

Clay County Board of Supervisor's Minutes from Meeting 13 held on April 7, 2020

The Clay County Board of Supervisors met pursuant to adjournment April 7, 2020 at 8:30 a.m. in the boardroom with Chairperson Skelton presiding and with the following other members present: Supervisors Swanson, Anderson, Matthews via phone, Hamrick, Assistant County Attorney Barry Sackett, and Deputy Auditor Ann Baschke as clerk for the meeting, and Auditor Staff member Alison Kutzbach as the conference call host. Chairperson Skelton 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: Swanson, Anderson, Matthews, Hamrick, and Skelton. Nays: None. Abstentions: None.

Motion by Hamrick, seconded by Anderson that the Board meeting agenda for April 7, 2020 be received and placed on file with the County Auditor as approved. Motion carried.

Motion by Matthews, seconded by Swanson that the minutes of the Board Meeting #12 held March 24, 2020 are hereby approved as submitted. 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 April 7, 2020. Ayes: Anderson, Hamrick, Matthews, Skelton, Swanson. Nays: None. Abstentions: None. Resolution adopted.

Publication List by Vendor

A & M Laundry	service	176.68
Airgas USA	Supplies	32.12
Alliant Energy	Electric	760.85
Alpha Wireless Comm	Equipment	42.20
ARC	Election Supplies	878.07
Arnold Motor Supply	Parts	352.79
Asher Motor Co	Lubricants	25.90
Atlantis Global LLC	Supplies	143.20
Ayrshire Farmers Mutual	Telephone	31.19
Caleb Batschelet	Safety Supplies	150.00
BD Construction Services	Construction	6400.00
Black Hills Energy	Utilities	1777.43
LeAnn Black	Mtg Expenses	364.04
Bomgaars	Supplies	505.57
CenturyLink	Telephone	537.30
Heidi Chapman	Flex	160.00
City of Everly	Utilities	350.73
City of Royal	Utilities	52.50
City of Webb	Utilities	97.50
Clasen Excavating	Construction	13850.00
Clay Co Sec Road Fund	Fuels	20.91
Cooperative Energy Company	fuel	19938.27
CoZO	Memberships	75.00
Culligan	supplies	68.65
Daily Reporter	publication	285.36
De Linda Leu	Services	184.50
McKeever Reporting	Services	317.70
DMACC	registration	125.00
Emmet Co Sheriff	Services	35.00
Evertex	Utilities	261.22
Fareway Stores Inc	JV ct meal	15.87

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FASTENAL	Buildings	200.88
FleetPride	Parts	968.00
Galen's Pro-Mow	Parts	97.80
Gordon Flesch Company	copier charges	1113.08
GRACESOFT	services	297.00
Graham Tire Co	service	25.00
H & N Chevrolet Buick	service	1289.54
Harrison Truck Centers	Parts	37.66
Michael Heuck	Safety Supplies	150.00
Hoffman Filter Service	Parts	55.00
Hy-Vee	Inmate meals	5760.75
IA County Atty's Assn	Memberships	520.00
IA Lakes Regional Water	Water	41.00
IA Negotiation Services	Services	1350.00
Iowa Plains Signing	Traffic signs	76.40
ICAP	deductible	2337.17
Iowa Outdoors	sevice	10.00
Iowa Transit	Engineering Supplies	780.00
IOWWA	supplies	50.00
ISACA	Memberships	225.00
Jack's Uniforms & Equipment	Uniforms	125.95
Janitors Closet	Custodial Supplies	383.73
Jennifer Jensen	Cabin cleaining	260.00
Johnston Automotive	Parts	647.86
Kirkham Michael & Assoc	Engineering Services	534.93
Robert Kluender	Flex	188.00
Kossuth County Auditor	registration	420.00
Loffler	Supplies	265.58
Lube-Tech & Partners	Lubricants	482.37
Mar-Lin Business Supply	supplies	16.45
Marcus News	Publication	1323.44
Mastercard	supplies	344.00
Matheson Tri-Gas	Supplies	32.58
Burlin Matthews	Mtg Expenses	93.10
MaxYield Cooperative	gas	844.64
Menards	Buildings	260.04
Midwest Technology Services	phone service	75.00
Kathryn Murphy	mileage	31.71
North Central Int'l Inc	Parts	40.00
Palo Alto Co Sheriff	Service	68.70
Robin Patrick	training	225.00
Premier Communications	Telephone	638.27
Presto Company	Buildings	141.00
Quadient	Postage machine	230.96
Quill	Supplies	447.52
Christopher Raveling	training	105.00
Retriever LLC	Parts	434.00
Rock Valley Radiator & Auto	Services	97.85
Royal Telephone	Telephone	30.00
Sanders Inc	Cover Aggregate	1885.15
Secretary of State	Notary	30.00
Solutions	Data processing	15486.69
Spencer Auto Parts	parts	11.60
SMU	utilities	3182.05
Spencer Office Supplies	Supplies	4718.54
Ann Spooner	Flex	307.20
Staples Credit Plan	Supplies	149.28
Wade Stoner	Rent	240.00

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Kate Stouffer	Training	255.00
Kristin Teel Off Court Rep	Service	119.00
Terril Telephone	Telephone	8.04
U S Postal Service	Postage	116.00
US Cellular	Telephone	712.59
U S Postmaster	Postage	116.00
Vander Haag's Inc	Parts	2377.20
Vanguard Appraisals	services	12092.00
Verizon	cell phones	706.00
VISA	Misc	2096.61
Sheila Weeks	Mtg Expenses	9.60
Wells Fargo Vendor Fin Serv	Payment	577.12
Jeffrey Wiemann	Mtg Expenses	14.75
Winther Stave & Co	Services	1000.00
Ziegler Inc	Parts	7502.04
Grand Total		125899.97

Motion by Swanson, seconded by Hamrick to adopt the following resolution: BE IT HEREBY RESOLVED by the Board of Supervisors approve expenditures for the bi-weekly payroll covering March 20, 2020 through April 2, 2020 payable on April 7, 2020 and that the County Auditor be hereby authorized and directed to issue the warrants. Ayes: Anderson, Hamrick, Matthews, Skelton, Swanson. Nays: None. Abstentions: None. Resolution adopted.

Motion by Hamrick, seconded by Anderson to approve the payment of drainage claim from Drainage District #37 payable to Goodwin Law Office, 311 W Lincoln Way, Suite 1, Ames, Iowa dated April 7, 2020 for legal fees for drainage district improvement issues. Claim totals \$3,515.00 and will be issued as a stamped warrant. Motion carried.

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

Resolution 2020-27

WHEREAS, on October 9, 2018, the Clay County Board of Supervisors approved and ordained the Clay County Code of Ordinances;

WHEREAS, new ordinances or regulations and/or amendments to ordinances or regulations continue to be adopted by the Clay County Board of Supervisors which require the Code of Ordinances to be supplemented;

WHEREAS, the new ordinances or regulations and amendments to ordinances or regulations may be copied as a supplement to the Clay County Code of Ordinances and become a part of the Code by resolution pursuant to Iowa Code §331.302(9).

NOW, THEREFORE BE IT RESOLVED that the Ordinance 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 attachment hereto be approved and adopted as addition to the Clay County Code of Ordinances.

BE IT FURTHER RESOLVED that the Clay County Auditor is directed to copy and distribute Supplement No. 2 to the Clay County Code of Ordinances.

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The above and foregoing resolution was adopted by the Board of Supervisors of Clay County, Iowa this April 7, 2020 and the vote thereon being as follows:

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

Resolution adopted

/s/Dan Skelton, Chairperson
Clay County Board of Supervisors

ATTEST:

I, Deputy County Auditor Ann Baschke, hereby certify that this supplement to the Clay County Code of Ordinances was adopted on the 7th of April 2020.

/s/Ann Baschke, Deputy County Auditor

Motion by Anderson, seconded by Swanson to approve the letter of support from the Clay Co Board of Health and Board of Supervisors regarding COVID-19 safety precautions that should be followed and applauding the community’s efforts to “flatten the curve” by working together and keeping Clay County residents safe from COVID-19. Motion carried.

Discuss Absentee In-Person Traffic in Administration Building as of May 4, 2020

Auditor Marge Pitts, via Zoom, informed the board that the Auditors Office is to be open for in person absentee voting on May 4, 2020. Auditor Pitts and Ann Baschke spoke of possible traffic flow in the building for potential in office voters and protective measures that may need to be in place if the Administration Building is still closed to the public.

9:00 a.m. NWIACC CEO Kim Wilson

An application was received requesting burial assistance for a Clay County resident, whose only source of income is from Social Security and this exceeds the Clay County guideline by \$649 a month. There are no other assets now that bills have been brought up to date. An immediate family member is requesting an appeal due to the financial hardship of paying for this individual’s burial.

Motion by Anderson, seconded by Hamrick to approve and authorize the Chairperson to sign an exception to policy for the burial assistance of a deceased Clay County resident. Motion carried.

CEO Kim Wilson gave brief update on the activities of a mental health regional task force that meets to connect with individuals with a crisis center. Wilson stated that the new NWIACC CEO begins employment on Thursday, April 9, 2020.

9:10 a.m. Assistant County Attorney Barry Sackett gave the Board a departmental update from the civil division of the County Attorney’s office.

Engineer Rabenberg enters the meeting at 9:25 a.m.

The Chairperson recessed the regular board meeting at 9:32 a.m. to convene as Trustees of Drainage District #2.

9:30 a.m. Drainage District #2 Wetland Mitigation Status Update

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The Clay County Board of Supervisors met as trustees of Joint Drainage District #2 on Tuesday, April 7, 2020 at 9:32 a.m. Members present: Trustees Anderson, Hamrick, Matthews, Skelton, Swanson and guest Jon Rosengren present by conference call.

Motion by Hamrick, seconded by Anderson to appoint Supervisor Skelton as Chairperson and Ann Baschke, Clay County Deputy Auditor as Secretary for this meeting. Motion carried.
(Discussion on wetland mitigation status with Jon Rosengren)

Last fall application was made to purchase wet land mitigation for the DD#2 project out of Clay County. Jon Rosengren informed the trustees that the Army Core of Engineers will not accept this application and are wanting the drainage ditch to honor what was agreed upon at permitting time six (6) years ago. The number of acres needed to comply has not changed from the original 1.89 acres; price per acre has increased to \$32,000 to complete the wet land mitigation. Clay County does not currently have a wetland monitor. Jon asked the trustees how he should proceed. It was the consensus of the trustees to pursue a Riverton Township site for the wetland mitigation. Jon thanked the trustees and will begin obtaining the proper permits.

The Chairperson recessed the Drainage District #2 meeting at 9:48 a.m. to reconvene the regular board meeting.

10:00 a.m. William Rabenberg – County Engineer

Motion by Hamrick, seconded by Matthews to approve Transfer #401 in the amount of \$250,000.00 from the Gillett Grove Bridge Fund to the Local Option -Rural Use Fund to move cash balance back to the parent fund. Motion carried.

Motion by Swanson, seconded by Anderson to approve and authorize the Chairperson to sign the Partial Release Agreement between Clay County Iowa and Interstate Power & Light Co as the successor in interest to Upland Prairie, LLC for obligations under the agreement to a payment of \$750,000 to repair the roads utilized in the construction of the Facility. Motion carried.

Engineer Rabenberg gave the Board an update on utility permits issued since the prior Board meeting.

10:30 a.m. 2nd & Final Hearing of Tanning Facilities Ordinance 3.12

2nd Hearing on the proposed Clay County Tanning Facilities Ordinance 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.

10:30 a.m. The time having arrived for the second and final hearing and reading 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. 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 discussion by Board members and hearing attendees, it was moved by Supervisor Anderson, seconded by Supervisor Hamrick to close the hearing, place the proposed ordinance on file and read it for the second and final 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 second and final time, and it passed by a vote of the majority of the Board of Supervisors.

Those voting for passage: Supervisors Swanson, Anderson, Matthews, Hamrick and Skelton.

Those voting against passage: None.

Board Member Matthews, introduced the following resolution and moved its adoption, seconded by Board Member Anderson.

Resolution 2020-28

WHEREAS, the Clay County Board of Supervisors deems it necessary for the purposes of promoting the health, safety, and general welfare of Clay County, Iowa and its citizens to enact this ordinance, and

WHEREAS, the Clay County Board of Supervisors have made recommendations in relation to the Clay County Ordinance 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, and

WHEREAS, the Board of Supervisors has considered the proposed ordinance and has held public hearings thereon the 24th day of March 2020 and the 7th day of April 2020; and

WHEREAS, the Clay County Board of Supervisors supports the adoption of the proposed ordinance;

NOW THEREFORE BE IT ENACTED AND ORDAINED:

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

The above and foregoing resolution was adopted by the Board of Supervisors of Clay County, Iowa, 7th day of April 2020 and the vote thereon being as follows:

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

/s/Dan Skelton, Chairperson

ATTEST: /s/Ann Baschke, Deputy County Auditor

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

Resolution 2020-29

WHEREAS, on October 9, 2018, the Clay County Board of Supervisors approved and ordained the Clay County Code of Ordinances;

WHEREAS, new ordinances or regulations and/or amendments to ordinances or regulations continue to be adopted by the Clay County Board of Supervisors which require the Code of Ordinances to be supplemented;

WHEREAS, the new ordinances or regulations and amendments to ordinances or regulations may be copied as a supplement to the Clay County Code of Ordinances and become a part of the Code by resolution pursuant to Iowa Code §331.302(9).

NOW, THEREFORE BE IT RESOLVED that the Resolution 2020-28 attachment hereto be approved and adopted as addition to the Clay County Code of Ordinances.

BE IT FURTHER RESOLVED that the Clay County Auditor is directed to copy and distribute Supplement No. 3.12 to the Clay County Code of Ordinances.

The above and foregoing resolution was adopted by the Board of Supervisors of Clay County, Iowa this April 7, 2020 and the vote thereon being as follows:

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

/s/Dan Skelton, Chairperson
Clay County Board of Supervisors

ATTEST:

I, Ann Baschke, Deputy Clay County Auditor, hereby certify that this supplement to the Clay County Code of Ordinances was adopted on the 7th of April 2020.

/s/Ann Baschke, Deputy Clay County Auditor

IGHCP Consultant Denise Ballard enters the Board conference call at 10:42 a.m.

11:00 a.m. The Board met with Denise Ballard and Cindy Allen representing the Iowa Governmental Health Care Plan (IGHCP) that provides health benefits to the employees of Clay. The annual renewal for fiscal year 2021 was discussed. The fully insured partially self-funded health plans in Clay County have had an average annual cost increase of 3.4% percent since entering the IGHCP Trust in 2005.

Motion by Hamrick, seconded by Swanson to approve and authorize the Chairperson to sign recommendations for the IGHCP Health Renewal for the fiscal year 2021 health and dental insurance rates for the County. The projected fiscal year 2021 county cost of health care will be \$117,399 over FY2020 or a total of \$1,585,217 for FY2021. Motion carried.

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Motion by Hamrick, seconded by Swanson to approve and authorize the Chairperson to sign the First Amendment to Clay County Tourism Agreement to agree that the obligation of the City and the County to support the efforts of the Tourism Committee shall be reduced from \$30,000.00 per fiscal year to \$25,000.00 per fiscal. This reduced contribution shall be effective for the fiscal year beginning July 1, 2020. Motion carried.

Motion by Anderson, seconded by Matthews to set the date and time for the fiscal year 2020 County Budget amendment public hearing to be 10:00 a.m. May 5, 2019 at the Clay County Administration Building, 300 W. 4th St., Spencer, IA. Motion carried.

Motion by Swanson, seconded by Anderson to approve and authorize the Chairperson to sign the VPN (Virtual Private Network) Connection Authorization form to meet the HIPAA requirements for secure transactions from laptops outside of the office in conjunction with the Board of Supervisor Directive dated March 18, 2020. The following offices have requested technology that will be used while employees are working from home during the COVID-19 pandemic as follows: Assessor's office, two laptops; Recorder, one laptop; Treasurer, two laptops; Engineer, four laptops; Auditor, five laptops; Attorney, three laptops, Environmental Health, one laptop; GIS, one desktop. Motion carried.

Motion by Hamrick, seconded by Swanson to approve the estimate of \$973.21 from Midwest Fence & Gate Company, 3456 Maple Drive, Fort Dodge, Iowa 50501 to install EMX receiver and transmitters on jail gate. Motion carried.

Supervisors discuss/share information from committees and boards they have attended. Supervisor Matthews reported on the many conference calls he is attending daily. Season's Board meeting, the State Supervisor's meeting will be held via conference calling in May. Supervisor Skelton reported on the daily COVID-91 Task Force meetings. Supervisor Swanson reported on the Clay County Public Health Board meeting. Supervisor Anderson reported on conference calls he attended. Supervisor Hamrick reported on the DCAT Board meeting.

The Chairperson adjourned the meeting at 11:26 a.m. to convene at the next Auditor's called meeting April 21, 2020 at 8:30 a.m.

/s/Ann Baschke, Deputy County Auditor

/s/ Dan Skelton, Chairperson