

## Clay County Board of Supervisor's Minutes from Meeting 22 held on July 28, 2020

The Clay County Board of Supervisors met pursuant to adjournment July 28, 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 via conferencing: Joe Hopper from Spencer Daily Reporter.

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

Due to the protective measures taken by the Clay County Board of Supervisors from the COVID-19 Pandemic, public access to this Board Meeting was made available via Zoom by calling 1-312-626-6799, Meeting ID # 257-199-8941.

Motion by Matthews, seconded by Hamrick that the amended Board meeting agenda to remove the update from County Treasurer Black for July 28, 2020 be received and placed on file with the County Auditor as approved. Motion carried.

Motion by Swanson, seconded by Anderson that the minutes of the Board Meeting #21 held July 14, 2020 are hereby approved as corrected and 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 July 28, 2020. Ayes: Anderson, Hamrick, Matthews, Skelton, Swanson. Nays: None. Abstentions: None. Resolution adopted.

### Publication List by Vendor

Abel Drainage & Excavating	service	352.40
Airgas USA	supplies	107.05
Alliant Energy	utilities	17.43
Alpha Wireless Comm	Hardware	11411.98
Arnold Motor Supply	Parts	38.02
Asher Motor	service	126.10
Automatic Building Controls	Buildings	1513.00
Ayrshire Farmers Mutual Tele	Telephone	154.30
B & I Electric	Buildings	200.00
Ann Baschke	flex	135.00
Bomgaars	Buildings	2120.37
Buena Vista Co Shrf	fees	55.80
Kristi Busse	flex	68.93
C & B Operations LLC	parts	171.67
Campus Cleaners & Launderers	rugs	109.69
CenturyLink	Telephone	14323.69
Cintas Corporation	Uniforms	60.00
City of Everly	Utilities	136.92
Coffman's Locksmith	Buildings	180.00
Copper Cottage	Buildings	160.00
Cornwall Avery Bjornstad&Scott	Legal Aid	120.00
Creative Product Source	Supplies	365.32
Crescent Electric Supply	Buildings	59.97

Clay County Board of Supervisors

July 28, 2020

Crittenton Center	service	2845.65
Crystal Glass	Buildings	886.19
Culligan of Spencer	water	34.80
David Decker	flex	300.00
Department of Treasury	Pcori fees	240.10
Diamond Mowers	Parts	1846.28
Dickinson County Sheriff	fees	42.00
Dixon Construction	Roads	125598.80
Everttek	Telephone	890.00
Frank Dunn Company	Services	799.00
Eric Franke	bait	88.00
GW Pete Howe Sanitation	service	160.00
Galen's Pro-Mow	service	138.81
Galls	uniforms	1810.03
Gordon Flesch Company	copier	490.07
Billy Gunnerson	flex	489.53
H & N Chevrolet Buick	Lubricants	31.60
Hargens Court Reporting	service	73.00
Harrison Truck Centers	Parts	281.70
Hartley Sentinel Inc	Board Proceedings	387.26
HEAT Tactical Team	Membership	2260.85
Hoffman Filter Service	Parts	55.00
Hy-Vee	inmate meals	2829.00
IA Lakes Electric Coop	Electric	3360.00
IA Lakes Regional Water	Water & Sewer	59.49
IA Law Enforcement Academy	Educational	750.00
IA Workforce Development	Unemployment Compensation	3514.29
ICAP	Equipment Insurance	986.00
Janitors Closet	Supplies	714.83
Jaycox Implement	Parts	412.01
Johnston Automotive	Parts	117.01
Kirkham Michael & Assoc	Roads	4577.00
L&D Ag Service	Construction & Maint.	419.95
Lube-Tech & Partners	Parts	5805.55
Mail Services	Service	607.93
Mar-Lin Business Supply	Supplies	7.56
Mastercard	Misc	85.59
The Master's Touch	Postage	3500.00
Leah McCrea	Rent	200.00
Menards	Buildings	50.12
Midwest Technology Services	Buildings	137.50
New Sioux City Iron Co	Tools	135.96
Northland Securities	service	435.00
NW IA Planning & Devlpmnt	service	80.00
Office Depot	Office Supplies	55.58
Presto X Company	Buildings	148.00
Heather Pullen	flex	234.00
Racom Corporation	Radio & Related Equip.	11070.00
Rainbow Bait	bait	65.00
Ricoh USA	copier charges	139.27
River Valley Telecom Coop	Telephone	199.41
Glenn Rouse	flex	90.25
Royal Telephone	Telephone	2032.74
Safelite AutoGlass	Parts	189.95
Shield Technology Corp	Hardware	8790.00
Solutions	service/equip	5047.39
Spencer Hospital	allocation	19166.67
SMU	Utilities	148.55

Clay County Board of Supervisors

July 28, 2020

Spencer Office Supplies	Office Supplies	615.26
Spencer Red Power	Parts	285.60
Staples	Office Supplies	163.29
Star Energy	Fuels	5580.46
Amy Strohman	Expenses	24.31
Randy Swanson	flex	38.00
US Cellular	Telephone	79.60
Megan VanSchepen	flex	33.16
Vander Haag's Inc	Parts	552.01
Verizon	Telephone	345.15
VISA	Misc	984.19
Webster Co Sheriff	Service	36.00
Wessels Oil Co	Cover Aggregate/Sand/Mate	1265.00
Windstream	Telephone	41.69
James Worm	Flex	123.00
Grand Total		258064.63

Motion by Swanson, seconded by Hamrick 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 July 28, 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. Resolution adopted.

Abel Drainage & Excavating Inc, 2380 440 <sup>th</sup> Street, Greenville, IA 51343		
DD #16 Remove Beaver Dam & Clean Outlet	\$555.00	
Bolton & Menk Inc., 1960 Premier Dr, Mankato, MN 56001		
DD #2 FEMA Disaster Repairs	\$400.00	Stamped
DD #2 Mitigation Wetland, Permit Compliance Monitoring	\$735.00	Stamped
DD #37 Wetland/Environment Rules Compliance <i>(\$435.00)</i>		
Court Consult, Prep & Testimony <i>(\$435.00)</i>	\$870.00	Stamped
Goodwin Law Office, 311 W Lincoln Way, Suite 1, Ames, IA 50010		
DD #37 Professional Services	\$5,309.50	Stamped
Lair Tiling & Excavating, 3570 200 <sup>th</sup> Street, Estherville, IA 51334		
DD #7 Tile Repairs	<u>\$511.85</u>	
Total Drainage Warrants:	\$8,381.35	

The Board discussed the letter received by County Auditor Pitts from Clay County Fair CEO/Manager Jeremy Parsons on July 11, 2020 referencing the 28E Agreement recorded April 25, 2017 between Clay County, the City of Spencer, and the Clay County Fair regarding the allocation of local option sales & service tax to the Fair Association for the repayment of the LOSST Improvement and Refunding Revenue Bonds Series 2015. Parsons asked if the County would entertain amending the 28# Agreement and only hold twelve (12) months of payments rather than twenty-four (24) months as stipulated in Section 11.A.iii/iv. After discussion and review of the history of LOSST redistributed funds and concerns over the future estimates for fiscal year 2021, the Board will continue review of the 2021 estimates and the decisions of the City of Spencer.

**8:47 a.m.** 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.: County Engineer William Rabenberg joins the meeting.

Clay County Board of Supervisors

July 28, 2020

**9:00 a.m. Preliminary Plat Public Hearing** for an application from Shane Habben of S & T First Countryside Lots, located in SW ¼ of Section 9, Riverton Township, Clay County, IA. The time having arrived for the public hearing to receive and consider any objections and other comments to application from Shane Habben of S & T First Countryside Lots, located in SW ¼ of Section 9, Riverton Township, Clay County, IA. for the preliminary plat. The Board, finding that the proper notice had been given for the hearing and that Zoning Administrator Tammy McKeever did receive a phone call of interest but no objection. County Engineer William Rabenberg gave comment to the allowance of driveway permits and variances available to the owners. A diagram was furnished to the Board showing the potential driveways. The final plat will show the variances for Lot 1 and Lot 2 approved by Clay County Secondary Roads. The Board, finding no further comments the public hearing was declared closed by the Chairperson and it is therefore, moved by Supervisor Swanson, seconded by Supervisor Anderson to accept the recommendation of the Clay County Planning and Zoning Commission to approve the application from Shane Habben of S & T First Countryside Lots, located in SW ¼ of Section 9, Riverton Township, Clay County, IA. Motion carried.

Zoning Administrator McKeever gave a departmental update and asked the Board if she would request Northwest Iowa Planning and Development (NWIAPDC) to write a solar ordinance for Clay County. The Board consensus was for her to go forward with the solar ordinance.

9:15 a.m. Conservation Director Will Horsley joins the meeting.

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

Motion by Hamrick, seconded by Anderson to approve and authorize the Engineer to sign the Fleet Pride quote of \$12,752.56 for a commercial vehicle, an agricultural vehicle, and an off-highway vehicle diagnostic software, license, and computer package. Motion carried.

Motion by Matthews, seconded by Swanson to approve and authorize the County Engineer to sign the Iowa Transit Construction Survey Equipment quote of \$28,179.30 for a new GPS Base & Rover, Software Upgrade, and New Data Collector. Motion carried.

Engineer Rabenberg gave the Board a utilities update on the Iowa Lakes Electric Coop relocating an overhead line on 290<sup>th</sup> Street, an Iowa Lakes Regional Water crossing a water line on 190<sup>th</sup> Avenue, 290<sup>th</sup> St., and 510<sup>th</sup> St.

Motion by Anderson, seconded by Hamrick to accept and authorize the Chairperson to sign the Employee Payroll Request form from the Clay County Engineer for Robert Peters with Secondary Roads for temporary status starting July 14, 2020 and at \$15.76 per hour. Motion carried.

**9:30 a.m. County Conservation Director Will Horsley** gave the Board a departmental update and provided status information on the Oneota Environmental Learning Center (OELC). Horsley explained the various funding opportunities including a USDA loan coupled with REAP grant funding and revenue from county parks deposited into the County Land Acquisition Capital Projects Fund. The current ratio of park rental and camping fees is 65% to County Land Acquisition Capital Projects and 35% to General Basic. Conversation continued to consider eliminating the percentage to General Basic for a period of time matching the OELC project loan duration. Final determination and formal action will be taken at a future Board meeting regarding the revenue percentages.

**10:00 a.m. Grand Avenue Community Outreach CDBG Hearing**

The Board of Supervisors of Clay County, Iowa, met on July 28, 2020, at 10:00 o'clock a.m., at the County Administration Building, Spencer, Iowa, for the purpose of conducting a public hearing on the Clay County CDBG Community Facility Application to the Iowa Economic Development Authority (IEDA). The Chairperson presided and the roll being called the following Supervisors were present and absent: Present: Supervisors Swanson, Anderson, Matthews, Hamrick, and Skelton. Absent: None.

The Board determined that proper notice of the public hearing was accomplished July 24, 2020 in the Spencer Daily Reporter newspaper of general circulation pursuant to the Iowa Code. Northwest Iowa Planning & Development Commission representative Cara Elbert read the following Citizen Participation Plan

**CITIZEN PARTICIPATION PLAN**  
**Clay County CDBG Community Facility Application Public Hearing**  
**Tuesday, July 28<sup>th</sup>, 2020 10am**  
**County Administration Building, Spencer, Iowa**

The following information must be read at the CDBG application public hearing in accordance with Section 507 of the Housing and Community Development Act of 1987:

The need for the project was identified by Grand Avenue Community Outreach with assistance from the project architect, Cannon Moss Brygger Architects (CMBA), and Clay County.

The estimated funding for the project will be comprised of \$600,000 in CDBG assistance and approximately \$1,300,000 in local funding anticipated from local fundraising efforts. The total project cost is estimated to be \$1,900,000. Application for CDBG funding will be submitted to the Iowa Economic Development Authority by August 5<sup>th</sup>, 2020. Persons benefiting from this project are considered to be limited clientele and are therefore presumed to have at least 51% of the clientele to be low to moderate income, per HUD'S definition, because their clientele includes persons with who are homeless. The portion of the CDBG funding that will benefit low-to-moderate income persons will be a maximum of \$306,000.

No persons or businesses will be displaced as a result of the recommended project. In the event that any persons or businesses are actually 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.

Grand Avenue Community Outreach project includes renovation/remodel of an existing 1920's, 18,500 sq. ft. historic building in downtown Spencer, Iowa. The building serves the community by offering social service and outreach programs designed to meet the physical, emotional, and spiritual needs of Northwest Iowa. The portion to be remodeled will be converted into hotel rooms for transitional and emergency housing needs. These rooms will be shared between several different non-profit organizations to better serve their respective clientele, in addition to the services already offered in other areas of the building – including free food, clothing, medical & dental services, as well as mental health & substance abuse counseling. Along with those

Clay County Board of Supervisors

July 28, 2020

updates, there will be an update throughout the building to bring it up to meet code and accessibility requirements.

The Chairperson called for any written or oral objections. There being no further comments, the Chairperson closed the public hearing at 10:15 a.m.

Motion by Supervisor Anderson seconded by Supervisor Matthews to approve the following resolution and authorize the Chairperson to sign.

**RESOLUTION NO. 2020-38**

**A RESOLUTION OF CLAY COUNTY, IOWA, AUTHORIZING APPLICATION TO THE IOWA CDBG PROGRAM, DESIGNATING OFFICIAL SIGNATORS, AND AUTHORIZING NWIPDC TO PREPARE AND ADMINISTER THE GRANT FOR CLAY COUNTY.**

WHEREAS, Clay County has established a need for renovating and rehabilitating Grand Avenue Community Outreach, existing 1920's, 18,500 sq. ft. historic building in downtown Spencer, Iowa. On top of the renovations throughout the building, it will also be brought up to meet code and accessibility requirements.

WHEREAS, Clay County does not possess the necessary financial resources to complete the rehabilitation of these buildings without financial assistance; and

WHEREAS, Clay County is eligible to apply for Community Development Block Grant (CDBG) through the Iowa Economic Development Authority (IEDA), and wishes to apply for assistance on behalf of Grand Avenue Community Outreach (GACO) and fully supports GACO's efforts to remodel and convert into hotel rooms for transitional and emergency housing needs as well as serve and low and moderate income persons of Spencer, Iowa. Clay County, and all of Iowa.

NOW THEREFORE BE IT RESOLVED BY THE Clay County Board of Supervisors that:

- 1) Submittal of a CDBG Community Facility grant application, on behalf of Grand Avenue Community Outreach is hereby authorized; and
- 2) Chair Dan Skelton and County Auditor Marge Pitts are hereby authorized to sign and execute said grant application and related correspondence for the Clay County; and
- 3) County Auditor Marge Pitts shall be the designated contact person for the Clay County and
- 4) Clay County hereby agrees to utilize the services of Northwest Iowa Planning and Development Commission to prepare and submit the CDBG Community Facility grant application as well as to perform the CDBG grant administration, upon notice of award.

Ayes: Supervisors Anderson, Hamrick, Matthews, Swanson, and Skelton. Nays: None. Absent: None.  
PASSED AND APPROVED the 28<sup>th</sup> day of July, 2020

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

Clay County Board of Supervisors

July 28, 2020

Motion by Swanson, seconded by Matthews to authorize the Chairperson to sign the Community Development and Housing Needs Assessment of low- and moderate-income persons. Motion carried.

Motion by Anderson, seconded by Swanson to authorize the Chairperson to sign the US Department of Housing and Urban Development (HUD) form 2880 relating to the CDBG Community Facility grant requesting \$600,000.00 on behalf of the Grand Avenue Community Outreach. Motion carried.

Motion by Matthews, seconded by Hamrick to authorize the Chairperson to sign the Federal Assurances Grant Application relating to the CDBG Community Facility grant requesting \$600,000.00 on behalf of the Grand Avenue Community Outreach. Motion carried.

Motion by Hamrick, seconded by Anderson to authorize the Chairperson to sign the Subrecipient Agreement for federally funded community facility project between Clay County and the Grand Avenue Community Outreach. Motion carried / failed.

**10:15 a.m.** County Treasurer LeAnn Black was not available to give the Board a departmental update as had been advertised.

**10:30 a.m. Brian Paulsen – ISG – Space Analysis Study Proposal**

The Board met with Brian Paulsen, Senior Architect from ISG Architect Group of Storm Lake who presented a proposal for a Facility Space Analysis for the current Northwest Bank Services Center building located at 505 2<sup>nd</sup> Ave West. Architect Paulsen felt that meetings with potential building employees and the draft analysis could be available by August 31, 2020.

Motion by Matthews, seconded by Swanson to approve and authorize the Chairperson to sign the space programming evaluation and development of concept floor plans for the Department of Human Services (DHS) and County Attorney spaces in the former Northwest Bank Building in Spencer, IA for compensation of \$12,000.00. Motion carried.

**11:00 a.m. Building Infrastructure Planning Session**

The Board began the building infrastructure planning session by referring to the Facilities Assessment book prepared and presented by ISG in January 2020. The roof conditions of all county administration buildings were discussed and prioritized. The Governmental Services Center building roof condition was determined to be the most in need of replacement. Financing of the improvements to all the buildings was discussed. Tasks to accomplish by the next Board meeting on August 11<sup>th</sup> was determined.

Motion by Anderson, seconded by Hamrick to approve Certificate of Adjustment #2314 on receipt #2020/2021 109 for Beth Annette Reskie on a 1976 GRT Vin GDMASD3362359 mobile home located at 221 32<sup>nd</sup> Ave W, #81, Spencer, IA 51301. Amount to abate is \$148.00. Adjustment made necessary due to the following: Mobile home junked June 29, 2020. Motion carried.

Motion by Swanson, seconded by Anderson to approve Certificate of Adjustment #2315 on receipt #80846; for CMC Heartland Partners, for RR ROW in Section 31 of Riverton Township and RR ROW in Sections 25 & 36 of Summit Township, Clay County Iowa, payable fiscal year 2016/2017. Adjustment made necessary due to the following: CMC Heartland Partners no longer owns this property; parcel numbers have been updated so current ownership will receive drainage assessments in the future. Total to abate: \$151.87. Motion carried.

Motion by Hamrick, seconded by Matthews to approve the allowance of \$25.00 per month to Marlee Christoffel for the use of her personal cell phone for employment uses. The allowance will be processed through payroll effective July 1, 2020. Motion carried.

Motion by Swanson, seconded by Matthews to approve the Courthouse landscape excavation proposal from Truverse Management totaling \$2,240.00. Motion carried.

Motion by Hamrick, seconded by Anderson to approve the proposal to annually check and test the fire alarm system at the Clay County Law Enforcement facility pursuant to NFPA Code 72 by Automatic Building Controls, Inc., 4300 W. 61<sup>st</sup> St N, Sioux Falls, SD in the amount of \$1,513.00 annually. The Chairperson is authorized to sign the proposal upon approval. Motion carried.

Supervisor Swanson leaves the meeting at 12:18 p.m.

Supervisors discuss/share information from committees and boards they have attended. Supervisor Anderson reported on the Workforce Initiative Opportunities Act (WIOA) meeting and will be attending the NW IA Care Connections meeting later this day. Supervisor Matthews reported on the Iowa Governor's Task Force meeting, the NW Regional Housing Board meeting, the Iowa NACO Conference and NACO Annual meeting, and the ISAC Executive Board meeting. Supervisor Swanson had no report. Supervisor Hamrick had no report.

The Chairperson adjourned the meeting at 12:25 p.m. to convene at the next Auditor's called meeting August 11, 2020 at 8:30 a.m.

/s/Marjorie A. Pitts, County Auditor

/s/ Dan Skelton, Chairperson