

## **Clay County Board of Supervisor's Minutes from Meeting #1 held on January 2, 2018**

The Clay County Board of Supervisors met pursuant to adjournment January 2, 2018 at 8:30 a.m. in the boardroom with 2017 Chairperson Matthews presiding and with the following other members present: Supervisors Anderson, Matthews, Skelton, Skow, Swanson, Assistant County Attorney Barry Sackett, and Auditor Marjorie Pitts as clerk for the meeting. 2017 Chairperson Matthews led the meeting in the Pledge of Allegiance.

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote: Ayes: Anderson, Matthews, Skelton, Skow and Swanson. Nays: None. Abstentions: None.

The first order of business for the 2018 session was election of the Chairperson. 2017 Chairperson Burlin Matthews called for nominations for the 2018 Chairperson.

Motion by Skow, seconded by Skelton to nominate Supervisor Anderson as Chairperson and Supervisor Swanson as Chairperson Elect of the Clay County Board for the 2018 session year. Supervisor Matthews asked for any further nominations. There being none, a unanimous ballot was cast for Supervisors Anderson and Swanson. Motion carried.

The Board stated their thanks to Supervisor Matthews for his leadership and service as the Clay County Board Chairperson during 2017.

Motion by Matthews, seconded by Skelton that the Board meeting agenda for January 2, 2018 be received and placed on file with the County Auditor as approved. Motion carried.

Motion by Skow, seconded by Swanson that the minutes of the Board Meeting #39 held December 19, 2017 are hereby approved as submitted. Motion carried.

Motion by Swanson, seconded by Skelton to adopt the following resolution: BE IT HEREBY RESOLVED by the Board of Supervisors approve expenditures and that the County Auditor be hereby authorized and directed to issue warrants, against the various settlement of such claims as allowed January 2, 2018. Ayes: Supervisors Anderson, Matthews, Skelton, Skow, Swanson. Nays: None. Abstentions: None. Resolution adopted.

### Publication List by Vendor

Advanced Forensic Investigate	Legal & Ct-Related Serv.	75.00
Advanced Systems	Copier Charges	282.40
Advanced Systems	Copier Charges	362.92
Alliant Energy	Electric Light & Power	161.15
Alpha Wireless Comm	Radio & Related Equip.	1548.00
Arnold Motor Supply	Parts	39.91
Ayrshire Farmers Mutual	Telephone	185.21
Ann Baschke	Flex	62.21
Black Hills Energy	Natural & Lp Gas	760.17
LeAnn Black	Flex	176.00
Bomgaars	Buildings	1701.99
Scot Brown	Flex	48.80
Scott Brown	Conference Board	35.00
Kristi Busse	Flex	86.43

Clay County Board of Supervisors

January 2, 2018

CAASA	Allocation	7000.00
Leah Cauthron	Flex	13.96
CenturyLink	Telephone	456.72
Christensen Bar C	Roads	1119.54
City of Spencer	Contract Carriers	8015.00
Clay Co Emerg Mgt Agency	Allocation	8752.00
Clay Co Flex Plan/Medical Exp	Emp Grp Health Ins-Co Con	5000.00
Clay Co Sec Road Fund	Fuels	38.20
Casey Climer	Flex	300.00
Audrey Coffman	Employee Travel Expenses	209.00
Compass Pointe	Outpatient/Counseling	4126.75
Copper Cottage	Buildings	1741.39
Michael Determan	Flex	241.00
Diamond Vogel	Parts	128.96
Elderbridge	Allocation	2894.25
FASTENAL	Hardware	38.95
Brady Follon	Safety	428.54
Sandra Geidl	Flex	1756.18
GRACESOFT	Data Processing Serv.	297.00
Billy Gunnerson	Flex	127.16
H & N Chevrolet Buick	Motor Vehicle	23339.00
Rikki Hamrick	Flex	300.00
Bruce Hanson	Safety	393.76
Hy-Vee	Food & Provisions	15.72
IA Narcotics Officers Assoc	Other	225.00
IA Prison Industries	Parts	72.10
Florence (Fluff) Ihry	Conference Board	21.00
IDS - Info Dog Security	Sanitation & Disposal	61.00
Inukshuk Technologies	Data Processing Serv.	3600.00
ISAC	Education	510.00
J&T Rentals	Buildings - Rental	1500.00
Janitors Closet	Custodial Supplies	843.58
Jennifer Jensen	Custodial	145.00
Larry Jensen	Roads	478.79
Johnston Automotive	Parts	324.68
Sheryl Lee	Flex	44.34
Veronica Lee Lestina Forensic	Depositions	3650.00
Lube-Tech & Partners	Lubricants	5632.20
L-3 Com Mobile Vision	Safety	55.39
Kevin Maassen	Flex	141.65
Mar-Lin Business Supply	Office Supplies	13.36
Marco, Inc	Copier Charges	135.44
Martin's Flag Co	Buildings	221.59
Mastercard	Office Supplies	725.34
McCarty Custom Tiling	Engineering Services	1054.00
Tammy McKeever	Flex	104.00
Menards - Spencer	Buildings	990.21
Midwest Technology Services	Telephone	2729.00
Midwestern Mechanical	Buildings	5417.20
Mike Wolthuis	Safety	500.00
NACVSO	Dues & Memberships	90.00
Bernadette Nord	Safety	150.00
North Central Int'l	Parts	29.65
NW IA Youth Emergency Serv Ctr	Detention	1299.00
NWIACC	Co Disb to MHDS Fiscal Ag	153739.00

Clay County Board of Supervisors

January 2, 2018

O'Brien County Sheriff	Sheriff Fees	15.00
Pitney Bowes	Postage & Mailing	268.38
Polk County Sheriff	Sheriff Fees	36.07
Presto X Company	Buildings	129.00
Roger Putnam	Conference Board	14.00
Quill	Office Supplies	78.65
Rage Inc	Custodial Supplies	55.00
Red Rock Quarry	Engineering Services	523.94
Ricoh USA,	Copier Charges	99.29
Safran MorphoTrak	Data Processing Serv.	6544.00
Darrel Santage	Flex	89.90
Secretary of State	Voter Registration Service	2171.58
Secure Shred Solutions	Disposal	48.00
Sioux City Foundry Co	Parts	7891.40
Daniel Skelton	Conference Board	25.20
Solutions	Data Processing Equipment	1079.98
Spencer Hospital	Medical & Health Services	1213.80
SMU	Telephone	210.70
Spencer Office Supplies	Office Supplies	349.13
Sta-Mel Enterprises	Cover Aggregate/Sand/Mate	1686.40
State Steel Supply Co.	Parts	360.43
Amy Strohman	Flex	40.00
Jack Sylvester	Conference Board	28.00
Tapken's Convenience Plus	Fuels	43.77
Terril Telephone Coop	Telephone	9.61
Eric Tigges	Flex	238.00
Upper DesMoines O E O	Allocation	5525.00
US Cellular	Telephone	710.69
Verizon	Telephone	434.62
VISA	Fuels	1733.44
Marlin Voss	Conference Board	9.80
Sheila Weeks	Flex	200.00
Jeffrey Wiemann	Flex	13.97
Beverly Winter	Roads	478.79
James Worm	Flex	311.80
Zalaznik Equipment Corp	Construction & Maint.	150.00
Grand Total		289578.13

Motion by Skow, seconded by Skelton to adopt the following resolution: BE IT HEREBY RESOLVED by the Board of Supervisors to approve DRAINAGE expenditures and that the County Auditor is hereby authorized and directed to issue warrants, against the various settlement of such claims as allowed January 2, 2018. The County Auditor is directed to issue stamped warrants from drainage districts which currently have insufficient funds. Ayes: Supervisors Anderson, Matthews, Skelton, Skow, and Swanson. Nays: None. Abstentions: None.

Clay County Secondary Roads, Spencer, IA	D.D. #8	\$ 577.52	Stamped
Hudson Law Firm, PO Box 210, Pocahontas, IA	50574		
	DD#80	\$ 506.00	Stamped
Bolton & Menk Inc., 1960 Premier Drive, Mankato, MN			
	DD#80	\$ 4,375.00	Stamped
Total Drainage Warrants:		\$ 5,458.52	
Resolution adopted.			

Clay County Board of Supervisors  
January 2, 2018

Motion by Swanson, seconded by Skow to accept the following recommendations of the Chairperson of committee members for the year 2018. Motion carried.

Betterment Commission	Swanson/Skow
CEO-IWD	Anderson
Communications Center	Skelton/Swanson
Compass Pointe Board	Anderson
Courthouse & Courthouse Security Board	Skow
Clay County Board of Health	Skow
Clay County Conservation Board	Matthews
Clay County Housing Trust Board/Community Housing Initiatives, Inc	Matthews/Swanson
Clay County Regional Events Center Board	Skelton
Clay County Revolving Loan Fund Committee	Matthews/Skow
Clay County Visitors Bureau	Swanson
Early Childhood Empowerment ECI/DCAT	Anderson
Drug Court	Anderson
E-911 Board	Anderson
EMA Advisory Board	Skelton
EMS Council	Skelton/Swanson
Grievance Committee	County Attorney/ Board Chair
Jobs Trust Board	Swanson
L E P C Board	Skelton
Mental Health Governance Board (NWICC)	Anderson/Matthews-Alternate
NW IA Planning & Development Board	Skow
NW IA Regional Airport Board of Trustees	Matthews
Regional Transit Authority ( <b>RIDES</b> )	Matthews
Seasons Center Board	Matthews/Skelton-Alternate
Spencer Industries Board	Swanson
Upper Des Moines Opportunity	Skelton
Volunteer Network	Skow
YES Center - NW IA Youth Emergency Service Ctr	Anderson
3 <sup>rd</sup> Judicial District Dept Correctional Services	Skow
County Safety and County Department Head	Skow

Motion by Matthews, seconded by Skow to adopt the following resolution:

**RESOLUTION NO. #2018-01**

BE IT RESOLVED by the Board of Supervisors of Clay County, Iowa, that William D. Rabenberg, P.E., 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 and Federal or State aid construction projects in the county.

The above and foregoing resolution was adopted by the Board of Supervisors of Clay County, Iowa this 2nd day of January 2018 and the vote there on being as follows:

Clay County Board of Supervisors

January 2, 2018

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

/s/Barry Anderson, Chairperson  
ATTEST: /s/Marjorie A. Pitts, County Auditor

Motion by Swanson, seconded by Matthews to designate William D. Rabenberg, P.E., Clay County Engineer, as its representative on the Northwest Iowa Planning and Regional Transportation Technical Committee in Association with the Federal Highway Program for the year 2018. Motion carried

Motion by Skelton, seconded by Skow 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 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 for the year 2018. Motion carried.

Motion by Matthews, seconded by Swanson to adopt the following resolution:

**RESOLUTION NO. #2018-02**

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	\$ 100,000.00
Farmers Trust & Savings Bank	Spencer, IA	\$17,000,000.00
State Bank	Spencer, IA	\$ 100,000.00
Farmers Saving Bank	Fostoria, IA	\$ 100,000.00
Home State Bank	Royal, IA	\$ 4,000,000.00
Community State Bank	Spencer & Webb, IA	\$ 100,000.00
Northwest Bank	Spencer, IA	\$ 100,000.00

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:

SANDRA S. GEIDL	TREASURER	TERM EXPIRES 12/31/18
ALICIA ROOS	DEPUTY	TERM EXPIRES 12/31/18
LEANN BLACK	DEPUTY	TERM EXPIRES 12/31/18

Clay County Board of Supervisors

January 2, 2018

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.

The above and foregoing resolution was adopted by the Board of Supervisors of Clay County, Iowa this 2nd day of January 2018 and the vote there on being as follows:

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

/s/Barry Anderson, Chairperson  
ATTEST: /s/Marjorie A. Pitts, County Auditor

Motion by Skelton, seconded by Matthews to adopt the following resolution:

**RESOLUTION 2018-03**

Designate the depositories for 2018 for the Clay County Recorder, Conservationist, and Sheriff with maximum limitations.

BE IT RESOLVED, that the following banks be designated as depositories for 2018 for the Clay County Auditor, Recorder, and Sheriff with maximum limitations as shown.

RECORDER		
Farmers Trust & Savings Bank	Spencer, IA	100,000
SHERIFF		
Farmers Trust & Savings Bank	Spencer, IA	100,000
CONSERVATION		
Farmers Trust & Savings Bank	Spencer, IA	20,000

The above and foregoing resolution was adopted by the Board of Supervisors of Clay County, Iowa this 2nd day of January 2018 and the vote there on being as follows:

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

/s/Barry Anderson, Chairperson  
ATTEST: /s/Marjorie A. Pitts, County Auditor

Motion by Swanson, seconded by Skelton to adopt the following resolution:

**RESOLUTION 2018-04**

Clay County Board of Supervisors  
January 2, 2018

## **CONSTRUCTION EVALUATION RESOLUTION**

**WHEREAS**, Iowa Code section 459.304(3) 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, 2018 and January 31, 2019 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).

The above and foregoing resolution was adopted by the Board of Supervisors of Clay County, Iowa this 2nd day of January 2018 and the vote there on being as follows:

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

/s/Barry Anderson, Chairperson

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

Motion by Skelton, seconded by Skow to reappoint John Sheridan, 4560 230<sup>th</sup> Avenue, Greenville, IA 51343 to the Clay County Conservation Board for a term of five (5) years expiring December 31, 2022. Motion carried.

Motion by Skelton, seconded by Matthews to reappoint Philip Rath, 2470 290<sup>th</sup> Street, Sioux Rapids, IA 50585 to the Herdland Benefitted Fire District for a three (3) year term expiring December 31, 2020. Motion carried.

Motion by Matthews, seconded by Swanson to reappoint Gary Johnson, 3030 480<sup>th</sup> Street, Webb, IA 51366 to the Webb Benefitted Fire District for a three (3) year term expiring December 31, 2020. Motion carried.

Clay County Board of Supervisors

January 2, 2018

Motion by Skelton, seconded by Matthews to reappoint Marilyn White, 4720 130<sup>th</sup> Street, Peterson, IA 51047 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, 2020. Motion carried.

Motion by Skow, seconded by Skelton to reappoint Larry Flaharty, 2760 290<sup>th</sup> Avenue, Dickens, IA 51333 to serve on the Clay County Zoning Board of Adjustment for a term of five (5) years expiring December 31, 2022. Motion carried.

Motion by Matthews, seconded by Swanson to reappoint John D. Sheridan, 4560 230<sup>th</sup> Avenue, Greenville, IA 51343 and Darrell R. Frerichs, 3325 340<sup>th</sup> Avenue, Ruthven, IA 51358 to serve on the Clay County Cemetery Commission for a term of three (3) years expiring December 31, 2020. Motion carried.

Motion by Skelton, seconded by Matthews to appoint Dr. David Robison, MD and Dr. Hillary Kerrick as the Clay County Medical Examiners who shall investigate any death caused from violence, sudden or suspicious as specified in Iowa Code Chapter 331.801 and to perform such autopsies as deemed necessary or as required by the Clay County Attorney and/or the Iowa State Medical Examiner for term ending December 31, 2019. Motion carried.

Motion by Swanson, seconded by Skow to reappoint Christopher Lee Raveling, 4315 110<sup>th</sup> Ave, Peterson, IA and Mark Lawson, 535 Pleasant Lane, Spencer, IA as Medical Examiner Investigators to provide professional assistance as authorized by Subsection 331.801 (3) to the Clay County Medical Examiner. Investigations shall be performed in accordance with 331.802, Code of Iowa and in the manner required by the State Medical Examiner for term ending December 31, 2019. Motion carried.

Motion by Matthews, seconded by Skelton to designate the Spencer Daily Reporter, The Hartley Sentinel-Everly-Royal News, and the Marcus News-Peterson Patriot as the official newspapers for the county for the year 2018. Motion carried

Motion by Swanson, seconded by Skelton to appoint Supervisor Skow to serve on 3<sup>rd</sup> Judicial District Department of Correctional Services for 2018. Motion carried

No Board action taken to re-appoint the 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 2018.

Motion by Skow, seconded by Swanson to reappoint Kristine K. Willrett, 4545 180<sup>th</sup> Ave, Linn Grove, IA 51003 to serve on the Clay County Civil Service Board for a term of five (6) years expiring December 31, 2023. Motion carried.

Motion by Skelton, seconded by Matthews to reappoint Norma Haack to serve on the NW Iowa Regional Housing Authority Board for a term expiring June 30, 2020. Motion carried.

Motion by Swanson, seconded by Matthews to approve the quote of \$5,579.10 from L3 Mobile-Vision, 400 Commons Way, Rockaway, NJ 07866 for Dell Workstation with 9TB storage, which includes remote professional services and installation of server and data migration. Motion carried.



Motion by Matthews, seconded by Skelton to accept and authorize the Chairperson to sign the Employee Payroll Request from the Secondary Roads Department for David Glienke for a change in hourly wages to \$22.64 effective December 17, 2017. The change is due to longevity increase to \$.26 for 10 years of service. Motion carried.

The Chairperson recessed the regular board meeting at 9:24 a.m. to convene as Trustees of Drainage District #80 and Joint Drainage District #61 CDE.

***Drainage District #80 Meeting***

The Clay County Board of Supervisors met as trustees of Joint Drainage District #80 on Tuesday, January 2, 2018 at 9:24 a.m. Members present: Supervisors Anderson, Matthews, Skelton, Skow and Swanson.

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

Motion by Matthews, seconded by Skelton to accept the signed "Waiver of Right to Hearing" from Roger W & Kathy E Zieman from the open ditch right-of-way acquisition and compensation 2018 Drainage Improvements Project in Drainage District #80 and approve payment in the amount of \$3,738.80 to the Zeeman's. Motion carried.

The following bids were received before 1:00 pm on December 19, 2017 for the Drainage Ditch #80 Improvement Project.

<b><u>Contractor:</u></b>	<b><u>Base Bid:</u></b>
Hagedorn Excavating, Inc.-Royal, IA	\$1,130,524.40
Luft & Sons, Inc.-Rolfe, IA	\$1,183,998.80
King Construction-Wall Lake, IA	\$1,188,807.75
Bainbridge Construction, LLC.-Kingsley, IA	\$1,190,375.50
J & K Contracting, LLC-Ames, IA	\$1,377,777.77
R & R Excavating, Inc.-Hutchinson, MN	\$1,444,411.66
Hulstein Excavating, Inc.-Edgerton, MN	\$1,584,576.55

Motion by Swanson, seconded by Skelton to award the Drainage District #80 Improvements Project Bid received at the December 19, 2017 meeting to Hagedorn Excavating, Inc. from Royal, Iowa for a base bid of \$1,130,524.40. Motion carried.

The Chairperson recessed the Drainage District #80 meeting at 9:30 a.m. to convene the regular Board of Supervisors meeting.

The Board spoke with County Engineer William Rabenberg that gave a departmental update. The Board spoke with County Sheriff Chris Raveling that gave a departmental update regarding work shift changes for better coverage of the deputy sheriffs.

The Chairperson recessed the regular board meeting at 10:11 a.m. to convene as Trustees of Joint Drainage District #61 CDE.

The Clay County Board of Supervisors met as trustees of Joint Drainage District #61 CDE on Tuesday, January 2, 2018 at 10:11 a.m. Members present: Trustees Anderson, Matthews, Skelton, Skow and Swanson.

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

Motion by Swanson, seconded by Skelton to set the public hearing for Joint Drainage District 61 CDE interested parties of said district on the completion of the work to be Tuesday, February 13, 2018, at 2:00 p.m. in the Dickinson County Board of Supervisors board room in the Dickinson County Court house, Spirit Lake, IA. Motion carried.

Motion by Skow, seconded by Skelton to adjourn the drainage meeting at 10:12 a.m. Motion carried.

The Board reconvened the regular board meeting at 10:13 a.m.

The Chairperson adjourned the meeting at 10:22 a.m. to convene at the next Auditor's called meeting January 9, 2018 at 9:00 a.m.

/s/Marjorie A. Pitts, County Auditor

/s/Barry Anderson, Chairperson