

## Clay County Board of Supervisor's from Meeting #21 held on July 14, 2020

The Clay County Board of Supervisors met pursuant to adjournment July 14, 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.

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 Swanson, seconded by Hamrick that the Board meeting agenda for July 14, 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 #20 held June 30, 2020 are hereby approved as submitted. Motion carried.

Motion by Matthews, seconded by Anderson 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 July 14, 2020. Ayes: Anderson, Hamrick, Matthews, Skelton, Swanson. Nays: None. Abstentions: None. Resolution adopted.

### Publication List by Vendor

A & M Laundry	Parts	176.68
Airgas USA	Grounds Maintenance Suppl	31.27
Alliant Energy	Natural & Lp Gas	161.21
Alpha Wireless Comm	Radio Equip.	2465.23
Animal Medical Center	Safety Supplies	20.00
Arctic Ice Company	Food & Provisions	276.00
Arnold Motor Supply	Parts	158.20
Asher Motor Co	Parts	88.40
Ayrshire Farmers Mutual	Telephone	308.60
Battery Products	Radio Equip.	31.23
Black Hills Energy	Natural & Lp Gas	1252.52
Bomgaars	Safety Supplies	45.89
Bound Tree Medical	Safety Supplies	232.82
Bud's Service	Fuels	811.61
C & B Operations	Parts	816.90
Campus Cleaners & Launderers	Custodial Supplies	171.12
Canon Fin Services	Copier Contract	478.14
Carroll Construction Supply	Cover Aggregate/Sand/Mate	896.06
CenturyLink	Telephone	52.55
Christian Home Association	Group Foster Care	540.76
Christians Sheet Mtl	Buildings	4190.66
Cintas Corporation	Uniform	20.00
Cintas Corp	Safety Supplies	173.61
City of Everly	Natural & Lp Gas	85.10
City of Royal	Water & Sewer	52.50
City of Spencer	Sanitation & Disposal	162.50
City of Webb	Water & Sewer	85.50
Clay Co Sec Road Fund	Fuels	1450.07
Coffman's Locksmith	Construction	348.00

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Cooperative Energy Company	Parts	16252.00
Cost Advisory Services	Acct.-Audit.-Cler.Serv.	4125.00
Daily Reporter	Publication	1211.15
Dakota Co. Sheriff	Sheriff Fees	40.00
Dixon Construction	Roads	49492.82
Raymond Essick	Flex	586.83
Evertex	Telephone	491.12
FASTENAL	Safety Supplies	65.61
Fire Proof Plus	Buildings	442.00
FleetPride	Parts	801.74
Foundation Analytical Lab	Safety Supplies	199.65
Frigitec	Buildings	108.00
Galen's Pro-Mow	Buildings	39.48
Gordon Flesch Company	Copier Contract	87.12
Gordon Flesch Company	Copier Contract	286.83
GRACESOFT	Data Processing	99.00
Greg's Repair	Parts	109.75
Jerry Groenewold	Mileage	49.70
H & N Chevrolet Buick	Motor Vehicle	15458.38
Hodgin's Manufacturing	Construction	215.00
IA County Conservation System	Dues	1500.00
IA Dept of Justice	Dues	200.00
IA Lakes Regional Water	Water & Sewer	574.54
IA Negotiation Services	Consulting	1350.00
IA State Bar Assoc	Dues & Memberships	260.00
ICAP IA Communities Assurance	Equipment Insurance	162416.60
Impact7G	Employee Travel Expenses	135.00
IA Municipalities Workers	Workmens' Comp. Ins.	6532.00
IA Dept of Trans	Parts	505.68
IPAC	Voter Registration	3968.32
ISAC	Dues & Memberships	6275.00
Janitors Closet	Custodial Supplies	1004.96
Jaycox Implement	Parts & Access	68.40
Johnston Automotive	Parts	541.24
Lexis Nexis	Subscription	899.52
Loffler	Office Supplies	64.39
Lost Island Protective Assoc	Dues & Memberships	25.00
Lost Island Sanitary Dist	Sanitation & Disposal Ser	875.00
Lube-Tech & Partners	Parts	1290.69
MaxYield Cooperative	Chemicals & Gasses-Herb.	1613.14
Menards	Custodial Supplies	451.60
Kathryn Murphy	Employee Travel Expenses	29.50
Neid Equipment	Metals	675.00
North Central Int'l	Parts	765.26
NW IA Planning & Devlpmnt	Fees	1650.00
NW IA Youth Emergency	Detention	6602.50
Plumbing & Heating Wholesale	Engineering Services	837.90
Premier Communications	Telephone	638.27
Presto X Company	Buildings	50.00
Quik Spot	Food & Provisions	1788.70
Monica Rehnstrom	Employee Travel Expenses	41.39
Rent-All	Tools	260.00
Royal Telephone Co	Telephone	30.00
Schneider Geospatial	Data Processing	9300.00
Schomaker Construction	Buildings	672.00
Secretary of State	Dues & Memberships	30.00

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Austin Selk	Flex	233.20
Shred-It USA	Sanitation & Disposal	65.27
Solutions	Data Processing	5231.02
Spencer Auto Parts	Construction & Maint.	1313.79
Spencer Hospital	Medical & Health Services	866.28
SMU	Telephone	11143.32
Spencer Office Supplies	Office Supplies	726.11
Spencer Ready-Mix	Cover Aggregate/Sand/Mate	9692.00
SS Collision & Cycle Works	Signs	87.50
Star Energy	Fuels	363.34
State Industrial Products	Custodial Supplies	172.22
Kristin Teel	Depositions	13.00
Terril Telephone Coop	Telephone	8.05
The Cartridge Connection	Office Supplies	359.90
Jesse Timmer	Safety Supplies	150.00
Titan Machinery	Parts	246.40
Town & Country Disposal	Sanitation & Disposal	1511.21
Treas - State of Iowa	Hotel / Motel Tax	863.00
Unity Point Clinic	Medical & Health Services	210.00
US Cellular	Telephone	587.33
Verizon	Telephone	966.16
Walmart Community	Food & Provisions	648.60
Warner Funeral Home	Medical & Health Services	390.00
Western IA Tourism Region	Dues	500.00
Woodward Youth Corporation	Detention	1399.50
Ziegler	Parts	294319.47
911 Custom	Safety Supplies	153.44
Grand Total		651886.02

Motion by Hamrick, seconded by Swanson to approve drainage expenditure from Joint Drainage District #61 CDE, Branch 61 dated July 1, 2020 totaling \$1,823.05 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 Matthews, seconded by Anderson to accept County Auditor's Report of Fees Collected for quarter ending June 30, 2020 totaling \$104.00 with detail on file at the County auditor's office. Motion carried.

Motion by Anderson, seconded by Hamrick to accept County Recorder's Report of Fees Collected for period ending June 30, 2020 totaling \$41,444.45 with detail on file at the County auditor's office. Motion carried.

Motion by Swanson, seconded by Anderson to approve the Clay County Clerk's Report of Fees Collected for the quarter ending June 30, 2020 totaling \$25,883.95 for surcharge, county ordinance fines, court cost and reimbursement of sheriff fees, depositions, filing fees, and blood test. Detail on file at the auditor's office. Motion carried.

Motion by Matthews, seconded by Anderson to accept the June 30, 2020 Sheriff's Quarterly Commissary Account Report with March 31, 2020 beginning account balance of \$4,100.19; total deposits of \$5,155.69; total disbursements of \$3,332.80 and ending bank balance of \$5,923.08. Full account detail on file in the County Auditor's office. Motion carried.

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Motion by Hamrick, seconded by Swanson to accept the Sheriff's Quarterly Report of Fees collected for the quarter ending June 30, 2020 totaling \$29,350.49 with detail on file in the County Auditor's office. Motion carried.

Motion by Anderson, seconded by Swanson to accept the County Treasurer's Semi-Annual Report for period ending June 30, 2020 with detail on file at the Auditor's office. Motion carried.

Motion by Matthews, seconded by Hamrick to approve Certificate of Adjustment #2313 on receipt #2020/2021 for Cole Patrick Lawman on a 1973 Hohy Vin HH6002 mobile home located at 221 32<sup>nd</sup> Ave W#11C, Spencer, IA 51301. Adjustment made necessary due to the following: Mobile home junked June 29, 2020. Motion carried.

Motion by Swanson, seconded by Anderson to appoint Rita Smith, 2882 510<sup>th</sup> Street, Webb, IA, 51366 to Zoning Board of Adjustment to fill vacancy for the term ending December 31, 2020. Motion carried.

Motion by Swanson, seconded by Hamrick to set a public hearing in the Clay County Administration Board room, 300 West 4<sup>th</sup> Street, Spencer, IA for an application of Shane Habben on preliminary plat of S & T First Countryside Lots, located in SW ¼ of Section 9, Riverton Township, Clay County, IA on July 28, 2020 at 9:00 a.m. Motion carried.

Motion by Anderson, seconded by Matthews to schedule a completion hearing for Drainage District #61, Branch 61 via zoom video conference with Dickinson, Emmet & Palo Alto Counties on August 25, 2020 at 9:00 a.m. Motion carried.

**8:45 a.m. Kristi Busse – County Attorney**

Motion by Matthews, seconded by Hamrick to approve and authorize the Clay County Attorney to sign the Karpel Solutions Memorandum of Understanding (MOU) between Clay County and Karpel Solutions for participating in statewide data sharing called the Iowa County Attorney Case Management Project. The purpose of the MOU is to establish permissions and guidelines for use of the personally identifiable information, confidential information and Criminal Justice Search. Motion carried.

County Attorney Busse gave the Board a departmental update regarding legislation related to jail fees charged to inmates.

Emergency Management Director Eric Tigges spoke with the Board regarding the Phase 2 opening of the Court System this week. Atty Busse explained the grant awarded to Clay County for the hiring of a courthouse security person during the COVID pandemic. Tigges and Busse will produce a work schedule for a new courthouse security person.

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

Motion by Matthews, seconded by Anderson to approve the Cenex Additional Warranty and authorize the County Engineer to sign the warranty agreements. Motion failed.

Motion by Hamrick, seconded by Anderson to approve the purchase of an 80" vibratory roller with smooth drum from the Bobcat Company. Motion carried.

Motion by Hamrick, seconded by Anderson to approve the purchase of an 80” vibratory roller with smooth drum from Bobcat Company out of West Fargo, ND for \$8,238.40. Motion carried.

Motion by Matthews, seconded by Swanson to approve the purchase of a 73” vibratory roller with padded drum from Bobcat Company out of West Fargo ND for \$7,817.36. Motion carried.

Motion by Anderson, seconded by Matthews to approve the purchase of a Jenkins Hydraulic Pallet Fork for a skid steer from Jaycox Implement Inc. of Lake Park, IA for \$2,050.00. Motion carried.

Utilities update.

Future Gravel Locations discussion.

Impacts to Clay County Secondary Roads revenue by Governor’s signed legislation to lower fuel tax.

**10:00 a.m. Public Hearing to Vacate Property in 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 Swanson, seconded by Supervisor Anderson to close the hearing. Motion carried.

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

**RESOLUTION NO. #2020-37**

FINALLY APPROVING DISPOSITION OF A PORTION OF RAILWAY AVENUE, ALLEYWAY AND PART OF 3 RD STREET IN THE UNICORPORATED CITY OF CORNELL TO ADJOINING LANDOWNERS.

WHEREAS, a hearing was held on July 14, 2020, after publication of notice, on the proposed vacating and disposal of a portion of Railway Avenue, an alleyway in Block 9 and Part of 3<sup>rd</sup> Avenue and 1<sup>st</sup> Avenue in the unincorporated City of Cornell, Iowa within the county to adjoining landowners in exchange for an easement granted by adjoining land owners to Clay County for the existing 490<sup>th</sup> 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, an alleyway in Block 9 and Part of 3<sup>rd</sup> Avenue and 1<sup>st</sup> 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 land owners to Clay County for the existing 490<sup>th</sup> 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:

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- a. That part of Railroad Ave. lying east of the east line of Main Street along Lot Twenty-two (22), Block Nine (9) in the Town of Cornell, Clay County, Iowa.
- b. That portion of an alleyway that runs to the west of Lots 26 through 30, Block Nine (9), Town of Cornell, County of Clay, State of Iowa.
- c. That part of 3rd Street and 1st Avenue where they overlap 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 14th day of July, 2020 and the vote thereon being as follows:

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

NAYES: None.

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

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

**10:30 a.m. Grand Avenue Community Outreach CDBG application**

Attendees: Cara Elbert, Planner with Northwest Iowa Planning and Development Commission and Kevin Brown with the Grand Avenue Community Outreach Community.

Motion by Swanson, seconded by Matthews to set a public hearing on July 28, 2020 at 10:00 a.m. in the Clay County Administration Building, 300 West 4<sup>th</sup> Street, Spencer, Iowa 51301 for an application for the Community Outreach Community Block Grant (CDBG) application for the Grand Avenue Community Outreach. Motion carried.

The CDBG application will be in the name of Clay County with a funding limit of \$600,000. The CDBG grant, if awarded, will enable the renovation of the upper floors of the Grand Avenue Community Outreach building. The renovation will enable the housing of people after the life safety and mechanical issues have been resolved.

Motion by Anderson, seconded by Hamrick to authorize the Chairperson to sign any materials associated with Grand Avenue Community Outreach Community Block Grant (CDBG) application. Motion carried.

**10:26 a.m.** Assistant County Attorney Barry Sackett gave the Board a departmental update from the civil division of the County Attorney's office.

**11:00 a.m. Marjorie A. Pitts – County Auditor**

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Motion by Hamrick, seconded by Anderson to approve moving the Clay County Board of Supervisors' Tuesday, September 8, 2020 Meeting to Thursday, September 10, 2020 at 8:30 a.m. due to the September 8, 2020 Special School Election. Motion carried.

Motion by Anderson, seconded by Swanson to set the canvass of the September 8, 2020 Special Election to Tuesday, September 15, 2020 at 10:00 a.m. in the boardroom of the Clay County Administration Building, 300 West 4<sup>th</sup> Street, Spencer, Iowa 51301. Motion carried.

Motion by Matthews, seconded by Hamrick to approve Transfer #404 of \$2,579.68 from Clay County Flex Plan Fund to the FY20 Flex Carry Over Fund. This transfer is due to the amendment to flex plan year 2019-2020. The amount represents employee's personal dollars. Motion carried.

Supervisors discuss/share information from committees and boards they have attended. Supervisor Swanson updated on the Clay County Visitors Bureau board meeting and the NW IA Regional Housing Trust Fund board meeting. Supervisor Anderson reported on the Workforce Iowa Opportunities Act (WIOA) meeting, the Compass Pointe status, Drug Force Advisory Board, YES Center Board meeting, and the NW IA Care Connection meeting. Supervisor Matthews updated on the Lakes Corridor meeting, the Seasons Board meeting, Conservation Board meeting, NW IA Regional Housing Board meeting, and the Governor's Work Group for Reinvigorating Economy. Supervisor Hamrick had no meetings to report. Supervisor Skelton reported on the daily COVID 19 task force meeting.

The Chairperson adjourned the meeting at 12:17 p.m. to convene at the next Auditor's called meeting July 28, 2020, 2020 at 8:30 a.m.

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

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