

Clay County Board of Supervisor's Minutes from Meeting 1 held on January, 2 2019.

The Clay County Board of Supervisors met pursuant to adjournment January 2, 2019 at 8:30 a.m. in the boardroom with 2018 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. 2018 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 Hamrick and Swanson. Nays: None. Abstentions: None.

The Oath of Office of newly elected officials was conducted by the Honorable Judge Charles Borth at 8:30 a.m.

The first order of business for the 2019 session was election of the Chairperson. 2018 Chairperson Barry Anderson called for nominations for the 2019 Chairperson.

Motion by Matthews, seconded by Hamrick to nominate Supervisor Swanson as Chairperson and Supervisor Skelton as Chairperson Elect of the Clay County Board for the 2019 session year. Supervisor Anderson asked for any further nominations. There being none, a unanimous ballot was cast for Supervisors Swanson and Skelton. Motion carried unanimously.

Supervisor Matthews stated his thanks on behalf of the Board to Supervisor Anderson for his leadership and service as the Clay County Board Chairperson during 2018.

Motion by Skelton, seconded by Hamrick that the Board meeting agenda for January 2, 2019 be received and placed on file with the County Auditor as approved. Motion carried.

Motion by Matthews, seconded by Anderson that the minutes of the Board Meeting #34 held December 18, 2018 and Meeting #35 held December 20, 2018 are hereby approved as submitted. Motion carried.

Motion by Anderson, 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 allowed January 2, 2019.

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

Publication List by Vendor

Abel Drainage & Excavating	Engineering Services/Cont	101057.60
Adrienne Babbitt	Election Officials	100.20
Advanced Door Systems	Buildings	455.18
Advanced Systems	copier charges	679.85
Advanced Systems	copier charges	208.59
Alliant Energy	Electric Light & Power	396.92
Patricia Applegate	Election Officials	95.55
Ayrshire Farmers Mutual	Telephone	31.99

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Ann Baschke	Flex	167.42
Harriet Berger	Election Officials	164.50
Black Hills Energy	Natural & Lp Gas	211.98
Bomgaars	Buildings	1771.35
Bound Tree Medical	Supplies	431.28
Susie Brinkley	Election Officials	164.50
Tim Brinkley	Election Officials	164.50
Bradley Brunk	Safety Supplies	50.00
Kristi Busse	flex	914.43
Campbell's Tree Service	Engineering Services/Cont	1600.00
Carroll Construction Supply	Buildings	410.45
Helen Castenson	Election Officials	89.50
Rod Castenson	Election Officials	89.50
CenturyLink	Telephone	458.47
Heidi Chapman	Flex	125.00
Cintas Corporation	Uniforms	40.00
Cintas Corp	Supplies	245.89
City of Webb	Water & Sewer	91.50
Clay Co Fair & Event Center	Recreational Supplies	65.00
Clay Co Sec Road Fund	Fuels	147.51
Joni Click	Election Officials	114.50
Coast to Coast Solutions	Safety Items	347.03
Crescent Electric Supply	Buildings	153.73
Crysteel Manufacturing Inc	Parts	77.39
Carole Curry	Election Officials	80.00
Diamond Mowers, Inc.	Parts	77.15
Dockendorf Equipment Co.	Buildings	173.57
Employment Publishing	job notice	632.32
FASTENAL	Hardware	746.30
Foundation Analytical Lab	well testing	142.95
Galen's Pro-Mow LLC	Parts	45.73
Sandra S Geidl	Expenses	62.30
Greer Law Office	Legal Aid	75.00
Connie Grigg	Election Officials	163.40
H & N Chevrolet Buick	Tires	995.20
Gary Halverson	Election Officials	99.50
Kathleen Halverson	Election Officials	99.50
Harrison Truck Centers	Parts	8.87
Robert Heintz	Election Officials	30.00
Francis Hiemstra	Election Officials	169.50
Hiway Truck Equipment	Parts	223.15
Lorrie Huffman	Election Officials	94.50
Hy-Vee	Food & Provisions	6383.88
IA Lakes Electric Coop	Electric Light & Power	1335.00
IOWWA	registration	255.00
ISAC	Registration	820.00
JAAH Inc	Rent Payments	220.00
Janitors Closet	custodial supplies	618.99
Jaycox Implement Inc	Parts	145.00
Ann Johnke	Election Officials	166.20
Donna Jones	Election Officials	181.50
Kirkham Michael & Assoc	Engineering Services/Cont	9862.58
Sharon Krile	Election Officials	20.00
Alison Kutzbach	Flex	226.00
Mail Services LLC	Acct.-Audit.-Cler.Serv.	564.44
Mar-Lin Business Supply	Office Supplies	305.69
Matheson Tri-Gas Inc	Grounds Maintenance Suppl	133.21
Burlin H Matthews	Educational & Train.Serv.	545.08

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MaxYield Cooperative	Natural & Lp Gas	1674.17
Menards - Spencer	Buildings	1923.65
Mid Country Machinery Inc	Parts	384.52
MSC Industrial Supply Co	Minor Equip & Hand Tools	275.72
NAI Heartland Region	Educational & Train.Serv.	275.00
NW IA Planning & Devlpmnt Comm	Rev loan clerical	200.00
NW IA Regional Housing Tr Fund	allocation	7501.00
Maureen Oechslin	Election Officials	91.75
Russell Oechslin	Election Officials	91.25
Diane Osborne	Election Officials	100.00
Perrin Directional Drilling	Engineering Services/Cont	3250.00
Janice Peterson	Election Officials	114.10
Plumbing & Heating Wholesale	Buildings	277.66
Presto X Company	Buildings	181.00
Rage Inc Bubbles Dry Cleaning	Custodial Supplies	131.93
Bev Rutter	Election Officials	179.90
Safelite AutoGlass	Parts	74.98
Annette Schaeffer	Election Officials	33.00
Chris Schoelerman	Election Officials	102.90
Schoeneman Bros	Construction & Maint.	290.08
Sioux City Journal	job notice	754.60
Beverly Skinner	Election Officials	89.50
Leo Brett & Mary Jo Smith	well & cistern closings	1600.00
Solutions, Inc	Data Processing Equipment	902.80
Ellen Sorenson	Election Officials	93.00
Speed Printers	Plat books	1233.39
Spencer Hospital	IDPH funding	3976.04
SMU	utilities	807.78
Spencer Office Supplies	Office Supplies	427.33
Sta-Mel Enterprises Inc	Cover Aggregate/Sand/Mate	23691.50
Staples	Office Supplies	116.88
Roger Stoner	Election Officials	212.50
Thomson Reuters	books	608.64
Eric Tigges	Flex	170.00
Darrel Tonderum	Election Officials	177.50
Tool Depot	Buildings	8.56
US Cellular	cell phones	131.04
U S Postmaster	Postage & Mailing	700.00
USPCA	Dues & Memberships	150.00
Vander Haag's Inc	Parts	848.05
Verizon	Telephone	318.45
VISA	Fuels	2780.96
Warren Meier Electric	Buildings	350.00
Wells Fargo Vendor Fin Serv	Motor Vehicle	977.12
Jeffrey M Wiemann	Expenses	26.37
Winther Stave & Co	Audit billing	3200.00
Marla Woelber	Election Officials	191.00
Grand Total		198518.44

Motion by Matthews, seconded by Anderson 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, 2019. The County Auditor is directed to issue stamped warrants from drainage districts which currently have insufficient funds. Ayes: Anderson, Matthews, Skelton Hamrick and Swanson. Nays: None Abstentions: None.

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Bolton & Menk Inc., 1960 Premier Dr, Mankato, MN 56001-5900	
DD#2 Mitigation Wetland, Permit Compliance Monitor	\$ 2,474.00 Stamped
DD #37 Annex/Reclass Serv; Wetland/Environ Rules	\$ 24,772.00 Stamped
DD#80 Construction Eng Services thru Completion	\$ 11,685.50 Stamped
Hudson Law Firm PO Box 210, Pocahontas, IA 50574	
DD #37 Travel/Mileage; Hearing for repairs-improve	\$ <u>1,100.00</u> Stamped
Total Drainage Warrants:	\$ 40,031.50
Resolution adopted.	

9:03 a.m. Assistant County Attorney Barry Sackett gave the Board a departmental update from the civil division of the County Attorney’s office.

9:20 a.m. County Engineer Wm. Rabenberg

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

RESOLUTION NO. #2019-01

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 2019 and the vote there on being as follows:

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

/s/Randy Swanson, Chairperson

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

Motion by Matthews, seconded by Anderson 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 2019. Motion carried.

Motion by Anderson, seconded by Matthews to approve Transfer #390 in the amount of \$441,697.45 from Local Option-Rural Use Fund to Secondary Roads Fund for the Bridge Deck Overlays project LFM-2018DO—7X-21. Motion carried.

Motion by Skelton, seconded by Anderson 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 2019. Motion carried.

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Engineer Rabenberg gave the Board an update on recently issued utility permits and discussed aspects of the development of an urban renewal plan assisted by Clay County Assessor Danika Welsch.

Motion by Matthews, seconded by Skelton to accept the following recommendations of the Chairperson of committee members for the year 2019. Motion carried.

Betterment Commission	Swanson
CEO-IWD	Anderson
Communications Center	Skelton/Swanson
Compass Pointe Board	Anderson
Courthouse & Courthouse Security Board	Matthews
Clay County Board of Health	Swanson
Clay County Conservation Board	Matthews
Clay County Revolving Loan Fund Committee	Matthews
Clay County Visitors Bureau	Swanson
Early Childhood Empowerment ECI/DCAT	Hamrick
Drug Court	Anderson
E-911 Board	Hamrick
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
NW IA Planning & Development Board	Hamrick
NW IA Regional Airport Board of Trustees	Matthews
Regional Transit Authority (RIDES)	Matthews/Skelton
Seasons Center Board	Matthews/Skelton
Spencer Industries Board	Swanson
Upper Des Moines Opportunity	Skelton
Volunteer Network	Hamrick
YES Center - NW IA Youth Emergency Service Ctr	Anderson
3 rd Judicial District Dept Correctional Services	Hamrick
NW IA Regional Housing Trust Board	Swanson
County Safety Committee	Hamrick
County Department Head Committee	Anderson

Motion by Anderson, seconded by Hamrick 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 2019. Motion carried.

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

RESOLUTION 2019-03

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Designate the depositories for 2019 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 2019 and the vote there on being as follows:

Ayes: Skelton, Anderson, Matthews, Hamrick, Swanson

Nays: None.

Abstentions: None

Resolution adopted.

/s/Randy Swanson, Chairperson

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

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

**RESOLUTION 2019-04
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, 2019 and January 31, 2020 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;

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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 2019 and the vote there on being as follows:

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

/s/Randy Swanson, Chairperson

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

Motion by Anderson, seconded by Skelton to accept and authorize the Chairperson to sign the Employee Payroll Request from the County Treasurer for Casey Climer due to change in job title to Deputy Treasurer at an hourly wage of \$20.80 effective January 2, 2019. Motion carried.

Motion by Anderson, seconded by to accept and authorize the Chairperson to sign the Employee Payroll Request from the County Treasurer for Christina (Tina) Carter due to change in job title to Deputy Treasurer at an hourly wage of \$20.80 effective January 2, 2019. Motion carried.

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

RESOLUTION 2019-05

Appoint County Deputies for Treasurer and Recorder

BE IT RESOLVED, that Casey Climer and Christina (Tina) Carter be appointed deputies for the County Treasurer; and that Ann Spooner be appointed deputy for the County Recorder; effective January 2, 2019.

The above and foregoing resolution was adopted by the Board of Supervisors of Clay County, Iowa this 2nd day of January 2019 and the vote there on being as follows:

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

/s/Randy Swanson, Chairperson

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

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

RESOLUTION NO. #2019-02

Clay County Board of Supervisors
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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
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:

LeAnn Black	TREASURER	TERM EXPIRES 12/31/22
Casey Climer	DEPUTY	TERM EXPIRES 12/31/22
Christina (Tina) Carter	DEPUTY	TERM EXPIRES 12/31/22

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 2019 and the vote there on being as follows:

Ayes: Skelton, Anderson, Matthews, Hamrick, Swanson

Nays: None.

Abstentions: None

Resolution adopted.

/s/Randy Swanson, Chairperson

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

Motion by Hamrick, seconded by Anderson to accept the County Treasurer’s Semi-Annual Settlement Report for period ending November 30, 2018 with detail on file at the Auditor’s office. Motion carried.

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

RESOLUTION NO. #2019-06

A Resolution of the County Board of Supervisors of Clay County, Iowa, reaffirm a full time assistant county attorney.

WHEREAS, the Board may provide, by resolution, the assistant county attorney shall be a full time prosecutor, and;

WHEREAS, the Board has determined it would be in the County's best interest to have a full time assistant county attorney due to the increased case load and obligations of the county attorney.

NOW, THEREFORE, be it resolved by the County Board of Supervisors of Clay County, Iowa, pursuant to §331.757 that the Assistant Clay County Attorney, Travis Johnson, shall be reaffirmed as a full-time prosecutor.

IT IS FURTHER RESOLVED that the effective date which the assistant county attorney shall be a reaffirmed as full-time prosecutor is January 2, 2019.

The above and foregoing resolution was adopted by the Board of Supervisors of Clay County, Iowa, this 2nd day of January 2019, and the vote thereon being as follows:

Ayes: Skelton, Anderson, Matthews, Hamrick, Swanson

Nays: None.

Abstentions: None

SO RESOLVED

/s/Randy Swanson, Chairperson

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

Motion by Matthews, seconded by Anderson to reappoint Ronald Creswell, Address 1206 N. 9th St., Spencer, IA to the Clay County Conservation Board for a term of five (5) years expiring December 31, 2023. Motion carried.

Motion by Anderson, seconded by Skelton to reappoint David Hermstad, 4747 240th Avenue, Webb, IA 51366 to the Webb Benefitted Fire District for a three (3) year term expiring December 31, 2021. Motion carried.

Motion by Skelton, seconded by Hamrick to reappoint Esta M Fraley, 2360 490th Street, Sioux Rapids, IA 50585 to the Herdland Benefitted Fire District for a three (3) year term expiring December 31, 2021. Motion carried.

Motion by Matthews, seconded by Anderson to reappoint Keith Kruse, 1235 360th Street, Everly, IA 51338 and William R Gerdeman, 2965 300th Street, Dickens, IA 51333 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, 2021. Motion carried.

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Motion by Skelton, seconded by Hamrick to appoint Eli Franker, 2155 310th Street, Spencer, IA 51301 to serve on the Clay County Zoning Board of Adjustment for a term of five (5) years expiring December 31, 2023. Motion carried.

Motion by Anderson, seconded by Matthews to reappoint Dr. Janessa Mechler, DVM, 1702 Grand Plaza Drive, Spencer, IA 51301 to the Clay County Board of Health for a three-year term that expires December 31, 2021. Motion carried.

Motion by Matthews, seconded by Anderson to appoint Supervisor Hamrick to serve on 3rd Judicial District Department of Correctional Services for 2019. Motion carried.

No Board action taken to re-appoint 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 2019.

Motion by Matthews, seconded by Skelton to re-appoint Ken Chalstrom, 2750 470th Street, Webb, IA 51336 and Joel Roos, 325 West 1st Street, Spencer, IA 51301 to the Pioneer Cemetery Commission pursuant to Iowa Code Chapters 566 and 566A for a term of three years expiring on December 31, 2021. Motion carried.

Motion by Anderson, seconded by Matthews to approve the quote of \$2,537.24 from All American Turf Beauty, Inc., PO Box 260, Van Meter, IA 50261 for the Clay County Courthouse, Administration & Governmental Services Center (GSC) Buildings for the lawn care applications for the 2019 season. Motion carried.

Motion by Anderson, seconded by Skelton to approve the estimate from Remillard Signs, 423 5th Ave E, Spencer, IA for signage at the Governmental Services Building in the amount of \$1,616.20. Motion carried.

Motion by Hamrick, seconded by Matthews to set the canvass of the January 22, 2019 Special Election to Tuesday, January 29, 2019 at 10:00 a.m. in the boardroom of the Clay County Administration Building, 300 West 4th Street, Spencer, Iowa 51301. Motion carried.

Supervisors discuss/share information from committees and boards they have attended. Supervisors Swanson and Skelton had no meetings to report. Supervisor Anderson updated the Board on the YES Center and the Early Childhood Special Board meeting. Supervisor Matthews reported on the Pioneer Cemetery Board meeting.

Chairperson Swanson recessed the Board meeting for lunch at 12 Noon. Chairperson Swanson reconvened the Board meeting at 1:03 p.m. to conduct a budget workshop.

The Chairperson adjourned the meeting at 2:40 p.m. to convene at the next Auditor's called meeting January 15, 2019 at 8:30 a.m.

/s/Marjorie A. Pitts, County Auditor

/s/ Randy Swanson, Chairperson

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