

Clay County Board of Supervisors Minutes from Meeting 11 held on March 13, 2018

The Clay County Board of Supervisors met pursuant to adjournment March 13, 2018 at 8:30 a.m. in the boardroom with Chairperson Anderson presiding and with the following other members present: Supervisors Anderson, Matthews, Skelton, Skow, Swanson, Assistant County Attorney Barry Sackett, and Auditor Marjorie Pitts as clerk for the meeting. Chairperson Anderson led the meeting in the Pledge of Allegiance.

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

Motion by Matthews, seconded by Skow that the Board meeting agenda for March 13, 2018 be received and placed on file with the County Auditor as approved with the addition of Regional III Transportation Alternative Program (TAP) Application with Ted Kourousis. Motion carried.

Motion by Skelton, seconded by Swanson that the minutes of the Board Meeting #10 held February 27, 2018 are hereby approved as submitted. Motion carried.

Motion by Skow, seconded by Matthews to adopt the following resolution: BE IT HEREBY RESOLVED by the Board of Supervisors approve expenditures and that the County Auditor be hereby authorized and directed to issue warrants, against the various settlement of such claims a allowed March 13, 2018. Ayes: Anderson, Matthews, Skelton, Skow, Swanson. Nays: None. Abstentions: None. Resolution adopted.

Publication List by Vendor

A & M Laundry	Uniforms	145.16
A-1 Portables	service	161.00
Accurate Controls	agreement	2446.00
Advanced Door Systems	Buildings	983.00
Advanced Systems	copier charges	100.48
Advanced Systems	copier charges	209.00
Airgas USA LLC	supplies	58.91
All-American Publishing	advertisement	269.00
Alliant Energy	utilites	1127.64
Alpha Wireless Comm	Radio/repairs	14395.00
American Legion Post #1	Allocation	1200.00
Barry Anderson	Employee exp	449.15
Arts on Grand	allocation	2000.00
Asher Motor Co	Lubricants	65.10
Axon Enterprise	Safety Items	186.00
Ayrshire Farmers Mutual Tele	Telephone	183.76
BelinMcCormick	Services	243.00
Black Hills Energy	utilities	6617.42
Bomgaars	supplies	161.15
Bound Tree Medical	Supplies	692.89
Tammy Brown	Supplies	13.11
Bud's Service	Service	150.00
Buena Vista Co Treasurer	Taxes	789.00
Tim Campbell	Rent	220.00
Canon Fin Services	Copier charges	478.14
Carpenter Uniform & Promotions	uniforms	118.19
Central District ISAA	registration	65.00

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CenturyLink	Telephone	549.54
Heidi Chapman	flex/mileage	53.50
Cherokee County Sheriff	service	38.50
City of Everly	utilities	518.14
City of Royal	utilities	49.50
City of Spencer	utilities	91.50
City of Webb	utilities	98.83
C.J.Cooper & Associates	Safety	116.07
Clay Co Emerg Mgt Agency	Allocation	8752.00
Clay Co Flex Plan	Flex allocation	5000.00
Clay Co Sec Road Fund	Fuels	483.97
Clay County Fair Assn	LOSST	15091.06
Clay County Treasurer	Taxes	2421.00
U S Postal Service	Postage	4000.00
Compass Pointe	Allocation	4126.75
Cooperative Energy Company	fuels	29509.06
Copper Cottage	Service	531.82
County Binders	Office Supplies	40.22
Crescent Electric Supply	Buildings	150.49
Crysteel Manufacturing	Parts	1049.82
Crysteel Truck Equipment	Parts	81.00
CTS Language Link	Service	21.89
Culligan of Spencer	Supplies	3.50
Custom Welding & Repair	Service	415.48
Daily Reporter	publications	827.82
Dickinson County Sheriff	service	42.00
Don Pierson Ford	Parts	20.98
Neal Eisenbacher	training	200.00
Elderbridge	allocation	2894.25
Evertex	Telephone	250.16
Fareway Stores	jv drug ct meal	36.51
FASTENAL	supplies	326.85
FleetPride	Parts	108.02
Sandra Geidl	Flex	227.04
Michelle Gibson	Training	130.00
Graham Tire Co	Parts	270.40
GW "Pete" Howe Sanitation	Buildings	260.00
H & N Chevrolet Buick	service	30.00
Halvorson Trane	Buildings	1540.60
Hanson's Plumbing & Heating	Buildings	234.05
Hartley Sentinel Inc	publications	627.60
Mike Hildebrand	mileage	17.50
Hoffman Filter Service	Parts	55.00
Holiday Inn	Employee Exp	665.28
Iowa Lakes Community College	Buildings	3403.46
IA Lakes Electric Coop	utilities/service	837.00
IA Lakes Regional Water	Water	99.99
IA Law Enforcement Academy	Training	240.00
IA Workforce Development	permits	350.00
IACCVSO	Education	60.00
Iowa Outdoors	subscription	15.00
ISAC	registration/service	657.86
Jack's Uniforms & Equipment	Uniforms	58.94
Janitors Closet	Supplies	622.21
Jaycox Implement	Parts	124.60
Johnston Automotive	Parts	107.71
Kirkham Michael & Assoc	Engineering Services	1184.00
Knight Protection	Buildings	300.00

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Koenig Portable Toilets	Buildings	525.00
Lory Krummen	Mileage	14.00
Sheryl Lee	flex/mileage	26.92
Lexis Nexis	law library	847.96
Joshua Long	travel exp	7.50
Lube-Tech & Partners	supplies	113.25
Kimberley Maclean	twp mileage	56.70
Mail Services LLC	treas renewals	539.64
Mar-Lin Business Supply	chairs	1384.64
Marcus News	Publications	730.52
MaxYield Cooperative	Fuels	1629.90
Tammy McKeever	Flex	104.00
Cindy Meister	Rent	275.00
Menards	Buildings	2042.03
Mid-Iowa Sales	Supplies	78.03
Miller Plumbing & Heating	Buildings	1025.00
Kathryn Murphy	Mileage	27.71
Nielsens Tire & Appliance	Tires & Tubes	398.94
North Central Int'l Inc	Parts	605.11
O'Brien County Sheriff	service	45.00
Matt Ott	training	267.90
Palo Alto County Sheriff	service	11.77
Robin Patrick	training	217.50
Premier Communications	Telephone	648.09
Presto X Company	Pest control	129.00
Rage	Rugs and mops	86.00
Remillard Signs	Signs	625.00
Ricoh USA	Copier charges	90.26
Carolyn Roberts	Mileage	17.50
Royal Telephone	Telephone	31.85
Sackett Law Firm	Service	150.00
Solutions	DP equip	1315.73
Speed Printers	certificates	10.00
Spencer Area Jobs Trust	allocation	2500.00
Spencer Auto Parts Inc	parts	4893.26
Spencer Fire & Rescue	training	85.50
Spencer Hospital	IDPH funding	5996.63
SMU	Utilities Payments	15551.04
Spencer Office Supplies	Office Supplies	557.14
Ann Spooner	Flex	246.76
Sta-Mel Enterprises	supplies	1641.60
Star Energy LLC	Fuels	1142.36
State Steel Supply	Parts	42.30
Kate Stouffer	Training	217.50
Terril Telephone Coop	Telephone	9.61
The Nature Conservancy	Memberships	150.00
Thrifty White Stores	inmate medications	54.83
Kris Toay	Flex	100.99
Tool Depot	tools	30.58
Town & Country	garbage service	69.00
Unity Point Clinic	Services	37.00
Upper DesMoines	Allocation	5525.00
UPS	Mailing	17.38
US Cellular	cell phones	1406.53
Verizon	cell phones	207.40
Marlin Voss	Mileage	4.90
Webster Co Sheriff	service	3.00
Danika Welsch	moving fees	484.40

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Windstream	Telephone	41.69
Zalaznik Equipment Corp	Parts	135.00
Ziegler Inc	Construction & Maint.	12188.78
Grand Total		190963.20

The board discussed the method to replenish the Drainage Revolving Fund at their April 28, 2015 meeting. Drainage Districts that had funds available at that time paid \$.30 per acre to the Drainage Revolving fund. Several of the other drainage districts now have funds available to pay their \$.30 per acre levy to the Drainage Revolving fund. Motion by Swanson, seconded by Matthews to direct the Clay County Auditor to issue warrants for the specified amounts from these individual drainage districts payable the Drainage Revolving fund. Detail by drainage districts available in the Clay County Auditor's office. Motion carried.

Motion by Skelton, seconded by Matthews to approve drainage expenditure from Joint Drainage District #61 CDE, dated March 2018 totaling \$9,091.80 for open ditch clean out payable Rezac Machine Shop, 615 East 240th Street, Ringsted, IA 50578. County Auditor is instructed to send the billing to Dickinson County for payment after approval. Motion carried.

Motion by Skow, seconded by Matthews to approve drainage expenditure from Joint Drainage District #61 CDE, dated March 13, 2018 totaling \$505.25 for Iowa Lakes Regional Water dispute payable to Hudson Law Firm, PO Box 210, Pocahontas, IA 50574.. County Auditor is instructed to send billing to the Emmet County Auditor and Emmet County is to return the billing to Dickinson County for payment after approval. Motion carried.

Motion by Swanson, seconded by Matthews to approve drainage expenditure from Joint Drainage District #61 CDE, dated March 1, 2018 totaling \$1,872.10 for engineering services on ditch cleanout payable to Jacobson-Westergard & Associates, Inc., 105 South 6th Street, Estherville, IA 51334. County Auditor is instructed to send the billing to Dickinson County for payment after approval. Motion carried.

No Board action taken to appoint a member to the Clay County Commission to Assess Damages Board to complete the one year term expiring December 30, 2018 vacated by Robert Alderman.

No Board action taken to appoint a member to the Clay County Zoning Board to serve pursuant to Code of Iowa Chapter 335.8 for the remainder of the three (3) year term expiring December 31, 2018 vacated by Sharon McKeever.

Motion by Swanson, seconded by Skow to appoint Frances Schiro, 3597 240th Ave, Spencer, IA to the Clay County Zoning Board of Adjustment to serve for the remainder of the five (5) year term expiring December 31, 2019 vacated by John Olson. Motion carried.

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

RESOLUTION NO. #2018-07

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**ORDER FOR NOXIOUS WEED CONTROL ON ROADSIDE
PURSUANT TO CHAPTER 317 OF THE IOWA CODE**

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

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

Group 1. June 10, 2018 for Leafy Spurge, Hoary Cress, Sour Dock, Smooth Dock, Red Sorrel, Curly Dock, Musk Thistle.

Group 2. June 24, 2018 for Canada thistle, Russian Knapweed, Buckhorn Plantain, Wild Mustard, Buckthorn.

Group 3. July 15, 2018 for Field Bindweed, Wild Carrot, Poison Hemlock, Multiflora Rose, Horse nettle, Perennial Sow thistle, Quack grass, Velvetleaf, Puncturevine, Cocklebur, Bull Thistle, Purple Loosestrife, Shatter cane, Tall Thistle, Wild Sunflower, and Teasel.

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

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

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

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

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

The above and foregoing resolution was adopted by the Board of Supervisors of Clay County, Iowa, this 13th day of March, 2018 and the vote thereon being as follows:

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

/s/ Barry Anderson, Chairperson

ATTEST:/s/ Marjorie A. Pitts, Auditor

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It was moved by Supervisor Matthews, seconded by Supervisor Swanson, to adopt the following resolution:

RESOLUTION NO. #2018-08

A Resolution of the County Board of Supervisors of Clay County, Iowa, approving annexation of certain property into the corporate city limits of Spencer, Iowa.

WHEREAS, the City of Spencer has been approached by Green & Yellow, LLC who own a parcel of approximately 10.4 acres by Highway 71 in the South Half of the Northeast Quarter (S1/2 NE1/4) of Section Twenty-five (25) Riverton Township, Clay County, Iowa and has requested the city of Spencer to voluntarily annex that property, the legal description of said parcel is attached to this Resolution as Exhibit A and made a part of this Resolution as though fully set forth herein, and

WHEREAS, the City of Spencer will consider the voluntary annexation of this property, and;

WHEREAS, Iowa law provides that the County may make written recommendations for modifications to the prospective annexation no later than seven business days following the date of consultation with the City of Spencer, and;

WHEREAS, the County Board of Supervisors shall adopt a resolution not later than thirty days after the consultation stating whether or not it supports the application or whether it takes no position, and;

WHEREAS, the Board of Supervisors has been fully advised regarding the annexation on Tuesday, February 27, 2018, at 10:45 a.m., and;

WHEREAS, the Board of Supervisors has determined that the annexation would be in the best interest of the public and desires to approve the annexation.

NOW, THEREFORE, be it resolved that the County Board of Supervisors of Clay County, Iowa, by way of this Resolution hereby approves the voluntary annexation of the property described on the attached Exhibit A, into the corporate city limits of Spencer, Clay County, Iowa, with no modifications thereto.

The above and foregoing resolution was adopted by the Board of Supervisors of Clay County, Iowa, this 13th day of March 2018, and the vote thereon being as follows:

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

SO RESOLVED.

/s/BARRY ANDERSON, Chairperson, Clay County Board of Supervisors

Attest: /s/Marjorie A. Pitts, Clay County Auditor

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

RESOLUTION NO. #2018-09

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WHEREAS, the Clay County Board of Supervisors requires assistance in preparing the Clay County Budget pursuant to Iowa Code Section 331.434.

WHEREAS, the Clay County Board of Supervisors have determined Marjorie Pitts, the currently elected Clay County Auditor, has the requisite expertise and experience to assist them with preparation of the Clay County Budget pursuant to Iowa Code Section 331.434.

WHEREAS, the Clay County Board of Supervisors have determined \$3,000.00 would adequately compensate Marjorie Pitts for work preparing the budget.

WHEREAS, Marjorie Pitts desires to assist the Board of Supervisors in preparing the Clay County Budget pursuant to Iowa Code Section 331.434 in return for compensation of \$3,000.00.

THEREFORE, be it resolved by the Clay County Board of Supervisors designate their duties to prepare and adopt a budget pursuant to Iowa Code Chapter 331.434 to Marjorie Pitts for the fiscal year 2019 budget year beginning July 1, 2018. An amount of \$3,000.00 shall be allocated to Marjorie Pitts upon certification of the budget to the Iowa Department of Management.

The above and foregoing resolution was adopted by the Board of Supervisors of Clay County, Iowa, this 13th day of March 2018 and the vote thereon being as follows:

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

Barry Anderson, Chairperson, Clay County Board of Supervisors

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

9:00 a.m. The Board met with Kim Wilson and Tammy McKeever to discuss County Government Month activities.

9:20 a.m. Assistant County Attorney Barry Sackett gave the Board a departmental update from the civil division of the County Attorney's office.

9:35 a.m. William Rabenberg - County Engineer

Motion by Matthews, seconded by Swanson to approve Federal-aid Agreement with the Iowa Department of Transportation and Clay County for project HSIP-S-CO21(139)--6C-21 and to authorize the Chairperson and Auditor to sign. Motion carried.

Motion by Matthews, seconded by Skow to approve Courthouse parking lot paving. Motion carried.

Concrete Crushing. Tabled. No action taken at this time.

Motion by Swanson, seconded by Skelton to approve the opening of a Road Crew Maintenance position for Clay County Secondary Roads (Union-Position) for applications. Motion carried.

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Motion by Matthews, seconded by Skelton to approve the opening of part-time positions for Road Crew Maintenance positions for Clay County Secondary Roads for the summer months for applications and authorize County Engineer to hire up to 6. Motion carried.

10:00 a.m. The Board met with representatives David Doxtad, Bryan Paulsen & Brooke Sievers from the ISG architectural firm of Storm Lake, IA. ISG shared their background beginning in 1973 in southern Minnesota through two acquisitions and a merger that expanded its architecture expertise, network, and footprint throughout Minnesota, Iowa, Wisconsin and South Dakota. ISG focuses on client relationships and collaborative partnerships to diverse clients, markets, and industries nationwide.

10:30 a.m. The Board met with Janna Swanson to receive her information and concerns regarding wind energy.

Motion by Matthews, seconded by Skelton to approve a one (1) year contract with the Woodman Technical Support Control System for the Clay County Courthouse. Woodman Controls agrees to provide temperature control system inspection, support, preventative maintenance and repairs for the Woodman Building Automation System with two (2) on-site visits per year at a cost of \$3,000.00 per visit and up to eight (8) hours of on-line support. This agreement will initiate on April 1, 2018. Motion carried.

Supervisors discuss/share information from committees and boards they have attended. Supervisor Skelton reported on the Upper Des Moines Opportunity (UDMO) board meeting. The Local Emergency Planning Committee meeting is scheduled soon. Supervisor Matthews updated on the Alliant Energy open house to be held March 12th, the Iowa County Engineer Service Bureau Committee meeting, the Conservation Board meeting and the Revolving Loan Fund Board meeting. Supervisor Skow reported on the County Safety and County Department Head meetings and the Betterment meeting. Supervisor Swanson updated on the Emergency Medical Services meeting. Supervisor Anderson reported on the Early Childhood meeting and the National Association of Counties (NACO) meeting.

11:00 a.m. The Board met with Northwest Iowa Planning and Development Executive Director Ted Kourousis.

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

RESOLUTION NO. 2018-10

A RESOLUTION OF THE CLAY COUNTY BOARD OF SUPERVISORS AUTHORIZING DEDICATION OF TRAIL TO PUBLIC USE, COMMITMENT TO THE CARE AND MAINTENANCE OF THE TRAIL, AND COMMITTING LOCAL FUNDS TO THE PROJECT

WHEREAS; Clay County, Iowa is preparing an application to Region 3 Regional Planning Affiliation for Transportation Alternatives Program funding to assist with creation of a trail that will complete connection of Clay County to the Iowa Great Lakes Trail in Dickinson County; and

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WHEREAS; the grant application has specific requirements for usage, care, and local funding commitment; and

WHEREAS; the County agrees with the specific grant requirements

NOW THEREFORE BE IT RESOLVED that all county portions of the trail identified in the application be dedicated to public use and commit to county maintenance of those portions of the trail for a minimum of twenty (20) years from project completion, and Clay County commits two hundred sixty eight thousand five hundred and fifty six dollars (\$268,556) in local matching funds towards completion of the project.

Passed and Approved this 13th day of March, 2018, and the vote thereon being as follows:
Ayes: Anderson, Matthews, Skelton, Skow and Swanson. Nays: None. Abstentions: None.

/s/ Barry Anderson, Chairman

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

Motion by Skow, seconded by Skelton to authorize the Chairperson and County Auditor to sign the Iowa DOT Minority Impact Statement pursuant to 2008 Iowa Acts, HF 2393, Iowa Code 8.11, stating all grant applications submitted to the State of Iowa that are due beginning January 1, 2009, shall include a minority impact statement. This is the state's mechanism for requiring grant application to consider the potential impact of the grant project's proposed programs or policies on minority groups. The proposed application to the Region 3 Regional Planning Affiliation for Transportation Alternatives Program funding to assist with creation of a trail that will complete connection of Clay County to the Iowa Great Lakes Trail in Dickinson County and is not expected to have a disproportionate or unique impact on minority persons. Motion carried.

The Chairperson adjourned the meeting at 11:53 a.m. to convene at the next Auditor's called meeting March 27, 2018 at 8:30 a.m.

/s/Marjorie A. Pitts, County Auditor

/s/ Barry Anderson, Chairperson