

Clay County Board of Supervisor's Minutes from Meeting 16 held on May 7, 2019

The Clay County Board of Supervisors met pursuant to adjournment May 7, 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 Matthews, seconded by Skelton that the Board meeting agenda for May 7, 2019 be received and placed on file with the County Auditor as amended to review and approve an amendment to the FY2020 5-Year Construction program and therefore approved. Motion carried.

Motion by Anderson, seconded by Hamrick that the minutes of the Board Meeting #15 held April 23, 2019 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 May 7, 2019. Ayes: Anderson, Hamrick, Matthews, Skelton, Swanson. Nays: None. Abstentions: None. Resolution adopted.

Publication List by Vendor

| | | |
|--------------------------------|-----------------------------|-----------|
| Advanced Network Professionals | Backup | 100.00 |
| Advanced Systems | Copier Contract | 506.88 |
| Advanced Systems | Copier Contract | 217.79 |
| Airgas USA | Grounds Maintenance | 188.07 |
| Alliant Energy | Utilities Payments | 1035.79 |
| American Bottling Company | Concessions | 319.20 |
| Barry G Anderson | Employee Travel Expense | 207.87 |
| Animal Medical Center | Safety Supplies | 102.00 |
| Arctic Ice Company | Concessions | 135.00 |
| Arnold Motor Supply | Parts | 205.07 |
| Asher Motor Co | Motor Vehicle | 22825.48 |
| Atlantic Coca-Cola Bottling | Concessions | 500.11 |
| Ayrshire Farmers Mutual | Telephone | 32.54 |
| Bankers Trust Company | General Obligation Interest | 367233.75 |
| Ann Baschke | Flex | 116.41 |
| Black Hills Energy | Utilities | 217.78 |
| Bomgaars | Shop Equipment | 39.91 |
| Boyer Trucks | Parts | 250.67 |
| Brown's Shoe Fit Co | Uniforms | 500.00 |
| Bud's Service | Fuels | 92.00 |
| C & B Operations | Parts | 177.54 |
| Campus Cleaners & Launderers | Custodial Supplies | 84.19 |
| CenturyLink | Telephone | 27.16 |
| Heidi Chapman | Flex | 35.00 |
| Cintas Corporation | Uniforms | 60.00 |

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| City of Royal | Water & Sewer | 52.50 |
| City of Webb | Water & Sewer | 88.50 |
| Clark Equipment Co | Construction | 1573.96 |
| Clay County Recorder | Licenses | 304.20 |
| Clay Co Sec Road Fund | Fuels | 64.78 |
| Clay County Treasurer | Land | 3226.90 |
| Compass Pointe | Outpatient/Counseling | 4083.25 |
| Crescent Electric Supply | Buildings | 1056.55 |
| Crystal Glass | Buildings | 132.50 |
| Culligan of Spencer | Water | 25.65 |
| Del's Garden Center | Recreational Supplies | 361.60 |
| Don Pierson Ford | Repair | 541.18 |
| Pamela Doran | Flex | 300.00 |
| Evertex | Telephone | 247.42 |
| Fareway Stores | Food & Provisions | 34.87 |
| FASTENAL | Buildings | 119.04 |
| Foundation Analytical Lab | Well Testing | 47.65 |
| Galls | Uniforms | 40.00 |
| Graham Tire | Tires & Tubes | 345.68 |
| Greg's Repair | Buildings | 29.00 |
| Billy Gunnerson | Flex | 271.59 |
| Marc Gustafson | Flex | 36.12 |
| Hancock Concrete Products | Supplies | 6213.48 |
| Holiday Inn | Employee Travel Expense | 732.48 |
| Iowa Lakes Community College | Buildings - Rental | 3140.51 |
| IA Lakes Community College | Parts | 5727.77 |
| IA Lakes Corridor Devlp | Allocation | 2500.00 |
| ISAC | Registration | 490.00 |
| ISACA | Registration | 175.00 |
| J & D Lawn Service | Custodial | 900.00 |
| Jack's Uniforms & Equipment | Uniforms | 114.94 |
| Jacksons Hometown Cafe | Food & Provisions | 560.00 |
| Janitors Closet | Custodial Supplies | 962.55 |
| Jaycox Implement | Parts | 553.10 |
| Johnston Automotive | Parts | 558.74 |
| Koenig Portable Toilets | Buildings | 1050.00 |
| Angela Lawson | Employee Travel Expenses | 25.90 |
| Sheryl Lee | Employee Travel Expenses | 36.81 |
| Lexis Nexis | Subscription | 889.96 |
| Lube-Tech & Partners | Parts | 559.00 |
| Mail Services | Postage | 554.51 |
| Mar-Lin Business Supply | Office Supplies | 172.27 |
| Marcus News | Board Proceedings | 469.04 |
| Matheson Tri-Gas | Grounds Maintenance | 18.60 |
| Tammy McKeever | Flex | 104.00 |
| Menards - Spencer | Buildings | 533.52 |
| MOCIC Annual Conference | Registration | 450.00 |
| Kathryn Murphy | Employee Travel Expenses | 35.57 |
| North Central Int'l | Parts | 7138.16 |
| Northwest Glass Co | Buildings | 810.00 |
| NW Drywall & Installation | Buildings | 1793.00 |
| NW IA Community College | Education | 35.00 |
| James O'Hearn | Medical & Health Charges | 522.00 |
| Pakor | Office Supplies | 250.91 |
| Palo Alto County Sheriff | Sheriff Fees | 103.50 |

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| Plumbing & Heating Wholesale | Supplies | 600.39 |
| Premier Communications | Telephone | 644.27 |
| Quill | Office Supplies | 193.94 |
| Christopher Raveling | Employee Travel Expenses | 22.83 |
| Eric Ring | Office Supplies | 13.47 |
| Safelite AutoGlass | Parts | 625.96 |
| Solutions | Data Processing Equipment | 18290.40 |
| Speed Printers | Printing | 355.75 |
| Spencer Auto Parts | Parts | 1005.47 |
| Spencer Hospital | Medical & Health Services | 92.78 |
| SMU | Telephone | 10928.62 |
| Spencer Office Supplies | Office Supplies | 187.19 |
| Ann Spooner | Flex | 532.81 |
| Staples | Office Supplies | 80.12 |
| Sterling Solutions | Maintenance Agreement | 500.00 |
| Randy Swanson | Flex | 37.00 |
| Terril Telephone Coop | Telephone | 8.04 |
| UPS | Postage | 161.22 |
| US Cellular | Telephone | 699.65 |
| Vander Haag's | Parts | 406.46 |
| Verizon | Telephone | 472.16 |
| Sheila Weeks | Employee Travel Expenses | 231.84 |
| Danika Welsch | Employee Travel Expenses | 121.60 |
| Jeffrey Wiemann | Flex | 16.69 |
| Windstream | Telephone | 41.69 |
| Zalaznik Equipment Corp | Parts | 467.00 |
| Loree Zwemke | Flex | 80.00 |
| Grand Total | | 483190.82 |

Motion by Anderson, seconded by Matthews to approve drainage expenditure from Joint Drainage District #61 CDE, dated May 2, 2019 totaling \$2,554.00 for engineering services in April for completion/submittal of the reclassification report 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 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 May 7, 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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| HCI Imaging, 15206 250 th Avenue, Spirit Lake, IA 51360 | | |
| DD#28 Drone Videography | | \$ 215.00 |
| JB Excavating, PO Box 1482, Spencer, IA 51301 | | |
| DD #37 Tile Repairs | | \$ 275.00 Stamped |
| Paul Galm, 3810 110 th Avenue, Hartley, IA 51346 | | |
| DD#80 Commissioner's Mtg & Mileage | | \$ 108.40 Stamped |
| Kent Kimball, 1035 270 th Street, Everly, IA 51338 | | |
| DD#80 Commissioner's Mtg & Mileage | | <u>\$ 114.00</u> Stamped |
| Total Drainage Warrants: | | \$ 712.40 |
| Resolution adopted. | | |

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Motion by Hamrick, seconded by Matthews to approve and authorize the Chairperson, County Auditor and County Treasurer to sign the 28E agreement with the City of Spencer whereby the County Treasurer agrees to collect or enforce delinquent parking tickets on behalf of the City in conjunction with renewal of vehicle registrations pursuant to Iowa Code Sections 321.40(8), 321.236 and 331.553. Motion carried.

No Board action taken to authorize the Chairperson to sign the Management and Services Agreement Addendum for Public Health Programs between the Clay County Board of Health, the Clay County Board of Supervisors, and Spencer Hospital, a city hospital organized under Iowa law.

The Board discussed the legislation HF691 that was signed into law by Governor Reynolds. This legislation alters the fund balance requirements for the county MHDS fund. The legislation allows each county to consider changing their mental health fiscal year 2020 budget with a deadline of May 31, 2019 to recertify with the Department of Management. After much discussion the Board settled on increasing the mental health budget from \$15.00/population to \$23.28/population.

Motion by Anderson, seconded by Matthews to set the date and time for the fiscal year 2020 County Budget Recertification public hearing to be 10:00 a.m. Tuesday, May 28, 2019 at the Clay County Administration Building, 300 W. 4th St., Spencer, IA. Motion carried.

The Chairperson recessed the regular board meeting at 9:01 a.m. to convene as Trustees of Drainage District #80.

9:00 a.m. Drainage District #80 Meeting

The Clay County Board of Supervisors met as trustees of Joint Drainage District #80 on Tuesday, May 7, 2019 at 9:01 a.m. Members present: Supervisors Anderson, Matthews, Skelton, Hamrick, and Swanson.

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

Motion by Skelton, seconded by Matthews to set the public hearing date and time to accept and approve the Drainage District #80 Annexation Report prepared by Bolton & Menk, Inc. of benefitted lands not now included in Drainage District #80 to be **May 28, 2019 at 9:00 a.m.** and direct the County Auditor to send written notice of the hearing and annexation schedule to each property owner effected by the annexation report not less than twenty (20) days before the hearing date. Motion carried.

Motion by Anderson, seconded by Matthews to set the public hearing date and time to accept and approve the Drainage District #80 Re-Classification Report prepared by the commissioners to be **May 28, 2019 at 9:15 a.m.** and direct the County Auditor to send written notice of the hearing and re-classification schedule to each property owner effected by the classification report not less than twenty (20) days before the hearing date. Motion carried.

The Chairperson recessed the Drainage District #80 meeting at 9:02 a.m. to convene the regular Board of Supervisors meeting.

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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.

9:30 a.m. FY2019 Budget Amendment Hearing

This being the time and place for the hearing on amending the current 2019 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 Skelton, seconded by Supervisor Hamrick to adopt the amendment to the 2019 fiscal year budget in the following expenditure service areas for the following amounts: Public Safety & Legal Services increased \$48,750. Physical Health & Social Services increased by \$69,784. County Environment & Education increased by \$116,750. Government Services to Residents increased by \$52,865. Administration increased \$44,808. Non-program current increased \$131,235 and Transfers out equal \$540,000. The total expenditure amendment is \$1,004,192.

Revenue Accounts increased by \$1,486,102. Intergovernmental increased by \$483,294 and Licenses & Permits increased by \$45,578. Charges for Services increased by \$25,771; Use of Money & Property increased by \$65,245. Miscellaneous increased by \$280,046. Proceeds of fixed assets increased \$46,168 and Transfers in equal \$540,000. Excess of Revenues (under) Expenditures=\$481,910. The roll call being called, the following named Supervisors voted:

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

10:15 a.m. The Board met with landowners from the Drainage District #37. Attendees present were David and Christine Wyatt, Stephen and Connie Swan; Robert and Lynn Hunter Swan, Alan and Cindy McGranahan, Lee Schoenewe, and Leonard Langner. Connie Swan, David Wyatt, and Leonard Langner spoke to the Board and presented materials that are on file in the County Auditor's office.

The Chairperson recessed the regular board meeting at 10:42 a.m. to convene as Trustees of Joint Drainage District #61.

10:45 a.m. Clay-Dickinson-Emmet Joint Drainage District #61 Meeting

Motion by Hamrick, seconded by Matthews to accept the Commissioners' Report for Joint Clay-Dickinson-Emmet DD #61 Reclassification JW Project E12211 from Jacobson-Westergard & Associates, 105 South 6th Street, Estherville, IA 51334. Motion carried.

Motion by Anderson, seconded by Skelton to set the reclassification public hearing of Clay-Dickinson-Emmet Joint Drainage District #61 for Thursday, June 20, 2019 at 2:00 p.m. in Dickinson Co Courthouse boardroom, 1802 Hill Avenue, Spirit Lake, Iowa 51360. Motion carried.

The Chairperson recessed Joint Drainage District #61 CDE board meeting at 10:45 a.m. to reconvene the regular Board of Supervisors meeting.

11:00 a.m. County Engineer William Rabenberg

Motion by Matthews, seconded by Anderson to approve the Clay County Secondary Road Department Policy and Procedures for Property Entrances on Clay County Secondary Road System. Motion carried.

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Motion by Anderson, seconded by Skelton, to review and approve the quote for a Caterpillar 320 Hydraulic Track Hoe Excavator from Ziegler of Sheldon, IA. Purchase price \$234,470 less trade value for Kolbelco SK200SRLC excavator valued at \$25,000 resulting in trade difference of \$209,470. Motion carried.

Motion by Matthews, seconded by Hamrick, to review and approve quote for a 2019 12M3AWD motor grader with hydraulics plus 4 and front plow from Ziegler of Sheldon, IA. Purchase price \$336,760.00 less trade allowance for a working motor grader at \$24,000.00 resulting in trade difference of \$312,760.00. Motion carried.

Motion by Anderson, seconded by Hamrick, to review and approve an amendment to the Clay County 2020 5-Year Construction Program and authorize the Chairperson to sign. Motion carried.

The Board spoke with the City of Spencer Deputy Chief Financial Officer Brian Weuve regarding the updating of a city urban renewal project to implement a housing grand program targeting designated residential areas in Spencer that will be eligible for housing rehabilitation grants to assist resident owners to refurbish or improve their home or property structures. Northwest Iowa Planning and Development will administer the community development block grant. Weuve believes Spencer to be the first in Iowa to implement such grant. There will be a formal public hearing on the renewal project early this summer.

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

RESOLUTION NO. #2019-16

A Resolution in Support of Designating the City Clerks as the Filing Officers for City Elections

WHEREAS, an eligible elector of the city may become a candidate for an elective city office by filing with the county commissioner of elections responsible under Iowa Code Section 47.2 for conducting elections held for the city, a valid petition requesting that the elector's name be placed on the ballot for that office, or by filing a valid petition with the designated city clerk.

WHEREAS, the county commissioner may designate the city clerk of a city to receive nomination papers for elective city offices. If so designated, the city clerk shall have all the duties of the county commissioner provided in this section.

- The designated city clerk shall review each petition and affidavit of candidacy for completeness following the standards in Section 45.5 and shall accept the petition for filing on its face if it appears to have the requisite number of signatures and if it is timely filed or shall return any rejected nomination papers to the person on whose behalf the nomination papers were filed.
- The office of the city clerk designated shall remain open till 5:00 p.m. on the final date for filing nomination papers.
- Nomination papers filed with the designated city clerk shall be available for public inspection throughout the filing period.
- The designated city clerk shall deliver any accepted nomination papers and the text of any public measure being submitted by the city council to the county commissioner of elections no later than 12:00 noon on the day after the last day on which nomination petitions can be filed.

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- The designated city clerks shall accept any written objections to the accepted nomination papers or written requests by a candidate to withdraw which are timely submitted and shall remain open till 5:00 p.m. on the day of the deadline.

WHEREAS, the Clay County Commissioner of Elections wishes to designate the City Clerks of Clay County as filing officers for all city elections and the Clay County Board of Supervisors supports this decision.

NOW, THEREFORE, BE IT RESOLVED by the Clay County Board of Supervisors of Clay County, Iowa, this 7st day of May, 2019 to adopt this resolution and the vote thereon being as follows:

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

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

Supervisors discuss/share information from committees and boards they have attended. Supervisors Swanson and Skelton had no meetings to report on. Supervisor Anderson updated on the Iowa State Association of County Supervisors (ISACS) Retreat held in Tipton, IA, the NWIACC meeting with DSCs. Supervisor Matthews reported on the Season's Center Advisory Board meeting and the ISACS Retreat. Supervisor Hamrick reported on the Early Childhood meeting.

The Chairperson adjourned the meeting at 12:11 p.m. to convene at the next Auditor's called meeting May 21, 2019 at 8:30 a.m.

/s/Marjorie A. Pitts, County Auditor

/s/Randy Swanson, Chairperson