

Clay County Board of Supervisor's Minutes from Meeting 12 held on March 24, 2020

The Clay County Board of Supervisors met pursuant to adjournment March 24, 2020 at 8:30 a.m. in the boardroom with Chairperson Skelton presiding and with the following other members present: Supervisors Swanson, Anderson, Matthews, Hamrick, Assistant County Attorney Barry Sackett, and Auditor Marjorie Pitts as clerk for the meeting. Chairperson Skelton led the meeting in the Pledge of Allegiance. Attendees by phone: Vern Pepper and Joe Hopper.

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote: Ayes: Swanson, Anderson, Matthews, Hamrick, and Skelton. Nays: None. Abstentions: None.

Motion by Anderson, seconded by Hamrick that the Board meeting agenda for March 24, 2020 be received and placed on file with the County Auditor as approved with the addition of discussion of staff safety procedures during COVID-19. Motion carried.

Motion by Swanson, seconded by Matthews that the minutes of the Board Meeting #10 held March 10, 2020 and Meeting #11 held March 18, 2020 are hereby approved as submitted with a correction to the attendance of the Winther Stave audit presentation. Motion carried.

Motion by Anderson, seconded by Hamrick 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 March 24, 2020. Ayes: Anderson, Hamrick, Matthews, Skelton, Swanson. Nays: None. Abstentions: None. Resolution adopted.

Publication List by Vendor

Advanced Door Systems	Buildings	125.00
Air Chek	Supplies	610.00
Airgas USA	Grounds Maintenance	320.83
Alliant Energy	Utilities	259.39
Barry Anderson	Employee Travel Expenses	244.90
Ann Baschke	Employee Travel Expenses	11.75
Black Hills Energy	Natural & Lp Gas	3650.37
Bomgaars	Buildings	428.72
Kristi Busse	Flex	68.96
C & B Operations	Parts	319.26
Campbell's Tree Service	Clearing	4000.00
Campus Cleaners & Launderers	Custodial Supplies	279.86
Canon Fin Services	Copier Contract	314.43
CenturyLink	Telephone	94.36
Christian Home Association	Shelter Care	712.82
Christians Sheet	Buildings	80.00
Cintas Corp	Uniforms	396.58
City of Spencer	Water & Sewer	30134.99
Clay Co Emerg Mgt Agency	Allocation	7914.58
Clay Co E M S	Allocation	11000.00
Clay Co Fair & Event Center	Allocation	25000.00
Clay Co Flex Plan/Medical Exp	Emp Grp Health Ins	5000.00
Casey Climer	Flex	200.00
Coast to Coast	Office Supplies	249.99
Audrey Coffman	Employee Travel Expenses	179.03

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Coffman's Locksmith	Buildings	365.50
Copper Cottage	Buildings	892.24
Crawford County Assessor	Registration	175.00
Crittenton Center	Shelter Care	1352.85
Crysteel Truck Equipment	Parts	791.91
DAS-IA Dept Admn Services	Service Fees	50.00
Kathleen Day	Mileage	7.70
Decatur County Auditor	ME Fees	685.00
Diamond Vogel	Parts	803.05
FASTENAL	Parts	488.08
Galen's Pro-Mow	Parts	47.71
Galls	Uniforms	50.00
John Goeken	Mileage	9.80
Gordon Flesch Company	Copier Contracts	718.34
Shirley Goyette	Office Exp	135.00
Graham Tire Co	Tires & Tubes	480.72
Grand Avenue Outreach	Allocation	1000.00
Greg's Repair	Buildings	9.95
GW "Pete" Howe Sanitation	Buildings	220.00
H & N Chevrolet Buick	Motor Vehicle	66109.74
Arthur Hamrick	Employee Travel Expenses	368.08
Thomas Herrig	Safety Supplies	150.00
Hodgin's Manufacturing	Construction & Maint.	1580.00
Holiday Inn	Employee Travel Expenses	843.36
Hope Haven	Engineering Supplies	1262.40
Hy-Vee	Food & Provisions	107.76
Hydraulic Solutions	Parts	302.40
IA County Recorders Assoc	Data Processing Serv.	1634.00
Iowa Lakes Community College	Buildings - Rental	3225.58
IA Lakes Electric Coop	Electric Light & Power	457.00
IA Lakes Regional Water	Water & Sewer	65.09
IA Narcotics Officers Assoc	Registration	250.00
IA Dept of Trans	Parts	505.62
ISAC	Registration	772.50
I & S Group	Consulting	7000.00
ISU Ext & Outreach-Clay Co	Registration	50.00
J&T Rentals	Buildings - Rental	1500.00
Janitors Closet	Custodial Supplies	1549.73
Jamie Jorgensen	Depositions	7.00
Koenig Family Trust	ROW Purchase	2050.00
Keith Kruse	Mileage	11.20
Angela Lawson	Flex	1000.00
Sheryl Lee	Employee Travel Expenses	6.33
Joshua Long	Flex	750.00
Lube-Tech & Partners	Grounds Maintenance Suppl	397.91
Kevin Maassen	Flex	231.26
Mar-Lin Business Supply	Office Supplies	72.98
Mastercard	Employee Travel Expenses	287.94
Burlin Matthews	Employee Travel Expenses	2209.85
Maxwell Food Equipment	Food & Provisions	14.61
Menards	Buildings	227.41
Meyer Plumbing & Heating	Buildings	65.00
Michael Todd	Parts	316.21
Midwest Card & ID Solutions	Office Supplies	69.80
Murphy Tractor & Equipment	Fuels	56.54

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Neofunds	Postage & Mailing	6500.00
NW IA Planning & Devlpmnt	Loan Fees	90.00
O'Keefe Elevator Company	Buildings	7782.63
O'Reilly Auto Parts	Parts	32.99
Office Depot	Office Supplies	349.74
Pitney Bowes Purchase Power	Postage & Mailing	152.34
Plumbing & Heating Wholesale	Engineering Services/Cont	1664.73
William Rabenberg	Employee Travel Expenses	2403.79
Christopher Raveling	Flex	436.46
Ricoh USA	Copier Contract	137.32
Road Machinery & Supplies	Parts	29.71
Glenn Rouse	Flex	90.25
Sanders	Cover Aggregate/Sand/Mate	3781.40
Schoeneman Bros	Buildings	220.00
Joseph Schueller	Flex	72.00
Shred-It USA	Shredding	130.54
Daniel Skelton	Employee Travel Expenses	500.62
Michael Skonhovd	Employee Travel Expenses	12.00
Snap On Tools Corp	Tools	56.10
Spencer Hospital	Medical & Health Services	19181.67
Spencer Office Supplies	Office Supplies	702.83
Star Energy LLC	Fuels	4033.05
State Steel Supply Co.	Parts	134.40
Randy Swanson	Employee Travel Expenses	209.09
Unity Point Clinic	Medical & Health Services	126.00
US Cellular	Telephone	712.59
U S Postmaster	Postage & Mailing	660.00
Randy Van Kley	Flex	500.00
Vander Haag's	Parts	1014.84
Verizon	Telephone	367.57
Vermeer Sales & Service	Parts	219.24
VISA	Recreational Supplies	3566.81
Warren Meier Electric	Buildings	1759.00
Danika Welsch	Employee Travel Expenses	236.68
Woodward Youth Corporation	Detention	886.35
James Worm	Flex	398.00
Ziegler Inc	Parts	3994.21
Loree Zwemke	Flex	115.50
Grand Total		258646.42

Motion by Anderson, seconded by Hamrick to approve the payment of drainage claim from Drainage District #37 payable to Goodwin Law Office, 311 W Lincoln Way, Suite 1, Ames, Iowa, 50010-3317 dated March 2, 2020 for professional services through February 27, 2020. Claim totals \$296.00 and will be issued as a stamped warrant. Motion carried.

Motion by Matthews, seconded by Anderson to approve the payment of drainage claim from Drainage District #37 payable to Bolton & Menk, Inc., 1960 Premier Drive, Mankato, MN dated February 28, 2020 for professional services of final plans, bid letting, wetland compliance, court consult and testimony through February 28, 2020. Claim totals \$1,695.00 and will be issued as a stamped warrant. Motion carried.

8:41 a.m. Assistant County Attorney Sackett arrives to the meeting.

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Motion by Matthew, seconded by Anderson to approve the payment of drainage claim from Drainage District #2 payable to Bolton & Menk, Inc, 1960 Premier Drive, Mankato, MN dated February 28, 2020 for FEMA disaster repairs through February 27, 2020. Claim totals \$1,380.50 and will be issued as a stamped warrant. Motion carried.

Motion by Swanson, seconded by Hamrick to approve the payment of drainage claim from Drainage District Joint Drainage District #22 Lat. 19-9 payable to Terry Gunnarson, PO Box 24, Marathon, IA dated February 28, 2020 for tile repairs. Claim totals \$2,385.46 and will be issued as a stamped warrant. Motion carried.

Motion by Matthews, seconded by Hamrick to authorize the Chairperson to sign the 2020 County Government Month Proclamation to be celebrated in April 2020. Each year since 1991, the National Association of Counties has encouraged counties across the country to actively promote programs and services to the public we serve that provide essential services to create healthy, safe, vibrant and economically resilient communities. Motion carried.

Motion by Matthews, seconded by Swanson to accept and authorize the Chairperson to sign the Second Amendment to Purchase and Sale Agreement with Northwest Bank to amend terms of the Purchase and Sales Agreement entered into by the parties on November 21, 2017 and amended in writing dated December 18, 2018 by changing the "Closing Date" to no later than June 10, 2020. Motion carried.

8:50 a.m. Assistant County Attorney Barry Sackett

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 Anderson, seconded by Hamrick to approve the FY2020-2021 Clay County Secondary Roads budget and authorize the Chairperson to sign. Motion carried.

Rabenberg shared information and location pictures of the utility permits issued to Alliant Energy and the Iowa Lakes Electric Coop. Rabenberg gave the Board an update on the beaver trapping in drainage districts.

Supervisor's discussed the Public Health Task Force on Coronavirus-CoVID-19 with EMA Director Eric Tigges and Environmental Health Coordinator Tammy McKeever. The Task Force meets every day with the City of Spencer, the Spencer Municipal Hospital, and Board of Supervisor representatives Swanson and Skelton. The supply of personal protective equipment for rural Emergency Medical Service personnel was discussed. Tigges reported that Upper Des Moines Opportunity is working with volunteers to help those sheltered in. Tigges also meets via ZOOM conferencing with area churches every day at Noon.

10:00 a.m. 2nd & Final Consideration: Clay County Ordinance 2.8 providing for the division of taxes levied on taxable property in the Clay County Urban Renewal Area.

It was reported that, on February 25, 2020, the Board considered and approved on first consideration, "Ordinance No. 2.8. An Ordinance providing for the division of taxes levied on taxable property in the Clay County Urban Renewal Area, pursuant to Section 403.9 of the Code of Iowa."

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It was also reported that, in accordance with County procedures, the title of that ordinance was published at least fifteen days prior to the date of this meeting, and that it is now possible for the Board to give both second and final considerations to that ordinance

It was moved by Supervisor Anderson and seconded by Supervisor Matthews that the ordinance be given its second consideration and that it be adopted.

The Chairperson put the question on the motion and the roll being called, the following named Supervisors voted:

Ayes: Supervisor Swanson, Anderson, Matthews, Hamrick, Skelton.

Nays: None.

Whereupon, the Chairperson declared the motion duly carried and declared that said ordinance had been given its second consideration.

It was moved by Supervisor Swanson and seconded by Supervisor Hamrick to suspend the statutory rule requiring an ordinance to be considered and voted on for passage at two Board meetings prior to the meeting at which it is to be finally passed. The Chairperson put the question on the motion and the roll being called, the following named Supervisors voted:

Ayes: Supervisor Swanson, Anderson, Matthews, Hamrick, Skelton.

Nays: None.

The Chairperson declared the motion duly carried.

It was moved by Supervisor Swanson and seconded by Supervisor Hamrick that the ordinance entitled "Ordinance No. 2.8. An Ordinance providing for the division of taxes levied on taxable property in the Clay County Urban Renewal Area, pursuant to Section 403.9 of the Code of Iowa." now be put upon its final consideration and adoption. The Chairperson put the question on the final passage and adoption of the ordinance and the roll being called, the following named Supervisors voted:

Ayes: Supervisor Swanson, Anderson, Matthews, Hamrick, Skelton.

Nays: None.

Whereupon, the Chairperson declared the motion duly carried and the ordinance duly adopted, as follows:

ORDINANCE NO. 2.8

An Ordinance Providing for the Division of Taxes Levied on Taxable Property in the Clay County Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa

BE IT ENACTED by the Board of Supervisors of Clay County, Iowa:

Purpose. The purpose of this ordinance is to provide for the division of taxes levied on the taxable property in the Clay County Urban Renewal Area, each year by and for the benefit of the state, city, county, school districts or other taxing districts after the effective date of this ordinance in order to create a special fund

to pay the principal of and interest on loans, moneys advanced to or indebtedness to finance projects in such area.

Definitions. For use within this ordinance the following terms shall have the following meanings:
 “County” shall mean Clay County, Iowa.

“Urban Renewal Area” shall mean the taxable property in the Clay County Urban Renewal Area described below, such property having been identified in the Urban Renewal Plan approved by the Board of Supervisors by resolution adopted on January 28, 2020:

Windtower Listing by Tower #

<u>Tax District</u>	<u>Tower Parcel</u>	<u>Land Parcel</u>	<u>Property Address</u>	<u>Township</u>	<u>Tower #</u>	<u>Landowner Name</u>
100	973820200903	973820200008	120th Ave	Waterford	Substation	Mid American Energy Company
100		973820200007	120th Ave	Waterford		Interstate Power & Light Company
120	963836100901	963836100005	3826 150th Ave	Lone Tree	T001	Breezy Acres LLC
120	963825300901	963825300004	1540 380th St	Lone Tree	T002	Thomas W & Peggy L Muhlbauer
120	963826200901	963826200003	3735 150th Ave	Lone Tree	T003	Dianne Alber Revocable Trust
120	963826200902	963826200004	3737 150th Ave	Lone Tree	T004	Dianne Alber Revocable Trust
120	963826100901	963826100004	3730 140th Ave	Lone Tree	T005	Mills Residuary Trust f/b/o Susan Ireland
120	963827100901	963827100005	3744 130th Ave	Lone Tree	T007	Roger Haberman
120	963828200901	963828200010	3745 130th Ave	Lone Tree	T008	David L Fell Trust & Barbara G Fell Trust
120	963828100901	963828100003	3740 120th Ave	Lone Tree	T009	Audrey Thiessen
120	963828100902	963828100004	3742 120th Ave	Lone Tree	T010	Audrey Thiessen
120	963829400902	963829400003	3755 120th Ave	Lone Tree	T011	Hobbs Family Trust
120	963829400901	963829400002	1160 380th St	Lone Tree	T012	Dianne Holt Revocable Trust
120	963823100901	963823100006	1450 370th St	Lone Tree	T013	Mills Residuary Trust f/b/o David P Mills
120	963823300901	963823300007	1452 370th St	Lone Tree	T014	Mills Residuary Trust f/b/o David P Mills
120	963820100901	963820100003	3640 110th Ave	Lone Tree	T017	Renee C Nath
120	963820200902	963820200002	1165 120th St	Lone Tree	T016	Linda D Raid, Bradley S Schmidt, Kimberly J Webb, & Nancy A Sills
120	963820200901	963820200001	3615 120th Ave	Lone Tree	T015	Linda D Raid, Bradley S Schmidt, Kimberly J Webb, & Nancy A Sills
120	963815200902	963815200011	3547 140th Ave	Lone Tree	T018	Elizabeth A Vermeer
120	963817300902	963817300006	1140 360th St	Lone Tree	T020	Bradley Schmidt
120	963817300901	963817300003	1116 360th St	Lone Tree	T021	Linda D Raid, Bradley S Schmidt, Kimberly J Webb, & Nancy A Sills
120	963818300901	963818300002	1060 360th St	Lone Tree	T022	Stanley Jongma Rev Tr & Jodene Jongma Rev Tr
120	963818400901	963818400001	1062 360th St	Lone Tree	T023	Stanley Jongma Rev Tr & Jodene Jongma Rev Tr
120	963818200901	963818200003	3527 110th Ave	Lone Tree	T024	Bradley Schmidt
100	973835200901	973835200008	1455 Hwy 18	Waterford	T025	Elizabeth A Vermeer
100	973835100901	973835100003	3250 140th Ave	Waterford	T026	David J Groenewold
100	973834400901	973834400002	3255 140th Ave	Waterford	T027	Mark Scharnberg
100	973834400902	973834400005	1370 330th St	Waterford	T028	Mark Scharnberg & Cathi Rae Scharnberg

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<u>Tax District</u>	<u>Tower Parcel</u>	<u>Land Parcel</u>	<u>Property Address</u>	<u>Township</u>	<u>Tower #</u>	<u>Landowner Name</u>
100	973834100902	973834100010	3240 130th Ave	Waterford	T029	Rebecca Kirksey, Patricia D Halverson-Adhav Revocable Trust, & Barbara Anderson
100	973833200901	973833200002	3247 130th Ave	Waterford	T030	Lester L & Kimberly A Tessum
100	973826300901	973826300004	3140 140th Ave	Waterford	T032	Robert L Scharnberg Rev Tr & Mildred M Scharnberg Rev Tr
100	973826400901	973826400001	3142 140th Ave	Waterford	T033	Robert L Scharnberg Rev Tr & Mildred M Scharnberg Rev Tr
100	973826100901	973826100003	1435 310th St	Waterford	T034	Jensen Farms Inc
100	973827400901	973827400007	3173 140th Ave	Waterford	T035	Jeffry E & Cynthia L Pearson
100	973827200901	973827200002	1351 310th St	Waterford	T037	Jeffry Pearson, Patricia Monnahan, & Nancy Harmon
100	973828400901	973828400001	1260 Hwy 18	Waterford	T038	Steven D & Elizabeth J Berends
100	973829300902	973829300010	3150 110th Ave	Waterford	T039	Juno Capital LLC
100	973829300901	973829300001	3152 110th Ave	Waterford	T040	Kirby L & Sandra K Schmidt
100	973829100901	973829100001	3120 110th Ave	Waterford	T041	Juno Capital LLC
100	973822300901	973822300002	3060 130th Ave	Waterford	T042	Elizabeth A Vermeer
100	973821400901	973821400004	1270 310th St	Waterford	T043	Harms Implement Co
100	973821300902	973821300004	1240 310th St	Waterford	T044	Harms Implement Co
100	973821300901	973821300003	1212 310th St	Waterford	T045	Steven D & Elizabeth J Berends
100	973820400901	973820400004	3085 120th Ave	Waterford	T046	Lester W & Barbara L Dykstra Rev Tr
100	973820300902	973820300002	3072 110th Ave	Waterford	T047	Linda DeMuth
100	973820300901	973820300001	3070 110th Ave	Waterford	T048	Linda DeMuth
100	973821200901	973821200004	3035 130th Ave	Waterford	T049	Steven D & Elizabeth J Berends
100	973820200902	973820200002	1185 300th St	Waterford	T051	Rebecca S Kirksey, Barbara J Anderson, & Patricia D Halverson-Adhav Rev Tr
100	973820200901	973820200001	1155 300th St	Waterford	T052	Rebecca S Kirksey, Barbara J Anderson, & Patricia D Halverson-Adhav Rev Tr
100	973820100901	973820100002	1135 300th St	Waterford	T053	Alma H Olson-Life Est, Jeanette Olson Leitz, & LeOraLee Lageschulte
100	973816400901	973816400002	2965 130th Ave	Waterford	T054	Ronald L Harris
100	973816200902	973816200003	1255 130th Ave	Waterford	T055	Bernard J Hildreth & Jeffrey J Hildreth
100	973816300901	973816300001	2960 120th Ave	Waterford	T056	Gloria J Harris
100	973817400901	973817400001	2974 110th Ave	Waterford	T057	Alma H Olson Revocable Trust
100	973817300902	973817300002	2972 110th Ave	Waterford	T058	Alma H Olson Revocable Trust
100	973817300901	973817300001	2970 110th Ave	Waterford	T059	Alma H Olson Revocable Trust
100	973809300901	973809300004	1250 290th St	Waterford	T060	Jerome G & Beverly J Kimball Revocable Trust
100	973809300902	973809300004	1224 290th St	Waterford	T061	Jerome G & Beverly J Kimball Revocable Trust
100	973808400902	973808400004	2885 120th Ave	Waterford	T062	Bernard J Hildreth
100	973808400901	973808400003	1170 290th St	Waterford	T063	Bernard J Hildreth
100	973808300901	973808300004	1140 290th St	Waterford	T064	Kent Kimball
100	973808300902	973808300001	2874 110th Ave	Waterford	T065	Kent Kimball
100	973807200901	973807200002	2837 110th Ave	Waterford	T067	Rodney Boernsen
100	973807200902	973807200005	2839 110th Ave	Waterford	T068	Rodney Boernsen
100	973805400902	973805400002	2765 120th Ave	Waterford	T071	Mark A & Susan K Nothwehr

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100	973805400901	973805400003	2775 120th Ave	Waterford	T072	Darrell E & Connie R Stave
100	973805300901	973805300004	1140 280th St	Waterford	T073	Darrell E & Connie R Stave
100	973806400901	973806400001	2773 110th Ave	Waterford	T075	Jerome G & Beverly J Kimball Revocable Trust
80	973706100901	973706100001	2700 160th Ave	Summit	T076	Harold D & Joyce A Prior
100	973804200902	973804200004	1279 270th St	Waterford	T077	Verland J & Arlene E Meyer
100	973804200901	973804200003	1263 270th St	Waterford	T078	Verland J & Arlene E Meyer
100	973804100901	973804100005	1235 270th St	Waterford	T079	Barbara L Dykstra
100	973805200901	973805200001	1175 270th St	Waterford	T080	Rita R Schacherer Rev Tr Agrmt & Diane Nitz
100	973805100902	973805100002	1149 270th St	Waterford	T081	Bernard J Hildreth
100	973805100901	973805100001	1123 270th St	Waterford	T082	Bernard J Hildreth
100	973806200901	973806200006	2725 110th Ave	Waterford	T083	Peter J Stallman
100	973829300903	973829300903	3170 110th Ave	Waterford	Met 1	Schmidt, Kirby L & Sandra K
80	973706100902	973706100001	2702 160th Ave	Summit	Met 2	Harold D & Joyce A Prior

Section 3. Provisions for Division of Taxes Levied on Taxable Property in the Urban Renewal Area. After the effective date of this ordinance, the taxes levied on the taxable property in the Urban Renewal Area each year by and for the benefit of the State of Iowa, the County and any city, school district or other taxing district in which the Urban Renewal Area is located, shall be divided as follows:

(a) that portion of the taxes which would be produced by the rate at which the tax is levied each year by or for each of the taxing districts upon the total sum of the assessed value of the taxable property in the Urban Renewal Area, as shown on the assessment roll as of January 1 of the calendar year preceding the first calendar year in which the County Board of Supervisors certifies to the County Auditor the amount of loans, advances, indebtedness, or bonds payable from the special fund referred to in paragraph (b) below, shall be allocated to and when collected be paid into the fund for the respective taxing district as taxes by or for said taxing district into which all other property taxes are paid. For the purpose of allocating taxes levied by or for any taxing district which did not include the territory in the Urban Renewal Area on the effective date of this ordinance, but to which the territory has been annexed or otherwise included after the effective date, the assessment roll applicable to property in the annexed territory as of January 1 of the calendar year preceding the effective date of the ordinance which amends the plan for the Urban Renewal Area to include the annexed area, shall be used in determining the assessed valuation of the taxable property in the annexed area.

(b) that portion of the taxes each year in excess of such amounts shall be allocated to and when collected be paid into a special fund of the County to pay the principal of and interest on loans, moneys advanced to or indebtedness, whether funded, refunded, assumed or otherwise, including bonds issued under the authority of Section 403.9(1), of the Code of Iowa, incurred by the County to finance or refinance, in whole or in part, projects in the Urban Renewal Area, and to provide assistance for low and moderate-income family housing as provided in Section 403.22, except that taxes for the regular and voter-approved physical plant and equipment levy of a school district imposed pursuant to Section 298.2 of the Code of Iowa, to the extent authorized by Section 403.19(2) of the Code of Iowa, taxes for the instructional support program of a school district imposed pursuant to Section 257.19 of the Code of Iowa, to the extent authorized by Section

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403.19(2) of the Code of Iowa, and taxes for the payment of bonds and interest of each taxing district shall be collected against all taxable property within the taxing district without limitation by the provisions of this ordinance. Unless and until the total assessed valuation of the taxable property in the Urban Renewal Area exceeds the total assessed value of the taxable property in such area as shown by the assessment roll referred to in subsection (a) of this section, all of the taxes levied and collected upon the taxable property in the Urban Renewal Area shall be paid into the funds for the respective taxing districts as taxes by or for said taxing districts in the same manner as all other property taxes. When such loans, advances, indebtedness, and bonds, if any, and interest thereon, have been paid, all money thereafter received from taxes upon the taxable property in the Urban Renewal Area shall be paid into the funds for the respective taxing districts in the same manner as taxes on all other property.

(c) the portion of taxes mentioned in subsection (b) of this section and the special fund into which that portion shall be paid may be irrevocably pledged by the County for the payment of the principal and interest on loans, advances, bonds issued under the authority of Section 403.9(1) of the Code of Iowa, or indebtedness incurred by the County to finance or refinance in whole or in part projects in the Urban Renewal Area.

(d) as used in this section, the word “taxes” includes, but is not limited to, all levies on an ad valorem basis upon land or real property.

Section 4. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 5. Saving Clause. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 6. Effective Date. This ordinance shall be effective after its final passage, approval and publication, as provided by law.

Passed and approved by the Board of Supervisors of Clay County, Iowa, on the 24th day of March, 2020.

/s/Dan Skelton, Chairperson, Board of Supervisors
Attest:/s/ Marjorie A Pitts, County Auditor

10:15 a.m. William Rabenberg – County Engineer

Motion by Matthews, seconded by Hamrick to approve the Clay County 2021 5-Year Construction Program and authorize the Chairperson to sign. Motion carried.

10:30 a.m. 1st Hearing on the proposed Clay County Tanning Facilities Ordinance No. 3.12 Providing for the regulation of tanning facilities and devices used for the purpose of tanning human skin through the application of ultraviolet radiation in Clay County, Iowa.

Attendee: Environmental Health Coordinator Tammy McKeever.

10:30 a.m. The time having arrived for the first hearing and reading on the proposed Clay County Tanning Facilities Ordinance No. 3.12 providing for the regulation of tanning facilities and devices

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used for the purpose of tanning human skin through the application of ultraviolet radiation. This includes, but is not limited to, public and private businesses, hotels, motels, apartments, condominiums, health and country clubs in Clay County, Iowa. The Board determined that proper notice of the public hearing was accomplished and finding there to be no oral or written objections.

The Chairperson opened the hearing to oral comments and discussion of the proposed ordinance. After much discussion by Board members and hearing attendees, it was moved by Supervisor Anderson, seconded by Supervisor Matthews to close the hearing, place the proposed ordinance on file and read it for the first time.

The Clay County Tanning Facilities Ordinance No. 3.12 providing for the regulation of tanning facilities and devices used for the purpose of tanning human skin through the application of ultraviolet radiation. This includes, but is not limited to, public and private businesses, hotels, motels, apartments, condominiums, health and country clubs in Clay County, Iowa was read and voted upon by the Board of Supervisors for the first time, and it passed by a vote of the majority of the Board of Supervisors. Those voting for passage: Swanson, Anderson, Matthews, Hamrick, Skelton. Those voting against passage: None.

It was moved by Supervisor Swanson and seconded by Supervisor Hamrick to suspend the statutory rule requiring an ordinance to be considered and voted on for passage at two Board meetings prior to the meeting at which it is to be finally passed. The Chairperson put the question on the motion and the roll being called, the following named Supervisors voted: Ayes: Anderson, Hamrick, Matthews, Skelton, Swanson. Nays: None. The Chairperson declared the motion duly carried.

11:00 a.m. City of Ruthven CDBG Application Public Hearing

Attendee: NWIAPDC planner Darren Bumgarner.

This being the time and place for the hearing upon the City of Ruthven applying for additional funding through the Iowa Economic Development Authority under the CDBG grant program to help fund a new sewer lagoon for Ruthven. Because Ruthven has a 28A agreement with Lost Island Sanitary Sewer District to accept their sewer, their rural residents are included in the application and Ruthven is therefore applying for a joint CDBG grant with both Palo Alto County and Clay County. There was present a quorum as required by law. Thereupon the board investigated and found that the notices of the time and place of hearing have, according to law and as directed by the Board, been published on March 19, 2020 in the Spencer Daily Reporter, Everly-Royal News and the Peterson Patriot, official newspapers, in said county, and the affidavits of said publications are on file with the Clay County Auditor. There were no written objections and the Board Chair allowed oral comments to be heard.

This CDBG Application Public Hearing is to comply with participation requirements of Section 508 of the Housing and Community Development Act of 1987. The City of Ruthven will submit a Community Development Block Grant (CDBG) application to the Iowa Economic Development Authority (IEDA) by no later than April 1, 2020. The CDBG application will request Federal CDBG funds in the amount of \$446,000 to assist the City in making necessary improvements to the City's wastewater treatment system. The CDBG application will be a joint application with Clay County and Palo Alto County and the City of Ruthven. The City of Ruthven will be the lead applicant submitting the CDBG application. A breakdown of the \$446,000 requested consists of the City of Ruthven \$300,000; Clay County \$58,000 and Palo Alto County \$88,000. The amounts of CDBG funds requested from each county on behalf of the City of Ruthven

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is based on \$1,000 per capita of persons residing in each county that are connected to the Lost Island Sanitary Sewer District (LISSD). Number of persons was obtained from results of a CDBG income survey completed for the LISSD. Rural county residents connected to the LISSD are beneficiaries of Ruthven's wastewater treatment system and any improvements made to the system since Ruthven treats the domestic wastewater collected and discharged from LISSD.

The proposed project is estimated to cost \$3,554,848. To finance the proposed project the City is making a joint application and requesting \$446,000 Federal CDBG funds from IEDA and the City will utilize \$3,108,848 in local match funds consisting of USDA-RD grant of \$1,322,000 and loan of \$1,786,848. The portion of \$446,000 Federal funds that will benefit low- and moderate-income persons (LMI) is \$261,133 or 58.55%.

All construction activities will be conducted within the City of Ruthven at the current wastewater treatment lagoons site.

The City received an inspection from the Iowa Department of Natural Resources (IDNR) Field Office Number 3 (FO #3) dated August 24, 2016, stating that the liner in the primary lagoon cell is to be evaluated due to a tear in the primary cell's synthetic liner that occurred in March of 2014. The report also indicated the secondary cells berms are starting to slough and fail. If the City does not resolve the treatment problems, an IDNR compliance schedule may be prepared and enforced. To address these deficiencies, the City of Ruthven hired engineers from ISG to evaluate the existing WWTP and produce a Facility Plan outlining the steps needed to improve the existing lagoon. Engineers found the secondary cells were constructed on approximately 15 to 20 feet of peat based on the geotechnical reports that were prepared when the original WWTP was constructed in 1986. The peat produces and releases methane gas that creates stress on the liner, which is causing it to fail sooner than anticipated. To eliminate this problem, the City decided to investigate alternatives to construct a new WWTP.

The nature of the proposed improvements are to allow the City's wastewater treatment system to be in compliance with IDNR standards and regulations is the construction of a new wastewater treatment system consisting of an OPTATER Aerated Lagoon and submerged attached growth reactor (SAGR). This alternative consists of retrofitting the existing primary cell with a conventional aerated lagoon system. The OPTAER system consists of a conventional aerated lagoon system followed by a SAGR. The SAGR contains a clean gravel bed that provides surface area for nitrifying bacteria to grow and populate. The OPTAERTM and SAGR system being proposed for the City of Ruthven is a two-cell lagoon that operates in series. Cell 1 is a partially mixed cell consisting of 12 fine bubble diffusers suspended near the bottom of the lagoon. Cell 2 is split into two zones, Cell 2a is a partial mix cell and Cell 2b is a settling cell. Cell 2a consists of two fine bubble diffusers.

Due to the nature of this project no persons or businesses shall be displaced as a result of the recommended project. In the event that any persons or businesses are displaced as a result of the recommended project, the entities involved in the project will adhere to the requirements of the Uniform Relocation and Assistance and Acquisition Act of 1974, as amended.

After due consideration and discussion Supervisor Anderson made a motion, seconded by Supervisor Matthews to close the public hearing and adopt the following resolution.

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Resolution 2020-25

A RESOLUTION OF THE CLAY COUNTY, IOWA SUPERVISORS TO APPROVE THE SUBMISSION OF A COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) APPLICATION FOR A SANITARY WASTEWATER TREATMENT SYSTEM IMPROVEMENTS PROJECT; AND TO APPROVE A COMMUNITY DEVELOPMENT AND HOUSING NEEDS ASSESSMENT; AND TO AUTHORIZE THE CHAIRPERSON AND AUDITOR TO EXECUTE AND SIGN SAID APPLICATION DOCUMENTS

WHEREAS, the IDNR has found the City of Ruthven's wastewater treatment plant (WWTP) has deficiencies such as a torn primary cell synthetic liner and berm walls sloughing and is not in compliance with Iowa and IDNR standards, regulations, and laws and the IDNR is requiring the City to make necessary facility upgrades and improvements to the treatment system; and

WHEREAS, to address these deficiencies the City hired the engineer firm ISG to study and evaluate the WWTP plant and create a facility plan and to produce alternative to address the problems of the WWTP and from this evaluation it was found the secondary cells are located on top of 15 to 20 feet of peat which released methane gas and is causing the liners to fail sooner than anticipated; and,

WHEREAS, the most feasible long-term solution to address the deficiencies of the WWTP system and to allow City's wastewater treatment system to be in compliance with IDNR standards and regulations is the construction of a new WWTP consisting of an OPTATER Aerated Lagoon and submerged attached growth reactor (SAGR); and,

WHEREAS, the Ruthven City Council has decided in the best interest of the community to submit a Community Development Block Grant (CDBG) application for financial assistance for these proposed improvements and upgrades to the Iowa Economic Development Authority (IEDA) to make the project more affordable for the community; and

WHEREAS, Clay County believes that approval of this application will result in benefits to residents within the Lost Island Sanitary District (LISSD) which includes residents of Clay County Iowa, especially those low-to-moderate-income (LMI) residents; and

WHEREAS, Ruthven's WWTP provides treatment of Lost Island Sanitary District (LISSD) domestic wastewaters and LISSD will be a beneficiary of the proposed improvements and a CDBG income survey was completed with year around residents within the LISSD to determine number of persons benefitting and low- to moderate-income percentages; and,

WHEREAS, it was determined LISSD has 58 Clay County and 88 Palo Alto County full-time residents within the LISSD; and,

WHEREAS, the City of Ruthven will be the lead applicant and will submit a joint CDBG application with Clay and Palo Alto Counties requesting \$446,000 in CDBG funds and the funds requested are broken down by entity as follow: Ruthven \$300,000, Clay County \$58,000 and Palo County \$88,000; and

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WHEREAS, the CDBG project related costs are estimated to be \$3,554,848 and CDBG funds will lessen the burden of WWTP improvements to users of the system and the City of Ruthven will utilize USDA-RD grant of \$1,322,000 and loan of \$1,786,848 to reduce project costs and to pay for improvement costs; and

WHEREAS, Clay County fully intends to utilize the services of the Northwest Iowa Planning and Development Commission to prepare and submit the CDBG grant application as well as to perform the CDBG grant administration on behalf of this project, if awarded.

WHEREAS, a requirement of the CDBG application is to approve a Community Development and Housing Needs Assessment and the County approves such an assessment formulated at the March 24, 2020 Board of Supervisor's meeting and is included as part of the Board minutes; and,

NOW, THEREFORE BE IT RESOLVED by the Clay County Board of Supervisors that the submittal of a joint CDBG application is authorized; that the City of Ruthven will be the lead applicant, and Chairperson Dan Skelton and County Auditor Marjorie A. Pitts are hereby authorized to sign and execute said grant application documents and to correspondence on behalf of the County in matters pertaining to this application and the vote thereon being as follows:.

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

/s/Dan Skelton, Clay County Board of Supervisors

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

Motion by Swanson, seconded by Hamrick to approve the following Clay County Community Development and Housing Needs Assessment. Motion carried.

Clay County Community Development and Housing Needs Assessment Community Development and Housing Needs of LMI Persons

1. Make necessary improvements to the City of Ruthven's sanitary wastewater treatment system to benefit City residents and Lost Island Sanitary Sewer District residents.
2. Assist local businesses and industry, where possible, with business expansion or relocation to create or retain quality employment opportunities for low- and moderate-income persons.
3. Assist local organizations with project assistance for expansion of mental health facilities.
4. Work with developers to create affordable housing for low- and moderate-income families.

Other Community Development and Housing Needs

1. Encourage new developments to first seek property readily available with services and utilities prior to seeking development elsewhere in the county.
2. Continue with development practices as indicated within the comprehensive plan, particularly as they relate to improving the housing stock of the county and local communities.

Planned or Potential Activities to Address Housing and Community Needs

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1. To apply as a joint applicant with the City of Ruthven for CDBG funds to assist in making necessary sewer treatment system improvements and lessen the costs burden on the users of the treatment system.
2. Utilize Federal and State business incentives for economic development and job creation and retention such as Economic Set-Aside (EDSA), High Quality Jobs, and New Jobs Tax Credits.
3. Continue partnership with Northwest Iowa Housing Trust Fund to assist lower income families to make improvements to homes.
4. Encourage and support efforts to enhance the mental and behavioral needs and quality of life for all residents of Clay County and surrounding areas. Board members will continue to serve on local, regional and/or State groups, committees or commissions.
5. Encourage new residential developments to locate adjacent to existing developed areas first, if possible before locating in the rural county. This can partially be done through subdivision regulations and zoning ordinance.

Motion by Hamrick, seconded by Matthews to approve moving the Clay County Board of Supervisors' Tuesday, June 2, 2020 Meeting to Thursday, June 4, 2020 at 8:30 a.m. due to the June 2, 2020 Primary Election. Motion carried.

Motion by Matthews, seconded by Swanson to set the canvass of the June 2, 2020 Primary Election to Tuesday, June 9, 2020 at 10:00 a.m. in the boardroom of the Clay County Administration Building, 300 West 4th Street, Spencer, Iowa 51301. Motion carried.

Motion by Anderson, seconded by Hamrick to approve Class C Native Wine Permit for InnSpiration Bed & Breakfast and Vineyards located at 5079 180th Avenue, Linn Grove, Iowa 51033 and submitted by Paul and Sheila Thompson, pending dram shop certification. Permit term is for twelve (12) months with effective date of May 10, 2020 and expires May 9, 2021. Motion carried.

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

RESOLUTION NO. #2020-26
RESOLUTION APPROVING THE RECOMMENDATION OF THE CLAY
COUNTY COMPENSATION BOARD

WHEREAS, Iowa Code §331.907(20) requires the County Board of Supervisors to review and act upon the county compensation board's recommended compensation schedule for the new fiscal year which begins July 1, 2018; and

WHEREAS, the Clay County Compensation Board met on December 16, 2019 with recommendations of the following:

- 3% increase for the Clay County Sheriff and Clay County Attorney
- 3% increase for all other Elected County Officials

And,

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WHEREAS, the Board of Supervisors acknowledges receipt of this recommendation and has given consideration to this recommendation;

NOW, THEREFORE, BE IT RESOLVED, by the Clay County Board of Supervisors, that it hereby grants the recommended increase during FY20/21. With this resolution, the FY20/21 salaries of Clay County elected Officials as follows:

OFFICIAL	FY 20/21 SALARIES
Attorney	\$103,405.93
Auditor	\$66,833.52
Recorder	\$66,190.61
Sheriff	\$90,353.20
Supervisors	\$30,297.22
Treasurer	\$66,190.61

The above and foregoing resolution was adopted by the Board of Supervisors of Clay County, Iowa this 24th day of March 2020 and supersedes Resolution 2020-22 which was approved on March 10, 2020, and the vote there on being as follows:

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

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

Motion by Swanson, seconded by Anderson to accept the report from the Clay County Revolving Loan Committee for a change in the payment structure of Loan Account # 106-01-01. Motion carried.

Motion by Anderson, seconded by Hamrick to approve and make the Clay County Revolving Loan Committee's recommended change to the payment structure of Loan Account # 106-01-01 to convert the loan to interest payments only for the three months of April, May, and June 2020. Motion carried.

The Board held a discussion on Staff Safety Procedures during CoVID-19 Pandemic. The following directive was approved, by consensus, for distribution to all County offices.

CLAY COUNTY BOARD OF SUPERVISORS STATEMENT
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This is a recommendation from the Clay County Board of Supervisors to the department heads and elected officials of Clay County. Pursuant to Governor Reynolds letter dated March 21, 2020 attached hereto we need to keep county government "accessible and maintain minimal operations throughout the unprecedented COVID-19 pandemic." To do this we recommend staffing county offices to minimize interaction between staff and to create redundancy to ensure continuation of operations and to staff offices in case employees are unable to work. The Board of Supervisors leave this to the good discretion of the elected officials and department heads to manage their staffs and offices and will make resources available upon request. Department heads and elected officials are required to track any additional expenses they incur, staff productivity lost, and revenue

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foregone as a result of the COVID-19 pandemic. This situation is constantly changing, and we will update our recommendations

Supervisors discuss/share information from committees and boards they have attended. Supervisor Matthews reported on the Airport Board meeting, the Seasons Board meeting, the Iowa Corridor Board meeting, and attending the Crawford County Assistant Engineer retirement event.

The Chairperson adjourned the meeting at 12:35 p.m. to convene at the next Auditor's called meeting April 7, 2020 at 8:30 a.m.

/s/Marjorie A. Pitts, County Auditor

/s/Dan Skelton, Chairperson