and assess the tax hereby authorized. When annually entering such taxes for collection, the County Auditor shall include the same as a part of the tax levy for Debt Service Fund purposes of the County and when collected, the proceeds of the taxes shall be converted into the Debt Service Fund of the County and set aside therein as a special account to be used solely and only for the payment of the principal of and interest on the Note hereby authorized and for no other purpose whatsoever.

Section 5. All resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Passed and approved on February 10, 2004.

Joel M. Sorenson Chairperson, Board of Supervisors

Attest:

Marjorie A. Pitts, County Auditor

9:30 a.m. February 3, 2004 the time having arrived for the first public hearing on reprecincting election boundaries within Clay County. The Board determined that notice of the public hearing was published in the Spencer Daily Reporter, the Peterson Patriot, and the Everly/Royal News pursuant to the Iowa Code Chapter

331.305. There were no written objections filed and there being no further questions or objections the public hearing was closed until the second reading set for 9:00 a.m. o'clock on Tuesday, February 17, 2004 in the Boardroom Chambers, 300 W. 4th St., Spencer, IA. Oral comments were made by David Gustin from Logan Township.

Rick Dean from Architect Collaborative and Larry Ericsson from Wetherell Ericsson discussed the timeline and billing schedules of the Courthouse Restoration project.

The Board of Supervisors proceeded to canvass the results of the votes of the Special City of Spencer Ward 3 Election held on Tuesday, February 3, 2004 and now embodies its findings: For the office of Council Member Ward 3 to fill vacancy, we the members of the Board of Supervisors and ex-officio Board of County Canvassers for Clay County do declare Steve Bomgaars duly elected to the office of Council Member Ward 3 of Spencer for the term expiring December 31, 2005. A copy of the Abstract of Votes and the original tally lists, are hereby delivered to the Commissioner of Elections for filing as required by law.

Jean Jackson from rural Spencer spoke with the Board regarding an article in the Des Moines register about township official's duties being taken over by the Board of Supervisors.

The Chairperson adjourned the meeting at approximately 2:00 p.m. to convene at the Auditor's called meeting Tuesday, February 17, 2004 at 8:30 a.m.

Marjorie A. Pitts, County Auditor

Joel M. Sorenson, Chairperson

Clay County Board of Supervisors Minutes for Meeting #11 held on February 17, 2004

The Clay County Board of Supervisors met pursuant to adjournment. The named supervisors were present:

Chalstrom, Sorenson, Schoer, Brockshus, Zinn Absent: None

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote: Ayes:

Sorenson, Brockshus, Zinn, Schoer, and Chalstrom. Nays: none. Abstentions: none.

Motion by Chalstrom, seconded by Zinn to approve the meeting agenda for February 17, 2003. Motion carried.

Motion by Zinn, seconded by Schoer to approve the County Board minutes for Meeting #9 dated February 3 & Meeting #10 dated February #10 . Motion carried.

Motion by Schoer, seconded by Chalstrom to approve the payment of the claims for February 17, 2004 with the detail on file in the County Auditor's office for review. Motion carried.

	General Basic Fund	
Ace Hardware	Cthse fasteners	99.63
Adventureland Inn	SEAT mtg exp	422.83
Allied Document Solutions	Treas renewals	486.79
Annette Schaeffer	Ward 3 election worker	24.00
Aquila	Bldg utilities	2985.35
Arch Wireless	DHS pager system	52.21
Barb Rupert	Sew on patches	18.00
Benton County Sheriff	shrf fees	55.70
Bill Stevenson Const, Inc	GSC snow removal-January	315.00
BOJI Information Systems	Aud infoprint32 toners-2	396.00
Bruce Iverson	elect wkr 3rd ward	90.00
Bud's Service	Shrf oil/bulbs	150.00
CenTec Cast Metal Products	VA bronze markers	643.41
City of Spencer	Adm solid waste	15009.80
Clay Co Sec Road Fund	San fuel	1696.64
Clay County Sheriff	shrf fees	694.00
Clay Regional Water	Consv water usage	60.00
Coffman's Locksmith	Cths keys/ct rm	9.00
Corn Belt Equipment	Consv planter parts	303.88
Daily Reporter, The	Publications	990.35
Dan Rogers, Ph.D.	witness fees	840.00
Dennis Price	elect wkr 3rd ward	90.00
Denny's Pest Control	Bldg pest contrl	161.00
Dept of Public Defense	Jailer mtg exp	85.00
Dickinson Co Sheriff	shrf fees	177.20
Kenneth W Emmert	Twp mileage	1.20
Employment Connections	GA clerical	162.54
Everly-Royal News	Bd pub public hearings	159.51
Exact Eyecare	VA exam	97.00
Farmers Trust & Svgs Bank	Treas account charges	119.31
Lucille H Faulkner	Shrf gas for training	28.50
Fidlar Companies	Aud w-2 forms/1099's	79.97

Fran Black	Ward 3 election worker	24.00
Galen's Pro-Mow	Consv spring/filters/plug	77.66
G E Capital	Consv copier contract	258.78
H & N Chevrolet Buick	Shrf replace power window	88.23
Helen's Comm Laundry Inc	Adm dust mops	105.70
Holmes Lock & Safe Co	Cths lockset/keys	74.00
Charles W Huberg	twp mileage	4.20
Hyde Computer Systems Inc	DP ps2 cable/usb converte	8.56
IA Lakes Electric Coop	Consv utilities	25.87
IA NE SD PRIMA Chapter	Safety 2004 membership	40.00
IA Secretary of State	Aud notary renwl	60.00
IA Workforce Development	Bldgs blr inspect	45.00
I S A C Multi-Co Serv Agency	isac mtg reg fee	35.00
Janitor's Closet Ltd	Adm floor/cust supplies	710.48
Johnson County Election Office	Election guidebook	25.00
Judy Iverson	elect wkr 3rd ward	90.00
Kaye Price	elect wkr 3rd ward	90.00
KDWD - FM	Env Hlth radio/advertisem	154.00
Kern County Sheriff	CSRU shrf fees	2.00
Merlyn R Kriens	twp mileage	4.80
Randy Krukow	Shrf mtg exp meals	6.88
Roger H Kruse	twp mileage	6.00
Lakes Propane Gas Co	Consv cylinders for shop	75.90
James A Larson	Twp mileage	15.60
Lazer Blazer	Env Hlth emb/shirt	47.00
Linn County Public Health	Env Hlth radon test kits	375.00
Lorrie (Delores) Huffman	Ward 3 election worker	12.00
M-Y Supply, Inc	Consv fire extinguisher	27.50
Mar-Lin Business Supply	Rec 44mm reg rolls	14.36
Marla Woelber	elect wkr 3rd ward	102.20
McLeodUSA	Treas phone	382.13
Michelle A Krile	Ward 3 election worker	12.00
Minolta Corporation	Consv copier meter clicks	37.18
NACVSO	VA reg sch of instruct	200.00
Northwest One	Consv internet charge	18.00
NovalIS Technologies	DP/GIS sftwr mtn parcel	1495.00
O'Brien County Sheriff	CSRU shrf fees	24.00
Office Systems Company	Adm copier/overage	114.05
Palo Alto County Sheriff	shrf fees	10.80
Pat Hays	VA rent	200.00
Perkins Office Solutions	Shrf Smead jckt file ltr	80.63
Peterson Patriot	Bd publications	540.77
Pitney Bowes	DHS reset chrg	19.00
Plymouth County Sheriff	shrf fees	17.00
Purchase Power	DHS postage	107.50
Qwest	Bldg circuit charges	112.32
Ramada Inn	Consv mtg exp room	326.31
Melinda L Roman	CSRU mileage	13.20
Saga Communications of IA	Env Hlth radio ads	204.00
Sherwin Williams	Cthse judges room supplies	20.11
Shoppers Supply	Consv supplies	1246.11
SoftChoice Corporation	DP sftwr adobe acrobat	167.50
Spencer Auto Parts Inc	Consv supplies	54.67
Spencer Family Care	ME service	125.00
Spencer Family Care	ME fall mtg reg	200.00
Spencer Jubilee	Shrf coffee/supplies	10.16
Spencer Mun Hospital	PHN alloc/meals	9478.40
Spencer Mun Utilities	Bldg utilities	1371.36
Spencer Office Supplies	Office supplies	1532.15
St Louis Co Sheriff's Dept	CSRU shrf fees	45.00

Standard Printing & Design	Star Stickers 5,000	264.84
Staples	Consv office supplies	130.78
SWIFT AIR	Cthse remodel project	2424.19
Synergy Center	medical care	1820.00
Temple Apartments	rent asst	220.00
Thrifty White Stores	Inmate medications	6.99
Martha L Toelle	twp mileage	16.50
U S Bank	Rec check order	28.25
U S Postal Service	DHS postage/meter	1000.00
U S Postmaster	Shrf stamps	185.00
Vander Haag's Inc	Consv truck bed mats	39.50
Winneshiek County Sheriff	CSRU shrf fees	21.38
Woodbury County Sheriff	CSRU shrf fees	40.72
Zenor & Houchins	Cty Atty monthly exp	4011.04
	MH-DD Services Fund	
Cass Incorporated	wa-care	252.08
Clay Co Sec Road Fund	MH county car usage	15.89
Clay County Sheriff	sheriff fees	34.00
Echo Plus	scl-care	797.43
Employment Connections	MH clerical	379.26
Genesis Development	scl-care	401.88
Hope Haven	rcf-care	6241.80
Horizons Unlimited of PAC	wa-care	2145.58
IA Dept of Human Services	cm-care	3498.93
Innovative Industries, Inc.	wa-care	409.95
I S A C Multi-Co Serv Agency	isac mtg reg fee	35.00
McLeodUSA	phn charges	8.97
Nishna Productions Inc	trans charges	2374.20
Northwoods Living	scl-care	181.48
Oak Haven Care Facility Season	rcf-care	6583.39
Plymouth Life Inc	rcf-care	4321.00
Seasons Center	cm care	16572.00
Spectra Health Care Living	rcf-care	2225.49
Sunshine Services Inc.	wa-care	24583.20
SW Iowa Residential Facility	rcf-care	1381.05
Village N. W. Unlimited	res-care	3043.99
	Rural Services Basic Fund	
Audio Video Connection	Shrf kenwood cd rcvr	357.98
Clay Co Sec Road Fund	Zon fuel	151.68
Galen's Pro-Mow	IRVM parts	145.06
IA Weed Commissioner's Assoc	Wd Com reg annual conf	85.00
McLeodUSA	Zon phone	10.51
Mobile Spray Systems	IRVM sprayer parts	143.25
Shoppers Supply	IRVM jacket	62.88
Spencer Auto Parts Inc	Consv filter/plugs	10.85
Truax Company	IRVM planter parts	36.65
	Secondary Road Fund	
A & M Laundry Inc.	Uniforms	150.30
Ace Hardware	SIGN MAINT. REPAIR	19.18
Airgas North Central	WELDING SUPPLIES	453.07
Alliant Energy	Electric - Everly	863.64
Alpha Wireless Comm	Radio Repairs	246.32
Aquila	Gas - Spencer	4630.48
Ayrshire Farmers Mutual Tele	Telephone - Gillett Grove	24.40
Bowman Distribution	Hose Protector	469.33
C.J.Cooper & Associates	2 - Drug Tests	58.00
Catco Parts & Service	PARTS	158.58
City of Everly	Gas - Everly	626.07
Eddy-Walker Equipment Co	Sander Parts	93.78
Exhaust Solutions	Light Bar on #14 Grader	140.00

Ferguson Enterprises Inc	4 - 4' Carbide Inserts	1040.00
Force America Inc	PARTS	667.70
Fox International Inc.	Power Service	261.24
Great Lakes Cooperative	Kerosene	41.79
ICEA Service Bureau	Bridge Backwater Meeting	200.00
Interstate Batteries	MTP-78DT Battery	71.95
Johnston Autostores	Rebuilt Alternator	309.70
Kruse-Cate & Nelson	Est. NW Corner Sec 5 Lone	652.40
Lakes Propane Gas Co	Refill Forklift Gas	1354.20
Lundt & Sears Plbg & Htg,	Radiant Heat Maintenance	1265.35
Mar-Lin Business Supply	Highlighters	4.38
McLeodUSA	Telephone - Spencer Offic	19.73
Mid-Iowa Sales Co.	Car wash Wax	76.50
Midwestern Mechanical Iowa	Ray Vac Repairs	601.88
Nielsen Tire Co	Service, O-ring, Core	35.74
North Iowa Door Inc	Door Motor	168.00
Northwest One, Inc	Internet	34.95
Peter J Paulsen	2004 PCC Workshop Meals	28.90
Pixler Electric Inc	Transform	27.62
Share Corp	Car Guard Towels	131.81
Shine Brothers Steel	PARTS	23.73
Snap On Tools Corp	Socket, Blade Warranty	64.30
Spencer Auto Parts Inc	PARTS	1418.50
Spencer Mun Utilities	Gas - Spencer	489.14
Star Energy LLC	#2 Diesel (2440 gal)	8285.74
Mark A Thompson	2004 PCC Workshop Meal	6.95
Town & Country Disposal Inc.	Garbage - Everly	20.00
Webb-Dickens Telephone Co	Telephone - Dickens	70.74
West Bend Elevator Co	OIL	493.90
Jeffrey M Wiemann	2004 PCC Workshop Meals	14.95
Xerox Corporation	Copy Cost	25.00
Ziegler Inc	Arm Credit	1691.96
	Capital Projects	
Clay County General Fund	Schnbrg cap improv.repay	2966.69

8:45 a.m. This being the time and place for the public hearing on the proposed Clay County Ordinance

#20 prohibiting the maintenance of a nuisance in Clay County, Iowa and providing for the abatement and

prosecution of nuisances. Whereupon, the Chairperson called for any written or oral objections. Joel Hartman

made oral comments regarding requiring signed & dated complaints and asked to include a statement in

Ordinance, which he had prepared. It was moved by Supervisor Zinn, seconded by Supervisor Brockshus to

schedule the next public hearing to be February 24, 2004 at 9:15 a.m. The public hearing was closed. Motion carried.

9:00 a.m. February 17, 2004 the time having arrived for the second public hearing on precincting election

boundaries within Clay County. The Board determined that notice of the public hearing was published in the

Spencer Daily Reporter, the Peterson Patriot, and the Everly/Royal News pursuant to the Iowa Code Chapter

331.305. There were no written objections filed and there being no further questions or

objections the public hearing was closed until the final reading set for 9:00 a.m. o'clock on Tuesday, February 24, 2004 in the Boardroom Chambers, 300 W. 4th St., Spencer, IA.

Chad Shyrock from the Corridor of Opportunity updated the Board on the 2004 job projects. From nine of the projects this year, 243 jobs have been created. Some of the companies participating in these projects are Cycle Country, Top Grade, Iowa DNR, Pier Fishing, GEIS & Shine Brothers. Enterprise Zones and a new marketing campaign were discussed.

Terry Dandy & John Jensen from St Luke Assisted Living requested help from the County to sponsor debt capacity for a \$3.2 million bonding issue to build a new 25 unit assisted living building, that would be free standing on new land that was purchased from the State. Restoration on the St Luke's kitchen is included and starting as soon as possible. Board discussion followed. Dandy is to notify the Board when resolutions of support are necessary.

The 2003 County Library Annual Report was presented to the Board by Vicki Myron, Spencer Public Library Director. Representatives of the rural libraries also attended the presentation. It was requested that the fiscal year 2005 budget funding remain at the same level as the current year.

Motion by Schoer, Seconded by Zinn, to award the asphalt resurfacing contract to the low bid of Rohlin Construction Co. Inc., of Estherville, Iowa for Clay County asphalt cement concrete resurfacing projects L-6704HMA-2; STP-S-CO21(90)--5E-21; FM-CO21(84)--55-21; and FM-CO21(102)--55-21; Contract Amount \$1,833,421; and to authorize the Chairperson to sign the contracts and bonds Motion carried.

The Chairperson adjourned the meeting at 11:50 a.m. to convene at the Auditor's called meeting Tuesday, February 24, 2004 at 9:00 a.m.

Marjorie A. Pitts, County Auditor

Joel M. Sorenson, Chairperson

Clay County Board of Supervisors Minutes for Meeting #12 held on February 24, 2004

The Clay County Board of Supervisors met pursuant to adjournment. The named supervisors were present:

Chalstrom, Brockshus, Zinn, Schoer, and Sorenson. Absent: None.

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote:

Ayes: Sorenson, Brockshus, Zinn, Schoer, and Chalstrom. Nays: none. Abstentions: none.

Motion by Zinn, seconded by Schoer to approve the meeting agenda for February 24, 2004. Motion carried .

Supervisor Zinn introduced and moved the adoption of the resolution next hereinafter set out; **seconded by Supervisor**

Brockshus. After due consideration, the Chairperson put the question on the motion and the roll being called, the following

named Supervisors voted: Ayes: Kenneth Chalstrom, Del Brockshus, William D. Zinn, Sylvia D. Schoer, and Joel M.

Sorenson. Nays: None.

Whereupon, the Chairperson declared the resolution duly adopted, as follows:

RESOLUTION NO. 2004-10

Providing for the issuance of a \$125,000 General Obligation Computer Equipment Loan Agreement Anticipation (Project) Note

WHEREAS, pursuant to notice duly published and a hearing held thereon, the Board of Supervisors of Clay County,

Iowa, has heretofore determined to enter into a loan agreement (the "Loan Agreement") in an amount not to exceed \$125,000

pursuant to the provisions of Section 331.402 of the Code of Iowa for the purpose of paying the cost, to that extent,

of acquiring computer equipment for County offices (the "Project"); and

WHEREAS, pursuant to the provisions of Section 76.13 of the Code of Iowa, the County has authority to

issue project notes in anticipation of the receipt of the proceeds from the Loan Agreement; and

WHEREAS, in order to pay authorized costs of the Project at this time it is necessary to issue a General Obligation

Computer Equipment Loan Agreement Anticipation (Project) Note in the maximum principal amount of \$125,000 (the "Project Note");

NOW, THEREFORE, Be It Resolved by the Board of Supervisors of Clay County, Iowa, as follows:

Section 1. The Project Note is hereby authorized to be issued to Farmers Trust & Savings Bank, Spencer, Iowa

(the "Purchaser") in the maximum principal amount of \$125,000, in anticipation of the receipt of and being payable from the

proceeds of the Loan Agreement or from other sources to be received and expended in connection with the Project during the

period thereof. The Project Note shall be signed by the Chairperson and attested by the County Auditor with the seal of the

County affixed and delivered to the Purchaser and shall be dated as of the date of its delivery to the Purchaser, shall mature on September 30, 2004, and shall bear interest at the rate of 1.73% per annum payable at maturity, except as the provisions hereinafter set forth with respect to redemption prior to maturity may be or become applicable hereto.

Section 2. Advances on the Project Note may be requested by either the County Auditor or County Treasurer in such amounts and at such times as are needed to pay costs of the Project, and the date and amount of each advance shall be entered by the Purchaser on Schedule I of the Project Note, and each advance shall bear interest from the date of such entry.

The County Auditor is hereby designated as the Registrar and Paying Agent for the Project Note and may be hereinafter referred to as the "Registrar" or the "Paying Agent".

The County reserves the right to prepay principal of the Project Note in whole or in part on any date prior to maturity upon terms of par and accrued interest. All principal so prepaid shall cease to bear interest on the redemption date.

The County shall maintain as confidential the record of identity of owners of the Project Note, as provided by Section 22.7 of the Code of Iowa.

Section 4. The loan proceeds (the "Loan Proceeds") anticipated to be received under the Loan Agreement are hereby appropriated to the payment of the Project Note and may also be appropriated to the payment of other obligations issued to pay costs of the Project.

Section 5. It is the intention of the County that interest on the Project Note be and remain excluded from gross income for federal income tax purposes pursuant to the appropriate provisions of the Internal Revenue Code of 1986, as amended, and the Treasury Regulations in effect with respect thereto (all of the foregoing herein referred to as the "Internal Revenue Code"). In furtherance thereof, the County covenants to comply with the provisions of the Internal Revenue Code as they may from time to time be in effect or amended and further covenants to comply with the applicable future laws, regulations, published rulings and court decisions as may be necessary to insure that the interest on the Project Note will remain excluded from gross income for federal income tax purposes. Any and all of the officers of the County are hereby authorized and directed to take any and all actions as may be necessary to comply with the covenants herein contained.

The County hereby designates the Project Note as a "Qualified Tax Exempt Obligation" as that term is used in Section 265(b)(3)(B) of the Internal Revenue Code.

Section 6. All resolutions or parts thereof in conflict herewith be and the same are hereby repealed to the extent of such conflict.

Passed and approved February 24, 2004.

Chairperson, Board of Supervisors

Attest:

County Auditor

9:00 a. m. February 24, 2004 the time having arrived for the public hearing on reprecincting election boundaries within Clay County. The Board determined that notice of the public hearing was published in the Spencer Daily Reporter, Everly-Royal New and the Peterson Patriot pursuant to the Iowa Code Chapter 331.305. There was one written statement from Helen Swanson filed with the County Auditor. After Board discussion and there being no further questions or objections, there was a **Motion by Zinn, seconded by Chalstrom** to amend the following Ordinance #17 identifying the 2004 boundaries for Election Precincts in Clay County, Iowa. The Clay County Board of Supervisors resolve that this ordinance be passed by virtue of the authority established under Iowa Code Section 331.302.(5) and (6) and Section 49.7. Roll call vote was: Ayes: Chalstrom, Zinn, Brockshus, Schoer & Sorenson Nays: None. Ordinance #17 amended.

Ordinance #17

An Ordinance establishing the election precincts in all unincorporated areas of County of Clay, Iowa. Amendment dated February 24, 2004

WHEREAS, the 2000 Federal Decennial Census has been conducted and completed with an official census date of April 1, 2000, and;

WHEREAS, the Board of Supervisors of Clay County, Iowa, is required to review and adjust election precinct boundaries within the County pursuant to Chapter 49 of the Code of Iowa, and;

WHEREAS, the Clay County Auditor has received and analyzed the census data and has proposed precinct boundaries, and;

WHEREAS, the Board of Supervisors desires to amend Ordinance #17 precinct boundaries that were established by or pursuant to section 49.4, and not changed under subsection 1 since the most recent federal decennial census because the commissioner recommends, and the board of supervisors, finds that the change will effect a substantial savings in election costs, and;

WHEREAS, the Board of Supervisors has reviewed the proposed precincts and finds that they are relatively easy to describe (being townships) and will result in precincts convenient to the voters,

NOW, THEREFORE, IT BE ORDERED by the Clay County Board of Supervisors as follows:

LAKE / FREEMAN PRECINCT shall consist of Lake Township, which is bounded by a line commencing at the intersection of 340th Avenue & 270 Street and proceeding West to the intersection of 280th Avenue

and 270th Street, then proceeding South to the intersection of 280th Avenue and 390th Street in Freeman

Township, then proceeding East to the intersection of 340th Avenue and 390th Street in Freeman, then

proceeding North along 340th Avenue to the point of origin.

In accordance with Chapter 49.6 this precinct shall include the incorporated City of Dickens.

MEADOW / SIOUX PRECINCT shall consist of Meadow Township, which is bounded by a line commencing

at the intersection of 280th Avenue and 270th Street and proceeding West to the intersection of Highway 71

and 270th Street, then proceeding South to the intersection of 220th Avenue and 390th Street in Sioux Township,

then proceeding East to the intersection of 280th Avenue and 390th Street in Sioux Township, then

proceeding North along 280th Avenue to the point of origin.

This precinct shall exclude the boundaries of the incorporated City of Spencer.

SUMMIT / RIVERTON PRECINCT shall consist of Summit Township, which is bounded by a line commencing

at the intersection of Highway 71 and 270th Street and proceeding West to the intersection of 160th Avenue and

270th Street, then proceeding South to the intersection of 160th Avenue and 390th Street in Riverton Township,

then proceeding East to the intersection of 220th Avenue and 390th Street in Riverton Township, then proceeding

North along 220th Avenue and Highway 71 to the point of origin.

This precinct shall exclude the boundaries of the incorporated City of Spencer.

In accordance with Chapter 49.6 this precinct shall include the incorporated City of Fostoria.

WATERFORD / LONE TREE PRECINCT shall consist of Waterford Township, which is bounded by a line

commencing at the intersection of 160th Avenue and 270th Street and proceeding West to the intersection of

100th Avenue and 270th Street, then proceeding South to the intersection of 100th Avenue and 390th St in

Lone Tree Township, then proceeding East to the intersection of 160th Avenue and 390th Street in Lone

Tree Township, then proceeding North along 160th Avenue to the point of origin.

In accordance with Chapter 49.6 this precinct shall include the incorporated City of Everly.

LOGAN / GILLETT GROVE PRECINCT shall consist of Logan Township, which is bounded by a

line commencing at the intersection of 340th Avenue and 390th Street and proceeding West to the intersection

of 220th Avenue and 390th Street in Gillett Grove Township, then proceeding South to the intersection of

220th Avenue and 450th Street, then proceeding East to the intersection of 340th Avenue and 450th Street in

Logan Township, then proceeding North along 340th Avenue to the point of origin.

In accordance with Chapter 49.6 this precinct shall include the incorporated City of Gillett Grove and the City of Greenville.

LINCOLN / CLAY PRECINCT shall consist of Lincoln Township, which is bounded by a line commencing

at the intersection of 220th Avenue and 390th Street and proceeding West to the intersection of 100th Avenue

and 390th Street IN Clay Township, then proceeding South to the intersection of 100th Avenue and 450th Street,

then proceeding East to the intersection of 220th Avenue and 450th Street in Lincoln Township, then

proceeding North along 220th Avenue to the point of origin.

In accordance with Chapter 49.6 this precinct shall include the incorporated City of Rossie and the City of Royal.

DOUGLAS / PETERSON PRECINCT shall consist of Douglas Township, which is bounded by a

line commencing at the intersection of 220th Avenue and 450th Street and proceeding West to the intersection

of 100th Avenue and 450th Street in Peterson Township, then proceeding South to the intersection of 100th

Avenue and 510th Street, then proceeding East to the intersection of 220th Avenue and 510th Street in

Douglas Township, then proceeding North along 220th Avenue to the point of origin.

In accordance with Chapter 49.6 this precinct shall include the incorporated City of Peterson.

GARFIELD / HERDLAND PRECINCT shall consist of Garfield Township, which is bounded by a

line commencing at the intersection of 340th Avenue and 450th Street and proceeding West to the

intersection of 220th Avenue and 450th Street in Herdland Township, then proceeding South to the

intersection of 220th Avenue and 510th Street, then proceeding East to the intersection of 340th

Avenue and 510th Street in Garfield Township, then proceeding North along 340th Avenue to the

point of origin.

In accordance with Chapter 49.6 this precinct shall include the incorporated City of Webb.

The County Auditor is hereby authorized and directed, in conformance with Chapter 49 of the Iowa Code

to publish notice of the precinct boundaries accomplished by this Ordinance; and to certify said precinct to

the State Commissioner of Elections and to the County Commissioner of Elections; and to provide

Commissioners with maps depicting the new boundaries.

This ordinance shall be effective the 29th day of February, 2004, after its final passage, approval and

publication as provided by law.

Passed by the Board of Supervisors on this 29th day of February, 2004.

Joel M. Sorenson, Chairperson Clay County Board of

Supervisors

Attest:

Marjorie A. Pitts, Clay County Auditor

9:15 a.m. This being the time and place for the public hearing on the proposed Clay County Ordinance

#20 prohibiting the maintenance of a nuisance in Clay County, Iowa and providing for the abatement

and prosecution of nuisances. Whereupon, the Chairperson called for any written or oral objections.

Oral comments were made by John Simmons, Dennis Rutter, Doug Rutter, Lenny Grady, County Attorney

Mike Houchins & Tammy McKeever. After much audience and Board discussion it was **moved by Supervisor**

Brockshus, seconded by Supervisor Zinn to adopt Ordinance #20. Roll call vote Ayes: Chalstrom, Zinn,

Brockshus & Sorenson Nays: None. Abstain: Schoer. Motion carried.

**CLAY COUNTY ORDINANCE NO. 20
NUISANCE ORDINANCE**

An ordinance prohibiting the maintenance of a nuisance in Clay County, Iowa, and providing for the abatement and prosecution of nuisances.

SECTION 1. Nuisances Prohibited. The creation or maintenance of a nuisance is hereby prohibited, and a nuisance, public or private, may be abated or penalized in the manner provided in this ordinance.

SECTION 2. Nuisance Defined. A nuisance shall be defined as whatever is injurious to health, indecent or unreasonably offensive to the senses or an obstacle to the free use of property so as essentially to interfere with the comfortable enjoyment of life or property. For purposes of this ordinance, land, buildings or structures primarily used for agriculture or agricultural related purposes, while so used, or fugitive elements including, but not limited to, dust, soot, debris, odors, fumes, noises, and storm water run-off, resulting from generally accepted agricultural practices shall not be included within the definition of nuisance.

The following are specifically declared to be nuisances:

1. The erecting, continuing or using any building or other place where the exercise of any trade, employment, or manufacture, which, by occasioning noxious exhalations, unreasonably offensive

smells, or other annoyances, becomes injurious and dangerous to the health, comfort, or property of individuals or the public.

2. The causing or suffering any offal, filth, or noisome substance to be collected or to remain in any place to the prejudice of others.

3. The obstructing or impeding without legal authority the passage of any navigable river, harbor, or collection of water.

4. The corrupting or rendering unwholesome or impure the water of any river, stream, or pond, or unlawfully diverting the same from its natural course or state, to the injury or prejudice of others.

5. The obstructing or encumbering by fences, buildings, or otherwise the public roads, private ways, streets, alleys, commons, landing places, or burying grounds.

6. The depositing or storing of flammable junk, such as old rags, rope, cordage, rubber, bones, and paper, unless it be in a structure of fireproof construction.

7. The dumping or storing of any industrial, commercial or household appliances outside of a permitted salvage yard, storage facility or sanitary landfill. The storing, other than in an enclosed building, of a junk vehicle. A junk vehicle is a vehicle that has been left on a property for more than thirty days and lacks current license plates or lacks two or more tires or other parts which render the vehicle inoperable.

8. The excessive storing of tires, batteries, scrap metal, dismantled or partially dismantled motor vehicles, vehicle parts, wooden pallets, or unused and discarded lumber not associated with a permitted salvage yard, storage facility or sanitary landfill.

SECTION 3. Notice to Abate Nuisance. Whenever the Clay County Sanitarian, Clay County Board

of Health, or other authorized county officer finds that a nuisance exists, she shall cause to be served upon the property owner as shown by the records of the County Auditor a written notice to abate the nuisance within a reasonable time after notice. Property owner is defined as a contract purchaser if there is one of record; otherwise, the record holder of legal title.

SECTION 4. Contents of Notice to Abate. The notice to abate shall contain:

1. A description of what constitutes the nuisance.
2. The location of the nuisance.
3. A statement of the act or acts necessary to abate the nuisance.
4. A reasonable time within which to complete the abatement.

5. A statement that if the nuisance is not abated as directed and no request for hearing has been made within the time prescribed, the county may prosecute the owner or abate the nuisance and

assess the costs against the property owner.

SECTION 5. Method of Service. The notice may be sent by certified mail to the property owner as shown

by the records of the county auditor or may be served by the Clay County Sheriff.

SECTION 6. Request for Hearing and Appeal. Any person ordered to abate a nuisance may have a

hearing before the Clay County Board of Health as to whether a nuisance exists. A request for hearing must

be made in writing and delivered to the Board of Health within the time for abatement stated in the notice,

or it will be conclusively presumed that a nuisance exists and the county may proceed with abatement as provided

in Section 7.

At the conclusion of the hearing, if any, the Board of Health shall render a written decision as to whether a

nuisance exists. If it finds that a nuisance exists, it shall order it abated and prescribe additional time which must

be reasonable under the circumstances.

SECTION 7. Abatement by County. If the person notified to abate a nuisance neglects or fails to abate as

directed, the county may perform the required action to abate, and assess the costs against the property for

collection in the same manner as a property tax.

SECTION 8. Abatement in Emergency. If it is determined that an emergency exists by reason of the

continuing maintenance of the nuisance, the county may perform any action which may be required to abate

the nuisance without prior notice and assess the costs against the property for collection after notice to the property

owner and hearing.

SECTION 9. Installment Payment of Costs of Abatement. If any amount assessed against property for

abatement of a nuisance exceeds \$100.00, a county may permit the assessment to be paid in up to ten annual

installments in the same manner and with the same interest rates as special assessments on benefited property.

SECTION 10. Criminal Prosecution. Any person violating any provision of this ordinance shall be

deemed guilty of a simple misdemeanor and, upon conviction thereof, shall be punished by a fine of not more

than \$500.00 and/or by imprisonment of not more than thirty days in the Clay County jail.

Each and every

day during which such illegal action exists or continues may be deemed a separate offense.

This ordinance shall be effective the 24th day of February, 2004, after its final passage, approval and publication

as provided by law.

Passed by the Board of Supervisors on this 24th day of February, 2004.

JOEL M. SORENSON, Chairperson
Clay County Board of Supervisors

ATTEST:
MARJORIE A. PITTS, Auditor
Clay County, Iowa

The Chairperson adjourned the meeting at 9:50 a.m. to convene at the Auditor's called meeting at 8:30 a.m.

Tuesday, March 2nd, 2004.
Marjorie A. Pitts, County Auditor

Joel M. Sorenson, Chairperson

Clay County Board of Supervisors Minutes from Meeting #13 held on March 2, 2004

The Clay County Board of Supervisors met pursuant to adjournment. The named supervisors were present:

Schoer, Zinn, Chalstrom, Brockshus, Sorenson Absent: None Guest: Marlin Voss

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote: Ayes:

Sorenson, Brockshus, Zinn, Schoer, and Chalstrom. Nays: none. Abstentions: none.

Motion by Schoer, seconded by Zinn to approve the meeting agenda for March 2, 2004.

Motion carried.

Motion by Chalstrom, seconded by Zinn to approve the County Board minutes for Meeting #11 dated February 17, 2004 and Meeting #12 dated February 24, 2004. Motion carried.

Motion by Brockshus, seconded by Schoer to approve the payment of the claims for March 2, 2004 with the detail on file in the County Auditor's office for review. Motion carried.

General Basic Fund		
Alpha Wireless Comm	Shrf microphone repairs	130.60
Bank of America	Treas acct charges	42.75
Bjornstad Advanced Comfort	Jail service	89.72
BOJI Information Systems	Network issues	2059.00
Wyatt W Brinkley	Twp mileage	13.80
Linda M Bryan	Twp mileage	15.60
Carpenter Uniform & Promotions	Shrf sarariland belt	69.53
Carroll County Sheriff	CSRU shrf fees	31.50
Cellular One	Shrf cell phone charges	331.92
City Directory Inc	city directories	515.44
Clay County Sheriff	CSRU shrf fees	134.00
Audrey Coffman	Mileage election	63.00
Crescent Electric Supply	Jail lighting supplies	24.00
Dickinson Co Sheriff	CSRU shrf fees	54.96
Don Pierson Ford	Shrf car repairs/maint	236.85
Ecolab Pest Elimination	Cthse pest control maint	88.50
Emmet County Sheriff	CSRU shrf fees	83.40
Farm & Home Publishers	Plat books 2004	957.50
Fidlar Companies	Shrf off sup/garnishment	115.72
FingerPrint Equipment Labs	Shrf patrol print kits	231.29
Galls Incorporated	Shrf tactical shirs/pants	191.95
GFI USA, Inc.	Sftwr network monitor	375.00
Greer Law Office	attorney fees	85.77
Harrison County Sheriff	CSRU shrf fees	29.40
Heartland Technology	Phone system voice mail	32.50
Carol A Hermstad	Twp mileage	12.00
IA Dept of Human Services	Evaluation	3421.09
IA St Co Treasurer's	Treas ISCTA May 04 conf	115.00
IA Dept of Trans Cashiers	treas veh registration	15.00
Iowa Public Health Assoc	Env Health membership	25.00
I S A C Multi-Co Serv Agency	ISAC spring school	655.00
Jean A Jackson	Twp mileage	14.70
Janitor's Closet Ltd	custodial supplies	374.87
John Doring	Install carpet Cthse	200.00
Keith DeJager	Landlord	440.00

Lyle E Kenobbie	twp mileage	4.50
Dennis L King	Twp mileage	18.00
Linn County Public Health	Radon kits	93.75
Dennis R Linn	Shrf mtg exp - meals	31.44
Lyon County Sheriff	CSRU shrf fees	33.00
Mangold Environmental Test	Well testing	12.00
Mar-Lin Business Supply	Election postcards	67.05
Mathison Co	Consv paper	45.56
Janel D Maurer	Twp mileage	11.70
Midwest Wireless	cell phone charges	204.06
Minolta Corporation	DHS copier usage	27.64
Northwest Apartments	rent assistance	191.00
O'Brien County Sheriff	CSRU shrf fees	57.80
Osceola Co Sheriff	CSRU shrf fees	17.00
Otis Elevator Co	Cthse elevator maint cont	225.66
Page Investigations	CSRU shrf fees	30.00
Douglas D Patten	Twp mileage	4.50
Perkins Office Solutions	DHS paper/folders	75.00
Pitney Bowes	Postage meter tape	76.20
Proforma Millennium Graphics	Auditor laser warrants	317.29
Providea, Inc	Telecom room charges	22.20
Qwest	Bldg trunk lines	1317.86
Melinda L Roman	CSRU mileage	79.30
Seth Small	Shrf tobacco compliance	40.00
Shoppers Supply	Cthse wood/security rail	51.89
Sidwell Company, The	Web service March	500.00
Sioux County Sheriff	CSRU shrf fees	103.07
Sioux Sales Co	Shrf uniforms pants	101.38
Solutions, Inc	Internet Feb fee	1120.20
Spencer Mun Utilities	CCSO utilities	2395.00
Spencer Office Supplies	DHS office supplies	45.89
Staples Credit Plan	CSRU outlet surge	76.64
Stoney Creek Inn	Shrf mtg exp - room exp	338.12
Helen Swanson	Twp mileage	25.80
SWIFT AIR	Admn maint snow melt syst	160.63
Tuesday's	DHS books for CPS	33.95
Twetten's	Carpet judges chambers	1199.00
U S Postmaster	postage stamps	52.00
Univ of IA Hosp & Clinics	medical treatment	183.00
UPS	Shrf packages postage	26.07
VISA	Jail transport gas	79.04
Waseca County Sheriff	Shrf fees	40.00
Theresa E Wurth	DP ext cord/reimb	9.99

General Supplemental Fund

Clay County Sheriff	Shrf trans charges	184.62
Julie Brehmer	Transportation chgs	67.50
NW IA Youth Emergency Serv Ctr	Detention JV	1500.00
West Payment Center	Law Library	384.31

MH-DD Services Fund

Clay County Sheriff	sheriff fees	63.00
David A Scott	attorney fees	100.00
Echo Plus	wa-care	1609.13
Greer Law Office	attorney fees	153.64
Hope Haven	wa-care	842.10
I S A C Multi-Co Serv Agency	CPC ISAC spring mtg reg	50.00
Opportunity Village	mh care	7355.40
U S Postmaster	postage stamps	52.00

Rural Services Basic Fund

City Directory Inc	IRVM city directory	39.64
CoZO	Zoning mtg registration	65.00
IPERS Returns Processing	IPERS wage adjustment	1480.54

Secondary Road Fund

Abrasive Technologies, Inc.	270 Bags of 80# Grit	909.00
Airgas North Central	Welding Supplies	76.72
Alliant Energy	Electric - Dickens	177.45
Amoco/BP	Gasohol (Parts Run)	44.00
Bradley H Brunk	Reimb for Safety Shoes	80.00
Buena Vista Co Treasurer	2nd Half-Whitney Pit Tax	671.00
Cellular One	Cell Phone Bill - Spencer	184.98
City of Royal	Sewer & Water - Royal	24.00
City of Spencer	Grader Tire	59.00
Clay County Treasurer	2nd Half of Farm Taxes	930.00
Crysteel Truck Equipment	Shock Absorber, Cyl Brack	1176.53
Force America Inc	Hose End, Swivels	31.08
General Tractor	Used Draw Bar #10 Grader	6000.00
Grady's Upholstery	Bucket Seat(replace Panel	218.84
H & N Chevrolet Buick	Hose Assy, Connector	63.46
Harmon AutoGlass	WindshIELD #105	268.00
Thomas L Herrig	Reimb for Safety Shoes	20.14
IA Dept of Trans	Letting Plans (L-6704HMA)	3.15
Iowa Telecom	Telephone - Peterson	52.16
IPERS Returns Processing	IPERS Adjustment Brian D.	363.42
Jeffclo Trans Inc	Freight for Grit	250.00
Lawson Products Inc	Brass Fittings, Nuts	53.75
Mar-Lin Business Supply	1000 Letterhead Envelopes	60.00
QPR (United States) A Division	Cold Mix Patch	114.40
RadioShack	4Port Cable/DSL - Shop	59.99
Royal Telephone Co	Telephone - Royal	19.86
Shine Bros Steel	Stainless Round	11.25
Shoppers Supply	Mailbox Replacement	260.66
Spencer Mun Hospital	2 - Drug Tests	45.00
Spencer Mun Utilities	Telephone - Spencer	53.17
Spencer Office Supplies	Shipping Labels	17.99
Viking Forest Products	12 - 3x12x20 Bridge Plank	7372.80

Capital Projects

American Log Homes	Schnbg log cabin final	16487.00
Arnold Motor Supply	Scharnberg paint	264.60
Crescent Electric Supply	Scharnberg electrical	8830.38
Johnson Supply Co.	Scharnberg plumbing mater	8080.12
Kooiker Inc	Scharnberg steel beams dr	7000.00
Little Rock Farm & Home, Inc	Scharnberg finish/retaina	34942.60
Shine Brothers Steel	Scharnberg steel	990.00
Spencer Ready-Mix Inc	Scharnberg cabin footings	495.62

Motion by Zinn, seconded by Schoer to approve the payment of the Joint Drainage District #73 claim for March 2, 2004 to the Palo Alto County Secondary Roads, PO box 389, Emmetsburg, IA totaling \$119.00 for tile repair.
Motion carried.

Motion by Chalstrom, seconded by Zinn to approve the On-Premise Renewal License Application #BB0018578 for Liquor, Wine or Beer and Sunday Sales Privilege presented by legal owner: Gary Sanderson,

3299 335th Ave, Ruthven,
IA 51358 doing business as Lost Island Corner Store & Café, R.R. #1, Box 158, Ruthven, IA
51358. The permit will
be valid for twelve (12) months expiring March 31, 2005. Motion carried.

9:00 a.m. This being the time and place for the hearing upon the budget estimate for fiscal year 2005.
There was
present a quorum as required by law. Thereupon the board investigated and found that the notices of the
time and
place of hearing, have according to law and as directed by the Board, been published on February 19,
2004 in the
Everly-Royal News, the Peterson Patriot, and the Spencer Daily Reporter, official newspapers,
published in said county,
and the affidavits of said publications are on file with the Clay County Auditor. Motion by **Supervisor
Brockshus**,
seconded by **Supervisor Chalstrom** to adopt the budget as published. The vote upon final adoption of
the budget was as
follows: Ayes: **Chalstrom, Brockshus, Schoer, Zinn, Sorenson** Nays: None The County Auditor was
thereupon directed to
properly certify the budget as adopted and file as required by law. Motion carried.

Motion by Chalstrom, seconded by Zinn to approve the recommendations of the Clay County
Compensation Board for
the following salaries for the elected officials of the county for the fiscal year beginning July 1,
2004: Sheriff \$52,777;
Attorney \$44,292; Auditor \$44,292; Recorder \$44,292; Treasurer \$44,292; and Board of
Supervisors \$21,258. Motion
carried.

Motion by Schoer, seconded by Zinn to approve the payment of longevity pay to elected
official deputies in accordance
with the longevity schedule in the Clay County Personnel Policy up to a yearly salary of
\$35,434. After much discussion
motion carried.

Motion by Chalstrom, Seconded by Zinn, to amend right-of-way compensation from 3 times
the assessed value to 3.6
times the assessed value. Motion carried.

Kim Wilson, Clay County Central Point Coordinator and Eric Erickson, of the Season's Center
Management held a
discussion with the Board on client needs, pending legislation regarding court placement of
consumers, the county owing
& maintaining a mental health center and updated the Board on billing issues that may need
negotiations for the difference.
The rate setting committee will meet with the consortium on April 15th.

Kerry Erts from Cady Insurance updated the Board on the new Employee Benefit Renewal
rates for the upcoming fiscal
year.

The Chairperson adjourned the meeting at 11:45 a.m. to convene at the Auditor's called meeting Tuesday, March 16th, 2004 at 8:30 a.m.

Marjorie A. Pitts, County Auditor

Joel M. Sorenson, Chairperson

Clay County Board of Supervisor's Minutes from Meeting #14 held on March 16, 2004

The Clay County Board of Supervisors met pursuant to adjournment. The named supervisors were present:

Schoer, Chalstrom, Sorenson, Zinn, Brockshus Absent: None Guest: Marlin Voss

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote:

Ayes: Sorenson, Brockshus, Zinn, Schoer, and Chalstrom. Nays: none. Abstentions: none.

Motion by Zinn, seconded by Schoer to approve the meeting agenda for March 16, 2004. Motion carried.

Motion by Chalstrom, seconded by Zinn to approve the County Board minutes for Meeting #13 dated March 2, 2004. Motion carried.

Motion by Schoer, seconded by Brockshus to approve the payment of the claims for March 16, 2004 with the detail on file in the County Auditor's office for review. Motion carried.

General Basic Fund		
A T & T	DHS phone charges	5.24
ABC Computers Plus	Jail ink cartridge	48.10
Ace Hardware	Cths fstnrs/drill bit	60.49
Alisha M Simm, CSR,RPR	transcripts	191.50
Allied Document Solutions	Treas renewal postage	445.70
Arch Wireless	DHS pagers	52.21
Arts on Grand	FY04 allocation	1000.00
Bank of America	Treas acct charges	40.68
Steven D Berends	twp mileage	24.00
Bill Stevenson Const, Inc	GSC snow removal	495.00
BOJI Information Systems	DP network issues	709.50
Bud's Service	Shrf filter/tire rep/rota	149.95
Buena Vista Co Sheriff	shrf fees	20.00
Canon Financial Services Inc	DP Gest'nr maint IT/GIS	103.45
City of Spencer	Bldg solid waste	300.00
Clay Co Sec Road Fund	fuel Feb 04	1432.00
Clay County Sheriff	shrf fees	476.75
Computer Reporting	deposition	66.50
Crescent Electric Supply	Cthse judges office	175.60
Daily Reporter, The	Pub bd mtgs 2-10	499.12
Darwin Johnson	Landlord	215.00
De Linda Leu Reporting	depositions	335.60
Denny's Pest Control	Cths pest ctrl	105.00
Dickinson Co Sheriff	shrf fees	178.07
Don Pierson Ford	Shrf plugs/filters	236.85
Emmet County Sheriff	CSRU shrf fees	90.00
Employment Connections	GA clerical	236.25
Everly-Royal News	Bd pub mtgs #6 thru #10	777.58
Farmers Trust & Svgs Bank	Treas bank chrg	114.21
G E Capital	DHS copier contract	161.30
George Thiessen	twp mileage	12.60
Greer Law Office	attry fees	121.14
Helen's Comm Laundry Inc	Adm laundry serv	105.70
Michael J Houchins	Cty Atty mileage/trial pr	986.65

IA Law Enforcement Academy	Jailer training	225.00
IA St Assoc County Sprvsrs	Bd '04 dues ISACS	200.00
Janitor's Closet Ltd	Custodial supplies/cleaning	970.25
Kossuth Co Sheriff	CSRU shrf fees	22.50
Randy Krukow	Shrf meals	17.86
Lori Kliegl	Rec mileage	11.40
Lundt & Sears Plbg & Htg	Jail replace valves	51.00
Mangold Environmental Test	Well water testing	60.00
Mar-Lin Business Supply	Aud ink cart	70.99
McLeodUSA	phn chrges	546.85
Marilyn J Meyer	twp mileage	22.20
Midwest Wireless	Cust cell phone serv	2.70
Nobles County Sheriff	CSRU shrf fees	25.00
Northwest Aging Assn.	FY04 allocation	2462.00
NW IA Alcoholism & Drug Treatm	FY04 qtrly allocation	3740.00
O'Brien County Sheriff	shrf fees	172.20
Office Systems Company	Adm copier contract	69.00
OMB Police Supply	Shrf light bars	272.98
Osceola Co Sheriff	CSRU shrf fees	17.00
Page Investigations	CSRU shrf fees	60.00
Palo Alto County Sheriff	CSRU shrf fees	24.50
Parker Historical Society	FY04 allocation	8750.00
Perkins Office Solutions	Office supplies	176.66
Peterson Heritage	FY04 allocation	1250.00
Peterson Patriot	Bd pub mtg #6 thru #10	495.96
Pocahontas Co Sheriff	CSRU shrf fees	20.60
Poweshiek County Sheriff	CSRU shrf fees	34.50
Purchase Power	DHS postage	30.84
Qwest	Bldg phone circuits	108.55
R & D Industries, Inc	DP netwrk SQL serv issues	118.75
R.S.V.P.	FY04 allocation	565.50
RIDES	FY04 allocation	7476.00
Melinda L Roman	CSRU mileage	114.29
Schoeneman Bros	Cths crown	285.60
Sherwin Williams	Cths putty ear am	2.31
Shoppers Supply	Cths paper tape/jt compd	115.97
Sidwell Company, The	Install soils/farms	2875.00
Sioux County Sheriff	CSRU shrf fees	17.00
Solutions, Inc	DP cat 5 cable	621.60
Spencer Auto Parts Inc	Shrf wiper blades	22.35
Spencer Family Care	ME services	125.00
Spencer Jubilee	Jail supplies	22.56
Spencer Mun Utilities	Shrf phone service	101.76
Spencer Office Supplies	Rec pens	272.02
Standard Printing & Design	DHS forms	23.00
Story County Sheriff	sheriff fees	22.40
Thrifty White Stores	prescriptions	457.55
U S Postal Service	DHS postage for meter	1000.00
U S Postmaster	Consv postage/newsltr	292.00
United States Postal Service	Aud zip+4 renewal	50.00
Upper Des Moines	FY04 qtrly allocation	4000.00
UPS	UPS postage fees	1.30
Wal-Mart Store #2714	VA medications	168.05
Webster Co Sheriff	CSRU shrf fees	4.00
Woodbury County Sheriff	CSRU shrf fees	21.12
Xerox Corporation	Rec copier lease payment	357.17
Zenor & Houchins	Cty Atty monthly expenses	2880.22
	General Supplemental Fund	
Correctional Services Corp	sheltered care/jv	774.87
	MH-DD Services Fund	

Clay Co Sec Road Fund	MH cty car fuel	12.98
Clay County Sheriff	sheriff fees	630.12
Co Case Management Serv	tech support jan04	196.00
Echo Plus	mh care	2167.35
Employment Connections, Inc	MH Clerical	551.25
Greer Law Office	attry fees	35.77
Hope Haven	wa care	5775.76
Horizons Unlimited of PAC	mh care	2078.30
Hy-Vee	mh care	446.33
IA Dept of Human Services	mh care	23558.70
Innovative Industries	mh care	519.27
Midwest Wireless	cell phn charges	36.49
Nishna Productions Inc	mh care	2320.23
Northwoods Living	mh care	136.11
Oak Haven Care Facility Season	mh care	6419.38
Plymouth Life Inc	mh care	1682.00
Seasons Center	mh care	16572.00
Spectra Health Care	mh care	2129.77
Sunshine Services Inc.	mh care	22373.60
SW Iowa Residential Facility	mh care	1291.95
Village N. W. Unlimited	mh care	2796.53

Rural Services Basic Fund

City of Spencer	RS garbage serv March 04	4466.00
Daily Reporter, The	Zoning publications	37.22
McLeodUSA	Zoning phone charges	11.54

Secondary Road Fund

A & M Laundry Inc.	Uniforms	157.80
Ace Hardware	Plumbing Supplies	2.75
Alliant Energy	Electric - Everly	686.82
Aquila	Gas - Royal	3667.47
Arnold Motor Supply	PARTS	339.24
Ayrshire Farmers Mutual Tele	Telephone - Gillett Grove	27.49
Barnes Distribution	Wire Rope, Cotter Pin	233.29
Catco Parts & Service	Eaton Hyd Motor	10691.89
Cert. Testing Services	Geotech Exploration	7000.00
City of Everly	Gas - Everly	395.36
Crescent Electric Supply	Eng. Yard	152.19
Crysteel Truck Equipment Inc.	Cyl Rod, Cyl, Case	984.40
Dave's Sand & Gravel Inc	De-Icing Salt (419.13 Ton	419.13
Eddy-Walker Equipment Co	Spinner Motor	246.77
Filter Recycling, Inc.	Filter Pick up	50.00
Force America Inc	275 ft. Wire @ \$1.94/ft.	533.50
Fox International Inc.	Eng. Fulk Kit	124.77
Harmon AutoGlass	Sideview Mirror	140.82
Hartley Farm & Home Center	1x12x12 Sign Post	16.92
Holcomb Freightliner, Inc.	R Rear Spring on #205	194.02
Janitor's Closet Ltd	Paper Towels	706.07
Johnston Autostores	Floor Dry	316.76
Lakes Propane Gas Co	Forklift Refill	1688.20
Lawson Products Inc	Eng Parts	40.34
Mar-Lin Business Supply	51626A Black Ink Cart	35.98
McLeodUSA	Telephone -Spencer Office	30.64
Mid-Iowa Sales Co.	Windshield Solv, Red Thun	83.00
Midwestern Mechanical Iowa	Furnace Repairs	301.44
New Sioux City Iron Co	Link Chain	4.80
Nielsen Tire Co	Service & O-Rings	1764.85
Northwest One, Inc	Internet Service	34.95
Panama Transfer Inc	Freight on Roll of Wire	42.00
Peter J Paulsen	ACC Conference Meals	22.48
Pixler Electric Inc	Paint Booth Relay	37.60

Shine Bros Steel	Pipe Mower	57.79
Snap On Tools Corp	Punch Set	87.90
Spencer Auto Parts Inc	Eng. Filters	1927.13
Standard Printing & Design Inc	150 Req. Books	447.80
Star Energy LLC	1267 Gallons Gasohol	27360.25
Mark A Thompson	ACC Conference Meals	14.95
Town & Country Disposal Inc.	Garbage - Everly	20.00
Treasurer, State of IA	Storm Water Dis (FM103)	150.00
Vander Haag's Inc	RH Door Glass	119.19
Webb-Dickens Telephone Co	Telephone - Dickens	66.06
Jeffrey M Wiemann	ACC Conference Meals	17.12
Xerox Corporation	Copy Cost	25.00
Zee Medical Service Co	First-Aid Kit Supplies	36.19
Ziegler Inc	Eng. Parts	13929.11
	Recorders Records Mgt Fnd	
Solutions, Inc	Rec ribbons	24.50
	Capital Projects	
Hartley Plumbing & Heating	Scharnberg plumbing suppl	4200.00
Johnson Supply Co.	Scharnberg plumbing suppl	1347.69
Shoppers Supply	Scharnberg prj fishing pi	1944.15

Motion by Zinn, seconded by Brockshus to approve the Off-Premise Renewal License Application #BC0027940 for Class C Beer Permit and Sunday Sales Privilege presented by legal owners: John and Denise Gochenouer, 1217 E. Lyon St., Marshall, MN 56258 doing business as Lost Island Resort, 3286 335th Avenue, Ruthven, IA 51358. The permit will be valid for twelve (12) months expiring March 31, 2005. Motion carried.

Motion by Brockshus, seconded by Chalstrom to establish the Events Center Pledge Obligation Fund as a non-budgetary non-enterprise type fund. The fund is created to fulfill procedures required in the Clay County Resolution #2003-17 dated May 27, 2003. This fund will be used solely to pay the principal and interest on the Special Pledge Obligation Note. Motion carried.

Motion by Zinn, seconded by Brockshus to establish the Local Option Sales & Services Tax Revenue Fund as a non-budgetary non-enterprise type fund. The fund is created to fulfill procedures required in the Clay County Resolution #2003-18 dated May 27, 2003. Motion carried.

Motion by Schoer, seconded by Chalstrom to establish the Local Option Sales & Services Tax Revenue Bond Sinking Fund as a non-budgetary non-enterprise type fund. The fund is created to fulfill procedures required in the Clay County Resolution #2003-18 dated May 27, 2003. Motion carried.

Motion by Zinn, seconded by Brockshus to establish the Local Option Sales & Services Tax Revenue Bond Reserve Fund as a non-budgetary non-enterprise type fund. The fund is created to fulfill procedures

required in the Clay County Resolution #2003-18 dated May 27, 2003. Motion carried.

Motion by Zinn, seconded by Brockshus to the following Resolution 2004-11 Changing Fixed Asset Capitalization Policy. Motion carried.

**RESOLUTION 2004-11
CHANGING FIXED ASSET CAPITALIZATION POLICY**

Whereas, \$5000 is the current value for capitalizing Clay County Land & Building for financial reporting purposes; and

Whereas, the Government Finance and Accounting Organization approved a recommended practice, Establishing Appropriate Capitalization Thresholds for Tangible Capital Assets,” that states in no case should a government establish a capitalization threshold of less than \$25,000 for any individual item; and

Whereas, increasing the capitalization policy will make record keeping more efficient; and

Whereas, Clay county will continue to account for and maintain control of non-capitalized assets at the departmental level through annual inventories and insurance reporting.

Therefore be it resolved, that the current capitalization policy of \$5000.00 for fixed assets be increased to \$25000.00 for Land & Building retroactive to July 1, 2002.

Marjorie A. Pitts, County Auditor

Joel M. Sorenson, Chairperson

Motin by Zinn, seconded by Schoer to adopt the following resolution. Motion carried.

Resolution 2004-12

Setting hearing on proposal to sell and convey Clay County’s interest, if any, in certain real estate to

Dennis D. Somers, N. Kathryn Somers and Gregory A. Somers

WHEREAS, the Board of Supervisors of Clay County, Iowa (hereinafter “Board”) is a duly organized governing body; and

WHEREAS, on February 28, 1953, Edgar L. Merrill and Grace L. Merrill, former owners of the real estate granted to the State of Iowa an easement for road purposes to the following-described real estate, to-wit: Beginning at the Northwest corner of Section 20, Township 94 North, Range 36, West of the 5th P.M., thence East 2625.6 feet along the North line of the Northwest Quarter (NW1/4) of said Section 20, thence South 0o05 ½’ East 360.6 feet; thence

South 84o04' West 295.5 feet; thence North 0o05 ½' West 315.0 feet; thence South 89o54 ½ West 500.0 feet; thence South 84o43' West 552.3 feet; thence South 73o12 ½' West 261.0 feet; thence North 84o00' West 1037.3 feet; thence North 0o12' West 94.7 feet to the point of beginning and containing 9.18 acres more or less;

And

WHEREAS, on February 9, 1977, the Iowa Department of Transportation abandoned that part of the easement for road purposes legally described as, to-wit:

A parcel of land located in the Northwest Quarter (NW1/4), of Section 20, Township 94 North, Range 36, West of the 5th P.M., Clay County, Iowa, further describes as follows: -- Commencing at the Northwest Quarter corner of said Section 20; thence South 0o05 ½' East 75.59 feet to the point of beginning; thence continuing South 0o05 1/2 ' East 295.0 feet; thence South 84o04' West 295.5 feet; thence North 0o05 ½' West 315.0 feet; thence North 89o54 ½' East 294.0 feet to the point of beginning. Said parcel contains 2.06 acres, more or less.

And

WHEREAS, on December 18, 1981, the Iowa Department of Transportation conveyed by Quit Claim Deed the former Primary Road No. 374 from U.S. 71 easterly to the corporate limits of the City of Webb, Iowa, EXCEPTING, in part, that part abandoned on February 9, 1977; and

WHEREAS, certain officers of Clay County, Iowa, believe that the County has an ownership interest in the following – described real estate, to-wit:

A tract of land located in the Northeast Quarter (NE ¼) of the Northwest Quarter (NW ¼), of the Section 20, Township 94 North, Range 36, West of the 5th P.M., Clay County, Iowa, more completely described as follows: --Commencing at the Northwest (NW) Corner of said Section 20; thence North90o00" East 2417.06 feet along the North line of the Northwest Quarter (NW ¼) of said Section 20 to the point of beginning; thence continuing North 90o00'00" East 208.33 feet along said line to the Northeast corner of the Northwest Quarter (NW ¼) of said Section 20; thence South 01o19'28" East 738.96 feet along the East line of the Northwest Quarter (NW ¼) of said Section 20; thence North 26o39'19"West 289.45 feet; thence North 54o23'14" West 114.92 feet; thence North 00o17'44" West 413.17 feet to the Point of Beginning. Said tract contains 2.64 acres including present established roadway and all easements of record and is monumented as

shown on the plat hereon.

NOTE: The South line of the Southwest Quarter (SW ¼) is assumed to bear due East and West;

And

WHEREAS, Edgar L. Merrill and Grace L. Merrill are now deceased, leaving their children, Lowell F. Merrill and Louise A. Woodall (nee Merrill), as owners of the real estate; and

WHEREAS, Lowell F. Merrill and Louise A. Woodall conveyed by Warranty Deed filed of record November 3, 1999, all of their right, title, and interest to the real estate to Dennis D. Somers and N. Kathryn Somers and Gregory A. Somers; and

WHEREAS, the Somers family now wishes to convey their interest in the real estate to another party free of any potential claims of Clay County; and

WHEREAS, the Somers family proposes the payment of One Dollar (\$1.00) to Clay County in exchange for a Quit Claim Deed from Clay County to the Somers wherein Clay County releases any interest, if any, it may have in the real estate; and

WHEREAS, the Board of Supervisors has reviewed the Somers' proposal and found it to be acceptable.

NOW, THEREFORE IT IS HEREBY RESOLVED by the Board of Supervisors of Clay County, Iowa, as follows:

1. In accordance with Iowa Code Section 331.361 (2003), Clay County proposes to convey all of the County's interest, if any, by Quit Claim Deed to Dennis D. Somers and N. Kathryn Somers and Gregory A. Somers in exchange for One Dollar (\$1.00).
2. The Board hereby sets forth this proposal in the Resolution and Sets the following-described hearing thereon and directs the Auditor to give notice thereof by publishing the time and place of said hearing thereon in accordance with Iowa Code Section 331.305 (2003).
3. After the public hearing, the Board may make a final determination on this proposal by Resolution.

The Board of Supervisor of Clay County, Iowa will hold a public hearing on the above-described proposed vacation and conveyance all as set out above on the 30th day of March, 2004, at the hour of 9:00 a.m. o'clock in the Clay County Administration Building boardroom, 300 W 4th St, Spencer, Clay County, Iowa and the Auditor is directed to publish notice hereof in accordance with Iowa Code Section 331.305 (2003).

Passed and approved this 16th day March, 2004

Marjorie A. Pitts, County Auditor

Joel M. Sorenson, Chairperson

Motion by Schoer, seconded by Zinn to set 900 a.m. on April 13th, 2004 in the Board of Supervisor's Room of the Clay County Administration Building, Spencer, IA as the time and place for a public hearing on application of Fred Ferguson, 3305 340th Ave., Ruthven, IA to change zoning from C-2 Commercial to R-2 Residential in part if Section 1, Township 96 North 35 West of the 5th P.M., Freeman Township, Clay County, Iowa. Motion carried.

Tammy McKeever, Zoning, Environmental Health & Safety Department director updated the Board on the upcoming county government week in April and discussed suggestions made by Gary Mahood from ICAP workers comp of his safety review on February 3, 2004.

Motion by Brockshus, Seconded by Chalstrom to Approve the 2005 Fiscal Year Iowa Department of Transportation Secondary Roads Budget and Construction Program as presented by the County Engineer on the 2nd day of March, 2004 and authorized the Chairperson and County Auditor to sign the budget and construction programs. Motion carried.

Motion by Zinn, Seconded by Chalstrom to purchase a Belly Dump from Hart Manufacturing of Webb, Iowa at their quoted price of \$25,000.00 and a Pup Trailer from Hart Manufacturing of Webb, Iowa at their quoted price of \$24,500. Motion carried.

Motion by Brockshus, Seconded by Chalstrom to purchase a 2004 Ford 250 XLT 4 x 4 Extended Cab pickup from Don Pierson Ford-Lincoln-Mercury, Inc. of Spencer Iowa at their quoted price of \$21,476.00 and to authorize the County Engineer to sign the purchase order. Motion carried.

Motion by Chalstrom, Seconded by Brockshus to purchase a Topcon GPS System from Iowa transit of Grimes, Iowa at their quoted price of \$33,995.00. Motion carried.

Motion by Brockshus, seconded by Schoer to authorize Chairperson to sign the 26 current and 5 additional MR-Waiver slots for July 1 through December 31, 2004.

The Chairperson adjourned the meeting at 9:50 a.m. to convene at the Auditor's called meeting Tuesday, March 30th, 2004 at 8:30 a.m.

Marjorie A. Pitts, County Auditor

Joel M. Sorenson, Chairperson

Clay County Board of Supervisor's Minutes from Meeting #15 held on March 30, 2004

The Clay County Board of Supervisors met pursuant to adjournment. The named supervisors were present:

Chalstrom, Brockshus, Zinn, Schoer, and Sorenson. Absent: None.

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote:

Ayes: Sorenson, Brockshus, Zinn, Schoer, and Chalstrom. Nays: none. Abstentions: none.

Motion by Schoer, seconded by Chalstrom to approve the meeting agenda for March 30th, 2004. Motion carried.

Motion by Chalstrom, seconded by Zinn to approve the County Board minutes for Meeting #14 dated March 16th, 2004. Motion carried.

Motion by Brockshus, seconded by Zinn to approve the payment of the claims for March 30th, 2004 with the detail on file in the County Auditor's office for review. Motion carried.

General Basic Fund		
ABC Computers Plus	Shrf comp equip-vehicles	6225.55
Ace Hardware	consv supplies	111.85
Agrisafe Spencer Municipal Hos	Consv mask filters/clear	14.00
Airgas North Central	Consv oxygen	144.01
Aquila	Cthse utilities	3011.68
Architects Collaborative	Cthse engineering	180.00
Arnold Motor Supply	Consv paint	146.75
Barb Rupert	shrf patches sewn on	30.00
Kristine L Binder	Consv dist III mtg reg	10.00
Buchanan County Sheriff	CSRU shrf fees	25.00
Calhoun County Sheriff Dept	CSRU shrf fees	45.00
Cellular One	Shrf cell phone charges	710.50
Cherokee County Sheriff	CSRU shrf fees	19.00
City of Spencer	Com Ctr feb expenses	9494.66
Clay Co Extension Service	Consv continuing ed	60.00
Clay Co Sec Road Fund	Consv fuel for February	323.34
Clay County Sheriff	CSRU shrf fees	125.00
Clay County Fair Assn	FY04 allocation	18156.50
Clay Regional Water	Consv water usage	60.30
Audrey Coffman	Elections mtg meal	23.61
Communication Innovators	Law library wiring repair	92.50
Continental Research Corp	Consv cleaning supplies	175.16
Crescent Electric Supply	GSC light bulbs	89.23
CSI Computer Service Innovatio	DHS parts/maint	185.00
Daily Reporter, The	Shrf sale publication	119.81
David A Scott	attry fees-tasp	75.00
Denny's Pest Control	Jail pest control maint	56.00
Des Moines Stamp Mfg Co	DP/GIS office supplies st	29.75
Dickinson Co Sheriff	CSRU shrf fees csc052896	38.60
Discovery House Phyllis Kempem	rent asst-	200.00
Don Pierson Ford	Shrf car serviced	206.62
Emmet County Sheriff	CSRU shrf fees	33.00
Employment Connections, Inc	temp agency	135.45
Four Points Sheraton DM Air	Shrf mtg exp rooms	158.36
Galen's Pro-Mow	Consv chainsaw safety	222.72
Gary's Upholstery & Draperies	Jail pillows repaired	24.00

Shirley M Goyette	Recorder meal expense	37.89
Graham Tire Co	Jail van tires	149.07
Heartland Technology	Phone system repair voice	130.00
Daniel J Heissel	Consv dist III mtg reg	10.00
I.A. of C. O. & S., Inc	Shrf membership dues	35.00
IA Co Atty's Assn	Shrf registration	52.00
IA Dept Natural Resources	Well permits issued	75.00
IA Lakes Electric Coop	Consv utilities	370.27
IA Prison Industries	Shrf stars	34.57
Janitor's Closet Ltd	Cthse custodial supplies	11.30
Jolynn Goodchild	Rec mileage	12.00
Jonathan Vazquez	Interpreter fees	22.50
Ken Borth Auto Body Ltd	Consv deductible truck repair	600.00
Keokuk County Sheriff	CSRU shrf fees	16.50
Karess S Knudtson	Consv dist III mtg reg	10.00
Randy Krukow	Shrf mtg exp meals	7.70
Linn County Public Health	Env hlth radon test kits	93.75
Dennis R Linn	Shrf uniform repair	23.06
Lyon County Sheriff	CSRU shrf fees	57.00
Kevin D Maassen	Consv Dist III mtg reg	10.00
Mar-Lin Business Supply	Auditor 5"binders	64.28
Martin's Flag Co	GSC flags	989.42
Mastercard	Consv mill worms	61.00
Mercy Family Pharmacies	rx-ttho	22.19
Mid Con Systems, Inc.	Consv cleaning supplies	83.56
Midwest Wireless	DHS cell phone service	312.66
Minolta Corporation	DHS copier agreement	48.70
Lavon C Montgomery	Treas mtg expense meals	36.47
Newton Investigation/Security	CSRU shrf fees	27.00
Northwest One, Inc aka NW Int	Consv internet charges	18.00
O'Brien County Sheriff	CSRU shrf fees	36.60
Office Systems Company	DP Gestetner copies	62.59
OMB Police Supply	Shrf talon dual dash light	229.99
Osceola Co Sheriff	CSRU shrf fees	19.44
Page Investigations	CSRU shrf fees	30.00
Palo Alto County Sheriff	CSRU shrf fees	24.50
Perkins Office Solutions	DHS paper	59.98
Physicians Lab LTD 1000 E 21st	autopsy	750.00
Pitney Bowes	Postage machine charges	977.94
Providea, Inc	Telecom room charges	22.20
Qwest	Bldg trunk lines	1337.79
Radisson Hotel Des Moines Air	Treas mtg exp room/meal	297.07
Melinda L Roman	CSRU mileage	30.70
Saga Communications of IA, LLC	Consv outdoor show	162.50
Scott County Sheriff	CSRU shrf fees	20.02
Sheraton Four Points Hotel	hotel stay	39.59
Sherwin Williams	Consv primer	45.76
Shoppers Supply	Consv oil	163.76
Sidwell Company, The	April web fees	500.00
Sioux County Sheriff	CSRU shrf fees	197.61
Timothy R Small	Radio holster repaired	5.00
SoftChoice Corporation	Shrf software grant	283.00
Solutions, Inc	Treas mtg registration	210.00
Spencer Auto Parts Inc	consv lubriplate	20.98
Spencer Chamber of Commerce	Consv membership dues	43.75
Spencer Mun Hospital	Jail meals Feb	9256.10
Spencer Mun Utilities	Admn utilities	3157.22
Spencer Office Supplies	Auditor lateral file	336.69
Staples	DHS office supplies	88.93
Staples Credit Plan	Shrf video tapes	94.93

Star Energy LLC	Consv gas	7.81
Thrifty White Stores	Shrf film developing	20.57
U S Postmaster	Shrf postage 5-37/3-23	254.00
VISA	Shrf mtg exp rooms/car rent	1278.81
Walter Stephens Jr Inc	Jail inmate-supplies	146.95
Winnebago Co Sheriff	CSRU shrf fees	30.00
Wood County Sheriff Dept	CSRU shrf fees	60.00
Theresa E Wurth	DP mileage	164.29
Wymer Motors, Inc.	Consv oil	26.74
Xerox Corporation	Recorder copier lease Feb	357.17
General Supplemental Fund		
Clay County Sheriff	Shrf trans charges jv2367	83.00
NW IA Youth Emergency Serv Ctr	JV detention	1350.00
West Payment Center Thomson We	Law library printed pub	1098.00
MH-DD Services Fund		
Cherokee County Sheriff	sheriff fees-	19.00
Clay County Sheriff	sheriff fees-	117.00
Co Case Management Serv	Feb CCMS	203.00
Covenant Clinic	med man-9/2/03-	270.00
David A Scott	attry fees-	25.00
Employment Connections, Inc	temp agency-	135.45
Genesis Development	se-	174.60
Greer Law Office John P. Greer	attryfees-	15.67
IA Dept of Human Services DHS	aro-scl-	30633.08
Milford Pharmacy	rx-	191.91
Opportunity Village	rcf-	6922.14
REM Developmental Services Inc	rcf-	27.05
Sheraton Four Points Hotel	hotel stay-	39.59
Spencer Office Supplies	offc supplies	39.98
Rural Services Basic Fund		
Ace Hardware	Consv staples	7.06
Cellular One	Weed comm cell phone	38.80
City of Spencer	Rural service garbage Apr	4466.00
M P H Industries Inc	Shrf radar	70.95
Northwest Equipment Inc	IRVM machinery part/repair	240.85
Quality Inn & Suites	Consv mtg exp room	130.10
Shoppers Supply	Consv oil filters	380.55
LOSST Rev Bond Sinking Fund		
Northwest Federal Savings Bank	Interest advance LOSST ev	8420.13
Secondary Road Fund		
Airgas North Central	WELDING SUPPLIES	135.05
Alliant Energy	Non-Metered	78.98
Barnes Distribution	P.B. Blaster	81.23
Cellular One	Cell Phone	150.49
Pamela S Doran	Gas Reimb. ICEOO Planning	10.01
Garmin International	GPS Repairs	79.00
Holcomb Freightliner, Inc.	Filters	58.11
Holiday Inn Conf Center Airp	Lodging	329.56
Iowa Telecom	Telephone - Peterson	47.23
Lawson Products Inc	29 Pcs. Drill Bit Set	182.00
Mangold Environmental Test/Inc	Elser Pit Water Sample	82.00
NAPA Auto Parts	Fittings	21.96
Nielsen Tire Co 2104 Hwy Blvd	1 - 900R20 T546 Tire	653.91
Office Systems Company	Copy Cost	27.88
Robin Patrick	CPR Re-cert Classes	580.00
Rohlin Construction Co Inc	Cold Mix Patch 2.38 ton	83.30
Shine Bros Steel	Spencer Yard Materials	25.20
Sioux Falls Kenworth, Inc.	Filters	69.96
Alan D Smith	Reimb. for Safety Shoes	80.00
Snap On Tools Corp	Torx Bits, Hex Wr Set	87.50

Spencer Family Care/Avera	Pre-Employment Screening	105.00
Spencer Mun Utilities	Gas - Spencer	526.10
Staples	PC Hard Drive	72.94
Zep Manufacturing Co	Parts Cleaner	168.79
Capital Projects		
Christians Sheet Mtl Wrks	Consv heating supplies	4290.00
IA Lakes Electric Coop	Consv water heater	200.00
MT Ranch	Consv welding	900.00
Northwest Federal Savings Bank	Int pmt Scharnberg Park	598.03
Shine Bros Steel	Consv steel Scharnberg	1238.65
Shoppers Supply	Consv star bit	112.44

Motion by Zinn, seconded by Brockshus to approve the payment of a drainage claim in Drainage Ditch #60 totaling \$235.60 to Hudson Law Firm for Lat 8 Tile. Motion carried.

Motion by Brockshus, seconded by Chalstrom to approve transfer of \$14,930.75 from Local Option-Fair to the General Basic fund. Motion carried.

Motion by Schoer, seconded by Zinn to approve transfer of \$8420.13 from LOSST Revenue to LOSST Revenue Bond Sinking fund. Motion carried.

Motion by Zinn, seconded by Schoer to approve Resolution 2004-13. Motion carried.

RESOLUTION 2004-13

RESOLUTION AUTHORIZING THE SALE OF THE UNUSED PORTION OF THE EASEMENT FOR ROAD PURPOSES AND CONVEYING THE COUNTY'S INTEREST THEREIN TO DENNIS D. SOMERS AND N. KATHRYN SOMERS AND GREGORY A. SOMERS WHO ARE THE TITLEHOLDERS OF THE PROPERTY FOR ONE DOLLAR (\$1.00)

WHEREAS, the Board of Supervisors of Clay County, Iowa (hereinafter "Board") is a duly organized governing body; and

WHEREAS, the Clay County Board of Supervisors has heretofore caused notice to be published of a public hearing and had a hearing on March 30, 2004 at 9:00 a.m. o'clock on a proposal to convey the County rights herein to Dennis D. Somers and N. Kathryn Somers and Gregory A. Somers who are the titleholders of the property.

The description of the property which is to be conveyed is as follows:

A parcel of land located in the Northwest Quarter (NW1/4), of Section 20, Township 94 North, Range 36, West of the 5th P.M., Clay County, Iowa, further describes as follows: -- Commencing at the Northwest Quarter corner of said Section 20; thence South 0o05 ½' East 75.59 feet to the point of beginning; thence continuing South 0o05 1/2 ' East 295.0 feet; thence South 84o04' West 295.5 feet; thence North 0o05 ½' West 315.0 feet; thence North 89o54 ½' East 294.0 feet to the point of beginning. Said parcel contains 2.06 acres, more or less.

And

A tract of land located in the Northeast Quarter (NE ¼) of the Northwest Quarter (NW ¼), of the Section 20,

Township 94 North, Range 36, West of the 5th P.M., Clay County, Iowa, more completely described as follows:

Commencing at the Northwest (NW) Corner of said Section 20; thence North90o00" East 2417.06 feet along

the North line of the Northwest Quarter (NW ¼) of said Section 20 to the point of beginning; thence continuing

North 90o00'00" East 208.33 feet along said line to the Northeast corner of the Northwest Quarter (NW ¼)

of said Section 20; thence South 01o19'28" East 738.96 feet along the East line of the Northwest Quarter

(NW ¼) of said Section 20; thence North 26o39'19"West 289.45 feet; thence North 54o23'14" West 114.92

feet; thence North 00o17'44" West 413.17 feet to the Point of Beginning. Said tract contains 2.64 acres

including present established roadway and all easements of record and is monumented as shown on the plat

hereon.

NOTE: The South line of the Southwest Quarter (SW ¼) is assumed to bear due East and West;

WHEREAS, the Clay County Board of Supervisors has determined that it is in the best interest of the

County to convey the County's rights in said property by Quit Claim Deed to Dennis D. Somers and N.

Kathryn Somers and Gregory A. Somers.

NOW THEREFORE IT IS HEREBY RESOLVED that the Chairman of the Board of Supervisors and

Clay County Auditor are hereby directed to execute a Quit Claim Deed conveying the County's rights

therein to Dennis D. Somers and N. Kathryn Somers and Gregory A. Somers in exchange for One Dollar (\$1.00)

Passed and approved this 30th day of March 2004.

Ayes: Chalstrom, Brockshus, Zinn, Schoer, and Sorenson. Nays: None. Absent: None.

Joel M. Sorenson Chairperson,
Board of Supervisors

Attest:

Marjorie A. Pitts, County Auditor

Motion by Zinn, seconded by Chalstrom to approve Resolution #2004-14.

RESOLUTION NO. 2004-14

Resolution extending the Maturity Date of the County's \$250,160 General Obligation Park

Improvement Loan Agreement Anticipation (Project) Note

WHEREAS, the Board of Supervisors of Clay County, Iowa (the "County"), has previously

authorized the issuance of its General Obligation Park Improvement Loan Agreement Anticipation (Project) Note in the principal amount of \$250,160 (hereinafter referred to as the "Note") to Northwest Federal Savings Bank, Spencer, Iowa (the "Bank") for the purpose of paying the cost, to that extent, of constructing improvements to Scharnberg Park, including a campground, shower restroom building and related facilities, cabins, playground and fishing pier (hereinafter referred to as the "Project"); and

WHEREAS, the County intends to refund the Note through the issuance of bonds or notes, but the refunding

proceeds will not be available to the County by April 1, 2004; and

WHEREAS, the Bank has agreed to extend the maturity date of the Note to May 3, 2004, on the terms hereinafter

set out;

NOW, THEREFORE, Be It Resolved by the Board of Supervisors of Clay County, Iowa, as follows:

Section 1. The maturity date of the Note is hereby extended to May 3, 2004. Accrued interest on the Note

shall be paid on April 1, 2004, and the Note shall continue to bear interest at the rate of 1.50% per annum from April 1, 2004, to its maturity.

Section 2. The Board of Supervisors hereby reserves the right to prepay principal of the Note in whole or in part

at any time prior to the maturity thereof with accrued interest to the date of such payment.

Section 3. The Chairperson and County Auditor are hereby authorized and directed to enter into whatever legal

documents are required by the Bank to effectuate the provisions of this resolution.

Section 4. It is the intention of the County that interest on the Note be and remain excluded from gross income

for federal income tax purposes pursuant to the appropriate provisions of the Internal Revenue Code of 1986, as a

amended, and the Treasury Regulations in effect with respect thereto (all of the foregoing herein referred to as the

"Internal Revenue Code"). In furtherance thereof, the County covenants to comply with the provisions of the Internal

Revenue Code as they may from time to time be in effect or amended and further covenants to comply with

applicable future laws, regulations, published rulings and court decisions as may be necessary to insure that the interest

on the Note will remain excluded from gross income for federal income tax purposes. Any and all of the officers of

the County are hereby authorized and directed to take any and all actions as may be necessary to comply with the

covenants herein contained.

The County hereby designates the Note as a "Qualified Tax Exempt Obligation" as that term is used in Section

265(b)(3)(B) of the Internal Revenue Code.

Section 5. All resolutions or parts of resolutions in conflict herewith be and the same are hereby repealed, to the

extent of such conflict.

Passed and approved March 30, 2004.

Ayes: Chalstrom, Brockshus, Zinn, Schoer, and Sorenson.

Nays: None. Absent: None.

Joel M. Sorenson Chairperson,
Board of Supervisors

Attest:

Marjorie A. Pitts, County Auditor

Motion by Brockshus, seconded by Zinn to approve the agreement dated March 9, 2004 for architect's services between the Clay County Board of Supervisors and Wetherell, Ericsson, Leusink Architects of 1106 High St., Des Moines, Iowa for restoration repairs at the County Courthouse located at 215 W 4th Street in Spencer, Iowa. Included are the dome, clock tower, colonnade structure, failed window heads, foundation waterproofing, miscellaneous roofing repairs and miscellaneous exterior wall repairs. Motion carried.

Motion by Schoer, seconded by Brockshus to approve the following resolution. Motion carried.

RESOLUTION 2004-15

A RESOLUTION IN SUPPORT OF THE HWY 71/18 BYPASS PROJECT ON THE WEST SIDE OF SPENCER, IOWA

WHEREAS, the proposed Hwy 71/18 Bypass Project on the west side of Spencer has been out of the IDOT's

Five-Year Iowa Transportation Improvement Program since 2001; and

WHEREAS, this project has been fully designed and reduced to detailed engineering plans and specifications; and

WHEREAS, this project is important both the transportation efficiency within the Spencer Community, and

transportation to and from Spencer, as well as its potential positive impact on the economy of Spencer & Clay

County; and

WHEREAS, the Iowa Department of Transportation is considering a new Five-Year Transportation Plan for

the State of Iowa; and

WHEREAS, it's important that Northwest Iowa be acknowledged by the State of Iowa and be able to grow

and prosper with the rest of the State;

THEREFORE BE IT RESOLVED, the Clay County Board of Supervisors of Spencer, Iowa hereby urge the

inclusion of the Hwy 71/18 Bypass Project in the Five-Year Transportation Plan, and take all necessary steps to

proceed with the project and complete it without delay.

PASSED AND APPROVED THIS 30TH DAY OF MARCH, 2004.

Ayes: Chalstrom, Brockshus, Zinn, Schoer, and Sorenson.

Nays: None.

Absent: None.

Joel M. Sorenson, Chairperson

Attest:

Marjorie A. Pitts, County Auditor

Motion by Zinn, seconded by Chalstrom to authorize the Chairperson to sign the annual affiliation agreement for fiscal year 2005 with Seasons Center of Spencer as our Community Mental Health Center provider . As a condition of eligibility for receiving MH/MR/DD Community Service dollars, this agreement is to be submitted to the Department of Human Services as evidence of Clay County's relationship with a community mental health center. Motion carried.

The Board was given an update on the plans for County Government Week by GIS Coordinator Theresa Wurth.

There will be a Proclamation presented to the Board for signing at the April 13, 2004 meeting. An open house is

planned for April 19th from 3-6 p.m. with the theme of "Just the Facts". Publicity of the event is being coordinated.

Motion by Zinn, Seconded by Schoer to approve the Iowa Department of Transportation Agreement for Federal-

Aid Highway Bridge Replacement and Rehabilitation Program Project for BROS-CO21(96)--8J-21, and

authorize the chairperson to sign two copies of the agreement. Motion carried.

Motion by Brockshus, Seconded by Chalstrom to approve revised "Driveway & Entrance Policy". Motion carried.

The Chairperson adjourned the meeting at 10:50 a.m. to convene at the Auditor's called meeting Tuesday, April 13, 2004 at 8:30 a.m.

Marjorie A. Pitts, County Auditor

Joel M. Sorenson, Chairperson

Clay County Board of Supervisor's Minutes for Meeting #16 held on April 13, 2004

The Clay County Board of Supervisors met pursuant to adjournment. The named supervisors were present:

Sorenson, Chalstrom, Schoer, Zinn Absent: Brockshus

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote: Ayes:

Sorenson, Brockshus, Zinn, Schoer, and Chalstrom. Nays: none. Abstentions: none.

Motion by Zinn, seconded by Schoer to approve the meeting agenda for April 13th, 2004. Motion carried.

Motion by Zinn, seconded by Schoer to approve the County Board minutes for Meeting #15 dated March 30th, 2004 . Motion carried.

Motion by Chalstrom, seconded by Zinn to approve the payment of the claims for April 13th, 2004 with the detail on file in the County Auditor's office for review. Motion carried.

General Basic Fund		
A T & T	DHS phone charges	4.69
ABC Computers Plus	Shrf car computer equip	389.50
Ace Hardware	Shrf insulate pipes	4.18
Allied Document Solutions	Treas renewals May	478.29
Americinn Motel & Suites	Env health mtg exp room	61.60
Aquila	Bldg utilities	2577.00
Arch Wireless	DHS pager service	52.21
Architects Collaborative	Cthse architect/engineer	225.00
Barb Rupert	Sewing of patches	51.00
BOJI Information Systems	Network services	96.00
Bud's Service	Shrf rotate break pads	491.82
Campus Cleaners & Laundries	Shrf uniform cleaned(blood)	6.22
Canon Financial Services	DP Gestetner copier maint	103.45
Cherokee County Sheriff	CSRU shrf fees	25.00
Cindy S. Cook-Ct Reporter	Transcripts	364.00
City of Everly	VA assistance	227.11
City of Spencer	Shrf garbage removal	80.00
Clay Co Sec Road Fund	March gas	1512.50
Clay County Sheriff	Shrf fees	461.75
Clay County Fair Assn	Local option tax alloc	14930.75
Clay County Homes	rent asst	225.00
Constable Rick Richardson	CSRU shrf fees	55.00
Crescent Electric Supply	Shrf electrical supplies	24.00
Daily Reporter, The	DHS subscriptions	322.36
Darwin Johnson	VA landlord	215.00
Denny's Pest Control	Bldg pest control maint	105.00
Des Moines Stamp Mfg Co	Rec stamp	39.25
Dickinson Co Sheriff	Shrf fees	96.46
Don Pearson	Landlord	200.00
Emmet County Sheriff	CSRU shrf fees	18.00
Everly-Royal News	BD Pub mtgs 13-14	214.91
Farmers Trust & Svgs Bank	Treas acct charges	254.81
The Hotel at Gateway Center	DP network class exp	93.26
Graham Tire Co	Shrf rotate/mount tires	27.00

Heartland Inn	Aud ISAC spring school	143.38
Helen's Comm Laundry Inc	Cthse mops/towels	125.70
Holiday Inn Conf Center	DP spring ISAC room/meals	383.83
Humboldt County Sheriff	CSRU shrf fees	17.00
Hy-Vee #1636	Jail supplies	7.98
IA Law Enforcement Academy	Shrf firearms shirt	25.00
IACCVA	VA spring schooling	20.00
Janitor's Closet Ltd	Bldg supplies/cleaning	948.01
LeRoy E Spears	VA transportation	139.50
Dennis R Linn	Shrf gas for car	10.00
Lori F Matthaideess	Transcripts	6.00
Mangold Environmental Test	Well testing	84.00
Mar-Lin Business Supply	Auditor utility knife	364.74
Tammy R Mckeever	Env health mtg exp meal	12.79
McLeodUSA	Phone charges	456.14
Mellette County Sheriff	Shrf fees	17.95
Midwest Radar & Equipment	Shrf radar repair/maint	360.00
Newton Investigation/Security	CSRU shrf fees	27.00
Northwest Printing Co	Rec letterhead 1000sheets	102.47
O'Brien County Sheriff	CSRU shrf fees	105.60
Office Systems Company	Admn copier contract	87.86
Palo Alto County Sheriff	Shrf fees	18.00
Pathology Medical Serv	Depositions	1750.00
Perkins Office Solutions	DHS paper/envelopes	96.66
Pocahontas Co Sheriff	CSRU Shrf fees	25.92
Quill	Admn paper	155.20
Qwest	Bldg circuits	109.98
RadioShack Your Phone Co	Shrf pictures/camera equi	98.43
Melinda L Roman	CSRU mileage	65.40
Schoeneman Bros	Cthse oak	150.87
Sioux County Sheriff	CSRU shrf fees	61.14
Sioux Sales Co	Shrf Jail spit nets	199.75
SoftChoice Corporation	Shrf MS office Pro/grant	341.86
Solutions, Inc	DP Symantec maint 25+user	3357.00
Spencer Auto Parts Inc	Shrf oil	53.88
Spencer Family Care Med Exam	ME services	250.00
Spencer Lumber Co	Cthse wall base vinyl	78.82
Spencer Mun Utilities	Shrf phone	213.88
Spencer Office Supplies	Treas office supplies	219.59
Thrifty White Stores	DHS general merchandise c	31.00
U S Postmaster	Bulk mail permit	150.00
Univ of IA Hosp & Clinics	pymt med bills	376.00
UPS	DP equip return	19.95
Joan M Waller	VA office supplies	31.30
Walmart Pharmacy	VA medical assistance	168.05
Webster Co Sheriff	CSRU shrf fees	2.00
Xerox Corporation	Recorder copier lease	433.91
Zee Medical Service Co	Jail first aid supplies	35.90
Zenor & Houchins	Atty monthly expenses	2828.13
	General Supplemental Fund	
Iowa Workforce Development	Unemployment 1st qtr 2004	1274.34
NW IA Youth Emergency Serv Ctr	JV medications	40.00
	MH-DD Services Fund	
Cass Co Sheriff	sheriff fees	64.50
Cherokee County Sheriff	sheriff fees	53.00
Clay County Sheriff	sheriff fees	155.64
Echo Plus	mh care	2422.03
Genesis Development	mh care	170.64
Hope Haven	mh care	6163.64
Horizons Unlimited of PAC	mh care	2179.22

Hy-Vee	medications	407.88
IA Dept of Human Services	mh care	25762.44
Innovative Industries	mh care	628.59
Iowa Workforce Development	Unemployment 1st qtr 2004	29.72
Nishna Productions Inc	mh care	2552.48
Oak Haven Care Facility Season	mh care	6306.35
Plymouth Life Inc	mh care	1798.00
Seasons Center	mh srvcs for 4/04	16572.00
Spencer Office Supplies	offc sppl	41.11
Sunshine Services Inc.	mh care	25576.02
SW Iowa Residential Facility	mh care	1381.05
Upper Des Moines O E O	annual donatn fr Jst Frnd	1200.00
Village N. W. Unlimited	mh care	3125.95
Wil L. Forker	attry fees	50.00

Rural Services Basic Fund

Alpha Wireless Comm	Shrf radio equip maint	255.24
Clay Co Sec Road Fund	Zoning gas March	1.62
Daily Reporter, The	Zoning publication	9.49
Iowa Workforce Development	Unemployment 1st qtr 2004	222.06
McLeodUSA	Zoning phone charges	8.76

Secondary Road Fund

A & M Laundry Inc.	Uniforms	208.80
Abrasive Technologies, Inc.	270 Bags of 80# Grit	909.00
Ace Hardware	Elbow, Nipple	21.61
Airgas North Central	WELDING SUPPLIES	22.73
Alliant Energy	Non-Metered	392.91
Alpha Wireless Comm	Radio Repair	308.55
Aquila	Gas - Royal	2446.72
Arnold Motor Supply	Oil Sweep, Cable Ties	347.14
Atlas	Licensing for Topcon GPS	570.00
Ayrshire Farmers Mutual Tele	Telephone - Gillett Grove	25.48
Barnes Distribution	Drill Screw, Washers	153.72
City of Everly	Gas - Everly	241.91
City of Royal	Water & Sewer - Royal	24.00
City of Spencer	1 - Tire	126.00
City of Webb % City Clerk	Water & Garbage - Webb	65.00
Daily Reporter, The	Storm Water Discharg Ad	27.40
Diamond Vogel Paints	Gloss Jet Black	170.43
Don Pierson Ford	Oil Pan Plug	4.09
Evertex	Telephone - Everly	91.35
Fox International Inc.	Bushing	44.04
H & N Chevrolet Buick	Shock Mount, Brake Spider	1965.83
Harmon AutoGlass	Left Lower Door Glass #14	533.75
Holcomb Freightliner, Inc.	Rear Spring Parts	207.89
Holiday Inn Conf Center	PCC Conf.	316.72
IA Lakes Electric Coop	Annual Non-Metered	2947.46
IC&E Railroad Corporation	RR Crossing on 180th St.	593.49
Interstate Batteries	2 - 31P-MHD Batteries	153.90
Iowa Transit	Topcon GPS	33995.00
Iowa Workforce Development	04 -1st Qrt. Unemployment	1348.02
Lakes Propane Gas Co	Gas - Gillett Grove	944.75
Lawson Products Inc	Eng. Parts	167.76
Mar-Lin Business Supply	Draft Tape, Printer Ink	14.25
McLeodUSA	Telephone - Office	38.09
NAPA Auto Parts	Hose End	29.00
New Sioux City Iron Co	Eng. Parts	85.96
North Iowa Door Inc	Wall Button	589.00
Northwest One, Inc	Internet Service	34.95
QPR (United States) A Division	1.93 ton Cold Patch	209.04
Royal Telephone Co	Telephone - Royal	20.02

Shoppers Supply	Bins,Outlet Covers,B Wire	387.13
Sioux Falls Kenworth, Inc.	FILTERS	69.96
Snap On Tools Corp	Flex Socket, Repair Kit	39.65
Spencer Auto Parts Inc	Elect. Tape, Super Glue	1441.37
Spencer Mun Utilities	Telephone - Spencer	50.86
Star Energy LLC	Gasohol (1180)	9787.62
Webb-Dickens Telephone Co	Telephone - Dickens	76.85
West Bend Elevator Co	165 Gal 15W40	2828.10
Xerox Corporation	Copy Cost	25.00
Reap-Resrc Enhncmnt-Cnsrv		
Iowa Workforce Development	Unemployment 1st qtr 2004	27.84
E-911 Surcharge		
Ayrshire Farmers Mutual Tele	E911 phone charges	154.30
GeoComm Corporation	E911 radio system design	4475.00
Iowa Telecom	E911 phone charges	41.69
Qwest	E911 circuits	13.58
Royal Telephone Co	E911 phone systems design	1016.37
Terril Telephone Co	E911 phone charges	8.04
Webb-Dickens Telephone Co	E911 phone charges	570.04
Jnt Co Emergency Mgt Fund		
Aimee Barrett	Emg mtg planning services	500.00
Iowa Workforce Development	Unemployment 1st qtr 2004	25.60
McLeodUSA	Emg Mgt phone charges	8.16
Midwest Wireless	Emg Mgt cell phone	31.84

Motion by Schoer, seconded by Chalstrom to approve the Clay County Auditor's Report of Fees in the amount of \$275.35 for quarter ending March 31, 2004. Motion carried.

Motion by Schoer, seconded by Chalstrom to open the following public hearing. Motion carried.

9:00 A.M. This being the time and place for the hearing upon application of Fred Ferguson, 3305 340th

Avenue, Ruthven, Iowa for a change in zoning from C-2 Commercial to R-2 Residential for a special use permit to use the property to build a home for a tract 122' X 280" NE NW & Pt NW NE of Section One (1), Township

Ninety-six (96) North, Range Thirty-five (35) West of the 5th P.M., Freeman Township, Clay County, Iowa.

The Clay County Zoning Commission reviewed the subject request the evening of March 22, 2004. Based on

the comments and discussion at that public hearing, the Zoning Commission recommends acceptance of the

application. After hearing oral comments from the floor it was **moved by Supervisor Schoer and seconded by**

Supervisor Chalstrom to accept the recommendation of the Clay County Zoning Commission.

Ayes: Chalstrom,

Schoer, Sorenson, Zinn Nays: None Absentee: Brockshus Motion carried.

Motion by Zinn, seconded by Schoer to close public hearing upon application of Fred Ferguson. Motion carried.

Motion by Zinn, seconded by Chalstrom to authorize chairperson to sign Clay County Government Week

Proclamation for the week of April 19th through the 23rd. Motion carried.

Kim Wilson informed the Board that Season's Center received the I.S.P. Grant for a non-traditional caseworker, gave a client update and a public service announcement update.

Motion by Schoer, seconded by Zinn to close the following listed Clay County Secondary Roads for Asphalt

Resurfacing. (1) 180th Avenue, between 340th Street and 350th Street or County B24; (2) 190th Avenue or County

M38, between 350th Street or County B24 and 400th Street or County B40; (3) 130th Avenue or County M27,

between 340th Street and 400th Street or County B40; (4) 400th Street or County B40, between 155th Avenue or County M36 and Highway 71. Motion carried.

Motion by Chalstrom, Seconded by Schoer to approve Overhead Construction Permit for Alliant Energy to place

3 – 40' class 5 poles and 2 anchors in Secondary Roads ROW on M36. They will also be crossing M36 with

2 – 1/0 ACSR conductors operating @ 7,200 volts. They will be 22' over M36. Motion carried.

Motion by Zinn, Seconded by Chalstrom to approve Slurry Leveling contract, work to be done on M53 with Fort

Dodge Asphalt Company, Ford Dodge, Iowa and authorize the Chairperson to sign the contract. Motion carried.

The Chairperson adjourned the meeting at 10:30 a.m. to convene at the Auditor's called meeting on April 27th,

2004 at 8:30 a.m.

Marjorie A. Pitts, County Auditor

Joel M. Sorenson, Chairperson

Clay County Board of Supervisor's Minutes from Meeting #17 held on April 27, 2004

The Clay County Board of Supervisors met pursuant to adjournment. The named supervisors were present:

Zinn, Chalstrom, Schoer, Sorenson, Brockshus Absent: None

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote: Ayes:

Sorenson, Brockshus, Zinn, Schoer, and Chalstrom. Nays: none. Abstentions: none.

Motion by Chalstrom, seconded by Schoer to approve the meeting agenda for April 27th, 2004. Motion carried.

Motion by Schoer, seconded by Chalstrom to approve the County Board minutes for Meeting #16 dated April 13, 2004. Motion carried.

Motion by Zinn, seconded by Brockshus to approve the payment of the claims for April 27th, 2004 with the detail on file in the County Auditor's office for review. Motion carried.

	General Basic Fund	
ABC Computers Plus	Jail ink cartridge	48.10
Ace Hardware	Bldgs supplies	269.43
Albert Gerritsen	Election worker	24.00
Aquila	Consv utilities	372.00
Arnold Motor Supply	Consv tools	30.89
Augusta Overeen	Election worker	60.00
Avera McKennan Hospital	Shrf medical records	16.93
Bank of America	Treas account charges	126.02
Black Hawk County Sheriff	CSRU shrf fees	17.50
BOJI Information Systems	Network issues GIS	48.00
Bruce Iverson	Election worker	66.00
Cellular One	Shrf cell phones	353.06
Charlene Maertens	Election worker	108.00
Clay Co Sec Road Fund	Gas for March	561.48
Clay County Sheriff	CSRU shrf fees	76.00
Clay Regional Water	Consv water usage	60.00
Craig Cretsinger	Mileage polling precincts	27.00
Crescent Electric Supply	Admn flourescent lamps	16.71
Daily Reporter, The	Shrf sale ad published	40.12
Deane G Anderson	Election worker	99.00
Denny's Pest Control	Bldg pest control maint	56.00
Dickinson Co Sheriff	CSRU shrf fees	44.47
Dist III Recorders Assn	Recorder mtg registration	10.00
Don Pierson Ford	Shrf vehicle repairs	122.71
Donald Black	Election worker	48.00
Doris E Andersen	Election worker	99.00
Durable Component Tech	Consv tools	132.83
Elmer A Dykstra	Election worker	54.00
Emmet County Sheriff	CSRU shrf fees	101.40
FASTENAL	Consv maint supplies	40.60
Robert D Fitzloff	Election worker	90.00
Fran Black	Election worker	30.00
Galen's Pro-Mow	Consv spacer/screws	5.89
Galls Incorporated	Shrf uniforms	308.43
G E Capital	DHS copier contract	258.78

Graham Tire Co	Shrf tires balanced	24.00
Greene County Sheriff	CSRU shrf fees	8.40
Hamilton Co Sheriff	CSRU shrf fees	17.00
Heartland Technology	Aud phone outlet changed	112.35
Daniel J Heissel	Consv mtg exp meals	5.33
Holiday Inn Conf Center	Consv mtg expense	176.35
Holiday Inn Dubuque/Galena	Treas mtg exp room	240.75
Hy-Vee Johnston	Shrf dep mtg meals	6.51
IA Crime Prevent Assoc	Shrf membership renewal	25.00
IA Dept for the Blind	Election signature guides	10.00
IA Lakes Electric Coop	Consv utilities	122.12
IA Prison Industries	Jail towels/pilws/blnkt	177.60
IA Secretary of State	Election NCOA	28.99
ICIT	DP mtg registration	125.00
Jean A Jackson	Election worker	55.20
Jenny Wurth	Election worker	87.00
Joyce Posthumus	election worker	57.00
Judy Iverson	Election worker	66.00
Karmen Brown	Election worker	66.00
Lois A Simmons	Election worker	72.30
Lorrie Huffman	Electin worker	84.00
Loughlin Law Firm	atty fees	50.00
Lyon County Sheriff	CSRU shrf fees	22.50
Mar-Lin Business Supply	Auditor ink cartridges	80.80
Mareen Erwin	Election worker	24.00
Marion Posthumus	Election worker	57.00
Marla Woelber	Election worker	66.00
Mastercard	Consv signmaking mach/sup	643.88
Michelle A Krile	Election worker	36.00
Midwest Wireless	DHS cell phone charges	141.13
Minolta Corporation	Consv meter clicks	15.98
M P H Industries Inc	Shrf radar maint	45.44
National Ins Crime Bureau	Treas manual	10.00
Northwest Aging Assn.	Consv project lifesaver	32.00
Northwest One, Inc	Consv internet charges	15.00
O'Brien County Sheriff	CSRU shrf fees	122.40
Palo Alto County Sheriff	CSRU Shrf fees	33.50
Patrick Properties	Landlord	160.00
Paul E Strautz	Election worker	48.00
Pauline Toebe	Election worker	87.00
Perkins Office Solutions	DHS envelopes	45.85
Peterson Patriot	Pub of bd mtgs 11-13	296.73
Physicians Lab LTD	ME drug screening request	126.74
Plymouth County Sheriff	CSRU shrf fees	71.25
Proforma Millennium Graphics	Treas envelopes	377.25
Qwest	Bldg trunk lines	1308.51
Randy Krile	Election worker	36.00
Melinda L Roman	CSRU mileage	60.90
Sally Baschke	Election worker	42.90
Schoeneman Bros	Consv lumber	360.46
Sharon Clausen	Election worker	90.00
Sharon McKeever	Election worker	99.00
Sharon Roghair	Election worker	87.00
Sheila Currans	Election worker	24.00
Sherwin Williams	Consv paint	5.00
Shoppers Supply	Consv materials/supplies	638.90
Siwell Company, The	Web hosting May fees	500.00
Sioux County Sheriff	CSRU shrf fees	106.93
Solutions, Inc	Aud image services reg	2385.30
Spencer Auto Parts Inc	Consv parts	62.79

Spencer Mun Hospital	PHN alloc/Jail meals March	10467.22
Spencer Mun Utilities	Bldg utilities	3616.36
Spencer Office Supplies	DHS office supplies	113.52
Stanley Andersen	Election worker	99.00
Staples	Consv digital camera/sup/	316.92
Staples Credit Plan	Office supplies	70.11
Sue Eilers	election worker	87.00
The Home Depot Supply	Rechargeable flashlight	34.84
Toni Corcoran	Election worker	48.00
U S Bank	Treas checks	66.00
Viking Office Products	Copy paper	60.81
VISA	Shrf mtg expense meals	154.51
Walmart Business	Consv office supplies	54.28
Warner C Walrath	Election worker	51.00
Webster Co Sheriff	CSRU shrf fees	19.50
William Hemme	Election worker	57.00
Zee Medical Service Co	Admn first aid supplies	34.05
	General Supplemental Fund	
Clay Co E M S Assn	EMS training allocation	4750.00
Clay County Sheriff	Shrf trans charges	151.25
Stacia Timmer	Matron fees	40.00
West Payment Center	Law library publication	1982.99
	MH-DD Services Fund	
Clay Co Sec Road Fund	MH county car gas	10.55
Clay County Sheriff	sheriff fees	519.86
Floyd County Sheriff	sheriff fees	60.90
Midwest Wireless	cell phn chrges	41.49
Northwoods Living	scl care	124.77
Opportunity Village	rcf care	7588.08
Spectra Health Care	rcf care	2225.49
Spencer Mun Hospital	MH care	4320.00
VISA	CPC county car gas	38.90
	Secondary Road Fund	
Agri Drain Corp.	Rat Guard	29.56
Agrisafe	Hearing Tests	524.25
Airgas North Central	Oxy Tank Refill	106.48
Alliant Energy	Electric - Dickens	142.26
Alpha Wireless Comm	Radio Repairs	65.60
Barnes Distribution	Splice Connector	75.91
Cellular One	Cell Phone Bill	110.30
Clay Regional Water	Water - Gillett Grove	180.00
Crysteel Truck Equipment Inc.	Cylinder, Head V-Stack	1373.60
Diamond Mowers, Inc.	Mower & Roller Repair	1572.76
Michael L Hermstad	Reimb. for Safety Shoes	80.00
Iowa Telecom	Telephone - Peterson	45.36
Mar-Lin Business Supply	Ink Cart. 51645A (Shop)	32.99
Michael Todd & Co	6-Shovels 45519	290.95
Mid-Iowa Sales Co.	Truck Wash	76.50
MRCI	Surveying Lath	762.50
Nielsen Tire Co	Service & Stem	514.57
Office Systems Company	Copy Cost	35.70
Road Machinery & Supplies	Boom Roll	2740.05
Safety-Kleen Systems Inc.	Paint Waste	349.90
Share Corp	Di-lube	114.56
Snap On Tools Corp	Socket, Blow Guns	43.70
Spencer Mun Utilities	Gas - Spencer	486.05
Town & Country Disposal Inc.	Garbage - Dickens	20.60
	Recorders Records Mgt Fnd	
Solutions, Inc	Rec scanner and equipment	6384.00
	E-911 Surcharge	

ABC Computers Plus	E911 cables	257.97
GeoComm Corporation	E911 Project mgt services	1250.00
Motorola Inc	E911 com ctr repeaters/ca	49657.47
Qwest	E911 lines	644.29
Qwest Interprise America	E911 com ctr phone system	3188.20
Ruthven Telephone Exch Co	E911 phone charges	414.39
Spencer Mun Utilities	E911 circuit charges Apri	457.20
United Farmers Telephone	E911 phone circuit charge	445.00
Viking Office Products	Copy paper	10.13
Ziegler Inc	E911 equipment purchase	1984.96
Jnt Co Emergency Mgt Fund		
Alpha Wireless Comm	Emg mtg portable radio	30.60
I E M A	Emg Mgt membership dues	55.00
Staples Credit Plan	Emg Mgt office supplies	44.55
Viking Office Products	Copy paper	10.14

Motion by Schoer, seconded by Chalstrom to approve Clay County Clerk of District Court's Report of Fees

Collected covering January 2004 through March 2004 in the amount of \$5,701.90. Motion carried.

Motion by Zinn, seconded by Chalstrom to approve the County Recorder's Report of Fees

Collected for the quarter ending March 31, 2004 totaling \$34,737.63 and having been paid to the County Treasurer as documented on Miscellaneous Receipts #11823, #11822, #11546, #11666 & #11824. Motion carried.

Marc Gustafson, Clay County Weed Commissioner presented the Board with new forms for non-spraying and public notices.

Motion by Schoer, seconded by Zinn to approve the Iowa Department of Revenue and Finance Applications

for Recreational Lakes, Forest Covers, Rivers and Streams, River and Stream Banks, and Open Prairies Property

tax exemptions. The applicants affirm that the property will not be used for economic gain during the assessment

year; is at least two (2) acres in area; and is utilized for the purpose of providing soil erosion control or wildlife

habitat. All applications have been filed with the local soil conservation district by February 1, 2004 and signed

by the Clay County Soil Conservations District Board members. All applications are on file in the County Auditor office. Motion carried.

Motion by Zinn, seconded by Chalstrom to approve the 2004 Commercial Service Agreement with All American

Turf Beauty, Inc, 220 4th St SE, Spencer, IA for the Spring and Fall applications lawn fertilizer and weed control

to the areas surrounding the Courthouse and Administration Buildings. Motion carried.

9:00 A.M. The Board of Supervisors proceeded to canvass the results

of the votes of the special measure proposition cast at a special School District election held on April 20th, 2004, and now embodies its findings and conclusions in the resolution next hereinafter set out, which was introduced by Supervisor Schoer, who moved its adoption, seconded by Supervisor Chalstrom. After due consideration of said resolution by the Board of Supervisors, the Chairperson put the question upon the adoption of the resolution, and the roll being called, the following named supervisors voted:

AYES: Chalstrom, Brockshus, Zinn, Schoer, Sorenson

NAYS: None

Whereupon, the Chairperson declared said resolution duly adopted as follows:

RESOLUTION #2004-16

WHEREAS, the Board of Directors of the Spencer Community School District, in the County of Clay, State of Iowa, heretofore did legally call a special election to be held on Tuesday, April 20th, 2004, and ordered submitted thereat to the registered voters of said School District, the following special measure proposition:

"Shall the Spencer Community School District in County of Clay, State of Iowa, be authorized to issue its School Bonds in an amount not exceeding \$4,000,000 for the purpose of building, equipping and furnishing a new middle school facility?"

and,

WHEREAS, legal, sufficient and timely notice of the submission of the proposition at the election and of the date and hours of the election, and of the voting precinct or precincts thereof, with their corresponding polling place or places, was duly published and a correct and complete copy of said proposition was posted at the polling place during the day of election throughout the hours thereof, all in strict compliance with the orders of the Board of Supervisors:

NOW, THEREFORE, IT IS RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF CLAY, IN THE STATE OF IOWA, AS FOLLOWS:

Section 1. That it is hereby found, determined and declared:

First - That said election was held and conducted in each of the voting precincts or precinct of said School District at the respective polling place or places, pursuant to due notice, and in strict compliance with law, and that said proposition | and the vote thereon complies strictly with law.

Second - That at said election, on the proposition above set out, there were cast Three Thousand, Eight Hundred and One (3801) ballots, of which Two Thousand, Three Hundred and Fifty Four (2354) votes were cast "YES" and One Thousand Four Hundred and Forty Seven (1447) ballots were cast "NO" and Twenty Two (22) ballots were cast blank or defectively marked, the vote by precinct or precincts being as set

forth and abstracted in the official tally list.

That the total number of persons voting in the precinct or precincts at said election on said date, as is shown in the elections registers and poll tally lists, was Three Thousand, Eight Hundred and Thirty Five (3835).

Third - Neither the above proposition nor any proposal incorporating any portion thereof, was submitted to the registered voters of such School District within the six months preceding the date of the election canvassed hereby.

Section 2. That said proposition and the results of the vote thereon, shall be entered at large in the minutes book, all in conformity with Chapter 50, and in particular Section 50.24 of the Code of Iowa.

Section 3. That a copy of this Resolution, the Abstract of Votes and the original tally lists, are hereby delivered to the Commissioner of Elections for filing as required by law. PASSED AND APPROVED, this 27th day of April, 2004.

Marjorie A. Pitts, County Auditor
Chairperson

Joel M. Sorenson,

Motion by Zinn, seconded by Schoer to accept the low bid of Great Lakes Cooperative of Everly, Iowa of 4.8 cents per gallon on gasohol; 4.8 cents per gallon on No. 1 diesel fuel and 4.8 cents per gallon on No. 2 diesel fuel over the weekly I.D.O.T. rack average price for the period of June 1, 2004 to May 30, 2007 and to authorize the Chairperson to sign the contract. Motion carried.

Motion by Chalstrom, seconded by Brockshus to accept the low bid of Star Energy, Inc. of Mason City, Iowa for lubricating oil and transmission oil for the period of June 1, 2004 to May 30, 2005 and to authorize the Chairperson to sign the contract. Motion carried.

Marjorie Pitts, Clay County Auditor discussed the new Election File from House File #593 with the Board, county policy pertaining to credit card usage, needed county car repairs and Law Library shelving. Gina Ean, Administrative Assistant to the County Auditor presented the Board with real estate taxation history.

The board held a discussion of the EMS coordinator position and Tammy McKeever volunteered to help with the program.

The Chairperson adjourned the meeting at 11:20 a.m. to convene at the Auditor's called meeting at 1:00 p.m. on April 29, 2004.

Marjorie A. Pitts, County Auditor

Joel M. Sorenson, Chairperson

Clay County Board of Supervisor's Minutes from Meeting #18 held on April 29, 2004

The Clay County Board of Supervisors met pursuant to adjournment. The named supervisors were present:

Zinn, Brockshus, Chalstrom, Schoer, Sorenson Absent: None

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote: Ayes:

Sorenson, Brockshus, Zinn, Schoer, and Chalstrom. Nays: none. Abstentions: none.

Motion by Zinn, seconded by Chalstrom to approve the meeting agenda for April 29, 2004. Motion carried.

Motion by Zinn, seconded by Brockshus to approve Resolution 2004-17. Ayes: Sorenson, Brockshus, Zinn, Schoer, and Chalstrom Nays: None Abstentions: None Motion carried.

RESOLUTION NO. 2004-17

**RESOLUTION TO ORDER A RECOUNT OF THE APRIL 20, 2004
MIDDLE SCHOOL BOND ISSUE**

WHEREAS on this 26th day of April, 2004, a recount petition signed by eligible electors of Spencer Community School District has been presented to the Board of Supervisors;

WHEREAS said petition requests a recount of the votes cast in the election held on April 20, 2004, on the

following question:

"Shall the Spencer Community School District in the County of Clay, State of Iowa, be authorized to issue its School Bonds in an amount not exceeding \$4,000,000 for the purpose of building, equipping and furnishing a new middle school facility?"

WHEREAS the Board finds that the recount petition has been properly submitted to the Clay County

Auditor along with the appropriate bond as required by law.

WHEREAS the Board of Supervisors finds that it is mandated by State law to order a recount.

IT IS HEREBY RESOLVED that the Board of Supervisors does order the recount of the election held on

April 20, 2004, on the following question:

Shall the Spencer Community School District in the County of Clay, State of Iowa, be authorized to issue its School Bonds in an amount not exceeding \$4,000,000 for the purpose of building, equipping and furnishing a new middle school facility?"

IT IS FURTHER RESOLVED that the Board of Supervisors hereby directs the Clay County Auditor to

convene the recount board and to report to this Board the recount results.

SO RESOLVED.

CHAIR PERSON, CLAY COUNTY BOARD
OF SUPERVISORS,

BY: _____
Joel M. Sorenson

ATTEST:

CLAY COUNTY AUDITOR

Motion by Schoer, seconded by Chalstrom to set the public hearing date for an amendment to the FY 04 County Budget as Tuesday, May 18, 2004 at 9:00 a.m. in the Board Room of the County Administration Building, Spencer, IA. The County Auditor is requested to publish notice of the amendment pursuant to Iowa Code Chapter 331.434(3). Motion carried.

Tammy McKeever, Environmental Health & Safety Director reported to the Board regarding an IOSHA complaint #204216188 concerning possible safety and/or health hazard of the Administration Building having sick building syndrome from lack of ventilation, high humidity and mold levels making employees ill.

The Chairperson adjourned the meeting at 1:20 p.m. to convene at the Auditor's called meeting Tuesday, May 11, 2004 at 8:30 a.m.

Marjorie A. Pitts, County Auditor

Joel M. Sorenson, Chairperson

Clay County Board of Supervisors Minutes from Meeting #19 held on May 11, 2004

The Clay County Board of Supervisors met pursuant to adjournment. The named supervisors were present:

Brockshus, Schoer, Zinn, Chalstrom Absent: Sorenson

Motion by Schoer, seconded by Brockshus to approve the meeting agenda for May 11, 2004.

Motion carried.

Absent: Sorenson

Motion by Chalstrom, seconded by Schoer to approve the County Board minutes for Meeting #17 dated April 27,

and Meeting #18 dated April, 29, 2004. Motion carried. Absent: Sorenson

Motion by Schoer, seconded by Brockshus to approve the payment of the claims for May 11, 2004 with the detail

on file in the County Auditor's office for review. Motion carried. Absent: Sorenson

General Basic Fund

A T & T	DHS phone charges	4.14
Ace Hardware	Bldg supplies	74.90
All-American Turf Beauty	Spring application	607.83
Allied Document Solutions	June '04 renewals	516.87
Arch Wireless	DHS pager	52.21
Arnold Motor Supply	Shrf unity light	61.52
Barb Rupert	Sew patches on shirts	90.00
Margaret A Bates	shrf mileage	121.15
Jon S Beck	twp mileage	7.80
Black Hawk County Sheriff	CSRU shrf fees	20.20
Bud's Service	Shrf oil/filter	123.09
Canon Financial Services	DP gestetner copier maint	103.45
City of Sioux City	Hazmat 2nd installmt 7th	6514.50
City of Spencer	Garbage removal	22992.71
Clay Co Extension Ed Fund	FY 04 allocation	3538.00
Clay County Sheriff	CSRU shrf fees	18.50
Corridor of Opportunity	FY 04 alloc 2nd half	10000.00
Denny's Pest Control	Pest cntrl	105.00
Dickinson Co Sheriff	CSRU shrf fees	78.00
Don Pierson Ford	Shrf replace side marker	135.40
Lester W Dykstra	Twp mileage	37.20
Ecolab Pest Elimination	Cthse pest control maint	91.50
Emmet County Sheriff	CSRU shrf fees	33.00
Farmers Trust & Svgs Bank	Treas acct charges	194.51
Fred Grobe	Well closures 3	600.00
Galls Incorporated	Jail emg bkup light	195.17
The Hotel at Gateway Center	Treas mtg exp room charge	165.90
Sandra S Geidl	Treas mileage Solutions	99.60
Jerry W Gross	twp mileage	11.10
H & N Chevrolet Buick	cty car/scan system	2277.27
Helen's Comm Laundry Inc	CCSO rugs	105.70
Hennepin County Sheriff	CSRU shrf fees	60.00
Holiday Inn Conf Center	Shrf civil school rooms	416.41
Ida County Sheriff	CSRU shrf fees	25.00
Janitor's Closet Ltd	floor cleaning/supplies	609.13
Johnston Autostores	cty car/ring kit	55.01
KB Rentals Inc.	rental car	81.67
Randy Krukow	shrf postage	41.97
Lincoln County Sheriff	CSRU shrf fees	32.10

Dennis R Linn	Shrf mtg exp meals	21.37
Los Angeles County Sheriff	CSRU shrf fees	40.00
Lyon County Sheriff	CSRU shrf fees	15.00
M-Y Supply, Inc	Cthse fire exting inspect	84.00
Mangold Environmental Test	Well testings 17	288.00
Mar-Lin Business Supply	Auditor red ink	49.85
David C Maurer	twp mileage	5.70
McLeodUSA	VA phone charges	442.76
Minolta Corporation	DHs copier meter clicks	33.11
Missoula County Sheriff	CSRU shrf fees	45.00
Mobile Vision	Shrf dep wireless mic upg	2925.00
Office Systems Company	Admn copier overage	227.35
OMB Police Supply	Shrf ammunition	610.99
Osceola Co Sheriff	CSRU shrf fees	70.44
Otis Elevator Co	Admn bdlg elevator maint	220.62
Palo Alto County Sheriff	CSRU shrf fees	123.80
Pentax Imaging	Shrf repair comp board as	64.82
Perkins Office Solutions	Env hlth office supplies	320.28
Peterson Patriot	Pub of bd mtgs 14-15	214.38
Pitney Bowes	DHS postage reset charges	285.50
Prime Rib	Radon grant contractors	385.00
Providea, Inc	Telecom room charges	22.20
Qwest	Bdlg circuit charges	109.98
RadioShack Your Phone Co	Shrf DVD combo	139.99
Melinda L Roman	CSRU mileage	62.50
Larry M Rozeboom	Washing of county car	7.00
Senior Center-CCC-Aging	FY 04 alloc 2nd half	5922.50
Sioux County Sheriff	CSRU shrf fees	91.01
SoftChoice Corporation	New Jail PC	583.95
Solutions, Inc	Upgrades/equip/schooling	9515.59
Speed Printers	Election cardstock change	48.00
Spencer Auto Parts Inc	cty car/filter kit	39.85
Spencer Family Care	ME services	125.00
Spencer Family Care/Avera	med.bills	402.17
Spencer Mun Hospital	hosp chrgs	1000.00
Spencer Mun Utilities	Shrf phone charges	100.03
Spencer Office Supplies	Treas office supplies	381.27
Standard Printing & Design Inc	Shrf arrest cards	136.33
Staples	New monitor equipment	684.69
SWIFT AIR	Bldg maint agreements	1255.00
U S Postal Service	DHS postage for meter	1000.00
U S Postmaster	DHS bus reply acct fee	475.00
UPS	Shrf postage	14.00
Warner Funeral Home	ME autopsy/repairs	940.00
Kimberly S Wilson	hotel/meals	63.03
Theresa E Wurth	DP mileage	88.97
Zenor & Houchins	Atty monthly expenses	3118.16

General Supplemental Fund

Clay County Sheriff	Shrf trans charges	90.50
Spencer Family Care/Avera	Co workers comp claims	163.00
Spencer Mun Hospital	Co workers comp claim	173.05

MH-DD Services Fund

Area 14 Agency on Aging	trans charges	82.50
Clay County Sheriff	sheriff fees	65.00
Co Case Management Serv	march case mgnt	196.00
Echo Plus	wa care	2639.90
Hope Haven	rcf care	5466.50
Horizons Unlimited of PAC	rcf care	2145.58

Hy-Vee	rx care	589.87
IA Dept of Human Services	icfmr-care	26115.33
KB Rentals Inc.	rental car	81.67
Loughlin Law Firm	attry fees	50.00
Midwest Wireless	cell phn	41.54
Nishna Productions Inc	trans charges	2458.64
Oak Haven Care Facility	rcf care	6707.58
Office Systems Company	copier	148.45
Plymouth Life Inc	rcf care	1740.00
Seasons Center	cm care	5510.00
Spencer Mun Hospital	hosp chrgs	1750.00
Sunshine Services Inc.	wa care	26005.74
Village N. W. Unlimited	wa-care 3/04	3002.22
Kimberly S Wilson	hotel/meals	63.05

Rural Services Basic Fund

City of Dickens	FY 04 lib alloc 2nd half	1848.00
City of Everly	FY 04 lib alloc 2nd half	2194.50
City of Peterson	FY 04 lib alloc 2nd half	3715.25
City of Royal	FY 04 alloc lib 2nd half	1848.00
City of Spencer	FY 04 lib alloc 2nd half	11896.50
City of Webb	FY 04 lib alloc 2nd half	2213.75
McLeodUSA	Zoning phone charges	3.16
Perkins Office Solutions	Zoning office supplies	10.05

Secondary Road Fund

A & M Laundry Inc.	Uniforms	172.80
Ace Hardware	Galv. Nipple	6.45
Airgas North Central	WELDING SUPPLIES	42.80
Alliant Energy	Electric - Royal	243.18
Aquila	Gas - Royal	44.16
Arnold Motor Supply	Mini Lamp	121.27
Ayrshire Farmers Mutual Tele	Telephone - Gillett Grove	25.63
Brisbois Brush	2 - Shop Brooms	75.00
City of Everly	Gas - Everly	153.79
City of Royal	Water & Sewer - Royal	24.00
City of Spencer	6 - Tires	122.00
Dockendorf Equipment Co.	20 - Gasboy Keylock Keys	154.66
Fox International Inc.	Gasket	23.60
Frank Dunn Company	Cold Mix Patch	504.00
Great Lakes Cooperative	50# Brome Grass	92.00
Herbst Construction Inc	Bridge Repair on B63	1100.00
IA Prison Industries	20 -36" x 36" Uneven Lane	528.00
Interstate Batteries	BATTERIES	153.90
Lakes Propane Gas Co	Fork Lift Refill	13.20
Lawson Products Inc	PARTS	48.68
McLeodUSA	Telephone -Spencer Office	20.01
New Sioux City Iron Co	Bronze Bearing Asst	160.65
Northwest One	Internet - Spencer	34.95
Peter J Paulsen	Sick Leave Credit	40.00
Garwin D Rafdal	Mileage - Hazmat Aware	7.20
Royal Telephone Co	Telephone - Royal	17.21
Safety-Kleen Systems Inc.	Service Parts Washer	332.05
Share Corp	Truck & Trailer Wash	119.36
Shoppers Supply	Wire & Posts	155.22
Snap On Tools Corp	Double Hex Kit	115.40
Spencer Auto Parts Inc	Eng. Parts	1135.52
Spencer Mun Utilities	Telephone - Spencer	51.58
Spencer Ready-Mix	Bruce Hanson Entrance	66.00
Star Energy LLC	Gasohol (1937 gal)	21842.91
Supplemental Supply Company	75-Coveralls	356.15

Town & Country Disposal Inc.	Garbage - Dickens	20.60
Vander Haag's Inc	10 Cones	10.00
Webb-Dickens Telephone Co	Telephone - Webb	58.78
Xerox Corporation	Copy Cost	25.00
Zee Medical Service Co	First Aid Supplies	26.95
Zep Manufacturing Co	Brake Parts Cleaner	237.51
Ziegler Inc	PARTS	248.79
E-911 Surcharge		
Alpha Wireless Comm	E911 portable radios Dick	2945.00
Ayrshire Farmers Mutual Tele	E911 phone charges	154.30
Bryce A Denker	E911 postage	4.42
Ed M. Feld Equipment Co.	E911 radiocoms	4566.00
GeoComm Corporation	E911 systems maint	475.00
Iowa Telecom	E911 phone charges	41.69
McLeodUSA	E911 phone charges	14.39
Qwest	E911 circuit charges	13.58
Qwest Interprise America	E911 software upgrade	56725.46
Terril Telephone Co	E911 phone charges	8.04
United Farmers Telephone	E911 phone charges	445.00
Webb-Dickens Telephone Co	E911 phone charges	570.04

Greg Davis from "Solutions" gave a presentation to the Board regarding an upgrade to the AS400 computer for a technology update to the county.

Motion by Schoer, seconded by Chalstrom to approve #2004 –18 Resolution that approves the appointment of specific individuals to the Clay County Sheriff Reserve Officer Force. Motion carried.
Absent: Sorenson

Resolution #2004-18

Resolution to approve the appointment of specific individuals to the Clay County Sheriff Reserve Officer Force

Whereas, the Clay County Board of Supervisors have passed and amended Resolution #2001-15 establishing the Reserve Peace Officer Force for Clay County; and
Therefore, to be consistent with the requirements of Resolution #2001-15 and Chapter 80 D of the Iowa Code,
the Clay County Board of Supervisors do approve the appointment of the following individuals as Clay County Sheriff Reserve Officer:

Daniel J. Heissel, 1460 330th Ave., Everly, Iowa
Michael M. Skonhovd, 1209 13th Ave W., Spencer, Iowa
Kevin D. Massen, 1707 1st Ave SE, Spencer, Iowa

Signed this 11th day of May, 2004.

Marjorie A. Pitts, County Auditor

William D. Zinn, Chairperson ProTerm

Motion by Brockshus, seconded by Chalstrom to approve request for a grant to place resource

officer within
schools from Northwest Planning & Development. Motion carried. Absent: Sorenson

Central Point Coordinator, Kim Wilson gave an informational update on the clients at Oak Haven and discussed other case management situations. From the AARP statewide meeting on April 29 , the Board was updated on 28E agreements to cover Clay County and another county for the Representative Payee Program. The FEMA dollars have been received and are being used rapidly. The Central Point Coordinator will be required to include brain injury groups and training will be in June 2004 at Rochester.

Motion by Brockshus, seconded by Schoer to accept the report of the Recount Board established pursuant to Iowa Code 2003 Sections 50:48; 50:49 for the Special Spencer School Bond Election held April 20, 2004. The findings of the Recount Board were: Ballots voted and counted YES: 2,354. Ballots voted and counted NO: 1,447. Total number of ballots voted and counted: 3,801. Blank ballots for Public Measure recounted: 22. Ballots disputed, and not counted: Zero. Total number of ballots examined: 3, 823. The full tally and recount summary are on file in the County Auditor's office. Motion carried. Absent: Sorenson

Motion by Chalstrom, seconded by Schoer to approve Resolution#2004 –19. Motion carried. Absent: Joel Sorenson

RESOLUTION NO.2004-19

Approving and authorizing a Loan Agreement, amending Resolution No. 2004-9 and providing for the issuance of a \$127,000 General Obligation Park Improvement Note and providing for the levy of taxes to pay the same

WHEREAS, pursuant to the provisions of Section 331.402 of the Code of Iowa, notice duly published and hearing held thereon, the Board of Supervisors (the "Board") of Clay County, Iowa (the "County"), has heretofore proposed to contract indebtedness and enter into a loan agreement (the "Loan Agreement") in the principal amount of \$127,000 to provide funds to pay the cost, to that extent, of constructing improvements to Scharnberg Park, including a campground, shower restroom building and related facilities, cabins, playground and fishing pier, including the refunding of an outstanding Loan Agreement Anticipation Project Note previously issued by the County to pay costs in connection therewith, and has published notice of the proposed action and has held a hearing thereon; and

WHEREAS, on February 10, 2004, the Board adopted Resolution No. 2004-9, providing for the

levy of taxes to pay principal of and interest on the Loan Agreement (hereinafter referred to as the "Issuance Resolution"); and

WHEREAS, it is necessary at this time to approve the Loan Agreement and to amend the Issuance Resolution to provide for the terms and issuance of a note and for the levy of taxes to pay the same;

NOW, THEREFORE, Be It Resolved by the Board of Supervisors of Clay County, Iowa, as follows:

Section 1. The County hereby determines to enter into the Loan Agreement with Northwest Federal Savings Bank, Spencer, Iowa, as lender (the "Lender"), providing for a loan to the County in the principal amount of \$127,000, for the purpose or purposes set forth in the preamble hereof, and for the issuance of a note evidencing the indebtedness of the Loan Agreement (the "Note").

The Chairperson and County Auditor are hereby authorized and directed to sign the Loan Agreement on behalf of the County, and the Loan Agreement is hereby approved.

Section 2. Except insofar as it provides for the levy and collection of taxes in the fiscal year beginning July 1, 2004, for the payment of the principal of and interest on the Note, all of the contents, paragraphs, sections, clauses and provisions of the Issuance Resolution are hereby deleted in their entirety and the terms of this resolution substituted in lieu thereof.

Section 3. The Note is hereby authorized to be issued in the principal amount of \$127,000, and shall be dated as of the date of its delivery to the Lender and shall be payable as to both principal and interest in the manner hereinafter specified.

The County Auditor is hereby designated as the registrar and paying agent for the Note and may be hereinafter referred to as the "Registrar" or the "Paying Agent".

The Note shall be payable in annual principal installments due on June 1 in each of the years and in the respective amounts as follows:

<u>Year</u>	<u>Principal Installment</u>	<u>Year</u>	<u>Principal Installment</u>
2005	\$28,000	2007	\$33,000
2006	\$32,000	2008	\$34,000

The Note shall bear interest at the rate of 3.00% per annum. All of the interest on the Note shall

be payable
semiannually on the first day of June and December in each year, commencing December 1, 2004.
Interest shall be
calculated on the basis of a 360-day year comprised of twelve 30-day months.

Payment of both principal of and interest on the Note shall be made to the registered owner
appearing on the
registration books of the County at the close of business on the fifteenth day of the month next
preceding the payment
date and shall be paid by check or draft mailed to the registered owner at the address shown on such
registration books;
provided, however, that the final installment of principal and interest shall be payable only upon
presentation and surrender
of the Note to the Paying Agent.

The County reserves the right to prepay principal of the Note in whole or in part at any time
prior to and in inverse
order of maturity on terms of par and accrued interest. All principal so prepaid shall cease to bear
interest on the
prepayment date.

The County hereby pledges the faith, credit, revenues and resources and all of the real and
personal property of
the County for the full and prompt payment of the principal of and interest on the Note.

The Note shall be executed on behalf of the County with the official manual or facsimile
signature of the Chairperson
and attested by the official manual or facsimile signature of the County Auditor and shall have the
County's seal impressed or
printed thereon and shall be a fully registered Note without interest coupons. In case any officer whose
signature or the
facsimile of whose signature appears on the Note shall cease to be such officer before the delivery of the
Note, such signature
or such facsimile signature shall nevertheless be valid and sufficient for all purposes, the same as if such
officer had remained
in office until delivery.

The Note shall be fully registered as to principal and interest in the name of the owner on the
registration books of the
County kept by the Registrar, and after such registration, payment of the principal thereof and interest
thereon shall be made
only to the registered owner or its legal representatives or assigns. The Note shall be transferable
without cost to the registered
owner thereof only upon the registration books of the County upon presentation to the Registrar,
together with either a written
instrument of transfer satisfactory to the Registrar or the assignment form thereon completed and duly
executed by the registered
owner or the duly authorized attorney for such registered owner.

The record and identity of any owners of the Note shall be kept confidential as provided by
Section 22.7 of the

Code of Iowa.

Section 4. The Note shall be in substantially the following form:

Section 5. The Note shall be executed as herein provided as soon after the adoption of this resolution as may be possible and thereupon shall be delivered to the Registrar for registration and delivery to the Lender, upon receipt of the loan proceeds, and all action heretofore taken in connection with the Loan Agreement is hereby ratified and confirmed in all respects.

Section 6. For the purpose of providing for the levy and collection of a direct annual tax sufficient to pay the principal of and interest on the Note as the same become due, there is hereby ordered levied on all the taxable property in the County in each of the years while the Note is outstanding, a tax sufficient for that purpose, and in furtherance of this provision, but not in limitation thereof, there is hereby levied on all the taxable property in the County the following direct annual tax for collection in each of the following fiscal years, to-wit:

For collection in the fiscal year beginning July 1, 2005,
sufficient to produce the net annual sum of \$34,970;

For collection in the fiscal year beginning July 1, 2006,
sufficient to produce the net annual sum of \$35,010;

For collection in the fiscal year beginning July 1, 2007,
sufficient to produce the net annual sum of \$35,020.

Section 7. A certified copy of this resolution shall be filed with the County Auditor, and said Auditor shall be and is hereby instructed to enter for collection and assess the tax hereby authorized. When annually entering such taxes for collection, the County Auditor shall continue to include the same as a part of the tax levy for Debt Service Fund purposes of the County and when collected, the proceeds of the taxes shall continue to be converted into the Debt Service Fund of the County and set aside therein as a special account to be used solely and only for the payment of the principal of and interest on the Note hereby authorized and for no other purpose whatsoever.

Section 8. The interest or principal and both of them falling due in any year or years shall, if necessary, be paid promptly from current funds on hand in advance of taxes levied and when the taxes shall have been collected, reimbursement shall be made to such current funds to the sum thus advanced.

Section 9. It is the intention of the County that interest on the Note be and remain excluded from gross income

for federal income tax purposes pursuant to the appropriate provisions of the Internal Revenue Code of 1986, as amended, and the Treasury Regulations in effect with respect thereto (all of the foregoing herein referred to as the “Internal Revenue Code”). In furtherance thereof, the County covenants to comply with the provisions of the Internal Revenue Code as they may from time to time be in effect or amended and further covenants to comply with the applicable future laws, regulations, published rulings and court decisions as may be necessary to insure that the interest on the Note will remain excluded from gross income for federal income tax purposes. Any and all of the officers of the County are hereby authorized and directed to take any and all actions as may be necessary to comply with the covenants herein contained.

The County hereby designates the Note as a “Qualified Tax Exempt Obligation” as that term is used in Section 265(b)(3)(B) of the Internal Revenue Code.

Section 10. All resolutions or parts thereof in conflict herewith be and the same are hereby repealed to the extent of such conflict.

Passed and approved on May 11, 2004.

William D. Zinn, Chairperson Pro Term

Attest:

Marjorie A. Pitts, County Auditor

Motion by Chalstrom, seconded by Brockshus to approve Resolution#2004 –20. Motion carried. Absent: Sorenson

**RESOLUTION #2004-20
ORDER FOR NOXIOUS WEED CONTROL
CHAPTER 317 OF THE IOWA CODE**

BE IT RESOLVED, by the Board of Supervisors of Clay County, Iowa, that pursuant to provisions of Chapter 317 of the *Code of Iowa*. It is hereby ordered:

1. 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 grown 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, 2004, for Leafy Spurge, Hoary Cress, Sour Dock, Smooth Dock, Red Sorell, Curly Dock, Musk Thistle.

Group 2. June 24, 2004, for Canada Thistle, Russian Knapweed, Buckhorn Plantain, Wild Mustard, Buckthorn.

Group 3. July 15, 2004, for Field Bindweed, Wild Carrot, Poison Hemlock, Multiflora Rose, Horsenettle, Perennial Sowthistle, Quackgrass, Velvetleaf, Puncturevine, Cocklebur, Bull Thistle, Purple Loosestrife, Shattercane, Tall Thistle, Wild Sunflower, Teasel.

2. 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.

3. 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.

4. 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.

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

MARJORIE A. PITTS, AUDITOR

WILLIAM D. ZINN, CHAIRPERSON PROTERM

Motion by Schoer, seconded by Brockshus to approve Resolution #2004 –21. Absent: Sorenson

RESOLUTION #2004-21

"RESOLUTION FIXING DATE FOR A MEETING ON THE PROPOSITION OF THE ISSUANCE OF NOT TO EXCEED \$2,000,000 LOCAL OPTION SALES AND SERVICES

TAX REVENUE BONDS (FOR AN ESSENTIAL PUBLIC AND GOVERNMENTAL PURPOSE) AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF

The roll was called and the vote was,

AYES: Chalstrom, Brockshus, Schoer
Zinn
NAYS: None
ABSENT: Sorenson

Whereupon, the Chairperson declared the resolution duly adopted as follows:

RESOLUTION FIXING DATE FOR A MEETING ON THE
PROPOSITION
OF THE ISSUANCE OF NOT TO EXCEED \$2,000,000
LOCAL OPTION
SALES AND SERVICES TAX REVENUE BONDS (FOR AN
ESSENTIAL
PUBLIC AND GOVERNMENTAL PURPOSE) AND
PROVIDING FOR
PUBLICATION OF NOTICE THEREOF

WHEREAS, the County of Clay, State of Iowa ("County"), is in need of funds to carry out an essential public and governmental purpose project as hereinafter described; and, it is deemed necessary that it should issue Local Option Sales and Services Tax Revenue Bonds to the amount of not to exceed \$2,000,000 as authorized by Sections 422B.12(3) and 384.83 of the Code of Iowa, for the purpose of providing funds to pay costs thereof; and

WHEREAS, an election was held on November 3, 1998, approving a one percent local option sales tax for the unincorporated portion of Clay County and the City of Spencer ("City"), of which certain revenues are authorized for the project described below; and

WHEREAS, Clay County will be a "Secondary Recipient" of these "designated portions" of said tax for the City of Spencer, as defined in Iowa Code Section 422B.12 by virtue of an Agreement between the City and the County pursuant to Iowa Code Chapter 28E; and

WHEREAS, the "designated portions" of said tax for the unincorporated areas of Clay County may also be used for the project; and

WHEREAS, the construction of improvements to the Clay County Fairgrounds and refunding outstanding local option sales and services tax revenue bonds will be to the betterment of all parties; and

WHEREAS, before said bonds may be issued, it is necessary to comply with the provisions of Chapter 422B of the Code of Iowa, and to publish a notice of the proposal to issue such bonds:

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF CLAY, STATE OF IOWA:

Section 1. That this Board meet in the Clay County Administration Building, 300 W. 4th Street, Spencer, Iowa, at **10:45 o'clock A.M., on the 25th day of May, 2004**, for the purpose of taking action on the matter of the issuance of not to exceed \$2,000,000 of Local Option Sales and Services Tax Revenue Bonds, the proceeds of which bonds will be used to provide funds to pay costs of construction of improvements to the Clay County Fairgrounds and refunding outstanding local option sales and services tax revenue bonds. Said bonds will not constitute general obligations payable from property taxes but will be payable solely and only from the designated portion of the revenues of the local option sales and services tax previously approved by the voters of the unincorporated portion of Clay County and the City of Spencer.

Section 2. That the Auditor is hereby directed to cause at least one publication to be made of a notice of said meeting in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in said County, said publication to be not less than **four nor more than twenty clear days** before the date of said public meeting on the issuance of said bonds.

Section 3. The notice of the proposed action to issue said bonds shall be in substantially the following form:

NOTICE OF MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF CLAY, STATE OF IOWA, ON THE MATTER OF THE PROPOSED ISSUANCE OF NOT TO EXCEED \$2,000,000 PRINCIPAL AMOUNT OF LOCAL OPTION SALES

AND SERVICES TAX REVENUE BONDS (FOR AN ESSENTIAL PUBLIC AND GOVERNMENTAL PURPOSE) AND HEARING ON ISSUANCE OF SAID BONDS

Public Notice is hereby given that the Board of Supervisors of the County of Clay, State of Iowa, will hold a public hearing on the 25th day of May, 2004, **at 10:45 o'clock A.M.**, in the Clay County Administration Building, 300 W. 4th Street, Spencer, Iowa, at which meeting the Board proposes to take additional action for the issuance of not to exceed \$2,000,000 Local Option Sales and Services Tax Revenue Bonds of said County (for an essential public and governmental purpose). Said bonds are proposed to be issued for the purpose of paying costs of construction of improvements to the Clay County Fairgrounds and refunding outstanding local option sales and services tax revenue bonds. Said bonds will not constitute general obligations payable from property taxes but will be payable solely and only from the designated portion of the revenues of the local option sales and services tax previously approved by the voters of unincorporated portion of Clay County and the City of Spencer.

At the above meeting oral or written objections from any resident or property owner of said County to the above action shall be received. After all objections have been received and considered, the Board will at said meeting or at any adjournment thereof, take additional action for the issuance of said bonds or will abandon the proposal to issue said bonds.

This Notice is given by order of the Board of Supervisors of the County of Clay, State of Iowa, as provided by Sections 422B.12(3) and 384.83 of the Code of Iowa.

Dated at Spencer, Iowa, this 11th day of May, 2004.

County Auditor of Clay County, State of Iowa
PASSED AND APPROVED this 11th day of May, 2004.

William D. Zinn, Chairperson Pro Term

ATTEST:

Marjorie A. Pitts, Auditor

Motion by Schoer, seconded by Chalstrom to regretfully accept the resignation of Tom J. Johnson as the member of the Civil Service Board appointed by the Clay County Attorney. Pursuant to Iowa Code Chapter 341A.2, the Clay County Attorney appoints Robert Dean Johnson, 3810 280th Ave, Dickens, IA as a member of the Civil Service Board to fill the unexpired term ending June 30, 2006. Motion carried. Absent: Sorenson

Motion by Schoer, seconded by Chalstrom to approve Underground Construction Permit for Iowa Lakes Electric Cooperative to place single-phase 7200-volt distribution line in Clay County Secondary Roads ROW on 410th Street, 2.5 miles west of M27. Motion carried.

Motion by Brockshus, seconded by Schoer to approve Underground Construction Permit for Iowa Lakes Electric Cooperative to place single-phase 7200-volt distribution line in Clay County Secondary Roads ROW on 420th Street, 3.5 miles east from M36. Motion carried.

Larry Rozeboom discussed the air quality issue with the Board.

Theresa Wurth, Larry Rozeboom and Del Brockshus (as board representative) will attend the Network Technology Policies Committee.

The Chairperson adjourned the meeting at 11:40 a.m. to convene at the Auditor's called meeting Tuesday, May 18th at 8:30 a.m.

Marjorie A. Pitts, County Auditor
Pro Term

William D. Zinn, Chairperson

Clay County Board of Supervisors Minutes for Meeting #20 held on May 18, 2004

The Clay County Board of Supervisors met pursuant to adjournment. The named supervisors were present:

Sorenson, Brockshus, Zinn, Chalstrom, Schoer Absent: None

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote:

Ayes: Sorenson, Brockshus, Zinn, Schoer, and Chalstrom. Nays: none. Abstentions: none.

Motion by Zinn, seconded by Schoer to approve the meeting agenda for Tuesday, May 18, 2004.

Motion carried.

9:00 A.M. This being the time and place for the hearing on amending the current 2004 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 Zinn**, seconded by **Supervisor Chalstrom** to adopt the amendment to the current fiscal year budget in the following expenditure service areas for the following amounts:
Intergovernmental revenues increased by \$19,673 to reflect receiving the Recreational Infrastructure Grant for the Conservation Department.
Miscellaneous revenues are increased by \$297,754 to reflect the flow through of the Event Center Pledge Obligation dollars. County Environment expenditures increased by \$12,000 to utilize the Recreational Infrastructure Grant. Nonprogram Current expenditures are increased by \$297,754 to complete the flow through of the Event Center Pledge Obligation. This amendment increases the fund balance unreserved / undesignated by \$7,673 anticipating a total ending fund balance as of June 30, 2004 of \$2,024,466.
Motion carried.

Motion by Schoer, seconded by Brockshus to authorize the chairperson to sign the State of Iowa, Department of Public Health 2004 Lead Firm Certificate number IA-FIRM-0195 that certifies Clay County, Iowa as employing lead professionals. This certification enables our lead professional to conduct lead inspections, risk assessments, clearance or lead abatements.
Motion carried.

The Board discussed allowing Tammy McKeever to be appointed to the EMS Coordinator Position.

The coordinator will coordinate the first responders, make sure they receive required training, apply for grants, provide a monthly newsletter and serve as liaison between the first responders, the advisory council, fire chiefs and the Board of Supervisors. After consulting with the county attorney, the Board

has agreed that as a county employee, she can take on this position and a part time employee could be hired to handle some of the extra workload. The EMS Association has called a special meeting for June 2nd.

Motion by Brockshus, seconded by Chalstrom to approve Resolution #2004-22. Ayes: Chalstrom, Brockshus, Zinn, Schoer, Sorenson Naves: None Motion carried.

RESOLUTION #2004-22
IOWA DEPARTMENT OF TRANSPORTATION
AGREEMENT FOR TRAFFIC SAFETY IMPROVEMENT FUNDING

BE IT RESOLVED: That the Board of Supervisors of Clay County, Iowa agrees to enter into an agreement with the Iowa Department of Transportation for Traffic Safety Improvement Funding to rehabilitate Clay County Secondary Road B40 (old Iowa 240) from U.S. 71 west 6 miles to the city of Royal and to authorize the Clay County Board of Supervisor's Chairperson or Chair Designee to sign the agreement. Passed and adopted this 18th day of May, 2004.

ATTEST: Marjorie A. Pitts, Auditor

Joel M. Sorenson, Chairperson

The Chairperson adjourned the meeting at 9:30 a.m. to convene at the Auditor's called meeting Tuesday, May 25th 2004 at 8:30 a.m.

Marjorie A. Pitts, County Auditor

Joel M. Sorenson, Chairperson

Clay County Board of Supervisors Minutes from Meeting #21 held on May 25, 2004

The Clay County Board of Supervisors met pursuant to adjournment. The named supervisors were present:

Chalstrom, Brockshus, Zinn, Schoer, and Sorenson. Absent: None.

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote: Ayes:

Sorenson, Brockshus, Zinn, Schoer, and Chalstrom. Nays: none. Abstentions: none.

Motion by Zinn, seconded by Schoer to approve the meeting agenda for May 25, 2004. Motion carried.

Motion by Schoer, seconded by Chalstrom to approve the County Board minutes for Meeting # 19 dated May 11, 2004 and Meeting #20 dated May18, 2004. Motion carried.

Motion by Brockshus, seconded by Zinn to approve the payment of the claims for May 25, 2004 with the detail on file in the County Auditor's office for review. Motion carried.

General Basic Fund

ABC Computers Plus	Shrf cable	33.48
Aerus	Adm vacumn bags	29.99
Agrisafe Spencer Municipal Hos	Consv uves glasses/hear t	49.00
All-American Turf Beauty, Inc.	GSC yard spraying	641.06
Alpha Wireless Comm	Shrf install 21-5	86.49
Aquila	Jail gas utility	2577.00
Bank of America	Treas acct chrgs	103.73
BOJI Information Systems, Inc	DP assr/remote acces & GE	516.00
Carpenter Uniform & Promotions	Shrf pant/grey	42.43
Chief Supply	Shrf tests G & U/MK-3 gas	174.90
City of Spencer	Consv solid waste	40.00
Clay Co Sec Road Fund	Shrf fuel Apr 04	2387.74
Clay County Sheriff	shrf fees jvjv002369	592.75
Clay Regional Water	Consv Grandvw utilities	60.00
Daily Reporter, The	pub elect/ballot	76.65
Denny's Pest Control Denny Rie	CCSO pest cntrl	56.00
Dickinson County Sheriff	shrf fees jvjv002382	37.76
Don Pierson Ford	Consv brake cntrlor	85.00
Dorsey & Whitney-LLP	legal services & serv chr	2466.49
Electronic Engineering	Shrf speed-scout/radar tr	2500.00
Everly Farm & Home Center	Consv lb tork screws	5.50
Everly-Royal News	Bd pub mtgs #15 #16	355.68
Farmers Trust & Svgs Bank	Aud safe deposit bx	16.00
Fidlar Companies	Treas veh reg envlp	170.21
Four Points Hotels & Suites	VA mtg exp	218.97
Galen's Pro-Mow	Adm sharpen blade	78.90
Galls Incorporated	Shrf gun duty holster	122.98
The Hotel at Gateway Center	DP image mtg Ames/Solutions	165.90
G E Capital	DHS Minolta copier install	258.78
Shirley M Goyette	Rec mileage	31.50
Graham Tire Co	Shrf tire/mount & bal	67.23
Great Lakes Cooperative	Consv urea/DAP/potash	397.08
Jerry Groenewold	twp mileage	34.20
Holiday Inn Conf Center	Airp Shrf mtg exp	295.32
IA County Atty's Assn	Atty FY04-05 ICAA dues	334.00
IA Lakes Electric Coop	Consv Grandvw utilities	93.67

I S A C Multi-Co Serv Agency	Treas summer wkshp	367.50
Janitor's Closet Ltd	Cths floor finih	342.50
Johnson Supply Co	Adm seat	16.45
Lakes Propane Gas Co	VA gas serv	267.14
Mar-Lin Business Supply	elect/primary glue	34.18
Medical Arts Pharmacy	rx	25.88
John P Metcalf	twp mileage	6.30
Midwest Wireless	DHS cell phone	142.39
Lavon C Montgomery	Treas reimb mtg exp	39.15
Nielsen Tire Co 2104 Hwy Blvd	Consv tire	98.97
Northwest One, Inc aka NW Int	Consv internet	15.00
Office Systems Company	Shrf Gest'nr copier cont	260.50
Oral & Maxillofacial Surgery D	Shrf dental services	343.01
Osceola County Treasurer	Treas reimb mileage	54.00
Perkins Office Solutions	DHS paper/folders	51.00
Physicians Lab LTD 1000 E 21st	ME autopsy	1500.00
Pocahontas Co. Recorders Off.	Recorder vitals safety pa	165.00
Betty J Pothast	twp mileage	.90
Pottawattamie Co Sheriff	CSRU shr fees	2.00
Quality Inn & Suites Event Ctr	Aud mtg exp	96.30
R L Polk & Co	Treas vehicle reg manuals	174.00
Melinda L Roman	CSRU mileage	82.49
Senior Center-CCC-Aging	VA booth reg/Hlth Fair	20.00
Sidwell Company, The	June Web service	500.00
Solutions, Inc	Aud acct yr end sch	1341.00
Southern Archery	Shrf ammo/cleaning supplies	59.68
Spencer Family Care Med Exam a	ME services	125.00
Spencer Family Care/Avera	Shrf medical serv	42.00
Spencer Mun Hospital	Shrf jail meals	9990.70
Spencer Mun Utilities	Shrf ISDN May 04 - 3 line	533.54
Spencer Office Supplies	VA ink cart	283.40
Staples Credit Plan	offc supplies	19.34
SWIFT AIR	Cths serv call	120.00
The Phone Connection Inc	DHS move phones	45.00
Thrifty White Stores	DHS gen mdse	19.95
Tom's Gun Shop	Shrf sling swivels	90.08
U S Postmaster	postage 30%	43.65
UPS	Shrf shipping	14.00
Van Diest Supply Co	Consv buccaneer plus	222.00
VISA	Shrf mtg exp	535.61
Joan M Waller	VA mileage	145.11

General Supplemental Fund

Correctional Services Corp	shelterd care	67.38
NW IA Youth Emergency Serv Ctr	detention	600.00
Palo Alto County Sheriff	Shrf inmate detention	120.00
West Payment Center Thomson We	Law Lib info chrgs	945.00
MH-DD Services Fund		
Clay County Sheriff	sheriff fees	361.00
Greer Law Office John P. Greer	attry fees	38.27
IA Dept of Human Services DHS	icfmr	47283.28
Innovative Industries, Inc.	wa	437.28
I S A C Multi-Co Serv Agency	summer wrkshop	17.50
Northwest Printing Co	release of info forms	132.35
Northwoods Living	scl	181.48
Opportunity Village	rcf	7313.28
Seasons Center aka NW Ia Menta	mh srvc for 5/04	11062.00
Spectra Health Care	rcf	2153.70
Staples Credit Plan	offc supplies	19.35
U S Postmaster	postage 70%	101.85
VISA	MH fuel	3.58

Rural Services Basic Fund		
Daniel J Heissel	Consv water/IRVM	30.00
Northwest Equipment Inc	Consv oil fltr/oil	25.12
Southern Archery	Consv LaCross boots	100.00
Van Diest Supply Co	IRVM plaueau	277.12
Secondary Road Fund		
Airgas North Central	Oil Dry	146.47
Alliant Energy	Electric - Dickens	104.24
Aquila	Gas - Spencer	603.56
Barnes Distribution	Fender Washer, 3-M Disks	396.80
Daily Reporter, The	Maintenance Worker Ad	170.20
Thomas L Herrig	Mileage for Hazmat Train	12.60
Iowa Telecom	Telephone - Peterson	47.26
Lawson Products Inc	Flat Washers	99.90
Mar-Lin Business Supply	Rubber Bands	1.06
Mathison Co	Roll Papar for Richo	83.47
Nielsen Tire Co 2104 Hwy Blvd	Service & Stem	626.83
Office Systems Company	Copy Cost	42.67
PBI Construction	3% From Last Fall	23865.67
Martin L Schoening	Mileage for Hazmat Train	15.00
Share Corp	Car Guard Towels	161.81
Shine Bros Steel	Rebar & Cutting	14.29
Sioux Falls Kenworth, Inc.	12-Filters	177.12
Spencer Building Supply	Halfway Bridge Patch	75.00
Spencer Mun Utilities	Gas - Spencer	452.88
Treasurer, Iowa St. University	Motor Grader Training	350.00
West Bend Elevator Co	462 lbs. 80W90	3182.41
Zalaznik Equipment Corp	Bobcat Broom Repairs	434.82
E-911 Surcharge		
Qwest	E911 phone service	644.09
Spencer Mun Utilities	E-911 mthly circuit chrg	228.60
United Farmers Telephone	E-911 May 04 mod/database	445.00
Jnt Co Emergency Mgt Fund		
Daily Reporter, The	Emg Mgt bd mtg publicatio	9.49
Bryce A Denker	Emg Mgt postage	62.21
Midwest Wireless	Emg Mgt cell phone charge	51.49
Staples Credit Plan	Emg Mtg office supplies	86.61

Motion by Zinn, seconded by Schoer to approve the Palo Alto County Engineer claim on Joint Drainage Ditch #60 Lateral 9 for May 25, 2004 totaling \$2524.00 to repair broken sections of 20" tile. Motion carried.

Motion by Zinn, seconded by Chalstrom to approve the renewal application for Iowa Retail Cigarette Permit presented by legal owners: John and Denise Gochenouer, 1217 E. Lyon St., Marshall, MN 56258 doing business as Lost Island Resort, 3286 335th Avenue, Ruthven, IA 51358. The permit will be valid for the period of July 1, 2004 through June 30, 2005. Motion carried.

Motion by Schoer, seconded by Zinn to authorize the Chairperson to sign the Iowa Department of Public Health Memorandum of Understanding MOU-2005 C015 with Clay County, Iowa for the purpose of providing substance abuse prevention and related services to include only education, prevention, referral or post-treatment services for a term of this agreement from July 1, 2004 through June 30, 2005. Motion carried.

Motion by Schoer, seconded by Zinn to approve the request for the daily rate of \$33.70 with Spectra Health Care, 5726 120th Ave., Storm Lake, IA effective for fiscal year 2005. Motion carried.

Motion by Brockshus, seconded by Chalstrom to approve Resolution 2004-23 Northern Plains Regional Landfill Comprehensive Plan. The roll was called and the vote was:

AYES: Chalstrom, Brockshus, Zinn, Schoer, and Sorenson

NAYS: None.

Whereupon, the Chairperson declared said Resolution #2004-23 duly adopted

RESOLUTION NO. 2004-23

**RESOLUTION ADOPTING COMPREHENSIVE SOLID WASTE
MANAGEMENT PLAN FOR THE NORTHERN PLAINS REGIONAL
LANDFILL AND AGREEING TO IMPLEMENT AND
PARTICIPATE IN PROGRAMS SET FORTH IN THE COMPREHENSIVE PLAN**

WHEREAS, section 455B.302 of the Code of Iowa requires every city and county of this state to provide for the establishment and operation of a comprehensive solid waste reduction program consistent with the waste management hierarchy under section 455B.301A, and a sanitary disposal project for final disposal of solid waste by its residents; and

WHEREAS, section 455B.306(1) of the Code of Iowa requires that all cities and counties file with the director of the department of natural resources a comprehensive plan detailing the method by which the city or county will comply with the requirements of section 455B.302 to establish and implement a comprehensive solid waste reduction program for its residents; and

WHEREAS, a comprehensive plan, as described in section 455B.306 of the Code of Iowa has been prepared at the direction of and in participation with the City of SPENCER, entitled NORTHERN PLAINS REGIONAL LANDFILL SOLID WASTE MANAGEMENT PLAN, by Kruse, Cate and Nelson, Engineers, and dated December 15, 2003; and

WHEREAS, the City Council/County Board has determined that the adoption and implementation of the proposed comprehensive plan is in the best interest of the City/County with respect to satisfying the City/County's statutory duties.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE Clay County Board of Supervisors that the proposed comprehensive plan is hereby adopted as the comprehensive solid waste reduction plan of the County.

AND BE IT FURTHER RESOLVED that the County shall implement and

participate in the programs set forth in the comprehensive plan.

AND BE IT FURTHER RESOLVED that the comprehensive plan shall be submitted to the Iowa Department of Natural Resources, on behalf of the County of Clay in satisfaction of section 455B.306(1) of the Code of Iowa.

PASSED AND APPROVED THIS 25TH DAY OF May 2004.

Marjorie A. Pitts, County Auditor

Joel M. Sorenson, Chairperson

Motion by Zinn, seconded by Chalstrom to approve Resolution 2004-24. The roll was called and the vote was:

AYES: Chalstrom, Brockshus, Zinn, Schoer, and Sorenson

NAYS: None.

Whereupon, the Chairperson declared said Resolution #2004-24 duly adopted

RESOLUTION NO. 2004-24

**A RESOLUTION AUTHORIZING THE EXECUTION OF A MEMORANDUM OF AGREEMENT BY AND BETWEEN CLAY COUNTY, IOWA AND ST. LUKE LUTHERAN HOME, INC. REGARDING THE ISSUANCE OF HEALTH CARE FACILITY REVENUE BONDS NOT TO EXCEED \$3,200,000.00
HEALTH CARE FACILITY REVENUE BONDS**

* * * * *

WHEREAS, Clay County, Iowa (the "County"), a political subdivision of the State of Iowa, is authorized by the laws of the State of Iowa, and specifically Chapter 419, Code of Iowa, 2001, as supplemented and amended (the "Act"), to acquire, improve and equip all or any part of, or any interest in, buildings, equipment or improvements suitable for the use as a Health Care Facility, i.e., to construct a health care facility as defined by Chapter 231C of the Code of Iowa, 2001 for an organization described in Section 501(c)(3) of the Internal Revenue Code which is exempt from Federal income tax under Section 501(a) of the Internal Revenue Code, located at 1301 St. Luke Drive, Spencer, Iowa; and

WHEREAS, under the Act, the County is authorized to issue its revenue bonds for the purpose of financing the costs of any such project, and

WHEREAS, so as to accomplish the purposes of the Act, the County proposes to issue one or more issues of Health Care Facility Revenue Bonds pursuant to the provisions of the Act as then in effect

to finance the costs of acquiring, improving and equipping certain buildings, equipment and fixtures for use as a health care facility as defined in Chapter 231C of the Code of Iowa, 2001, for an organization described in Section 501(c)(3) of the Internal Revenue Code which is exempt from Federal income tax under Section 501(a) of the Internal Revenue Code, located at 1301 St. Luke Drive, Spencer, Iowa, (hereinafter referred to collectively as the "Project") of St. Luke Lutheran Home, Inc. (the "Developer"), an Iowa not-for-profit Corporation, located in the County; and

WHEREAS, the location of the Project within the County will improve the general welfare of the inhabitants of the County; and

WHEREAS, it is deemed necessary and advisable, to promote the general welfare of the inhabitants of the County, that the Project be undertaken at the earliest practicable date, and the Developer has requested satisfactory assurances from the County that the proceeds of the sale of one or more issues of Health Care Facility Revenue Bonds of the County in an aggregate amount sufficient to finance the Project, currently estimated not to exceed \$3,200,000.00 will be made available; and

WHEREAS, the County deems it necessary and advisable that it take such actions as may be required under the Act as then in effect to authorize and issue one or more issues of Health Care Facility Revenue Bonds to finance the cost of the Project; and

WHEREAS, a form of agreement, designated as a "Memorandum of Agreement", has been prepared under which the Developer has stated its willingness to arrange for the acquisition, improvement and equipping of the Project and to enter into contracts therefore and, at the time of delivery of the bonds, to convey, grant or lease the Project and assign such contracts to the County, or agree to complete the acquisition, improvement and equipping of the Project, and to enter into a lease of the Project from the County, or a contract to purchase the Project from the County, or a loan agreement with the County with respect to the Project, or any combination of the foregoing, under which the Developer will be obligated to make periodic payments sufficient to pay the principal of and interest and redemption premium, if any, on the bonds as and when the same shall become due and payable, and if necessary to vest title to the Project in the Developer, the Developer shall be obligated to purchase the interest, if any, of the County in the Project for an additional nominal amount and such lease, contract and agreement shall contain such other provisions as may be required by the Act as then in effect and such other provisions as shall be mutually acceptable to the City and the Developer;

NOW, THEREFORE, be it resolved by the Board of Supervisors of Clay County, Iowa,

as follows:

Section 1. That in order to ensure the acquisition, improvement and equipping of the Project, with the resulting public benefits which will flow therefrom, it is deemed necessary and advisable that Health Care Facility Revenue Bonds be issued in an amount sufficient to finance the cost of the Project and that the Memorandum of Agreement hereinafter referred to be approved and executed for and on behalf of the County.

Section 2. That the Memorandum of Agreement by and between the Developer and the County, substantially in the form and with the contents set forth in Exhibit A attached hereto, be and the same is hereby approved and authorized.

Section 3. That the Chairman is hereby authorized and directed to execute and the County Auditor is hereby authorized to attest and to affix the seal of the County to the Memorandum of Agreement substantially in the form and with the contents set forth in Exhibit A attached hereto.

Section 4. That the County will issue and sell Health Care Facility Revenue Bonds in an amount sufficient to finance the costs of the Project subject to the execution of the Memorandum of Agreement herein authorized and upon the conditions specified in the Memorandum of Agreement.

Section 5. That all resolutions and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Adopted this 25th day of May 2004.

Marjorie A. Pitts, County Auditor

Joel M. Sorenson, Chairperson

Motion by Zinn, seconded by Schoer to approve Resolution #2004-25. The roll was called and the vote was:

AYES: Chalstrom, Brockshus, Zinn, Schoer, and Sorenson.

NAYS: None.

Whereupon, the Chairperson declared said Resolution #2004-25 duly adopted

**RESOLUTION #2004-25
NOTICE OF PUBLIC HEARING ON PROPOSED COUNTY ORDINANCE NO. 21
EPHEDRINE AND PSEUDOEPHEDRINE PRODUCTS**

The Purpose of the proposed ordinance is to promote the health, safety and welfare of the citizens of Clay county, Iowa, and to combat the use or manufacturing of methamphetamine. Ephedrine and pseudoephedrine are legal substances for the sale to the public. These substances are used in the manufacture of methamphetamines and should be controlled. It is the public policy of the State of Iowa to protect our citizens from the use or distribution

of methamphetamine or its byproducts.

The proposed ordinance may be obtained from the Clay County Auditor.

The Clay County Board of Supervisors will consider the passage of this proposed County Ordinance No.21 at its **June 8, 2004** meeting in the Board of Supervisor's Room at the Clay County Administration Building, Spencer, Iowa at **9:00 o'clock** A.M., after the public hearing scheduled for the same time and place has been held. Should the ordinance be passed at the meeting, the proposed ordinance will be considered at a second Board of Supervisors' meeting to be held **June 15, 2004**, in the Board of Supervisor's Room at the Clay County Administration Building, Spencer, Iowa at **8:45 o'clock** A.M.. Should the ordinance be approved at this second and final time, it will be published and will become effective July 1, 2004.

Signed and dated this 25th day of May, 2004.

Marjorie A. Pitts, County Auditor

Joel M. Sorenson, Chairperson

10:45 A.M. The Board Chair announced that this was the time and place for the public hearing and meeting on the matter of the issuance of not to exceed \$2,000,000 Local Option Sales and Services Tax Revenue Bonds of said County, in order to provide funds to pay costs of construction of improvements to the Clay County Fairgrounds and refunding outstanding local option sales and service tax revenue bonds, and that notice of the proposed action to institute proceedings for the issuance of said bonds, had been published pursuant to the provisions of Sections 422B.12(3) and 384.83 of the Code of Iowa, 2003, as amended. Inquiry was made whether any written objections had been filed by any resident or property owner of the County to the issuance of said bonds by the County. The Auditor stated that no written objections had been filed. Oral objections to the issuance of said bonds were then called for and received and no were made. Whereupon, the presiding officer declared the time for receiving oral and written objections to be closed. Whereupon, **Supervisor Brockshus introduced** and delivered to the Board the Resolution #2004-26 entitled "Resolution Instituting Proceedings to Take Additional Action for the Issuance Of Not To Exceed \$2,000,000 Local

Option Sales and Services Tax Revenue Bonds”, and moved its adoption. **Supervisor Zinn seconded**

the motion to adopt. The roll was called and the vote was:

AYES: Chalstrom, Brockshus, Zinn, Schoer, and Sorenson

NAYS: None

Whereupon, the Chairperson declared said Resolution #2004-26 duly adopted as follows:

RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$2,000,000 LOCAL OPTION SALES AND SERVICE TAX REVENUE BOND

WHEREAS, pursuant to notice published as required by law, a public meeting and hearing has

been held upon the proposal to institute proceedings for the issuance of not to exceed \$2,000,000 Local

Option Sales & Service Tax Revenue Bonds for the purpose of paying costs of construction of improvements

to the Clay County Fairgrounds and refunding outstanding local option sales and service tax revenue bonds,

and the extent of objections received from residents or property owners as to said proposed issuance of bonds

has been fully considered; and, accordingly the following action is not considered to be in the best interests of the

County and residents thereof:

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF CLAY, STATE OF IOWA:

Section 1. That this governing body does hereby institute proceedings and takes additional action

for the sale and issuance in the manner required by law of not to exceed \$2,000,000 Local Option

Sales and Services Tax Revenue Bonds for the foregoing purpose.

Section 2. That this Resolution be and does hereby serve as a declaration of official intent under

Treasury Regulation 1.150-2, because the County Auditor reasonably expects to reimburse with

the proceeds of the Bonds, all or a portion of original expenditures incurred in connection with the

above purpose.

PASSED AND APPROVED, this 25th day of May, 2004.

Marjorie A. Pitts, County Auditor

Joel M. Sorenson, Chairperson

Motion by Zinn, seconded by Chalstrom to rescind prior Joint Drainage District #22 Lateral 310 motion dated

April 13, 2004 Clay County; April 20, 2004 Palo Alto County and Buena Vista County respectively. Motion carried.

Motion by **Clay County Supervisor Sylvia D. Schoer**, seconded by Palo Alto County

Supervisor,
that the following resolution be adopted:

WHEREAS, there are now outstanding warrants and claims against Joint Drainage District #22 Lateral 310 and there being insufficient funds to solvent said account of said drainage district.

BE IT THEREFORE RESOLVED by the Joint Board of Supervisors of Clay, Palo Alto and Buena Vista counties, Iowa, that there is hereby levied against all lands, tracts, real estate, highways and railroads within Joint Drainage District #22 on the assessment schedule of the said tile line as follows:

Lateral 310	\$4,850.02	120%
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BE IT FURTHER RESOLVED, that said assessments be so levied and when so extended shall be collected with the current property taxes due September 30, 2004, except that any single assessment on any parcel exceeding \$100 shall qualify for a waiver of installment option of two payment and any single assessment on any parcel exceeding \$300 shall qualify for a waiver of installment option of three payments.

All members of the joint board voted "aye". Motion carried and the resolution duly adopted according to the last date of the participating board's signature.

Dated: _____

Joel Sorenson, Chairperson, Clay County Board of Supervisors

Attest: /s/ Marjorie A. Pitts, Clay County Auditor

Dated: _____

/s/ Leo E. Goeders, Chairperson, Palo Alto County Board of Supervisors

Attest: /s/ Gary Leonard, Palo Alto County Auditor

Dated: _____

Herbert D. Crampton, Chairperson, Buena Vista County Board of Supervisors

Attest: /s/ Karen M. Strawn, Buena Vista County Auditor

Season's Center of Spencer gave the Board their quarterly update of twenty-nine (29) case management clients.

Theresa Wurth-IT Director & Bryce Denker-EMS Coordinator discussed with the Board the

design of an updated Clay County Disaster Recovery Plan. Wurth offered information about a software application that can assist in the design and implementation of the recovery plan. Vision of including other entities (i.e. cities, fire departments, hospitals, etc) as users of the same software. Denker is working with cities at this time on their disaster preparedness plans. The Board indicated that Northwest Iowa Planning & Development Commission is another potential participator. Wurth will be purchasing the Disaster Recovery Plan software and report back to the Board.

Motion by Zinn, Seconded by Schoer to approve Overhead/Underground Construction Permit for Interstate Power & Light Co. to place 40' pole, transformer in Clay County Secondary Roads ROW on 120th Avenue, ½ miles north from Peterson and approx. 3' of wire underground to a grain bin as set out in their application number 5-04 filled with the Clay County Engineer's Office. Motion carried.

Motion by Chalstrom, seconded by Brockshus to approve Overhead Construction Permit for Iowa Lakes Electric Cooperative to place single-phase electric distribution in Clay County Secondary Roads ROW from lot 44 over 320th Street to lot 15, to provide new service as set out in their application number 6-04 filled with the Clay County Engineer's Office. Motion carried.

Frank Rouse, Clay County Drainage Engineer Assistant, spoke with the Board regarding two projects. The Menards project involves Drainage Ditch #27 tiling. The City of Spencer entered into an agreement in 1979 with the County regarding maintenance of the tiling. Spencer planning engineer is concerned about the ditch taking the increase in surface water that may cause the need for a new box culvert or change in outlets or tiling. The Garfield township Joint Drainage Ditch #22 has a property owner that has approached the National Resource Conservation (NRCS) as wetlands. Clay County's wetlands policy requires notification of property owners and a joint meeting with counties involved.

The Chairperson adjourned the meeting at 11:50 a.m. to convene at the Auditor's called meeting Tuesday, June 8, 2004 at 8:30 a.m.

Marjorie A. Pitts, County Auditor

Joel M. Sorenson, Chairperson

Clay County Board of Supervisor's Minutes from Meeting #22 held on June 8, 2004

The Clay County Board of Supervisors met pursuant to adjournment. The named supervisors were present:

Chalstrom, Brockshus, Zinn, Schoer, & Sorenson. Absent: None.

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote: Ayes:

Sorenson, Brockshus, Zinn, Schoer, and Chalstrom. Nays: none. Abstentions: none.

Motion by Zinn, seconded by Chalstrom to approve the meeting agenda for June 8, 2004. Motion carried.

Motion by Schoer, seconded by Zinn to approve the County Board minutes for Meeting #21 dated May 25, 2004.

Motion carried.

Motion by Brockshus, seconded by Chalstrom to approve the payment of the claims for June 8, 2004 with the detail on file in the County Auditor's office for review. Motion carried.

	General Basic Fund	
A T & T	DHS long dist/phone	10.91
ABC Computers Plus	Shrf ntwk adptr/cable/sur	149.49
Ace Hardware	Consv/Bldg supplies	170.73
Agrisafe	Consv mask filters	22.00
Aquila	Bldg utilities	186.00
Arch Wireless	DHS office supplies	52.21
Audio Video Connection	Shrf window tint/jail	90.00
Bud's Service	Shrf fltrs/brake pads/service	282.31
Canon Financial Services Inc	DP maint Gest'nr	103.45
Carpenter Uniform & Promotions	Shrf badge/uniforms	109.90
Cellular One	Cell phone charges	435.32
Christians Sheet Mtl Wrks	Adm registers	200.00
City of Spencer	Bldg garbage/Com Ctr charges	10410.73
Clay Co Sec Road Fund	Fuel	1689.33
Clay County Sheriff	shfff-fees	34.00
Clerk of District Court	CSRU certified copies	3.50
Daily Reporter, The	Pub primary ballots	692.58
Denny's Pest Control	Bldg pest cntrl	105.00
Don Pierson Ford	Shrf axle seal/oil lube	393.84
Everly-Royal News	Pub primary ballot	725.66
The Hotel at Gateway Center	Aud mtg exp	278.01
H & N Chevrolet Buick	Shrf trans fluid	26.25
Harmon AutoGlass	Shrf side mirror	18.00
Helen's Comm Laundry Inc	Bldg rugs/laundry	152.70
Hy-Vee #1636	Consv meals/college wkrs	63.63
IA Natural Heritage Fndation	Consv dues	125.00
IA Natural Heritage Foundation	ZSS well closures	400.00
IA Prison Industries	Shrf matt cov	127.80
Jack's Uniforms & Equipment	Shrf holster	105.60
Janitor's Closet Ltd	janitorial serv/supplies	994.64
Kentucky Fried Chicken	Consv meals/college wkrs	139.06
L-Tron Corporation	Shrf interfaces/cable/adp	273.69
Mar-Lin Business Supply	elect laminate sheets	100.00
Mc Donald Supply	CCSO short T key	1.51
McLeodUSA	phone charges	505.69
Minolta Corporation	Consv/DHS meter clicks	48.20

NW IA Plan & Develop Comm	Reg III LEPC Adm Serv FY0	1030.00
Office Systems Company	DP Gest'nr copy mgnt	119.57
Otis Elevator Co	Cths elev maint contract	225.66
Perkins Office Solutions	ZSS postcards	152.15
Marjorie A Pitts	elect storage totes	29.16
Qwest	Bldg trunk lines/DHS	1312.74
RadioShack Your Phone Co	Consv power point supplies	42.05
Melinda L Roman	CSRU mileage	30.70
Second Chance Body Armor	Shrf vests level II	1098.00
Sidwell Company, The	DP training/ARCGis	1760.00
Simonsen Iron Works, Inc	Shrf bend material/jail	14.00
SoftChoice Corporation	DP monitor/auditor	450.04
Spencer Auto Parts Inc	Shrf filter/oil	87.31
Spencer Lumber Co	CCSO spf & #2 pine	46.57
Spencer Mun Utilities	Bldg utilities	2772.46
Spencer Office Supplies	Office supplies	438.32
Staples	Office supplies	69.09
Staples Credit Plan	Shrf supplies	49.98
Star Energy LLC	Consv gas	31.32
SubWay	Consv meals/college wkrs	123.01
SWIFT AIR	Cths serv call	1069.13
Tamp Computer Systems Inc	DP sftwr/DRS	1500.00
Tom's Gun Shop	Shrf guns	680.93
U S Postmaster	Shrf stamps 5 rolls	185.00
UPS	Shrf shpg/pkg	15.80
Winkleblacks	ZSS clip w/imprint	488.13
Xerox Corporation	Rec copier base chrg	357.17
Zee Medical Service Co	Consv first aid supplies	15.95
	General Supplemental Fund	
Clay County Sheriff	shrf fees	229.62
Medical Arts Pharmacy	Rx	45.99
West Payment Center	law lib/IA Digest AM JUR	678.87
	MH-DD Services Fund	
Cherokee County Sheriff	shrff fees	19.00
Clay County Sheriff	shrff fees	18.50
Co Case Management Serv	april 04 case mgmt	196.00
IA Dept of Human Services	cmhi care	7446.92
Midwest Wireless	cell phn chrgs	41.61
Nishna Productions Inc	trans	1647.37
Oak Haven Care Facility	rcf care	7791.23
REM Developmental Services	adc care	297.55
Seasons Center	mh srvcs	11062.00
Sunshine Services Inc.	wa care	24082.96
	Rural Services Basic Fund	
A S P Enterprises, Inc.	Consv seed mulch	453.20
Cellular One	IRVM cell phone	20.01
Clay Co Sec Road Fund	Zon May 04 fuel	79.11
	Secondary Road Fund	
Agri Drain Corp.	4 - Tip, Probe	34.89
Airgas North Central	WELDING SUPPLIES	197.56
Alliant Energy	Electric - Royal	125.18
Aquila	Gas - Royal	29.77
Arnold Motor Supply	ENG. PARTS	372.04
Ayrshire Farmers Mutual Tele	Telephone - Gillett Grove	26.72
C.J.Cooper & Associates, Inc.	Random Drug Test	58.00
Catco Parts & Service	200SD Strobe	4608.74
Cellular One	Cell Phones	137.42
City of Royal	Water & Sewer - Royal	24.00
City of Spencer	3 - Pickup Tires	135.50
Don Pierson Ford	2004 Ford F250 (JOHN R.)	21433.00

Fox International Inc.	#69 EXHAUST	242.08
H & N Chevrolet Buick	Inside Door Handel #104	19.32
Holcomb Freightliner, Inc.	Fuel Tank #203	554.75
IA Dept of Trans	30 Lab Poly Bottles	84.90
Scott R Knudtson	Reimb. for Safety Shoes	47.54
Lakes Propane Gas Co	Forklift Refill	16.00
Lawson Products Inc	BOLTS	141.23
Mar-Lin Business Supply	77241 Pen Refills	16.00
Mc Master-Carr Supply Co	10-Ext. Sewer Rods	116.36
McLeodUSA	Telephone - Spencer Offic	20.31
Northwest Equipment Inc	Eng Parts	473.89
Northwest One	Internet - Spencer	34.95
RadioShack Your Phone Co	Radio Equip - John R.	20.97
Rohlin Construction Co	L-6704HMA Resurf. (#63)	53552.74
Royal Telephone Co	Telephone - Royal	17.56
Shine Bros Steel	6 - 1/2" x 20' Rebar	38.06
Shoppers Supply	PARTS	233.14
Snap On Tools Corp	Torx Plus Set	234.75
Spencer Auto Parts Inc	Eng Parts	1695.72
Spencer Building Supply	10 Bags Speed Crete	521.50
Spencer Diesel	V Clamp	31.23
Spencer International	Ret. Ring	8.13
Spencer Mun Utilities	Telephone - Spencer	51.22
Spencer Ready-Mix Inc	1.5 Cubic Yds Port Cement	1665.00
Town & Country Disposal Inc.	Garbage - Dickens	21.60
Trans Iowa Equipment Co	12 - 24"Boran Blades	1170.74
Truck Equipment Inc	Drill Repairs	136.55
Vander Haag's Inc	Used Alum. Wheel	45.00
Webb-Dickens Telephone Co	Telephone - Dickens	53.92
Zep Manufacturing Co	Brake Parts Cleaner	153.32
	E-911 Surcharge	
Alpha Wireless Comm	E-911 Bramic furn/dispatc	16049.00
Ayrshire Farmers Mutual Tele	E-911 phone charge	154.30
GeoComm Corporation	E-911 systems maint	475.00
Iowa Telecom	E-911 mthly chrg	41.69
Terril Telephone Co	E-911 circuit	8.04
Webb-Dickens Telephone Co	E-911 phone serv	570.04
	Jnt Co Emergency Mgt Fund	
Bryce A Denker	Emg Mgt mileage	92.76
IA Lakes Comm College	Emg Mgt haz mat/law enf	1497.90
McLeodUSA	Emg mgt phone charges	22.17
Midwest Wireless	Emg Mgt cell phone	42.96
NW IA Community College	Emg Mgt hazmat EMS/fire	2364.50

Motion by Chalstrom, seconded by Schoer to approve the payment of the Palo Alto County Joint

Drainage Ditch #60 Lateral 8 Tile claim for an easement with Ray Grandstaff totaling \$24.00 payable to Hudson Law Firm, 321 N. Main St., Pocahontas, IA. Detail on file in the Palo Alto County Auditor's office for review. Motion carried.

9:00 A.M. The Board Chair announced that this was the time and place for the first public hearing on the Clay County Ordinance #21 relating to the sale or purchase of more than two packages containing pseudoephedrine as the product's sole ingredient. The Board finding that the proposed Ordinance #21 was published as provided in section 331.305 of the Code of Iowa and copies were made available at the time of publication at the office of the auditor and the Board, finding no objections either written or oral to the ordinance, motion by **Supervisor Zinn**, seconded by **Supervisor Brockshus**, to accept the ordinance as filed at the

first reading. The date of June 15, 2004 at 8:45 a.m. at the Clay County Administration Building, Spencer, IA has been set for the second reading of the above proposed ordinance. Motion carried.

The Board met with John Hill and Douglas Doorn from the Spencer Municipal Hospital regarding a proposal for replacement of the 1996 Ford Ambulance using the guidelines of the 28E agreement signed in September 17, 2002. Discussion covered current ambulance statistics and considerations for mileage and vehicle box construction & equipment. Anticipated delivery date is seven months from time of ordering. The Board requested that they be brought a proposal for an International Navistar chassis. The anticipated invoice date for the County would be July, 2005. No further action was taken by the Board.

Motion by Schoer, seconded by Brockshus to approve Resolution #2004-27. The roll was called and the vote was: AYES: .Chalstrom, Brockshus, Zinn, Schoer, and Sorenson. NAYS: .None. Whereupon, the Chairperson declared said Resolution #2004-27 duly adopted.

RESOLUTION #2004-27

WHEREAS, emergencies and disasters transcend jurisdictional boundaries, making intergovernmental coordination essential in successful emergency response efforts; and

WHEREAS, there will inevitably be emergencies which require immediate access to outside resources

due to the fact that few individual governments have all of the resources they may need in every type of emergency; and

WHEREAS, Senate File 2124, approved by the Second Session of the 79th General Assembly in

2002, creates Iowa Code section 29C.22, the Statewide Mutual Aid Compact; and

WHEREAS, the Statewide Mutual Aid Compact allows participating counties, cities and other political subdivisions to provide in advance for mutual assistance in managing any emergency or disaster;

THEREFORE, BE IT RESOLVED BY THE BOARD SUPERVISORS OF CLAY COUNTY that in order to maximize the prompt, full and effective use of resources of all participating governments in the event of an emergency or disaster, the County hereby adopts the Statewide Mutual Aid Compact which is attached hereto and incorporated by reference.

Signed and dated this 8th day of June, 2004.

Marjorie A. Pitts, County Auditor

Joel M. Sorenson, Chairperson

Motion by Zinn, seconded by Brockshus to authorize the Chairperson and County Auditor to sign the contract renewal agreement between Seasons Center for Community Mental Health and the Clay County Board of Supervisors as its preferred provider for the provision of mental health services in Clay

County. The compensation for fiscal year 2004 will total \$137,886.98 reviewed quarterly to evaluate client based service fees. Detail on file in the County Auditor's office for review. Motion carried.

Motion by Schoer, seconded by Chalstrom to approve Fiscal Year 2005 Food Pantry Contribution Agreement between Clay County and Upper Des Moines Opportunity. Motion carried .

Motion by Schoer, seconded by Zinn to authorize chairperson to sign the Memorandum of Understanding (MOU) for the Grants to Counties Well Program between Iowa Department of Public Health and the Clay County Board of Supervisors for the 2005 fiscal year that will be in effect July 1, 2004 through June 20th, 2005 that will provide the county with financial assistance totaling \$13,130 to address water quality issues. Motion carried.

Motion by Chalstrom, seconded by Zinn to authorize chairperson to sign "Solutions" consulting & services maintenance software/hardware agreements for fiscal year ending June 30, 2005. Motion carried.

Chairperson Sorenson recessed the Regular Board of Supervisor's meeting at **10:30 a.m.** to attend the Joint Drainage District #22 Meeting. Detail on file at the auditor's office.
Chairperson Sorenson reconvened the Regular Board of Supervisor's meeting at 11:05 a.m..

Kim Wilson, Central Point Coordinator, informed the Board that FEMA funding dollars have been used heavily for utility billings and some rent payments. The Board was also informed that the projected costs of Case Management by the Spencer Municipal Hospital is coming soon for their consideration. To date twenty-seven (27) indigent State papers have been issued and the County has the ability to borrow from a statewide pool of available applications released by counties not needing them. Wilson also gave updates on current county clients and the work being done on the Department of Human Services (DHS) shelter care billings.

Motion by Schoer, seconded by Chalstrom to accept the low tire quote from Nielsen Tire of Spencer, Iowa for \$20,864.48. Motion carried.

Motion by Zinn, seconded by Chalstrom to adopt the amended Clay County Handbook of Personnel Policies for the Secondary Roads Maintenance Employees dated June 8, 2004 and authorized the Chairperson to sign the handbook. Motion carried.

Motion by Zinn, seconded by Schoer to approve Underground Construction Permit for Everttek to replace telephone cable to upgrade existing plant in Lone Tree, Summit, and Waterford Townships. Cable will be placed in Clay County Secondary Roads ROW as set out in their application number 7-04 filled with the Clay County Engineer's Office. Motion carried.

Motion by Schoer, seconded by Chalstrom to approve Underground Construction Permit for Alliant Energy to place 493 feet of 15 kV #2 aluminum cable in Clay County Secondary Roads ROW beneath B24 and 140th Avenue and trenched parallel to 140th Avenue as set out in their application number 8-04 filled with the Clay County Engineer's Office. Motion carried.

Motion by Zinn, seconded by Brockshus to approve Overhead Construction Permit for Alliant Energy to replace 2 miles of distribution lines in Clay County Secondary Roads ROW on 140th Avenue as set out in their application number 9-04 filled with the Clay County Engineer's Office. Motion carried.

The Chairperson adjourned the meeting at 12 Noon to convene at the Auditor's called meeting Tuesday, June 15, 2004 at 8:30 a.m.

Marjorie A. Pitts, County Auditor

Joel M. Sorenson, Chairperson

Clay County Board of Supervisors Minutes from Meeting #23 held on June 15, 2004

The Clay County Board of Supervisors met pursuant to adjournment. The named supervisors were present:

Schoer, Chalstrom, Brockshus, Zinn. Absent: Sorenson

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote: Ayes:

Sorenson, Brockshus, Zinn, Schoer, and Chalstrom. Nays: none. Abstentions: none.

Motion by Chalstrom, seconded by Schoer to approve the meeting agenda for Tuesday, June 15, 2004.

Motion carried.

Motion by Schoer, seconded by Chalstrom to approve the County Board minutes for Meeting # 22 dated June 8, 2004.

Motion carried.

Motion by Brockshus, seconded by Chalstrom approve Cigarette Permit application submitted by Gary Sanderson,

sole proprietor of Lost Island Corner Store & Café, 3299 335th Ave, Ruthven, Iowa beginning July 1, 2004 through

June 30, 2005. Motion carried.

Motion by Brockshus, seconded by Schoer to approve the transfer of \$13,573.41 from the Local Option-Fair to

General Basic Fund. Motion carried.

Motion by Chalstrom, seconded by Schoer to approve the transfer of \$50,000 from the General Supplement to Local

Option-Any Lawful Use Fund in repayment of an interfund loan from August 5, 2003. Motion carried.

Motion by Brockshus, seconded by Chalstrom to approve the transfer of \$119,314 from the General Basic to Secondary

Roads Fund. Motion carried.

Motion by Schoer, seconded by Chalstrom to approve the transfer of \$960,686 from the Rural Basic to Secondary Roads

Fund. Motion carried.

Motion by Schoer, seconded by Brockshus to approve Resolution 2004-28 establishing a five dollar county enforcement

surcharge. RollCall: Ayes: Chalstrom, Brockshus, Schoer, Zinn Nays: None

Absent: Sorenson Motion carried.

RESOLUTION 2004-28

A RESOLUTION ESTABLISHING A FIVE DOLLAR COUNTY ENFORCEMENT SURCHARGE

WHEREAS, counties enforce the criminal laws passed by the State of Iowa, provide the

county attorneys who prosecute criminals, and even provide the courtrooms where the criminal cases are tried, but do not receive any of the criminal fine money, which all goes to the State of Iowa; and

WHEREAS, in an attempt to begin to address this inequity the 2004 Iowa Legislature passed House File 2569, which provides that if a court imposes a fine or forfeiture for any simple misdemeanor punishable as a scheduled violation pursuant to a citation issued by the sheriff, the court shall assess a five dollar county enforcement surcharge for each applicable violation, with the surcharge going to the county general fund of the county where the citation was issued; and

WHEREAS, section 9 of House File 2569 requires that for this county enforcement surcharge to go into effect in a given county, the board of supervisors must adopt an enacting resolution:

THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF CLAY COUNTY that the Board adopts a five dollar county enforcement surcharge pursuant to House File 2569, with the surcharge to be assessed as of July 1, 2004.

PASSED AND APPROVED this 15th day of June, 2004

William D. Zinn, Vice-Chair, Board of Supervisor

ATTEST:

Marjorie Pitts, County Auditor

Motion by Brockshus, seconded by Schoer to approve a 5% interest rate to be paid during FY05 on stamped warrants and charged on Improvement certificates and Drainage District waivers, effective this date for Clay County Drainage Districts. Motion carried.

8:45 A.M. This being the time and place for the second public hearing on the proposed Clay County Ordinance #21 relating to the sale or purchase of more than two packages containing pseudoephedrine as the product's sole ingredient. Whereupon, the Chairperson called for any written or oral objections and there being none, it was **moved by Supervisor Chalstrom, seconded by Supervisor Brockshus** that this Ordinance #21 be passed by virtue of the authority established under Iowa Code Section 331.302.(5) and (6). Roll call vote was: Ayes:

Chalstrom, Brockshus, Schoer, Zinn Nays: None Absent: Sorenson. Ordinance #21 adopted.

CLAY COUNTY ORDINANCE NO. 21
EPHEDRINE AND PSEUDOEPHEDRINE PRODUCTS

1. It is the purpose and intent of the Clay County Supervisors to promote the health, safety and welfare of the citizens of Clay County, Iowa, and to combat the use or manufacturing of methamphetamine. Ephedrine and pseudoephedrine are legal substances for the sale to the public. These substances are used in the manufacture of methamphetamines and should be controlled. It is the public policy of the State of Iowa to protect our citizens from the use or distribution of methamphetamine or its byproducts.

2. A retailer shall not sell, and a person shall not purchase, in a single transaction, more than two packages containing pseudoephedrine as the product's sole active ingredient.

3. A retailer who offers for sale a product containing pseudoephedrine as the product's sole active ingredient shall comply with all provisions of section 126.23A, *Iowa Code*, regarding the sale of said products, and the failure to do so shall be a violation of this ordinance.

4. Penalty. An employee of a retailer who sells packages containing pseudoephedrine or a person who purchases packages containing pseudoephedrine in violation of this ordinance commits a simple misdemeanor, punishable to the same extent as punishments imposed for the same violations under Section 126.23A, *Iowa Code*.

5. Definitions. All words and phrases used in this ordinance shall have the same meaning as the same words when used in Section 126.23A, *Iowa Code*.

6. Limitations of application. This county ordinance shall be coextensive with Section 126.23A, *Iowa Code*, and shall not apply to any activity which is not illegal under t

7. Effective date July 1, 2004.

Passed by the Supervisors the 8th day of June, 2004, and approved this 15th day of June, 2004.

William D. Zinn, Vice-Chairperson

Attest:

Marjorie Pitts, Auditor

The Board proceeded to canvass the returns of the Primary Election held on June 8, 2004 as shown by the returns from all precincts. The votes of the federal and state offices were tabulated, signed and certified to the Secretary of State as provided by law. Upon completion of the canvass the following candidates were declared nominated to County and Township offices. The offices listed with No Candidate may be filled by County Convention prior to August 25, 2004:

REPUBLICAN TICKET

County Offices: Supervisor At Large: D.R. Del Brockshus; County Auditor: Marjorie A. Pitts; County Sheriff: Randy W. Krukow. **Township Offices:** Douglas Township Trustee: No Candidates; Peterson Township Trustee: No Candidates; Garfield Township Trustee: No Candidates; Herdland Township Clerk-to fill vacancy: No Candidate; Herdland Township Trustee: No Candidates; Freeman Township Trustee: Ervin D Harves; Lake Township Trustee: No Candidates; Clay Township Trustee: Charles Huberg; Lincoln Township Trustee: No Candidates; Gillett Grove Township Trustee: No Candidates; Logan Township Trustee: Dennis King; Meadow Township Trustee: Leland Chamberlain, Ken Lawrence; Sioux Township Trustee: Charles T Norgaard; Riverton Township Trustee: No Candidate; Summit Township Clerk-to fill vacancy: Cindy Sonuis; S ummit Township Trustee: James Sonius, Lindell Peterson; Lone Tree Township Clerk-to fill vacancy: No Candidates; Lone Tree Township Trustee: John W Goeken; Waterford Township Trustee: No Candidates.

DEMOCRATIC TICKET

County Offices: Supervisor At Large: Sylvia Schoer; County Auditor: No Candidate; County Sheriff: No candidate
Township Offices: Douglas Township Trustee: No Candidates; Peterson Township Trustee: No Candidates; Garfield Township Trustee: No Candidates; Herdland Township Clerk-to fill vacancy: No Candidate; Herdland Township Trustee: No Candidates; Freeman Township Trustee: Richard R. Knudsen; Lake Township Trustee: No Candidates; Clay Township Trustee: Kenneth Emmert; Lincoln Township Trustee: No Candidate; Gillett Grove Township Trustee: No Candidates; Logan Township Trustee: Wyatt W Brinkley; Meadow Township Trustee: Roger Baschke; Sioux Township Trustee: No Candidate; Riverton Township Trustee: No Candidate; Summit Township Clerk-to fill vacancy: No Candidate; Summit Township Trustee: Duane Dewey Stouffer; Lone Tree Township Clerk-to fill vacancy: Dana Galm; Lone Tree Township Trustee: No candidate;

Waterford Township Trustee: No Candidate.

Motion by Schoer, seconded by Chalstrom to appoint authorized representatives and designated contacts in

Clay County to obligate funds, coordinate resources, and personnel in response to an IMAC request.

Resolution #2004-27, passed June 8, 2004 by the Clay County Board of Supervisors, established the Iowa

Mutual Aid Compact between and among Iowa counties, cities & other political subdivisions for the purpose

of providing mutual assistance in managing an emergency or disaster. The following are appointed as

Authorized Representatives: Primary Joel Sorenson; Secondary: William Zinn; Tertiary: Bryce Denker.

The following are appointed as Designated Contacts: Primary Bryce Denker; Secondary: Joel Sorenson;

Tertiary: William Zinn. Motion carried.

Jim Thiesse from Kruse, Cate & Nelson gave a proposal to the Board regarding Drainage District #47 related

to the Menards development project. Currently a county tile line runs under the property where Menards

plans to build. Plans are to abandon the tile under development area and re-route the tile to the northwest,

so it will no longer be on Menard's property. Frank Rouse will contact property owners within that district

with a tentative timeline and plan a public meeting after property owners have been notified.

Bryce Denker, County Emergency Management Director reported to the Board that 9 confirmed tornados

touched down within Clay County on Friday, June 11. Some had ratings with an "F3", which equals winds

up to 300 miles per hour. 1700-2000 acres of cropland, 5 barns and 4 homes, along with several horses and

sheep were injured or damaged from the storms.

Scott Rinehart, County Engineer reported to the Board regarding the inspection by Federal Emergency

Management Agency (FEMA) of the Burr Oak Bridge, which was thrown into the Little Sioux River by

the tornados on Friday. FEMA indicated it would cover 75% and the state would cover 10% leaving

15 % for the county to pickup for replacing the bridge. Rinehart said they were working to get the bridge

out of the river as soon as possible as it is creating a dam and debris is piling up behind it.

Christine Vadner, Vice President of Matt Parrott and Sons Co. and Sales Representative Mark Fredericks

of Matt Parrott and Sons Co. gave a presentation on a new touch screen voting device, which has been

certified on the federal level to meet the Help America Vote Act (HAVA) standards. The

demonstration
was attending by the Board of Supervisors, Auditor staff, the Mayor of Fostoria, and several
Clay County
Election Precinct Officials.

The Chairperson adjourned the meeting at 12:28 p.m. to convene at the Auditor's called
meeting Tuesday,
June 22, 2004 at 8:30 a.m.

Marjorie A. Pitts, County Auditor
Chairperson

William D. Zinn, Vice-

Clay County Board of Supervisor's Minutes from Meeting #24 held on June 22, 2004

The Clay County Board of Supervisors met pursuant to adjournment. The named supervisors were present:

Chalstrom, Brockshus, Zinn, Schoer, and Sorenson. Absent: None.

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote: Ayes:

Sorenson, Brockshus, Zinn, Schoer, and Chalstrom. Nays: none. Abstentions: none.

Motion by Zinn, seconded by Schoer to approve the meeting agenda for Tuesday, June 22, 2004. Motion carried.

Motion by Schoer, seconded by Chalstrom to approve the County Board minutes for Meeting #23 dated June 15, 2004.

Motion carried.

Motion by Zinn, seconded by Brockshus to approve the payment of the claims for June 22, 2004 with the detail on file in the County Auditor's office for review. Motion carried.

General Basic Fund		
ABC Computers Plus	Shrf comp/Acer TravelMate	1699.00
Ace Hardware	Jail bulb	39.31
Allied Document Solutions	Treas July 04 renewals	505.34
Alpha Wireless Comm	Shrf install radio equip	1789.28
American Business Forms Inc	Treas tax statments	244.75
Annette Schaeffer	prim elect wkr	33.00
Aquila	Admn utilities	2577.00
Arlene Meyer	prim elect wkr	120.30
Augusta Overeen	prim elect wkr	111.00
Bank of America	Treas acct charges	47.18
Barb Rupert	Shrf sewing/patches	6.00
Beverly Kimball	prim elect wkr	118.20
Billie J Geerdes	prim elect wkr	117.90
Boys & Girls Home	Sheltered care	3973.06
Bruce Iverson	elect wkr prim	114.00
Carolyn Blaue	prim elect wkr	127.20
Carpenter Uniform & Promotions	Shrf shoulder siemb200/35	730.29
Charlene Maertens	elect wkr prim	105.00
City of Webb % City Clerk	ZSS well abandmnt	200.00
Clay Co Sec Road Fund	County car gas	51.54
Clay County Sheriff	Shrf fees	198.50
Clay County Fair Assn	Local Option Tax Allocati	13573.41
Correctional Services Corp	Sheltered care	3065.79
Crescent Electric Supply	Cust jail/4 sq box	1.01
Daily Reporter, The	Treas tax sale publicatio	664.00
Deane G Anderson	prim elect wkr	111.00
Dennis Price	elect wkr prim	111.00
Denny's Pest Control	Jail pest contrl	56.00
Dickinson County Sheriff	Shrf fees	17.26
Donald Black	prim elect wkr	63.00
Donna Frederick	prim elect wkr	130.20
Doris E Andersen	elect wkr prim	114.00
Dorothy M Smith	prim elect wkrs	142.20
Electronic Engineering	Shrf DVR/comm ctr	2500.00
Elmer A Dykstra	prim elect wkr	63.00
Farmers Trust & Svgs Bank	Treas acct charges	118.26

Fesler's Inc	Shrf holster	92.95
First Report Software, Inc	ZSS wkr's comp/OSHA 4.04	545.00
Robert D Fitzloff	prim elect wkr	121.20
Florence Ihry	prim elect wkr	133.50
Fran Black	prim elect wkr	33.00
G E Capital	DHS copier contract	139.30
Genevieve Burger	prim elect wkr	136.20
Glendale	Shrf crd/gloves/belt/chai	80.00
Shirley M Goyette	Rec mileage	24.00
Gwen C Cochran	prim elect wkr	128.40
H & N Chevrolet Buick	Shrf cooling sys S21-4	700.26
Hampton Inn	Rec mtg exp	285.69
Helen R Dillard	prim elect wkr	113.20
Herbert G Eilers	elect wkr prim	102.00
Hope Erickson	prim elect wkr	61.20
IA Lakes Electric Coop	VA utilities	67.96
IA Law Enforcement Academy	Shrf def inst recert/Bell	130.00
IA Prison Industries	Shrf tables/chairs	518.80
IACCVA	VA State Assoc annual due	50.00
Jack's Uniforms & Equipment	Shrf mag pouch	96.60
Jean A Jackson	shrf wkr prim	122.40
Jane C Hanson	prim elect wkr	143.40
Janet Mills	prim elect wkrs	118.50
Janitor's Closet Ltd	Cths foamy Q&A rtu	4.54
Jenny Wurth	elect wkr prim	66.00
Stanley D Jespersen	prim elect wkr	73.20
Jim Graham	prim elect wkr	151.20
John E Blair	elect wkr prim	108.00
Judith A Bevers	prim elect wkr	126.60
Judy Iverson	elect wkr prim	114.00
Karmen Brown	elect wkr prim	105.00
Kaye Price	elect wkr prim	111.00
Lakes Propane Gas Co	VA propane serv (#1050)	32.95
LaVon Groth	prim elect wkr	128.40
LaVonne Peterson	elect wkr prim	108.00
Law Enforcement Targets Inc	Shrf targets/ammo/pasters	68.50
LGI	Wellwater test	208.50
Lisa J Myers	prim elect wkr	130.80
Lois A Simmons	prim elect wkr	115.20
Lois Johnson	prim elect wkr	132.90
Lorrie (Delores) Huffman	prim elect wkr	108.00
Mangold Environmental Test	ZSS will water testing	12.00
Mar-Lin Business Supply	Aud office supplies	138.41
Marguerite Jones	prim elect wkr	132.60
Marilyn E White	prim elect wkr	150.30
Marjean Siepkes	prim elect wkr	105.30
Marla Woelber	elect wkr prim	111.00
MDC, Inc.	Flex Plan FY0405 software	360.00
Michelle A Krile	prim elect wkr	30.00
Nancy A Lewis	prim elct wkr	126.00
Northwest Aging Assn.	FY04 allocation 4th qtr	2462.00
Northwest Printing Co	VA envelopes/cards	92.61
NW IA Alcoholism & Drug	FY04 allocation 4th qtr	3740.00
O'Brien County Sheriff	CSRU shrf fees	6.00
Office Systems Company	elect copies/Gest'nr	66.65
Mavis C Olson	prim elect wkr	123.00
OMB Police Supply	Shrf shirt/pant/eplt	121.49
Pat (Peggy) Johnson	elect wkr prim	108.00
Paul A Brenner	elect wkr prim	108.00
Perkins Office Solutions	DHS office supplies	41.13

Peterson Patriot	primary ballot	600.73
Pitney Bowes	Adm qtrly chrg	666.00
Plymouth County Sheriff	Shrf fees	21.00
Project Lifesaver Intern'l	Shrf shirt/Krukow	39.50
Qwest	Bldg phone circiuts	109.98
Ramkota Hotel	VA mtg exp	579.94
Reliable	VA office supplies	64.09
Melinda L Roman	CSRU mileage	100.50
Sally Baschke	prim elect wkr	63.00
Sylvia D Schoer	Bd mileage	51.00
Seth Small	Shrf tobacco compliance	20.00
Sharon Clausen	prim elect wkr	111.00
Sharon Mc Keever	prim elect wkr	101.40
Sharon Roghair	prim elect wkr	108.60
Shine Bros Steel	Jail hot rolled bar/sheet	20.98
Sidwell Company, The	GIS stware maint 04-05	2300.00
SoftChoice Corporation	Software office visio sta	417.93
Solutions, Inc	DP scanner/support-Rec	1291.50
Southern Archery	Shrf 10x50 Bushnell	168.00
Spencer Family Care	ME services	125.00
Spencer Mun Hospital	Shrf medical serv	10520.25
Spencer Office Supplies	Table rental prim electio	929.92
Spencer Trophy & Awards	Shrf name badge	7.00
Stanley Andersen	elect wkr prim	114.00
Staples Credit Plan	Shrf binder/index	752.97
Sue Eilers	elect wkr prim	33.00
The Crittenton Center	Sheltered care	618.93
U S Postal Service	DHS postage	150.00
U S Postmaster	DHS bus reply trust accou	276.00
Upper Des Moines	FY04 alloc 4th qtr	4000.00
VISA	VA fuel	43.07
Wal-Mart Store #2714	VA Rx 6690305	76.14
Joan M Waller	VA mileage	276.92
Warner C Walrath	prim elect wkr	116.40
Warner Funeral Home	ME autopsy facility/repai	470.00
White Drug #42	VA Rx 029492	181.73
Woodbury County Sheriff	CSRU shrf fees	2.35
Theresa E Wurth	IT/GIS mtg exp	152.58
Zee Medical Service Co	Admn first aid supplies	24.00
Zenor & Houchins	Atty monthly expenses	2837.15

General Supplemental Fund

Clay Co E M S Assn	training 2nd 3rd 4th qtr	14250.00
IA Muni Workers Comp	wkrs comp ins 04-05/Clay	10526.20
Joannie E Smith	Matron fees	65.00
West Payment Center	law lib/Westlaw access	1020.60

MH-DD Services Fund

Clay Co Sec Road Fund	MH county car gas	9.07
Clay County Sheriff	MH shrf fees	29.00
Echo Plus	wa-care	2431.27
Hope Haven	wa-care	5956.44
Horizons Unlimited of PAC	wa-care	2111.94
Hy-Vee #1628	MH care	223.56
Innovative Industries, Inc.	wa-care	273.30
Knoxville Rest Home	rcf care	595.00
Nishna Productions Inc	adc-care	771.40
Northwoods Living	scl-care	102.08
Opportunity Village	rcf care	7239.06
Plymouth Life Inc	rcf-care	1798.00

Seasons Center aka NW Ia Menta	cm-care	5510.00
Spectra Health Care	rcf care	2129.77
Village N. W. Unlimited	rcf-care	2962.03

Rural Services Basic Fund

Bonny Swart	ZSS mtg exp Zon Comm/mile	49.60
City of Spencer	RS garbage removal	4466.00
Clinton Jones	ZSS BOA mtg exp	40.00
Colleen Anderson	ZSS mtg exp Zon Comm/mile	56.80
Daily Reporter, The	Zoning publication charge	8.89
David Simington	ZSS BOA mtg exp/mileage	96.80
Jim Eldridge	ZSS mtg exp Zon Comm/mile	62.80
Keith R Kruse	ZSS BOA mtg exp/mileage	104.00
Larry Flaharty	ZSS BOA mtg exp/mileage	87.00
John G Olson	ZSS BOA mtg exp/mileage	26.90
Lindell R Petersen	ZSS mtg exp Zon Comm/mile	76.20
Rita Smith	ZSS mtg exp Zon Comm/mile	70.00
Russell Christensen	ZSS BOA mtg exp/mileage	128.00
Sharon Mc Keever	ZSS mtg exp Zoning Comm	60.00
Robert W White	ZSS Zon Comm mtg exp/mile	135.20

Secondary Road Fund

A & M Laundry Inc.	Uniforms	172.80
Abel Farm Drainage, Inc.	Tile Trenched (Elser Pit)	1755.00
Alliant Energy	Electric - Webb	163.31
Alpha Wireless Comm	MHB-1520 1/4 Wave Antenna	7.85
Aquila	Gas - Spencer	241.90
Barnes Distribution	Fender Wash, Bowma-Crimp	135.23
City of Everly	Gas - Everly	43.93
Continental Research Corp	O.J.D. Degreaser	174.47
Daily Reporter, The	1x2.50 Storm Water Discha	24.42
Don Pierson Ford	5W20 Oil	41.76
Filter Recycling, Inc.	Barrel Pick-up	100.00
Hart Manufacturing	04' Belly Dump Trailer	25000.00
IA Lakes Electric Coop	Sec. Light 350th & 190th	6.75
IA Municipalities Workers Comp	Worker's Comp 25% Deposit	15789.30
ICEA Service Bureau	ICEA Mid-Year Conf. Reg.	40.00
Lawson Products Inc	Hacksaw Blades	89.67
Mar-Lin Business Supply	Sign Here Arrows	5.95
New Sioux City Iron Co	6V Latern Battery	130.58
Nielsen Tire Co 2104 Hwy Blvd	Service	21278.89
QPR (United States) A Division	1.75 ton Cold Mix	113.75
Rock Valley Tractor Parts	Shaft #357 John Deere	186.31
Sioux Falls Kenworth, Inc.	FILTERS	85.68
Spencer Family Care Med Exam a	Pre-Employment Scott K.	130.00
Spencer Mun Hospital	2 - Drug Screenings	65.00
Spencer Mun Utilities	Gas - Spencer	289.71
Star Energy LLC	#2 Diesel (585 gal)	15169.58
Wayne T Hansen Corp	20,034 ton - Newquist Pit	26044.20
Xerox Corporation	Copy Cost	25.00
Ziegler Inc	PARTS	3874.15

E-911 Surcharge

Alpha Wireless Comm	E-911 CDM mobiles install	2784.10
Ayrshire Farmers Mutual Tele	E911 phone database maint	50.00
Qwest	E911 circuits	13.58
United Farmers Telephone	E911 charges	445.00

Jnt Co Emergency Mgt Fund

ABC Computers Plus	Emg Mgt camera/Kodak CX 6	199.98
Daily Reporter, The	Emg Mgt budget amend pub	65.70

Motion by Schoer, seconded by Chalstrom to approve the payment of the drainage claims for June 22, 2004 in D.D. #32 Branch 43 \$762.25; D.D. #48 \$312.50; and Drainage Revolving Fund \$762.25 totaling \$1837.00 with the detail on file in the County Auditor's office for review. Motion carried.

Motion by Zinn, seconded by Chalstrom to approve the designation of \$50,000.00 of the June 30, 2004 ending cash balance in the Local Option-Any Lawful Use Fund and an amount of \$50,000 for fiscal year end through June 30, 2005 resulting in a \$100,000 reserved fund balance for the purpose of purchasing new election equipment to comply with the 2002 Federal Help America Vote Act (HAVA) legislation. Motion carried.

Motion by Schoer, seconded by Zinn to rescind the motion made at Meeting #25 held on June 24, 2003 that approved the designation of \$40,000.00 of the June 30, 2003 ending cash balance in the General Basic Fund and an amount of \$20,000 each fiscal year through June 30, 2004 resulting in a \$60,000.00 reserved fund balance for the purchase of a new County computer system. Motion carried.

Motion by Zinn, seconded by Schoer to adopt the following Resolution #2004-29. The roll was called and the vote was:
AYES: Chalstrom, Brockshus, Zinn, Schoer, Sorenson
NAYS: None
Whereupon, the Chairperson declared said Resolution #2004-29 duly adopted.

RESOLUTION 2004-29

BE IT RESOLVED by the Board of Supervisors of Clay County, Iowa, that Scott Rinehart, the County Engineer of Clay County, Iowa be and is hereby designated, authorized, and empowered on behalf of the Board of Supervisors of said county to execute the certificate of completion of work and final acceptance thereof in accordance with the plans and specifications thereof in connection with all Farm to Market construction projects in the county.

Dated at Spencer, Iowa this 22nd day of June 2004.

Attest:

_____.

Marjorie A. Pitts, Auditor

Joel M. Sorenson, Chairperson

Motion by Zinn, seconded by Brockshus to accept the Western Iowa Tourism Region's Annual Report for 2004. The Region covers a thirty-six (36) county area in the western third of Iowa. The Western Iowa Tourism Region is a non-profit organization whose mission is to enhance the visitor industry in Western Iowa in

cooperation with the Iowa
Tourism Office, Iowa Department of Economic Development. Motion carried.

Cynthia Beaumann, NW Iowa Aging Executive Director and J.P. Greer chairperson of NW Aging Board discussed
the future of the Nutrition Program with the Board. The Nutrition Program funding will have a
negative balance
this year. To try to help save this program, four of twelve kitchens have already been closed,
a salary freeze has been
implemented for next 18 months, an application has been made for a Wellmarck Grant and
plans are in the works
to do a fund raiser in April of 2005.

John Hill & Doug Doorn from Spencer Hospital discussed with the Board the purchase of a
new ambulance for
the use of Clay County residents. They would like to place an order for the chassis in June or
July time frame, as
delivery is approximately 3 months out for the chassis and 9 months minimum on the rescue
box.

Motion by Zinn, seconded by Brockshus to create the non-budgetary, non-enterprise fund type
#55000 titled
Emergency Medical Services Fund effective July 1, 2004 for the purpose of tracking the
financials of the Clay
County Emergency Medical Services. Motion carried. Mary Orthman will start work on June
21st, working
Monday through Friday from 8:30 to 9:30 a.m. each day. Discussion was held on the EMS
budget.

Motion by Zinn, seconded by Schoer to approve and authorize the Chairperson to sign the
contract between
Clay County and Seasons Center for Case Management Services to clients who are Medicaid
eligible for fiscal
year 2005. Motion carried.

Motion by Chalstrom, seconded by Brockshus to authorize the Chairperson to sign the
Projected Case Management
Cost Report for fiscal year ending 6/30/2005. Detail to be filed with the Clay County Central
Point Coordinator.
Motion carried.

Motion by Chalstrom, seconded by Schoer to approve Underground Construction Permit for
Clay Regional
Water to install a 12" water main and electrical line to new well in Section 5, Summit Township
to be placed
in Clay County Secondary Roads ROW as set out in their application number 10-04 filled with
the Clay County
Engineer's Office. Motion carried.

Motion by Zinn, seconded by Brockshus to approve Underground Construction Permit for Lost

Island Sanitary Sewer

District to bore a 2" sewer line approx. 10 feet under N18 as set out in their application number 11-04 filled with the Clay
County Engineer's Office. Motion carried.

Motion by Zinn, Seconded by Chalstrom to authorize Chairperson to sign Fireworks Permits.
Detail on file in the County
Engineer's office. Motion carried.

The Board discussed the new gambling bill, which will allow each county to receive \$50,000 in revenues. The

legislation needs to be researched and a letter of support will be needed from the July 6th board meeting for its foundation.

Lavon Montgomery, County Treasurer updated the Board on the Tax Sale, which was held on the 21st of June. A
bidder fee of \$25 was charged to attend the sale. Ninety-four real estate and mobile home parcels were offered
for sale. Seventy-five certificates were sold totaling \$33,785.94 in sales.

Scott Rinehart, county engineer discussed insurance coverage's on the county's outbuildings, the bridge letting for July 5,
and funding the Burr Oak bridge replacement. FEMA & State applications should be decided this week for the proposed
28 foot bridge. Rinehart would like to advertise the old bridge plank & steel for sale.

The Chairperson adjourned the meeting at 10:47 a.m. to convene at the Auditor's called meeting Wednesday, June 30, 2004
at 9:00 a.m.

Marjorie A. Pitts, County Auditor

Joel M. Sorenson, Chairperson

Clay County Board of Supervisor's Minutes from Meeting #25 held on June 30, 2004

The Clay County Board of Supervisors met pursuant to adjournment. The named supervisors were present: Chalstrom, Brockshus, Zinn, Schoer, and Sorenson. Absent: None

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote: Ayes: Sorenson, Brockshus, Zinn, Schoer, and Chalstrom. Nays: none. Abstentions: none.

Motion by Brockshus, seconded by Schoer to approve the meeting agenda for Wednesday, June 30, 2004. Motion carried.

Motion by Zinn, seconded by Chalstrom to approve the County Board minutes for Meeting # 24 dated June 22, 2004 with spelling correction. Motion carried.

Motion by Zinn, seconded by Brockshus to approve the payment of the claims for June 30, 2004 with the detail on file in the County Auditor's office for review. Motion carried.

General Basic Fund

ABC Computers Plus	Shrf ink cartdg	39.99
Ace Hardware	Consv fastnrs	1231.94
Airgas North Central	Consv oxygen	18.12
All-American Turf Beauty	Adm late sprg appl	552.74
Alpha Wireless Comm	Shrf ex600 dtmf case w/sw	48.00
Barb Rupert	Shrf sew patches 21-4	6.00
C&H Business Furniture	VA bookshelf	175.66
Canon Financial Services Inc	Maint gestetner IT/gis	103.45
Cellular One	Consv cell phone	573.97
Central Iowa Distributing	Consv glass cleaner	51.16
Cherokee County Sheriff	sheriff fees-nste	19.00
Clay County Sheriff	sheriff fees-nste	356.25
Clay County Treasurer Adm Bldg	Treas postcards/postage	12.89
Clay Regional Water	Consv Grdvw utilities	60.00
Doon Elevator Co	Consv fish food	305.15
G E Capital	Consv copier install paym	119.48
Hartley Farm & Home Center Inc	Consv flange/clamps	40.56
Holiday Inn Hotel & Suites	DP mtg exp ICIT midyr	285.60
Hussong Mfg Co Inc	Consv damper plate	114.17
Hy-Vee #1636	Consv meals/Schnbg	25.88
IA Lakes Electric Coop	Consv Schnbg utilities	143.68
IA State Auditor David A Vaudt	audit filing fee FY03	625.00
Iowa Conservationist Magazine	Consv advertise	375.00
Jack's Uniforms & Equipment	Consv pants	156.25
Mar-Lin Business Supply	rubber bands	24.04
Midwest Wireless	DHS cell phone	280.62
Minolta Corporation	Consv meter clicks	17.54
Northwest One, Inc aka NW Int	Consv phone serv	15.00
Overhead Door Sales	Shrf Mt-5011 comm operato	605.70
Perkins Office Solutions	DHS paper	24.00
Pitney Bowes	DHS qrtly chrgae/mail sy	311.94
Postage By Phone	Treas postage	1236.13
Qwest	DHS phone/long dist	1317.78
Saga Communications of IA, LLC	Consv radio announcemnts	360.00
Sherwin Williams	Consv Schnbg varnish	67.36
Shoppers Supply	Consv can w/funnel	1765.62
Sidwell Company, The	DP sftwr-arc gis publishe	2020.00
Spencer Auto Parts Inc	Consv filter	64.00
Spencer Building Supply	Consv fiber exp jt	14.50
Spencer Family Care/Avera	VA medical serv	88.80
Spencer Mun Hospital	VA medical serv	775.00
Spencer Mun Utilities	Jail utilities	2563.47
Spencer Office Supplies	Treas 44mm reg rolls	359.55
Spirit Lake Med Center	VA off visit #1419	9.76
Staples	DHS office supplies	1934.70
Staples Credit Plan	Aud mouse	152.56
The Cartridge Connection	Treas toner	208.95
Town & Country Disposal Inc A	Consv rear load contnr	10.50
U S Postmaster	DHS po box fee	163.00
VISA	Shrf boot 21-8	339.73
Walmart Business	Consv supplies/late fees	52.00
Xerox Corporation	Rec lease/copy cost	357.17
Zep Manufacturing Co	Consv zepynamic ctry gard	72.80
William D Zinn	Bd mileage	24.30

General Supplemental Fund		
Clay County Sheriff	shrf fees jvjv2328	146.75
Clay County General Fund % Cla	CSRU correction	4069.09
Postage By Phone	elect postage	65.90
West Payment Center Thomson We	law lib AM JUR 2d v18 & 1	153.00
MH-DD Services Fund		
Clay County Sheriff	sheriff fees-gvan	63.00
Co Case Management Serv	ccms for may04	196.00
IA Dept of Human Services DHS	aro-scl--astr	26728.92
Postage By Phone	MH postage	17.17
Spencer Office Supplies	offc sppl	21.30
Staples Credit Plan	offc suppl	30.18
Thomas M. Magee	attrny fees-jped	152.00
U S Postmaster	postage	37.00
Rural Services Basic Fund		
Aquila	IRVM utilities	186.00
Cellular One	Wd Com cell phone	31.94
Clay Co Sec Road Fund	IRVM gas May 04	949.84
FASTENAL	IRVM s/s cb bit/ph	30.95
Galen's Pro-Mow	IRVM oil	24.11
Great Lakes Cooperative	IRVM roundup wthrmx	153.30
M-Y Supply, Inc	IRVM inspection/rechrg/ga	96.21
Mobile Spray Systems dba Green	IRVM valve w/gauge port	75.00
Nielsen Tire Co 2104 Hwy Blvd	IRVM pass tube	156.08
Postage By Phone	Zon postage	42.98
Sherwin Williams	IRVM prm/paint	22.76
Shine Bros Steel	IRVM misc items/hot roll	87.08
Shoppers Supply	Consv can w/funnel	179.74
Speed Printers	Wd Com noxious weed forms	44.00
Spencer Auto Parts Inc	Consv exhaust spring	40.41
Spencer Mun Utilities	IRVM utilities	110.00
Staples Credit Plan	Zon off supplies	46.13
Star Energy LLC	IRVM unleaded gas	247.83
STT Scott Telecommunications	IRVM phone serv	58.00
Van Diest Supply Co	IRVM hi-dep/telar/pathway	5235.56
Zee Medical Service Co	IRVM cabinet	29.95
Secondary Road Fund		
ICAP IA Communities Assurance	03-04 Equip. Endorsement	269.00
Postage By Phone	04' Year End Postage	108.52
E-911 Surcharge		
ABC Computers Plus	E-911 Okidata ML 100	9.95
Alpha Wireless Comm	E-911 fcc lic modfctn-kaa	1200.00
GeoComm Corporation	E-911 reinstall/train'g	2500.00
IA Office Supply	E-911 serv call phone log	177.68
Qwest	E-911 mthly serv	643.89
Spencer Mun Utilities	E-911 mthly circuit chrg	228.60
Jnt Co Emergency Mgt Fund		
ABC Computers Plus	Emg Mgt 128 multimedia ca	107.45
Co.Conserv.L.Acq.Tr.Fund		
Arnold Motor Supply	Consv paint	197.82
Barco Municipal Products	Consv green u channel	451.23
Bobcat of Spencer	Consv Schnbg soil cond	27.00
Crescent Electric Supply	Consv sweetbriar wire	5643.00
Del's Garden Center	Consv Schnbg lawn seed	149.50
EMC-Electrical Materials Co	Consv copper wire	435.59
Janitor's Closet Ltd	Consv Schnbg receipt/hand	497.07
JESCO Inc	Consv Schnbg grnd wire	503.62
Johnson Supply Co	Consv pvc/seats	2634.10
Rental Service Corporation Ren	Consv Schnbg hammer drill	241.35
Spencer Lumber Co	Consv Schnbg cedar	91.20
Spencer Ready-Mix Inc Div-Grea	Consv Schnbg concrete	1936.00
Trumbull Recreation Supply	Consv Schnbg curtain	1730.99

Motion by Schoer, seconded by Chalstrom to authorize chairperson to sign an easement agreement in Joint Drainage District #60 which would allow a permanent easement from Ray A. & Barbara J Granstaff for a sum of \$500 to Clay & Palo Alto Counties for protection of Lateral 8 tile. Motion carried.

Motion by Zinn, seconded by Chalstrom to accept the Third Judicial District's annual report for 2003. Motion carried.

Motion by Brockshus, seconded by Schoer to approve the transfer of funds from the Assessor FICA & IPERS Fund to the Assessor Fund sufficient to bring the Assessor FICA & IPERS Fund to a zero

balance as of June 30, 2004 with consideration of outstanding warrants on that same date not to exceed \$21,000.00. Motion carried.

Motion by Brockshus, seconded by Zinn to approve the appointments of Marlene Schoelerman, 3625 150th Ave, Royal, Iowa 51357 and Sue Rehberg, 1245 Hwy 18, Everly, Iowa 51338 as county representatives to the Everly Library Board of Trustees for three year terms beginning July 1, 2004 until June 30, 2007. Motion carried.

Motion by Chalstrom, seconded by Zinn to approve the following Resolution #2004-30 establishing the 2004/2005 expenditure appropriations by department. AYES: Chalstrom, Brockshus, Zinn, Schoer, and Sorenson. NAYS: None. Whereupon, the Chairperson declared said Resolution #2004-30 duly adopted.

RESOLUTION 2004-30

WHEREAS, it is desired to make appropriations for each of the different county officers and departments for the fiscal year beginning July 1, 2004 in accordance with Section 331.434, Subsection 6, Code of Iowa. NOW, THEREFORE, be it resolved by the Board of Supervisors of Clay County, Iowa, as follows:

SECTION 1. The amounts itemized by department or office on the attached schedule are hereby appropriated from the resources of county funds to the department or office listed in the first column on the same line of the attached schedule.

SECTION 2. Subject to the provisions of other county procedures and regulations and applicable state law, the appropriations authorized under Section 1. The amounts itemized by department or office on the attached schedule are hereby appropriated from the resources of funds to the department or office listed in the first column on the same line of the attached schedule. Subject to the provisions of other county procedures and regulations, and applicable state law, the appropriations authorized under Section 1 shall constitute authorization for the department or officer listed to make expenditures or incur obligations effective July 1, 2004.

SECTION 3. In accordance with Section 332.437, Code of Iowa, no department or officer shall expend or contract to expend any money or incur any liability, or enter into any contract which by its terms involves the expenditure of money for any purpose in excess of the amounts appropriated pursuant to this resolution.

SECTION 4. If at any time during the 2004-2005 budget year the auditor shall ascertain that the available resources of county funds for that year will be less than the total appropriations, the board shall immediately be informed and recommend appropriate corrective action.

SECTION 5. The auditor shall establish separate accounts for the appropriations authorized in Section 1, each of which account shall indicate that amount of the appropriations, the amounts charged thereto, and the unencumbered balance. The auditor shall report of the status to such accounts to the applicable departments and officers monthly, during the budget year.

SECTION 6. All appropriations authorized pursuant to this resolution lapse at the close of business June 30, 2005.

Board of Supervisors	\$ 179,181.
Auditor	\$ 190,381.
Treasurer	\$ 291,312.
County Attorney	\$ 186,037
Sheriff	\$1,244,407.
Clerk of Court	\$ 93,000.
Recorder	\$ 147,023.
Assessor	\$ 361,060.
Zoning / Sanitarian / Safety	\$ 64,785.
Human Services	\$ 30,900.
Secondary Roads	\$4,450,800.
Veterans Affairs	\$ 63,030.
Conservation Board	\$ 516,451.
Board of Health	\$ 90,000.
Weed Commission	\$ 2,013.
Social Services	\$ 51,523.
Medical Examiner	\$ 25,000.
Child Support Recovery	\$ 319,994.

GIS / Data Processing	\$ 212,695.
Buildings & Grounds	\$ 230,802.
Mental Health	\$1,450,473.
Emergency Management	\$ 54,861.
Joint E911 Service Board	\$ 75,250.
Non Departmental	\$2,103,037.
TOTAL APPROPRIATIONS	\$*12,434,015.

*Includes Secondary Roads Transfers

Marjorie A. Pitts, Auditor

Joel Sorenson, Chairperson

Motion by Zinn, seconded by Schoer to approve Resolution 2004-31 to determine the depositories of public funds for fiscal year 2005. The roll was called and the vote was: AYES: Chalstrom, Brockshus, Zinn, Schoer, and Sorenson.

NAYS: None.

Whereupon, the Chairperson declared said Resolution #2004-31 duly adopted.

RESOLUTION 2004-31

Determine the depositories of public funds belonging to Clay County, Iowa and execute the amount which may be deposited without further approval.

BE IT RESOLVED, that the Clay County Treasurer will utilize the services of the following depositories for the deposit of public funds belonging to Clay County, Iowa, or coming into its possession, pursuant to a duly executed amount which may be thus deposited without further approval of this Board and the Treasurer of State is as listed:

NAME OF DEPOSITORY	LOCATION	MAXIMUM DEPOSIT
UNDER THIS RESOLUTION		
U.S. Bank	Spencer, Ia	\$ 4,000,000
Farmers Trust & Savings Bank	Spencer, Ia	\$ 6,000,000
Bank of America	Spencer, Ia	\$ 6,000,000
State Bank	Everly, Peterson, Spencer, Ia	\$ 4,000,000
Farmers Savings Bank	Fostoria, Ia	\$ 2,000,000
Home State Bank	Royal, Ia	\$ 2,000,000
Community State Bank	Spencer and Webb, Ia	\$ 2,000,000
First State Bank	Sioux Rapids, Ia	\$ 400,000
First State Bank	Linn Grove, Ia	\$ 400,000
N.W. Federal Savings Bank	Spencer, Ia	\$ 4,000,000
Telco-Triad Credit Union	Spencer, Ia	\$ 400,000

BE IT RESOLVED, that the following officers are hereby authorized and directed to execute said Agreement, to execute and deliver signature authorization cards to depository concurrently therewith, and to execute all drafts, checks and other documents and correspondence regarding any accounts of Clay County, Iowa at established depositories:

LAVON MONTGOMERY	TREASURER	TERM EXPIRES 12/31/06
PATRICIA APPLGATE	DEP TREASURER	TERM EXPIRES 12/31/06
SANDRA GEIDL	DEP TREASURER	TERM EXPIRES 12/31/06

BE IT RESOLVED, that the officers described above are hereby authorized and directed to take such action, and execute such documents and agreements as may be necessary to secure the repayment of the deposits of public funds authorized hereunder, including to, but not limited to: Security Agreements, Bailment Agreements, Notices, and any documents or instruments supplemental or incidental thereto.

BE IT RESOLVED, that the auditor forward a certified copy of this resolution to Depository, and other parties which may request it for purposes of effectuating the deposit of public funds authorized hereunder or any security therefore, together with a certificate attesting to the names and signatures of the present

incumbents to the offices described above;
and the auditor further certify to Depository or other parties from time to time the
signature of any successor in office of
any of the present incumbents.

Marjorie A. Pitts, Auditor

Joel Sorenson, Chairperson

Dave Jacobsen, Ranae Huckfeldt, Kerry Sivory & Libby Stricker from Spencer Insurance Services discussed deductible levels of insurance on county vehicles and buildings with the Board. The levels of deductibles will be reconsidered during the budget process in December 2004.

Motion by Zinn, seconded by Schoer to approve the ICAP Insurance Policy renewal for a one year period from July 1, 2004 through June 30, 2005. Motion carried.

Motion by Chalstrom, seconded by Brockshus to authorize the Chairperson to sign the Clay County contract for mental health services with the Spencer Municipal Hospital. The County, through their Mental Health Managed Care Plans, has agreed to fund mental health services from their FY05 budget. The purposes of this contract for services are:
a.) To procure for the county and their citizens certain services as hereinafter described, to be provided by the Provider.
b.) To establish the manner in which those services will be provided; and c.) To establish the compliance requirements for the Provider that will entitle the Provider to receive compensation. Motion carried.

Motion by Zinn, seconded by Chalstrom to approve the 2002-2003 Independent Auditors' Financial Audit Statements and Supplemental Information as prepared by Winther, Stave & Co., LLP, 1316 West 18th St., Spencer, Ia 51301. Motion carried.

The Chairperson adjourned the meeting at 11:35 a.m. to convene at the Auditor's called meeting Tuesday, July 6, 2004 at 8:30 a.m.

Marjorie A. Pitts, County Auditor

Joel M. Sorenson, Chairperson

Clay County Board of Supervisors Minutes from Meeting #26 held on July 6th, 2004

The Clay County Board of Supervisors met pursuant to adjournment. The named supervisors were present:

Chalstrom, Schoer, Brockshus, & Zinn. Absent: Sorenson

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote: Ayes:

Brockshus, Zinn, Schoer, and Chalstrom. Nays: none. Abstentions: none.

Motion by Schoer, seconded by Chalstrom to approve the meeting agenda for Tuesday, July 6, 2004 amended to include a visit from Kim Wilson, Clay County Central Point coordinator. Motion carried.

Motion by Chalstrom, seconded by Schoer to approve the County Board minutes for Meeting # 25 dated June 30, 2004. Motion carried.

Motion by Chalstrom, seconded by Brockshus to approve the payment of the claims for July 6, 2004 with the detail on file in the County Auditor's office for review. Motion carried.

General Basic Fund		
City of Spencer	Bldg solid waste	300.00
Ecolab Pest Elimination	Cths pest cntrl	91.50
IA Dept of Ag/Land Stwr	apairy inspection	48.63
IIADA - IA Ind Auto Deal	Treas rsvp/disclosure law	10.00
Janitor's Closet Ltd	Adm floor serv/bldg supplies	799.40
Mar-Lin Business Supply	DP paper	48.00
Office Systems Company	Adm copier charges	89.33
Peterson Patriot	Bd pub mtg #19-#23	520.29
Physicians Lab LTD	ME autopsy	600.00
Pitney Bowes	Adm ink postage meter	227.09
Plaza Hotel & Conference	Aud mtg expense	338.12
Melinda L Roman	CSRU mileage	30.70
Smart Computing	DP subscription renwl	29.00
SoftChoice Corporation	DP equip/pc	132.36
Solutions, Inc	DP aud sftwr/maint contra	31400.00
General Supplemental Fund		
Clay County Sheriff	shrf fees	329.37
IA Municipalities Workers Comp	install #1 work comp 04-05	4511.23
Spencer Family Care/Avera	Workcomp claim	163.00
Rural Services Basic Fund		
City of Spencer	RS rural garbage July 04	4600.00
Secondary Road Fund		
Ace Hardware	Fasteners	82.08
Airgas North Central	Hose Set,Coupler/Burr Oak	63.52
Alliant Energy	Electric - Everly	144.78
Alpha Wireless Comm	Radio Repairs	141.70
Aquila	Gas - Royal	11.20
Arnold Motor Supply	FILTERS	333.07
Catco Parts & Service	Credit to Inv. 176306	1210.78
Cellular One	Cell Phone Bill	216.96
City of Royal	Water & Sewer - Royal	24.00
City of Spencer	1 Tire	93.50
Crysteel Truck Equipment	Straighten Frame #200	3029.45
Dakota Riggers	Cable & Chain/Burr Oak	1494.35
FASTENAL	Trubolt	2.48

Galen's Pro-Mow	Chain Saw Parts	130.78
Great Lakes Cooperative	Roundup	153.30
H & N Chevrolet Buick	Bolt, Joint Kit, Retainer	73.15
Holcomb Freightliner	Tank Assy	261.84
IA Municipalities Workers Comp	1st Install-Workers Comp	6766.84
Iowa Telecom	Telephone - Peterson	42.57
Janitor's Closet Ltd	5 - Cases Teri Wiper	457.70
Lynn Beenken	Pry Bar from Snap-On	37.50
M. D. Products	Rear Fenders #5 Graders	991.04
Mar-Lin Business Supply	Ink Cart.	71.98
Mc Master-Carr Supply Co	9-Sewer Rods	127.64
Mid-Iowa Sales Co.	Windshield Solvent	38.50
Midstates Builders Inc	Burr Oak Bridge Removal	1762.50
Office Systems Company	Copy Cost	28.56
Perkins Office Solutions	Time Cards	41.87
RadioShack Your Phone Co	CB Mike Clip	5.98
Reds Radiator Repair	Air Aftercooler,Aftercool	966.85
Rohlin Construction Co	Surface on M50	11642.15
Shoppers Supply	PAINT	588.93
Sibley Concrete Products	25 - Concrete Pipe Ties	900.00
Sioux Falls Kenworth, Inc.	FILTERS	153.96
Snap On Tools Corp	Socket	148.15
Spencer Auto Parts Inc	FILTERS	679.74
Spencer International	Bolt	74.82
Spencer Mun Utilities	Telephone - Spencer	51.99
Supplemental Supply Company	Gloves-10 Boxes	81.60
Treasurer, State of IA	Storm Water Per BROS(93)	150.00
Webb-Dickens Telephone Co	Telephone - Dickens	54.04
Zee Medical Service Co	First Aid Supplies	29.25
Zep Manufacturing Co	Zep Orange	59.02
Ziegler Inc	2004 143H Grader APN00433	191848.00
	E-911 Surcharge	
GeoComm Corporation	E-911 systems maint serv	475.00
Royal Telephone Co	E-911 systems 2nd qtr 04	1016.37
Terril Telephone Co	E-911 circuit	8.04
Webb-Dickens Telephone Co	E-911 phone serv	570.04
	Jnt Co Emergency Mgt Fund	
Emergency Management	Emg Mgt van rental/share	21.63
Midwest Wireless	Emg Mgt cell phone	41.49

Motion by Schoer, seconded by Brockshus to approve the payment of the drainage claim to the Iowa Drainage

District Association for the fiscal year 2005 IDDA membership dues. Motion carried.

Motion by Brockshus, seconded by Chalstrom to approve Auditor's Report of Fees Collected totaling \$365.34

for quarter ending June 30, 2004. Motion carried.

Motion by Chalstrom, seconded by Brockshus to approve Sheriff's Report of Fees totaling \$52,773.19 with

check # 6814 for \$17,592.72 to the Clay County Treasurer for quarter ending June 30, 2004. Motion carried.

Tammy McKeever-Zoning, Environmental Health, Safety & EMS Director discussed the hail damage on the

department van and updated the Board on a pending Zoning issue regarding land owned by an applicant requesting a business permit to erect a Morton building on property that is part in the city and part in the

county.

Sheriff Randy Krukow updated the Board on the county drug dog replacement with the cost of \$10,000 and the possibility of having him trained for both drug and all-purpose searches.

Clay County Engineer, Scott Rinehart updated the Board on the county's current paving projects.

Kim Wilson, Clay County Central Point Coordinator updated the Board on the MR waivers through the RCF for consumers.

Federal dollars may be accessed to pay for waiver slots and would involve 3 Clay County consumers. The additional services are questionable for the additional \$20 per day. The Department of Human Services does the approval of waiver slot applicants. These consumers require case-management from either DHS or Season's. It may require the county hiring its own case manager. Kim will check with Mason City to see if they have case managers available to defer to. Wilson reported that Iowa City papers are being used up quickly; there will be some exceptions to policy in the future and on the Representative Payee Program.

The Chairperson adjourned the meeting at 10:25 a.m. to convene at the Auditor's called meeting Tuesday, July 20, 2004 at 8:30 a.m.

Marjorie A. Pitts, County Auditor
Chairperson

William D. Zinn, Vice

Clay County Board of Supervisor's Minutes from Meeting # 27 held on July 20, 2004

The Clay County Board of Supervisors met pursuant to adjournment. The named supervisors were present:

Chalstrom, Brockshus, Schoer, and Zinn. Absent: Sorenson.

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote:

Ayes: Brockshus, Zinn, Schoer, and Chalstrom. Nays: none. Abstentions: none.

Motion by Chalstrom, seconded by Schoer to approve the amended meeting agenda for Tuesday, July 20th, 2004 to correct the 11:00 a.m. appointment to open sealed bids for the Stueben Bridge Project, to award contracts for the Rusk, Riley, and Andersen culverts, and to approve the contract with Shuck-Britsen for the Burr Oak Bridge Design. Motion carried.

Motion by Schoer, seconded by Chalstrom to approve the County Board minutes for Meeting #26 dated July 6, 2004. Motion carried.

Motion by Brockshus, seconded by Chalstrom to approve the payment of the claims for July 20, 2004 with the detail on file in the County Auditor's office for review. Motion carried.

General Basic Fund		
Abel Farm Drainage, Inc	Construction & Maint.	5463.00
Ace Hardware	Buildings	507.90
Allied Document Solutions	Postage & Mailing	485.58
Alpha Wireless Comm	Minor Mv Parts & Access	58.10
Aquila	Natural & Lp Gas	2763.00
Arch Wireless	Telephone & Telegr.Serv.	52.21
Architects Collaborative	Engineering Services/Cont	737.50
Bank of America	Acct.-Audit.-Cler.Serv.	44.43
Bob Becker	Protection/Security Serv.	22.50
BOJI Information Systems, Inc	Data Processing Supplies	198.00
Brokers National VSP Voluntary	Emp Grp Health Ins-Co Con	10.00
Bud's Service	Lubricants	19.00
Business Systems, Inc	Office Supplies	79.45
City of Spencer	Buildings	120.00
Clay Co Sec Road Fund	Fuels	2367.27
Clay County Sheriff	Legal & Ct-Related Serv.	1060.37
Clay Regional Water	Water Use	4459.51
Continental Research Corp	Custodial Supplies	519.72
Crescent Electric Supply	Buildings	.20
Daily Reporter	Board Proceedings	60.22
Dave Spark	Safety & Protect.Supplies	200.00
Del's Garden Center	Fertilizer & Seed	2170.48
Denny's Pest Control Denny Rie	Buildings	161.00
Dickinson County Sheriff	Legal & Ct-Related Serv.	84.26
Everly-Royal News	Board Proceedings	510.39
Evertex	Telephone & Telegr.Serv.	1195.09
Farmers Trust & Svgs Bank	Acct.-Audit.-Cler.Serv.	131.07
Fidlar Companies	Data Processing Serv.	12550.00
Galen's Pro-Mow	Minor Equip & Hand Tools	96.05
G E Capital	Repair/Maint Ofc/DP Equip	139.30

Great Lakes Cooperative	Chemicals & Gasses-Herb.	343.30
Greer Law Office John P. Greer	Legal Aid	104.34
Hamilton Co Sheriff	Legal & Ct-Related Serv.	17.00
Hartley Farm & Home Center Inc	Construction & Maint.	79.20
Heartland Technology	Telephone & Telegr.Serv.	130.00
Helen's Comm Laundry Inc	Custodial Supplies	149.55
Hodgin's Manufacturing	Construction & Maint.	251.00
IA Dept Natural Resources Wate	Data Processing Serv.	75.00
IA Lakes Electric Coop	Electric Light & Power	352.84
IA St Co Treasurer's Assn % Pe	Dues & Memberships	325.00
IACCB % Consv Board	Dues & Memberships	500.00
Iowa Trails Council	Dues & Memberships	50.00
I S A C Multi-Co Serv Agency	Dues & Memberships	4150.00
ISSDA	Educational & Train.Serv.	210.00
Jack's Uniforms & Equipment	Minor Mv Parts & Access	575.55
Janitor's Closet Ltd	Custodial Supplies	185.06
Judy's Lawn Service Judy Freri	Custodial	800.00
KB Rentals Inc.	Employee Travel Expenses	10.50
Krukow Construction	Construction & Maint.	353.13
Randy Krukow	Postage & Mailing	38.35
Lakes Propane Gas Co	Utilities Payments	17.51
James G Larson	Safety & Protect.Supplies	200.00
Lost Island Sanitary Dist	Water Use	247.52
Mar-Lin Business Supply	Office Supplies	129.72
McLeodUSA	Telephone & Telegr.Serv.	485.44
Medicap Pharmacy	Prescription Medicine	32.49
Mid American Specialties	Safety & Protect.Supplies	208.79
Midwest Wireless	Telephone & Telegr.Serv.	66.28
Minolta Corporation	Repair/Maint Ofc/DP Equip	20.82
Nielsen Tire Co 2104 Hwy Blvd	Tires & Tubes	10.50
Northwest One, Inc aka NW Int	Telephone & Telegr.Serv.	30.00
Northwest Printing Co	Office Supplies	105.54
NW IA Plan & Develop Comm	Contrib.-Other Gov.&Organ	2531.60
Office Systems Company	Office Supplies	13.70
Palo Alto County Sheriff	Legal & Ct-Related Serv.	53.00
Perkins Office Solutions	Office Supplies	233.52
Postage By Phone	Postage & Mailing	3500.00
Qwest	Telephone & Telegr.Serv.	116.67
RadioShack Your Phone Co	Data Processing Serv.	14.07
Rental Service Corporation Ren	Construction & Maint.	53.00
Melinda L Roman	Employee Travel Expenses	82.49
Ryan and Becky Moran	Rent Payments	233.33
Shoppers Supply	Buildings	1733.87
Speed Printers	Office Supplies	140.00
Spencer Auto Parts Inc	Lubricants	156.55
Spencer Building Supply	Construction & Maint.	63.56
Spencer Family Care/Avera	Acute & Emergency Treat.	72.82
Spencer Lumber Co	Construction & Maint.	91.20
Spencer Mun Hospital	Food & Provisions	9355.30
Spencer Mun Utilities	Telephone & Telegr.Serv.	320.35
Spencer Office Supplies	Office Supplies	204.39
Spencer Ready-Mix Inc Div-Grea	Construction & Maint.	243.00
Star Energy LLC	Fuels	39.18
Sterling Solutions Inc	Repair/Maint Ofc/DP Equip	400.00
SWIFT AIR	Buildings	1637.58
Synergy Center	Inpatient/Hosp-Sklld Nurs	1820.00
Thrifty White Stores	Data Processing Serv.	6.07
Town & Country Disposal Inc A	Water Use	21.00
U S Bank	Office Supplies	28.25
U S Postmaster	Postage & Mailing	185.00

Vern Rosa % Hometown Realty	Safety & Protect.Supplies	200.00
Viking Office Products	Office Supplies	220.48
Vital Merchant Services	Telephone & Telegr.Serv.	586.05
Joan M Waller	Employee Travel Expenses	136.63
Walmart Pharmacy	Prescription Medicine	125.66
Western IA Tourism Region	Planning & Manag.Consult.	500.00
Wetherell Ericsson Leusink	Engineering Services/Cont	34055.68
Woodbury County Sheriff	Legal & Ct-Related Serv.	19.70
Xerox Corporation	Photographic Supplies	548.20
Zee Medical Service Co	Safety & Protect.Supplies	29.95
Zenor & Houchins	Legal & Ct-Related Serv.	2733.80

General Supplemental Fund

Boys & Girls Home Res Trmt Ctr	Legal & Ct Related Serv.	785.88
Iowa Workforce Development Att	01060	1182.15
Spencer Family Care/Avera	Medical & Health Services	134.00

MH-DD Services Fund

Cherokee County Sheriff	Sheriff Transport.Charges	19.00
Clay Co Sec Road Fund	Fuels	28.10
Clay County Sheriff	Sheriff Transport.Charges	130.75
Dickinson County Sheriff	Sheriff Transport.Charges	18.80
Echo Plus	Comm Suprvsd Apt Living	2334.86
Greer Law Office John P. Greer	Sheriff Transport.Charges	90.77
Hope Haven	R C F/Comp Res Fac	5364.10
Horizons Unlimited of PAC	RCF/MR - Res Care Fac	2145.58
Iowa Workforce Development Att	01060	32.95
I S A C Multi-Co Serv Agency	Educational & Train.Serv.	30.00
KB Rentals Inc.	Employee Travel Expenses	24.50
Knoxville Rest Home	R C F/Comp Res Fac	714.00
Midwest Wireless	Telephone & Telegr.Serv.	41.49
Nishna Productions Inc	RCF/MR - Res Care Fac	2458.64
Oak Haven Care Facility Season	R C F/Comp Res Fac	3763.87
Opportunity Village	RCF/MR - Res Care Fac	6925.48
Plymouth Life Inc	R C F/Comp Res Fac	1740.00
Seasons Center aka NW Ia Menta	Cs Mngmnt/Medicaid Match	16620.59
Spectra Health Care	R C F/Comp Res Fac	2153.70
Spencer Office Supplies	Office Supplies	36.23
Sunshine Services Inc.	Work Activity Services	25641.12
Village N. W. Unlimited	Work Activity Services	3002.22

Rural Services Basic Fund

Ace Hardware	Minor Equip & Hand Tools	47.97
Clay Co Sec Road Fund	Fuels	548.45
Galen's Pro-Mow	Hardware	231.19
Marc E Gustafson	Employee Travel Expenses	8.40
Iowa Workforce Development Att	01060	201.64
McLeodUSA	Telephone & Telegr.Serv.	6.25
Mobile Spray Systems dba Green	Motor Vehicle Equipment	1172.80
Merle E Osterberg	Employee Travel Expenses	3.90
Shoppers Supply	Wearing Apparel & Uniform	139.66
Spencer Auto Parts Inc	Lubricants	9.30
Star Energy LLC	Fuels	249.11
Van Diest Supply Co	Chemicals & Gasses-Herb.	4257.06

Secondary Road Fund

A & M Laundry Inc.	Parts	223.20
Alliant Energy	Electric Light & Power	135.25
Alpha Wireless Comm	Radio & Related Equip.	599.00
Aquila	Natural & Lp Gas	97.90
Ayrshire Farmers Mutual Tele	Telephone & Telegr.Serv.	24.33
Barco Municipal Products	Traffic & St Sign Mater.A	1842.14
Christian Bros Excavating	Steel-Iron-& Relat.Metals	2275.46
City of Webb % City Clerk	Water Use	65.00

D & J Enterprises	Parts	142.29
Daily Reporter, The	Office Supplies	174.78
Diamond Vogel Paints	Parts	438.06
Don Pierson Ford	Parts	79.26
Galen's Pro-Mow	Parts	74.95
Great Lakes Cooperative	Fuels	18010.20
Harmon AutoGlass	Parts	379.88
Herman M Brown Co dba Road Mac	Parts	9925.32
Holcomb Freightliner, Inc.	Parts	4.19
IA Petroleum Equip Co Inc	Buildings	905.14
Interstate Batteries	Parts	76.95
IA Dept of Trans Cashiers Offi	Construction & Maint.	454.55
Iowa Workforce Development Att	Unemployment Compensation	1001.02
M. D. Products	Construction & Maint.	675.00
M-Y Supply, Inc	Safety & Protect.Supplies	431.22
Mar-Lin Business Supply	Office Supplies	35.99
McLeodUSA	Telephone & Telegr.Serv.	25.35
New Sioux City Iron Co	Minor Equip & Hand Tools	378.28
Nielsen Tire Co 2104 Hwy Blvd	Parts	358.25
Northwest One, Inc aka NW Int	Water Use	34.95
RadioShack Your Phone Co	Parts	52.98
Rohlin Construction Co	Engineering Services/Cont	2667.72
Royal Telephone Co	Telephone & Telegr.Serv.	17.63
Spencer Mun Utilities	Natural & Lp Gas	259.70
Star Energy LLC	Lubricants	9789.96
Supplemental Supply Company	Parts	84.60
Town & Country Disposal Inc A	Water Use	20.60
Trail King Industries Inc	Parts	87.55
Xerox Corporation	Office Supplies	25.00
Zep Manufacturing Co	Grounds Maintenance Suppl	89.31
Ziegler Inc	Parts	17488.86
Reap-Resrc Enhncmnt-Cnsrv		
Iowa Workforce Development Att	01060	14.85
E-911 Surcharge		
Ayrshire Farmers Mutual Tele	Telephone & Telegr.Serv.	154.30
Iowa Telecom	Telephone & Telegr.Serv.	41.69
Qwest	Telephone & Telegr.Serv.	13.58
U S Postmaster	Postage & Mailing	38.00
Jnt Co Emergency Mgt Fund		
Bryce A Denker	Employee Travel Expenses	191.40
Iowa Workforce Development Att	01060	28.00
McLeodUSA	Telephone & Telegr.Serv.	25.16
Co.Conserv.L.Acq.Tr.Fund		
Crescent Electric Supply	Construction & Maint.	14215.81

Motion by Brockshus, seconded by Chalstrom to approve Clay County Clerk of Court's Report of Fees

Collected the fourth quarter of fiscal year 2004 ending June 30, 2004 in the amount of \$4,328.22.

Motion carried.

Motion by Schoer, seconded by Brockshus to approve Clay County Recorder's Quarterly Report of Fees

in the amount of \$38,146.51 for the period ending June 30, 2004. Motion carried.

The Board spoke with Curtis Dean from the Spencer Municipal Utilities regarding public service

announcement opportunities. The Board discussed with Dean the various options of producing and airing on public access channels as well as paid advertisement spots during the Tiger Replays during the school year. Dean showed a sample video that portrayed the possible contents of a public service announcement. No Board action taken.

Dennis Backstrom of the Palo Alto Development Corporation spoke with the Board requesting the support of Clay County in their efforts to secure a gaming license in Palo Alto County. Backstrom informed the Board that State Law requires a percentage return of the proceeds to be redistributed in the local area. The Board, while wishing Backstrom success, felt they could not, in good faith, support their gaming initiatives. No Board action taken.

Bob Josten of the Dorsey & Whitney Law Firm in Des Moines and Clay County's bonding attorney discussed the Courthouse Restoration & Regional Event Center Revenue Bond projects.

Motion by Schoer, seconded by Brockshus that Scott Rinehart be appointed Clay County Engineer beginning July 1, 2004 for a one year term and his bond be approved. Motion carried.

Motion by Schoer, seconded by Chalstrom to award Burr Oak Bridge for Salvage bid to Scott Peterson of Hartley, IA whose bid was \$755.00. Motion carried.

Motion by Brockshus, seconded by Schoer to accept the low bid of \$162,792.50 from Merryman Bridge Construction of Algona, Iowa and authorized the Chairperson to sign the contract. Motion carried.

Motion by Brockshus, seconded by Schoer to adopt the following Resolution #2004-32. Motion carried.

RESOLUTION #2004-32

BE IT RESOLVED: That the Board of Supervisors of Clay County, Iowa initiates and recommends that the advancement of the following project(s) to the accomplishment year be approved by the Iowa Department of Transportation (Iowa DOT) for improvement with FEMA and/or Federal Bridge Replacement Funds

and/or local funds for the period covering the current secondary roads construction program. Previous Priority

Year: 2009; Route Number: 495th Street; Project Number: BROS-CO21()--8J-2; Type of Work and

Location |of Project: Bridge replacement near SE Corner 28-94-36, N ¼ mi to West ¼ mi; Estimated Cost:

\$900,000. Passed and adopted this 20th day of July, 2004.

Marjorie A. Pitts, Auditor

William D. Zinn, Vice Chairperson

Motion by Chalstrom, seconded by Brockshus, to approve amendment number one to the Iowa Department of Transportation Five Year Secondary Roads Construction Program as presented by the County Engineer on the 20th day of July, 2004 and to authorize the Chairperson and County Auditor to sign the certification.
Motion carried.

Motion by Schoer, seconded by Chalstrom, to authorize the Chairperson to sign the Railroad/Highway crossing signals agreement between Clay County and Iowa, Chicago & Eastern Railroad Corporation.
Motion carried.

Motion by Chalstrom, seconded by Brockshus to approve the contract with Shuck-Britson of Des Moines, Iowa for the Burr Oak Bridge design and to authorize the Chairperson to sign the contract.
Motion carried.

Motion by Brockshus, seconded by Schoer to accept the low bids of Midwest Contracting of Marshall, Minnesota of \$67,249.00 for the Clay County Culvert Project FM-CO21(104)--55-21(Rusk), \$150,271.75 for the Clay County Culvert Project FM-CO21(103)--55-21(Riley) and to authorize the Chairperson to sign the contract. Motion carried.

Motion by Chalstrom, seconded by Schoer to accept the low bid of Midwest Contracting of Marshall, Minnesota of \$182,856.00 for the Clay County Culvert Project FM-CO21(99)--55-21 (Anderson) and to authorize the Chairperson to sign the contract. Motion carried.

Clay County Recorder Shirley Goyette updated the Board on the increase of the annual registration fees for ATV & Snowmobile. The County will be retaining \$1.25 per vehicle as of July 1st. There are approximately 560 ATVs and 1200 snowmobiles in Clay County.

Gina Ean, Administrative Assistant to the County Auditor shared statistics with the Board regarding the real estate taxes payable in the 2005 fiscal year. Highlights covered were that the overall county valuation base decreased from last year by \$48,285,51., the agricultural values based on a five year productivity average decreased by 16%, and State credits reduced for Homestead Credit to taxpayers by 15%.

Motion by Schoer, seconded by Chalstrom to approve the review of the Exception to Policy requests for issuance

of an Indigent Care Paper to the University of Iowa Hospitals and Clinics for individuals needing immediate necessary medical services, which are subject to this guaranteed method of payment to avoid disruption in service delivery.

Motion carried.

The Chairperson adjourned the meeting at 12:30 p.m. to convene at the Auditor's called meeting Tuesday, August 3, 2004 at 8:30 a.m.

Marjorie A. Pitts, County Auditor
Chairperson

William D. Zinn, Vice

Clay County Board of Supervisor's Minutes from Meeting #28 held on August 3, 2004

The Clay County Board of Supervisors met pursuant to adjournment. The named supervisors were present:

Chalstrom, Brockshus, Schoer, & Zinn. Absent: Sorenson

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote: Ayes:

Brockshus, Zinn, Schoer, and Chalstrom. Nays: none. Abstentions: none.

Motion by Chalstrom, seconded by Schoer to approve the meeting agenda for August 3, 2004 as amended

include new action items for the County Engineer. Motion carried.

Motion by Schoer, seconded by Brockshus to approve the County Board minutes for Meeting #27 dated

July 27, 2004. Motion carried.

Motion by Brockshus, seconded by Chalstrom to approve the payment of the claims for August 3, 2004 with

the detail on file in the County Auditor's office for review. Motion carried.

General Basic Fund

American Business Forms Inc	Aud tax statements	628.77
Bjornstad's Advanced Comfort	Jail valve/adptr/tube	717.19
Boys & Girls Home Res Trmt Ctr	shelter care	1353.46
Buena Vista Co Sheriff	CSRU shrf fees	68.00
Carpenter Uniform & Promotions	Shrf 4 1/2 shoulder	585.10
Cellular One	Cell phone charges	690.64
City of Spencer	Shrf comm ctr expense	9768.70
Clay County Sheriff	CSRU shrf fees	76.00
Clay County Treasurer	taxes	382.00
Correctional Services Corp	shltr care	5693.61
Cottonwood County Sheriff	CSRU shrf fees	36.20
Crawford Supply company	Shrf shoes/deodorant	21.60
Crescent Electric Supply	Adm fluor lamp	68.72
Dataline Associates	Aud infoprint fuser	585.00
Dent Perfect	hail damage repair	3000.00
Dickinson County Sheriff	CSRU shrf fees	134.66
Dubuque County Sheriff	CSRU shrf fees	19.00
Emmet County Sheriff	CSRU shrf fees	75.40
Galls Incorporated	Shrf cuffs/case/boot	99.96
IA Water Well Association	ZSS serminar res/heat pum	20.00
IACCB % Consv Board	Consv conf registration	185.00
Inter-Tel	DP consultation ntwk clea	1000.00
I S A C Multi-Co Serv Agency	DP/GIS reg workshop-Wurth	35.00
Janitor's Closet Ltd	Cths paper products	292.97
Dennis R Linn	Shrf mtg exp	22.71
Lyon County Sheriff	CSRU shrf fees	30.00
Mar-Lin Business Supply	Aud office supplies	25.90
Midwest Wireless	DHS cell phone serv	318.44
Minolta Corporation	DHS meter clicks	36.72
Lavon C Montgomery	Treas food/RSVP tax st'mn	28.68
N C C Cont Educ Office	ZSS IOWWA conf/wastewater	49.00
Nat'l Automobile Dealers	DHS subscription/used car	60.00
O'Brien County Sheriff	CSRU shrf fees	56.40
Office Systems Company	copier contract/copies	329.50
Osceola Co Sheriff	CSRU shrf fees	20.18

Otis Elevator Co	Admn maint contract	243.74
Perkins Office Solutions	DHS paper/env/note	63.42
Pitney Bowes	DHS equip maint/scale	103.50
Qwest	DHS phone charges	1285.84
RDJ Specialties, Inc	Shrf bus card magnets	165.05
Melinda L Roman	CSRU mileage	62.50
Servpro of Spencer	GSC carpet cleaning	1575.72
Sidwell Company, The	Web hosting fee - August	500.00
Silverhawk Investigations	CSRU shrf fees	100.00
Sioux County Sheriff	CSRU shrf fees	67.63
SoftChoice Corporation	Aud image pc	4146.04
Solutions, Inc	Asr support contract/sys	630.00
Speed Printers	Election eligibility slip	129.20
Spencer Mun Utilities	GSC utilities	2988.54
Spencer Office Supplies	DHS ink cart	103.41
Staples Credit Plan	Shrf video tape	29.68
Stop Stick Ltd	Shrf repl stick	484.00
Story County Sheriff	CSRU shrf fees	30.80
SWIFT AIR	Cths repl valve	747.62
TW Process Service	CSRU shrf fees	146.50
U S Postal Service	Aud AIS zip+4	50.00
Union County Sheriff	CSRU shrf fees	57.00
VISA	Misc charges	395.89
Walter Stephens Jr Inc	Shrf shampoo/tootpaste/so	152.87
Winther Stave & Co	final audit for period 6/	8548.32
Woodbury County Sheriff	CSRU shrf fees	2.35
Youth & Shelter Services	shltr care	886.35
	General Supplemental Fund	
Clay County Sheriff	shrf fees	83.00
West Payment Center	Publications law library	1404.35
	MH-DD Services Fund	
Cherokee County Sheriff	sheriff fees	19.00
Clay County Sheriff	sheriff fees	158.50
Co Case Management Serv	ccms for june04	262.00
David A Scott	attry fees	150.00
Dickinson County CPC	attry fees	75.00
Douglas D. Daggett	attry fees	50.00
IA Dept of Human Services	icfres	26904.73
I S A C Multi-Co Serv Agency	statewide cpc mtg.fee	30.00
Northwoods Living	scl-care	136.11
	Rural Services Basic Fund	
Alpha Wireless Comm	Shrf radio serv	45.60
Cellular One	Weed comm cell phone	31.36
City of Spencer	RS garbage August 04	4600.00
Daily Reporter, The	ZSS official publ	32.84
	Secondary Road Fund	
Alliant Energy	Electric - Everly	166.13
Alpha Wireless Comm	Radio Repairs	529.30
Arnold Motor Supply	2 - Impact Wrenches	266.85
Barnes Distribution	Roloc Disks	108.46
Catco Parts & Service	Transmission	6469.00
Cellular One	Cell Phone Charges	152.28
Cordelia Parker Trust	Perm ROW FM(104)	425.00
Diamond Mowers, Inc.	Parts-Mower 355 & 359	166.91
DLT Solutions	2-Land Desk 2005 Licenses	6693.30
Evertex	Telephone - Everly	105.48
Fox International Inc.	Valve	73.84
The Hotel at Gateway Center	Mid-Year Eng. Conf.-Mark	172.20
Hart Manufacturing	2004 Gravel Pup Trailer	24000.00
I.C.E.O.O.	Annual ICEOO Conf. Reg.	135.00

IA Lakes Electric Coop	Service Security Light	70.00
IA Petroleum Equip Co Inc	PARTS	94.06
Iowa Telecom	Telephone - Peterson	41.56
James Treat Parker	Perm ROW FM(104)	425.00
Lawson Products Inc	Lock Nuts	68.93
Lo-Carl-La Farms Ltd	Perm ROW FM(103)	1717.32
Mar-Lin Business Supply	Pens, File Folders	63.25
Michael Todd & Co	100 Yellow Carsonite Post	2490.24
Mid-Iowa Sales Co.	Red Thunder 5 gal	89.45
Office Systems Company	Copy Costs	9.69
Ervin Orwig	Tenant Agreement FM(99)	25.00
Perkins Office Solutions	Time Clock Repair	52.00
Roger E. Riley	Perm. ROW FM(103)	1432.16
Rohlin Construction Co	Est. #3 L-6704HMA-2	4756.64
Robert Rusk	Tenant Agree FM(104)	50.00
Kenneth Salton	Temp Const Ease FM(99)	150.00
Share Corp	Insect Repelant	131.16
Shoppers Supply	Plumbing	113.46
Sioux Falls Kenworth, Inc.	Filters	74.28
Snap On Tools Corp	Flexocket	42.00
Beverly Sonksen, Guardian/Cons	Temp Const Ease FM(99)	150.00

Motion by Schoer, seconded by Chalstrom to approve the Clay County Treasurer's Annual Settlement of Cash Report for \$5,575,388.00 which includes cash on hand in office and deposit in transit for period ending June 30, 2004. Detail on file at the Clay County Auditor's office. Motion carried.

Motion by Chalstrom, seconded by Schoer to approve the County Treasurer's Semi-annual Report of Business transacted for period ending June 30, 2004. Detail on file in the County Auditor's office for review. Motion carried.

Clay County Treasurer Lavon Montgomery updated the Board on the motor vehicle renewals over the internet. Twenty-one people have renewed forty-one vehicles by use of credit cards.

Motion by Brockshus, seconded by Schoer to approve the reappointment of Eldon A. Kopel, 1127 W. 5th St., Spencer, IA to the Clay County Veteran Affairs Commission for a three year term expiring June 30, 2007. Motion carried.

Veteran Affairs Director Joan Waller updated the Board regarding the Veterans Van usage. Mileage is up to 80,000 and used an average of four days a week. The van will be reviewed for replacement and will probably be a smaller passenger van. Waller shared plans for the Veterans Day at the Clay County Fair on Monday, September 14.

Sheriff Randy Krukow shared information on the Automated Finger Print Information System that will be

used in Clay County as a result of the USA Patriot Act that calls for a fingerprint-based history check for every person applying for a hazardous materials endorsement (MHE) on their CDL. This includes first-time applicants, renewals and license transfers into Iowa. Clay County will be allowed to collect an administrative fee from each applicant to cover costs. The Iowa DOT will purchase and install the unit and pay for the first year T-1 line charges from federal grant money. Clay County will be one of seventeen sheriff offices providing this service in Iowa.

County Auditor, Marjorie Pitts updated the Board on building repairs necessary at the County Jail, the Sheriff Administration Building staining project, and a meeting of the tenants of the Governmental Services Building. Pitts shared that again this year the Iowa Lakes Community College will be using our election equipment to tabulate survey questions during the Clay County Fair.

Motion by Schoer, seconded by Brockshus to close 370th Street between 190th Avenue and 200th Avenue for Maintenance Grading. Motion carried.

Motion by Brockshus, seconded by Chalstrom to close 180th Avenue Between 290th Street and 300th Street for Maintenance Grading. Motion carried.

Motion by Chalstrom, seconded by Brockshus to approve Overhead Construction Permit for Iowa Lakes Electric Cooperative to place 1200 ft. of 3Ø 12,470 volt overhead electric distribution line to provide new service to Marv Anderson along Clay County Secondary Roads Right-of-Way of 200th Avenue then bore under 200th Avenue east to Section 11, Douglas Township as set out in their application number 12-04 filed with the Clay County Engineer's Office. Motion carried.

Motion by Chalstrom, seconded by Schoer to approve Underground Construction Permit for Iowa Lakes Electric Cooperative to place a single phase electrical line in Clay County Secondary Roads ROW boring under County road C-38 (190th Avenue) 1,170 feet north of 360th Street to provide new service to Jim Kitterman as set out in their application number 13-04 filed with the Clay County Engineer's Office. Motion carried.

Motion by Schoer, seconded by Brockshus to approve Underground Construction Permit for

Spencer

Municipal Utilities to place fiber optics cable in Clay County Secondary Roads Right-of-way on the west side of 225th Avenue from the intersection of 370th Street south to 440th Street as set out in their application number 14-04 filed with the Clay County Engineer's Office. Motion carried.

Motion by Brockshus, seconded by Chalstrom to approve Underground Construction Permit for

Laurens Municipal Utilities to place fiber optics cable in Clay County Secondary Roads Right-of-way

on the east side of 260th Avenue from the intersection of 440th Street south to 510th Street as set out

in their application number 15-04 filed with the Clay County Engineer's Office. Motion carried.

Motion by Chalstrom, seconded by Schoer to approve Proposal for Subsurface Exploration for Burr

Oak bridge replacement from Terracon out of Des Moines, Iowa for the estimated amount of \$5900.00 to \$6500.00 and authorize the Chairperson to sign the Agreement. Motion carried.

Motion by Schoer, seconded by Chalstrom to open the following listed Clay County Secondary Roads

after completing Asphalt Resurfacing. (1) 180th Avenue, between 340th Street and 350th Street or

County B24; (2) 190th Avenue or County M38, between 350th Street or County B24 and 400th Street or County B40; (3) 130th Avenue or County M27, between 340th Street and 400th Street or

County B40; (4) 400th Street or County B40, between 155th Avenue or County M36 and Highway 71.

Motion carried.

Motion by Brockshus, seconded by Schoer to close the following listed Clay County Secondary Roads

for bridge replacement. (1) 430th Street or B53, between 280th Avenue and 290th Avenue; (2) 280th

Avenue, between Highway 18 and 400th Street. Motion carried.

Motion by Chalstrom, seconded by Brockshus to approve Contractor's Bond for Midwest Contracting

for project FM-CO21(103)--55-21 and authorize the Chairperson to sign the bond. Motion carried.

Kim Wilson, Central Point Coordinator for Clay County updated the Board on the Shelter Care Consumers at Forest Ridge Boys & Girls Home, the Sioux City Facilities, Case Management personnel

at the Season's Center, consumers at Oak Haven and the Drop In Center upcoming events.

Motion by Schoer, seconded by Chalstrom to approve and authorize the Chairperson and County

Auditor to sign the Iowa Code Chapter 28E agreement regarding allocation of Local Option

Sales & Service Tax pursuant to Section 422B.12 by and between Clay County, Iowa, the City of Spencer, Iowa, and the Clay County Fair Association, Inc. This agreement shall become effective when approved by the Clay County Board of Supervisor, the Spencer City Council and the Clay County Fair Board and filed with the Iowa Secretary of State and the Clay County Recorder. This agreement replaces the prior agreement between the City of Spencer and the Clay County Fair Board dated April 6, 1999. Motion carried.

Motion by Chalstrom, seconded by Schoer to authorize the Chairperson to sign the County Substance Abuse Prevention Contract Final Report Requirement for fiscal year 2004. Motion carried.

Motion by Chalstrom, seconded by Brockshus to approve the following certificate of adjustments #2030 - #2034 representing deduction for Old Age Assistance totaling \$1,623.00 with detail on file at the County Auditor's office. Motion carried.

The Chairperson adjourned the meeting at 10:57 a.m. to convene at the Auditor's called meeting Tuesday, August 17, 2004 at 8:30 a.m.

Marjorie A. Pitts, County Auditor
Chairperson

William D. Zinn, Vice

Clay County Board of Supervisor's Minutes from Meeting #29 held on August 17, 2004

The Clay County Board of Supervisors met pursuant to adjournment. The named supervisors were present:

Chalstrom, Brockshus, Zinn, Schoer, and Sorenson. Absent: None.

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote: Ayes:

Sorenson, Brockshus, Zinn, Schoer, and Chalstrom. Nays: none. Abstentions: none.

Motion by Schoer, seconded by Zinn to approve the meeting agenda for August 17, 2004 as amended to include Resolution #2004-36. Motion carried.

Motion by Zinn, seconded by Chalstrom to approve the County Board minutes for Meeting #28 dated August 3, 2004. Motion carried.

Motion by Schoer, seconded by Chalstrom to approve the payment of the claims for August 17, 2004 with the detail on file in the County Auditor's office for review. Motion carried.

General Basic Fund		
A T & T	DHS phone charges	9.09
ABC Computers Plus	Shrf ink cartridge	24.05
Ace Hardware	Bldg supplies	1476.00
Agrisafe	Consv lens/gloves/muffs	50.00
Allied Document Solutions	Treas suplmnts Sept 04	547.82
Aquila	Bldg utilities	2295.00
Arch Wireless	DHS page service	52.21
Arctic Glacier Inc	Consv Schnbg cube ice	145.50
Bank of America	Treas bank chrg	45.28
Black Hawk County Sheriff	CSRU shrf fees	20.70
Blackhawk Auto Sprinklers	Bldgs service	1304.52
Bud's Service	Shrf towing/services	379.00
Buena Vista Co Sheriff	Shrf fees	35.00
Canon Financial Services Inc	IT/GIS gestetner lease	103.45
Carpenter Uniform & Promotions	Shrf hat badge	66.55
CCDA-County Consv Directors	Consv 04 membership	25.00
Cherokee County Sheriff	CSRU shrf fees	19.00
City of Spencer	Solid waste removal	138.00
Clay Co Sec Road Fund	Fuel July 04	1657.56
Clay County Sheriff	Shrf trans charges	528.12
Clay County Treasurer	Special assessment taxes	27.00
Clay Regional Water	Consv Grandview utilities	46.20
Audrey Coffman	Mileage/expenses	69.36
Country Inn by Carlson	Shrf lodging	194.67
Crawford Co Sheriff	Jail shower shoes/deo	21.60
Crescent Electric Supply	Bldg supplies	831.70
Daily Reporter, The	Pub Bd mtgs	738.26
Denny's Pest Control	Bldg pest control maint	161.00
Dickinson County Sheriff	Shrf fees	45.40
Don Pierson Ford	Consv signals/switch	298.95
Emmet County Sheriff	CSRU shrf fees	18.50
Everly-Royal News	Pub bd mtg 25	258.49
Evertex	Consv internet/cable chrg	326.75
Farmers Trust & Svgs Bank	Treas acct charges	117.68

FASTENAL	Consv set screws	.54
Galen's Pro-Mow	Consv repairs/parts/ser	353.94
G E Capital	Consv/DHS copier contract	258.78
Glendale	Shrf collar dev/honor guard	11.50
Godfather's Pizza	Consv meal/elect install	105.83
H & N Chevrolet Buick	Shrf parts/service	142.38
Hartley Farm & Home Center	Consv bundle resaw/lag/wa	212.87
Heartland Technology	Changing of phones DP/Ser	162.50
Helen's Comm Laundry Inc	Cthse rugs/mops	155.70
Hy-Vee Johnston	Shrf meal/jail school	53.85
Hy-Vee #1636	Consv meals/elect install	26.25
IA County Atty's Assn	Shrf IA Act Interest reg/	50.00
IA Dept of Economic Develop	Consv registration	185.00
IA Lakes Electric Coop	Consv utilities	421.10
Jack's Uniforms & Equipment	Shrf uniforms	514.40
Jackson County Sheriff	CSRU shrf fees	30.00
Janitor's Closet Ltd	Cust supplies/floor cleaning	950.54
Johnson Supply Co	Consv chemicals/pvc ftgs	538.10
Kenny Matthews	rent-landlord	220.00
Judy Knudsen	Twp mileage	29.40
Richard R Knudsen	Twp mileage	48.00
Lab Safety Supply	Shrf nitrile glv	15.31
Linn County Public Health	Radon test kits	45.00
Lynn Hunter Swan	Consv cabin furniture	3243.50
Lyon County Sheriff	CSRU shrf fees	45.00
Mailboxes & Parcel Depot	Shrf UPS next day air	24.17
Mar-Lin Business Supply	Rec flags	442.42
Mastercard	Consv fuel/Albert City	215.32
Matt Parrott and Sons	Elect voter reg card stoc	651.57
Tammy R Mckeever	ZSS mileage	13.00
McLeodUSA	Phone charges	420.60
Midwest CocaCola/Spirit Lake	Consv pop delvry	147.86
Minolta Corporation	Consv off supplies	4.56
Nielsen Tire Co	Consv trlr tire	68.45
Northwest Glass	Admn window replacements	823.00
Office Systems Company	Gestetner copies	29.22
Palo Alto County Sheriff	Shrf fees	66.50
Perkins Office Solutions	DHS copy paper	304.99
Pitney Bowes	Postage machine EZ seal	61.94
Qwest	Bldg circuits	109.98
R&R Unlimited	rent landlord	200.00
RDJ Specialties, Inc	Shrf DARE lollipops/fundr	348.75
Rental Service Corporation	Consv mini excavator	102.00
Roger Galbraith	rent landlord	240.00
Melinda L Roman	CSRU mileage	100.50
Saga Communications of IA	Consv advertising	454.00
Sylvia D Schoer	Bd mtg exp	89.04
Shoppers Supply	Consv maint sup/bldg sup	4181.91
Sidwell Company, The	GIS training	440.00
Sikora Sprinkler Service	Cths sprklr/test & repl	163.00
SoftChoice Corporation	Eng upgrade pcs	1035.50
Solutions, Inc	conf printer session	1515.40
Spencer Auto Parts Inc	Shrf filter	21.52
Spencer Building Supply	Consv 12" x 4 1/2"	84.00
Spencer Family Care	ME services	375.00
Spencer Lumber Co	Admn supplies	50.00
Spencer Mun Utilities	Bldg utilities/phone charges	848.66
Spencer Office Supplies	Office supplies	1050.88
Spencer Ready-Mix	Consv cement	259.02
Staples	Consv markers/pencils	12.03

Star Energy LLC	Consv keytrol unleaded	200.00
SWIFT AIR	Bldg maint agreements	2543.59
Thrifty White Stores	Shrf Rx	112.91
Town & Country Disposal	consv scharnberg garbage	240.00
U S Postal Service	DHS postage for meter	1000.00
U S Postmaster	postage	40.20
UPS	Shrf postage mailing	13.15
VISA	Consv misc	507.95
Wal-Mart Store	Consv charges	1.00
Warner Funeral Home	ME use of facilities	470.00
WearGuard, Corp	Consv uniform clothing	200.00
Woodbury County Sheriff	CSRU shrf fees	19.70
Theresa E Wurth	GIS meals	26.58
Zenor & Houchins	Atty monthly expenses	2767.58
	General Supplemental Fund	
Clay County Sheriff	Shrf trans charges	233.50
Clay County General Fund	Repay gb insurance	9389.49
IA Municipalities Workers Comp	GB Splmtl wker comp insta	4511.23
Palo Alto County Sheriff	Shrf sheltered care	520.00
U S Postmaster	Election postage	148.00
Woodbury County Auditor	3rd Judicial Dist Ct cost	787.67
	MH-DD Services Fund	
David A Scott	atty fee	150.00
Echo Plus	scl-care	3131.17
Hope Haven	rcf-care	5625.64
Horizons Unlimited of PAC	rcf-care	2202.62
IA Dept of Human Services	cmhi-care	9102.07
I S A C Multi-Co Serv Agency	cpc statewide mtg 9/23-9/	35.00
KB Rentals Inc.	car rental-ksw	19.61
Knoxville Rest Home	rcf-care	737.80
NACBHD	mmbrrshp dues	100.00
Nishna Productions Inc	rcf-care	2374.20
Oak Haven Care Fac	rcf-care	7614.00
Opportunity Village	rcf-care	8695.14
Plymouth Life Inc	rcf-care	2096.00
Seasons Center	mh srvc for 8/04	17232.59
Spectra Health Care	rcf-care	3134.10
Spencer Mun Hospital	hosp stay 7 days	5400.00
Spencer Office Supplies	offc suppl	37.79
Sunshine Services Inc.	wa-care	27281.30
U S Postmaster	postage	93.80
Village N. W. Unlimited	rcf-care	3163.04
	Rural Services Basic Fund	
Ace Hardware	Consv supplies	22.99
Daily Reporter, The	ZSS official publ	40.40
Matt Parrott and Sons	IRVM shirts	50.63
MaxYield Cooperative	IRVM water	12.63
McLeodUSA	Zoning phone charges	3.24
Mike's Precision Sharpening	Consv trimmer blades	18.00
Mobile Spray Systems	Consv manifold ovrhl kit	1247.80
Nielsen Tire Co	Consv fire timbrln/misc	189.90
Shoppers Supply	IRVM fittings	81.73
Star Energy LLC	IRVM keytrol unleaded	153.96
Van Diest Supply Co	IRVM telar	13141.26
VISA	Consv reflective road vest	48.81
WearGuard, Corp	IRVM uniform clothing	103.40
	Secondary Road Fund	
A & M Laundry Inc.	Uniforms	172.80
Ace Hardware	SIGN MAINT. REPAIR	35.15
Airgas North Central	WELDING SUPPLIES	90.87

Alliant Energy	Electric - Gillett Grove	146.69
Aquila	Gas - Royal	72.62
Ayrshire Farmers Mutual Tele	Telephone - Gillett Grove	24.31
Barnes Distribution	HX Flange	301.32
Buena Vista Co Treasurer	Taxes-0049001-11-300-001	527.00
City of Royal	Water & Sewer	24.00
City of Spencer	Monthly Solid Waste	57.50
Clay County Treasurer	Tax-Jt D.D. #14-42 Main	1327.92
Daily Reporter, The	Bridge Salvage Ad	115.83
Diamond Vogel Paints	5 Gals Flat White	113.95
Dust Service Company	Willow Lane - Rossie	574.00
Exhaust Solutions	Repair Bent Exhaust	15.00
Great Lakes Cooperative	Diesel - 370 Gals	19555.47
H & N Chevrolet Buick	#106 Door Handle	19.32
Holcomb Freightliner, Inc.	PR21-Cresistor	933.62
IA Municipalities Workers Comp	Inst #2 Work Comp 04-05	6766.77
Interstate Batteries	2 - 31P-MHD Batteries	155.90
Johnston Autostores	Spark Plug Wire	378.77
Lachner Farm Enterprises	Fence Replace - BROS(89)	490.00
Lakes Propane Gas Co	Forklift Gas	13.50
Lawson Products Inc	BOLTS	113.19
M. D. Products	S & H	19.59
McLeodUSA	Eng. Telephone - Spencer	28.30
Nielsen Tire Co	Service	320.36
Northwest Equipment Inc	#359 Fitting & Freight	36.36
Northwest One	Internet - Spencer	34.95
Perkins Office Solutions	Time Clock Repair	68.90
Road Machinery & Supplies Co.	PARTS	525.71
Rossie Feed & Grain	Bromegrass	375.00
Royal Telephone Co	Telephone - Royal	16.87
Shine Bros Steel	Steel for #200	711.82
Spencer Auto Parts Inc	PARTS	753.54
Spencer Mun Utilities	Telephone - Spencer	51.78
Town & Country Disposal	Garbage - Dickens	20.60
Vander Haag's Inc	Trans Support Mount	20.00
Wayne T Hansen Corp	Whitney Pit-22012 ton	80631.20
Webb-Dickens Telephone Co	Telephone - Webb	59.14
Jeffrey M Wiemann	Reimb for Safety Shoes	19.99
Xerox Corporation	Copy Cost	26.00
Zep Manufacturing Co	Zep 40	176.61
Ziegler Inc	#62 Loader Repairs	9927.10
	Recorders Records Mgt Fnd	
Solutions, Inc	Rec ribbon	45.90
	Capital Projects	
Dataline Associates	AS400 tapes	1015.40
SoftChoice Corporation	Plasmon Disks	2460.00
Solutions, Inc	AS400 new equipment	73336.63
	Debt Service Fund - G.S.C.	
Dorsey & Whitney-LLP	Legal fees GO Consv Schar	2259.70
	Clay County Flex Plan	
Wayne R Bishop	Flex medical	718.39
Bradley A Hawley	Flex medical	266.41
Dennis R Linn	Flex medical	161.00
Kevin D Maassen	Flex medical	309.50
Diana K Mortensen	Flex medical	30.00
Glenn I Rouse	Flex medical	146.91
Nancy A Schlichting	Flex medical	75.00
Casey J Timmer	Flex daycare	59.00
Theresa E Wurth	Flex medical	219.60
Denise L Zenkovich	Flex medical	240.00

William D Zinn	Flex medical	58.45
	E-911 Surcharge	
ABC Computers Plus	E-911 wrist rest	724.00
Ayrshire Farmers Mutual Tele	E911 phone line charges	154.30
GeoComm Corporation	E911 system maint	475.00
Iowa Telecom	E911 phone charges	41.69
Qwest	E911 circuits	13.58
Spencer Mun Utilities	E911 monthly circuit char	228.60
Terril Telephone Co	E911 phone line charges	8.04
Webb-Dickens Telephone Co	E911 phone charges	570.04
	Jnt Co Emergency Mgt Fund	
Constance A Adams	EMS clerical fees	50.00
Daily Reporter, The	EMA mtg pub	11.93
Bryce A Denker	EMA mileage	117.41
McLeodUSA	EMA phone charges	21.15
NW IA Community College	Emg Mgt hazmat awareness	572.00

Board Member Zinn introduced and caused to be read Resolution **#2004-33** entitled, "**A Resolution**

Fixing a Date for Hearing on Proposed Health Care Facility Revenue Bonds, Series 2004 (St. Luke Homes and Services, Inc. Project), and moved its adoption; seconded by Board Member

Brockshus. After due consideration of said Resolution by the Board, the Board put the question on the motion

and upon the roll being called the following named Board Members voted: Aye: Chalstrom, Brockshus, Zinn,

Schoer, and Sorenson Nay: None.

Whereupon, the Chair declared said Resolution duly adopted and signed his approval thereto.

RESOLUTION # 2004-33

A RESOLUTION FIXING A DATE FOR HEARING ON PROPOSED HEALTH CARE FACILITY REVENUE BONDS, NOT TO EXCEED \$3,000,000.00 SERIES 2004 (ST. LUKE HOMES AND SERVICES, INC. PROJECT)

WHEREAS, the Board of Supervisors of Clay County, Iowa, a political subdivision in the State of Iowa,

(the "County") is authorized by Chapter 419 of the Code of Iowa, 2001, as amended (hereafter sometimes referred

to as the "Act"), to issue revenue bonds and loan the proceeds to one or more contracting parties to be used to pay the

cost of land, buildings, equipment and improvements suitable for the use of financing the cost of the construction

or acquisition of improvements of a health care facility; and

WHEREAS, the County proposes to make the necessary arrangements with St. Luke Homes and Services, Inc.

(the "Corporation"), an Iowa Non-Profit Corporation, and exempt from taxation under Section 501(c)(3) of the

Internal Revenue Code for the financing of the cost of the construction or acquisition of improvements of a health

care facility located at 1301 St. Luke Drive, Spencer, Iowa, (hereafter sometimes referred to as the "Project"); and

WHEREAS, in order to expedite the anticipated public benefits and avoid delays which would otherwise

occur pending the completion of the procedure necessary to be carried out by the County to

make the required funds available, and to enable the Corporation to proceed with and complete the Project, it is considered necessary and desirable that the County provide satisfactory assurances that the proceeds of the sale of the proposed Health Care Facility Revenue Bonds, when issued, will be made available to finance the Project; and

WHEREAS, it is deemed necessary and advisable for the promotion of the general welfare of the inhabitants of Clay County, Iowa, that the Project be acquired, improved and equipped, as aforesaid, and that the County take such action as may be required under applicable statutory provisions to authorize and issue the Series 2004 Bonds, as hereinafter defined, to finance the cost of the Project; and

WHEREAS, the aggregate cost of the Project has been estimated not to exceed \$3,000,000.00 and it is proposed to pay the cost of the Project, to that amount, through the issuance of the Health Care Facility Revenue Bonds, Series 2004, (St. Luke Homes and Services, Inc Project) (the "Series 2004 Bonds") but it is first necessary to conduct a public hearing on the proposal to issue the Series 2004 Bonds, as required and provided by Section 419.9 of the Act; and

NOW, THEREFORE, be it resolved by the Clay County Board of Supervisors, as follows:

Section 1. That this County Board of Supervisors will meet at its Chambers in Spencer, Iowa, on the 14th day of September, 2004, at 9:00 o'clock A.M. at which time and place a public hearing shall be held on the proposal to issue the Series 2004 Bonds in an amount currently estimated not to exceed \$3,000,000.00 as referred to in the preamble hereof, and at which hearing all local residents who appear shall be given an opportunity to express their views for or against the proposal to issue the Series 2004 Bonds.

Section 2. The Chairman of the Board is hereby directed to give notice of intention to issue the Series 2004 Bonds by publication at least once not less than fifteen (15) days prior to the date fixed for the hearing in The Daily Reporter, a legal newspaper published and having a general circulation within said County.

Section 3. That the County hereby recognizes that actions taken and to be taken by the Corporation in connection with the Project have been and will be taken in reliance upon the willingness of the County to issue the Series 2004 Bonds.

Section 4. That all resolutions or parts thereof in conflict herewith be and the same are hereby repealed, and this resolution shall be effective forthwith upon its passage and approval.

Passed and approved August 17, 2004.

Clay County, Iowa

By: _____

Joel M. Sorenson, Chairperson of the

Board
Attest:

Marjorie A. Pitts, County Auditor

Motion by Schoer, seconded by Zinn to set the date and time for the Official Canvass of the 2004 Regular School Election to be Friday, September 17 at 9:00 a.m. in the Supervisor’s Board Room of the Clay County Administration Building, 300 West 4th St., Spencer, IA. Motion carried.

Motion by Chalstrom, seconded by Brockshus to approve the Certificate of Adjustment of the FY05 Tax List #2035 in the name of City of Spencer, Iowa described as Tract NW Section 6 Township 96 Range 36, Spencer, Inc. This adjustment is made necessary due to the property has a tax status of exempt. The total abatement is \$6.00 on receipt #10-17573 payable 2004-2005. Motion carried.

Larry Rohret, Executive Director & Anita Jorgenson, Clay County Director from Upper Des Moines updated the Board on their 2004 Programs and Services, which are up in numbers by over 600 families served. This is due to reduced overtime hours, lack of health insurance and Medicare Drug Cards not covering the people’s needs. The Directors discussed holding free medical clinics. Fuel assistance averaged \$230 per household last year and will remain the same for this year, but will cover from increased prices. Upper Des Moines is working with Central Point Coordinator, Kim Wilson to support the Representative Payee Program and the agency will be doing the “Adopt A Family Program”. After the food drives, the food is gone within 30 days of receiving the food.

Motion by Brockshus, seconded by Schoer to approve the following Resolution #2004-34 entitled, **Resolution authorizing the compromise of Tax Sale Certificate #2004-00501 issued June 21, 2004,** and moved its adoption. After due consideration of said Resolution by the Board, the Board put the question on the motion and upon the roll being called the following named Board Members voted:
Aye: Chalstrom, Brockshus, Zinn, Schoer, and Sorenson. Nays: None.
Whereupon, the Chair declared said Resolution duly adopted and signed his approval thereto.

RESOLUTION #2004-34

RESOLUTION AUTHORIZING THE COMPROMISE OF TAXSALE CERTIFICATE #2004-00501 ISSUED JUNE 21, 2004.

WHEREAS, the owner of the below described mobile home has requested a tax adjustment from the Clay County Treasurer: Title Holder- Glen J. Lindemann, 314 N. Grant St, Everly, IA. 1980

NRTN Mobile

Home, VIN Number KD1789A, Title 21-U102277, Tax Sale Certificate 2004-00501, and

WHEREAS, said mobile home has remained on the tax rolls and was sold to Clay County June 21, 2004 for \$388.00 for taxes and penalties for years 2002-2003, 2003-2004; and

NOW, THEREFORE, BE IT RESOLVED; that Tax Sale Certificate 2004-00501 is hereby adjusted: and all mobile homes taxes with respect to the above described mobile home for years 2002-2003 through 2004-2005 inclusive, and interest and penalties due thereon through the date of the Resolution in the amount of \$544.00 are hereby adjusted to \$200.00: and the Clay County Treasurer is hereby authorized and directed to strike the above described mobile home from the tax rolls.

Marjorie A. Pitts, Auditor

Joel M. Sorenson, Chairperson

Motion by Zinn, seconded by Schoer

to approve the following Resolution **#2004-35** entitled, A Resolution Authorizing Certification of a Cultural

District for at least ten (10) years to be named Spencer Downtown Cultural District, and moved its adoption. After

due consideration of said Resolution by the Board, the Board put the question on the motion and upon the roll

being called the following named Board Members voted: Aye: Chalstrom, Brockshus, Zinn, Schoer, and Sorenson.

Nay: None.

Whereupon, the Chair declared said Resolution duly adopted and signed his approval thereto.

RESOLUTION #2004-35

A RESOLUTION AUTHORIZING CERTIFICATION OF A CULTURAL DISTRICT FOR AT LEAST TEN (10) YEARS TO BE NAMED SPENCER DOWNTOWN CULTURAL DISTRICT.

Whereas a Cultural District has been designated to assist the district and community to develop a public-private partnership to support said district and,

Whereas Spencer Alliance for a Creative Economy has signed a resolution of support for said Cultural District and,

Whereas the Iowa Department of Cultural Affairs will be petitioned to certify said Cultural District and,

NOW THEREFORE BE IT RESOLVED BY THE CLAY COUNTY BOARD OF SUPERVISORS THAT THEY:

Article 1. Endorse the submission of this application and agree to participate in the development and financial support of said Cultural District.

- Article 2. Endorse the goal of economic development of said Cultural District within the context of preservation and rehabilitation of our historic buildings.
- Article 3. Will appoint a county official to represent the county on the governing board of said Cultural District.
- Article 4. By this action, directs county staff to actively support and cooperate with governing board to develop and maintain said Cultural District.
- Article 5. By this action, requests all residents of city/county and especially those citizens who own property or businesses within said Cultural District to support, promote and help maintain activities and events in said district.
- Article 6. Directs the Chairman to sign and submit such resolution on creation of said Cultural District.

ADOPTED ON THIS 17th DAY OF AUGUST, 2004

Clay County, Iowa

By: _____ Joel M. Sorenson, Chairperson of the

Board
Attest:

Marjorie A. Pitts, County Auditor

Motion by Brockshus, seconded by Schoer to approve the request for funding additional residential services at Season's, Oak Haven, and Adult Rehab options at a rate of \$72./day for a court ordered consumer. Motion carried.

Central Point Coordinator, Kim Wilson updated the Board on consumers that pay a co-pay for services, on the Friends of the Mentally Ill picnic, the Season's Inc billing for October 2002 that will be paid by the end of August, and the ISP Jail meeting that is scheduled for Thursday, August 19, 2004.

Motion by Zinn, seconded by Chalstrom to approve the following Resolution **#2004-36** entitled, A Resolution of support for a method of secondary road and farm-to-market road use tax allocation as proposed by the secondary road fund distribution advisory committee per Section 312.3C of the Code of Iowa, and moved its adoption. After due consideration of said Resolution by the Board, the Board put the question on the motion and upon the roll being called the following named Board Members voted: Aye: Chalstrom, Brockshus, Zinn, Schoer, and Sorenson. Nay: None.

Whereupon, the Chair declared said Resolution duly adopted and signed his approval thereto.

RESOLUTION 2004-36

A RESOLUTION OF SUPPORT FOR A METHOD OF SECONDARY ROAD AND FARM-TO-MARKET ROAD USE TAX ALLOCATION AS PROPOSED BY THE SECONDARY ROAD FUND DISTRIBUTION ADVISORY COMMITTEE PER SECTION 312.3C OF THE CODE OF IOWA.

Whereas, the form method of determining inter-county allocation of Secondary Roads and Farm-to Market Road Use Tax revenues, known as the Quadrennial Needs Study, was discontinued by SF2192, 2002 Iowa Acts, and,

Whereas, the Secondary Road Fund Distribution Advisory Committee, pursuant to the mandate of Iowa Code Section 312.3 C, has developed and recommended a new method known as the "Factor Breakdown Method", and,

Whereas, after the due study, Clay County has determined that the proposed method will provide a base level of funding for all counties, and will allow for the allocation of funds to shift as population, system size, and traffic change, and,

Whereas, the proposed method has been endorsed by the Executive Boards of the Iowa County Engineers Association and the Iowa State Association of County Supervisors,

Now Therefore, Be it Resolved that Clay County, Iowa hereby endorses the adoption of the Factor Breakdown Method by the Legislature as presented by the Secondary Road Fund Distribution Advisory Committee, to become effective in FY2007 and be phased in over a five year period.

ADOPTED ON THIS 17th DAY OF AUGUST, 2004

Clay County, Iowa

By: _____

Joel M. Sorenson, Chairperson of the

Board
Attest:

Marjorie A. Pitts, County Auditor

Motion by Zinn, Seconded by Schoer to approve revised "Driveway & Entrance Policy".
Motion carried.

Motion by Brockshus, Seconded by Chalstrom to accept the work of Rohlin Construction Company on the following asphalt projects L-6704HMA-2 (CF Industries), FM-CO21(84)--55-21 (Industrial Blacktop), FM-CO21(102)--55-21 (Royal), STP-S-CO21(90)--5E-21 (M27) as completed on July 27, 2004 recommended by the County Engineer and authorized the Chairperson to sign the Certificate of Completion. Motion carried.

Motion by Chalstrom, Seconded by Zinn to accept the low bid of \$26,604.75 from Northern Iowa Construction Products of Cedar Falls, Iowa for Culvert Metal Pipe.

The Chairperson adjourned the meeting at 11:15 a.m. to convene at the Auditor's called meeting Tuesday, Augusts 31, 2004 at 8:30 a.m.

Marjorie A. Pitts, County Auditor

Joel M. Sorenson, Chairperson

Clay County Board of Supervisor's Minutes from Meeting #30 held on August 31, 2004

The Clay County Board of Supervisors met pursuant to adjournment. The named supervisors were present:

Chalstrom, Brockshus, Zinn, Schoer, and Sorenson. Absent: None.

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote: Ayes:

Sorenson, Brockshus, Zinn, Schoer, and Chalstrom. Nays: none. Abstentions: none.

Motion by Zinn, seconded by Schoer to approve the meeting agenda for August 31, 2004. Motion carried.

Motion by Chalstrom, seconded by Zinn to approve the County Board minutes for Meeting # 29 dated August 17, 2004. Motion carried.

Motion by Zinn, seconded by Brockshus to approve the payment of the claims for August 31, 2004 with the detail on file in the County Auditor's office for review. Motion carried.

General Basic Fund		
ABC Computers Plus	Jail ink cartridge	208.07
Alpha Wireless Comm	Shrf repairs radio speaker	223.56
Black Clerking	Consv electric range	110.00
Bob's Auto	Shrf weatherstripping	62.78
BOJI Information Systems	GIS/drive map&file restor	144.00
Bossier Parish Sheriff's Off	CSRU shrf fees	60.00
Brokers National	VSP billing fee August	10.00
Brookings County Sheriff	CSRU shrf fes	20.70
Buchanan County Sheriff	CSRU shrf fees	25.00
Buena Vista Co Sheriff	CSRU shrf fees	47.50
CCPOA of Iowa Inc	Consv mtg registration	150.00
Cellular One	Consv cell phone charges	591.67
Cerro Gordo Co Sheriff	CSRU shrf fees	17.00
City of Spencer	Com Ctr July expense	14803.95
Clay Co Sec Road Fund	Consv july gas	643.48
Clay County Sheriff	Shrf transportation fees	330.25
Clay County Fair Assn	Consv fair passes	157.50
Clay Regional Water	Scharnberg water usage	283.75
Clayton County Sheriff	CSRU shrf fees	17.00
Country Inn by Carlson	Shrf mtg expense room	194.67
Crescent Electric Supply	Admn supplies/computer	34.63
Daily Reporter, The	aud paper subscription	70.00
Denny's Drain Clean & Plbg	Shrf unplug floor drain	30.00
Dickinson County Sheriff	CSRU shrf fees	82.68
Electronic Engineering	Shrf radar trailer	265.00
Emmet County Sheriff	CSRU shrf fees	89.00
Gary Brooks	landlord	200.00
Shirley M Goyette	Rec mileage solutions mtg	32.10
Hamilton Co Sheriff	CSRU shrf fees	43.10
Harmon AutoGlass	Shrf windshield repairs	35.00
Daniel J Heissel	Consv dist3 mtg	10.00
IA Dept of Ag/Land Stwrd	Apiary inspection(bees)	37.90
IA Lakes Electric Coop	Consv utilities	481.00
IA Prison Industries	Shrf decals	230.00

J & B Apts	landlord	240.00
Janitor's Closet Ltd	Admn custodial supplies	316.74
Jason or Diana Howe	landlord	150.00
JW Services	CSRU shrf fees	17.90
Lincoln County Sheriff	CSRU shrf fees	16.80
Lyon County Sheriff	CSRU shrf fees	26.25
Mar-Lin Business Supply	Office supplies	35.83
Midwest Wireless	Cell phone charges	256.92
M P H Industries Inc	Shrf radar repair	47.53
Nobles County Sheriff	CSRU shrf fees	45.00
Northwest Glass	Admn window repairs	288.00
O'Brien County Sheriff	CSRU shrf fees	25.00
Olmsted County Sheriff	CSRU shrf fees	75.00
Otis Elevator Co	Cthse maintenance	225.66
Page Investigations	CSRU shrf fees	30.00
Paul Kassel	Well closures	836.00
Perkins Office Solutions	DHS 5 drawer file	994.51
Peterson Patriot	Pub bd mtgs 24-26	347.76
Physicians Lab LTD	Autopsy charges	750.00
Pitney Bowes	DHS double tape sheets/po	71.23
Pocahontas Co Sheriff	CSRU shrf fees	18.42
Qwest	DHS phone charges	1298.05
Melinda L Roman	CSRU mileage	30.70
Sarah Raymond	Well closures (2)	400.00
Scott County Sheriff	CSRU shrf fees	17.63
Scott County Shrf Dept	CSRU shrf fees	35.00
Sears	Consv power washer	274.99
Sidwell Company, The	web hosting sept	500.00
Sioux County Sheriff	CSRU shrf fees	103.07
Solutions, Inc	Treas kofax mg upgrade	200.00
Southern Archery	shrf ammunition	23.40
Speed Printers	Consv camping coupon book	312.00
Spencer Mun Hospital	Jail july meals	11695.45
Spencer Mun Utilities	Utilities	2455.00
Spencer Office Supplies	DP AS400 tapes	760.12
Staples Credit Plan	Auditor software	229.98
Synergy Center	synergy stay	1820.00
Thrifty White Stores	VA medication assistance	181.21
VISA	GA county car gas	72.45
Joan M Waller	VA mtg registration	29.26
WearGuard, Corp	Maint uniforms	385.06
Wheelchair Express	VA transportation charges	192.25
Woodbury County Sheriff	CSRU shrf fees	29.36
Xerox Corporation	Rec July lease charges	359.79
Zee Medical Service Co	Admn first aid kit supplies	122.25
	General Supplemental Fund	
Clay County Sheriff	Shrf trans fees	341.50
NW IA Youth Emergency Ctr	Detention jv	6900.00
U S Postmaster	Election postage returns	111.00
West Payment Center	Law library access charge	1087.60
	MH-DD Services Fund	
Clay Co Sec Road Fund	CPC county car gas	24.18
IA Dept of Human Services	icf care	28002.71
Seasons Center	10/02 mh srvcs-catchment	10740.33
VISA	CPC county car gas	22.29
	Rural Services Basic Fund	
Cellular One	Weed comm cell phone chgs	33.55
City of Spencer	RS garbage removal	4600.00
Clay Co Sec Road Fund	Zoning gas july	693.68
Galls Incorporated	Shrf console/lock box	797.92

OMB Police Supply	Shrf LED edge bar	4006.99
Sears	Consv power washer	275.00
UNI Roadside Conference Native	IRVM registration	90.00
	Secondary Road Fund	
Airgas North Central	18 Bags of Floor Dry	109.43
Alliant Energy	Electric - Dickens	159.34
Cellular One	ENG - Cell Phones	139.22
Employee Data Forms Inc	05' Emp. Data Calendars	23.50
FASTENAL	5/8" Reamer	73.42
Fort Dodge Asphalt Co	Slurry Leveling on B53	38557.22
Iowa Telecom	Telephone - Peterson	42.75
Lawson Products Inc	Inst. Adhesive Gel	80.38
Mar-Lin Business Supply	Black Perm. Markers	16.83
New Sioux City Iron Co	Jack Extensions	129.20
Office Systems Company	Copy Costs	33.15
Road Machinery & Supplies Co.	O-Rings	105.27
Rock Valley Tractor Parts	20.8 x 38 Tire	75.00
Safety-Kleen Systems Inc.	Service Parts washer	343.30
Snap On Tools Corp	Socket	36.10
Spencer Mun Hospital	4 - Drug Screens	110.00
Spencer Mun Utilities	Gas - Spencer	301.15
Spencer Office Supplies	Pens & Refills	5.04
	Recorders Records Mgt Fnd	
Solutions, Inc	Rec image support	84.00
	E-911 Surcharge	
Qwest	E911 phone access charges	643.72
United Farmers Telephone	E911 Phone charges	445.00
	Jnt Co Emergency Mgt Fund	
Alpha Wireless Comm	EMA external speaker	59.40
Staples Credit Plan	EMA ink/supplies	60.80

Motion by Schoer, seconded by Chalstrom to approve the payment of the drainage claim from Jt.

Drainage Ditch #22 Lateral 19-180 payable to the Drainage District Revolving Fund for tile work done April 14, 2004 with the detail on file in the County Auditor's office for review. Motion carried.

Motion by Zinn, seconded by Brockshus to approve the Certificate of Adjustment of the FY04 Tax

List #2036 in the name of McLeod USA described as building on leased land in Griffin and Adams's 4th addition to Spencer, Inc. This adjustment is made necessary due to the property being double assessed by state & county. The parcel should be state assessed and will be changed to exempt status for county taxes. The total abatement is \$2150.00. Motion carried.

Motion by Schoer, seconded by Zinn to approve the following placement of Non-Partisan Candidates

on the 2004 General Election Ballot for the following offices as drawn by lot by the County Board

of Supervisors as prescribed by section 49.31 (2) of the Code of Iowa: Soil and Water Conservation

District Commissioners: (Vote for Three) Position 2: Julie L. Christensen Position 3: Allen D. Mc

Carty Position 1: Jerry Crew. Agriculture Extension Council Board Member: (Vote for Five)

Position 2: Kathy J. Anderson Position 5: Lois Benson Position 3: Jim Sikora Position 4: Dick Kirksey,

Jr. Position 1:Troy Leininger . Motion carried.

The Board spoke with Scott Hallgren representing the Clay Regional Event Center since June 1, 2004.

Hallgren gave the Board an update on the construction project and website enhancements.

The Clay

County Fair is intended this year to be a reintroduction of the facility to the community.

Kim Wilson, Clay County Central Point Coordinator discussed the Iowa Chapter 125 and 229 legislation effective September 1, 2004 concerning finding placements for persons subject to involuntary

hospitalization proceedings. The Clerk of court will no longer be involved in the placements.

Emergency

guardianship issues were discussed as well as the draft copy of the 28E Agreement for the Representative

Payee Program.

Sheriff Randy Krukow updated the Board on the jail remodeling related to the Automated Finger Print

Information System that will be used in Clay County as a result of the USA Patriot Act.

Krukow stated

that notification on the COPS Grant is expected in September.

Zoning, Environmental Health, Safety Dept & EMS Director Tammy McKeever updated the Board that t

he Clay County Lead Program, shared with other area counties, has the computer and software in place.

Also the Iowa Air Coalition Grant of \$2600 for Radon Education has been awarded to Clay County.

January is National Radon month so advertising will be done then. Clay County tested positive for West

Nile so birds will no longer be sent in. It may not be necessary to send birds next year. The Affordable

Drinking Water Foundation will now available to residents to drill wells at a low interest loan.

The

Foundation applications range from \$2000 - \$20,000 for a ten year payment schedule.

McKeever

also updated the Board on the DNR Waste Water Initiative that offers a constructive wetland option for

sewer systems. Greenville is meeting August 31st to discuss this option. McKeever stated that funeral

homes will no longer be inspected but may, with new legislation, go to a three year system of inspecting at

a cost of \$50. Also the Emergency Medical Services is preparing for the Clay County Fair

Motion by Zinn, seconded by Schoer to open 370th Street between 190th Avenue and 200th Avenue after

completing Maintenance Grading. Motion carried.

Motion by Chalstrom, seconded by Brockshus to open 180th Avenue between 290th Street and 300th

Street after completing Maintenance Grading. Motion carried.

Motion by Schoer, seconded by Zinn to close 260th Avenue between 490th Street and 500th Street for Maintenance Grading. Motion carried.

Motion by Chalstrom, seconded by Zinn to accept the low quote of \$26,997.50 from Sibley Concrete Products of Sibley, Iowa for Box Culverts for the following locations: Section 3-95-37 and Section 34-94-36. Motion carried.

Motion by Brockshus, Seconded by Chalstrom to accept the Sign Right-of-way agreement between IDOT and Clay County, and authorize the Chairperson to sign the agreement. Motion carried.

The Chairperson adjourned the meeting at 10:50 a.m. to convene at the Auditor's called meeting Tuesday, September 14, 2004 at 8:30 a.m.

Marjorie A. Pitts, County Auditor

Joel M. Sorenson, Chairperson

Clay County Board of Supervisor's Minutes from Meeting #31 held on September 14, 2004

The Clay County Board of Supervisors met pursuant to adjournment. The named supervisors were present:

Chalstrom, Brockshus, Zinn, and Sorenson Absent: Schoer.

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote: Ayes:

Sorenson, Brockshus, Zinn, Schoer, and Chalstrom. Nays: none. Abstentions: none.

Motion by Zinn, seconded by Brockshus to approve the meeting agenda for September 14, 2004 as amended

to exclude the appointment with Seasons Center. Motion carried.

Motion by Chalstrom, seconded by Zinn to approve the County Board minutes for Meeting # 30 dated August 31,

2004. Motion carried.

Motion by Brockshus, seconded by Chalstrom to approve the payment of the claims for September 14, 2004

with the detail on file in the County Auditor's office for review. Motion carried / failed.

General Basic Fund		
ABC Computers Plus	Shrf cable	248.03
Ace Hardware	Jail fan	216.45
Constance A Adams	voting box supplies	8.17
Alisha M Simm, CSR,RPR	transcripts	16.00
Aquila	Cthse utilities	1840.39
Arch Wireless	DHS pager	52.21
Ann L Baschke	Aud mtg exp meal	14.74
Bob Barker Company Inc	Jail inmate shoes	47.37
Bud's Service	Shrf oil changes	381.59
Buena Vista Co Sheriff	Shrf fees	27.50
Canon Financial Services Inc	DP/GIS Gestetner lease	103.45
Cherokee County Sheriff	sheriff fees	19.00
City of Spencer	GSC garbage removal	253.00
Clay Co Sec Road Fund	shrf gas for august	1614.69
Clay County Sheriff	Shrf fees jv2405	220.75
Clay County Networkers	FY05 allocation	1000.00
Coffman's Locksmith	Admn rekeyed/keys	202.25
Cottonwood County Sheriff	CSRU shrf fees	29.00
Daily Reporter, The	Pub revenue bonds St. Luke	439.21
Denny's Pest Control Denny Rie	GSC pest control maint	105.00
Dickinson County Sheriff	Shrf fees jv2406	125.08
Ecolab Pest Elimination	Bldg pest control maint	91.50
Emmet County Sheriff	CSRU shrf fees	46.80
Everly-Royal News	Pub bd mtgs 27-28	483.12
Exhaust Solutions	Jail van alignment	34.95
Galls Incorporated	Jailers uniforms	93.87
Dana J Galm	Twp mileage	42.00
G E Capital	DHS copier contract	139.30
John W Goeken	Twp mileage	3.60
Gutherie Co Sheriff Department	Shrf fees	52.50
H & N Chevrolet Buick	Shrf a/c repairs	87.13
Hamilton Co Sheriff	CSRU shrf fees	17.00
Harmon AutoGlass	Shrf windshield repair	35.00
Helen's Comm Laundry Inc	Jail rugs/mops	182.70

Hy-Vee #1636	Shrf batteries	3.98
IA Environmental Health Assoc	Env Hlth mtg registration	85.00
IA Lakes Electric Coop	VA utilities assistance	169.50
IA Prison Industries	Shrf vehicle decals	235.47
ICIT % Ray Willis	ICIT dues 2004-2005	25.00
I S A C Multi-Co Serv Agency	Shrf fall school reg Krukow	326.00
Jacobsen Home Corp	rent asst	225.00
Janitor's Closet Ltd	Admn floor cleaning	770.05
John Geerdes	Twp mileage	3.60
Keith DeJager	rent asst	200.00
Kossuth Co Sheriff	CSRU shrf fees	22.50
Keith R Kruse	Twp mileage	3.60
Dennis R Linn	Shrf mtg expense meal	4.90
Lundt & Sears Plbg & Htg, Inc	Jail installed new compressor	1214.21
Lyon County Sheriff	CSRU shrf fees	26.25
Mar-Lin Business Supply	Election envelopes	175.00
Tammy R Mckeever	Env health gas	20.50
McLeodUSA	Com Ctr phone	612.92
Mike Patrick	VA rent assistance	235.00
Minolta Corporation	DHS copier contract	37.17
Mobile Vision	Shrf inv mic upgrade	619.00
M P H Industries Inc	Shrf display assembly	523.13
NW IA Youth Emergency Serv Ctr	Medical expenses	525.71
O'Brien County Sheriff	CSRU shrf fees	21.00
Office Systems Company	Admn copier contract	149.81
Osceola Co Sheriff	CSRU shrf fees	71.10
Palo Alto County Sheriff	CSRU shrf fees	18.00
Perkins Office Solutions	Shrf stamp	159.93
Pocahontas Co Sheriff	CSRU shrf fees	44.12
Qwest	Bldg circuits	109.98
Melinda L Roman	CSRU mileage	98.39
Sac County Sheriff	CSRU shrf	30.90
Shoppers Supply	Shrf wrecking bars	77.51
Sikora Sprinkler Service	Admn sprinklers repaired	183.00
Sioux County Sheriff	CSRU shrf fees	33.25
Slumberland Furniture	Shrf barstool	33.00
SoftChoice Corporation	Shrf memory N.S.	87.46
Solutions, Inc	August web hosting	500.00
Spencer Auto Parts Inc	Shrf oil	26.96
Spencer Family Care/Avera	dr.tre	210.66
Spencer Mun Utilities	Shrf phone charges	356.89
Spencer Office Supplies	Rec desk calendar/binder	232.63
Thrifty White Stores	DHS ibuprofen	98.68
U S Postmaster	Shrf stamps	185.00
Walmart Pharmacy	rx	6.72
Kimberly S Wilson	motel/food	27.61
Winnebago Co Sheriff	CSRU shrf fees	18.00
Youngs	Admn bracket set	34.02
Zenor & Houchins	Atty monthly help	2664.44
General Supplemental Fund		
Clay County Sheriff	Shrf trans charges jv2295	261.50
IA Municipalities Workers Comp	GB suppl wkrs comp prem	4511.23
NW IA Youth Emergency Serv Ctr	Detention jv	1500.00
MH-DD Services Fund		
Clay Co Sec Road Fund	CPC gas for august	21.45
Clay County Sheriff	sheriff fees	61.00
Co Case Management Serv	ccms for 7/04	196.00
Echo Plus	wa	2587.97
Genesis Development	wa	377.00
Holiday Inn Conf Center	hotel chrgs	84.53

Hope Haven	rcf	5722.24
Horizons Unlimited of PAC	rcf	2202.62
Hy-Vee #1628	rx	1583.78
I S A C Multi-Co Serv Agency	isac-70%	49.00
Knoxville Rest Home	rcf	737.80
Loughlin Law Firm	attrny fees	100.00
Midwest Wireless	july & aug bills	83.90
Nishna Productions Inc	adc	2735.36
Oak Haven Care Facility Season	rcf-tdea	7362.88
Office Systems Company	copier contract fee 70%	111.30
Seasons Center aka NW Ia Menta	mh srv for 9/04	17034.59
Spencer Mun Hospital	inpt	2160.00
Spencer Office Supplies	offc suppl 70%	42.17
Sunshine Services Inc.	wa	28901.44
Village N. W. Unlimited	rcf	3163.04
Kimberly S Wilson	mileage 8/11-8/12/04	184.42
Rural Services Basic Fund		
Daily Reporter, The	Zoning publications	27.96
I S A C Multi-Co Serv Agency	Zoning fall school reg Mc	70.00
McLeodUSA	Zoning phone	4.22
Secondary Road Fund		
A & M Laundry Inc.	Uniforms	172.80
Ace Hardware	Filters for Shop Vac	27.58
Alliant Energy	Electric - Gillett Grove	136.65
Alpha Wireless Comm	Radio Repairs #7	156.55
Aquila	Electric - Royal	77.96
Arnold Motor Supply	PARTS	123.44
Ayrshire Farmers Mutual Tele	Telephone - Gillett Grove	49.62
C.J.Cooper & Associates, Inc.	4 - Drug Tests	116.00
City of Everly	Gas - Everly	24.54
City of Royal	Water & Sewer - Royal	24.00
City of Spencer	ENG Dump 1 Tire	131.75
Daily Reporter, The	Storm Water Discharge Ad	9.32
Diamond Mowers, Inc.	Parts for #355	524.82
Diamond Vogel Paints	4-1 Gal Flat White Paint	637.45
Don Pierson Ford	A/C Hose #205	163.81
FASTENAL	4 1/2 Hole Saw	56.66
Ferguson Enterprises Inc	4-3/4" x 6" x 4' Carbide	1180.76
Filter Recycling, Inc.	Filter Pick-up	25.00
Force America Inc	PARTS	231.72
Fox International Inc.	PARTS	58.70
Great Lakes Cooperative	Dickens Diesel-368 Gals.	20689.84
H & N Chevrolet Buick	Plug, Lamp for #105	14.16
Holcomb Freightliner, Inc.	Parts for #209	947.08
IA Municipalities Workers Comp	04-05 Workers Comp #3	6766.77
IC&E Railroad Corporation	3% Retaining fee for N18	1792.52
Iowa Transit	RLHISA Topcon Laser-Shop	3022.48
Johnson Supply Co	Retaining Screws	19.70
Lakes Propane Gas Co	Forklift Refill	613.35
Lawson Products Inc	PARTS	1064.48
Mar-Lin Business Supply	Ink Cart	32.99
Matt Parrott and Sons	Surveyors Record Book #6	57.30
McLeodUSA	ENG Telephone - Spencer	19.51
NAPA Auto Parts	Hose End	59.94
Nielsen Tire Co 1208 4th Ave S	Service	1304.24
Northwest Equipment Inc	V-Belt	85.22
Northwest One, Inc	Internet - Spencer	34.95
Perkins Office Solutions	Ink Cart & Tape	151.06
Reds Radiator Repair	Repair Radiator #14	125.00
Royal Telephone Co	Telephone - Royal	16.62

Share Corp	1 Case Car Guard Towels	161.81
Shine Bros Steel	Pipe & Metal	63.19
Shoppers Supply	Paint Brushes	108.96
Shuck-Britson, Inc.	Design Fees(L-4605B-4)	12650.00
Snap On Tools Corp	2 - SDD4 Screwdrivers	61.20
Spencer Auto Parts Inc	ENG Parts	2714.81
Spencer Mun Utilities	Telephone - Spencer	53.14
Star Energy LLC	Bluegard Tube Grease	298.80
Town & Country Disposal Inc A	Garbage - Dickens	20.60
Treasurer, State of IA Storm W	Storm Water Permit	150.00
Triple R Inc	Press Out 1/2 x 8 pieces	59.10
Vander Haag's Inc	Used Door Mirror \$203	20.00
Webb-Dickens Telephone Co	Telephone - Webb	53.84
Xerox Corporation	Copy Cost	26.00
Zep Manufacturing Co	Brake Parts Cleaner	111.31
Ziegler Inc	Eng. Parts	5929.92
	Recorders Records Mgt Fund	
Solutions, Inc	Rec contract support	5.50
	Capital Projects	
Solutions, Inc	Content mgr maint	36587.74
	E-911 Surcharge	
Alpha Wireless Comm	E911 logging recorder	60669.00
Ayrshire Farmers Mutual Tele	E911 line charges	204.30
GeoComm Corporation	E911 systems maint	475.00
IA Office Supply	E911 repairs/old logger C	280.68
Iowa Telecom	E911 line charges	41.69
Qwest	E911 circuits	13.58
Terril Telephone Co	E911 line charges	8.04
Webb-Dickens Telephone Co	E911 line charges	570.04
	Jnt Co Emergency Mgt Fund	
Bryce A Denker	EMA mileage August	89.60
McLeodUSA	EMA phone	24.63
Midwest Wireless	EMA cell phone service	42.79
Winkleblack's	EMA clothing shirts	58.57
	Spec Appraiser Fund-Assess	
BOJI Information Systems, Inc	Assr consulting	240.00
IA St Assn of Assessors ISAA C	Assr mtg registration	275.00
Office Systems Company	Assr copier contract	53.50
Sidwell Company, The	Assr digital photo servic	10900.00
	Co. Assessor Agency Fund	
Canon Financial Services Inc	Assr copier contract	315.00
McLeodUSA	Assr phone	5.66
Grand Total		279064.02

Motion by Zinn, seconded by Chalstrom to approve the transfer of funds for \$50,000 from Local Option-any lawful use to General Supplemental. Motion carried.

Motion by Brockshus, seconded by Zinn to approve contract addendum to "Solution's" Consulting & Services Agreement for network service and authorize chairperson to sign. Motion carried.

9:00 A.M. This being the time and place for the public hearing upon the proposed issuance of not to exceed \$3,000,000 Health Care Facility Revenue Bonds, Series 2004 (St. Luke Homes and Services, Inc. Project) There was present a quorum as required by law. Thereupon the board investigated and found that the notices of the time and place of hearing, have according to law and as directed by the Board, been published on August 24, 2004 in the Spencer Daily Reporter, an official newspaper published in said county, and the affidavits of said publications are on file with the Clay County Auditor. Whereupon the Chairperson called for any written or oral objections and there being none, it

was

Moved by Brockshus, seconded by Chalstrom to adopt Resolution #2004-37. After due consideration of said Resolution by the Board of Supervisors, the Board put the question on the motion and upon the roll being called the following named Board Members voted: Ayes: Chalstrom, Brockshus, Zinn, and Sorenson.

Nays: None. Absent: Schoer.

Whereupon, the Chair declared said Resolution duly adopted and signed his approval thereto.

RESOLUTION NO. 2004-37

RESOLUTION DETERMINING TO PROCEED WITH THE ISSUANCE OF NOT TO EXCEED \$3,000,000 HEALTH CARE FACILITY REVENUE BONDS, SERIES 2004 (ST. LUKE HOMES AND SERVICES, INC. PROJECT) OF CLAY COUNTY, IOWA

WHEREAS, Clay County, State of Iowa, (the "County"), proposes to issue Health Care Facility Revenue Bonds, Series 2004, (St. Luke Homes and Services, Inc. Project), of said County in a principal amount not to exceed \$3,000,000 (the "Series 2004 Bond") for the purpose of lending the proceeds thereof to St. Luke Homes & Services, Inc. (the "Company") to be used in acquiring, improving and equipping certain real estate, buildings and improvements (the "Project") by the Company suitable for use of a Health Care Facility located within Clay County, Iowa, all in accordance with the provisions of Chapter 419 of the Code of Iowa, 2001, as amended (the "Act"); and

WHEREAS, pursuant to published notice of hearing the Board of Supervisors has conducted a public hearing, as required by Section 419.9 of the Act, and the Board of Supervisors deems it necessary

and advisable to proceed with the Project, the issuance of the Bonds, and the loan of the proceeds of the Series 2004 Bonds to the Company;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF CLAY COUNTY, IOWA, AS FOLLOWS:

Section 1. That at the public hearing conducted by the Board of Supervisors pursuant to published notice all local residents who appeared were given an opportunity to express their views for or against the proposal to issue the Series 2004 Bonds.

Section 2. That the Board of Supervisors deems it necessary and advisable, and hereby determines, to proceed with the Project, the issuance of the Series 2004 Bonds, and the loan of the proceeds of the Series 2004 Bonds to the Company, all upon terms and conditions mutually satisfactory to the County and the Company.

Section 3. That this Resolution shall become effective immediately upon its passage and approval. Passed and approved September 14, 2004.

CLAY COUNTY, IOWA

By: _____
Joel M. Sorenson, Chairperson

Attest:

Marjorie A. Pitts, County Auditor

Motion by Zinn, Seconded by Chalstrom to adopt Resolution #2004-38 "A Resolution Authorizing the Issuance and Sale of \$3,000,000 Health Facilities Revenue Bonds, Series 2004, (St. Luke Homes and Services, Inc. Project). After due consideration of said Resolution by the Board of Supervisors, the Board put the question on the motion and upon the roll being called the following named Board Members voted: Ayes: Chalstrom, Brockshus, Zinn, and Sorenson. Nays: None. Absent: Schoer. Whereupon, the Chair declared said Resolution duly adopted and signed his approval thereto.

RESOLUTION NO. 2004-38

RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF \$3,000,000 HEALTH FACILITIES REVENUE BONDS, SERIES 2004 (ST. LUKE HOMES AND SERVICES, INC. PROJECT)

WHEREAS, Clay County, Iowa, a political subdivision of the State of Iowa (the "Issuer"), is authorized by Chapter 419 of the Code of Iowa, 2001, as amended (the "Act") to issue revenue bonds and loan the proceeds to one or more parties to be used to acquire lands and to acquire by construction or purchase, buildings and improvements thereon and equipment; and

WHEREAS, the Issuer has made the necessary arrangements with St. Luke Homes and Services, Inc. (the "Company"), an Iowa not for profit corporation, for its acquisition of land, buildings, improvements and equipment for a health care facility (the "Project") within the corporate boundaries of the Issuer; and

WHEREAS, the Issuer is willing to issue its Health Facilities Revenue Bonds, Series 2004, (St. Luke Homes and Services, Inc. Project) in the principal amount of \$3,000,000 (the "Bond") to finance the cost of the Project in an amount not to exceed \$3,000,000 and the Issuer will loan the proceeds of the Bond to the Company pursuant to the provisions of a Loan Agreement, dated as of September 14, 2004, between the Issuer and the Company (the "Agreement"), the obligations of which will be sufficient to pay the principal of and interest and prepayment premium, if any, on the Bond, as and when the same shall be due; and

WHEREAS, notice of intention to issue the Bond has, as directed by the Board of Supervisors, been duly given in compliance with the Act; and

WHEREAS, a public hearing has been held on the proposal to issue the Bond at the time and place specified in said notice and all objections or other comments relating to the issuance of the Bond have been heard; and

WHEREAS, the Issuer proposes to sell the Bond upon a negotiated basis to Iowa Securities Investment Corporation, Waterloo, Iowa (the Initial Purchaser); and

NOW, THEREFORE, be it resolved by Clay County, Iowa, as follows:

DEFINITIONS

SECTION 1. All words and phrases defined in Article I of the Agreement (hereinafter defined) shall have the same meaning in this Resolution unless otherwise expressly provided in this Section 1. The following words and terms as used in this Resolution shall have the following meanings unless the context or use indicates another or different meaning or intent:

"Act" means Chapter 419 of the Code of Iowa, 2001, as amended.

"Agreement" means the Loan Agreement, dated as of September 14, 2004, by and between the Issuer and the Company, as from time to time amended and supplemented.

"Assignment" means the Assignment dated as of September 14, 2004, by and between the Issuer and the Initial Purchaser.

"Bond" or "Bonds" means the Bond authorized to be issued hereunder.

"Bond Fund" means Clay County, Iowa, Health Facilities Revenue Bond (St. Luke Homes and Services, Inc. Project) Bond Fund, created in Section 6 hereof.

"Bond Purchase Agreement" means the Bond Purchase Agreement dated as of the date hereof between the Issuer and Iowa Securities Investment Corporation.

"Bond Registrar" means Iowa Securities Investment Corporation, as agent of the Issuer.

"Company" means St. Luke Homes and Services, Inc., an Iowa not-for-profit corporation, and its successors and assigns and any surviving, resulting or transferee corporation as provided in Section 5.2 of the Agreement.

The term "default" means those defaults, exclusive of any period of grace, specified in and defined in Section 10 hereof.

The term "event of default" means those events specified in and defined in Section 9 hereof. The words "hereof", "herein", "hereunder" and other words of similar import refer to this Resolution as a whole.

"Initial Purchaser" and "Paying Agent" mean Iowa Securities Investment Corporation, Waterloo, Iowa, and its successors and assigns.

"Internal Revenue Code" means the Internal Revenue Code of 1986, as amended.

"Issuer" means Clay County, Iowa, and its successors and assigns.

"Resolution" means this Resolution.

"Revenues" means all amounts payable pursuant to Section 4.2(a) of the Agreement and other amounts payable under the Agreement and the Mortgage which may be applied to the payments of principal or interest on the Bond.

"Trustee" means Black Hawk Fidelity Corp., its successors and assigns under an Indenture of Trust dated as of September 14, 2004.

AUTHORIZATION AND PREPAYMENT OF BOND

SECTION 2. That for the purpose of financing the cost of the Project, there shall be and there is hereby authorized to be issued by the Issuer its Health Facilities Revenue Bond, Series 2004, (St. Luke Homes and Services, Inc. Project) in the principal sum of \$3,000,000 dated as of September 14, 2004.

The Bond shall be signed by the Board Chair and attested by the County Auditor of the Issuer and the official seal of the Issuer shall be affixed thereto, and each page thereof shall be initialed by the aforementioned officials. In case any official of the Issuer whose signature shall appear on the Bond shall cease to be an official before the delivery of such bond, such signature shall nevertheless be valid and sufficient for all purposes, the same as if he had remained in office until delivery.

The Bond shall be payable, shall bear interest, shall be subject to obligations and options for prepayment and shall contain other terms and conditions, and be in the form, substantially in the form of the attached Exhibit A.

BOND A LIMITED OBLIGATION

SECTION 3. The Bond, together with interest thereon, is not a general obligation of the Issuer, but is a limited obligation payable solely from the Revenues and other amounts derived from the Mortgaged Property (except to the extent paid out of moneys attributable to the proceeds derived from the sale of the Bond or to income from the temporary investment thereof), including revenues derived from the Agreement and the Mortgage and shall be a valid claim of the respective holders thereof only against the Bond Fund and other moneys held by the depository, as designated in Section 4 hereof, and the Revenues and other amounts derived from the Mortgaged Property,

which Revenues and other amounts are hereby pledged, assigned and otherwise secured for the equal and ratable payment of the Bond and shall be used for no other purpose than to pay the principal of, premium, if any, and interest on the Bond, except as may be otherwise expressly authorized in this Resolution. The bond and interest and premium, if any, thereon shall not constitute an indebtedness of the Issuer within the meaning of any constitutional or statutory provision and does not constitute nor give rise to a pecuniary liability of the Issuer or a charge against its general credit or taxing powers.

PROJECT AND PAYMENT OF AMOUNTS UNDER THE AGREEMENT

SECTION 4. It is the declared intention of the Issuer to authorize the Initial Purchaser to disburse the proceeds of the Bond in order to enable the Company to construct the Project under and pursuant to the Agreement in substantially the form which has been presented to and is hereby approved by the governing body of the Issuer and which is now on file in the official records of the Issuer.

The Board Chair is hereby authorized to execute and acknowledge said Agreement for and on behalf of the Issuer, and the County Auditor is hereby authorized to attest same and to affix thereto the official seal of the Issuer.

The Agreement and the revenues and receipts thereof, including all moneys received under its terms and conditions, are sufficient to pay the principal installments of and interest on the Bond hereby authorized and are hereby pledged and ordered paid into the Bond Fund. The Agreement provides that the Company shall remit the required loan repayment installments there under directly to the Paying Agent for the account of the Issuer for deposit in said Bond Fund and such provision is hereby expressly approved.

REVENUES: BOND FUND

SECTION 5. There is hereby created by the Issuer and ordered established with the Paying Agent, as depository, a special fund to be designated "Clay County, Iowa, Health Facilities Revenue Bond, Series 2004 (St. Luke Homes and Services, Inc. Project) Bond Fund", which is pledged and shall be used to pay the principal installments of, premium, if any, and interest on the Bond. There shall be deposited into the Bond Fund, as and when received, (a) all Revenues; and (b) all other moneys received by the Paying Agent under and pursuant to any of the provisions of the Agreement, which are to be applied to the payment of principal, premium, if any, and interest on the Bond.

The Paying Agent is authorized and directed to apply amounts available therefor in the Bond Fund to the payment when due of the principal of and interest on the Bond. Any amounts remaining in the Bond Fund, after payment in full of the principal installments of, premium, if any, and interest on the Bond (or provision for payment thereof as provided in this Resolution or any other bond resolution pursuant to which bonds are issued) and the charges and expenses of the Issuer and the Paying Agent, shall be paid to the Company upon the expiration or sooner termination of the term of the Agreement as provided herein and in Section 8.5 of the Agreement.

ASSIGNMENT

SECTION 6. As security for the due and punctual payment of the principal installments of and interest on the Bond hereby authorized, the Issuer hereby assigns and pledges to the Initial Purchaser all revenues and receipts derived by the Issuer pursuant to the Agreement and all rights and remedies of the Issuer under the Agreement (except the right to receive payments, if any, under Sections 4.2, 5.1 and 6.3 thereof) to enforce payment thereof including any security interest therein, and as evidence of such assignment, pledge, and security interest and of the agreement of the Initial Purchaser to accept its responsibilities with respect to the Bond Fund created pursuant to Section 6 hereof, the Board Chair is hereby authorized to execute for and on behalf of the Issuer, and the County Auditor is hereby authorized to attest the same and to affix thereto the official seal of the Issuer, the Assignment, which is to be in the form which has been presented to and is hereby approved by the governing body of the Issuer and which is now on file in the official records of the Issuer.

INVESTMENTS

SECTION 7. Any moneys held as part of the Bond Fund created pursuant to Section 6 hereof may be invested or reinvested on the direction of the Company in accordance with the provisions of Section 3.5 of the Agreement. Any such investment shall be held by or under control of the Paying Agent and shall be deemed at all times a part of the Bond Fund, as the case may be, and the interest accruing thereon and any profit realized from such investments shall be credited to such fund, and any loss resulting from such investments shall be charged to such fund, which loss shall

be an obligation of the Company as provided in the Agreement.

As and when any amount invested pursuant to this Section may be needed for disbursement, the Company may direct the Paying Agent to cause a sufficient amount of the investments to be sold and reduced to cash to the credit of such funds regardless of the loss on such liquidation.

GENERAL COVENANTS

SECTION 8. The Issuer covenants that it will promptly cause to be paid solely and only from the

source mentioned in the Bond, the principal installments of and interest on the Bond hereby authorized at the place, on the dates and in the manner provided herein and in the Bond according to the true intent and meaning thereof. Nothing in the Bond or this Resolution should be considered as assigning or pledging any other funds or assets of the Issuer other than such Revenues and the right, title and interest of the Issuer in the Agreement in the manner and to the extent herein specified.

The Issuer covenants that it will faithfully perform at all times any and all covenants, undertakings, stipulations and provisions contained in this Resolution, in the Bond and in all proceedings of its governing body pertaining thereto.

The Issuer covenants that it will execute, acknowledge and deliver such instruments, financing statements and other documents as the Initial Purchaser may reasonably require for the better assuring, pledging and assigning unto the Initial Purchaser the rights of the Issuer in and to the revenues and receipts hereby assigned and pledged to the payment of the principal installment of and interest on the Bond; provided, however, that except for the obligations set forth in the Bond, the Issuer shall not be obligated to take any action or execute any instrument pursuant to any provision hereof or the Agreement until it shall have been requested to do so by the Company or the Initial Purchaser, or shall have received the instrument to be executed and, at the Issuer's option, shall have received from the Company or the Initial

Purchaser

assurance satisfactory to the Issuer that the Issuer shall be reimbursed for its reasonable expenses incurred or to be incurred in connection with the taking of such action or executing such instrument. The Issuer covenants and agrees that, except as herein and in the Agreement provided, it will not sell, convey, mortgage, encumber or otherwise dispose of any part of the revenues and receipts derived from the Agreement, or of its rights under the Agreement.

The Issuer covenants and agrees that it shall through the Initial Purchaser enforce all of its rights and all of the obligations of the Company under the Agreement for the benefit of the owners of the Bond. The Issuer shall protect the rights of the Initial Purchaser hereunder with respect to the assignment and pledge of the revenues and receipts coming due under the Agreement.

The Issuer further covenants and agrees that should there be a default under the Agreement, the Issuer shall fully cooperate with the Trustee to the end of fully protecting the rights and security of the Trustee. Nothing herein shall be construed as requiring the Issuer to operate the Project or to use any funds or revenues from any source other than funds and revenues

derived

from the Agreement.

EVENTS OF DEFAULT AND REMEDIES

SECTION 9. If any of the following events occur, it is hereby defined as and declared to be and to constitute an "event of default":

- (a) Default in the due and punctual payment of interest on the Bond;
- (b) Default in the due and punctual payment of the principal of, or premium, if any, on the Bond, whether at the stated maturity of any installment thereof, upon proceedings for redemption thereof, or upon the maturity thereof by declaration or acceleration;
- (c) Default in the performance or observance of any other covenant, agreement or condition on the part of the Issuer in this Resolution or in the Bond contained;

(d) The occurrence of an "event of default" under the Agreement.

Upon the occurrence of an event of default and so long as such event is continuing, the Trustee by notice in writing delivered to the Issuer and the Company, may declare the principal installments of the Bond and the interest accrued thereon immediately due and payable, and such principal installments and interest shall thereupon become and be immediately due and payable. Upon any such declaration all payments under the Agreement from the Company immediately shall become due and payable as provided in Section 6.2 of the Agreement.

While any principal installments of the Bond or interest are unpaid, the Issuer shall not exercise any of the remedies on default specified in Section 6.2 of the Agreement without prior written consent of the Trustee.

Upon the occurrence of an event of default, the Trustee may pursue any available remedy at law or in equity by suit, action, mandamus or other proceeding to enforce the payment of the principal installments and interest on the Bond and to enforce and compel the performance of the duties and obligations of the Issuer as herein set forth.

No remedy by the terms of this Resolution conferred upon or reserved to the Trustee is intended to be exclusive of any other remedy, but each and every such remedy shall be cumulative and

shall

be in addition to any other remedy given to the Trustee or to the owner hereunder or now or hereafter existing at law or in equity or by statute.

No delay or omission to exercise any right, power or remedy accruing upon any event of default shall impair any such right, power or remedy or shall be construed to be a waiver of any such

event

of default or acquiescence therein; and every such right, power or remedy may be exercised from time to time as often as may be deemed expedient.

All moneys received pursuant to any right given or action taken under the provisions of this

Section

or under the provisions of Article VI of the Agreement (after payments of the costs and expenses of the proceedings resulting in the collection of such moneys and of the expenses, liabilities and advances incurred or made by the Issuer, or the Trustee) and all moneys in the Bond Fund at the time of the occurrence of an event of default shall be deposited in the Bond Fund and all such moneys in the Bond Fund shall be applied to the payment of the principal installments,

premium,

if any, and interest then due and unpaid upon the Bond to the person entitled thereto.

Whenever moneys are to be applied pursuant to the provisions of this Section, such moneys shall

be

applied at such times, and from time to time, as the Trustee shall determine, but in any event

within

one (1) business day after deposit of such moneys in the Bond Fund. The Trustee shall give

such notice

as it may deem appropriate of the deposit with it of any such moneys and of the fixing of any

such

date, and shall not be required to make payment to the owner of any participation interest in the Bond until such certificate of participation shall be presented to the Trustee for appropriate endorsement or for cancellation if fully paid.

Whenever all principal installments, premium, if any, and interest on the Bond have been paid

under

the provisions of this Section and all expenses of the Trustee and the Issuer have been paid, any

balance

remaining in the Bond Fund shall be repaid to the Company.

With regard to any default concerning which notice is given to the Company under the provisions of

this Section, the Issuer hereby grants the Company full authority for account of the Issuer to perform

or observe any covenant or obligation alleged in said notice not to have been performed or observed,

in the name and stead of the Issuer with full power to do any and all things and acts to the same extent that the Issuer could do in order to remedy such default.

SALE OF THE BOND: EXECUTION OF DOCUMENTS

SECTION 10. The sale of the Bond hereby authorized to Iowa Securities Investment Corporation,

Waterloo, Iowa, at a price of \$3,000,000 and payment pursuant to the Bond Purchase Agreement in

substantially the form which has been presented to the governing body of the Issuer and which is now

on file in the official records of the Issuer, is hereby in all respects authorized, approved and confirmed.

The Board Chair is hereby authorized and directed to execute said Bond Purchase Agreement for and

on behalf of the Issuer.

PERFORMANCE PROVISIONS

SECTION 11. The Board Chair and the County Auditor, for and on behalf of the Issuer be, and each of

them hereby is, authorized and directed to do any and all things necessary to effect the performance of

all obligations of the Issuer under and pursuant to this Resolution, the execution and delivery of the Bond

and the performance of all other acts of whatever nature necessary to effect and carry out the authority

conferred by this Resolution. The Board Chair and the County Auditor be, and they are hereby, further

authorized and directed for and on behalf of the Issuer, to execute all papers, documents, certificates and

other instruments that may be required for the carrying out of the authority conferred by this Resolution

or to evidence said authority and to exercise and otherwise take all necessary action to the full realization of the rights, accomplishments and purposes of the Issuer under the Agreement and to discharge

all of the obligations of the Issuer under the Agreement.

DETERMINATION OF LOAN REPAYMENTS

SECTION 12. Pursuant to the requirements of the Act, it is hereby found and determined that the amounts

necessary in each year to pay the principal of and the interest on the Bond is the amount set forth in Section

4.2 of the Agreement, which by this reference is incorporated in this Resolution. No amounts are necessary

to be paid into any reserve funds for the retirement of the Bond. The Agreement provides that the

Company shall maintain the Mortgaged Property and carry all proper insurance with respect thereto.

NOTICES

SECTION 13. It shall be sufficient service of any notice or other paper on any party if the same shall be duly

mailed to that party by registered or certified mail addressed to that party at the respective addresses set forth in the Mortgage.

RESOLUTION A CONTRACT; PROVISIONS FOR
MODIFICATIONS, ALTERATIONS AND AMENDMENTS

SECTION 14. The provisions of this Resolution shall constitute a contract between the Issuer and the Initial

Purchaser and after the issuance of the Bond no modification, alteration, or amendment or supplement

to the provisions of this Resolution shall be made in any manner except with the written consent of the

Initial Purchaser until such time as all principal installments of, and interest on the Bond shall have been

paid in full.

SATISFACTION AND DISCHARGE

SECTION 15. All rights and obligations of the Issuer and the Company under the Agreement, the

Assignment, the Bond and this Resolution shall terminate and such instruments shall cease to be of

further effect, and the Initial Purchaser shall cancel the Bond, deliver it to the Issuer, and deliver a copy

of the cancelled Bond to the Company, and the Initial Purchaser shall execute and deliver all appropriate

instruments evidencing and acknowledging the satisfaction of this Resolution, and shall assign and

deliver to the Company any moneys in the Bond Fund required to be paid to the Company under Section

6 hereof (except moneys or investments held by the Initial Purchaser for the payment of principal of, interest

on or premium, if any, on the Bond) when:

(a) all expenses of the Issuer and the Initial Purchaser shall have been paid;

(b) the Issuer and the Company shall have performed all of their covenants and promises in the Agreement,

the Assignment, the Bond, and in this Resolution; and

(c) all principal installments and interest on the Bond have been paid or there shall have been deposited with

the Paying Agent either cash in an amount which shall be sufficient, or investments (but only to the extent

that the full faith and credit of the United States of America are pledged to the timely payment thereof) the

principal of and interest on which when due will provide moneys which, together with the moneys, if any,

deposited with the Paying Agent, shall be sufficient, to pay when due the principal or redemption price, if

applicable, and interest due and to become due on the Bond and prior to the prepayment date or the maturity

date thereof, as the case may be.

Provided, however, none of the principal of the Bond may be advanced refunded if under any circumstances

the interest on the principal to be refunded would be subject to Federal income taxation. In determining

the foregoing, the Initial Purchaser may rely upon an opinion of a nationally recognized firm of municipal bond attorneys to the effect that interest on the Bond will not be subject to Federal income taxation, notwithstanding the satisfaction and discharge of this Resolution.

BOND REGISTRAR

SECTION 16. Iowa Securities Investment Corporation is hereby appointed Bond Registrar of the Bond issued by Clay County, Iowa, pursuant to this Resolution and is authorized and directed to make transfers, from time to time, upon the records of the Company of the Bond and issue and deliver such new Bond upon cancellation to or upon the order of the person entitled thereto.

SEVERABILITY

SECTION 17. If any section, paragraph, clause or provision of this Resolution shall be ruled by any court or competent jurisdiction to be invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the remaining provisions hereof.

CAPTIONS

SECTION 18. The captions or headings of this Resolution are for convenience only and in no way define, limit or describe the scope or intent of any provision of this Resolution.

PROVISIONS IN CONFLICT REPEALED

SECTION 19. All resolutions, and orders, or parts thereof, in conflict with the provisions of this Resolution are, to the extent of such conflict, hereby repealed, and this Resolution shall be effective immediately upon its adoption.

PASSED and APPROVED this 14th day of September, 2004.

CLAY COUNTY, IOWA

By: _____
Joel M. Sorenson, Board Chair

ATTEST:

Marjorie A. Pitts, County Auditor

Motion by Zinn, seconded by Chalstrom to set **10:00 a.m.** on **September 17, 2004** in the Board of Supervisor's Room of the Clay County Administration Building, Spencer, IA as the time and place for a public hearing on the new confinement feeding operation construction permit requested by Jon Berends

Finishing Farm owned by Jon Berends, 1440 280th St., Everly, Iowa and located in the SW ¼ of SW ¼ of Section 17, Township 97, Range 38 of Waterford Township, Clay County, Iowa. Motion carried.

Motion by Brockshus, seconded by Zinn to set **10:00 a.m.** on **September 28, 2004** in the Board of Supervisor's Room of the Clay County Administration Building, Spencer, IA as the time and place for a public hearing on the

new confinement feeding operation construction permit requested by New Fashion Pork, LLP owned by Jay

Moore, PO Box 244, 164 Industrial Parkway, Jackson, MN and located at 3150 500th Ave in the SE ¼ of the

SW ¼ section 27, Township 94, Range 35 of Garfield Township, Clay County, Iowa.

Motion carried.

Motion by Brockshus, seconded by Zinn to approve the appeal of a female consumer, currently receiving county funding for residential, vocational and case management services, to a co-payment waiver due to financial hardship.

The Clay County CPC is directed to compromise the co-payment for #AA2 for fiscal year 2005.

Motion carried.

Motion by Zinn, Seconded by Chalstrom to close 500th Street between 250th Avenue and 260th Avenue for box culvert

replacement. Motion carried.

Motion by Chalstrom, Seconded by Brockshus to accept the amended #1 of the Iowa Department of Transportation

Secondary Roads Five Year Construction Program as present by the County Engineer on September 14, 2004

and authorized the Chairperson and the County Auditor to sign the program. Motion carried.

Motion by Zinn, Seconded by Brockshus to accept the amended #1 of the FY04-05 Secondary Roads Budget as

presented by the County Engineer on September 14, 2004 and authorized the Chairperson and the County

Auditor to sign the budget. Motion carried.

Motion by Zinn, Seconded by Chalstrom to close 340th Street between 260th Avenue and 270th Avenue for

maintenance grading. Motion carried.

Motion by Zinn, Seconded by Brockshus to approve Underground Construction Permit for Wireless Network

Management to place fiber optic cable in Clay County Secondary Roads Right-of-Way on 240th Avenue, 290th

Street and 230th Avenue as set out in their application number 16-04 filed with the Clay County Engineer's Office.

The Chairperson adjourned the meeting at 10:30 a.m. to convene at the Auditor's called meeting Friday, September

17 at 9:00 a.m.

Marjorie A. Pitts, County Auditor

Joel M. Sorenson, Chairperson

Clay County Board of Supervisor's Minutes from Meeting #32 held on September 17, 2004

The Clay County Board of Supervisors met pursuant to adjournment. The named supervisors were present:

Brockshus, Zinn, Schoer, and Sorenson. Absent: Chalstrom.

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote: Ayes:

Sorenson, Brockshus, Zinn, Schoer, and Chalstrom. Nays: none. Abstentions: none.

Motion by Schoer, seconded by Zinn to approve the meeting agenda for September 17, 2004. Motion carried.

The Board of Supervisors proceeded to canvass the results of the votes of the Regular School & Merged Area III College Election held on September 14, 2004 and now embodies its findings:

Spencer Community School District

Director at Large – Randy Van Dyke

Clay Central/Everly Community School District

Director District #1 – Gary Klett

Director District #3 – Sue Brugman

South Clay Community School District

Director At Large – Barry Anderson

- Michael D. Raner

- Mary Jo Smith

Merged Area III-ILCC

Public Measure – Shall the Board of Directors of Iowa Lakes Community College (Merged Area III) in the counties of

Buena Vista, Cherokee, Clay, Dickinson, Emmet, Hancock, Humboldt, Kossuth, O'Brien, Osceola, Palo Alto, Pocahontas,

and Winnebago, be authorized to annually certify for levy a tax on the taxable property in Merged Area III at a rate of six

cents (\$.06) per \$1,000.00 of assessed valuation for a period of ten (10) consecutive years beginning with the tax levy

to be made for collection in the fiscal year July 1, 2005 to June 30, 2006, said tax to be used for program sharing between community colleges, the purchase of instructional equipment, or for any other purpose now and hereafter authorized by law, as provided in section 260C.28, Code of Iowa?

Yes 867

No 593

A copy of the Abstract of Votes and the original tally lists, are hereby delivered to the Commissioner of Elections for filing as required by law.

10:00 a.m. The time having arrived for the public hearing on the new confinement feeding operation

construction permit requested by Jon Berends Finishing Farm owned by Jon Berends, 1440 280th St., Everly, Iowa and located in the SW ¼ of SW ¼ of Section 17, Township 97, Range 38 of Waterford 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. There were no written or oral objections filed. County Sanitarian Tammy McKeever read the public notice text and reviewed with the Board the Master Matrix scoring questions. There being no further questions or objections the public hearing was closed

Motion by Zinn, seconded by Brockshus to recommend approval of the new confinement feeding operation construction permit requested by Jon Berends Finishing Farm. Pursuant to Iowa Code section 459.304(3)(d), the Board of Supervisors state their approval because of the following specific reasons that will be contained in supporting documentation. This adopted recommendation and supporting documentation is directed to be sent to the Iowa Department of Natural Resources. Motion carried.

The Chairperson adjourned the meeting at 10:40 a.m. to convene at the Auditor's called meeting Tuesday, September 28, 2004 at 8:30 a.m.

Marjorie A. Pitts, County Auditor

Joel M. Sorenson, Chairperson

Clay County Board of Supervisor's Minutes from Meeting #33 held on September 28, 2004

The Clay County Board of Supervisors met pursuant to adjournment. The named supervisors were present: Chalstrom, Brockshus, Zinn, and Sorenson. Absent: Schoer.

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote: Ayes: Sorenson, Brockshus, Zinn, and Chalstrom. Nays: none. Abstentions: none.

Motion by Chalstrom, seconded by Zinn to approve the meeting agenda for September 28, 2004.

Motion carried.

Motion by Zinn, seconded by Chalstrom to approve the County Board minutes for Meeting # 31 dated September 14, 2004 and Meeting #32 dated September 17, 2004. Motion carried.

Motion by Brockshus, seconded by Zinn to approve the payment of the claims for September 28, 2004 with the detail on file in the County Auditor's office for review. Motion carried.

General Basic Fund		
ABC Computers Plus	Shrf computer work	35.00
Ace Hardware	Consv sprayer/glove	240.12
Allied Document Solutions	Treas october renewals	504.11
American Bottling Company	Consv pop machine	215.00
American Public Human Services	DHS PHS Directory	99.00
Annette Schaeffer	Election worker	30.00
Aquila	Bldg utilities	719.00
Arctic Glacier	Consv cube ice/Schnbg 584	49.50
Arlene Meyer	Election worker	75.00
Bank of America	Treas acct charges	51.68
Bruce Iverson	Election worker	102.00
Carpenter Uniform & Promotions	Consv shorts	27.14
Carroll Cleaning Supply, Co	Consv firestone bag	45.11
Cellular One	Shrf cell phone/upgrad eq	745.18
Kenneth L Chalstrom	Bd mileage	836.40
City of Spencer	Com Ctr August share	9950.10
Clay Co Clerk	Court fees charged	34.00
Clay Co Sec Road Fund	Consv gas usage august	536.21
Clay County Sheriff	CSRU shrf fees	60.50
Clay County Fair Assn	FY05 allocation 1st half	18120.50
Clay Regional Water	Consv grandview water	40.15
Crescent Electric Supply	Consv electrical supplies	43.07
Custer County Sheriffs Office	CSRU shrf fees	20.70
Daily Reporter, The	Consv paper subscription	70.00
David A Scott	atty fees	50.00
DCI - SOR	Shrf school registry	10.00
Dennis Price	Election worker	102.00
Denny's Pest Control	Bldg Pest control maint	56.00
Dickinson County Sheriff	CSRU shrf fees	152.98
Donald Black	Election worker	12.00
Doris Wilson	Election worker	76.80
Dorothy Franseen	election worker	42.00
Elaine Struve	Election worker	84.60

Electronic Specialties	Consv switch for siren	36.53
Emmet County Sheriff	CSRU shrf fees	28.30
Everly-Royal News	Pub bd mtg 29	155.17
Evertex	Consv internet/cable	326.75
Farmers Trust & Svgs Bank	Treas acct charges	159.34
Laura C Fitzloff	Jail meal transport	6.35
Florence Ihry	Election worker	95.40
Galen's Pro-Mow	Admn sharpen blades	30.42
Galls Incorporated	shf duty holster	242.93
G E Capital	Consv copier install/late	141.48
Billie J Geerdes	Election worker	92.40
Genevieve Burger	Election worker	103.20
Great North American Companies	Shrf tatoos	163.50
Hartley Farm & Home Center Inc	Consv concrete mix	142.55
Heartland Technology	Reset voicemail	195.00
Daniel J Heissel	Consv golf cart	550.00
IA Dept of Ag/Land Stwrd	Bee inspection	50.66
IA Lakes Electric Coop	Consv electric usage	237.05
Iowa Conservationist Magazine	Consv renewal	375.00
Irma K Clausen	Election worker	30.00
I S A C Multi-Co Serv Agency	Treas fall luncheon	85.00
Jean A Jackson	Election worker	116.40
Janitor's Closet Ltd	Consv cust supplies	78.88
Judy Bevers	Election worker	93.60
Judy Iverson	Election worker	102.00
JW Services	CSRU shrf fees	5.73
Kaye Price	election worker	102.00
Krukow Construction	Consv concrete/forming	623.10
Randy Krukow	Shrf postage	29.43
Lois A Simmons	Election worker	114.60
Lorraine Lamport	Election worker	30.00
Mar-Lin Business Supply	Copy paper 11x17	32.00
Marla Woelber	Election worker	102.00
Mastercard	Consv gas purchase	51.80
Mathison Co	DP sample paper rolls	6.03
Matt Parrott and Sons	Consv windshirt	513.23
Michelle A Krile	Election worker	30.00
Midwest Wireless	DHS cell phone charges	295.58
Minolta Corporation	Consv meter clicks	2.58
MOMAR	Consv cust supplies	114.45
Nancy A Lewis	Election worker	83.40
Nebraska HHS	Lead poisoning conference	10.00
Nielsen Tire Co	Consv tires/bal/recycle	201.90
Northwest Aging Assn.	FY05 allocation 1st half	2462.00
Northwest One	consv internet	15.00
NW IA Alcoholism & Drug Treatm	FY05 1st qtr prevention	3691.50
O'Brien County Sheriff	CSRU shrf fees	47.80
OMB Police Supply	Shrf light bar control	1342.97
Osceola Co Sheriff	CSRU shrf fees	17.00
Page-Hawkeye Legal Service	CSRU shrf fees	60.00
Palo Alto County Sheriff	CSRU shrf fees	23.00
Parker Historical Society	FY05 allocation 1st half	8750.00
Pauline Toebes	Election worker	102.90
Perkins Office Solutions	DHS office supplies	71.46
Peterson Heritage	FY05 allocation 1st half	1250.00
Peterson Patriot	Pub bd mtgs 27-28	256.41
Pitney Bowes	Postage machine contract	666.00
Plymouth County Sheriff	CSRU shrf fees	43.25
Quill	Auditor colored paper	86.11
Qwest	DHS phone charges	1283.44

R.S.V.P.	fy05 allocation 1st half	565.50
Rental Service Corporation	Consv mini excavator	237.00
RIDES	FY05 allocation 1st half	7476.00
Robert D. Johnson	Matron fees	240.00
Melinda L Roman	CSRU mileage	28.50
Ronald Roghair	Election worker	102.00
Sally Baschke	Election worker	12.00
Sharon Clausen	Election worker	102.00
Sharon Roghair	Election worker	90.00
Shoppers Supply	Consv spray gun	219.38
Sidwell Company	DP web hosting Oct fee	500.00
Sioux County Sheriff	CSRU shrf fees	60.66
Michael M Skonhovd	Consv mtg reg	10.00
SoftChoice Corporation	XP upgrade board room	1224.00
Solutions, Inc	Software shipping charges	46.63
Speed Printers	Certificates of appreciat	596.50
Spencer Auto Parts Inc	Consv oil/filter	48.99
Spencer Chamber of Commerce	Consv add'tl product	50.00
Spencer Family Care	ME services	125.00
Spencer Mun Hospital	Jail meals/PHN alloc	11028.80
Spencer Mun Utilities	Bldg utilities	3315.38
Spencer Office Supplies	Env hlth office supplies	269.18
Staples	DHS office supplies	52.38
Staples Credit Plan	Election brochure stands	1056.80
Star Energy LLC	Consv fuel usage	271.41
Helen Swanson	Election worker	94.20
SWIFT AIR	Cthse repairs	1240.29
Thrifty White Stores	Shrf film processing	14.65
Town & Country Disposal	Consv garbage pickup	546.02
U S Postal Service	DHS postage for meter	1000.00
U S Postmaster	Shrf 4 rolls of .23 stamp	92.00
Upper Des Moines O E O	FY05 allocation 1st qtr	4000.00
VISA	Transport meals/lodging	329.51
Wal-Mart Store #2714	Consv office supplies	28.30
Warner Funeral Home	Facility use/repairs	2535.00
William Hemme	Election worker	12.00
Woodbury County Sheriff	CSRU shrf fees	40.18
Wymer Motors, Inc.	Consv cable/choke w/adjst	47.99
Xerox Corporation	Rec copier lease	359.79
	General Supplemental Fund	
Clay County Sheriff	Shrf fees	150.50
Palo Alto County Sheriff	Jail - holding of inmates	120.00
Postage By Phone	Election postage	1000.00
U S Postmaster	election postage ret enve	185.00
West Payment Center	Law library access charge	1020.60
	MH-DD Services Fund	
Co Case Management Serv	ccms	189.00
Greer Law Office	attrny fees	68.27
IA Dept of Human Services	icf-res	30714.27
Opportunity Village	rcf-care	8695.14
Plymouth Life Inc	rcf-care	2821.00
Spectra Health Care	rcf-care	3134.10
	Rural Services Basic Fund	
City of Spencer	RS garbage charge October	4600.00
Clay Co Sec Road Fund	Consv gas usage august	436.78
Galen's Pro-Mow	Consv hydro pump	446.43
MaxYield Cooperative	IRVM water purchase	7.80
Midwest Bowie Sales	IRVM valve assembly	83.94
Mobile Spray Systems	IRVM pump parts	22.19
Shoppers Supply	Consv sprayer	17.02

Spencer Auto Parts Inc	Consv parts	22.00
Van Diest Supply Co	IRVM chemicals pathway	4849.86

Secondary Road Fund

Airgas North Central	Welding Supplies	211.81
Alliant Energy	Electric - Royal	149.37
Barnes Distribution	Hose Guard, Clips	215.43
Cellular One	Cell Phones - Spencer	136.21
Crysteel Truck Equipment Inc.	Repairs to #204	1890.00
Diamond Mowers, Inc.	Hose End	21.00
Harmon AutoGlass	Windshield #200	229.17
IA Prison Industries	2-36" Yield Signs	23.00
Iowa Telecom	Telephone - Peterson	41.39
Mar-Lin Business Supply	1/3 Cut Pressboard Folder	37.02
Michael Todd & Co	1 - Handicap Parking Sign	14.21
Mid-Iowa Sales Co.	Windshield Solv	44.26
Northern IA Const Prod	150 - 18" CMP	26604.75
Shine Bros Steel	Square Tube, Strap	40.00
Snap On Tools Corp	Flex Ratchet	132.13
Spencer Mun Utilities	Gas - Spencer	325.96
Vogel Traffic Services	715 Gal Yellow	22230.00
Greg Wood	Repair Fence-Snow Damage	402.00

Capital Projects

Al Tech Solutions	Patch panels/wire racks	3075.00
Clay County General Fund	Repay atty fees comp equi	2466.49
Farmers Trust & Svgs Bank	Interest payable comp pro	305.75
Mobile Office Vehicle, Inc.	Env Hlt mobile pc arm	179.00
SoftChoice Corporation	sftware server 2003	1729.23

E-911 Surcharge

Alpha Wireless Comm	E911 service on south rep	1160.20
Qwest	E-911 mthly serv	643.75
Spencer Mun Utilities	E911 monthly circuit char	228.60
United Farmers Telephone	E-911 phone serv	445.00

Spec Appraiser Fund-Assessor

Leslie A Buchholz	Assr mileage small twm/rr	165.60
NW District Assessor Assoc	Assr school reg	175.00

Co. Conserv. L. Acq. Tr. Fund

Ace Hardware	Consv counter top stove	318.00
Crescent Electric Supply	Consv electrical supplies	973.14
IA Lakes Electric Coop	Consv amp meter socket	275.00
Johnson Supply Co	Consv plumbing scharnberg	230.08
Mastercard	Consv lumber	345.30
Shoppers Supply	Consv lockset	3086.16

Co. Assessor Agency Fund

Cellular One	Assr cell phone charges	81.70
Jan Yungbluth	Assr conf bd mileage	14.40
Jody Clark	Assr conf bd mileage	12.00
Jon A Bang	Assr conf bd mileage	30.00
Marlin Voss	Assr conf bd mileage	4.20
Verland 'Bud' Meyer	Assr conf bd mileage	12.00

Motion by Zinn, seconded by Brockshus to approve the payment of the drainage claims totaling \$1177.00 for September 28, 2004 issued to Spencer Ready-Mix Inc for \$132.00 from Fund #51005 Drainage Ditch #5 for tile repair and issued to Hagedorn Excavating, Inc for \$1045.00 from Fund #51031 Drainage Ditch #23 for re-routing tile. Detail on file in the County Auditor's office for review. Motion carried .

Motion by Zinn, seconded by Chalstrom to approve the following Certificate of Adjustment #2038 representing a deduction totaling \$79.00 for an omitted Homestead Credit on property described as NW NW Section 17-96-38 in Lone Tree Township parcel #963817200001. Complete detail on file at the County Auditor's office. Motion carried.

Motion by Zinn, seconded by Brockshus to approve, after due consideration and discussion, Resolution #2004-39.

The Chairperson put the question upon the adoption of said resolution, and the roll being called, the following named Supervisors voted:

Ayes: Chalstrom, Brockshus, Zinn, and Sorenson

Nays: None.

Whereupon, the Chairperson declared the resolution duly adopted, as hereinafter set out.

RESOLUTION NO. 2004-39

Resolution approving a Loan Agreement, amending Resolution No. 2004-8, providing for the issuance of a \$125,000 General Obligation Computer Equipment Note and providing for the levy of taxes to pay the same

WHEREAS, pursuant to the provisions of Section 331.402 of the Code of Iowa, notice duly published and hearing

held thereon, the Board of Supervisors (the "Board") of Clay County, Iowa (the "County"), has heretofore determined

to contract indebtedness and enter into a loan agreement (the "Loan Agreement") in the principal amount of \$125,000

to provide funds to pay the cost, to that extent, of acquiring computer equipment for County offices, including the

refunding of an outstanding Loan Agreement Anticipation Project Note previously issued by the County to pay costs

in connection therewith; and

WHEREAS, following the hearing on February 10, 2004, the Board adopted Resolution No. 2004-8 authorizing

the Loan Agreement and a General Obligation Computer Equipment Note (the "Note") in the principal amount

of \$125,000 (the "Note"), and providing for the levy of taxes to pay the same (hereinafter referred to as the

"Issuance Resolution"); and

WHEREAS, the Issuance Resolution imposed a levy and collection of taxes to pay the principal of and interest

on the Note based upon an estimated interest rate but provided that the Issuance Resolution should be amended

to fix the actual rate or rates of interest on the Note and the resulting tax levy amounts necessary to pay the principal

of and interest on the Note when the Board selected a lender; and

WHEREAS, the Board has selected a lender, and it is necessary at this time to approve the Loan Agreement, to

amend the Issuance Resolution to provide for the terms and issuance of the Note and for the levy of taxes to pay the same;

NOW, THEREFORE, Be It Resolved by the Board of Supervisors of Clay County, Iowa, as follows:

Section 1. The County hereby determines to enter into the Loan Agreement with Farmers Trust & Savings

Bank, Spencer, Iowa, as lender (the "Lender"), providing for a loan to the County in the principal amount of

\$125,000, for the purpose or purposes set forth in the preamble hereof.

The Chairperson and County Auditor are hereby authorized and directed to sign the Loan Agreement on behalf of the

County, and the Loan Agreement is hereby approved.

Section 2. Except insofar as it provides for the levy and collection of taxes in the fiscal year which began J

uly 1, 2004, for the payment of the principal of and interest on the Note, all of the contents, paragraphs, sections,

clauses and provisions of the Issuance Resolution are hereby deleted in their entirety and the terms of this resolution

substituted in lieu thereof.

Section 3. The Note is hereby authorized to be issued in the principal amount of \$125,000, and shall be

dated September 30, 2004, and shall be payable as to both principal and interest in the manner hereinafter specified.

The County Auditor is hereby designated as the registrar and paying agent for the Note and may be hereinafter referred

to as the "Registrar" or the "Paying Agent".

Principal of the Note shall bear interest until paid from the date of the Note or from the last date on which interest

has been paid at the rate of 3.15% per annum. Both principal of and interest on the Note shall be payable in two

equal annual installments in the amount of \$43,871.42 each, due on June 1 in each of the years 2005 and 2006,

with one final installment of all remaining principal and interest due thereon at maturity on June 1, 2007. All payments

shall be applied first to the payment of interest due and next to the reduction of principal.

Payment of both principal of and interest on the Note shall be made to the registered owner appearing on the registration

books of the County at the close of business on the fifteenth day of the month next preceding the payment date and

shall be paid by check or draft mailed to the registered owner at the address shown on such registration books;

provided, however, that the final installment of principal and interest shall be payable only upon presentation

and surrender of the Note to the Paying Agent.

The County reserves the right to prepay principal of the Note in whole or in part at any time prior to and in inverse

order of maturity on terms of par and accrued interest. All principal so prepaid shall cease to bear interest on the

prepayment date.

The County hereby pledges the faith, credit, revenues and resources and all of the real and personal property

of the County for the full and prompt payment of the principal of and interest on the Note.

The Note shall be executed on behalf of the County with the official manual or facsimile signature of the Chairperson

and attested by the official manual or facsimile signature of the County Auditor and shall have the County's seal

impressed or printed thereon and shall be a fully registered Note without interest coupons. In case any officer whose

signature or the facsimile of whose signature appears on the Note shall cease to be such officer before the delivery

of the Note, such signature or such facsimile signature shall nevertheless be valid and sufficient for all purposes,

the same as if such officer had remained in office until delivery.

The Note shall be fully registered as to principal and interest in the name of the owner on the registration books

of the County kept by the Registrar, and after such registration, payment of the principal thereof and interest

thereon shall be made only to the registered owner or its legal representatives or assigns. The Note shall be

transferable without cost to the registered owner thereof only upon the registration books of the County

upon presentation to the Registrar, together with either a written instrument of transfer satisfactory to the Registrar

or the assignment form thereon completed and duly executed by the registered owner or the duly authorized attorney

for such registered owner.

The record and identity of any owners of the Note shall be kept confidential as provided by Section 22.7 of the Code of Iowa.

Section 4. The Note shall be in substantially the following form: Detail filed in the County Auditor's Office.

Section 5. The Note shall be executed as herein provided as soon after the adoption of this resolution as may

be possible and thereupon shall be delivered to the Registrar for registration and delivery to the Lender, upon

receipt of the loan proceeds, and all action heretofore taken in connection with the Loan Agreement is hereby

ratified and confirmed in all respects.

Section 6. For the purpose of providing for the levy and collection of a direct annual tax sufficient to pay the

principal of and interest on the Note as the same become due, there is hereby ordered levied on all the taxable

property in the County in each of the years while the Note is outstanding, a tax sufficient for that purpose, and in

furtherance of this provision, but not in limitation thereof, there is hereby levied on all the taxable property in

the County the following direct annual tax for collection in each of the following fiscal years, to-wit:

For collection in the fiscal year beginning July 1, 2005,
sufficient to produce the net annual sum of \$43,872;

For collection in the fiscal year beginning July 1, 2006,

sufficient to produce the net annual sum of \$43,872;

Section 7. A certified copy of this resolution shall be filed with the County Auditor, and the County Auditor is

hereby instructed to enter for collection and assess the tax hereby authorized. When annually entering such taxes

for collection, the County Auditor shall continue to include the same as a part of the tax levy for Debt Service

Fund purposes of the County and when collected, the proceeds of the taxes shall continue to be converted into

the Debt Service Fund of the County and set aside therein as a special account to be used solely and only for the

payment of the principal of and interest on the Note hereby authorized and for no other purpose whatsoever.

Section 8. The interest or principal and both of them falling due in any year or years shall, if necessary, be

paid promptly from current funds on hand in advance of taxes levied and when the taxes shall have been collected,

reimbursement shall be made to such current funds to the sum thus advanced.

Section 9. It is the intention of the County that interest on the Note be and remain excluded from gross

income for federal income tax purposes pursuant to the appropriate provisions of the Internal Revenue

Code of 1986, as amended, and the Treasury Regulations in effect with respect thereto (all of the foregoing

herein referred to as the "Internal Revenue Code"). In furtherance thereof, the County covenants to comply

with the provisions of the Internal Revenue Code as they may from time to time be in effect or amended and further

covenants to comply with the applicable future laws, regulations, published rulings and court decisions as may be

necessary to insure that the interest on the Note will remain excluded from gross income for federal income tax

purposes. Any and all of the officers of the County are hereby authorized and directed to take any and all a

ctions as may be necessary to comply with the covenants herein contained.

The County hereby designates the Note as a "Qualified Tax Exempt Obligation" as that term is used in Section

265(b)(3)(B) of the Internal Revenue Code.

Section 10. All resolutions or parts thereof in conflict herewith be and the same are hereby repealed to the extent

of such conflict.

Passed and approved on September 28, 2004.

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Joel M. Sorenson Chairperson
Board of Supervisors

Attest:

Marjorie A. Pitts, County Auditor

Motion by Brockshus, seconded by Chalstrom to approve Resolution #2004-40 authorizing the

compromise of
Tax Sale Certificate 2003915-44. The Chairperson put the question upon the adoption of said
resolution,
and the roll being called, the following named Supervisors voted:
Ayes: Chalstrom, Brockshus, Zinn, and Sorenson
Nays: None.
Whereupon, the Chairperson declared the resolution duly adopted, as hereinafter set out.

RESOLUTION 2004-40

Resolution authorizing the compromise of Tax Sale Certificate 2003-91544

WHEREAS, the owner of the below described mobile home as requested a tax adjustment
from the Clay county

Treasurer:

Title Holder – Allan Tripp
PO Box 174
Sioux Rapids, IA 50585-0174

1968 Det Mobile Home
VIN Number: FHS45122CFRSM7303
Title 21-U094014
Tax Sale Certificate 2003-91544

And, WHEREAS, the mobile home was removed from The Trailer Court and taken to a farm
and dismantled
about 3 years ago, and didn't know they were to junk the mobile home through the Treasurer's
office.

WHEREAS, said mobile home has remained on the tax rolls and was sold to Clay County
June 16, 2003, for
\$198.00 for taxes and penalties for the years 2001-2002 and 2002-2003, and

WHEREAS, subsequent tax on said mobile home for 2003-2004 and 2004-2005 now
aggregated \$166.00, and

NOW, THEREFORE, BE IT RESOLVED, that Tax Sale Certificate 2003-91544 is hereby
adjusted; and all
mobile home taxes with respect to the above described mobile home for years 2001-2001,
2002-2003, 2003-2004,
2004-2005 inclusive, and interest and penalties due thereon through the date of the
Resolution in the amount of
\$364.00
are hereby adjusted to \$100.00; and the Clay County Treasurer is hereby authorized and
directed to strike the
above
described mobile home from the tax rolls.

Joel M. Sorenson Chairperson
Board of Supervisors

Attest:

Marjorie A. Pitts, County Auditor

Motion by Zinn, seconded by Chalstrom to approve, after due consideration, the 28E Agreement between Clay, Dickinson , and Humboldt counties to enter into a joint affiliation with the Association of Retired Persons (AARP) sanctioned Representative Payee and Bill Payer Program with maintains programs collectively for enrollment of twenty-five (25) or more eligible clients to remain AARP sanctioned. Motion carried.

Motion by Brockshus, seconded by Zinn to approve, after due consideration, the Fiscal Year 2004 Case Management Actual Cost Report prepared and submitted by Seasons Center for Clay County's subcontracted case management program through Seasons Center, Spencer , IA. Motion carried.

10:00 The time having arrived for the public hearing on the new confinement feeding operation construction permit requested by New Fashion Pork, LLP, owned by Jay Moore, 164 Industrial Parkway, Jackson, MN and located in the SW ¼ of SW ¼ of SE ¼ Section 27, Township 94, Range 35 of Garfield 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. There were no written objections filed. The review of the Master Matrix for New Fashion Pork (Williams Site) will be postponed to October 5, 2004 at 9:00 a.m. as the County Sanitarian is waiting for the Iowa Dept of Natural Resources (IDNR) to set a date for the site survey. The Chairperson adjourned the public hearing

Motion by Zinn, seconded by Chalstrom to authorize the County Auditor to publish the notice of public hearing in the Spencer Daily Report for the postponed confinement feeding operation construction permit requested by New Fashion Pork, LLP, owned by Jay Moore, 164 Industrial Parkway, Jackson, MN and located in the SW ¼ of SW ¼ of SE ¼ Section 27, Township 94, Range 35 of Garfield Township, Clay County, Iowa. Motion carried.

The Board met with Bill Swift representing Swift Air Inc of Emmetsburg, IA that presented two proposals to deal with air quality issues in the Clay County Administration Building. The first proposal covered the installation of an exhaust fan in the duct work of the building and an ultraviolet bacteria killing lamp installed in the air

handler totaling \$16,850. The second proposal involves a ceiling mounted Mini-Split Air Conditioning unit for the GIS office totaling \$6,353. No Board action was taken. The proposals stand for 60 days.

The Board met with Larry Ericcson from Wetherall, Ericcson and Leusink Architects of Des Moines, IA. Ericcson gave an update on the Courthouse Restoration Project. Detail drawings are nearly finished. The dome may not be removed in the same manner as originally discussed due to discoveries made during his survey process. Ericcson offered comment on the leaking coil in the condensing unit at the courthouse. The replacement of the heating and cooling system may need to be added to the project. Bid letting could take place this winter with construction beginning in the Spring of 2005.

Motion by Zinn, seconded by Chalstrom, to approve Overhead Construction Permit for Iowa Lakes Electric Cooperative to place 120/240 volt overhead crossing in Clay County Secondary Roads Right-of-Way on 380th Street to provide new service to BC3 Inc., c/o Robert Larson as set out in their application number 17-04 filed with the Clay County Engineer's Office. Motion carried.

Motion by Chalstrom, seconded by Zinn, to approve the sixth addendum to the contract accepted on May 5, 1995 between Clay County and Geo Tek Engineering & Testing Services, Inc. Sioux Falls, SD for consulting services for underground tank monitoring and authorized the Chairperson to sign the Addendum. Motion carried.

The Chairperson adjourned the meeting at 11:20 a.m. to convene at the Auditor's called meeting Tuesday, October 5, 2004 at 9:00 a.m.

Marjorie A. Pitts, County Auditor

Joel M. Sorenson, Chairperson

Clay County Board of Supervisor's Minutes for Meeting #34 held on October 5, 2004

The Clay County Board of Supervisors met pursuant to adjournment. The named supervisors were present:

Chalstrom, Brockshus, Zinn, Schoer, and Sorenson. Absent: None. Guest: Jay Moore.

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote: Ayes:

Sorenson, Brockshus, Zinn, Schoer, and Chalstrom. Nays: none. Abstentions: none.

Motion by Zinn, seconded by Schoer to approve the meeting agenda for October 5, 2004. Motion carried.

9:00 The time having arrived for the public hearing on the new confinement feeding operation construction

permit requested by New Fashion Pork, LLP, owned by Jay Moore, 164 Industrial Parkway, Jackson, MN and

located in the SW ¼ of SW ¼ of SE ¼ Section 27, Township 94, Range 35 of Garfield Township, Clay County,

Iowa that was postponed from September 28, 2004. The Board determined that notice of the public hearing

was published in the Spencer Daily Reporter pursuant to the Iowa Code. County Sanitarian Tammy McKeever

reported that there were no written objections filed. McKeever proceeded to review of the Master Matrix for

New Fashion Pork (Williams Site) with the Board. A site map and copies of the master matrix scoring questions

were distributed. After due consideration of the scoring the Chairperson adjourned the public hearing

Motion by Brockshus, seconded by Zinn to recommend approval of the new confinement feeding operation

construction permit requested by Jon Berends Finishing Farm. Pursuant to Iowa Code section 459.304(3)(d),

the Board of Supervisors state their approval because of the specific reasons that will be contained in

supporting documentation. This adopted recommendation and supporting documentation is directed to

be sent to the Iowa Department of Natural Resources. Motion carried.

The Board met with County Engineer Scott Rinehart regarding the hiring of an attorney to assist in the

pending labor union negotiations with International Union of Operating Engineers (IUOE) Local 234.

Other discussion involved tiling issues in Royal and gravel hauling to rebuild roads. No Board action was taken.

County Auditor Marjorie Pitts discussed the Sunshine Services agreement with the County for custodial

services at the Governmental Services Building. The agreement is an Enclave of two consumers and one staff

person for three days a week covering approximately twelve hours a week. The agreement begins October 6,

2004. Pitts also discussed with the Board the setting aside of time for a budget planning session in mid November.

The Chairperson adjourned the meeting at 9:50 a.m. to convene at the Auditor's called meeting Tuesday, October 12, 2004 at 8:30 a.m.

Marjorie A. Pitts, County Auditor

Joel M. Sorenson, Chairperson

Clay County Board of Supervisor's Minutes from Meeting #35 held on October 12, 2004

The Clay County Board of Supervisors met pursuant to adjournment. The named supervisors were present: Brockshus, Chalstrom, Sorenson and Zinn. Absent: Schoer

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote: Ayes: Sorenson, Brockshus, Zinn, and Chalstrom. Nays: none. Abstentions: none.

Motion by Brockshus, seconded by Chalstrom to approve the meeting agenda for October 12, 2004. (Absent: Zinn)
Motion carried.

Motion by Zinn, seconded by Chalstrom to approve the County Board minutes for Meeting #33 dated September 28, 2004 and Meeting #34 dated October 5, 2004. Motion carried.

Motion by Zinn, seconded by Brockshus, to approve the payment of the claims for October 12, 2004 with the detail on file in the County Auditor's office for review. Motion carried.

General Basic Fund		
ABC Computers Plus	jail computer	2601.10
Ace Hardware	Bldg supplies	265.76
All-American Turf Beauty	Yard spraying	542.40
Aquila	utlty asst	39.23
Arch Wireless	DHS pager	52.21
AK Stock Farms	Env Hlth 9 plugged wells	1716.44
A1 Tech Solutions	DP data rack 3'	494.17
BOJI Information Systems	toner cartridge	196.00
Boys & Girls Home Res Trmt Ctr	shltr care	261.96
Brokers National	VSP September billing fee	10.00
Bud's Service	Shrf towing/bronco	65.00
Budget Lighting Inc	Bldg packaging return lights	474.00
Canon Financial Services Inc	GIS gestetner lease	103.45
Carpenter Uniform & Promotions	Jail uniforms	57.68
Cellular One	Cell phones	317.37
City of Spencer	Cths solid waste chrg	345.00
Clarinda Youth Corp	shltr care	864.27
Clay Co Sec Road Fund	Election gas	1522.54
Clay County Sheriff	CSRU shrf fees	103.75
Correctional Services Corp	shltr care	5626.23
Daily Reporter, The	help wanted/pub	113.47
Denny's Drain Clean & Plbg	Jail drain unplugged	125.00
Denny's Pest Control	Bldg pest control maint	161.00
Dept of Public Defense	Jailer room exp mtg	85.00
Dickinson County Sheriff	CSRU shrf fees	24.10
DNA Rentals UC	VA rental assistance	200.00
Don Pierson Ford	Shrf vehicle parts	49.57
Gina L Ean	Aud mileage	8.04
Employee Data Forms Inc	Treas emp data/vac calend	22.50
Farmers Trust & Svgs Bank	Treas bank charge	218.65
Galls Incorporated	Shrf holster	140.98
The Hotel at Gateway Center	Aud mtg exp	165.90
G E Capital	DHS copier charges	139.30
Shirley M Goyette	Rec mileage	35.70
H & N Chevrolet Buick	Shrf vehicle ac compresso	632.43

Helen's Comm Laundry Inc	CCSO rugs	161.70
Holiday Inn Conf Center	Jail meeting exp room	481.58
IA Law Enforcement Academy	Jailer school Smith	225.00
IA Secretary of State	elect military envlpe	61.82
IA Workforce Development	Bldgs elevator/permits	172.00
IACCVA	VA school registration	20.00
Janitor's Closet Ltd	Bldg supplies/service	914.97
Johnson Supply Co	Shrf fl dr stops twist	43.90
Kenny Matthews	landlord	220.00
Randy Krukow	Shrf postage	35.07
Lundt & Sears Plbg & Htg	CCSO combed condenser rep	75.00
Lyon County Sheriff	CSRU shrf fees	48.75
M-Y Supply, Inc	GSC inspection/rechg/gask	40.98
Mangold Environmental Test, Inc	ZSS well test	27.00
Mathison Co	GIS plotter paper	130.96
David C Maurer	twp mileage	1.80
McLeodUSA	Phone Charges	461.48
Minolta Corporation	DHS copier clicks	18.55
NACo	county membership dues	370.00
O'Brien County Sheriff	CSRU shrf fees	229.50
Office Systems Company	Adm copier contract	157.20
Orlyn Wiemers	VA transporation mileage	67.80
Palo Alto County Sheriff	CSRU shrf fees	23.00
Parmer County Sheriff's Office	CSRU shrf fees	60.00
Perkins Office Solutions	DHS paper	229.06
Physicians Lab LTD	ME autopsy	2100.00
Quality Inn & Suites	GIS mtg exp parcelbldg	49.50
Qwest	Bldg circuits	109.98
Rebecca Campbell	landlord	600.00
Melinda L Roman	CSRU mileage	70.30
Ryan Runkle	VA landlord	105.00
Schoeneman Bros	CCSO lattice	25.37
Shoppers Supply	Jail drywall/wood	118.79
Sioux Sales Co	Shrf gun rack/cuff key	594.72
SoftChoice Corporation	DP pc/engineer-Pam	804.57
Solutions, Inc	DP Sept web hosting	500.00
Speed Printers	Shrf cert/appreciation	284.50
Spencer Auto Parts Inc	Shrf brake pad set	177.35
Spencer Family Care	ME services	375.00
Spencer Mun Hospital	ME lab screenings	467.75
Spencer Mun Utilities	Utility/phone service	369.42
Spencer Office Supplies	Aud ink cart	231.48
Spencer Signs	VA signs for Veterans Day	50.00
Staples Credit Plan	CSRU disks IBM	9.94
SWIFT AIR	Cthse service call	60.00
Thomas M. Magee	attrny fees	115.00
Thrifty White Stores	Inmate medications	68.98
U S Postmaster	postage	22.20
Univ of IA Hosp & Clinics	rx & other srvcs	142.52
Veterans Information Services	VA renewal	45.00
Joan M Waller	VA office supplies	44.23
Walter Stephens Jr Inc	Inmate sup/shampoo/deo	100.56
Warner Funeral Home	serv provided/mileage	4550.00
WearGuard, Corp	Custodial uniforms	59.97
Theresa E Wurth	GIS mtg exp meal/parcel	120.82
Xerox Corporation	Rec excess print charges	486.41
Zylstra Cycle Company	Shrf freight charges	5.60

General Supplemental Fund

IA Municipalities Workers Comp wk comp prem 04-05 instal		4511.23
NW IA Youth Emergency Serv Ctr detention jv		7800.00

Powder River County Sheriff	Inmate housing charges	540.00
U S Postmaster	Election postage return	296.00
West Payment Center	law lib Am Jur publication	399.75
	MH-DD Services Fund	
Clay Co Sec Road Fund	CPC county car gas	27.44
Clay County Sheriff	sheriff fees	18.50
Dickinson County CPC	attrny fees	90.00
Douglas D. Daggett	attrny fees	75.00
Greer Law Office	attrny fees	90.87
Hope Haven	rcf-care	5579.90
Horizons Unlimited of PAC	wa-care	2202.62
Hy-Vee #1628	rx-care	102.42
Knoxville Rest Home	rcf-care	714.00
Midwest Wireless	cell phn chrgs	41.64
Nishna Productions Inc	adc-care	2633.82
Oak Haven Care Facility	rcf-care	8693.50
Plymouth Life Inc	rcf-care	2730.00
Seasons Center	mh chrgs for 10/04	11490.59
Spectra Health Care	rcf-care	3033.00
Thomas M. Magee	attrny fees-care	116.00
U S Postmaster	postage	51.80
Village N. W. Unlimited	rcf-care	3118.04
	Rural Services Basic Fund	
Cellular One	IRVM cell phone	25.77
Daily Reporter, The	ZSS legal pub	17.15
McLeodUSA	Zoning phone	4.41
	Secondary Road Fund	
A & M Laundry Inc.	Uniforms	208.80
Airgas North Central	WELDING SUPPLIES	22.73
Alliant Energy	Electric - Everly	161.09
Aquila	Gas - Royal	69.75
Arnold Motor Supply	FILTERS	189.46
Barnes Distribution	Bolts & Connectors	376.85
Catco Parts & Service	Parts & Core Charge	1017.01
City of Everly	Gas - Everly	31.90
City of Royal	Water & Sewer	24.00
City of Spencer	Tractor Tire	114.50
City of Webb	Water & Garbage - Webb	65.00
Daily Reporter, The	Storm Water Permit Ad	15.00
Force America Inc	Eng. Parts	444.23
Fox International Inc.	Bolt	1316.28
Fox Valley Systems Inc	Blaze Red Org	70.02
Great Lakes Cooperative	Brome Grass	6211.42
H & N Chevrolet Buick	Windshield for #114	905.83
Harmon AutoGlass	Eng. Windshield	323.52
Holcomb Freightliner, Inc.	H Cover Assy	2181.46
IA Municipalities Workers Comp	Inst. #4 Work Comp 04-05	6766.77
IA Prison Industries	2-Yield Signs for Peterso	37.57
Janitor's Closet Ltd	4 cases - Teri Wiper	366.16
Lakes Propane Gas Co	Gas - Gillitt Grove	324.00
M. D. Products	Grader Mud Guards	72.15
Mar-Lin Business Supply	Green China Markers	8.46
McLeodUSA	ENG. Telephone - Spencer	18.50
Michael Todd & Co	36 - 6V-8D 6Volt Batteri	93.53
NAPA Auto Parts	Fitting	20.97
New Sioux City Iron Co	Eng. Parts	86.81
Northwest Equipment Inc	Washer	4.32
Northwest One, Inc	Internet - Spencer	34.95
Office Systems Company	Copy Cost	15.47
Robert W Peters	Reimb. for Safety Shoes	69.50

Reds Radiator Repair	Repair Aftercooler #209	773.50
Shoppers Supply	Eng. Hole Saw	169.70
Shuck-Britson, Inc.	Design Fees (L-4605B-4)	11500.00
Snap On Tools Corp	Socket	136.90
Spencer Auto Parts Inc	FLARES	1501.55
Spencer Mun Utilities	Telephone - Spencer	51.44
Spencer Ready-Mix	Patch Co. Farm Bridge	135.00
State Steel Supply Co.	Steel	41.74
Steven L Sundblad	refd ins premiums Aug/Sep	84.15
Town & Country Disposal	Garbage - Everly	20.60
Vander Haag's Inc	2 - Used Wheel Spacers	30.00
Webb-Dickens Telephone Co	Telephone - Dickens	64.70
Xerox Corporation	Copy Cost	26.00
Ziegler Inc	PARTS	15207.55
	Recorders Records Mgt Fnd	
SoftChoice Corporation	Rec plasmon disk media	810.00
	E-911 Surcharge	
ABC Computers Plus	E-911 ICC mnt box/jacks/l	209.87
Ayrshire Farmers Mutual Tele	E-911 phone chrgs	154.30
Iowa Telecom	E-911 recurring chrg	41.69
NAED Natl Acdmy Emerg Med Disp	E-911 EMD recert	135.00
Qwest	E911 circuits	13.58
Royal Telephone Co	E-911 3rd qtr 04 chrg	1016.37
Ruthven Telephone Exch Co	E-911 Sept 04 chrg	426.96
Terril Telephone Co	E-911 circuit chrg	8.04
Webb-Dickens Telephone Co	E-911 mthly phone serv	570.04
	Jnt Co Emergency Mgt Fund	
Alpha Wireless Comm	EMA battery	60.94
Bryce A Denker	Emg Mgt reimb postage	204.84
I S A C Multi-Co Serv Agency	Emg Mgt fall sch reg	70.00
McLeodUSA	EMA phone	17.37
Midwest Wireless	Emg Mgt cell phone	43.09
	Spec Appraiser Fund-Assessor	
Leslie A Buchholz	Assr mileage	226.69
Office Systems Company	Assr copier charges	42.74
Sidwell Company, The	Ass image scanning	1250.00
	Co. Assessor Agency Fund	
Canon Financial Services Inc	Assr copier charges	315.00
ISU Extension-Shelby County	Assr ag statistics	10.00
Mar-Lin Business Supply	Assr calculator ribbon	8.92
McLeodUSA	Assr phone	14.15
Larry M Rozeboom	2004 unused sick pay	85.00
Spencer Office Supplies	Assr office supplies	28.66

Motion by Zinn, seconded by Chalstrom, to approve the transfer of \$19,526.23 from Local Option –Fair Fund to the LOSST

Revenue Bond Sinking Fund pursuant to the 28E Agreement regarding allocation of Local Option Sales & Service Tax by and

between Clay County, the City of Spencer, and the Clay County Fair Association filed August 5, 2004.

Motion carried.

Motion by Brockshus, seconded by Zinn, to approve Clay County Auditor’s Quarterly Report of Fees Collected in the amount

of \$312.95 for the period ending September 30, 2004. Motion carried.

Motion by Zinn, seconded by Chalstrom to approve the following resolution. Roll call vote: Ayes - Brockshus, Chalstrom,

Sorenson and Zinn. Nays – None. Motion carried.

RESOLUTION NO. 2004-41

Resolution authorizing and providing for the issuance and securing the payment of \$2,000,000 Local Option Sales and Services Tax Revenue Bonds

WHEREAS, pursuant to Chapter 422B of the Code of Iowa and elections duly held, Clay County, Iowa (the “County”),

and the City of Spencer (the “City”) are entitled to receive proceeds of a one percent local option sales and services

tax (the “Local Option Tax”) which is being imposed in accordance with Chapter 422B and an ordinance duly adopted

by the Board of Supervisors of the County with respect thereto (the “Ordinance”); and

WHEREAS, the revenues from the Local Option Tax to be received by the County have not been pledged and are available for

the payment of revenue bonds, and the specific purposes for which the revenues to be received by the County and the City may

be expended include 10% for the Clay County Fairgrounds (the “Project”); and

WHEREAS, the County has entered into an agreement (the “Agreement”) with the City, pursuant to which the County and the

City have made a commitment that 10% of the revenues to be received from the Local Option Tax will be allocated to pay

principal of and interest on bonds to be issued by the County for construction of the Project (the total revenues from the Local

Option Tax to be received by the County and the City are hereinafter referred to as the “Local Option Tax Revenues,” and

the portion of the Local Option Tax Revenues which is and will be allocated by the County and the City pursuant to the

Agreement to pay principal of and interest on such bonds is hereinafter referred to as the “Allocated Tax Revenues”; and

WHEREAS, Chapter 422B authorizes the County to issue revenue bonds in anticipation of the receipt of the Allocated Tax

Revenues, and the County has heretofore proposed to issue \$2,000,000 Local Option Sales and Services Tax Revenue

Bonds (the “Series 2004 Bonds”) for the purpose of paying the cost, to that amount, of the construction of the Project, and

of refunding currently outstanding debt, and has published notice of such proposal and has held a hearing thereon;

NOW, THEREFORE, Be It Resolved by the Board of Supervisors of Clay County, Iowa, as follows:

Section 1. For the purpose referred to in the preamble hereof and pursuant to Chapter 422B of the Code of Iowa,

the Series 2004 Bonds are hereby authorized to be issued in the denomination of one bond for each principal maturity,

dated October 19, 2004, maturing on June 1 in each of the years, in the respective principal amounts and bearing interest

at the respective rates, as follows:

	Principal	Interest Rate	Principal	Interest Rate
Year	Amount	Per Annum	Year	Amount

2005	\$55,000	1.13%	2018	\$ 80,000	3.81%
2006	\$55,000	1.33%	2019	\$ 80,000	3.91%
2007	\$55,000	1.61%	2020	\$ 85,000	4.01%
2008	\$55,000	1.96%	2021	\$ 90,000	4.11%
2009	\$60,000	2.25%	2022	\$ 90,000	4.20%
2010	\$60,000	2.48%	2023	\$ 95,000	4.27%
2011	\$65,000	2.73%	2024	\$100,000	4.33%
2012	\$65,000	2.98%	2025	\$100,000	4.39%
2013	\$65,000	3.17%	2026	\$105,000	4.39%
2014	\$70,000	3.33%	2027	\$110,000	4.39%
2015	\$70,000	3.48%	2028	\$115,000	4.39%
2016	\$75,000	3.60%	2029	\$120,000	4.39%
2017	\$80,000	3.71%			

Section 2. The Clay County Auditor is hereby designated as the Registrar and Paying Agent for the Bonds and may be hereinafter referred to as the “Registrar” or the “Paying Agent”.

The County reserves the right to call and redeem part or all of the Series 2004 Bonds maturing in each of the years 2006 to 2029, inclusive, prior to and in any order of maturity on any date, on terms of par and accrued interest. If less than all of the Series 2004 Bonds of any like maturity are to be redeemed, the particular part of those Series 2004 Bonds to be redeemed shall be selected by the Bond Registrar by lot. The Series 2004 Bonds may be called in part in one or more units of \$5,000. If less than the entire principal amount of any Series 2004 Bond in a denomination of more than \$5,000 is to be redeemed, the Bond Registrar will issue and deliver to the registered owner thereof, upon surrender of such original Series 2004 Bond, a new Series 2004 Bond or Bonds, in any authorized denomination, in a total aggregate principal amount equal to the unredeemed balance of the original Series 2004 Bond. Notice of such redemption identifying the Series 2004 Bond or Bonds (or portion thereof) to be redeemed shall be given not less than 30 and not more than 60 days prior to the date upon which it is proposed to prepay the Series 2004 Bonds or any of them by sending a notice by certified mail to the registered owners thereof at the addresses shown on the County’s registration books. All of such Series 2004 Bonds as to which the County reserves and exercises the right of redemption and as to which notice as aforesaid shall have been given and for the redemption of which funds are duly provided shall cease to bear interest on the redemption date. All of the interest on the Series 2004 Bonds shall be payable semiannually on the first day of June and December in each year, commencing June 1, 2005. Payment of interest on the Series 2004 Bonds shall be made to the registered owners appearing on the bond registration books of the County at the close of business on the fifteenth day of the month next preceding the

interest payment date and shall be paid by check or draft mailed to the registered owners at the addresses shown on such

registration books. Principal of the Series 2004 Bonds shall be payable in lawful money of the United States of America to

the registered owners or their legal representatives upon presentation and surrender of the Series 2004 Bond or Bonds

at the office of the Paying Agent.

The Series 2004 Bonds shall be executed on behalf of the County with the official manual or facsimile signature of the Chairperson

and attested by the official manual or facsimile signature of the County Auditor and shall have the County's seal impressed

or printed thereon, and shall be fully registered bonds without interest coupons. In case any officer whose signature or the

facsimile of whose signature shall appear on the Series 2004 Bonds shall cease to be such officer before the delivery

of such Series 2004 Bonds, such signature or such facsimile signature shall nevertheless be valid and sufficient for all

purposes, the same as if such officer had remained in office until delivery.

All of the Series 2004 Bonds and the interest thereon and any additional bonds as may be hereafter issued and outstanding

from time to time ranking on a parity therewith under the conditions set forth herein (which additional bonds are hereinafter

sometimes referred to as the "Parity Bonds") (the Series 2004 Bonds and any Parity Bonds are sometimes hereinafter

collectively referred to as the "Bonds"), shall be payable solely from the Sinking Fund hereinafter referred to and shall be a

valid claim of the holder thereof only against said fund, and none of the Bonds shall be a general obligation of the

County, and under no circumstances shall the County be in any manner liable by reason of the failure of the Allocated

Tax Revenues to be sufficient for the payment in whole or in part of the Bonds and the interest thereon; but the Bonds

shall be payable both as to principal and interest solely and only from the future Allocated Tax Revenues

pledged therefor as hereinafter provided.

The Series 2004 Bonds shall be fully registered as to principal and interest in the names of the owners on the registration

books of the County kept by the Bond Registrar, and after such registration, payment of the principal and interest thereof

shall be made only to the registered owners, their legal representatives or assigns. Each Series 2004 Bond shall be

transferable only upon the registration books of the County upon presentation to the Bond Registrar, together with

either a written instrument of transfer satisfactory to the Bond Registrar or the assignment form thereon completed

and duly executed by the registered owner or the duly authorized attorney for such registered owner.

The record and identity of the owners of the Series 2004 Bonds shall be kept confidential as provided by Section 22.7

of the Code of Iowa.

The Series 2004 Bonds shall not be valid or become obligatory for any purpose until the

Certificate of Authentication t

hereon shall have been signed by the Bond Registrar.

Section 3. The Series 2004 Bonds shall be in substantially the following form: Detail filed in the County Auditor's office.

Section 4. The Series 2004 Bonds shall be executed as herein provided as soon after the adoption

of this resolution as may be possible and thereupon they shall be delivered to the Bond Registrar, for registration,

authentication and delivery to the purchaser, as determined by the Board, upon receipt of the purchase price

thereof, with accrued interest thereon, and all action heretofore taken in connection with the sale of the Series

2004 Bonds is hereby ratified and confirmed in all respects. The proceeds received from the sale of the Series

2004 Bonds, exclusive of accrued interest, shall be used for the purpose or purposes aforesaid, and any

unexpended balance of the proceeds of the Series 2004 Bonds remaining thereafter, plus any amount

received by the County as accrued interest, shall be converted into the Sinking Fund hereinafter referred

to and used to pay interest on the Series 2004 Bonds on the first interest payment date.

Section 5. From and after the delivery of the Series 2004 Bonds and as long as any of the

Series 2004 Bonds are outstanding and unpaid or until all of the Series 2004 Bonds then outstanding shall have

been discharged and satisfied or provision therefore has been made, the Allocated Tax Revenues shall be deposited

as collected in a fund to be known as the Local Option Sales and Services Tax Revenue Fund (the "Revenue Fund"),

which shall be used and disbursed as hereinafter provided to pay the principal of and interest on all of

the Series 2004 Bonds outstanding from time to time, as the same become due, and to maintain a reasonable

reserve for the payment of such principal and interest.

Section 6. There is hereby created, and there shall be maintained, an account to be known as the

"Local Option Sales and Services Tax Revenue Bond Sinking Fund" (herein referred to as the "Sinking Fund"), i

nto which there shall be set aside from the Allocated Tax Revenues in the Revenue Fund such portion thereof

as will be sufficient to pay the interest on and principal of the Bonds as the same become due, and it is hereby

determined that the minimum amount to be so set aside into the Sinking Fund during each month of each year

shall be not less than as follows:

Beginning on November 1, 2004, and continuing through and including May 1, 2005, a sum equal to 1/7 of the

principal of all Series 2004 Bonds maturing on June 1, 2005, plus a sum equal to 1/7 of the interest becoming due on

June 1, 2005, and, thereafter, a sum equal to one-twelfth (1/12) of the principal of all Series 2004 Bonds maturing on the

June 1 next succeeding, plus a sum equal to one-sixth (1/6) of the interest becoming due on the next succeeding interest

payment date on all of the outstanding Series 2004 Bonds, until the full amount of such installments is on hand;

provided, however, that all Allocated Tax Revenues held by the County on the date of this Resolution shall immediately

be set aside into the Sinking Fund, and, in the future no further payments need be made into the Sinking Fund when

and so long as the amount therein is sufficient to retire all of the Series 2004 Bonds then outstanding and to pay all

interest to become due thereon prior to such retirement or funds sufficient therefore have been set aside and pledged

for that purpose. If for any reason the amount on deposit in the Sinking Fund exceeds the required amount, the

excess shall be transferred and paid into the Revenue Fund.

Whenever Parity Bonds are issued under the conditions and restrictions hereinafter set forth, provisions shall be

made for additional payments to be made into the Sinking Fund for the purpose of paying the interest on and

principal of such Parity Bonds.

The Sinking Fund and that portion of the Allocated Tax Revenues contained therein shall be used solely and

only and are hereby pledged for the purpose of paying the interest on and the principal of the Series 2004 Bonds.

If at any time there is a failure to pay into the Sinking Fund the full amount above stipulated, then an amount

equivalent to the deficiency shall be paid into the Sinking Fund from the Allocated Tax Revenues on deposit

in the Revenue Fund as soon as available, and the same shall be in addition to the amount otherwise required

to be so set apart and paid into the Sinking Fund.

Section 7. All of such payments required to be made into the Sinking Fund shall be made in equal

monthly installments as hereinbefore provided on the first day of each month in each year, or on the next

succeeding business day when the first day of any month shall be a Sunday or legal holiday.

Section 8. Any balance of the Allocated Tax Revenues remaining in the Revenue Fund in

excess of the payments hereinbefore specified to be made into the Sinking Fund shall be used by the County

on June 1 of each year to redeem part or all of the Series 2004 Bonds.

Section 9. All money held in any fund created or to be maintained under the terms of this resolution

shall be deposited in lawful depositories of the County or invested in accordance with Chapters 12B and 12C of the

Code of Iowa and continuously held and secured as provided by the laws of the State of Iowa

relating to the depositing, securing, holding and investing of public funds. All interest received by the County as a result of

investments under this section shall be considered to constitute Allocated Tax Revenues and shall be deposited in

or transferred to the Revenue Fund and used solely and only for the purposes specified for such fund. The County

hereby covenants and agrees that no such investment shall ever be made so as to cause the interest on the

Series 2004 Bonds to become taxable as "arbitrage bonds" pursuant to the provisions of Section 148 the

Internal Revenue Code of 1986, as amended.

Section 10. The County hereby covenants and agrees with the owner or owners of the Series

2004 Bonds, or any of them, that from time to time may be outstanding, as follows:

a. The County will keep or cause to be kept books and records showing the receipt and expenditure of the Allocated Tax Revenues, in which complete entries shall be made in accordance with standard principles of accounting, and any owner of the Series 2004 Bonds shall have the right at all reasonable times to inspect such books and records;

b. To the extent permitted by law, the County will defend the validity and legality of this resolution, the Local Option Tax, the Local Option Tax Revenues, the Allocated Tax Revenues, and all actions taken by the Board of Supervisors of Clay County and the State of Iowa to impose the Local Option Tax and to collect the Local Option Tax Revenues, against all claims, suits and proceedings which would diminish or impair the Allocated Tax Revenues as security for the Series 2004 Bonds;

c. The County will faithfully and punctually perform, or cause to be performed, all duties with respect to the Local Option Tax required by the Constitution and laws of the State of Iowa and the various ordinances, resolutions and contracts of the County, including without limitation, the proper segregation of the proceeds of the Series 2004 Bonds and the Allocated Tax Revenues and their application from time to time to the respective funds provided therefor;

d. The County will not take any action in such manner or to such extent as might prejudice the security for the payment of the Series 2004 Bonds according to the terms thereof. No contract shall be entered into nor any other action taken by which the rights of any registered owner of any Bond might be prejudicially and materially impaired or diminished;

e. Each County officer or employee having custody of any Local Option Tax Revenues or being responsible for their handling shall be bonded at all times, which bond shall be conditioned upon the proper application of said moneys; and

Notwithstanding anything in this section to the contrary, none of the foregoing covenants of the County with respect

to the Local Option Tax Revenues shall obligate the County to undertake or perform any duty, task or obligation to

be performed by the State of Iowa, or under the terms of Chapter 422B or other provision of the Code of Iowa, as

from time to time amended.

Section 11. Except as herein expressly limited, the owner or owners of the Series 2004 Bonds shall have

and possess all the rights of action and remedies afforded by the common law, the Constitution and statutes of the

State of Iowa and of the United States of America for the enforcement of payment of their Series

2004 Bonds and the interest thereon and of the pledge of the Allocated Tax Revenues and of all covenants of the County hereunder.

Section 12. The Series 2004 Bonds shall not be entitled to priority or preference one over the other in the application of the Allocated Tax Revenues, regardless of the fact that they may have been actually issued and delivered at different times. The County hereby covenants and agrees that so long as any of the Series 2004 Bonds are outstanding and unpaid, no other Bonds or obligations payable from any portion of the Local Option Tax Revenues will be issued except upon the basis of such additional Bonds or obligations being subject to the priority and security for payment of any Series 2004 Bonds then outstanding; provided, however, that the County reserves the right and privilege of issuing Parity Bonds for any lawful purpose or for refunding any Series 2004 Bonds or obligations payable from the Local Option Tax Revenues, upon receiving the express written consent of all holders of then outstanding Series 2004 Bonds.

Bonds issued to refund any of the Series 2004 Bonds shall not be subject to the foregoing restrictions, provided the Series 2004 Bonds being refunded mature within three (3) months of the date of such refunding and no other funds are available to pay such maturing Series 2004 Bonds, or the issuance of the refunding Bonds will not cause an increase in the annual debt service requirements during the life of any Series 2004 Bonds then outstanding which are not being refunded, but otherwise any refunding Bonds ranking on a parity shall only be issued subject to the restrictions of this resolution.

Section 13. The provisions of this resolution shall constitute a contract between the County and the owners of the Series 2004 Bonds as may from time to time be outstanding, and after the issuance of any of the Series 2004 Bonds, no change, variation or alteration of any kind of the provisions of this resolution shall be made which will adversely affect the owners of the Series 2004 Bonds until all of the said Series 2004 Bonds and the interest thereon shall have been paid in full, except as hereinafter provided.

The owners of two-thirds (2/3) in principal amount of the Series 2004 Bonds at any time outstanding (not including in any case any obligations which may then be held or owned by or for the account of the County, but including such obligations as may be issued for the purpose of refunding any of the Series 2004 Bonds if such obligations shall not then be owned by the County) shall have the right from time to time to consent to and approve the adoption by the County of a resolution or resolutions modifying or amending any of the terms or provisions contained in this resolution; provided, however, that

this resolution may not be so modified or amended in such manner as to:

- (a) Make any change in the maturity or redemption terms of the Series 2004 Bonds.
- (b) Make any change in the rate of interest borne by any of the Series 2004 Bonds.

- (c) Reduce the amount of the principal payable on any Series 2004 Bonds.
- (d) Modify the terms of payment of principal of or interest on the Series 2004 Bonds, or any of them, or impose any conditions with respect to such payment.
- (e) Affect the rights of the owners of less than all of the Series 2004 Bonds then outstanding.
- (f) Reduce the percentage of the principal amount of the Series 2004 Bonds, the consent of the owners of which shall be required to effect a further modification.

Whenever the County shall propose to amend or modify this resolution under the provisions of this section, it shall (1) prior to the publication of the notice hereinafter provided for, cause notice of the proposed amendment to be mailed to each of the owners of the Series 2004 Bonds at the addresses appearing on the registration books of the County and also to the original purchasers of the Series 2004 Bonds, and (2) cause notice of the proposed amendment to be published one time in a newspaper published and/or having a general circulation in Clay County, Iowa. Such notice shall briefly set forth the nature of the proposed amendment and shall state that a copy of the proposed amendatory resolution is on file in the office of the County Auditor.

If the owners of at least two-thirds (2/3) in aggregate principal amount of the Series 2004 Bonds outstanding at the time of the adoption of such amendatory resolution shall have consented to and approved the adoption thereof as herein provided, no owner of any Series 2004 Bonds shall have any right or interest to object to the adoption of such amendatory resolution or to object to any of the terms or provisions therein contained or to the operation thereof or to enjoin or restrain the County from taking any action pursuant to the provisions thereof.

Any consent given by the owners of a Bond pursuant to the provisions of this section shall be irrevocable for a period of six (6) months from the date of such consent and shall be conclusive and binding upon all future owners of the same Bond during such period. Such consent may be revoked at any time after six (6) months from the date of such consent by the owner who gave such consent or by a successor in title, but such revocation shall not be effective if the owners of two-thirds (2/3) in aggregate principal amount of the Series 2004 Bonds outstanding as in this section defined shall have, prior to the attempted revocation, consented to and approved the amendatory resolution referred to in such revocation.

The fact and date of the execution of any instrument under the provisions of this section may be proved by the certificate of any officer in any jurisdiction who by the laws thereof is authorized to take acknowledgments of deeds within such jurisdiction, that the persons signing such instrument acknowledged before him the execution thereof, or may be

proved by an affidavit of a witness to such execution sworn to before such officer.

Section 14 It is the intention of the County that interest on the Series 2004 Bonds be and remain

excluded from gross income for federal income tax purposes pursuant to the appropriate provisions of the Internal

Revenue Code of 1986, as amended, and the Treasury Regulations in effect with respect thereto (all of the foregoing

herein referred to as the "Internal Revenue Code"). In furtherance thereof the County covenants to comply with

the provisions of the Internal Revenue Code as they may from time to time be in effect or amended and further

covenants to comply with applicable future laws, regulations, published rulings and court decisions as may be

necessary to insure that the interest on the Series 2004 Bonds will remain excluded from gross income for

federal income tax purposes. Any and all of the officers of the County are hereby authorized and directed to

take any and all actions as may be necessary to comply with the covenants herein contained.

The County hereby designates the Series 2004 Bonds as "Qualified Tax Exempt Obligations" as that

term is used in Section 265(b)(3)(B) of the Internal Revenue Code.

Section 15. If any section, paragraph, clause or provision of this resolution shall be held invalid,

the invalidity of such section, paragraph, clause or provision shall not affect any of the remaining provisions of

this resolution.

Section 16. All resolutions and orders or parts thereof in conflict with the provisions of this resolution

are, to the extent of such conflict, hereby repealed.

Section 17. This resolution shall be in full force and effect immediately upon its adoption and approval,

as provided by law.

Passed and approved on October 12, 2004.

Chairperson

Attest:

County Auditor

Moved by Brockshus, seconded by Chalstrom, to approve the following resolution. Roll call: Ayes: Brockshus,

Chalstrom, Sorenson and Zinn. Nays: None. Motion carried.

RESOLUTION NO. 2004-42

RESOLUTION REGARDING ACCOUNTS RELATING TO THE CLAY COUNTY SHERIFFS OFFICE

WHEREAS, the Clay County Sheriffs Office has previously supervised certain funds, including a D.A.R.E. fund, a canine

fund, and other funds, all of which have been subject to audit as part of the County's audit procedures, and;

WHEREAS, the Clay County Sheriff has now suggested to the supervisors that it would be

appropriate to amend
the County's procedures with respect to said funds.

THEREFORE, at the suggestion of the sheriff and the county attorney, the Clay County Board of Supervisors does

hereby make the following resolution:

1. Except as described in paragraphs 4 and 5 of this resolution, all monies now held and hereafter received by

the Clay County Sheriff for special purposes, including, but not limited to, funds for undercover purchases, D.A.R.E.,

canine fund, commissary, shall be deposited with the Clay County Treasurer into separate projects for each of such

funds, but within the general fund.

2. The funds covered by this resolution are for additional law enforcement efforts, which means that the monies

so designated are not to replace those already budgeted.

3. All funds described by this resolution shall continue to be subject to the County's normal audit

procedures. Except as described in paragraphs 4 and 5 below, all disbursements from the above-described

funds are subject to the County's normal purchasing and billing procedures, which means that claims

will be submitted and paid through the auditor's office in the same manner as other claims; but nothing in

this resolution shall limit the sheriff's discretion to determine the expenditures to be made from said funds.

4. The sheriff requires, from time to time, to make cash payments for undercover purchases or to pay

confidential informants or for other similar confidential purposes, and to have rapid access to such funds.

With respect to said funds, the sheriff shall, from time to time, make a claim to the auditor for money to

fund a separate account for such purposes. So long as money is available within the sheriff's budget, the

auditor shall then issue a warrant payable to the sheriff's undercover fund, and the sheriff shall maintain the

money in the undercover fund until expended. Sheriff shall maintain a confidential file for each case

or project. The file shall include such supporting documentation as may be necessary with regard to the

expenditure of confidential funds. All disbursements must be explained and documented.

Documentation

of such expenditures need not contain the name of the recipient if disclosure of said name would endanger the

recipient or impair the recipient's usefulness to law enforcement. The money held in the sheriff's

undercover fund shall be in dual control of, on the one hand, the sheriff or his chief deputy, and, on the

other hand, the county attorney or any assistant county attorney, so that expenditures from this fund shall

require two signatures, one being either the sheriff or his chief deputy and the other being either the county

attorney or any of his assistants.

5. The supervisors further recognize that from time to time money is seized from defendants, which money must be retained in its original form for evidentiary purposes. As an example, it sometimes happens that an undercover operative purchases drugs from a defendant using currency which has been marked or "serialized" by keeping track of serial numbers. That currency may then be recovered from the suspect. If recovered, such currency must be retained for use as evidence in the subsequent criminal trial so as to establish that the defendant was in possession of the precise items of currency which were obtained by the sale of drugs to an undercover agent. In such cases, the sheriff shall document the amount of the funds, and keep said funds in a safe until their evidentiary purpose is fulfilled, at which time the funds shall be disposed of in conformity with such orders as the Court may enter. If the County is to retain the funds, they will then be transferred to the appropriate County fund as set forth earlier in this resolution.

Signed this _____ day of _____, 2004.

Joel Sorenson, Chairman, Clay County
Board of Supervisors

Attest:

Marjorie Pitts, Clay County Auditor

Moved by Zinn, seconded by Brockshus, to approve a letter of response to 3rd Judicial District Chief Judge Michael Walsh, reaffirming procedures working with civil commitments in Clay County. Upon Chief Walsh's request the Clay County Board of Supervisors designated Spencer Hospital Emergency room staff to serve as entry point for valuation, recommending treatment and placement of individuals requiring civil commitment action after hours, on weekends and holidays. Motion carried.

Moved by Zinn, seconded by Brockshus, to increase Home & Community Based MR waiver slots from 31 to 41 slots for January –June 2005. Motion carried.

Moved by Brockshus, seconded by Chalstrom, to approve a request for exception to policy for an extension of rental assistance benefits for individual client. Motion carried.

Moved by Zinn, seconded by Brockshus, to approve a request for exception to policy for county assistance at University

of Iowa Hospitals and Clinics for medical services for individual client. Motion carried.

Jim Thiesse, from Kruse, Cate, & Nelson, Engineering presented information on the Menard's project for proposed plans for the re-routing of Drainage District #47 Tile and for the construction of a defined waterway outlet to be located in the NW ¼ of Section 24-97-37.

Motion by Chalstrom, seconded by Zinn to accept the low quote of J Z Enterprises of Aredale, Iowa for \$2,720.00 to cut Rumble Strips on Clay County Secondary Roads. Motion carried.

Motion by Brockshus, Seconded by Chalstrom to close 390th Street between 190th Avenue and 200th Avenue for box culvert replacement. Motion carried.

Motion by Zinn, Seconded by Brockshus to open 500th Street between 250th Avenue and 260th Avenue after completion of box culvert replacement. Motion carried.

Motion by Brockshus, seconded by Chalstrom to implement a "No Personal Cell Phone" rule during working hours for Clay County Secondary Roads employees. Motion carried.

The Chairperson adjourned the meeting at 12:00 Noon to convene at the Auditor's called meeting at 8:30 a.m. on October 26, 2004.

Gina L. Ean, Adm. Asst.

Joel M. Sorenson, Chairperson

Clay County Board of Supervisor's Minutes from Meeting #36 held on October 25, 2004

The Clay County Board of Supervisors met pursuant to the County Auditor's call for a Special Board Meeting. The named supervisors were present: Chalstrom, Brockshus, Zinn, Schoer, and Sorenson Absent: None. Guest: Lavon Toelle, Mike Zenor, Jim Thiesse, Don Hemphill, Dean Torreson, Chris Bjornstad.

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote: Ayes: Sorenson, Brockshus, Zinn, Schoer, and Chalstrom. Nays: none. Abstentions: none.

Motion by Schoer, seconded by Zinn to approve the meeting agenda as amended after posting and publication to include the consideration of Resolution #2004-45 approving the Menard, Inc Development Agreement for October 25, 2004. Motion carried.

Motion by Zinn, seconded by Chalstrom to approve the County Board minutes for Meeting #35 dated October 12, 2004. Motion carried.

Motion by Zinn, seconded by Brockshus to approve the payment of the regular claims for October 25, 2004 with the detail on file in the County Auditor's office for review. Motion carried.

General Basic Fund

ABC Computers Plus	Consv used Acer laptop	399.00
Ace Hardware	Consv faucet	1276.95
Agrisafe	Consv safety glasses/glov	56.00
Allied Document Solutions	Treas nov renewals	436.04
Alpha Wireless Comm	Shrf install gun locks	351.06
Americinn Motel & Suites	Treas mtg exp rooms	283.50
Nathan G Anderson	Consv mtg registration	19.59
Patricia A Applegate	Treas mtg exp meal	50.20
Aquila	Bldg utilities	2470.00
Arctic Glacier Inc	Consv ice	63.75
Bank of America	Treas acct charges	241.49
Sally L Becker	Treas mileage	146.21
Brokers National	VSP October billing	10.00
Cara Boyer	translator	30.00
Carpenter Uniform & Promotions	Shrf uniforms	152.13
Central Iowa Distributing	Consv scrubs	99.86
Cerro Gordo Co Sheriff	CSRU shrf fees	17.00
City of Spencer	Com Ctr expense share	22622.58
Clay Co Extension Service	Twp reference manuals	18.00
Clay Co Sec Road Fund	Sanitarian fuel sept	523.68
Clay County Sheriff	Shrf fees	350.50
Clay Regional Water	consv water usage	40.15
Audrey Coffman	Election mtg exp meal	13.51
Crescent Electric Supply	Consv credit	59.20
Daily Reporter, The	Pub new fashion pork	360.23
Dale James	well closure	200.00
De Linda Leu Reporting	depositions	79.20
Denny's Drain Clean & Plbg	Admn floor drain unplgged	55.00
Des Moines Stamp Mfg Co	Rec stamp	12.00
Diamond Vogel Paints	CCSO 5gal stain paint	202.50
Dickinson County Sheriff	Shrf fees	110.78
Earl May Seed & Nursery LC	Consv autumn purple/trees	700.00
Emmet County Sheriff	Shrf fees	53.50
Everly-Royal News	Pub new precinct boundrie	957.18
Everttek	Consv cable/int charges	326.75
FASTENAL	Consv cb 1/2-13 x 8 z	20.31
Galen's Pro-Mow	Consv gage wheels	23.92
G E Capital	Consv copier contract	119.48
Sandra S Geidl	Treas mtg exp meals	54.57
Great Lakes Dental Center	dental wrk	68.00
Hartley Farm & Home Center	Consv pvc pipe/cplr/roof	38.28
Heartland Technology	Phone fiber converter	130.00

Daniel J Heissel	Consv mtg exp meals	11.84
Hubcap Distributors, Inc.	Shrf 16" ss trim rings	49.95
IA Dept Natural Resources	Well permits	50.00
IA Lakes Electric Coop	Consv utilities	56.84
IA Prison Industries	Consv Schnbg-sheeting/sig	1509.20
IA St Co Treasurer's Assn	Treas ISAC fall school	15.00
ICAP IA Communities Assurance	insurance/bldg Schnbrg	338.00
I S A C Multi-Co Serv Agency	Consv fall mtg expense	70.00
Janitor's Closet Ltd	Jail styrofoam cups	312.35
Jean L. Sassman Court Reportin	Transcripts	61.45
Jenny Weiskircher	GR assistance	60.00
Jimmy Jay Productions	Custodial shirts embroide	69.30
Johnson Supply Co	Consv plumbing supplies	410.96
Judy's Lawn Service	Consv Grandview maint wor	800.00
Lakes Area ECI	ECI overtime seminar	15.00
Dennis R Linn	Shrf SRO school expense	91.02
Kevin D Maassen	Consv mtg registrations	20.00
Mar-Lin Business Supply	Election roller glue	277.84
Marion Co Sheriff	CSRU shrf fees	56.25
Tammy R McKeever	ZSS mtg exp	125.09
Midwest Wireless	DHS cell phones	315.49
Minolta Corporation	Consv meter clicks	5.70
Monona County Sheriff	CSRU shrf fees	16.00
Lavon C Montgomery	Treas mtg exp meals	46.18
NW IA Youth Emergency Serv Ctr	sheltered care/Rx	103.36
O'Brien County Sheriff	CSRU shrf fees	49.80
OMB Police Supply	Consv computer floor mount	210.98
Osceola Co Sheriff	CSRU shrf fees	17.00
Palo Alto County Sheriff	CSRU shrf fees	33.50
Perkins Office Solutions	DHS paper/bus cards/binde	136.56
Peterson Patriot	Pub mtgs 29-30	301.40
Janice M Pithan	Treas mtg exp meals	43.91
Polk County Sheriff	Shrf fees	163.80
Postage By Phone	Treas postage usage	1068.22
Quality Inn & Suites	Consv mtg exp	218.28
Qwest	DHS phone calls	1320.89
Melinda L Roman	CSRU mileage	60.90
Sherwin Williams	Consv varnish	19.06
Shoppers Supply	Consv drywall/supplies	1514.09
Michael M Skonhovd	Consv mtg exp meals	13.06
Joannie E Smith	Jail gas mtg exp	25.00
Spencer Auto Parts Inc	Consv copper + spark pl	24.24
Spencer Family Care	ME services	250.00
Spencer Mun Hospital	PHN/Jail meals	10305.85
Spencer Mun Utilities	Bldg utilities	2702.97
Spencer Office Supplies	election envelopes/supplies	100.24
Staples	Consv ink, tape, notepads	170.58
Staples Credit Plan	Aud fldrs	28.62
Star Energy LLC	Consv gas	122.10
Mary E Storley	Treas mtg exp meals	50.20
SWIFT AIR	Bldg serv call/refrigeran	360.00
Town & Country Disposal	Consv garbage	208.62
Univ of IA Hosp & Clinics	GR lab assistance	425.00
VISA	Shrf inv mtg expense	595.34
Wal-Mart Store #2714	Consv Schnbg-doormat/rug	298.18
Wetherell Ericsson Leusink	cthse engineering service	4376.17
Kimberly S Wilson	hotel/food-KimW	77.32
Woodbury County Sheriff	CSRU shrf fees	21.66
Zee Medical Service Co	Admn first aid supplies	10.72
Zenor & Houchins	Atty monthly expenses	2644.35

	General Supplemental Fund	
Clay County Sheriff	shrf trans charges	83.00
ICAP	Add cabin to insurance	57.00
Iowa Workforce Development	Quarterly unemployment	681.28
Palo Alto County Sheriff	Inmate housing charges	1560.00
Postage By Phone	Elections postage usage	278.07
Spencer Family Care/Avera	Wkers comp	29.00
West Payment Center	Law library access charge	1020.60
	MH-DD Services Fund	
Broadlawns Medical Center	Mh care	572.05
Candila Schickel	attrny fees	40.00
Clay County Sheriff	shrff fees	52.50
E.H. Philip, Attorney at Law	attrny fees	155.00
Echo Plus	scl-care	739.13
Genesis Development	wa-care	319.00
IA Dept of Human Services	icf-res-care	33855.92
Iowa Workforce Development	Quarterly unemployment	6.02
Opportunity Village	rcf-care	8496.45
Seasons Center	cm-care	5346.00
Sunshine Services Inc.	wa-care	28368.74
Kimberly S Wilson	hotel	84.00
	Rural Services Basic Fund	
Alpha Wireless Comm	RS radio/mic/case	1090.56
Clay Co Sec Road Fund	Zoning fuel sept	247.04
Galen's Pro-Mow	IRVM misc supplies	100.57
Iowa Workforce Development	Quarterly unemployment ta	39.45
MaxYield Cooperative	IRVM water	7.92
Postage By Phone	Zoning postage usage	13.36
Shoppers Supply	Consv belt/jacket	81.98
Spencer Auto Parts Inc	Consv filter	9.30
	Secondary Road Fund	
Ace Hardware	Wire Brushes	22.98
Airgas North Central	WELDING SUPPLIES	14.14
Alliant Energy	Electric - Gillett Grove	38.94
Alpha Wireless Comm	Radio Repair	45.60
Clay Regional Water	Water - Gillett Grove	12.00
Crescent Electric Supply	Shop Lights	347.60
Force America Inc	Hyd Hose	446.83
Harmon AutoGlass	Glass Repair on #1 & #3	288.50
Holcomb Freightliner, Inc.	Radiator Parts for #209	313.70
IA Lakes Electric Coop	Relocate cable FM(103)	1006.00
IA Prison Industries	Freight Charges	14.57
Iowa Department of Trans	Agg, HMA, PCC Recerts	650.00
Iowa Telecom	Telephone - Peterson	44.44
Iowa Workforce Development	3rd Qrt Unemployment Tax	340.27
Lawson Products Inc	Washers & Nuts	94.41
Mar-Lin Business Supply	Ink Cart - Jeff	49.67
Merryman Bridge Construction	Est #1 (L-7804B-3)	91315.80
Mid-American Research Chemical	Sure Start	58.95
Office Systems Company	Copy Costs	9.18
Garwin D Rafdal	Mileage for Drug Testing	6.60
Raveling, Inc.	Set Culv(Webb & S of 240)	4372.50
Reds Radiator Repair	Condensor Repair for #205	55.00
Road Machinery & Supplies Co.	Hose Assy, O-rings	1262.44
Rohlin Construction Co	3% Retained (L6704HMA-73)	1894.61
Royal Telephone Co	Telephone - Royal	18.35
Sibley Concrete Products	Box for Sec 34-94-36	30551.80
Snap On Tools Corp	Blow Gun	17.85
Spencer Diesel	Fuel Pump Lever #69	37.45
Spencer Mun Utilities	Gas - Spencer	338.51

Zep Manufacturing Co	Dry Moly, Towel, Hand Cl	267.79
	E-911 Surcharge	
Julie Brehmer	E911 mtg expense room	72.80
Postage By Phone	E911 postage usage	6.00
Qwest	E911 phone service	643.75
United Farmers Telephone	E911 database	445.00
	Jnt Co Emergency Mgt Fund	
Iowa Workforce Development	Quarterly unemployment ta	30.00
NW IA Community College	EMA table top disaster ex	600.00
Postage By Phone	EMA postage usage	6.21
	Spec Appraiser Fund-Assessor	
West Des Moines Marriott	Assr mtg exp room	406.60
	Co. Assessor Agency Fund	
Iowa Workforce Development	Quarterly unemployment ta	38.42
ISU-Ag Statistics	Assr ag statistics book	10.00
Postage By Phone	Assessor postage usage	15.99

Motion by Schoer, seconded by Chalstrom to approve the Clay County Recorder's Report of Fees Collected for the period ending September 30, 2004 totaling \$58,616.91. Detail on file in the County Auditor's office for review. Motion carried.

Motion by Zinn, seconded by Schoer to adopt Resolution 2004-43 authorizing application to the Iowa Community Development Block Grant (CDBG) Program and designating the Board of Supervisors Chairperson and the County Auditor as official signers of the application and all related documents. Roll Call: Ayes: Chalstrom, Brockshus, Zinn, Schoer, and Sorenson. Nays: None. Motion carried.

RESOLUTION NO.2004-43

WHEREAS, the Northwest Iowa Alcoholism and Drug Treatment Unit, Inc. (ADTU) has established a need for expanded and enhanced facilities to address the growing needs of the agency's patients and their treatment; and,

WHEREAS, the Northwest Iowa ADTU has identified a plan to construct this new facility in order to accommodate and service more patients and allow for the provision of additional services by adding more dedicated space than the current conditions will allow; and,

WHEREAS, the Northwest Iowa ADTU does not possess the financial resources to conduct this project without financial assistance; and,

WHEREAS, Clay County has the ability to apply for Community Development Block Grant financial assistance through the Iowa Department of Economic Development on behalf of the Northwest Iowa ADTU, and wishes to assist this service agency in constructing a new facility.

NOW, THEREFORE BE IT RESOLVED by the Clay County Board of Supervisors that an application to the Iowa Community Development Block Grant Program, on behalf of the Northwest Iowa Alcoholism and Drug Treatment Unit, Inc. is hereby authorized; and,

BE IT FURTHER RESOLVED that the Clay County Board of Supervisors Chairperson and the Clay County Auditor are hereby authorized to sign and execute the application and all related correspondence.

PASSED AND APPROVED this 25th day of October, 2004.

Joel M. Sorenson, Chairperson

ATTEST:
Marjorie A. Pitts, Auditor

Motion by Chalstrom, seconded by Zinn to adopt Resolution 2004-44 as stated. Roll Call: Ayes: Chalstrom, Brockshus, Zinn, Schoer, and Sorenson. Nays: None. Motion carried.

RESOLUTION NO.2004-44

WHEREAS, the Clay County Board of Supervisors, acting as trustees of Clay County Drainage District No. 47, have received a request from the City of Spencer to make certain changes in connection with existing drain tiles and drainage ways currently operated by Clay County Drainage District No. 47 so as to accommodate development of certain commercial property; and

WHEREAS, the Supervisors, as trustees of said Drainage District, have determined that relocation of said drainage tiles is appropriate; and

WHEREAS, two proposed easement agreements from Red Crib Farms and one proposed easement agreement from Tom and Debra Johnson, have been presented to the Supervisors on this 25th day of October, 2004, and are on file with the Clay County Auditor; and

WHEREAS, all of said agreements provide for the City of Spencer or Menard, Inc to pay all costs associated with relocation of the drainage ways.

NOW THEREFORE BE IT RESOLVED as follows:

1. That the Clay County Board of Supervisors, acting as trustees of Clay County Drainage District No. 47, do hereby agree that, upon the execution and delivery of all three agreements, the easement grants will be accepted by the Drainage District.
2. All construction and design of the drainage ways, tiles or other improvements within the easements shall be carried out in conformity with plans and specifications to be approved by the Clay County Engineer.
3. That the Clay County Board of Supervisors, acting as trustees of Clay County Drainage District No. 47, further resolve that, after execution and delivery of the easement agreements, and upon the certification of the Clay County Engineer that the construction of the drainage ways has been completed to conformity with plans and specifications approved by the Clay County Engineer, then any easements currently existing in favor of Clay County Drainage District No. 47 which extend across the East Half of the Northwest Quarter of Section 24, Township 96 North, Range 37 West of the 5th P.M., Clay County, Iowa, together with
4. any drain tile or other improvements located within said easements shall be and are hereby declared to be abandoned without further action of this board.

DONE this 25th day of October, 2004

CLAY COUNTY BOARD OF SUPERVISORS,

BY: _____
Joel Sorenson, Chairperson

ATTEST:

Marjorie A. Pitts, Auditor

Motion by Zinn, seconded by Brockshus to adopt Resolution 2004-45 as resolution approving the Menard, Inc., Development Agreement. Roll Call: Ayes: Chalstrom, Brockshus, Zinn, Schoer, and Sorenson. Nays: None. Motion carried.

RESOLUTION 2004-45

WHEREAS, the Clay County Board of Supervisors and the County Engineer have negotiated an agreement with the City of Spencer Municipal Utilities and Menard, Ind., concerning highway, street and road construction required to accommodate the Plat of Menards First Addition in the Northwest Quarter of Section 24, Township 96 North, Range 37 West of the 5th P.M.; and,

WHEREAS, the proposed agreement limits the County's participation to providing specified services and materials in connection with that portion of 11th Street SW (360th Street) included in the Plat of Menards First Addition; and,

WHEREAS, upon review and consideration, the Clay County Board of Supervisors has determined that the County's obligations under the Menard, Inc., Development Agreement are consistent with the County's policies of cooperative street construction in cities in the County; and

WHEREAS, the development of Menards First Addition is an important economic development project;

NOW, THEREFORE, BE IT RESOLVED by the Clay County Board of Supervisors as follows:

Section 1. The Menard, Inc., Development Agreement among the City of Spencer, Clay County, Spencer Municipal Utilities, and Menard, Inc., in the final form presented to the Board of Supervisors and attached to this Resolution, is hereby approved.

Section 2. The Chairman of the Board of Supervisors and the County Auditor are authorized and directed to sign the development agreement on behalf of the County.

Section 3. The County Engineer is authorized and directed to supervise the County's performance of its obligations under the development agreement.

Section 4. All resolutions or parts of resolutions in conflict with the provisions of this resolution are hereby repealed.

Section 5 If an section, provision or part of this resolution shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the resolution as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 6. This resolution shall be in effect after its final passage and approval as provided by law.

Passed and approved by the Clay County Board of Supervisors the 25th day of October, 2004.

Joel M. Sorenson, Chairperson

ATTEST:

Marjorie A. Pitts, Auditor

Motion by Zinn, Seconded by Schoer to open 280th Avenue between Highway 18 and 400th Street after completion of bridge replacement. Motion carried.

Motion by Chalstrom, Seconded by Brockshus to open 390th Street between 190th Avenue and 200th Avenue after completion of box culvert replacement. Motion carried.

Motion by Schoer, Seconded by Brockshus to open 430th Street or B53 between 280th Avenue and 300th Avenue after completion of bridge replacement. Motion carried.

Motion by Brockshus, Seconded by Zinn to open 260th Avenue from 480th Street to 495th Street after completing maintenance grading. Motion carried.

Motion by Zinn, Seconded by Chalstrom to approve Right-of Way Agreement between IDOT and Clay County, and authorize the Chairperson to sign the agreement. Motion carried.

Motion by Schoer, Seconded by Chalstrom to approve Overhead Construction Permit for Alliant Energy to place poles in Clay County Secondary Roads Right-of-Way on 150th Avenue as set out in their application number 18-04 filed with the Clay County Engineer's Office. Motion carried.

Motion by Zinn, Seconded by Brockshus to approve Overhead Construction Permit for Iowa Lakes Electric Cooperative to place poles Clay County Secondary Roads Right-of-Way on 290th Street to provide new service for John Berends as set out in their application number 19-04 filed with the Clay County Engineer's Office. Motion carried.

Weed Commissioner Marc Gustafson gave a report to the Board regarding 19 complaints received from private owners and the American Farm Service (AFS) related to IDNR spraying. The roadside program report was given to the Board stating the activities, costs, and maps of township coverage.

The Board visited with Lavon Toelle regarding the pigeon population on city buildings and the roadside conditions around the new Menard property.

There being no further business, the Chairperson adjourned the meeting at 10:25 a.m. to convene on Tuesday, November 9, 2004 at 8:30 a.m.

Marjorie A. Pitts, County Auditor

Joel M. Sorenson, Chairperson

Clay County Board of Supervisor's Minutes for Meeting #37 held on November 09, 2004

The Clay County Board of Supervisors met pursuant to adjournment. The named supervisors were present: Chalstrom, Brockshus, Zinn, Schoer, and Sorenson. Absent: None. Guest: Marlin Voss, Larry Clausen, Mike Mingus.

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote: Ayes: Sorenson, Brockshus, Zinn, Schoer, and Chalstrom. Nays: none. Abstentions: none.

Motion by Zinn, seconded by Schoer to approve the meeting agenda for November 9, 2004 amended to include a transfer of funds from General Basic to Capital Projects. Motion carried.

Motion by Chalstrom, seconded by Zinn to approve the County Board minutes for Meeting #36 dated October 25, 2004. Motion carried.

Motion by Schoer, seconded by Chalstrom to approve the payment of the claims for November 9, 2004 with the detail on file in the County Auditor's office for review. Motion carried.

General Basic Fund

A T & T	DHS phone billing	8.23
Ace Hardware	Shrf lateral file	197.98
Annette Schaeffer	Election worker	231.00
Arch Wireless	DHS pager	52.21
Arlene Meyer	election worker	117.00
Augusta Overeen	election worker	111.00
Barbara Salton	Election worker	111.00
Beverly Kimball	Election worker	111.00
Bill Hansen	Well closures	692.64
Black Hawk County Sheriff	CSRU shrf fees	17.50
BOJI Information Systems	Elect/aud toner cartridge	196.00
Bonnie Pullen-Lehman	Jail uniforms repaired	15.51
Bonny Swart	Election worker	171.00
Bud's Service	Shrf repairs/service	350.89
Calhoun County Sheriff	CSRU shrf fees	24.14
Canon Financial Services Inc	DP copier lease contract	103.45
Carolyn Blaue	election worker	130.80
Cellular One	cell phone charges	658.23
Charlene Maertens	Election worker	117.00
City of Spencer	Bldg garbage removal	345.00
Clay Co Sec Road Fund	Fuel october	1472.13
Clay County Sheriff	CSRU shrf fees	39.00
Clay County Regional Event Ctr	FY0405 allocation	25000.00
Audrey Coffman	Election mileage	8.40
Coreen Boernsen	Election worker	129.00
Corridor of Opportunity	FY0405 allocation	10000.00
Crescent Electric Supply	Jail supplies	130.87
Daily Reporter, The	Pub shrf sales	73.73
Dana Metcalf	Election worker	81.00
Danny Huber	landlord	295.00
Darlene Enderton	Election worker	114.00
Deane G Anderson	Election worker	111.00
Deanna Logan	Election worker	48.00
Dennis Plain	Well closure	200.00
Dennis Price	Election worker	111.00
Denny's Pest Control	Bldg pest control maint	105.00
Deona VandeBerg	Election worker	111.00
Des Moines Marriott Downtown	Treas ISAC room exp	147.66
Diamond Vogel Paints	CCSO paint/outside	148.69
Dickinson County Sheriff	CSRU shrf fees	31.00
DNA Rentals UC	VA partial rent assistanc	200.00
Donald Black	Election worker	63.00
Donna Frederick	Election worker	127.20
Donna Graham	Election worker	27.00

Doris E Andersen	Election worker	114.00
Doris Wilson	election worker	174.00
Dorothy Franseen	Election worker	168.00
Dorothy M Smith	Election worker	124.20
D Duane Bates	landlord	350.00
Lester W Dykstra	Election worker	15.00
Ecolab Pest Elimination	Cthse pest control maint	91.50
Elsie Mae Brown	election worker	111.00
Emmet County Sheriff	CSRU shrf fees	63.50
Employee Benefit Sys.	Nov prem	738.45
Everly-Royal News	Pub bd mtg 35	126.07
Farmers Trust & Svgs Bank	Treas acct charges	209.11
Fidlar Companies	Shrf notice of garnishmen	121.44
Florence Ihry	Election worker	134.10
Florence Kramer	Election worker	121.20
Four Points Hotels & Suites	VA mtg expense room	226.36
Fran Black	Election worker	162.00
Francis Jackson	Election worker	117.00
Billie J Geerdes	Election worker	126.60
Genevieve Burger	Election worker	135.60
Gertrude Elbert	Election worker	114.00
Gladys Wilcox	Election worker	48.00
Graham Tire Co	Shrf tires	806.00
Gwen C Cochran	Election worker	120.60
H & N Chevrolet Buick	Co car flush transmission	95.95
Hazel Freeman	Election worker	111.90
Helen Foote	Election worker	66.00
Helen R Dillard	Election worker	115.20
Helen's Comm Laundry Inc	Jail rugs	73.70
Hy-Vee #1636	Jail supplies	11.84
IA Law Enforcement Academy	Jail school	250.00
Iowa Narcotics Officer Assoc	Dep assoc dues	25.00
Intab	Election seals	39.59
Irma K Clausen	Election worker	165.00
I S A C Multi-Co Serv Agency	Fall school registrat	150.00
ISACA Dist Auditor Assn	Auditor dues	170.00
ISSDA	Shrf winter school reg	450.00
Jean A Jackson	Election worker	126.00
James Maxson	VA mileage	65.40
Jane C Hanson	election worker	149.40
Janet Mills	Election worker	114.60
Janitor's Closet Ltd	Admn Oct floor cleaning	497.25
Jenny Wurth	Election worker	138.00
Stanley D Jespersen	Election worker	117.60
Jim Graham	Election worker	144.00
Jim Pitts	election worker	12.00
Joan Koenig	Election worker	48.00
John E Blair	Election worker	63.00
John H. Elbert	Election worker	114.00
Judith A Bevers	Election worker	135.60
Kathy Goeken	Election worker	175.20
Kaye Price	Election worker	111.00
Lanny Bevers	Election worker	135.60
LaVon Groth	election worker	126.90
LaVonne B Kruse	Election worker	150.00
LaVonne Peterson	Election worker	111.00
Lawrence Heisinger	Well closures	400.00
Lisa J Myers	Election worker	123.60
Lois A Simmons	Election worker	117.90
Lois Johnson	Election worker	131.10

Lorraine Lamport	Election worker	192.00
Lorrie (Delores) Huffman	election worker	111.00
Mar-Lin Business Supply	Election index tabs	112.38
Mareen Erwin	Election worker	111.00
Marguerite Jones	election worker	15.00
Marilyn E White	Election worker	157.20
Marla Woelber	Election worker	111.00
Marvin Anderson	Well closure	200.00
Mastercard	Consv purchases	1116.62
Michelle A Krile	Election worker	267.00
Mid American Specialties	Shrf investigation bags	154.72
Minolta Corporation	DHS copier meter clicks	30.39
NACVSO	VA dues & memberships	30.00
Nancy A Lewis	election worker	122.10
Justin D Nelson	CSRU mileage	69.60
Nora Biegler	Election worker	60.00
Office Systems Company	Copier annual maint/copies	482.44
Mavis C Olson	Election worker	117.60
OMB Police Supply	Shrf shipping on products	30.98
Otis Elevator Co	Admn elevator maitn contr	237.96
Page Co Sheriff	CSRU shrf fees	45.00
Page-Hawkeye Legal Service	CSRU shrf fees	30.00
Palo Alto County Auditor	Autopsy expense	1382.70
Palo Alto County Sheriff	CSRU shrf fees	23.00
Pat Johnson	Election worker	111.00
Paul A Brenner	Election worker	111.00
Perkins Office Solutions	Jail markers/tap	350.37
Perry Judd's	shrf earplugs	61.45
Public Safety Center, Inc	Shrf maglights/stingers	183.22
Quill	aud office supplies	91.83
Rebecca Campbell	landlord	200.00
Reliable	VA espson cartridge	89.68
Renaissance Savery Hotel	ITEC convention	108.15
Ronald Roghair	Election worker	111.00
Sally Baschke	Election worker	246.00
Senior Center-CCC-Aging	FY0405 allocation	5922.50
Sharon Clausen	Election worker	111.00
Sharon Mc Keever	Election worker	97.80
Sharon Roghair	Election worker	111.00
Sheila Currans	election worker	198.00
Shirley Nalley	Election worker	189.00
Shoppers Supply	Jail plywood/drywall	210.63
Sidwell Company, The	Nov web hosting fee	500.00
Sikora Sprinkler Service	Winterize sprinkler syste	90.00
SoftChoice Corporation	Auditor PC/updates	1811.00
Solutions, Inc	Lead prgm 15' patch cable	2077.24
Spencer Auto Parts Inc	Shrf oil filter	40.04
Spencer Family Care/Avera	VA medical assistance	861.60
Spencer Mun Utilities	Shrf phone charges	102.43
Spencer Office Supplies	Rec correction tape	284.88
Stanley Andersen	Election worker	114.00
Staples	DHS ink cartridge	34.99
SWIFT AIR	Cthse maint	138.09
U S Bank	Rec deposit tickets	28.25
Univ of IA Hosp & Clinics	U of Ia Fees	972.00
UPS	shrf package mailing	13.15
Verla Klaessy	election worker	114.00
Joan M Waller	VA mtg expense meals	128.65
Walmart Business	Consv cabin sup/door mat/r	298.19
Wanda Grote	Election worker	186.00

Ward Gottschall, Mrs.	Well closure	400.00
Warner C Walrath	Election worker	123.00
Warner Funeral Home	Use of facilities	470.00
Wilbert Bielfeldt	Election worker	74.40
William Hemme	Election worker	66.00
Theresa E Wurth	ITEC conv meal/parking	75.10

General Supplemental Fund

ICAP	Ins payback/recd tax in p	288.61
NW IA Youth Emergency Serv Ctr	Detention jv	1500.00
West Payment Center	Law library publication	111.50

MH-DD Services Fund

Clay County Sheriff	shrff fees-	34.00
Co Case Management Serv	CCMS for 9/04	189.00
Echo Plus	wa-care	3339.94
Hope Haven	rcf-care	5625.64
Horizons Unlimited of PAC	wa-care	2168.31
Hy-Vee #1628	RX-medicine	548.01
Knoxville Rest Home	rcf-care	737.80
Midwest Wireless	cell phn chrgs	41.64
Nishna Productions Inc	adc-care	2643.72
Oak Haven Care Facility	rcf-care	7777.35
Spectra Health Care	rcf-care	3134.10
Spencer Office Supplies	offc sppl	80.88
Sunshine Services Inc.	wa-care	27944.26
Union County Sheriff	sheriff fees	220.20

Rural Services Basic Fund

Cellular One	Weed comm cell phone	26.49
City of Dickens	FY0405 library allocation	1848.00
City of Everly	FY0405 library allocation	2194.50
City of Peterson	FY0405 library allocation	3715.25
City of Royal	FY0405 library allocation	1848.00
City of Spencer	FY0405 library allocation	12030.50
City of Webb	FY0405 library allocation	2213.75
Daily Reporter, The	Zoning publication	18.65
VISA	IRVM mtg exp room	67.30

LOSST Rev Bond Sinking Fund

Ahlers & Cooney, PC Attorneys	Events Ctr tax rev bond s	1267.37
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Secondary Road Fund

A & M Laundry Inc.	Uniforms	172.80
Airgas North Central	WELDING SUPPLIES	273.73
Alliant Energy	Electric - Everly	306.07
Aquila	Gas - Royal	16.54
Arnold Motor Supply	Cable Ties	359.68
Ayrshire Farmers Mutual Tele	Telephone - Gillett Grove	25.42
Barnes Distribution	Towels	400.98
C.J.Cooper & Associates, Inc.	Drug Tests Bishop, Rafdal	58.00
Catco Parts & Service	#205 Transmission	3872.03
Cellular One	Cell Phone - Spencer	282.41
City of Everly	Gas - Everly	76.04
City of Royal	Water & Sewer - Royal	24.00
City of Spencer	1 - Grader Tire	177.50
Clay Co Extension Service	Comm App Manual Cat 2	30.00
Crescent Electric Supply	Screwdrivers, Nose Pliers	38.87
Dale Graves	Removal of Fence Linn Gr	1358.50
Darwin Zoch	Mobilization - 2 1/2 hrs	435.00

Dave's Sand & Gravel Inc	29 Lds Sand 487.48 @ 1.00	1410.51
Diamond Mowers, Inc.	#359 Mower Repairs	138.19
Dockendorf Equipment Co. Inc.	Gassboy Kay Encoder	619.80
Filter Recycling, Inc.	Filter Pick-up	100.00
Fox International Inc.	#205 Seal	327.93
Great Lakes Cooperative	Diesel 348 Gal	26187.25
H & N Chevrolet Buick	#105 Sensor	90.42
Herc-U-Lift	Forklift Repairs #352	218.06
Holcomb Freightliner, Inc.	Temp Sender	846.10
IA State University	2004 Eng Conf - Scott	785.00
Johnston Autostores	Knock Sensor #105	50.46
Lakes Propane Gas Co	Forklift Refill	14.85
Mar-Lin Business Supply	CD Envelopes	13.51
NAPA Auto Parts	Fittings	22.14
New Sioux City Iron Co	Tape	153.73
Northwest One, Inc	Internet - Spencer	34.95
PMMIC	Underground Fuel Tank Ins	963.00
Rental Service Corporation	Rental of Cut Off Saw	95.23
Rohlin Construction Co	Patch by Webb 14.51 Ton	870.60
Royal Telephone Co	Telephone - Royal	34.85
Shoppers Supply	SUNDRY	55.29
Shuck-Britson, Inc.	Design Fees (L4605B-4)	20580.00
James K Sikora	sick pay credit	24.10
Spencer Auto Parts Inc	BOLTS	2207.85
Spencer Building Supply	4 Bags Speed Crete	100.00
Spencer Mun Utilities	Telephone - Spencer	52.57
Star Energy LLC	Trans Oil 152 @ 4.70	3121.25
State Steel Supply Co.	Steel & Cutting	146.82
Stoney Creek Inn & Conf Ctr	ICEOO Conference Lodge	154.08
Supplemental Supply Company	Disp Gloves	89.26
Webb-Dickens Telephone Co	Telephone - Dickens	55.86
Jonathan E Winterboer	Reimb for Safety Shoes	50.00
Ziegler Inc	PARTS	5114.08

Recorders Records Mgt Fnd

IA County Recorders Assn	Rec install of CLRIS port	15142.66
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Capital Projects

American Log Homes	Oneota addition RIG grant	9655.00
Dorsey & Whitney-LLP	Legal serv comp equip not	984.50

E-911 Surcharge

Ayrshire Farmers Mutual Tele	E911 phone service	154.30
Bryce A Denker	E911 NENA fall training	112.80
Iowa APCO	E911 training	60.00
Iowa Telecom	E911 charges	41.69
Terril Telephone Co	E911 phone charges	8.04

Jnt Co Emergency Mgt Fund

Buena Vista Co. Emg. Mgt.	EMA Hazmat training	1272.60
Midwest Wireless	EMA cell phone service	43.14

Spec Appraiser Fund-Assess

Leslie A Buchholz	Assr mileage rural cons	315.00
Office Systems Company	Assr copier contract mait	47.92

Co. Assessor Agency Fund

BOJI Information Systems, Inc	Assr ink cartridge	96.00
Canon Financial Services Inc	Assr copier lease contrac	315.00
Cellular One	Assr cell phone charges	70.00

Mar-Lin Business Supply	Assr post cards	24.73
Spencer Office Supplies	Assr copy paper	32.49

Motion by Zinn, seconded by Brockshus to set the public hearing date and time of **10:00 a.m. on November 23, 2004** for the discussion/acceptance of the application for a Community Development Block Grant (CDBG) Program on behalf of the Northwest Iowa Alcohol Drug Treatment Unit (NWIADTU) to assist in the construction of a new facility. Motion carried.

Motion by Schoer, seconded by Chalstrom to set the public hearing date and time of **9:00 a.m. on December 21, 2004** for the discussion / acceptance of the Clay County's Local Hazard Mitigation Plan that addresses natural and man-made hazards. The building of a disaster resistant community that can reduce the effects of hazards on our citizens. Motion carried.

Motion by Zinn, seconded by Chalstrom to set the public hearing date and time of **9:30 a.m. on November 23, 2004** to grant /deny the petition for change in zoning from A-1 Ag classification to Light Industrial I-1 classification for the purposes of a construction shop and office complex on property described as Parcel B in the SW ¼ of Section 4, Township 96 North, Range 37 West in Riverton Township, Clay County, Iowa. Motion carried.

Motion by Schoer, seconded by Brockshus to approve the transfer of \$5,109.38 from Local Option Fair fund to LOSST Revenue Bond Sinking fund using Transfer #188. Motion carried.

Motion by Brockshus, seconded by Schoer to approve the transfer of \$22,859.00 from the General Basic fund to the Capital Projects Fund using Transfer #189. Motion carried.

Motion by Brockshus, seconded by Zinn to adopt Resolution 2004-46 approving the funding for economic development purposes to the Clay Regional Events Center. Roll Call: Ayes: Chalstrom, Brockshus, Zinn, Schoer, and Sorenson. Nays: None. Motion carried.

RESOLUTION #2004-46
A RESOLUTION OF THE COUNTY BOARD OF SUPERVISORS OF CLAY COUNTY, IOWA,
APPROVING THE FUNDING FOR ECONOMIC DEVELOPMENT PURPOSES TO THE
CLAY REGIONAL EVENTS CENTER.

WHEREAS, the County understands the importance of economic development and supports the efforts of the Clay Regional Events Center to attract new economic opportunities that will generate tourism-related activities referenced in Iowa Code Chapter 15A.1(2)(b); and

WHEREAS, the County has agreed to provide financial assistance to the Clay Regional Events Center in the amount of twenty-five thousand dollars (\$25,000.00) during the current fiscal year; and

NOW, THEREFORE, BE IT RESOLVED by the County Board of Supervisors of Clay County, Iowa; that the County will fund the Clay Regional Events Center an amount totaling twenty-five thousand (\$25,000.00) for this fiscal year.

Joel M. Sorenson, Chairperson

ATTEST:

Marjorie A. Pitts, Auditor

The Board was updated by Season's Center Case Management team led by Jackie Baker. Baker introduced two new case managers, Erin McCrone and Lisa Hickman, to the Board. Thirty-one consumers were reported on to the Board.

On completion of the canvass, abstracts of the vote for President, Vice-President, U.S. Representative for the 5th District, United State Senator for the 3rd District, State House of Representatives for the 5th and 6th Districts, three State Supreme Court Judges, two Court of Appeals Judges, one District 3A Court Associate Judges, and one District 3A Court Associate Juvenile Judge, were made and certified to the Secretary of State as provided by law. We hereby certify that 8,707 people voted in Clay County at the General Election on November 2, 2004.

The vote for said offices and the County, Township, and Soil & Water Conservation District Commission, Agricultural Extension Council Member offices, pursuant to Iowa Code Chapter 50.24, were tabulated and the results declared as set forth in the election records which, by this reference, is made a part of these proceedings.

County officers were declared elected as follows:

County Auditor – Marjorie A. Pitts

County Sheriff –
County Supervisors At Large - (2)

Randy W. Krukow
Sylvia D. Schoer - D.R. Del Brockshus

Township officers were declared elected as follows: (2)

Clay Township:	Trustees - Charles Huberg, Kenneth Emmert
Douglas Township:	Trustees - James G. Larson, John G Olson
Freeman Township:	Trustees - Ervin D. Harves, Richard R. Knudsen
Garfield Township:	Trustees - Ben Greene, Bob Rust
Gillett Grove Township:	Trustees - Casey Schomaker, Lisabeth Reekers
Herdland Township:	Trustees - Doug Patten, Jay Hermstad Clerk - to Fill Unexpired Term- Jay Hermstad
Lake Township:	Trustees - .Sherry Groenewold, John P. Metcalf
Lincoln Township:	Trustees - Jacalyn Haaland Carlson, Brian Batschelet
Logan Township:	Trustees - Dennis L. King, Wyatt W. Brinkley
Lone Tree Township:	Trustees - John W. Goeken, John Gross Clerk - to Fill Unexpired Term- Dan Galm
Meadow Township:	Trustees - Leland Chamberlain, Ken Lawrence
Peterson Township:	Trustees - David Johnson, Robert White
Riverton Township:	Trustees - M. Lavon Toelle, Jerry Beck
Sioux Township:	Trustees - Charles T. Norgaard, Teresa Rohret
Summit Township:	Trustees - L.R. Pete Petersen, James H. Sonuis Clerk - to Fill Unexpired Term – Cindy Sonius
Waterford Township:	Trustees - Rod Boernsen, Marilyn Meyer

Soil and Water Conservation District Commissioner declared elected as follows: (3) Jerry Crew, Allen D. Mc Carty, Julie L. Christensen

Agricultural Extension Council Members were declared elected as follows: (5) Troy Leininger, Kathy J. Anderson, Jim Sikora, Dick Kirksey Jr., Lois Benson

Pursuant to Iowa Code Chapter 50.22 the number of provisional ballots rejected and not counted were 37 of 127 presented to the Special Precinct Board that convened on Monday, November 8, 2004.

Motion by Schoer, seconded by Chalstrom to receive the proposed agreement between the Clay County Board of Supervisors and the Clay County Secondary Roads Department Employees represented by International Union of Operating Engineers, Local 234. Motion carried.

Larry Clausen and Mike Mingus discussed items of interest with the Board concerning the Secondary Road department.

Kim Wilson, Central Point Coordinator discussed ISP Flow chart and future meeting arrangements with the Board. Year to date the county has had \$700,000 of costs on 30 clients at Iowa City. Our Title XIX is currently set at \$1000 per person per year.

Motion by Zinn, Seconded by Schoer to approve Underground Construction Permit for Iowa Telecommunications Services to place 700' of 5pr copper telephone cable in Clay County Secondary Roads Right-of-Way on the east side of 150th Avenue as set out in their application number 20-04 filed with the Clay County Engineer's Office. Motion carried.

Motion by Brockshus, seconded by Zinn to approve the contract between Christensen Bros Inc, of Cherokee Iowa and Clay County for bridge replacement project BROS-CO21(93)--8J-21 and authorize the Chairperson to sign the contract. Motion carried

Motion by Chalstrom, seconded by Schoer to approve the contract between Kuehl & Payer of Storm Lake, Iowa and Clay County for 2004-2005 Bridge Inspection Program and authorize the Chairperson to sign the contract. Motion carried.

The chairperson adjourned the meeting at 1:25 p.m. to convene at the next Auditor's called meeting Tuesday, November 23, 2004 at 8:30 a.m.

Marjorie A. Pitts, County Auditor

Joel M. Sorenson, Chairperson

Clay County Board of Supervisor's Minutes for Meeting #38 held on November 23, 2004

The Clay County Board of Supervisors met pursuant to adjournment. The named supervisors were present: Zinn, Schoer, and Sorenson. Absent: Brockshus, Chalstrom.

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote: Ayes: Sorenson, Zinn, and Schoer. Nays: none. Abstentions: none.

Motion by Schoer, seconded by Zinn to approve the meeting agenda for Tuesday, November 23, 2004. Motion carried.

Motion by Zinn, seconded by Schoer to approve the County Board minutes for Meeting #37 dated November 9, 2004. Motion carried.

Motion by Schoer, seconded by Zinn to approve the payment of the claims for November 23, 2004 with the detail on file in the County Auditor's office for review. Motion carried.

General Basic Fund

ABC Computers Plus	Consv pktjet kit/adptr	469.00
Ace Hardware	Bdlg supplies	806.27
Allied Document Solutions	Treas splmnts/Dec 04 rene	654.65
Alpha Wireless Comm	Shrf instl stinger flashl	28.10
Nathan G Anderson	Consv Dist III mtg reg	12.50
Patricia A Applegate	Treas mtg exp	71.40
Aquila	Bldg utilities	2470.00
Avera McKennan Regional Lab	ME lab/test	117.52
Bank of America	Treas bank acct charges	91.80
Black Hawk County Sheriff	CSRU shrf fees	29.45
Buena Vista Co Sheriff	Shrf fees	30.50
Edward D Campbell	Election equipment delivery	29.70
Carol Shue	Landlord	200.00
Carpenter Uniform & Promotions	Shrf postage for return	7.26
CCDA-County Consv Directors	Consv 2005 membership	25.00
City of Sioux City	Hazmat 8th yr install #1	6514.50
City of Spencer	Consv Oneota solid waste	40.00
Clay Co Sec Road Fund	October gas	542.15
Clay County Sheriff	Shrf fees	498.50
Clay County E911 Fund	Shrf share com ctr annual	2790.00
Clay Regional Water	Consv water usage	30.00
Audrey Coffman	Election mtg exp room/mea	164.61
Continental Research Corp	Consv steel	142.63
Crescent Electric Supply	Consv knife shrpnr	29.47
Crowne Plaza Five Seasons	Consv mtg exp/D Heissel	179.76
Custom Welding & Repair, Inc.	Consv pipe/threading/coup	9.85
Daily Reporter, The	Pub bd mtgs 27-35	1113.28
Delux Motel	Jail school rooms	210.00
Denny's Pest Control	Jail pest control maint	56.00
Des Moines Stamp Mfg Co	Treas stamp	47.50
Diane Eldridge	Landlord	220.00
Dickinson County Sheriff	Shrf fees	36.56
Dist III IACCB	Consv Dist II mtg exp	50.00
Don Pierson Ford	Vehicle repairs	992.51
Elmer A Dykstra	Election worker	15.00
Everly Farm & Home Center	Consv caulk/supplies	44.77
Evertex	Consv cable/phone chrgrs	326.75
Farmers Trust & Svgs Bank	Shrf business checks	140.50
FASTENAL	Consv hxlrg 3/8	14.16
Lucille H Faulkner	Jailer school meals	22.86
Fidlar Companies	Rec vinyl envlps/mini env	162.28
G E Capital	consv copier contract	280.78
Shirley M Goyette	Rec mtg exp/meals	191.82
Marc E Gustafson	Consv Dist III mtg reg	12.50

H & N Chevrolet Buick	Shrf cleaned vent	42.00
Harmon AutoGlass	Consv windshield	239.92
Harrison County Sheriff	Shrf fees	16.90
Daniel J Heissel	Consv Dist III mtg reg	28.50
Helen's Comm Laundry Inc	Cthse rugs/mops	88.00
IA Lakes Electric Coop	Consv water heater	726.37
Ida County Sheriff	Shrf fees	20.00
I S A C Multi-Co Serv Agency	Bd fall sch reg	80.00
ISCIA Dept of Corrections	shrf reg fee/invest school	150.00
Janitor's Closet Ltd	Bldgs supplies	633.12
Johnson Supply Co	Consv Schbg copper tube/s	370.70
KB Rentals Inc.	rental car	32.39
Lawrence Ragen Comm., Inc.	Shrf subscription	28.88
Lyon County Sheriff	CSRU shrf fees	15.00
Kevin D Maassen	Consv Dist III reg	12.50
Mastercard	Consv mtg exp	241.79
McLeodUSA	Aud phone serv	493.91
Midwest Wireless	Consv cell phone serv	265.73
Milford Pharmacy	rx medications	107.80
Minolta Corporation	Consv meter clicks	12.31
Lavon C Montgomery	Treas mtg exp	45.93
Justin D Nelson	CSRU mileage	120.90
Nielsen Tire Co	Consv Schnbg frig/stove	771.98
Northwest Equipment Inc	Consv forks for loader	375.00
Northwest Glass	Consv install window	372.00
Northwest One, Inc	Consv internet charge	15.00
O'Brien County Sheriff	Shrf fees	16.00
Office Systems Company	GIS copy mgnt	56.92
OMB Police Supply	Shrf dep gloves	37.98
Palo Alto County Sheriff	shrf fees	68.40
Perkins Office Solutions	DHS paper	102.58
Peterson Patriot	Pub bd mtgs #31-34	637.24
Phyllis Sadler	Transport meals	86.47
Physicians Lab LTD	Autopsy	126.74
Marjorie A Pitts	Aud mtg expense	283.90
Postage By Phone	Treasurer postage	705.49
Quality Inn & Suites	Consv mtg exp	218.28
Qwest	Bdlg circuits	109.98
Rental Service Corporation	Consv mini excavator	109.10
Rock County Sheriff	Shrf fees	33.62
Sylvia D Schoer	Bd mileage ISAC	114.00
Shoppers Supply	Consv Schbg bolts/screw/2	2967.60
Sioux County Sheriff	CSRU shrf fees	27.41
Timothy R Small	Jail school meals	23.86
Solutions, Inc	Web hosting fee October	610.10
Spencer Chamber of Commerce	Consv membership	75.00
Spencer Mun Hospital	ME drug screen	781.23
Spencer Mun Utilities	Bldg utilities	1310.69
Spencer Office Supplies	Aud 5" binder	396.56
Staples	Consv office supplies	177.35
Staples Credit Plan	Shrf ink cartridges	84.89
Sunshine Services Inc	GSC cleaning Oct 04	545.63
SWIFT AIR	Cths serv call/valve	475.92
The Cartridge Connection	Treas toner info print20	330.80
Thrifty White Stores	Jail inmate medications	444.04
Toft Tree Farm & Landscape	Consv Colorado spruce	69.99
Town & Country Disposal	Consv garbage removal	123.44
U S Postal Service	DHS postage	1000.00
U S Postmaster	Postage	376.34
UPS	Shrf shipping of package	15.80

VISA	Mtg expenses	1160.06
Warner Funeral Home	burial asst	2200.00
Kimberly S Wilson	isac fall school	32.01
Woodbury County Sheriff	CSRU shrf fees	2.35
Xerox Corporation	Rec copier Oct chrg	359.79
Zenor & Houchins	Atty monthly expenses	3247.12
General Supplemental Fund		
IA Municipalities Workers Comp	FY0405 wkercomp prem inst	5981.63
Midwest Radiology & Imaging	Wkers comp claim	29.00
Postage By Phone	Election postage-general	606.81
UPS	Election shipping general	62.69
West Payment Center	law lib access chrg	1020.60
MH-DD Services Fund		
Buena Vista County	adv-care	249.76
Cherokee County Sheriff	shrff fees	19.00
Clay County Sheriff	shrff fees	63.00
Co Case Management Serv	ccms for 10/04	252.00
Genesis Development	wa-care	232.00
Hy-Vee #1628	rx-care	102.35
IA Dept of Human Services	icf-res--care	33352.08
KB Rentals Inc.	rental car	102.75
Lillian Pullen	rimbrsmnt fr nov copay-mp	425.63
Plymouth Life Inc	rcf-care	2821.00
Seasons Center	mh srvcs for 11/04	17628.59
U S Postmaster	postage 70%	96.46
Village N. W. Unlimited	wa-care	429.51
VISA	CPC gas county car	5.21
Kimberly S Wilson	isac fall school	74.70
Rural Services Basic Fund		
Clay Co Sec Road Fund	IRVM Oct 04 gas	299.72
H & N Chevrolet Buick	2005 Chevy Impala	17369.00
McLeodUSA	Zon phone serv	5.96
Mobile Vision	Shrf dep voice link updat	426.00
Northwest Equipment Inc	Consv forks for loader	375.00
Shoppers Supply	IRVM oil/filter	61.82
Spencer Auto Parts Inc	Consv fuel pump/line/ftgs	112.46
Star Energy LLC	Consv gas	86.68
Van Diest Supply Co	IRVM chemicals	1188.48
VISA	IRVM dungaree	101.48
Secondary Road Fund		
Airgas North Central	BOLTS	139.01
Alliant Energy	Electric - Webb	54.51
Aquila	Gas - Spencer	291.45
Belin Lamson McCormick Zumbach	Union Negotiations Fees	486.90
Clay Regional Water	Water - Gillett Grove	30.00
Crescent Electric Supply	Wire	32.84
FASTENAL	Nuts	45.31
Herbst Construction Inc	Repair Bridge on M27	1350.00
IA Municipalities Workers Comp	Inst #5 Workers Comp	8972.37
IA Dept of Trans	Printing Charges-BROS(93)	28815.50
Iowa Telecom	Telephone - Peterson	49.35
Lawson Products Inc	BOLTS	116.91
Mar-Lin Business Supply	Paper Clips	25.53
McLeodUSA	Telephone - Spencer	24.12
Merryman Bridge Construction	Estimate #2 L-7804B-3	71476.70
Nielsen Tire Co	2 - 1100X16 Tires	1536.01
Office Systems Company	Copy Costs	26.35
Reedsburg Hardware Co	200' 3/8" Alloy Chain	2186.90
Share Corp	Rust Converter	150.67
Sibley Concrete Products	Pipe for Shoulder Repair	340.60

Spencer Mun Hospital	2 - Drug Screening	45.00
Spencer Mun Utilities	Gas - Spencer	333.16
State Steel Supply Co.	Channel & Angle Iron	128.57
Terracon Consultants	Subsurf Explo L-4605B-4	6769.25
Mark A Thompson	Refund Ins Prem for Oct	88.56
Town & Country Disposal	Garbage - Dickens	20.60
Randy J Van Kley	Reimb for Safety Shoes	50.00
VISA	Gas-ICE00 Conf in Des Moi	26.45
Xerox Corporation	Copy Cost	26.00
Zep Manufacturing Co	Carb Cleaner & Towels	187.69
	Capital Projects	
Krukow Construction	Consv Oneota addition RIG	1482.64
	E-911 Surcharge	
Qwest	E911 circuits	13.58
Shield Technology Corp	E-911 dispatch/SW CAD int	8370.00
Spencer Mun Utilities	E-911 mthly circuit chrg	457.20
United Farmers Telephone	E-911 serv	445.00
Webb-Dickens Telephone Co	E911 phone	570.04
	Jnt Co Emergency Mgt Fund	
Bryce A Denker	EMA mileage	298.33
H & N Chevrolet Buick	Emg Mgt 2001 Chevy Impala	3300.00
McLeodUSA	Emg Mgt phone serv	18.89
	Spec Appraiser Fund-Assessor	
Leslie A Buchholz	Assr mileage	332.70
Renaissance Savery Hotel	Assr lodging	71.40
	Co. Conserv. L. Acq. Tr Fund	
Crescent Electric Supply	Consv elect supplies	1931.69
Lynn Hunter Swan	Consv Schbg beds/chairs/s	4291.25
	Co. Assessor Agency Fund	
Des Moines Stamp Mfg Co	Rec perma stamp	27.75
McLeodUSA	Assr phone serv	5.69
Postage By Phone	Assr conference bd postag	70.31

Motion by Schoer, seconded by Zinn to approve the payment of a drainage claim from the Drainage Revolving Fund totaling \$35.00 for meeting registration fees to the ISAC Multi-County Service Agency. Motion carried.

Motion by Zinn, seconded by Schoer to approve Application #LC0030988/LE00001039 for Liquor, Wine or Beer and Sunday Sales Privilege presented by legal owner: Randy R Dillingham, 1290 Hwy 18, Everly, Iowa doing business as Barb's Service. The permit will be valid for twelve (12) months expiring December 04, 2005. Motion carried.

Motion by Schoer, seconded by Zinn to amend 2004 General Election Canvass and County township abstracts due to resignations from Marilyn Meyer Waterford Township trustee elector on November 17, 2004 and Jay Hermstad, elector from Herdland Township Trustee and Clerk to fill an un-expired term on November 19th. Amended township officers were declared elected as follows: Herdland Township Trustees (2): Allen Patten, Doug Patten; Herdland Township Clerk to fill vacancy (1): Lyle Kennobie; Waterford Township Trustee (2), Rod Boernsen, vacancy. Motion carried.

Motion by Zinn, seconded by Schoer to adopt Resolution 2004-48 Resolution regarding accounts relating to Clay County's Sheriff's office. Roll call: Ayes: Zinn, Schoer, and Sorenson. Nays: None. Resolution adopted.

**RESOLUTION NO. 2004-48
OF THE
CLAY COUNTY BOARD OF SUPERVISORS**

**RESOLUTION REGARDING ACCOUNTS RELATING TO THE
CLAY COUNTY SHERIFFS OFFICE**

WHEREAS, the Clay County Sheriffs Office has previously supervised certain funds, including a D.A.R.E. fund, a canine fund, and other funds, all of which have been subject to audit as part of the County's audit procedures, and;
WHEREAS, the Clay County Supervisors have previously adopted Resolution 2004-42 dealing with this issue, and;
WHEREAS, after discussions involving the Auditor, Sheriff and County Attorney, it has been determined that

certain revisions should be made to Resolution 2004-42.

NOW THEREFORE, Resolution 2004-42 is hereby repealed and replaced with this resolution.

1. Except as described in paragraphs 4, 5 and 6 of this resolution, all monies now held and hereafter received by the Clay County Sheriff for special purposes, including, but not limited to, funds for D.A.R.E. and canine fund, shall be deposited with the Clay County Treasurer into separate projects for each of such funds, but within the general fund.

2. The funds covered by this resolution are for additional law enforcement efforts, which means that the monies so designated are not to replace those already budgeted.

3. All funds described by this resolution shall continue to be subject to the County's normal audit procedures. Except as described in paragraphs 4 and 5 below, all disbursements from the above-described funds are subject to the County's normal purchasing and billing procedures, which means that claims will be submitted and paid through the auditor's office in the same manner as other claims; but nothing in this resolution shall limit the sheriff's discretion to determine the expenditures to be made from said funds.

4. The sheriff requires, from time to time, to make cash payments for undercover purchases or to pay confidential informants or for other similar confidential purposes, and to have rapid access to such funds. With respect to said funds, the sheriff shall, from time to time, make a claim to the auditor for money to fund a separate account for such purposes. So long as money is available within the sheriff's budget, the auditor shall then issue a warrant payable to the sheriff's undercover fund, and the sheriff shall maintain the money in the undercover fund until expended. Sheriff shall maintain a confidential file for each case or project. The file shall include such supporting documentation as may be necessary with regard to the expenditure of confidential funds. All disbursements must be explained and documented. Documentation of such expenditures need not contain the name of the recipient if disclosure of said name would endanger the recipient or impair the recipient's usefulness to law enforcement. The money held in the sheriff's undercover fund shall be in dual control of, on the one hand, the sheriff or his chief deputy, and, on the other hand, the county attorney or any assistant county attorney, so that expenditures from this fund shall require two signatures, one being either the sheriff or his chief deputy and the other being either the county attorney or any of his assistants.

5. The supervisors further recognize that from time to time money is seized from defendants, which money must be retained in its original form for evidentiary purposes. As an example, it sometimes happens that an undercover operative purchases drugs from a defendant using currency which has been marked or "serialized" by keeping track of serial numbers. That currency may then be recovered from the suspect. If recovered, such currency must be retained for use as evidence in the subsequent criminal trial so as to establish that the defendant was in possession of the precise items of currency which were obtained by the sale of drugs to an undercover agent. In such cases, the sheriff shall document the amount of the funds, and keep said funds in a safe until their evidentiary purpose is fulfilled, at which time the funds shall be disposed of in conformity with such orders as the Court may enter. If the County is to retain the funds, they will then be transferred to the appropriate County fund as set forth earlier in this resolution.

6. The Sheriff maintains a commissary fund into which money belonging to prisoners is deposited. These funds are used by prisoners to purchase personal items, food and other matters desired by them. The remaining balance of each prisoner's account is returned to that prisoner when he or she is released. Because release times are irregular, the Sheriff must have access to said funds and must be able to make disbursements without going through the normal claim procedure. Therefore, checks written to prisoners in refund of their money shall be subject to a dual signature requirement with one signature being that of the Sheriff or the Chief Deputy and the other being the office manager. This fund shall also be subject to the County's normal audit process.

The commissary fund also contains profits from the sale of items such as candy and phone cards to prisoners. All of the profits shall be swept quarterly and transferred to the County Treasurer, and then held and administered as per paragraphs 1-3 of this resolution.

Signed this ____ day of _____, 2004.

Joel Sorenson, Chairman, Clay County
Board of Supervisors

Attest:

Marjorie Pitts, Clay County Auditor

Motion by Schoer, seconded by Zinn to authorize chairperson to sign the planning grant application between the County and Iowa Homeland Security & Emergency Management to apply for funding for local hazard mitigation plan. Motion carried.

9:30 A.M. This being the time and place for the hearing upon application of Janna M. Mugge for a

change in zoning from A-1 Ag classification to I-1 Light Industrial classification and for a special permit to use the property for a construction company shop and office complex in Parcel B in the SW ¼ of Section 4, Township 96 North, Range 37 West of the Fifth Principal Meridian, Clay County, Iowa. The Clay County Zoning Commission reviewed the subject request the evening of November 1, 2004. The Board determined that proper notice of the public hearing was accomplished and finding there to be no oral or written objections. Based on the comments and discussion at that public hearing, the Zoning Commission recommends that the change in zoning be approved. After hearing oral comments from the floor it was moved by Supervisor Schoer and seconded by Supervisor Zinn to accept the recommendation of the Clay County Zoning Commission to accept the change in zoning. Motion carried.

Motion by Zinn, seconded by Schoer to authorize chairperson to sign the amendment increasing the contract for the Grants to Counties Well Program from \$13,130 to \$19,942. Motion carried.

10:00 a.m. This being the time and place for the hearing upon the Citizen Participation Plan of Clay County CDBG Community Facilities Application. In accordance with Section 507 of the Housing & Community Development Act of 1987 the need for the project was identified by the Northwest Iowa Alcoholism and Drug Treatment Unit, Inc. (NW IA ADTU) in order to offer the necessary and appropriate level of treatment and counseling for those clients served by this agency. Funding for the project will be comprised of \$600,000 in CDBG assistance and \$929,600,000 in local funds committed by the NW IA ADTU, which equals a total project cost currently estimated to be \$1,529,600. The application for CDBG funding will be submitted to the Iowa Department of Economic Development by December 8, 2004.

At least 51% of the CDBG funding will benefit persons of low-to-moderate income. The portion of the CDBG funding that will benefit low-to-moderate income persons is \$306,000. The recommended project will be located within the City of Spencer, in Clay County. No persons or businesses shall be displaced as a result of the recommended project. In the event that any persons or businesses are displaced as a result of the recommended project, the entities involved in the project will adhere to the requirements of the Uniform Relocation and Assistance and Acquisition Act of 1974, as amended. The nature of the project is to construct a new administrative office/treatment and prevention facility for the NW IA ADTU. Clay County will be the grant recipient and the NW IA ADTU will be the grant sub-recipient. The project will include the construction of an estimated 13,200 square feet facility that will include treatment and counseling rooms, prevention and training space, administrative offices, conference facilities, storage, etc. Steve Hallgren represented Northwest Iowa Planning. The hearing was open for public questions or comments. ADTU decided to table their plans for construction for this application year. They are still looking at expansion or moving to an existing location. The grant would allow for remodeling or acquisition of existing space.

11:00 a.m. Board presentation of the proposed agreement between the Clay County Board of Supervisors and the Clay County Secondary Roads Department Employees represented by International Union of Operating Engineers, Local 234.34

Motion by Zinn, seconded by Schoer to close 330th Street between 100th Avenue and 120th Avenue for bridge replacement. Motion carried.

Motion by Schoer, seconded by Zinn to open 290th Street between 140th Avenue and 150th Avenue after completion of bridge replacement. Motion carried.

Kim Wilson, Central Point Coordinator updated the Board on Medicaid funding that was discussed during ISAC seminars and the ISP network grant for counties and law enforcement.

Sheriff Krukow, Deputy Denny Linn, D.A.R. E. Program Officer and the Board discussed the School Resource Officer funding issues as the State grant for placing an officer in schools did not get approved.

The Chairperson adjourned the meeting at 11:40 a.m. to convene at the Auditor's called meeting at 1:00 p.m. on December 3, 2004.

Marjorie A. Pitts, County Auditor

Joel M. Sorenson, Chairperson

Clay County Board of Supervisor's Minutes for Meeting #39 held on December 3, 2004

The Clay County Board of Supervisors met pursuant to adjournment. The named supervisors were present: Chalstrom, Zinn, Schoer, and Sorenson. Absent: Brockshus.

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote: Ayes: Sorenson, Zinn, Schoer, and Chalstrom. Nays: none. Abstentions: none.

Motion by Schoer, seconded by Chalstrom to approve the meeting agenda for December 3, 2004.
Motion carried.

Motion by Zinn, seconded by Schoer to approve the Regular School Election costs to be invoiced to the respective schools for the September 14th, 2004 Election. Spencer Schools \$731.64, Clay Central Everly Schools \$431.31, South Clay Schools \$299.49 and Iowa Lakes College \$1,462.44 for a total of \$2,924.88.
Motion carried.

The Board discussed budgetary fund balances for fiscal year 2006 and the anticipated level of expenditures by departments. The 2006 budget worksheets are to be distributed Monday, December 6, 2004. The departmental budget requests are to be returned by January 7, 2005. The Board will begin the budget review process by mid January.

Supervisor Sorenson left the meeting at 3:00 p.m.

The Vice-Chairperson Zinn adjourned the meeting at 3:45 p.m. and to convene at the next Auditor's called meeting Monday, December 6, 2004 at 8:30 a.m.

Marjorie A. Pitts, County Auditor

Joel M. Sorenson, Chairperson

Clay County Board of Supervisor's Minutes for Meeting #40 held on December 6, 2004

The Clay County Board of Supervisors met pursuant to adjournment. The named supervisors were present: Chalstrom, Zinn, Schoer and Sorenson. Absent: Brockshus.

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote:
Ayes: Sorenson, Zinn, Schoer, and Chalstrom. Nays: none. Abstentions: none.

Motion by Schoer, seconded by Zinn to approve the meeting agenda for Monday, December 6, 2004.
Motion carried.

Motion by Zinn, seconded by Chalstrom to approve the County Board minutes for Meeting #38 dated November 23, 2003 and Meeting #39 dated December 3, 2004. Motion carried.

Motion by Schoer, seconded by Zinn to approve the payment of the claims for December 6, 2004 with the detail on file in the County Auditor's office for review. Motion carried.

General Basic Fund

A T & T	DHS phone/long dist	7.81
Patricia A Applegate	Treas mtg exp	45.62
Asher Motors	Shrf a/c & alternator ser	288.00
Belva Strackbein	ZSS well closure	200.00
Brokers National	VSP Nov billing fee	10.00
Bud's Service	Shrf mount snow tires	462.72
Edward D Campbell	chg return light bulbs	5.00
Canon Financial Services	Gestetner copy lease	103.45
Cellular One	Cell phone charges	496.63
Charlie Clark	ZSS well closure	200.00
City of Spencer	Bldg solid waste chrg	345.00
Clay Co Sec Road Fund	Shrf fuel Nov 04	1600.19
Clay County Sheriff	CSRU shrf fees	329.75
De Linda Leu Reporting	Depositions	144.20
Delores Salzkorn	ZSS two well closures	400.00
Dickinson County Sheriff	CSRU shrf fees	102.48
Emmet County Sheriff	CSRU shrf fees	183.00
Farm & Home Publishers	Shrf plat bks/Poc & Palo	49.00
Shirley M Goyette	Rec postage reimb	20.75
Graham Tire Co	Shrf tire repair	12.00
H & N Chevrolet Buick	Shrf cooling sys serv	126.84
Heartland Inn	Bd mtg exp/Schoer	71.69
Heartland Technology	Shrf jail wired	276.78
IA Prison Industries	Shrf decal	14.94
Janitor's Closet Ltd	Adm Nov 04 janitorial ser	585.00
Johnson County Consv Bd	Consv registration	125.00
JW Services	CSRU shrf fees	31.20
Randy Krukow	Shrf reimb postage	25.99
Linn County Public Health	ZSS radon test kits	77.00
Mar-Lin Business Supply	Aud ink cart	13.22
Marion Co Sheriff	CSRU shrf fees	18.00
Matt Parrott and Sons	elect affdvt/abs voter	776.87
Tammy R Mckeever	ZSS mtg exp Lead Trng/gra	71.69
Justin D Nelson	CSRU mileage	66.59
O'Brien County Sheriff	CSRU shrf fees	25.80
Office Systems Company	Adm copier contract/copie	152.04
OMB Police Supply	Shrf jacket	786.96
Osceola Co Sheriff	CSRU shrf fees	36.44
Otis Elevator Co	Cths elevator service	243.39
Palo Alto County Sheriff	CSRU shrf fees	41.00
Perkins Office Solutions	Shrf binder	154.84
Peterson Patriot	Pub bd mtgs 35&36	325.35
Janice M Pithan	Treas mtg exp	196.03
Quill	DP paper	59.70

Qwest	DHS phone serv	1285.95
Renaissance Savery Hotel	DP/GIS mtg exp room/meal	305.25
Rick Krebsbach	ZSS well closure	200.00
Senior Citizens Center	Election rent for	30.00
Shine Brothers Steel	CCSO blk expd metal/flat	15.50
Shoppers Supply	Shrf filter	14.90
Sidwell Company, The	DP Dec 04 hosting fee	500.00
Sioux County Sheriff	CSRU shrf fees	94.49
Sioux Sales Co	Shrf mag pouch/stringer	57.30
Solutions, Inc	DP veritas bkup servr sft	845.50
Spencer Family Care	ME services	375.00
Spencer Mun Hospital	Shrf Oct 04 jail meals	10044.50
Spencer Mun Utilities	Bldg utilities	2633.09
Spencer Office Supplies	Aud envelopes	69.00
Staples	DHS wastebkt/drwr file	131.86
Tim Eglund	Shrf remdl jail bking rm	2469.52
Treasurer-St of Iowa	IA code books 2 sets	590.00
UPS	Shrf shipping charges	12.30
Virginia Prideaux	ZSS well closure	181.90
Warner Funeral Home	Autopsy fac/repairs/case/	1370.00
Wendell Anderson	ZSS well closure	200.00
Winther Stave & Co	FY04 audit progress	15000.00
Woodbury County Sheriff	CSRU shrf fees	58.22
Theresa E Wurth	DP mtg exp	41.32
Zenor & Houchins	Atty monthly expenses	2796.06

General Supplemental Fund

Clay County Sheriff	Shrf trans fees	642.24
IA Mun Workers Comp	work comp install 6 04-05	4511.23
West Payment Center	law lib 05 Am Jur/IA Code	247.75

MH-DD Services Fund

Quill	MH paper	19.90
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Rural Services Basic Fund

Alpha Wireless Comm	Shrf 21-5 squad	1440.74
Cellular One	Wd Cm phone/Marc	21.20
City of Spencer	RS garbage serv Dec 04	4600.00
Don Pierson Ford	Shrf 2005 Ford Crown Vict	18526.00
Johnson County Consv Bd	IRVM training reg	125.00
Tammy R Mckeever	ZSS ISAC mtg exp	40.06

Secondary Road Fund

Alliant Energy	Electric - Royal	146.71
Alpha Wireless Comm	Radio Repair	52.60
Aquila	Gas - Royal	26.41
Arnold Motor Supply	Wisk Broom	226.06
Ayrshire Farmers Mutual Tele	Telephone - Gillett Grove	24.73
Barco Municipal Products	10 Hard Hats	68.91
Barnes Distribution	BOLTS	359.85
Catco Parts & Service	Core Return	133.79
Cellular One	Cell Phone - Spencer	125.98
City of Royal	Water & Sewer - Royal	24.00
City of Spencer	Cont Rent	57.50
Clay County Treasurer	Correct WR#78540	.20
Dale Graves	Fence Inst. FM(103)	2005.90
Don Pierson Ford	4 Cases 5/20 Oil	83.52
Everttek	Telephone - Everly	119.22
Farmers Feed & Supply Co	Deicing Salt 355.81@37.05	14443.18
Force America Inc	PARTS	183.15

Fox International Inc.	Altnator #204	488.50
H & N Chevrolet Buick	Seal	849.89
Holcomb Freightliner, Inc.	#200 Fan Clutch	270.66
I.D.A.L.S.	Comm Pest App(Cat. 6)3yr	15.00
IA Mun Workers Comp	Inst #6 Work Comp	6766.77
J Z Enterprises	Rumble -22 Panels @ 160ea	3520.00
Johnston Autostores	Bearing	214.88
Kuehl & Payer Ltd	Bridge Inspections	1485.00
Lakes Propane Gas Co	Fork Lift Gas	601.20
Mar-Lin Business Supply	Pens, Calendar Refills	193.19
Michael Todd & Co	Plow Marker, Band Kit	169.95
Mid-Iowa Sales Co.	Windshield Solv, Wax	119.00
NAPA Auto Parts	PARTS	62.73
Northwest Equipment Inc	Filters-Mower Tractors	241.11
Northwest One	Internet - Spencer	34.95
Pixler Electric Inc	Shop Exhaust Fan	173.65
Royal Telephone Co	Telephone - Spencer	40.33
Share Corp	Car Guard	161.80
Shoppers Supply	Fencing - FM(99)	4475.32
Spencer Auto Parts Inc	PAINT	2069.45
Spencer International	Fitting	21.24
Spencer Mun Utilities	Telephone - Spencer	52.84
Randy J Van Kley	Reimb for Safety Shoes	30.00
Webb-Dickens Telephone Co	Telephone - Dickens	60.74
Zee Medical Service Co	First Aid Kit Supplies	7.83

Debt Service Fund

Northwest Federal Savings Bank	Interest GO scharnberg	2045.91
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E-911 Surcharge

Ayrshire Farmers Mutual Tele	E911 phone line charges	154.30
Daily Reporter, The	E-911 budget hearing	9.69
GeoComm Corporation	E-911 sys maint serv/qtrl	1450.00
Great Lakes Cooperative	Fuel for generator comctr	116.58
Qwest	E-911 mthly serv/phone	643.75
Terril Telephone Co	E-911 circuit	8.04
Webb-Dickens Telephone Co	E-911 mthly phone serv	570.04

Jnt Co Emergency Mgt Fund

Alpha Wireless Comm	Emg Mgt install serv	326.61
Clay Co Sec Road Fund	Emg Mgt fuel Nov 04	29.11
Bryce A Denker	Emg Mgt postage reimb	6.95
Don Pierson Ford	Emg Mgt oil/filter serv	172.43
Heartland Inn	Emg Mgt mtg exp/Denker	143.38
Midwest Wireless	Emg Mgt cell phone	75.94
Spencer Signs	Emg Mgt lettering/vehicle	83.80

Spec Appraiser Fund-Assessor

BOJI Information Systems	Assr consulting hours	24.00
Heidi L Chapman	Assr mileage vanguard con	147.60
Marriott Hotels & Resorts	Assr mtg exp room	158.36
Office Systems Company	Assr copier overage charg	54.30
Vanguard Appraisals	Assr service fees parcel	5500.00

Co. Assessor Agency Fund

Canon Financial Services Inc	Assr copier contract	315.00
Cellular One	Assr cell phone charges	49.26
Spencer Chamber of Commerce	Assr membership dues	175.00

Motion by Zinn, seconded by Chalstrom to authorize the Chairperson to sign the 2004 County Weed Commissioner

Certification Form naming Marc Gustafson, 3855 180th Ave, Spencer, IA and approve 2004 Weed Commissioners Roadside Management Report dated October 25, 2004 with detail on file at the auditor's office. The County Auditor is directed to send the Certification Form to the IA Department of Agriculture and Land Stewardship, Wallace Bulding/1st Floor, Des Moines, IA 50319. Motion carried.

Clay County Medical Examiner Dr Robison met with the Board to discuss the American Board of Medicolegal Death Investigators certification process. The death investigator training is offered in St Louis University in January, April, and October of 2005 at a cost of \$725 registration per applicant. The Board suggested that two people, chosen by Dr Robison, be sent in January and two other people be sent in October, 2005.

Supervisor Zinn left the meeting at 10:55 a.m.

Rose Lee, executive director of R.I.D.E.S. presented the Board with the FY04 annual report, discussed the capital equipment replacement fund for FY06 of \$10,214 and reported that they will be working with Abben Cancer Center this spring.

Ed Campbell, building custodian, spoke with the Board regarding "Reserved Parking" signs on the north side of the courthouse parking lot.

Cynthia Bauman, Northwest Iowa Aging presented the FY04 annual report and explained how the nutrition system was restructured in FY04. Meals are contracted with 8 vendors in the 9 county area; customer satisfaction has been good and the kitchen equipment was sold to the community center in each city. Request was made for \$9981 for FY06, which is an increase of \$.03 for each person over 60 years old in Clay County.

Motion by Schoer, seconded by Chalstrom to accept the following changes to the Clay County Fencing Policy: Removal of Fence \$.40/ft., Replace Barbed Wire \$1.50/ft., Replace Woven Wire \$2.00/ft. Motion carried.

The chairperson moved to adjourn the meeting at 12 noon and to convene at the next Auditor's called meeting Tuesday, December 21, 2004 at 8:30 a.m.

Marjorie A. Pitts, County Auditor

Joel M. Sorenson, Chairperson

Clay County Board of Supervisor's Minutes from Meeting #41 held on December 21, 2004

The Clay County Board of Supervisors met pursuant to adjournment. The named supervisors were present:

Chalstrom, Brockshus, Schoer, and Zinn. Absent: Sorenson.

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote: Ayes:

Sorenson, Zinn, Schoer, Brockshus, and Chalstrom. Nays: none. Abstentions: none. Absent:

Motion by Schoer, seconded by Chalstrom to approve the meeting agenda for Tuesday, December 21, 2004 as

amended to include an informational presentation by Craig Cretsinger of Vocational Rehabilitation Services,

and Resolutions #2004-50 & 2004-51. Motion carried

Motion by Chalstrom, seconded by Schoer to approve the County Board minutes for Meeting #40 dated December 6, 2004. Motion carried.

Motion by Schoer, seconded by Chalstrom to approve the payment of the claims for December 21, 2004 with the detail on file in the County Auditor's office for review. Motion carried.

General Basic Fund

Ace Hardware	Bldg supplies	261.71
Allied Document Solutions	Treas Jan supp & renewals	518.72
Aquila	Bldg utilities	2470.00
Arch Wireless	DHS pager charge	62.21
Automatic Door Group Inc.	Cthse automatic door rep	276.11
Bank of America	Treas acct charges	46.45
Ann L Baschke	Auditor mtg exense meal	14.85
Steven D Berends	Twp mileage	16.80
Bjornstad's Advanced Comfort	Jain roof unit/burners	150.00
BNA Books Div Bureau	Shrf law off pocket manua	138.10
Boys & Girls Home Res Trmt Ctr	shltr care	2226.66
Buena Vista University	Consv 3 Gateway laptops	1530.00
Carey's TV & Stereo	Shrf cd player/instal	199.40
Carpenter Uniform & Promotions	Shrf shirt/pants	212.75
City of Spencer	Shrf Nov 04 com ctr share	11233.91
Clay Co Extension Service	Consv pesticide manuals	95.00
Clay Co Sec Road Fund	Gas for Novemb	491.32
Clay County Sheriff	CSRU Shrf fees	89.00
Clay County Recorder	Consv ATV renewal	16.25
Clay County Treasurer	Treas cor to GBS health	17.00
Clay Regional Water	Consv Grandvw utilities	246.70
Council-Prev.Dom.Violence	FY05 allocation funding	5000.00
Crescent Electric Supply	Consv sw box/toggle/rnd w	98.16
Daily Reporter, The	Pub bd mtg 36	240.93
Denny's Pest Control	Bldg pest control	161.00
Dickinson County Sheriff	CSRU shrf fees	101.10
Dr. John E. Hodges	Va medical care	108.00
Lester W Dykstra	Twp mileage	6.30
Emmet County Sheriff	CSRU shrf fees	18.50
ESRI	DP/GIS maint/prim/ai/fl/a	5794.52
Everly-Royal News	Pub bd mtgs 36 & 37	457.25
Everttek	Scharnberg internet/cable	336.78
Farmers Trust & Svgs Bank	Treas acct charges	132.34
FASTENAL	Consv chicago fit 3/4	2.80

The Hotel at Gateway Center	Aud mtg expense room	82.95
G E Capital	DHS copier lease	258.78
GRACESOFT	Consv Level 1/InKeeping m	159.00
Graham Tire Co	Shrf tires/mount & balanc	138.00
Great Lakes Dental Center	dntal wrk-tand	37.00
H & N Chevrolet Buick	Shrf shocks/struts/algmt	1295.25
Hartley Farm & Home Center Inc	Consv caulk	379.63
Heartland Inn - Ankeny	Treas mtg expense room	96.30
Heartland Technology	utility asst	250.00
Daniel J Heissel	Consv mtg exp	5.14
Helen's Comm Laundry Inc	Jail rugs and mops	205.70
Hy-Vee #1636	Shrf coffee	21.62
IA Dept of Ag/Land Stwrd	Bee inspection expense	37.61
IA Lakes Electric Coop	Consv utilities/Grandvw	438.19
IA Law Enforcement Academy	Shrf ILEA	425.00
IACCBE Treasurer	Consv wkshop reg	400.00
ICEC	Consv reg/Winter Solstice	154.50
Ida County Sheriff	CSRU shrf fees	19.50
Iowa Conservationist Magazine	Consv magazine advertisem	375.00
Iowa Public Health Assoc.	Env hlth membership	25.00
I S A C Multi-Co Serv Agency	DP/GIS county directory	140.00
Jackson County Sheriff	CSRU shrf fees	30.00
Jacobsen Home Corp	rent asst	420.00
Janitor's Closet Ltd	GSC custodial supplies	805.82
Jay Steffen	Well closure	200.00
Johnson Supply Co	Consv piping	107.45
JW Services	CSRU shrf fees	21.05
Kay Ann Rose	Landlord	200.00
Lake Park Equipment, Inc	Consv snowblower	2650.00
Lyon County Sheriff	CSRU shrf fees	96.75
Mangold Environmental	Well testing	64.50
Mar-Lin Business Supply	Aud calculator tapes	34.42
Matt Parrott and Sons	Consv shirts/embrdery	463.50
Tammy R Mckeever	Env health gas	26.49
McLeodUSA	phone serv	489.92
Marilyn J Meyer	Twp mileage	13.80
Midwest Wireless	consv cell phone	64.28
Minolta Corporation	DHS copier clicks	36.10
Mrs. Frank Hargens	Well closure	200.00
N.A.D.A. Appraisal Guides	DHS used car guide	60.00
Justin D Nelson	CSRU mileage	79.50
Northwest Aging Assn.	FY05 allocation funding	2462.00
Northwest Equipment Inc	Consv filler cap	19.99
Northwest One	Consv cable chrgs	15.00
NW IA Alcoholism & Drug Treatm	FY05 allocation funding	3691.50
O'Brien County Sheriff	CSRU shrf fees	43.20
Office Systems Company	DP Gestetner copies	42.39
OMB Police Supply	Shrf base/Crown Vic	98.98
Osceola Co Sheriff	CSRU shrf fees	34.00
Palo Alto County Sheriff	CSRU shrf fees	50.00
Perkins Office Solutions	Consv jrnl book	6.11
Physicians Lab	VA medical assistance	19.45
Pitney Bowes	DHS postage cartridge	73.94
Pixler Electric Inc	Jail rigid box conn	14.84
Plymouth County Sheriff	CSRU shrf fees	16.50
Plymouth County Consv	Consv registration/fire c	25.00
Quill	Shrf copier paper 6 cases	334.40
Qwest	Bldg circuits	109.98
R & D Industries, Inc	consultation	118.75
R.J. Thomas Mfg Co	Consv can lid 24" hole gl	1717.12

Sylvia D Schoer	Bd mileage	30.00
Scott Frietag	Landlord	200.00
Shoppers Supply	Admn caster swivel	2314.37
Silverhawk Investigations	CSRU	50.00
Simonsen Iron Works, Inc	Shrf bench/bracket weldmn	215.00
Sioux County Sheriff	CSRU shrf fees	23.76
SoftChoice Corporation	Tapes for GIS server	3090.00
Solutions, Inc	GIS server box w/3yr warr	7338.76
Spencer Auto Parts Inc	Shrf filter	39.77
Spencer Building Supply	Consv wire twstr/shovel	78.00
Spencer Family Care/Avera	sp fam care	172.53
Spencer Mun Hospital	Jail meals/PHN	9100.22
Spencer Mun Utilities	Shrf ISDN billing	860.33
Spencer Office Supplies	DHS toners	307.90
Staples Credit Plan	offc suppl	16.53
Star Energy LLC	Consv keytrol	19.20
Sunshine Services Inc	GSC cleaning Nov 04	388.13
SWIFT AIR	Cthse boiler repair-relay	2389.64
The Crittenton Center	shltr care	5964.31
The Elect "Rick" Company	Cthse 175wt replacement	209.95
The Job Seeker	Consv job provider/natura	25.00
George R Thiessen	Twp mileage	7.20
Thrifty White Stores	DHS supplies	8.98
Town & Country Disposal Inc	Consv garbage removal	10.50
Troy Hart	landlord	480.00
US Bank	Treas deposit tickets	28.25
U S Postmaster	Shrf 5 rolls stamps/37 ce	253.00
Underground Vaults & Storage	Rec lease mfilm dwr/m for	25.16
Univ of IA Hosp & Clinics	u of ia hosp	1267.00
Upper Des Moines	FY05 allocation funding	4000.00
VFW	Fed pass thru elect asst	2500.00
Walmart Business	Consv mini blinds	83.57
Walmart Pharmacy	rx	109.46
Warner Funeral Home	burial asst	2200.00
Winkleblack's	Env health radon items	901.81
Woodall's Tree Service	Cthse two trees removed	267.50
Theresa E Wurth	DP static control in DP a	5.00
Xerox Corporation	Rec copier base chrg	359.79
Zee Medical Service Co	Admn first aid supplies	31.28

General Supplemental Fund

Clay County Treasurer	Treas cor to GB for healt	94.80
Correctional Services Corp	JV detention	539.04
NW IA Youth Emergency Serv	JV detention	8850.00
West Payment Center	Law library access charge	1020.60

MH-DD Services Fund

Buena Vista Co Clk of Crt	courteval	100.00
Buena Vista Co Sheriff	shrff fees	77.00
Cherokee County Sheriff	shrff fees	38.00
Clay County Sheriff	shrff fees	176.50
David A Scott	attrny fees	50.00
Echo Plus	scl	2984.69
Genesis Development	wa	203.00
Greer Law Office	attrny fees	271.84
Hope Haven	wa-care	5483.30
Knoxville Rest Home	rcf-care	714.00
Mack Hansen Gadd Armstrong and	attrny fees	195.00
Midwest Wireless	cell phn chrgs	41.64
Milford Pharmacy	flu shot	16.00

NACBHD	mmbrrshp dues	150.00
Nishna Productions Inc	adc-care	2588.00
Oak Haven Care	rcf-care	9417.55
Plymouth Life Inc	rcf-care	3870.00
Seasons Center	mh srv for 12/04	19014.59
Spectra Health Care	rcf-care	3033.00
Spencer Office Supplies	offc suppl	51.62
Staples Credit Plan	offc suppl	38.58
Sunshine Services Inc	wa-care	28771.58
Village N. W. Unlimited	wa-care	595.15
Kimberly S Wilson	renwl of soc wrk lisenc-k	60.00

Rural Services Basic Fund

Alpha Wireless Comm	Shrf radio serv/install	1667.74
Clay Co Extension Service	IRVM pest mgnt/cont ed	30.00
Clay Co Sec Road Fund	IRVM fuel Nov 04	82.55
Daily Reporter, The	Zoning publication	18.65
Hultgrens-Gerlach, In	Consv oil leak/steer cyli	66.80
I S A C Multi-Co Serv Agency	Zoning county directory	15.00
McLeodUSA	Zon phone serv	3.45
Shoppers Supply	IRVM antifreeze	20.94

Secondary Road Fund

A & M Laundry Inc.	Uniforms	174.60
Ace Hardware	Sawsall Blades	13.18
Alliant Energy	Electric - Webb	428.91
Alpha Wireless Comm	Radio Repair	633.87
Aquila	Gas - Spencer	1759.23
Barnes Distribution	Ball Valve, Nuts, Bolts	611.04
Belin Lamson McCormick Zumbach	Union Negotiation Fees	2137.50
City of Everly	Gas - Everly	209.96
City of Hartley	Non-Metered	50.00
Claitor's Law Books	2003 MUTCD Rev#2	71.86
Clay Co Extension Service	Comm Ag Inst Course 1A&1B	40.00
Comfort Suites	Lodging - 2004 Eng Conf	419.80
Crescent Electric Supply	Shop Wiring	92.26
Dave's Sand & Gravel Inc	Sand 173.36T @ \$1.00/T	624.06
Diamond Vogel Paints	5 G Yellow Traffic	69.80
Eddy-Walker Equipment Co	Belt & Chain Assy #203	1909.12
Raymond D Essick	Reimb for Safety Shoes	80.00
FASTENAL	Air Hose, Bolts	78.35
Great Lakes Cooperative	#1 Diesel 400 Gals	23623.00
H & N Chevrolet Buick	Handle #100	88.97
Harmon AutoGlass	Tinted Glass #2 Grader	218.84
I.D.A.L.S.	Comm Pest (cat 1A,1B,6)	10.00
Lawson Products Inc	200-Dome Head Plow Bolt	669.85
Mar-Lin Business Supply	Toner Cart 63H3005	133.96
McLeodUSA	ENG Telephone - Spencer	17.82
James R Montgomery	Reimb for Safety Shoes	160.00
New Sioux City Iron Co	PARTS	275.21
Power Cleaner	Unloader Valve Press Wash	87.60
Road Machinery & Supplies Co.	Hose Assy #69 Gradall	71.32
Safety-Kleen Systems Inc.	Parts Washer Service	352.10
Share Corp	Apple Freshener	137.20
Shuck-Britson, Inc.	Final Bridge Plan L-4605B	16000.00
Spencer Mun Utilities	Electric - Spencer	328.14
Town & Country Disposal	Garbage - Dickens	20.60
Xerox Corporation	Copy Cost	26.00
Ziegler Inc	PARTS	3448.06

	Recorders Records Mgt Fnd	
Solutions, Inc	Rec 19" monitor LCD/stand	1700.00
	Capital Projects	
Krukow Construction	Consv concrete/Oneota	2767.89
Rental Service Corporation	Consv plate compactor	206.00
	Spec Events Ctr Pledge Oblig	
Northwest Federal Savings Bank	Reg Event Ctr prin paymen	290000.00
	E-911 Surcharge	
ABC Computers Plus	E911 Pentium 4 computers	5646.04
Alpha Wireless Comm	E911 DR-8092 rack 84x20	416.00
GeoComm Corporation	E911 radio console addend	3500.00
Iowa Telecom	E911 phone charges	41.69
Mar-Lin Business Supply	E911 desk w/return	685.42
Qwest	E911 ciruits	13.58
Spencer Mun Utilities	E911 phone charges	228.60
	Jnt Co Emergency Mgt Fund	
Bud's Service	EMA cooling fans for car	405.60
McLeodUSA	Emg Mgt phone serv	10.12
Winkleblack's	EMA shirts/coat/embroider	157.15
	Spec Appraiser Fund-Assessor	
Leslie A Buchholz	Assr mileage	468.60
Vanguard Appraisals	Assr service contract	5500.00
	Co. Assessor Agency Fund	
Barry G Anderson	Assr conf bd mileage	3.00
BOJI Information Systems	Assr ink cart	128.00
Jan Yungbluth	Assr mileage/conf bd	7.20
Jon A Bang	Assr conf bd/mileage	15.00
Marlin Voss	Assr mileage conf bd	2.10
McLeodUSA	Assr phone serv	5.57
Mike Elbert	Assr conf bd mtg/mileage	9.00
Verland 'Bud' Meyer	Assr mileage/conf bd	6.00

Motion by Chalstrom, seconded by Brockshus to approve the transfer of \$10,670.40 from the Local Option-Fair fund to the Local Option Sales and Service Revenue Bond Sinking fund.
Motion carried.

Motion by Brockshus, seconded by Chalstrom to adopt Resolution #2004-49 approving the funding for economic development purposes to the Spencer Industries Foundation, Inc. Roll Call: Ayes: Chalstrom, Brockshus, Schoer, and Zinn. Nays: None. Sorenson absent. Motion carried.

RESOLUTION #2004-49
A RESOLUTION OF THE COUNTY BOARD OF SUPERVISORS OF
CLAY COUNTY, IOWA, APPROVING THE FUNDING FOR
ECONOMIC DEVELOPMENT PURPOSES TO THE SPENCER
INDUSTRIES FOUNDATION, INC.

WHEREAS, the County understands that economic development is a public purpose for which the county may provide grants, loans, guarantees, and other financial assistance to or for the benefit of private

persons; and

WHEREAS, the County supports the efforts of the **Spencer Industries Foundation, Inc.** and have determined that a public purpose will be accomplished by dispensing funds according to Iowa Code Chapter 15A.1(2); and

WHEREAS, the County has agreed to provide financial assistance to the accommodate the funding contingencies stated in the Economic Development Agreement dated June 23, 2004 between Spencer Industries Foundation, Inc and Bogenrief Studios in the amount of thirty thousand (\$30,000) during the current fiscal year; and

NOW, THEREFORE, BE IT RESOLVED by the County Board of Supervisors of Clay County, Iowa; that the County will fund the Spencer Industries Foundation, Inc. an amount totaling thirty thousand (\$30,000) for this fiscal year.

Dated this **21st** day of December 21, 2004

William D. Zinn, Vice Chairperson

ATTEST:

Marjorie A. Pitts, Auditor

Motion by Schoer, seconded by Brockshus to adopt Resolution #2004-50 authorizing an amendment to the August 4, 2004 28E Agreement regarding the allocation of Local Option Sales & Services Tax pursuant to Iowa Code Section 422B.12. Roll Call: Ayes: Chalstrom, Brockshus, Schoer, and Zinn. Nays: None. Sorenson absent. Motion carried.

RESOLUTION NO. 2004-50

RESOLUTION AUTHORIZING AN AMENDMENT TO THE AUGUST 4, 2004, IOWA CODE CHAPTER 28E AGREEMENT REGARDING ALLOCATION OF LOCAL OPTION SALES AND SERVICES T AX PURSUANT TO SECTION 422B.12

WHEREAS, the County, had previously, on August 4, 2004, entered into a Chapter 28E Agreement regarding allocation of Local Option Sales and Services Tax pursuant to Section 422B.12 (the “Original 28E Agreement”).

WHEREAS, the County intends to issue Local Option Sales and Services Tax Revenue Bonds (the “Sales Tax Revenue Bonds”) pursuant to the provisions of Section 422B.12(3) of the Code and pursuant to a resolution to be adopted by the Board of Supervisors (the “2004 Bond Resolution”), in order to finance the

construction

of improvements to the Clay County Fairgrounds (the "Project").

WHEREAS, pursuant to Section 422B.12(5) of the Code, the City will pledge ten (10) percent of its local

sales and services tax revenues to the payment of principal and interest on the Sales Tax Revenue Bonds to

be issued by the County and/or for construction and related activities associated with the Project.

WHEREAS, the fifth "whereas" paragraph of the Original 28E Agreement provided that the County will pledge

ten (10) percent of its local sales and services tax revenues to the payment of principal and interest on the Sales

Tax Revenue Bonds to be issued by the County and/or for construction of activities associated with the Project.

WHEREAS, the Parties did not intend for the County to pledge ten (10) percent of its local sales and services

tax revenues to the payment of principal and interest on the Sales Tax Revenue Bonds and wish to amend that

portion of the Original 28E Agreement that pledged those amounts to payment of principal and interest on the

Sales Tax Revenue Bonds.

WHEREAS, it was the intention of the Parties, that Clay County will distribute a portion of its local sales and

services tax revenues directly to the Clay County Fair Association, and will allocate a portion of its local sales

and services tax revenues to the payment on the Sales Tax Revenue Bonds to be issued by the County;

NOW, THEREFORE, be it Resolved as follows::

1) The County will allocate ten (10) percent of its total local sales and services tax revenues received each year to the Clay County Fair Association, Inc., as follows:

A. The first Fifty Thousand Dollars (\$50,000) of the first 10% of total revenues received each fiscal

year beginning July 1, 2004, shall be paid monthly to the Clay County Fair Association, Inc., for their use for

any lawful purpose that the Fair deems fit. This is in acknowledgment that the Fair promotes tourism and

economic activity in Clay County.

B. The balance of the first 10% of total revenues received by Clay County each fiscal year shall be

placed in a fund known as the Local Option Sales and Services Tax Revenue Fund (the "Revenue Fund") for

the purpose of paying principal and interest on the Sales Tax Revenue Bonds. This fund shall be administered

as follows:

1. Clay County shall transfer money from the Revenue Fund to the Local Option Sales

and Services Tax Revenue Bond Sinking Fund created in the 2004 Bond Resolution (the "Sinking

Fund") on any date on which principal or interest is due on the Sales Tax Revenue Bonds and the

Sinking Fund does not contain the full amount required to make such payment on that date.

2. If at any time the County Auditor determines that there is a sufficient amount in the Sinking Fund to pay the next year's principal and interest on the Sales Tax Revenue Bonds,

any surplus in the Revenue Fund shall be used as follows:

(a) Pay directly to the Clay County Fair Association for use by the Fair as set forth in Paragraph 1(1) of this Agreement, or,

(b) If the parties mutually agree, to redeem part or all of the Sales Tax Revenue Bonds.

2. Except as specifically modified by this agreement, the Iowa Code Chapter 28E Agreement regarding allocation of Local Option Sales and Services Tax Pursuant to Section 422B.12, dated August 4, 2004, shall remain in full force and effect.

Passed and approved on December 21, 2004.

CLAY COUNTY, IOWA,

BY: _____
William D. Zinn, Vice Chairperson,
Clay County Board of Supervisors

Attest: _____
Marjorie A. Pitts, Clay County Auditor

Motion by Brockshus, seconded by Chalstrom to approve the following resolution. Roll Call: Ayes: Chalstrom, Brockshus, Schoer, and Zinn. Nays: None. Sorenson absent. Motion carried.

RESOLUTION NO. #2004-51

Resolution repealing Resolution No. 2004-41 and authorizing and providing for the issuance and securing the payment of \$2,000,000 Local Option Sales and Services Tax Revenue Bonds

WHEREAS, pursuant to Chapter 422B of the Code of Iowa and elections duly held, Clay County, Iowa (the "County"), and the City of Spencer (the "City") are entitled to receive proceeds of a one percent local option sales and services tax (the "Local Option Tax") which is being imposed in accordance with Chapter 422B and an ordinance duly adopted by the Board of Supervisors of the County with respect thereto (the "Ordinance"); and

WHEREAS, the purposes for which the revenues from the Local Option Tax to be received by the County and the City may be expended include 10% for the Clay County Fair Association for capital improvements at the Fairgrounds (the "Project"); and

WHEREAS, Chapter 422B authorizes the County to issue revenue bonds in anticipation of the receipt of revenues from the Local Option Tax, and the County has heretofore proposed to issue \$2,000,000 Local Option Sales and Services Tax Revenue Bonds (the “Series 2004 Bonds”) for the purpose of paying the cost, to that amount, of the construction of the Project, and of refunding currently outstanding debt, and has published notice of such proposal and has held a hearing thereon; and

WHEREAS, the County and the City have entered into, and have amended, an Agreement Regarding Allocation of Local Option Sales and Services Tax Pursuant to Section 422B.12 (the “Agreement”), pursuant to which the City has agreed to pay to the County 10 percent of the revenues it will receive from the Local Option Tax, to be used by the County for the payment of the Series 2004 Bonds, and the County has agreed that, of |

the first 10 percent of the revenues it will receive from the Local Option Tax each year, it will pay \$50,000 directly to the Clay County Fair Association, Inc., and will allocate the balance of the first 10 percent of said revenues to the payment of the Series 2004 Bonds (the revenues to be received by the County and the City from the Local Option Tax which are subject to and allocated by the Agreement are hereinafter referred to as the “Allocated Tax Revenues”); and

WHEREAS, the Board of Supervisors of the County adopted Resolution No. 2004-41 on October 12, 2004, but it has been determined that Resolution should be repealed;

NOW, THEREFORE, Be It Resolved by the Board of Supervisors of Clay County, Iowa, as follows:

Section 1. Resolution No. 2004-41, adopted October 12, 2004, is hereby repealed.

Section 2. For the purpose referred to in the preamble hereof and pursuant to Chapter 422B of the Code of Iowa, the Series 2004 Bonds are hereby authorized to be issued in the denomination of one bond for each principal maturity, maturing on June 1 in each of the years, in the respective principal amounts and bearing interest at the respective rates, as follows:

	Principal	Interest Rate		Principal	Interest
Rate					
<u>Year</u>	<u>AmountPer Annum</u>	<u>Year</u>	<u>AmountPer Annum</u>		
2005	\$55,000	1.13%	2018	\$ 80,000	3.81%
2006	\$55,000	1.33%	2019	\$ 80,000	3.91%
2007	\$55,000	1.61%	2020	\$ 85,000	4.01%
2008	\$55,000	1.96%	2021	\$ 90,000	4.11%
2009	\$60,000	2.25%	2022	\$ 90,000	4.20%

2010	\$60,000	2.48%	2023	\$ 95,000	4.27%
2011	\$65,000	2.73%	2024	\$100,000	4.33%
2012	\$65,000	2.98%	2025	\$100,000	4.39%
2013	\$65,000	3.17%	2026	\$105,000	4.39%
2014	\$70,000	3.33%	2027	\$110,000	4.39%
2015	\$70,000	3.48%	2028	\$115,000	4.39%
2016	\$75,000	3.60%	2029	\$120,000	4.39%
2017	\$80,000	3.71%			

Section 3. The Clay County Auditor is hereby designated as the Registrar and Paying Agent for the Bonds and may be hereinafter referred to as the “Registrar” or the “Paying Agent”.

The County reserves the right to call and redeem part or all of the Series 2004 Bonds maturing in each of the years 2006 to 2029, inclusive, prior to and in any order of maturity on any date, on terms of par and accrued interest. If less than all of the Series 2004 Bonds of any like maturity are to be redeemed, the particular part of those Series 2004 Bonds to be redeemed shall be selected by the Bond Registrar by lot. The Series 2004 Bonds may be called in part in one or more units of \$5,000. If less than the entire principal amount of any Series 2004 Bond in a denomination of more than \$5,000 is to be redeemed, the Bond Registrar will issue and deliver to the registered owner thereof, upon surrender of such original Series 2004 Bond, a new Series 2004 Bond or Bonds, in any authorized denomination, in a total aggregate principal amount equal to the unredeemed balance of the original Series 2004 Bond. Notice of such redemption identifying the Series 2004 Bond or Bonds (or portion thereof) to be redeemed shall be given not less than 30 and not more than 60 days prior to the date upon which it is proposed to prepay the Series 2004 Bonds or any of them by sending a notice by certified mail to the registered owners thereof at the addresses shown on the County’s registration books. All of such Series 2004 Bonds as to which the County reserves and exercises the right of redemption and as to which notice as aforesaid shall have been given and for the redemption of which funds are duly provided shall cease to bear interest on the redemption date.

All of the interest on the Series 2004 Bonds shall be payable semiannually on the first day of June and December in each year, commencing June 1, 2005. Payment of interest on the Series 2004 Bonds shall be made to the registered owners appearing on the bond registration books of the County at the close of business on the fifteenth day of the month next preceding the interest payment date and shall be paid by check or draft mailed to the registered owners at the addresses shown on such registration books. Principal of the Series 2004 Bonds shall be payable in lawful money of the United States of America to the registered owners or their legal representatives upon presentation and surrender of the Series 2004 Bond or Bonds at the office of the Paying Agent.

The Series 2004 Bonds shall be executed on behalf of the County with the official manual or facsimile signature of the Chairperson and attested by the official manual or facsimile signature of the County Auditor and shall have the County’s seal impressed or printed thereon, and shall be fully registered bonds without interest

coupons. In case any officer whose signature or the facsimile of whose signature shall appear on the Series 2004 Bonds shall cease to be such officer before the delivery of such Series 2004 Bonds, such signature or such facsimile signature shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until delivery.

All of the Series 2004 Bonds and the interest thereon and any additional bonds as may be hereafter issued and outstanding from time to time ranking on a parity therewith under the conditions set forth herein (which additional bonds are hereinafter sometimes referred to as the "Parity Bonds") (the Series 2004 Bonds and any Parity Bonds are sometimes hereinafter collectively referred to as the "Bonds"), shall be payable solely from the Sinking Fund hereinafter referred to and shall be a valid claim of the holder thereof only against said fund, and none of the Bonds shall be a general obligation of the County, and under no circumstances shall the County be in any manner liable by reason of the failure of the Allocated Tax Revenues to be sufficient for the payment in whole or in part of the Bonds and the interest thereon; but the Bonds shall be payable both as to principal and interest solely and only from the future Allocated Tax Revenues pledged therefor as hereinafter provided.

The Series 2004 Bonds shall be fully registered as to principal and interest in the names of the owners on the registration books of the County kept by the Bond Registrar, and after such registration, payment of the principal and interest thereof shall be made only to the registered owners, their legal representatives or assigns. Each Series 2004 Bond shall be transferable only upon the registration books of the County upon presentation to the Bond Registrar, together with either a written instrument of transfer satisfactory to the Bond Registrar or the assignment form thereon completed and duly executed by the registered owner or the duly authorized attorney for such registered owner.

The record and identity of the owners of the Series 2004 Bonds shall be kept confidential as provided by Section 22.7 of the Code of Iowa.

The Series 2004 Bonds shall not be valid or become obligatory for any purpose until the Certificate of Authentication thereon shall have been signed by the Bond Registrar.

Section 4. The Series 2004 Bonds shall be in substantially the following form: Detail on file in the Auditor's Office.

Section 5. The Series 2004 Bonds shall be executed as herein provided as soon after the adoption of this resolution as may be possible and thereupon they shall be delivered to the Bond Registrar, for registration, authentication and delivery to the purchaser, as determined by the Board, upon receipt of the purchase price thereof, with accrued interest thereon, and all action heretofore taken in connection with the sale of the Series 2004 Bonds is hereby ratified and confirmed in all respects. The proceeds received from the sale of the Series 2004 Bonds, exclusive of accrued interest, shall be used for the purpose or purposes aforesaid, and any unexpended balance of the proceeds of the Series 2004 Bonds remaining thereafter, plus any amount received by the County as accrued interest, shall be converted into the Sinking Fund hereinafter

referred to and used to pay interest on the Series 2004 Bonds on the first interest payment date.

Section 6. From and after the delivery of the Series 2004 Bonds and as long as any of the Series 2004 Bonds are outstanding and unpaid or until all of the Series 2004 Bonds then outstanding shall have been discharged and satisfied or provision therefor has been made, the Allocated Tax Revenues shall be deposited as collected in a fund to be known as the Local Option Sales and Services Tax Revenue Fund (the "Revenue Fund"), which shall be used and disbursed as hereinafter provided to pay the principal of and interest on all of the Series 2004 Bonds outstanding from time to time, as the same become due, and to maintain a reasonable reserve for the payment of such principal and interest.

Section 7. There is hereby created, and there shall be maintained, an account to be known as the "Local Option Sales and Services Tax Revenue Bond Sinking Fund" (herein referred to as the "Sinking Fund"), into which there shall be set aside from the Allocated Tax Revenues in the Revenue Fund such portion thereof as will be sufficient to pay the interest on and principal of the Bonds as the same become due, and it is hereby determined that the minimum amount to be so set aside into the Sinking Fund during each month of each year shall be not less than as follows:

Beginning on January 1, 2005, and continuing through and including May 1, 2005, a sum equal to 1/5 of the principal of all Series 2004 Bonds maturing on June 1, 2005, plus a sum equal to 1/5 of the interest becoming due on June 1, 2005, and, thereafter, a sum equal to one-twelfth (1/12) of the principal of all Series 2004 Bonds maturing on the June 1 next succeeding, plus a sum equal to one-sixth (1/6) of the interest becoming due on the next succeeding interest payment date on all of the outstanding Series 2004 Bonds, until the full amount of such installments is on hand;

provided, however, that all Allocated Tax Revenues held by the County on the date of this Resolution shall immediately be set aside into the Sinking Fund, and, in the future no further payments need be made into the Sinking Fund when and so long as the amount therein is sufficient to retire all of the Series 2004 Bonds then outstanding and to pay all interest to become due thereon prior to such retirement or funds sufficient therefore have been set aside and pledged for that purpose. If for any reason the amount on deposit in the Sinking Fund exceeds the required amount, the excess shall be transferred and paid into the Revenue Fund.

Whenever Parity Bonds are issued under the conditions and restrictions hereinafter set forth, provisions shall be made for additional payments to be made into the Sinking Fund for the purpose of paying the interest on and principal of such Parity Bonds.

The Sinking Fund and that portion of the Allocated Tax Revenues contained therein shall be used solely and only and are hereby pledged for the purpose of paying the interest on and the principal of the Series 2004 Bonds.

If at any time there is a failure to pay into the Sinking Fund the full amount above stipulated, then an amount equivalent to the deficiency shall be paid into the Sinking Fund from the Allocated Tax Revenues on deposit in the Revenue Fund as soon as available, and the same shall be in addition to the amount otherwise required to be so set apart and paid into the Sinking Fund.

Section 8. All of such payments required to be made into the Sinking

Fund shall be made in equal monthly installments as hereinbefore provided on the first day of each month in each year, or on the next succeeding business day when the first day of any month shall be a Sunday or legal holiday.

Section 9. In accordance with the Agreement, if at any time the County Auditor determines that there is a sufficient amount in the Sinking Fund to pay all principal of and interest on the Series 2004 Bonds in the next fiscal year, any surplus in the Revenue Fund shall be used as follows:

- a. Pay such amount directly to the Clay County Fair Association, Inc. for use as set out in the Agreement, or
- b. Upon receiving concurrence from the Clay County Fair Association, Inc., use such amount to redeem any or all of the Series 2004 Bonds.

Section 10. All money held in any fund created or to be maintained under the terms of this resolution shall be deposited in lawful depositories of the County or invested in accordance with Chapters 12B and 12C of the Code of Iowa and continuously held and secured as provided by the laws of the State of Iowa relating to the depositing, securing, holding and investing of public funds. All interest received by the County as a result of investments under this section shall be considered to constitute Allocated Tax Revenues and shall be deposited in or transferred to the Revenue Fund and used solely and only for the purposes specified for such fund. The County hereby covenants and agrees that no such investment shall ever be made so as to cause the interest on the Series 2004 Bonds to become taxable as "arbitrage bonds" pursuant to the provisions of Section 148 the Internal Revenue Code of 1986, as amended.

Section 11. The County hereby covenants and agrees with the owner or owners of the Series 2004 Bonds, or any of them, that from time to time may be outstanding, as follows:

- a. The County will keep or cause to be kept books and records showing the receipt and expenditure of the Allocated Tax Revenues, in which complete entries shall be made in accordance with standard principles of accounting, and any owner of the Series 2004 Bonds shall have the right at all reasonable times to inspect such books and records;
- b. To the extent permitted by law, the County will defend the validity and legality of this resolution, the Local Option Tax, the Allocated Tax Revenues, and all actions taken by the Board of Supervisors of Clay County and the State of Iowa to impose the Local Option Tax and to collect the Local Option Tax Revenues, against all claims, suits and proceedings which would diminish or impair the Allocated Tax Revenues as security for the Series 2004 Bonds;
- c. The County will faithfully and punctually perform, or cause to be performed, all duties with respect to the Local Option Tax required by the Constitution and laws of the State of Iowa and the various ordinances, resolutions and contracts of the County, including without limitation, the proper segregation of the proceeds of the Series 2004 Bonds and the Allocated Tax Revenues and their application from time to time to the respective funds provided therefore;

d. The County will not take any action in such manner or to such extent as might prejudice the security for the payment of the Series 2004 Bonds according to the terms thereof. No contract shall be entered into nor any other action taken by which the rights of any registered owner of any Bond might be prejudicially and materially impaired or diminished;

e. Each County officer or employee having custody of any Allocated Tax Revenues or being responsible for their handling shall be bonded at all times, which bond shall be conditioned upon the proper application of said moneys; and

Notwithstanding anything in this section to the contrary, none of the foregoing covenants of the County with respect to the Allocated Tax Revenues shall obligate the County to undertake or perform any duty, task or obligation to be performed by the State of Iowa, or under the terms of Chapter 422B or other provision of the Code of Iowa, as from time to time amended.

Section 12. Except as herein expressly limited, the owner or owners of the Series 2004 Bonds shall have and possess all the rights of action and remedies afforded by the common law, the Constitution and statutes of the State of Iowa and of the United States of America for the enforcement of payment of their Series 2004 Bonds and the interest thereon and of the pledge of the Allocated Tax Revenues and of all covenants of the County hereunder.

Section 13. The Series 2004 Bonds shall not be entitled to priority or preference one over the other in the application of the Allocated Tax Revenues, regardless of the fact that they may have been actually issued and delivered at different times. The County hereby covenants and agrees that so long as any of the Series 2004 Bonds are outstanding and unpaid, no other Bonds or obligations payable from any portion of the Allocated Tax Revenues will be issued except upon the basis of such additional Bonds or obligations being subject to the priority and security for payment of any Series 2004 Bonds then outstanding; provided, however, that the County reserves the right and privilege of issuing Parity Bonds for any lawful purpose or for refunding any Series 2004 Bonds or obligations payable from the Allocated Tax Revenues, upon receiving the express written consent of all holders of then outstanding Series 2004 Bonds.

Bonds issued to refund any of the Series 2004 Bonds shall not be subject to the foregoing restrictions, provided the Series 2004 Bonds being refunded mature within three (3) months of the date of such refunding and no other funds are available to pay such maturing Series 2004 Bonds, or the issuance of the refunding Bonds will not cause an increase in the annual debt service requirements during the life of any Series 2004 Bonds then outstanding which are not being refunded, but otherwise any refunding Bonds ranking on a parity shall only be issued subject to the restrictions of this resolution.

Section 14. The provisions of this resolution shall constitute a contract between the County and the owners of the Series 2004 Bonds as may from time to time be outstanding, and after the issuance of any of the Series 2004 Bonds, no change, variation or alteration of any kind of the provisions of this resolution shall be made which will adversely affect the owners of the Series 2004 Bonds until all of the said Series 2004 Bonds and the interest thereon shall have been paid in full, except as hereinafter provided.

The owners of two-thirds (2/3) in principal amount of the Series 2004 Bonds at any time outstanding (not including in any case any obligations which may then be held or owned by or for the account of the County, but including such obligations as may be issued for the purpose of

refunding any of the Series 2004 Bonds if such obligations shall not then be owned by the County)

shall have the right from time to time to consent to and approve the adoption by the County of a resolution or resolutions modifying or amending any of the terms or provisions contained in this resolution; provided, however, that this resolution may not be so modified or amended in such manner as to:

- (a) Make any change in the maturity or redemption terms of the Series 2004 Bonds.
- (b) Make any change in the rate of interest borne by any of the Series 2004 Bonds.
- (c) Reduce the amount of the principal payable on any Series 2004 Bonds.
- (d) Modify the terms of payment of principal of or interest on the Series 2004 Bonds, or any of them, or impose any conditions with respect to such payment.
- (e) Affect the rights of the owners of less than all of the Series 2004 Bonds then outstanding.
- (f) Reduce the percentage of the principal amount of the Series 2004 Bonds, the consent of the owners of which shall be required to effect a further modification.

Whenever the County shall propose to amend or modify this resolution under the provisions of this section, it shall (1) prior to the publication of the notice hereinafter provided for, cause notice of the proposed amendment to be mailed to each of the owners of the Series 2004 Bonds at the addresses appearing on the registration books of the County and also to the original purchasers of the Series 2004 Bonds, and (2) cause notice of the proposed amendment to be published one time in a newspaper published and/or having a general circulation in Clay County, Iowa. Such notice shall briefly set forth the nature of the proposed amendment and shall state that a copy of the proposed amendatory resolution is on file in the office of the County Auditor.

If the owners of at least two-thirds (2/3) in aggregate principal amount of the Series 2004 Bonds outstanding at the time of the adoption of such amendatory resolution shall have consented to and approved the adoption thereof as herein provided, no owner of any Series 2004 Bonds shall have any right or interest to object to the adoption of such amendatory resolution or to object to any of the terms or provisions therein contained or to the operation thereof or to enjoin or restrain the County from taking any action pursuant to the provisions thereof.

Any consent given by the owners of a Bond pursuant to the provisions of this section shall be irrevocable for a period of six (6) months from the date of such consent and shall be conclusive and binding upon all future owners of the same Bond during such period. Such consent may be revoked at any time after six (6) months from the date of such consent by the owner who gave such consent or by a successor in title, but such revocation shall not be effective if the owners of two-thirds (2/3) in aggregate principal amount of the Series 2004 Bonds outstanding as in this section defined shall have, prior to the attempted revocation, consented to and approved the amendatory resolution referred to in such revocation.

The fact and date of the execution of any instrument under the provisions of this section may be proved by the certificate of any officer in any jurisdiction who by the laws thereof is authorized to take acknowledgments of deeds within such jurisdiction, that the persons signing such instrument acknowledged before him the execution thereof, or may be proved by an affidavit of a witness to such execution sworn to before such officer.

Section 15. It is the intention of the County that interest on the Series 2004 Bonds be and remain excluded from gross income for federal income tax purposes pursuant to the appropriate provisions of the Internal Revenue Code of 1986, as amended, and the Treasury Regulations in effect with respect thereto (all of the foregoing herein referred to as the "Internal Revenue Code"). In furtherance thereof the County covenants to comply with the provisions of the Internal Revenue Code as they may from time to time be in effect or amended and further covenants to comply with applicable future laws, regulations, published rulings and court decisions as may be necessary to insure that the interest on the Series 2004 Bonds will remain excluded from gross income for federal income tax purposes. Any and all of the officers of the County are hereby authorized and directed to take any and all actions as may be necessary to comply with the covenants herein contained.

The County hereby designates the Series 2004 Bonds as "Qualified Tax Exempt Obligations" as that term is used in Section 265(b)(3)(B) of the Internal Revenue Code.

Section 16. If any section, paragraph, clause or provision of this resolution shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this resolution.

Section 17. All resolutions and orders or parts thereof in conflict with the provisions of this resolution are, to the extent of such conflict, hereby repealed.

Section 18. This resolution shall be in full force and effect immediately upon its adoption and approval, as provided by law.

Passed and approved on December 21, 2004.

William D. Zinn, Vice Chairperson

Attest:

Marjorie A. Pitts, County Auditor

9:00 A.M. The time having arrived for the public hearing on the Local Hazard Mitigation Plan for Clay County. Emergency Management Director Bryce Denker presented the contents of the Hazard Mitigation Plan. The Board determined that proper notice of the public hearing was accomplished and finding there to be no oral or written objections it was moved by Supervisor Chalstrom, seconded by Supervisor Schoer to adopt Resolution 2004-52 titled "A Resolution of the Board of Supervisors of Clay County, Iowa adopting a Hazard Mitigation Plan for Clay County. Roll Call: Ayes: Chalstrom, Brockshus, Schoer, and Zinn. Nays: None. Sorenson absent. Motion carried.

RESOLUTION #2004-52

A RESOLUTION OF THE COUNTY BOARD OF SUPERVISORS
OF CLAY COUNTY, IOWA ADOPTING A HAZARD MITIGATION PLAN FOR CLAY COUNTY

WHEREAS, the Board of Supervisors of Clay County, Iowa has authorized the development of a Hazard Mitigation Plan for Clay County, and

WHEREAS, a Public Hearing has been held pursuant to publication at the Clay County Administration Building Board Room for purposes of obtaining citizen input on the Hazard Mitigation Plan.

NOW THEREFORE BE IT RESOLVED, the Board of Supervisors of Clay County, Iowa

herewith adopts said plan, incorporating citizen comment and recommendations.

PASSED AND ADOPTED THIS 21st day of December, 2004.

William D. Zinn, Vice Chairperson

ATTEST:

Marjorie A. Pitts, Auditor

Motion by Chalstrom, seconded by Brockshus to accept the Clay County Compensation Board Minutes of December 1, 2004 in accordance with Iowa Code Chpt. 331.907 as preparation of a compensation schedule for the elective county officers for the succeeding fiscal year. At the public hearing held on the county budget, the compensation board recommended schedule shall be submitted to the Board of Supervisors for inclusion in the county budget. The Board of Supervisors shall review and determine the final compensation schedule which shall not exceed the schedule recommended by the county compensation board. Motion carried.

Craig Cretsinger, Disability Negotiator for Vocational Rehab is responsible for 16 regions in Iowa from a federal grant in 17 states that runs through 2006. The GSC building disabled parking was discussed with the Board including landscaping fill from the sidewalk to curb, signage that needs to be moved, snow removal on sidewalks and repainting yellow warning markings. Craig will draw a plan layout for next spring.

The Board spoke with Kim Wilson, Central Point Coordinator, to discuss the Spencer Hospital Memorandum of Understanding proposal that will be presented to the Board for approval at a future date. Also burial costs and negotiations with Warner's Funeral Home scheduled for December 23rd was discussed. The Indigent Patient Care Program involving the Department of Human Services and the proposal to CMS regarding intergovernmental transfers and Medicaid benefits was discussed. The Season's Center contract proposals with fees for service that are expected to stay the same as fiscal year 2005 was also discussed.

Ed Campbell addressed the board concerning the county building's custodian update. Some of the projects discussed were: repairs needed to the Sheriff's Administration Building blocks, sheriff's 2 way cameras versus bullet proof windows, Administration Building handrails, restringing flagpoles, the Budget Lighting recycling program, water damage at the GSC building, more reserved parking at the courthouse and replacing GSC restroom vents.

Motion by Schoer, Seconded by Chalstrom to enter into a maintenance agreement with the following cities, schools, and township trustees for the year 2005: Dickens, Everly, Fostoria, Gillett Grove, Greenville, Peterson, Royal, Webb, South Clay School, Spencer Community Schools, Freeman Township Trustees, Garfield Township Trustees, Herdland Township Trustees, and Logan Township Trustees and to authorize the Chairperson to sign the agreements. Motion carried.

The Chairperson adjourned the meeting at 11:45 a.m. and to convene at the next Auditor's called meeting January 3, 2005 at **8:00 a.m.**

Motion carried / failed.

Marjorie A. Pitts, County Auditor

William D. Zinn, Vice Chairperson