

Clay County Board of Supervisor's Minutes from Meeting 26 held on August 13, 2019

The Clay County Board of Supervisors met pursuant to adjournment August 13, 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 August 13, 2019 be received and placed on file with the County Auditor as approved. Motion carried.

Motion by Hamrick, seconded by Anderson that the minutes of the Board Meeting #25 held July 30, 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 August 13 , 2019. Ayes: Anderson, Hamrick, Matthews, Skelton, Swanson. Nays: None. Abstentions: None. Resolution adopted.

Publication List by Vendor

A & M Laundry	Parts	210.32
Advanced Network Professionals	back up	200.00
Advanced Systems	copier chgs	535.59
Alliant Energy	utilities	267.56
Alpha Wireless Comm	Radio Equip	6028.40
Arctic Ice Company	ice	89.00
Armstrong Teams	Concessions	1109.73
Black Hills Energy	utilities	1089.57
Bomgaars	Buildings	1.73
Bound Tree Medical	Supplies	48.03
Boyer Trucks	Parts	22.58
Brock White Construction Supp	Roads	2617.67
Bud's Service	Fuels	725.53
Buena Vista Co EMA	Educ	100.00
C & B Operations	Parts	1108.12
Campus Cleaners & Launderers	uniforms/rugs	128.09
Canon Fin Services	copier charges	478.14
Cemcast Pipe & Precast	materials	32915.20
CenturyLink	Telephone	109.64
Cherokee County Sheriff	shrf fees	39.50
Cintas Corporation	uniforms	60.00
Cintas Corp	supplies	23.88
City of Everly	Water & Sewer	71.15
City of Royal	Water & Sewer	52.50
City of Spencer	disposal	30.00
C.J.Cooper & Associates	Supplies	410.58
Clay Co Fair & Event Center	training	124.00
Clay Co Sec Road Fund	Fuels	2106.52
Clay County Homes	Rent	260.00

Cooperative Energy Company	Gas	38050.29
Copper Cottage	Buildings	310.99
Crysteel Manufacturing	Parts	286.03
Culligan of Spencer	Buildings	363.58
Custom Creations	Recreational Supplies	1180.85
Daily Reporter	Publications	1320.06
Dave's Sand & Gravel	services	17990.64
Matthew Dehrkoop	Safety	150.00
Diamond Vogel	Parts	744.28
Doug Duncan	Hardware	2580.00
Evertex	Telephone	1142.22
Fareway Stores	supplies	40.99
FASTENAL	Hardware	562.70
FMX Facilities management	DP Serv	4200.00
Foundation Analytical Lab	testing	381.20
GeoComm Corporation	Data Processing Serv.	8423.00
H & N Chevrolet Buick	repairs	2962.15
Tim Hamrick	refund permit	100.00
Hartley Sentinel Inc	publication	1145.87
Ben Hoben	Rent	320.00
Hydraulic Solutions	Parts	1051.08
IA County Recorders Assoc	services	1589.70
Iowa Lakes Community College	Buildings	3097.09
IA Lakes Regional Water	Water	719.39
IA Prison Industries	Hardware	2709.75
IA Water Well Assoc	Memberships	150.00
ICAP	Equipment Insurance	541.00
IEMSA	Memberships	100.00
IMWCA	Workmens' Comp. Ins.	8629.00
ISAC	Registration	210.00
Janitors Closet	Supplies	382.76
Jaycox Implement	Parts	10.27
Johnston Automotive	Parts	308.86
Jeremy Kelley	Rent	400.00
Kirkham Michael & Assoc	Eng Services	2206.76
Sheryl Lee	Mileage	11.72
Lexis Nexis	law library	899.52
Marcus News	publications	189.44
Mark Tielbur Construction	Construction	1887.50
Matheson Tri-Gas	Supplies	21.08
Burlin Matthews	Expenses/Mileage	280.00
McDonald Supply	Buildings	67.53
Menards	Supplies	324.11
Midwest Card & ID Solutions	Supplies	1000.00
Marjorie Mortensen	well closure	500.00
Neid Equipment	supplies	2250.00
Neofunds	supplies	256.00
Nielsens Tire & Appliance	Parts	234.99
North Central Int'l Inc	Parts	808.00
Northwest Communications	Telephone	154.30
NW IA YES Ctr	detention	525.00
Office Depot	Supplies	383.00
Plumbing & Heating Wholesale	Buildings	3118.57
Premier Communications	Telephone	639.02
Ricoh	copier chgs	158.89
Ripit Accessories	Supplies	88.00
Royal Telephone	Telephone	1046.37
Safariland	Equip	168.75
Safelite AutoGlass	repairs	150.00

Clay County Board of Supervisors

August 13, 2019

Secure Shred Solutions	Repair/Maint Ofc/DP Equip	48.00
Sherwin Williams	Construction & Maint.	155.36
Matthew Smith	Employee Travel Expenses	17.96
Solutions, Inc	Data Processing Serv.	5606.88
Speed Printers	Election Supplies	200.00
Spencer Auto Parts Inc	Construction & Maint.	1660.97
Spencer Family Care Med	Med examiner fees	500.00
Spencer Family Care	Medical	332.00
Spencer Hospital	Medical & Health Services	773.00
SMU	Telephone & Telegr.Serv.	11691.62
Spencer Office Supplies	Office Supplies	380.72
Spencer Red Power	Parts	1387.21
SS Collision & Cycle Works	Construction & Maint.	170.00
Star Energy	Fuels	4118.79
Stratford Gravel	Engineering Services	430789.60
Terril Telephone Coop	Telephone	8.04
Eric Tigges	Flex/exp	1827.15
Town & Country Disposal	garbage	1530.87
US Cellular	cell phone	579.40
Van Diest Supply Co	Chemicals	9000.00
Vander Haag's Inc	parts	407.22
Verizon	cell phone	938.38
VISA	Misc	1089.06
Walmart Community/SYNCB	Supplies	362.43
Warren Meier Electric	Buildings	1599.00
Wells Fargo Vendor Fin Serv	payment	605.98
Danika Welsch	Expenses	18.34
Jeffrey M Wiemann	Flex	40.00
Windstream	Telephone	41.69
Ziegler Inc	Parts	10153.16
Grand Total		656518.16

Motion by Anderson, seconded by Hamrick to approve drainage expenditures from Joint Drainage District #61 CDE and Joint Drainage District #61 Branch 61 dated August 2, 2019 totaling \$2,044.75 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 Skelton, seconded by Matthews to approve drainage expenditures from Joint Drainage District #73 dated July 2019 totaling \$887.75. Claim includes \$20.00 for tile inspection to Kent Malm and \$867.75 to King Excavation, 5343 410th Street, Cylinder, IA for blowout repairs. County Auditor is instructed to send the billing to Palo Alto County for payment after approval. Motion carried.

Motion by Anderson, seconded by Matthews to adopt the following resolution: BE IT HEREBY RESOLVED by the Board of Supervisors to approve DRAINAGE expenditures and that the County Auditor be hereby authorized and directed to issue warrants, against the various settlement of such claims as allowed August 13 2019. County Auditor is directed to issue stamped warrants from drainage districts which currently have insufficient funds. Ayes: Supervisors Anderson, Hamrick, Matthews, Skelton, Swanson. Nays: None. Abstentions: None. Resolution adopted.

New Fashion Pork, PO Box 244, Jackson, MN

Tile Repair

D.D. #22 Br. 173

\$ 2,600.00

Hudson Law Firm, PO Box 210, Pocahontas, IA

Clay County Board of Supervisors

August 13, 2019

Tele Conf, Appeal Petition	D.D. #37	\$ 250.25 Stamped
Professional Services through 6/07/19	D.D. #37	\$11,797.96 Stamped
Professional Services through 7/26/19	D.D. #37	\$ 9,509.00 Stamped
Koenig Portable Toilets, PO Box 1312, Spencer, IA		
Jet field tile	D.D. #22 Br. 173	\$ 1,531.25
Clay County Secondary Roads, 300 W4th Street, Spencer, IA		
Labor & materials	D.D. #22 Br. 173	\$ <u>143.00</u>
Total Drainage Warrants:		\$ 25,837.46

8:45 a.m. Veteran Affairs Director Darla Sheasley gave the Board a departmental update regarding past educational events in April and June of 2019 and a future event in October at the Fall State School. Sheasley explained the Geographic Distribution of VA Expenditures (GDx) to the Board stating that over \$6.3 million in benefit expenditures were received by Clay County veterans in 2018. Sheasley also updated the Board on the DAV van replacement shared with O'Brien and Sioux counties scheduled for February or March, 2020. The Blue Water Navy Vietnam Veterans Act of 2019 was signed into law on June 25, 2019 and will take effect January 1, 2020. This disability benefits those Veterans that have one or more of the conditions associated with Agent Orange exposure. The Clay County Fair preparations are in full swing with County Veteran Service Officers (CVSO) representing in the booth location.

9:00 a.m. Assistant County Attorney Barry Sackett gave the Board a departmental update from the civil division of the County Attorney's office.

The Chairperson recessed the regular board meeting at 9:17 a.m. to convene as Trustees of Drainage Districts #6 and #80.

The Board of Supervisors convened as the Board of Trustees for Drainage Ditch #6 at 9:17 a.m., Tuesday, August 13, 2019. Members present: Supervisors Anderson, Hamrick, Matthews, Skelton and Swanson.

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

The Trustees discussed the request for a repair submitted by Norm Nielsen: Norm Nielsen, owning land in Section 10 of Lone Tree Township, is requesting a repair be made in Drainage District 6 (Ocheyedan River) to stabilize the bank due to erosion that has now entered his field. Hagedorn Excavating has submitted an estimate of \$29,780.00 to do the work which includes shaping the bank to a 2:1 slope and armoring it with Class E erosion stone for approximately 300 feet and leveling the spoil. All permits have been approved with the Iowa DNR and Army Corps. Due to the work taking place under electrical transmission lines owned by Northwest Iowa Power Company they will need a 15 day notice to shut down the line which they have agreed to do.

Motion by Hamrick, seconded by Skelton to approve the estimate of \$ 29,780.00 submitted by Hagedorn for repairs on Drainage District 6. Motion carried.

The Chairperson recessed the Drainage District #6 meeting at 9:23 a.m. to convene as Trustees for Drainage District #80.

Clay County Board of Supervisors

August 13, 2019

The Board of Supervisors convened as the Board of Trustees for Drainage Ditch #80 at 9:24 a.m., Tuesday, August 13, 2019. Members present: Supervisors Anderson, Hamrick, Matthews, Skelton and Swanson.

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

Motion by Anderson, seconded by Skelton to schedule a completion hearing for Drainage District #80 ditch repairs and improvement project at 1:00 p.m. in the Clay County Administration Board room on August 27, 2019 in the Board room of the Clay County Administration Building, 300 West 4th Street, Spencer, Iowa. Motion carried.

Chairperson Swanson adjourned the Drainage District #80 meeting at 9:25 a.m. to re-convene the regular board meeting. The Chairperson reconvened the regular board meeting at 9:25 a.m.

9:30 a.m. William Rabenberg – County Engineer

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

RESOLUTION FOR BRIDGE EMBARGO

Clay County Resolution No. 2019-25

WHEREAS: The Board of Supervisors is empowered under the authority of Sections 321.236(8), 321.255, and 321.471 to 321.473 to prohibit the operation of vehicles or impose limitations as to the weight thereof on designated highways or highway structures under their jurisdictions, and

WHEREAS: The County Engineer has completed the structure inventory and appraisal of certain county bridges, in accordance with the National Bridge Inspection Standards, and has determined that these bridges are inadequate for two-lane legal loads at allowable operating stress, and

NOW, THEREFORE, BE IT RESOLVED by the Clay County Board of Supervisors that vehicle and load limits be established and that signs be erected advising of the permissible maximum weights thereof on the bridges listed, as follows:

<u>Bridge ID</u>	<u>FHWA No.</u>	<u>Feature Crossed</u>	<u>Location</u>	<u>Load Limit</u>	<u>Year Built</u>	<u>Official SR</u>
Riverton FB1-2	116790	Little Sioux River	Section 1-T96N-R37W (Riverton Twp.)	4 T	1915	24.6
Riverton FB11-2	116880	Little Sioux River	Sec. 11-T96N-R27W (Riverton Twp.)	6 T	1905	0
Waterford DB25-1	117781	Stony Creek	Sec. 25-T97N-R38W (Waterford Twp.)	19T-28T-33T	1924	38.3
Logan JB30-2	116121	Elk Creek	Sec. 30-T95N-R35W (Logan Twp.)	4T-7T-11T	1917	23.2
Clay MB26-1	116460	Willow Creek	Sec. 26-T95N-R38W (Clay Twp.)	24T-40T-40T	1916	34.3
Freeman	501150	Pickeral Run	Sec. 18-T96N-R35W	23T-35T-	1923	28.7

Clay County Board of Supervisors

August 13, 2019

HB18-2			(Freeman Twp.)	40T		
Lake AB15-1	117245	Stream	Sec. 15-T97N-R35W (Lake Twp.)	26T-29T-29T	1913	19.0
Sioux GB31-2	116730	Prairie Creek	Sec. 31-T96N-R36W (Sioux Twp.)	28T-38T-40T	1965	40.5
Gillett KB25-1	116240	Little Sioux River	Sec. 25-T95N-R36W (Gillett Grove Twp.)	27T-37T-38T	1950	19.1
Herdland RB9-2	115830	Little Sioux River	Sec. 9-T94N-R36W (Herdland Twp.)	6T	1907	22.9

The above and foregoing resolution was adopted by the Board of Supervisors of Clay County, Iowa, this 30th day of July, 2019 and the vote thereon being as follows:

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

NAYES: None.

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

ATTEST: /s/Clay County Auditor – Marjorie A. Pitts

Engineer Rabenberg gave the Board an update on Spencer Municipal Utilities fiberoptic permits for the West of Spencer, The Southeast of Spencer, and the Northeast of Spencer. A permit for service in the Lost Island area from Clay County Regional Water was also approved. Rabenberg reported on the B63 road project and discussed the clean up assistance on a Cornell property.

10:00 a.m. It was moved by Matthews, seconded by Anderson, to adopt the following resolution:

RESOLUTION NO. 2019-26

A RESOLUTION APPROVING THE ANNEXATION OF PROPERTY OWNED BY JOYCE AND JOSEPH KLEIN TO THE CITY OF SPENCER, CLAY COUNTY, IOWA

WHEREAS, Joyce and Joseph Klein (“the Kleins”) are the owners of an approximately 0.514-acre parcel in the Northwest Quarter of Section 20, Township 96 North, Range 36 West of the Fifth P.M., Clay County, Iowa as more particularly described in Exhibit A attached to this resolution; and,

WHEREAS, the Kleins have requested that the City of Spencer, Iowa, voluntarily annex their property; and,

WHEREAS, representatives of the City of Spencer, the Clay County Board of Supervisors and a representative of the Sioux Township Trustees have scheduled and held a consultation on Tuesday, July 30, 2019 at 10:00 a.m. to discuss the proposed annexation as required by law; and,

WHEREAS, the Clay County Board of Supervisors finds no basis to object to or resist the proposed annexation.

NOW, THEREFORE, BE IT RESOLVED by the Clay County Board of Supervisors as follows:

Clay County Board of Supervisors

August 13, 2019

Section 1. The Clay County Board of Supervisors supports and does not resist the Application of the Kleins for the annexation of the property described in Exhibit A to this resolution.

Section 2. The auditor is directed to file a copy of this resolution with the Spencer City Hall.

Section 3. All resolutions or parts of resolutions in conflict with the provisions of this resolution are hereby repealed.

Section 4. If any section, provision or part of this resolution shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the resolution as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 5. This resolution shall be in effect after its final passage and approval as provided by law.

The above and foregoing resolution was adopted by the Board of Supervisors of Clay County, Iowa, this 30th day of July, 2019 and the vote thereon being as follows:

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

NAYES: None.

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

ATTEST: /s/Clay County Auditor – Marjorie A. Pitts

10:15 a.m. Kristi Busse – County Attorney

Motion by Matthews, seconded by Anderson to approve the Professional Development Academy Enrollment Agreement for County Attorney Kristi Busse. The NACO sponsored program begins September 16, 2019 and ends December 20, 2019 at a net cost after promotional discounts of \$495.00. Motion carried.

Marjorie A. Pitts – County Auditor

Motion by Anderson, seconded by Matthews to set the mileage reimbursement rate for Kim Wilson, Disabilities Service Coordinator for Northwest Iowa Care Connections at the IRS Federal rate per mile, effective August 13, 2019. Motion carried.

Motion by Skelton, seconded by Matthews to approve and authorize the Chairperson to sign the Preventative Maintenance Proposal for the Clay County Courthouse's and Clay County jail's temperature control systems for a cost of \$8,880.00 invoiced annually or \$740.00 per month from Woodman Controls, 11009 Aurora Avenue, Urbandale, Iowa. Woodman control will perform four onsite two-day visits per year to perform preventive maintenance and eight hours of free phone support. Motion carried.

Motion by Skelton, seconded by Hamrick to approve allowances and disallowances as recommended by the County Assessor for Homestead, Military and Disabled Veterans Homestead tax credit applications for the 2019 valuation year pursuant to Iowa Code 425.3, 425.15 and 426A.14. Motion carried.

Clay County Board of Supervisors

August 13, 2019

Supervisors discuss/share information from committees and boards they have attended. Supervisor Matthews reported on the County department head meeting, the County custodial meeting, the Airport Board meeting, and the Clay County Conservation Board meeting. Supervisor Anderson reported on the Mental Health staffing meeting, and the Okoboji Entrepreneur Institute Graduation ceremony. Supervisor Skelton reported on the Emergency Medical Services (EMS) meeting and the Okoboji Entrepreneur Institute Graduation ceremony. Supervisor Swanson also attended the EMS meeting and will attend the Clay County Visitors Bureau meeting later this week. Supervisor Hamrick reported on the County Safety meeting.

The Chairperson adjourned the meeting at 10:54 a.m. to convene at the next Auditor's called meeting August 27, 2019 at 8:30 a.m.

/s/Marjorie A. Pitts, County Auditor

/s/Randy Swanson, Chairperson