

Clay County Board of Supervisor's Minutes from Meeting 15 held on April 23, 2019

The Clay County Board of Supervisors met pursuant to adjournment April 23, 2019 at 8:30 a.m. in the boardroom with Chairperson Swanson presiding and with the following other members present: Supervisors Anderson, Hamrick, Matthews, Skelton, Assistant County Attorney Barry Sackett, and Auditor Marjorie Pitts as clerk for the meeting. Chairperson Swanson 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, Hamrick, Matthews, Skelton and Swanson. Nays: None. Abstentions: None.

Motion by Hamrick, seconded by Skelton that the Board meeting agenda for April 23, 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 #13 held April 9, 2019 and Meeting #14 held April 16, 2019 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 a allowed April 23, 2019. Ayes: Anderson, Hamrick, Matthews, Skelton, Swanson. Nays: None. Abstentions: None. Resolution adopted.

Publication List by Vendor

A-1 Portables	Sanitation & Disposal Ser	66.00
Advanced Door Systems	Buildings	772.00
Advanced Systems	Copier Contract	762.38
Advanced Systems	Copier Contract	857.31
Airgas USA	Grounds Maintenance	31.24
Albert Lee Seed	Fertilizer & Seed	416.00
Alliant Energy	Electric Light & Power	648.13
Alpha Wireless Comm	Radio Equipment	1737.56
Arnold Motor Supply	Parts	75.46
Barco Municipal Products	Wood & Lumber	953.79
Black Hills Energy	Natural & Lp Gas	1310.83
LeAnn Black	Employee Travel Expenses	13.11
Bomgaars	Parts	272.66
Tammy Brown	Flex	440.00
Kristi Busse	Flex	898.96
C & B Operations	Motor Vehicle	1532.73
Campbell's Tree Service	Engineering Services	900.00
Campus Cleaners & Launderers	Custodial Supplies	130.43
Canon Fin Services	Copier Contract	163.71
Christina Carter	Employee Travel Expenses	8.75
CenturyLink	Telephone	458.29
Cintas Corp	Uniform	20.00
City of Dickens	Allocation	2604.50
City of Everly	Allocation	3385.85
City of Peterson	Allocation	3646.30
City of Royal	Allocation	3125.40
City of Sioux City	Planning	7428.15

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City of Spencer	Comm Center	40630.66
City of Webb	Allocation	2864.95
Clay Co Emerg Mgt Agency	Allocation	7400.67
Clay Co Sec Road Fund	Fuels	756.43
Clay County Heritage	Allocation	7500.00
Clay County Homes	Rent Payments	260.00
U S Postal Service	Postage	4000.00
Daily Reporter	Publication	157.80
De Linda Leu	Depositions	60.50
Diamond Mowers	Parts	243.36
FASTENAL	Buildings	429.40
Galen's Pro-Mow	Buildings	86.13
Galls	Uniforms	71.58
Marc E Gustafson	Flex	60.50
H & S Roofing Co	Buildings	350.00
Todd Hamrick	Rent Payments	480.00
Hartley Sentinal	Publication	557.77
Hoffman Filter Service	Parts	55.00
Hy-Vee	Food & Provisions	5238.31
IA Lakes Corridor Devlp Corp	Allocation	10000.00
IA Lakes Electric Coop	Electric Light & Power	762.00
IA Lakes Regional Water	Water & Sewer	577.53
IA Law Enforcement Academy	Testing	150.00
IA Prison Industries	Traffic & St Sign	1915.00
IA Workforce Development	Unemployment Compensation	4967.09
ICEA-District 1	Employee Travel Expenses	50.00
Iowa State University	Cover Aggregate/Sand/Mate	360.00
ISCTA	Training	140.00
J&T Rentals	Buildings - Rental	1500.00
Jack's Uniforms & Equipment	Uniform	374.32
Janitors Closet	Custodial Supplies	158.50
Kirkham Michael & Assoc	Engineering Services	13223.49
Zachary Larsen	Postage	2.70
Sheryl Lee	Flex	114.34
Kevin Maassen	Other Premiums	98.31
Mar-Lin Business Supply	Office Supplies	9.49
Matheson Tri-Gas	Grounds Maintenance	124.06
Menards - Spencer	Traffic & St Sign	176.30
Michael Todd & Co	Traffic & St Sign	237.82
Midwest Canine Alternatives	Registration	225.00
MSC Industrial Supply	Grounds Maintenance	242.69
Kathryn Murphy	Flex	300.00
Neid Equipment	Supplies	675.00
Neofunds	Postage	5813.95
North Star Insulation	Buildings	2250.00
NW IA Planning & Devlpmnt	Fees	100.00
Robin Patrick	Educational	97.50
Peterson Heritage	Allocation	1000.00
Pitney Bowes	Postage	183.00
Polk County Treasurer	Flex	274.70
Polk County Sheriff	Sheriff Fees	80.88
Karen K Potaczek, DDS	Inmate Medical	625.00
Presto X Company	Buildings	181.00
R.S.V.P.	Allocation	566.50
Radisson Hotel	Employee Travel Expenses	105.28

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Ricoh USA	Copier Contract	222.36
RIDES	Allocation	7500.00
River Valley Telecom Coop	Telephone	257.81
Road Machinery & Supplies Co.	Parts	120.82
Glenn Rouse	Flex	83.54
Darrel Santage	Flex	272.21
Al Saunders	Educational	50.00
Schumacher Nursery& Berry Farm	Trees	226.60
Secretary of State	Voter Registration Service	194.85
Setpoint Mechanical Services	Buildings	2863.00
Darla Sheasley	Employee Travel Expenses	803.60
Shred-It USA	Shredding	61.00
Solutions	Data Processing	4729.20
Spencer Area Activity Center	Allocation	5570.00
Spencer Hospital	Medical & Health Services	17076.67
Spencer Office Supplies	Office Supplies	476.83
Spencer Red Power	Parts	140.60
Spencer Trophy & Awards	Supplies	16.00
Squire Promotional	Uniform	40.00
State Steel Supply Co.	Parts	115.08
Kate Stouffer	Educational	322.50
Amy Strohman	Office Supplies	32.15
Alex Struss	Safety Supplies	500.00
Thomson Reuters	Subscriptions	304.00
Treas - State of Iowa	Tax	749.00
Unity Point Clinic	Medical	42.00
UPS	Postage	172.95
Vanguard Appraisals	Data Processing	15490.00
Verizon	Telephone	548.05
VISA	Fuels	5753.44
Walmart Community/SYNCB	Recreational Supplies	163.97
Warren Meier Electric	Buildings	315.00
Wells Fargo Vendor Fin Serv	Motor Vehicle	605.98
Danika Welsch	Employee Travel Expenses	116.90
Pam Wingert	Attorney Fees	202.10
Grand Total		217662.26

Motion by Skelton, 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 April 23, 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.

Bolton & Menk Inc., 1960 Premier Dr, Mankato, MN 56001-5900

DD #37 Wetland/Enrv Rules Compliance \$ 11,297.00 Stamped

DD#80 Construction Eng Services thru Completion \$ 488.00 Stamped

Hudson Law Firm PO Box 210, Pocahontas, IA 50574

DD #37 Tele Confs for Appeal/Letter \$ 481.25 Stamped

Total Drainage Warrants: \$ 12,266.25

Resolution adopted.

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

RESOLUTION NO. #2019-14
Appoint County Deputy for Sheriff

BE IT RESOLVED, that Brian L. Mehan be appointed deputy for the County Sheriff effective April 1, 2019.

The above and foregoing resolution was adopted by the Board of Supervisors of Clay County, Iowa, this 23rd day of April, 2019 and the vote thereon being as follows:

AYES: Anderson, Hamrick, Matthews, Skelton and Swanson.

NAYES: None

/s/Randy Swanson, Chairperson, Clay County Board of Supervisors

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

8:52 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. County Engineer William Rabenberg

Motion by Anderson, seconded by Matthews to approve Final Pay Voucher for Project No. STP-S-CO21(134)—5E-21 and authorize Board Chair to sign. PCC Overlay on B40 West of Royal, IA.

Motion carried.

Motion by Skelton, seconded by Hamrick to accept the low deck patching quote of \$63,306.00 from Denco Highway Construction out of Mingo, Iowa for EB 10-2, AB 27-2 and HB 22-2. Motion carried.

Engineer Rabenberg updated the Board on recent utility permits issued to Iowa Lakes Electric Cooperative.

The Chairperson recessed the regular board meeting at 9:15 a.m. to convene as Trustees of Drainage District #80.

9:15 a.m. Drainage District #80 Meeting

The Clay County Board of Supervisors met as trustees of Joint Drainage District #80 on Tuesday, April 23, 2019 at 9:15 a.m. Members present: Supervisors Anderson, Matthews, Skelton, Hamrick, and Swanson. Guest David Johnson.

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

Motion by Anderson, seconded by Matthews pursuant to Iowa Drainage Code Chapter 468.38, the Clay County Auditor appoints Jon Rosengren P.E. from Bolton & Menk, Inc. of Spencer as the engineer, and Kent Kimball, 1035 270th St., Everly, IA and Paul Galm, 3810 110th Ave, Hartley, IA as two (2) freeholders of the county as appraisers to ascertain and impartially assess all damages according to their best judgment, skill, and ability relating to the tile improvement project. The

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appraisers report shall be submitted to the County Auditor at least five (5) days before the date of the scheduled hearing on **Tuesday, May 28, 2019 at 9:00 a.m.** Compensation to Galm and Kimball will \$100.00 per half day and round-trip mileage based on the current Federal rate of reimbursement. Motion carried.

The Chairperson recessed the Drainage District #80 meeting at 9:24 a.m. to convene as Trustees for Drainage District # 37.

9:20 a.m. D.D. #37 Trustee Meeting - Set Bid letting date & time

The Clay County Board of Supervisors met as trustees of Joint Drainage District #37 on Tuesday, April 23, 2019 at 9:24 a.m. Members present: Supervisors Anderson, Matthews, Skelton, Hamrick, and Swanson.

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

Motion by Skelton, seconded by Anderson to set the bid letting for Drainage District #37 Improvement Project to June 18, 2019 at 11:00 a.m. in the Clay County Board of Supervisor's room in the Clay County Administration Building. Sealed bids will be received at the office of the Auditor of Clay County, Iowa for furnishing of materials and construction of drainage improvements until 11:00 a.m. on June 18, 2019. At which time the Clay County Board of Supervisors, acting as trustees for Drainage District #37 will meet for considering the bids. Motion carried.

The Chairperson recessed the Drainage District #37 meeting at 9:33 a.m. to convene the regular Board of Supervisors meeting.

9:30 a.m. IA Negotiations Consultant Jack Reed discussed information regarding the advantages and disadvantages of switching to a paid time off (PTO) system to be used by county employees. Further discussion is warranted regarding short- and long-term disability policies. The Board appreciated the information provided.

Motion by Anderson, seconded by Matthews to set the date and time for the fiscal year 2019 County Budget amendment public hearing to be 9:30 a.m. May 7, 2019 at the Clay County Administration Building, 300 W. 4th St., Spencer, IA. Motion carried.

Motion by Skelton, seconded by Hamrick to certify and authorize the Chairperson to sign the annual Certification of Cost Allocation Plan for fund year 2018. The FY 2018 cost allocation plan will result in about \$31,762.00 indirect cost recoveries during fund year 2020 from the local DHS office, which is about 33 percent of the total claims. Motion carried.

Motion by Matthews, seconded by Anderson to approve and authorize the chairperson to sign the Two Rivers Insurance Company, Inc., d/b/a Employee Benefit Systems Third Party Administration Service Agreement with Clay County effective July 1, 2019. The agreement provides administrative services on behalf of Clay County in consideration for a monthly fee per covered employee of health insurance claims processing. Motion carried.

Motion by Anderson, seconded by Hamrick to approve and authorize the chairperson to sign the Two Rivers Insurance Company, Inc., d/b/a Employee Benefit Systems Business Associate Agreement. EBS and the County mutually agree to comply with the requirements of implementing regulations at 45 Code of Federal Regulations Parts 160-64 for the Administrative Simplification provisions of Title II, Subtitle F of the Health Insurance Portability and Accountability Act of 1996 (HIPPA). Motion carried.

Motion by Skelton, seconded by Matthews to accept and authorize the Chairperson to sign the Employee Payroll Request from the Secondary Roads Department for Scott Knudtson for a change in hourly wages to \$23.34 effective May 17, 2019. The change is due to longevity increase for 15 years of continued service. Motion carried.

Motion by Anderson, seconded by Matthews to accept and authorize the Chairperson to sign the Employee Payroll Requests from the Secondary Roads Department for Cooper Fox, Cale Salton, Colton Selk and Trey Siervers for full time temporary status as summer help and hourly wages of \$12.50 effective on various start dates in May through early June of 2019. Motion carried.

10:30 a.m. Drainage District #20 Main and Drainage District #32 Branch 81 Meeting.
The Chairperson recessed the regular board meeting at 10:29 a.m. to convene as Trustees of Drainage District #20 and #32 Branch 81.

The Clay County Board of Supervisors met as trustees of Joint Drainage Districts #20 Main and #32 Branch 81 on Tuesday, April 23, 2019 at 10:29 a.m. Members present: Supervisors Anderson, Matthews, Skelton, Hamrick, and Swanson.

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

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

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:

- 20% DD #20 Main to raise \$ 593.80
- 30% DD #32 Br 81 to raise \$ 383.10

BE IT FURTHER RESOLVED, that said assessments be so levied and payable upon notice through May 31, 2019 without interest. If paid after June 1, 2019, an interest rate of 5% will accrue from May 1, 2019 date of levy to September 30, 2019 on any single assessment. Any assessment made on any tract of land, parcel, or lot within the Districts which is computed at less than \$5.00 shall be fixed at \$5.00 as provided by law IAC Sec 468.50.

The above and foregoing resolution was adopted by the Board of Trustees this 23rd day of April, 2019 and the vote thereon being as follows:

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

/s/Randy Swanson, Chairperson, Clay County Board of Supervisors

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

The Chairperson recessed the Drainage District #20 Main and #32 Branch 81 meeting at 10:33 a.m. to convene the regular Board of Supervisors meeting.

11:00 a.m. Steve Gustin Master Matrix Hearing

This being the time and place for the public hearing for Steve Gustin, 3950 300th Avenue, Dickens, Iowa for one new 800 head deep pit swine finisher confinement building as an expansion to an existing confinement feeding operation located in the SW ¼ of the SW ¼ of Section 23 of Freeman Township.

The Board determined that notice of the public hearing was published in the Spencer Daily Reporter pursuant to the Iowa Code. Sanitarian McKeever has notified, by letter, the landowners within one mile of the application location.

After Sanitarian Assistant-Angie Lawson reviewed with the Board the Master Matrix scoring questions, the Board asked for comments of the attending audience. No written or oral comments were brought forward. Assistant Lawson stated that they will meet with the IDNR this week regarding this matrix. After discussion the public hearing was closed by the Chairperson at 11:11 a.m.

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

RESOLUTION NO. #2019 - 15

Recommending approval of the New Confinement Feeding Operations Application to the Iowa Dept. of Natural Resources.

WHEREAS, the Clay County Board of Supervisors has adopted the Master Matrix for the purpose of scoring CAFO construction applications to provide an opportunity for local input, and

WHEREAS, a construction application for a new Confinement Feeding Operations by Steve Gustin; and

WHEREAS, the Clay County Environmental Health Director, has reviewed the application using the Master Matrix, finding a score of 450 points, and has verified all of the elements of the application for accuracy; and

WHEREAS, the minimum score set by the DNR is 440 points.

WHEREAS, the Board of Supervisors published a notice of public hearing in the Daily Reporter as required, and, held said public hearing in the Public Meeting Room at the Clay County Administration Building on April 23, 2019 for the purpose of receiving public comment; and

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WHEREAS, the Board of Supervisors, has assembled their comments and those of the public for submission to the DNR;

NOW THEREFORE BE IT RESOLVED that the Clay County Board of Supervisors hereby recommends approval of the construction application of Steve Gustin.

The above and foregoing resolution was adopted by the Board of Supervisors of Clay County, Iowa, this 23th day of April, 2019 and the vote thereon being as follows: Ayes: Anderson, Hamrick, Matthews, Skelton and Swanson. Nays: None. Abstentions: None. Resolution adopted.

/s/Randy Swanson, Chairperson, Clay County Board of Supervisors
ATTEST: /s/Marjorie A. Pitts, County Auditor

11:15 a.m. The Board met with Dan Ries, CFO of the Seasons Center to discuss substance abuse treatment since the recent closing of Compass Pointe. Ries assured the Board that Seasons Center is willing and committing additional work hours to assist in the needs of area clients.

Supervisors discuss/share information from committees and boards they have attended. Supervisor Skelton reported on the Emergency Medical Services meeting. Supervisor Anderson updated on the Iowa Drainage District Association (IDDA) meeting, the Compass Pointe Board meeting, the Northwest Iowa Care Connections (NWIACC) conference call, and the County department head meeting. Supervisor Matthews reported on the RIDES Board meeting, the National Association of Counties (NACO) legislative conference call, and the upcoming Iowa State Association of Counties (ISAC) Board meeting. Supervisor Hamrick updated on the County department head meeting, the Early Childhood Iowa/DCAT meeting, the Northwest Iowa Planning and Development Council (NWIPDC) meeting, and the County custodial meeting. Supervisor Swanson reported on the Clay County Visitors Board meeting and the Northwest Iowa Regional Housing Trust Fund meeting.

The Chairperson adjourned the meeting at 11:49 a.m. to convene at the next Auditor's called meeting May 7, 2019 at 8:30 a.m.

/s/Marjorie A. Pitts, County Auditor

/s/Randy Swanson, Chairperson