

Clay County Board of Supervisor's Minutes from Meeting 19 held on June 16, 2020

The Clay County Board of Supervisors met pursuant to adjournment June 16, 2020 at 8:30 a.m. in the boardroom with Chairperson Skelton presiding and with the following other members present: Supervisors Swanson, Matthews, Anderson, 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.

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 Matthews, seconded by Swanson that the Board meeting agenda for June 16, 2020 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 #17 held June 4, 2020 and Board Meeting #18 held June 9, 2020 are hereby approved as submitted. Motion carried.

Motion by Anderson, 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 June 16, 2020. Ayes: Anderson, Hamrick, Matthews, Skelton, Swanson. Nays: None. Abstentions: None. Resolution adopted.

Publication List by Vendor

A & M Laundry	Parts	176.68
A-1 Portables	Sanitation & Disposal Ser	30.00
Airgas USA	Grounds Maintenance Suppl	32.12
All-American Turf Beauty	Buildings	1967.53
Alliant Energy	Natural & Lp Gas	258.68
Arctic Ice Company	Food & Provisions	91.00
ASP Promotions	Uniform	31.05
Harriet Berger	Election Officials	21.00
Black Hills Energy	Natural & Lp Gas	1077.64
Bob's RV Repair	Construction	75.50
Susie Brinkley	Election Officials	184.00
Tim Brinkley	Election Officials	60.50
Bud's Service	Lubricants	475.19
Kristi Busse	Flex	68.96
C & B Operations	Construction & Maint.	416.26
Campus Cleaners & Launderers	Custodial Supplies	171.12
Canon Fin Services	Data Processing Serv.	478.14
Central Iowa Distributing	Safety Supplies	376.30
CenturyLink	Telephone	66.83
Heidi Chapman	Flex	15.00
Jim Christensen	Zoning Board	82.40
Christian Home Association	Group Care	958.62
Christians Sheet	Construction	206.00
Cintas Corporation	Uniform	20.00
Cintas Corp	Safety Supplies	47.15
City of Everly	Natural & Lp Gas	134.15
City of Spencer	Water & Sewer	8414.04
City of Webb	Water & Sewer	88.50
Clay Co Emerg Mgt Agency	Allocation	7914.58

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Clay County General Fund	Chemicals & Gasses	1558.00
Clay Co Sec Road Fund	Fuels	597.03
Cooperative Energy Company	Natural & Lp Gas	19323.10
Crittenton Center	Group Care	326.55
Carole Curry	Election Officials	176.00
Custom Welding & Repair	Construction & Maint.	344.40
Daily Reporter	Publication	1413.38
Del's Garden Center	Buildings	740.87
Dixon Construction Co	Roads	47725.36
Elderbridge	Allocation	2945.00
Raymond Essick	Safety Supplies	150.00
Exhaust Pros	Parts	350.00
Fareway Stores	Miscellaneous	1620.00
FASTENAL	Buildings	2.64
Larry Flaharty	Zoning Board	49.80
Eli Franker	Zoning Board	117.10
Galen's Pro-Mow	Parts	42.08
Bill Gerdeman	Zoning Board	98.20
Gordon Flesch Company	Copier Contract	236.92
Gordon Flesch Company	Copier Contract	127.17
H & N Chevrolet Buick	Parts	753.77
Hartley Sentinal	Board Proceedings	788.69
Francis Hiemstra	Election Officials	93.50
Judith Hiemstra	Election Officials	93.50
Hoffman Filter Service	Parts	55.00
Hydraulic Solutions	Parts	304.32
IA County Conservation System	Dues & Memberships	40.00
IA Lakes Electric Coop	Electric Light & Power	1933.00
IA Lakes Regional Water	Water & Sewer	468.14
IA Prison Industries	Parts	808.15
IACCVSO Floyd Co Veterans	Dues & Memberships	50.00
IA Municipalities Workers	Workmens' Comp. Ins.	15245.00
ISCTA	Dues & Memberships	250.00
J&T Rentals	Rental	1500.00
Janitors Closet	Custodial Supplies	361.85
Jaycox Implement	Parts	36.00
Thomas Jessen	Safety Supplies	150.00
Ann Johnke	Election Officials	31.50
Travis Johnson	Flex	600.00
Clinton Jones	Zoning Board	60.00
David Kaus	Zoning Board	40.00
Kirkham Michael & Assoc	Engineering Services	4697.00
Sharon Krile	Election Officials	55.00
Keith Kruse	Zoning Board	95.40
Russ Lair	Safety Supplies	423.72
Joshua Long	Flex	475.00
Kevin Maassen	Flex	98.32
Mar-Lin Business Supply	Office Supplies	155.70
Burlin Matthews	Flex	464.00
Lois McCarty	Zoning Board	115.00
Tammy McKeever	Employee Travel Expenses	41.30
MD Products & Solutions	Construction	2898.00
Menards	Buildings	391.94
Dana Metcalf	Zoning Board	69.80
Mid Country Machinery	Parts	33.04

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Nielsens Tire & Appliance	Parts	60.00
Maureen Oechslin	Election Officials	198.00
Office Systems Company	Office Supplies	188.40
Jerod Olson	Zoning Board	29.10
Pictometry International Corp	Engineering Services	27938.00
Pixler Electric	Construction	3304.56
Proforma	Office Supplies	1113.20
Remillard Signs	Recreational Supplies	448.77
Rent-All	Buildings	45.00
Ricoh USA	Copier Contract	76.80
GlennRouse	Flex	90.25
Bev Rutter	Election Officials	75.90
Annette Schaeffer	Election Officials	93.50
Frances Schiro	Zoning Board	64.20
Schoeneman Bros	Recreational Supplies	438.00
Secure Shred Solutions	Shredding	48.00
Rita Smith	Zoning Board	76.80
Solutions	Data Processing Serv.	569.70
Spencer Auto Parts	Lubricants	1274.28
Spencer Hospital	Medical & Health Services	19502.49
SMU	Telephone	2474.17
Spencer Office Supplies	Office Supplies	478.78
Spencer Red Power	Parts	24.30
SS Collision & Cycle Works	Recreational Supplies	440.00
Star Energy	Fuels	226.08
Amy Strohman	Flex	36.77
Laura Taylor	Election Officials	97.75
Terril Telephone Coop	Telephone	8.04
David Toay	Election Officials	55.00
Darrel Tonderum	Election Officials	184.00
Town & Country Disposal	Sanitation & Disposal	585.89
Upper DesMoines	Allocation	6525.00
U S Postmaster	Postage & Mailing	196.00
Veridian	Safety Supplies	1143.00
Verizon	Telephone	271.65
Walmart Community/SYNCB	Office Supplies	470.57
Wessels Oil Co	Cover Aggregate/Sand/Mate	1207.50
Woodward Youth Corporation	Detention	1026.30
Ziegler	Parts	1208.57
Grand Total		207852.50

Motion by Matthews, seconded by Hamrick to approve drainage expenditure from Joint Drainage District 60, Lateral 9, Palo Alto, Clay dated June 5, 2020 totaling \$40.00 for repairs services on ditch repair payable to Palo Alto County, Emmetsburg, Iowa 50536 and totaling \$3,285.00 to crush old tile and remove 24" culvert payable to B & B IRVM, PO Box 261, Emmetsburg, Iowa 50536. County Auditor is instructed to send the billing to Palo Alto County for payment after approval. Motion carried.

Motion by Matthews, 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 June 16, 2020. The County Auditor is directed to issue stamped warrants from

drainage districts which currently have insufficient funds. Ayes: Supervisors Anderson, Matthews, Skelton, Hamrick, and Swanson. Nays: None. Abstentions: None.

Bolton & Menk Inc., 1960 Premier Drive, Mankato, MN 56001

DD#2	Mitigation Wetland, Permit Compliance	\$ 663.00 Stamped
DD#2	FEMA Disaster Repairs	\$ 562.50 Stamped
DD#37	Wetland/Envr Rules Compliance/Court Consult	\$ 700.00 Stamped

Quadiant Leasing,

DD #5, DD#7, DD#38, DD#55, DD#65, DD#69, DD#112 & DD#119	Assessment Notices	\$ 109.80
DD#51088	Improve Assessments/Waivers/Completion hearing	\$ 47.80 Stamped
DD#51999	JT DD 52 Postage for Palo Alto County	\$ 14.00
DD#51999	JT DD 61 Postage for Dickinson County	\$ 38.00
DD#51045	DD37 Postage for Clarification Letter	\$ 68.00 Stamped
DD#20 & 32 Lat 81	Postage	<u>\$ 6.00</u>

Total Drainage Warrants: \$2,212.10

The Board discussed the method to replenish the Drainage Revolving Fund at their April 28, 2015 meeting. Drainage Districts that had funds available at that time paid \$.30 per acre to the Drainage Revolving fund. At this time Drainage District #37 (\$2,379.00) and Drainage District #80 (\$870.00) do not have funds available to pay their \$.30 per acre levy to the Drainage Revolving fund. Motion by Swanson, seconded by Hamrick to finalize this 2015 allocation, the Clay County Auditor is directed to issue stamped warrants for the specified amounts from these individual drainage districts payable the Drainage Revolving fund. Detail by drainage districts available in the Clay County Auditor’s office. Motion carried.

8:46 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 joined the meeting at 8:58 a.m.

9:00 a.m. Hearing for approving the vacating & disposition of a portion of Railway Ave in the unincorporated city of Cornell. The time having arrived for the public hearing to consider approving the vacating and disposition of a portion of Railway Avenue in the unincorporated city of Cornell to adjoining landowners. The Board determined that proper notice of the public hearing was accomplished and finding there to be no oral or written objections. After discussion by Board members, it was moved by Supervisor Anderson, seconded by Supervisor Swanson to close the hearing

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

RESOLUTION NO. 2020-34

FINALLY APPROVING DISPOSITION OF A PORTION OF RAILWAY AVENUE IN THE UNINCORPORATED CITY OF CORNELL TO ADJOINING LANDOWNERS.

WHEREAS, a hearing was held on June 16, 2020, after publication of notice, on the proposed vacating and disposal of a portion of Railway Avenue in the unincorporated City of Cornell, Iowa

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within the county to adjoining landowners in exchange for an easement granted by adjoining land owners to Clay County for the existing 490th Avenue; and

WHEREAS, quit claim deeds and easement have been prepared by the county attorney for execution by Clay County, Iowa;

NOW, THEREFORE, be it resolved by the Board of Supervisors of Clay County, Iowa, as follows:

Section 1. The disposition of a portion of Railway Avenue in the unincorporated City of Cornell, Iowa within Clay County, Iowa, as more particularly described below, to adjoining landowners, is hereby approved in exchange for an easement granted by adjoining landowners to Clay County for the existing 490th Avenue. Said disposition shall be by quit claim deed with no warranties of title, and no abstract of title shall be furnished to any adjoining landowner.

Section 2. The legal description of the lands/street being transferred is:

That part of Railroad Ave lying east of the east line of Main Street in the town of Cornell, Clay County, Iowa

Section 3. The Chairperson of the Clay County Board of Supervisors is hereby authorized and directed to execute said quit claim deeds as well as any other documents necessary to affect this transfer of title.

Section 4. All resolutions or parts of resolutions in conflict herewith and the same are hereby repealed to the extent of such conflict.

The above and foregoing resolution was adopted by the Board of Supervisors of Clay County, Iowa, this 16th day of June, 2020 and the vote thereon being as follows:

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

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

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

Motion by Hamrick, seconded by Matthews to approve and authorize the Chairperson to sign the Canon ImageRunner Advance 4551i lll copier contract with monthly maintenance and lease fee of \$246.62 per month for sixty-three (63) months for the Clay County Administration Building. Motion carried.

Motion by Anderson, seconded by Swanson to authorize the Chairperson to sign the annual Licensed Code Support Agreement between Clay County and Solutions, Inc., 2311 West 18th Street, Spencer, IA. This agreement is effective July 1, 2020 at a total cost of \$39,800.00 which covers the computer software modules used by each county office or department according to Exhibit A of the Agreement. Motion carried.

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Motion by Matthews, seconded by Hamrick to authorize the Chairperson to sign the annual Information Technology Services Statement of Work between Clay County and Solutions, Inc., 2311 West 18th Street, Spencer, IA. This agreement is effective July 1, 2020 at a total cost of \$31,326.00 which covers Web Hosting Agreement with three domain names at no additional cost, the "Silver" Managed Services Agreement with discounted travel of \$300.00 per technician per day. Motion carried.

Motion by Swanson, seconded by Anderson to authorize the Clay County Sheriff to sign the annual Information Technology Services Statement of Work between Clay County and Solutions, Inc., 2311 West 18th Street, Spencer, IA. This agreement is effective July 1, 2020 at a total cost of \$13,272.00 which covers the Web Hosting Agreement of one domain name at no additional cost, and the "Silver" Managed Services Agreement with discounted travel of \$300.00 per technician per day. Motion carried.

Motion by Matthews, seconded by Hamrick to authorize the carryover of fifty-four (54.0) unused vacation hours for Eric Tigges to be used by July 31, 2020. Motion carried.

Motion by Hamrick, seconded by Anderson to approve and authorize the Chairperson to sign the Cost Advisory Services, Inc., PO Box 755, Johnston, IA 50131 three (3) year renewal contract to provide cost allocation services to Clay County, covering fiscal years 2020 through 2022. The annual fee is \$4,125.00. Motion carried.

Motion by Matthews, seconded by Swanson to approve the updates to the Clay County Voting System Security Policy relating to law changes and personnel changes effective for all elections held in Clay County upon acceptance. Motion carried.

9:15 a.m. William Rabenberg – County Engineer

Motion by Hamrick, seconded by Anderson to approve the low fuel quote from Cooperative Energy for a period of one year (July 1, 2020 thru June 30, 2021) and authorize the Chairperson to sign the contract. Motion carried.

Engineer Rabenberg gave the Board an update on utility boring permits that had been issued to Iowa Lakes Electric Coop.

9:30 a.m. Closed Session for Drainage District #37 Pursuant to IA Code # Iowa Code Chapter 21.5(c) to discuss strategy with counsel in matters that are presently in litigation.

Motion by Matthews, seconded by Anderson to exit the closed session at 10:20 a.m. Motion carried.

Motion by Anderson, seconded by Hamrick to direct Goodwin Law Firm to file a Defendant's Motion to Reconsider, Enlarge or amend pursuant to Iowa R. CIV. P.1.904 in response to the ruling on motions for summary judgment filed June 8, 2020 with the Clay County Clerk of District Court. Motion carried.

10:32 a.m. The Board met with Colin Klingbeil of Bolton & Menk, Inc to receive a Drainage District #2 FEMA update on the half mile of damages in Section 35, Township 97, Range 38 from the 2019 FEMA disaster. FEMA asked to do bio engineering to mix soil with riprap and seed and fertilize. Bio

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engineering adds additional cost to the repair. FEMA is revising their project costs. The Board/Trustees could do a bid letting assuming that FEMA would pay for the repair at a new estimated cost of \$99,000. Consensus of the Board is to go forward with the bid letting process for the project. Bolton & Menk will prepare proceedings for construction plans and specifications to be approved at the next regular Board meeting to be held on Tuesday, June 30, 2020.

10:40 a.m. Tammy McKeever – Zoning

Motion by Matthews, seconded by Swanson to approve changing Clay County Zoning Commission to a five (5) person board instead of seven (7) person. Pursuant to Iowa Code 335.8 the Board of Supervisors shall appoint a commission, consisting of eligible electors, as defined in Iowa Code Section 39.3, who reside within the area regulated by the county zoning ordinance, to be known as the county zoning commission, to recommend the boundaries of various original districts and appropriate regulations and restrictions to be enforced therein. Motion carried.

Zoning Director Tammy McKeever gave the Board an update on the sale of property in Cornell and property near the River Bend Addition. McKeever, as Environmental Health Coordinator updated the Board on the status of the Administration Building being open to the public and the traffic within the offices. Discussion resulted in no longer needing the services of a hall monitor at the building entrances.

11:06 a.m. The Board met with Spencer Insurance Services Broker Libby Stricker to discuss the fiscal year 2021 Iowa Communities Assurance Pool (ICAP), Iowa Municipal Workers Compensation Association (IMWCA), and Emergency Management Agency policy premiums. Compared with last year's renewal there is an increase in value of almost \$1.2 million in property valuation plus vehicle changes. This increase is due to changes throughout the year as well as a two percent increase in building valuations. The ICAP renewal premium is \$173,591.00 less the credit voucher of \$13,186.81 totaling \$160,404.19 as a premium increase of \$4,286.00. The County's Workers' Compensation policy will have a large decrease in premium due to the improvement in Experience Mod. This year's premium is \$60,969 which is over \$19,000 less than fiscal year 2020.

11:30 a.m. The Board met with Kim Wilson and the new Clay County General Relief Director Rebecca Goeken. Wilson explained the orientation schedule that Goeken has been working with since the start of her employment on June 15. The office hours schedule was presented to the Board establishing Monday and Tuesday 9 am – Noon and Thursday and Friday 9 am – Noon at this point. A list of procedures including rental assistance, utility assistance, burial assistance and medical policies were discussed.

Supervisors discuss/share information from committees and boards they have attended. Supervisor Matthews reported on the Conservation Board meeting, the IA Lakes Corridor Board meeting, and discussions with ISAC regarding their HIPPA Program training. Supervisor Swanson updated on the Jobs Trust Board meeting and the Clay County Visitors Bureau meeting. Supervisor Anderson reported on the General Relief interviews, and the NWIACC task force call, the Workforce Initiative & Opportunities Act (WIOA) webinar for fiscal agents. Supervisor Hamrick discussed the electrical labeling at the Law Enforcement facility. Supervisor Skelton reported on the General Relief interview, the COVID-19 Task Force meeting, and the press conference with Spencer Mayor Robinson.

The Chairperson adjourned the meeting at 12:22 p.m. to convene at the next Auditor's called meeting June 30, 2020 at 8:30 a.m.

/s/Marjorie A. Pitts, County Auditor

/s/Dan Skelton, Chairperson