

Clay County Board of Supervisors Minutes from Meeting 13 held on April 10, 2018

The Clay County Board of Supervisors met pursuant to adjournment April 10, 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 Skelton that the Board meeting agenda for April 10, 2018 be received and placed on file with the County Auditor as approved as amended for Secondary Road motions. Motion carried.

Motion by Swanson, seconded by Skow that the minutes of the Board Meeting #12 held March 27, 2018 are hereby approved as submitted. Motion carried.

Motion by Skelton, 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 April 10, 2018. Ayes: Anderson, Matthews, Skelton, Skow, Swanson. Nays: None. Abstentions: None. Resolution adopted.

Publication List by Vendor

A & M Laundry	Parts	188.23
Abel Drainage & Excavating	Engineering Services	1433.64
Advanced Door Systems	Buildings	991.00
Advanced Systems	Copier Contract	726.24
Advanced Systems	Copier Contract	832.54
Alliant Energy	Natural & Lp Gas	499.23
Barry Anderson	Employee Travel Expenses	2002.49
ARC	Election Supplies	543.80
Arnold Motor Supply	Parts	248.01
Ayrshire Farmers Mutual	Telephone	184.17
Ann Baschke	Flex	200.87
Berg Bags Company	Traffic & St Sign	290.29
Black Hills Energy	Natural & Lp Gas	313.61
Blackhawk Sprinklers	Buildings	307.00
Bomgaars	Buildings	626.57
Bound Tree Medical	Safety Supplies	40.71
Boyer Trucks	Parts	603.79
Canon Fin Services	Copier Contract	163.71
Bill Caskey	Rent Payments	340.00
CenturyLink	E911 Equipment	13253.82
City of Everly	Natural & Lp Gas	396.07
City of Royal	Water & Sewer	58.94
City of Spencer	Contract Carriers	7827.00
City of Webb	Water & Sewer	106.84
Claritus	Postage Supplies	209.89

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Clay Co Sec Road Fund	Fuels	479.64
Cooperative Energy Company	Parts	26747.70
Christian Copper	Flex	364.00
CoZO	Membership	100.00
Crysteel Manufacturing	Parts	878.56
Culligan of Spencer	Buildings	97.05
Daily Reporter	Publication	992.76
Dickinson County EMS	Educational	90.00
District III Co Treas Assn	Educational	20.00
Stephanie Early	Copies	6.50
Everttek	Telephone	1140.02
Fareway Stores	Drug Court Meals	28.73
FASTENAL	Minor Equip & Hand Tools	667.05
Fire Proof Plus	Buildings	1024.00
FleetPride	Parts	339.56
Flynn Company	Roads	55605.02
Frank Dunn Company	Cover Aggregate/Sand/Mate	799.00
Shirley Goyette	Flex	500.00
Marc Gustafson	Flex	60.00
Hanson's Plumbing & Heating	Buildings	515.84
Hartley Sentinal	Publication	77.98
Hillcrest Forge	Buildings	5246.94
Hiway Truck Equipment	Parts	503.71
Will Horsley	Construction & Maint.	2000.00
IA County Atty's Assn	Educational	650.00
IA Dept Natural Resources	Well Permit	25.00
Iowa Lakes Community College	Buildings - Rental	3359.92
IA Lakes Regional Water	Water & Sewer	949.22
IA Negotiation Services	Consulting	1200.00
IDS - Info Dog Security	Sanitation & Disposal	186.00
Institute IA Certified Assr	Educational	700.00
IA Dept of Trans	Wood & Lumber Prod.	2998.56
Iowa Transit	Engineering Supplies	768.00
ISACA	Educational	475.00
J&T Rentals	Buildings - Rental	1500.00
Jack's Uniforms & Equipment	Employee Travel Expenses	142.69
Janitors Closet	Custodial Supplies	114.68
Jaycox Implement	Parts	157.20
Johnston Automotive	Parts	650.36
Kirkham Michael & Assoc	Engineering Services/Cont	3948.00
Koenig Portable Toilets	Buildings	357.00
Sheryl Lee	Employee Travel Expenses	25.03
Lexis Nexis	Subscription	847.96
MAILFINANCE	Postage & Mailing	419.88
Mar-Lin Business Supply	Office Supplies	169.63
Marcus News	Publication	1007.04
Burlin Matthews	Employee Travel Expenses	2566.13
Marcia McCarthy	Legal & Ct-Related Serv.	15.00
McCreary's Creative Catering	Food & Provisions	630.00
Cindy Meister	Rent Payments	275.00
Menards - Spencer	Buildings	1876.47
MSC Industrial Supply Co	Parts	720.80
Kathryn Murphy	Employee Travel Expenses	34.73
Nat'l Environmental Hlth Assoc	Dues & Memberships	255.00
Nat'l Public Safety Info Burea	Subscription	149.00

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Neofunds	Postage & Mailing	1000.00
Nielsens Tire & Appliance	Parts	414.95
No Limits Outdoors	Safety Items	9.99
North Central Int'l	Parts	2306.20
Noteboom Implement	Lubricants	5307.46
NW IA Planning & Devlpmnt	Planning & Manag.Consult.	1030.00
Office Systems Company	Office Supplies	230.90
Pakor	Office Supplies	250.66
Palo Alto County Sheriff	Sheriff Fees	41.77
Pitney Bowes Purchase Power	Postage & Mailing	1415.99
Pixler Electric	Parts	26.70
Premier Communications	Telephone	648.94
Rage Inc Custodial	Supplies	84.44
Ramada NW Inn & Suites	Employee Travel Expenses	72.80
Monica Rehnstrom	Employee Travel Expenses	12.34
Royal Telephone Co	Telephone	31.75
Darrel Santage	Flex	85.21
Secretary of State	Voter Registration Service	185.46
Secure Shred Solutions	Shredding	48.00
Darla Sheasley	Employee Travel Expenses	1326.58
Sioux City Foundry Co	Parts	1030.90
Michael Skonhovd	Flex	69.89
Joe Skow	Flex	25.34
Solutions	Data Processing Serv.	11158.87
Spencer Auto Parts	Parts	1212.26
Spencer Family Care Med Exam	Medical & Health Services	625.00
Spencer Hospital	Medical & Health Services	4774.59
SMU	Utilities	13964.79
Spencer Office Supplies	Office Supplies	1256.23
Sta-Mel Enterprises	Cover Aggregate/Sand/Mate	1670.40
Terril Telephone Coop	Telephone	9.52
Eric Tigges	Employee Travel Expenses	346.19
US Cellular	Telephone	1105.51
Megan Van Schepen	Flex	68.00
Vanguard Appraisals	Data Processing Serv.	10900.00
Verizon	Telephone	103.70
Walmart Community/SYNCB	Recreational Supplies	214.55
Sheila Weeks	Flex	221.00
Danika Welsch	Employee Travel Expenses	105.00
The Wildwood Lodge-Clive	Employee Travel Expenses	199.36
Kimberly Wilson	Flex	325.33
Windstream	Telephone	41.69
James Worm	Flex	188.20
Grand Total		221992.28

Motion by Swanson, seconded by Skow to approve drainage expenditure from Joint Drainage District #61 CDE, dated February 2, 2017 totaling \$1,108.70 for engineering services on ditch cleanout payable to Jacobson-Westergard & Associates, Inc., 105 South 6th Street, Estherville, IA 51334. County Auditor is instructed to send the billing to Dickinson County for payment after approval. Motion carried.

Motion by Matthews, seconded by Skelton to accept County Auditor's Report of Fees Collected for quarter ending March 31, 2018 totaling \$506.00 with detail on file at the County auditor's office. Motion carried.

Motion by Swanson, seconded by Matthews to accept the March 31, 2017 Sheriff's Quarterly Report of Fees collected in the amount of \$52,257.69 with detail found in the County Auditor's office. Motion carried.

No Board action to accept the March 31, 2018 Sheriff's Quarterly Commissary Account Report thru December 30, 2017.

Motion by Skow, seconded by Skelton to accept County Recorder's Report of Fees Collected for period ending March 31, 2018 totaling \$30,436.01 with detail on file at the auditor's office. Motion carried.

Motion by Skelton, seconded by Skow to approve the Clay County Clerk's Report of Fees Collected for the quarter ending March 31, 2018 totaling \$28,408.09 for surcharge, county ordinance fines, court cost and reimbursement of sheriff fees, depositions, filing fees, and blood test. Detail on file at the auditor's office. Motion carried.

9:00 a.m. William Rabenberg - County Engineer

Motion by Skow, seconded by Skelton to approve the revised Clay County 2019 5-Year Construction Program. Motion carried.

Motion by Swanson, seconded by Matthews to authorize Board Chair & County Engineer to sign Materials Inspection Costs for West Beltway Project (federally funded) from the Iowa DOT. Motion carried.

Motion by Skelton, seconded by Matthews to approve the purchase of a new Caterpillar 12M3AWD Motor Grader from Ziegler CAT out of Sheldon, Iowa for \$280,980.00. Motion carried.

9:17 a.m. Assistant County Attorney Barry Sackett gave the Board a departmental update from the civil division of the County Attorney's office.

9:30 a.m. FY18 Budget Amendment Hearing

This being the time and place for the hearing on amending the current 2018 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 Matthews, seconded by Supervisor Skow to adopt the amendment to the 2018 fiscal year budget in the following expenditure service areas for the following amounts: Public Safety & Legal Services increased by \$63,825; Physical Health & Social Services had a net decrease of \$35,642; Mental Health, ID & DD increased by \$300; County Environment & Education had a net increase of \$281,736; Government Services to Residents had a net decrease of \$700; Administration had a net increase of \$197,981; and the Non-program Current service Area increased by \$184,358. Total expenditure amendment is \$691,858. This amendment also reflects revenue amendments by service areas in Intergovernmental in the amount of \$250,318; Licenses & Permits increased by \$9,555; Charges for Services had a net

increase of \$6,265; Use of Money & Property increased by \$51,418; and Miscellaneous increased by \$139,451. Total new revenue amendment is \$506,937. The excess of expenditures over revenues equaled \$184,921.

The roll call being called, the following named Supervisors voted: Ayes: Anderson, Matthews, Skow Skelton and Swanson. Nays: None. Abstentions: None.
Motion carried / failed.

The Chairperson recessed the regular board meeting at 10:06 a.m. to convene as Trustees of Drainage District #80 and Drainage District #37.

Drainage District #80 Meeting – The Clay County Board of Supervisors met as trustees of Drainage District # 80. Members present: Anderson, Matthews, Skelton, Skow, Swanson, Clay County Auditor-Marjorie Pitts, Don Etler, and Jon Rosengren.

Motion by Matthews, seconded by Skelton to appoint Supervisor Anderson as Chairperson for this meeting, and to appoint Marjorie Pitts as Secretary for this meeting. All present voted Aye. Motion carried.

Motion by Skow, seconded by Swanson to approve and authorize the Chairperson to sign the bid contracts for improvements on Drainage District #80. Motion carried.

Trustee Chair Anderson adjourned the meeting for Drainage District #80 at 10:12 a.m.

Drainage District #37 Meeting

The Clay County Board of Supervisors met as trustees of Drainage District # 37 at 10:13 a.m. Members present: Anderson, Matthews, Skelton, Skow, Swanson, Clay County Auditor-Marjorie Pitts and Jon Rosengren and Don Etler.

Motion by Skow, seconded by Swanson to appoint Supervisor Anderson as Chairperson for this meeting, and to appoint Marjorie Pitts as Secretary for this meeting. All present voted Aye. Motion carried.

Bolton & Menk Engineering representative Jon Rosengren gave the Board background on the D.D. #37 proposed Main Open Ditch improvements. The investigation confirmed the need for drainage relief to remove the trees on the spoil banks, repair the ditch side slopes, and to level the existing spoil. Seventy-five (75) surface drain pipes and forty-four (44) tile outlet extensions which will need to be replaced as the ditch will be made wider than it is currently. If ditch improvement is not selected a repair to clean out the open ditch to the grade and cross sections of the 1916 plans is recommended. This would restore the ditch to its original capacity and efficiency. This repair work would cost approximately \$2,412,000 or \$38/ benefitted acre.

The improvement would have a staged design to widen the base which will lower the water elevation, providing free flowing outlets and will also have a greater capacity relieving the lands that experience flooding. The spoil material would be deposited within the right-of-way and would not be able to be farmed, but would be seeded to native grasses and will serve as a mitigation offset.

The improvement work is essentially an expansion of the repair work to provide significant relief to the district for a total estimated cost of \$3,678,000 or \$57 / benefitted acre.

There are approximately 100 square miles in the District of which only 7,983 acres have been assessed for benefits. Annexation of approximately 56,960 acres of benefitted lands not in the district. The decision to annex would be after the district makes the decision at public hearing to construct the necessary repair, the recommended improvement, or nothing. Annexation should be completed prior to levying the cost of the major repair or improvement. Drainage District 37 has never been reclassified and the original assessment schedule dates from 1919.

Motion by Matthews, seconded by Skow accept the Engineers Report. Motion carried.

The Chairperson adjourned the meeting for Drainage District #37 at 10:31 a.m.

Drainage Districts 11, 23, 26, 27, 28 Main, 31, 32 Branch 43, 98, 108, 113 and 118 West Branch Meeting

The Clay County Board of Supervisors convened as trustees of Drainage Districts 11, 23, 26, 27, 28 Main, 31, 32 Branch 43, 98, 108, 113 and 118 West Branch at 10:32 a.m.

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

Motion by Skow, seconded by Swanson that the following resolution be adopted.

WHEREAS, there are now insufficient funds to cover costs of maintenance and repairs to said drainage districts.

BE IT THEREFORE RESOLVED, by the Clay County Board of Supervisors that there is hereby levied against all land tracts, real estate, highway or railroads in Clay County, Iowa the following:

- 25% Drainage District #11 to raise \$475.50 for maintenance
- 114% Drainage District #23 to raise \$1,056,153.00 for 2017 Improvement
 - Drainage District #26 pending reclassification
- 50% Drainage District #27 to raise \$1,897.00 for maintenance.
- 12% Drainage District #28 Main to raise \$15,556.92 for open ditch cleanout.
- 17% Drainage District #31 to raise \$520.88 for maintenance.
- 15% Drainage District #32 Branch 43 to raise \$972.15 for maintenance.
- 40% Drainage District #98 to raise \$500.40 for maintenance.
 - Drainage District 108 pending reclassification.
- 300% Drainage District #118 West to raise \$30,000.00 for 12" tile replacement.

BE IT FURTHER RESOLVED, that said assessments be so levied per current classification schedule with a date of Levy set as May 1, 2018 due and payable upon notice through July 1, 2018 without interest. If paid after July 1, 2018 an interest rate of 5% will accrue from date of levy to September 30, 2018 on any single assessment. Any assessment exceeding \$500.00 per parcel may be paid in installments over a twenty (20) year period by signing a waiver on any tract of land, parcel, or lot within the District which is computed at less than \$5.00 shall be fixed at \$5.00 as provided by Iowa Code Section 468.50.

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The above and foregoing resolution was adopted by the Board of Supervisors of Clay County, Iowa, this 10th day of April 2018 and the vote thereon being as follows:: Ayes: Supervisors Anderson, Matthews, Skelton, Skow and Swanson. Nays: None. Abstains: None. Resolution adopted.

The Chairperson recessed the Drainage Districts 11, 23, 26, 27, 28 Main, 31, 32 Branch 43, 98, 108, 113 and 118 West Branch Meeting meeting at 10:37 a.m.

The Clay County Board of Supervisors reconvened the regular Board meeting at 10:37 a.m.

10:30 a.m. Chris Raveling – County Sheriff

Motion by Swanson, seconded by Skow to authorize the Chairperson to sign the Clay County Law Enforcement agreements for cities of Gillett Grove, Fostoria Rossie, Peterson and Dickens. These agreements are made and entered into by the parties pursuant to the Provisions of Chapter 28E Code of Iowa and shall be perpetual unless terminated by written notice to the other party before February 15 of the current year and termination shall be effective the following June 30. Motion carried.

Motion by Skelton, seconded by Matthews to approve the proposal of \$18,500.89 from RACOM, 201 West State Street, Marshalltown, IA 50158 for eleven (11) body worn cameras with one year hardware warranty with magnetic mounts, eight (8) charging docks, one (1) video downloading and charging dock. Services include one (1) year 60G cloud per device and yearly maintenance, refresh at 3 plus years, deployment & setup. Motion carried.

10:53 a.m. The Board met with over twenty Clay County residents on the topic of land acquisition and land donation occurring through various conservation entities such as the IDNR, the Iowa Natural Heritage Foundation and the Clay County Conservation. Comments were heard from Lyle Kenobbie, Luke Muhlbauer, Chris Wood, Dennis Bielfeldt, Conservationist Will Horsley, and other attendees. Clay County Conservation Director Horsley stated that they maintain 1,650 acres open to public hunting that generates over \$600,000 in local economics. Attendees were reminded that landowners have the right to sell or donate their lands as they choose. Chairperson Anderson reiterated the need to work together and the discussion yielded ideas such as establishment of a rotational grazing plan and an evaluation of how much of the land acquired is necessary for conservation.

11:45 a.m. The Clay County Attorney Kristi Busse gave the Board a departmental update and discussed the opportunity of hiring a law student for an internship this summer. The possibility of acquiring an Attorney General Grant which is available May 1, 2018 with a maximum award of \$1200.00.

Motion by Matthews, seconded by Swanson to accept and authorize Kristi Busse, County Attorney to sign the lease agreement with Advanced Systems, Inc., 2945 Airport Blvd, Waterloo, IA 50704 for a Canon imageRUNNER c3525ill copier for the County Attorney's office. The term of the agreement is 63 months at \$74.01 per month. Motion carried.

Motion by Matthews, seconded by Skelton to accept the terms of engagement presented by Winther Stave & Co., LLP for audit services relating to the County fiscal year ending June 30, 2018, 2019, and

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2020, respectively. The fees agreed upon are \$27,200.00, \$28,500.00, \$29,900.00 for fiscal years ending 2018, 2019, and 2020, respectively. The Chairperson is hereby authorized to sign the engagement letter between Winther Stave & Co., LLP and Clay County this 10th day of April, 2018. Motion carried.

Motion by Skow, seconded by Skelton to approve and authorize the Chairperson to sign recommendations for IGHCP Health Renewal for the fiscal year 2019 health and dental insurance rates for the County. Motion carried.

Supervisors discuss/share information from committees and boards they have attended. Supervisor Skow reported on the Drug Court Committee meeting, the County Safety and Department head meetings. Supervisor Matthews updated the Board on the Airport Board meeting and the Conservation Board meeting. Supervisor Swanson updated on the Clay County Visitors Board meeting. Supervisor Skelton had not report. Supervisor Anderson reported on the Early Childhood, Drug Court Committee, and the NWIACC Advisory Committee meeting.

The Chairperson adjourned the meeting at 12:38 p.m. to convene at the next Auditor's called meeting April 24, 2018 at 8:30 a.m.

/s/Marjorie A. Pitts, County Auditor

/s/Barry Anderson, Chairperson