

Clay County Board of Supervisor's Minutes from Meeting 33 held on December 4, 2018

The Clay County Board of Supervisors met pursuant to adjournment December 4, 2018 at 8:30 a.m. in the boardroom with Chairperson Anderson presiding and with the following other members present: Supervisors Matthews, Skelton, 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 and Swanson. Nays: None. Abstentions: None.

Motion by Skelton, seconded by Swanson that the Board meeting agenda for December 4, 2018 be received and placed on file with the County Auditor as approved. Motion carried.

Motion by Matthews, seconded by Swanson that the minutes of the Board Meeting #32 held November 20, 2018 are hereby approved as submitted with the correction of Supervisor Matthews making a motion. 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 a allowed December 4, 2018. Ayes: Anderson, Matthews, Skelton, Swanson. Nays: None. Abstentions: None. Resolution adopted.

Publication List by Vendor

Advanced Network Professionals	Data Processing Serv.	100.00
Advanced System	Copier Contract	339.21
Advanced Systems	Copier Contract	616.52
Alliant Energy	Utilities	373.82
Barry Anderson	Employee Travel Expenses	175.00
Arnold Motor Supply	Grounds Maintenance	98.76
Asher Motor Co	Parts	34.88
Ayrshire Farmers Mutual	Telephone	31.93
Black Hills Energy	Natural & Lp Gas	128.30
LeAnn Black	Flex	300.00
Bomgaars	Buildings	918.38
Bound Tree Medical	Safety Supplies	81.42
Robert Brady	Flex	400.00
Kristi Busse	Employee Travel Expenses	384.95
C & B Operations	Fuels	91.15
Leah Cauthron	Flex	174.00
CenturyLink	Telephone	439.67
Christians Sheet	Buildings	63.45
Cintas Corporation #947	Uniforms	40.00
Cintas Corp	Safety Supplies	28.40
Coffman's Locksmith	Parts & Access	92.50
Copper Cottage	Buildings	2447.42
Crescent Electric Supply	Buildings	91.16
De Linda Leu Reporting	Depositions	8.00
Des Moines Stamp Mfg Co	Office Supplies	170.70
Diamond Vogel	Parts	81.44
Equipment Blades	Parts	3586.80

Clay County Board of Supervisors

December 4, 2018

Everttek	Telephone	34.30
Farmers Savings Bank	Loan Payment	44253.13
FASTENAL	Hardware	352.07
Fire Proof Plus	Safety Supplies	438.00
Dale Fisher	Safety Supplies	363.80
FMX	Data Processing Serv.	5460.00
Galls	Uniform	89.98
Sandra Geidl	Flex	88.30
Graham Tire Co	Tires & Tubes	325.36
Marc Gustafson	Postage & Mailing	50.40
GW "Pete" Howe Sanitation	Sanitation & Disposal Ser	318.75
H & N Chevrolet Buick	Tires & Tubes	395.90
H & S Roofing Co	Buildings	4700.00
Hargens Court Reporting	Depositions	113.00
Hoffman Filter Service	Parts	55.00
Hotsy Equipment	Parts	616.91
Carissa Huse	Flex	48.63
Hy-Vee	Inmate Meals	9112.99
Iowa Lakes Community College	Buildings - Rental	3090.04
IA Law Enforcement Academy	Flex	550.00
IA Prison Industries	Hardware	2100.00
IA State Extension & Outreach	Registration	105.00
IEHA	Dues & Memberships	80.00
IEMA	Dues & Memberships	150.00
Interstate Battery	Parts	499.50
ISAC	Registration	764.00
ISSDA	Memberships	900.00
J.R. Jim Howe Septic Tank	Buildings	475.00
Jack's Uniforms & Equipment	Uniform	16.00
Jaycox Implement	Parts	588.00
Jennifer Jensen	Custodial	230.00
James Joenks	Flex	300.00
Johnston Automotive	Parts	307.84
Jeremy Kelley	Rent Payments	400.00
Sheryl Lee	Employee Travel Expenses	8.45
Mail Services	Postage	765.08
MAILFINANCE	Postage & Mailing	419.88
Mar-Lin Business Supply	Office Supplies	129.05
Mastercard	Shop Equipment	28.29
Burlin Matthews	Employee Travel Expenses	269.57
MaxYield Cooperative	Natural & Lp Gas	560.95
Menards - Spencer	Safety Supplies	807.23
Midstates Builders	Buildings	9000.00
Murphy Tractor & Equipment	Parts	904.88
Myrl & Roy's Paving	Engineering Services	165.78
Neid Equipment LLC	Construction	1750.00
North Central Int'l	Parts	695.50
Northwest Bank	Interest-Other Debt	46743.69
NW IA Youth Emergency Serv Ctr	Sheriff Transport Charges	3415.00
Premier Communications	Telephone	572.82
Presto X Company	Buildings	181.00
William Rabenberg	Employee Travel Expenses	100.00
Rage Inc	Custodial Supplies	132.71
Jesse Rustad	Flex	299.40
Sarpy County Court	Copies	2.75

Clay County Board of Supervisors
December 4, 2018

Sidwell Company	Data Processing Serv.	2188.00
Solutions	Data Processing Equipment	13851.30
SMU	Telephone	1410.53
Spencer Office Supplies	Office Supplies	326.53
Ann Spooner	Flex	530.32
Squire Promotional	Safety Supplies	306.53
Sta-Mel Enterprises	Cover Aggregate/Sand/Mate	1783.25
Staples	Office Supplies	15.67
Amy Strohman	Flex	135.05
Sunset Law Enforcement	Safety Supplies	420.69
Terril Telephone Coop	Telephone	9.66
US Cellular	Telephone	654.79
U S Postmaster	Postage & Mailing	200.00
Vanguard Appraisals	Data Processing Serv.	5950.00
Veterans Information Services	Educational	60.00
VISA	Fuels	1891.28
Windstream	Telephone	41.69
Grand Total		185397.08

Motion by Matthews, seconded by Skelton to approve drainage expenditure from Joint Drainage District #60 Main Open, dated October 30, 2018 totaling \$450.00 for drone flights and video preparations in the district in October payable to Jacobson-Westergard & Associates, Inc., 105 South 6th Street, Estherville, IA 51334. This expenditure approval is with the understanding that drone flights will be done on Clay County lands in the near future. The County Auditor is instructed to send the approved billing to Palo Alto County for payment after approval. Motion carried.

Motion by Swanson, seconded by Skelton to approve drainage expenditure from Joint Drainage District #22, dated October 30, 2018 totaling \$300.00 for drone flights and video preparations in the district in October payable to Jacobson-Westergard & Associates, Inc., 105 South 6th Street, Estherville, IA 51334. This expenditure approval is with the understanding that drone flights will be done on Clay County lands in the near future. Supervisor Matthews abstained. Motion carried.

Motion by Skelton, seconded by Matthews to authorize the Chairperson to sign and approve payment of Est #3 Drainage District #80 Improvements submitted by Bolton & Menk, Inc on behalf of contractor Hagedorn Excavating, Inc., 315 Main Street, Royal, IA 51357 regarding the Drainage District No. 80 Tile Improvement in the amount of \$227,196.90. Motion carried.

8:45 a.m. Assistant County Attorney Barry Sackett gave the Board a departmental update from the civil division of the County Attorney's office.

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

Motion by Matthews, seconded by Swanson to purchase from Jaycox Implement Inc of Lake Park, IA a 96" 6-way Dozer blade, a 24" high flow Planer and a 24" smooth cut drum totaling \$3,685.84 which includes the trade in of a 2009 Case 105U Tractor. Motion carried.

Motion by Skelton, seconded by Matthews to purchase an asphalt float from ShearForce Equipment in the amount of \$14,350.00. Motion carried.

Clay County Board of Supervisors

December 4, 2018

Engineer Rabenberg gave the Board an update on the Secondary Roads equipment budget effected by these purchases. Rabenberg also reported on the FEMA site reviews and inspections that are going well.

9:30 a.m. County Treasurer Sande Geidl gave the Board a departmental update on the driver's license division and the progress shown by new employees. Geidl expressed her appreciation for the relationship she has enjoyed with the Board during her tenure.

Motion by Matthews, seconded by Swanson to set the canvass of the December 11, Special Election to Tuesday, December 18, 2018 at 10:30 a.m. in the boardroom of the Clay County Administration Building, 300 West 4th Street, Spencer, Iowa 51301. Motion carried.

Motion by Skelton, seconded by Matthews, to approve the re-hiring of Mike Heuck for Clay County Secondary Roads full time temporary worker for on-call snow plow operator and authorize the Chairperson to sign the Employee Payroll Request form effective December 14, 2018 at the hourly rate of \$15.76. Motion carried.

Motion by Swanson, seconded by Matthews to approve Certificate of Adjustment #2300 on receipt #2018-2019-88 2nd Half MH Tax for April Lousie Laubenthal on a mobile home with vin KE1986A. Adjustment made necessary due to mobile home moved to Minnesota in June of 2017. Total to abate: \$63.00. Motion carried.

Supervisors shared information from committees and boards they have attended. Supervisor Swanson attended a Sheriff Deputies meeting. Supervisor Skelton had no report. Supervisor Matthews reported on IA Corridor legislative meeting, ISAC Board meeting, and a Conservation Board meeting. Supervisor Anderson reported on the NWIACC Board meeting.

The Chairperson recessed the regular board meeting at 10:15 a.m. to reconvene after lunch as Trustee's for Drainage District #37.

The Chairperson reconvened the board meeting at 1:02 p.m. as Trustee's for Drainage District #37.

The Clay County Board of Supervisors as trustees of Drainage District #37 convened their meeting on December 4, 2018 at 1:02 p.m. Members and guests present: Supervisors Matthews, Skelton, Anderson and Swanson, Don Etler and Jon Rosengren from Bolten & Menk, Inc., Attorney Jim Hudson, and thirty-one (31) attendees representing property owners in Drainage District 37 and 61.

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

1:00 p.m. The time having arrived for the public hearing to receive and consider any objections and other comments to the report and amendments submitted by the engineers from the Bolton & Menk, Inc., Spencer, Iowa for proposed repairs and/or improvements to the Drainage District #37 tile system.

Attorney Hudson began the meeting pointing out the purpose and potential decisions to be made regarding the proposed project.

Engineers Etler and Rosengren presented the various proposals, illustrated with maps, to the attendees and fielded questions from the audience. There are eight-six (86) landowners covering 8,466 acres in Drainage District 37. The Engineers submitted additional information to supplement the Engineer's Report as originally filed including alternative pumped outlets, existing channel versus repair/improvements and impacts upon the tile function from a historical design of the system. For Branch 244 failure to keep trees out of the channel has resulted in a reduction in capacity of 48% from the original capacity of the tile. If improved the capacity would be increased by 32%. Included in the proposed amendment are three charts showing the acres of ponding in the large pothole near the outlet of Branch 244 for the existing tile or a properly sized future improvement resulting from either repairing or improving the channel. The amended report also looked at some of the larger tile drained sub-watersheds in the district to show the financial impact to each resulting from both the failure to maintain the outlet and the recommended improvement. The proposed open ditch improvement is estimated to cost at most \$100-\$150 per acre more than the repair for the highest assessed lands in the district. Discussion on wetland determinations and delineation was reaffirmed that any property without a valid determination on file with the NRCS will be in technical violation of the Farm Program. The Engineers of Bolton & Menk still continued to recommend both the repair and improvement of the Drainage District 37 Main Open Ditch as the lowest cost options available for the relief of drainage for the lands in the district.

The Board acknowledged the following written objections from local residents as listed: Kathy Derner, Tom Derry, Kirby Sampson, Steven Hansen, Robert Swan, Anita Bomgaars of RC Holdings, Marcia Jorgensen, Chad Moser, Joan Schumann, Karol Toland, Nancy Toland, Clark Toland, Gregg Toland, Ralph Selzer, Patricia Cohen, David Wyatt, Daniel Wyatt, Christine Wyatt, Donna Arndt, Lyle Crouse, Patricia Crouse, Sherry Groenewold of Scoles Family Trust, Nancy Moser, LeAnn McGranahan, Loretta Kendall, Matthew Cooper, Bonnie Brown, Daryl Long, Diane Parks, David Wyatt, David & Bradley Maurer, and Bill and Colleen Gerdeman.

Motion by Skelton, seconded by Swanson to set the interest rate at 5% on any single assessment and assessments exceeding \$500 per parcel may be paid in installments over a twenty (20) year period by signing a waiver at the office of the County Auditor. Any assessment made 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.

Motion by Matthews, seconded by Skelton to continue the hearing to January 14, 2019 at 9:00 a.m. at the Clay County Administration Building. Motion carried.

Motion by Skelton, seconded by Swanson to adjourn the drainage meeting at 3:32 p.m. Motion carried.

The Chairperson adjourned the regular Board meeting at 3:32 p.m. to convene at the next Auditor's called meeting December 18, 2018 at 8:30 a.m.

/s/Marjorie A. Pitts, County Auditor

/s/ Barry Anderson, Chairperson

Clay County Board of Supervisors

December 4, 2018