

Clay County Board of Supervisor's Minutes from Meeting 6 held on January 28, 2020

The Clay County Board of Supervisors met pursuant to adjournment January 28, 2020 at 8:30 a.m. in the boardroom with Chairperson Skelton presiding and with the following other members present: Supervisors Anderson, Hamrick, Matthews, Swanson, 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: Anderson, Hamrick, Matthews, Skelton and Swanson. Nays: None. Abstentions: None.

Motion by Swanson, seconded by Hamrick that the Board meeting agenda for January 28, 2020 be received and placed on file with the County Auditor as approved. Motion carried.

Motion by Matthews, seconded by Anderson that the minutes of the Board Meeting #2 held January 14, 2020 and special budget workshop Board Meetings #3, #4 and #5 held January 21, 22 and 23, 2020 are hereby approved as submitted. Motion carried.

Motion by Anderson, seconded by Swanson 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 January 28, 2020. Ayes: Anderson, Hamrick, Matthews, Skelton, Swanson. Nays: None. Abstentions: None. Resolution adopted.

Publication List by Vendor

Advanced Network Professionals	Data Processing Serv.	200.00
Airgas USA	Grounds Maintenance	35.01
All-American Turf Beauty	Seeding	135.00
Alliant Energy	Electric Light & Power	348.42
Arnold Motor Supply	Parts	3634.54
Asher Motor Co	Lubricants	64.85
Asphalt Paving Assn of IA	Employee Travel Expenses	825.00
Ayrshire Farmers Mutual	Telephone	28.96
Ann Baschke	Sick Pay Over 90 Days	82.65
Caleb Batschelet	Sick Pay Over 90 Days	55.30
Black Hills Energy	Natural & Lp Gas	332.00
LeAnn Black	Employee Travel Expenses	395.19
Brianne Blom	Fuels	40.89
Bomgaars	Uniforms	2476.89
Bound Tree Medical	Safety Supplies	41.33
Bradley Brunk	Sick Pay Over 90 Days	111.25
Campus Cleaners & Launderers	Custodial Supplies	136.09
Leah Cauthron	Sick Pay Over 90 Days	60.00
CenturyLink	Telephone	442.94
Heidi Chapman	Sick Pay Over 90 Days	55.65
Cintas Corp	Safety Supplies	114.66
City of Spencer	Contract Carriers	31585.62
Clay Co Emerg Mgt Agency	Allocation	7914.58
Clay Co Extension Service	Allocation	105.00
Clay Co Flex Plan/	Allocation	5000.00
Clay County General Fund	Allocation	57500.00
Casey Climer	Sick Pay Over 90 Days	113.85

Clay County Board of Supervisors
January 28, 2020

CMBA Architects	Engineering Services	287.50
Coffman's Locksmith	Grounds Maintenance	150.00
Copper Cottage	Buildings	247.64
Cornwall Avery Bjornstad	Legal Aid	150.00
Crescent Electric Supply	Buildings	357.95
Bradley Day	Sick Pay Over 90 Days	110.30
Debra M Mc Keever	Depositions	69.00
Matthew Dehrkoop	Sick Pay Over 90 Days	110.65
Michael Determan	Sick Pay Over 90 Days	115.00
Don Pierson Ford	Parts	7.50
Pamela Doran	Sick Pay Over 90 Days	75.00
Equipment Blades	Parts	836.00
Raymond Essick	Sick Pay Over 90 Days	7.50
Exhaust Pros	Parts	2236.90
FASTENAL	Hardware	160.02
Gene Fliss	Sick Pay Over 90 Days	106.90
Force America Dist	Parts	141.75
Frank Dunn Company	Engineering Services	799.00
David Glienke	Sick Pay Over 90 Days	6.90
Gordon Flesch Company	Copier Contracts	835.55
Jami Grady	Sick Pay Over 90 Days	56.35
Graham Tire Co	Tires & Tubes	572.68
Billy Gunnerson	Sick Pay Over 90 Days	80.65
Marc Gustafson	Sick Pay Over 90 Days	105.00
H & N Chevrolet Buick	Parts	30.48
Maurice Hansen	Sick Pay Over 90 Days	115.00
Hargens Court Reporting	Depositions	248.00
Jason Hass	Sick Pay Over 90 Days	85.95
Thomas Herrig	Sick Pay Over 90 Days	77.20
Nicole Huckfelt	Sick Pay Over 90 Days	120.00
Hy-Vee	Food & Provisions	4424.68
IA Lakes Electric Coop	Electric Light & Power	6109.89
IA Lakes Regional Water	Water & Sewer	65.09
IA Law Enforcement Academy	Educational	500.00
I & S Group	Consulting	2500.00
J&T Rentals	Buildings - Rental	1500.00
Janitors Closet	Custodial Supplies	253.70
Jaycox Implement	Parts	180.89
James Joenks	Sick Pay Over 90 Days	68.15
Kirkham Michael & Assoc	Engineering Services	5022.46
Robert Kluender	Sick Pay Over 90 Days	115.65
Knight Protection	Buildings	300.00
Scott Knudtson	Sick Pay Over 90 Days	81.90
Angela Lawson	Employee Travel Expenses	24.05
Sheryl Lee	Sick Pay Over 90 Days	86.90
Loffler	Office Supplies	139.59
Joshua Long	Sick Pay Over 90 Days	110.00
Lube-Tech & Partners	Lubricants	150.13
Kevin Maassen	Sick Pay Over 90 Days	112.50
Mar-Lin Business Supply	Office Supplies	66.55
Mastercard	Safety & Protect.Supplies	533.65
Burlin Matthews	Employee Travel Expenses	141.93
Tammy McKeever	Sick Pay Over 90 Days	60.65
Menards	Buildings	945.60
James Montgomery	Sick Pay Over 90 Days	118.75

Clay County Board of Supervisors
January 28, 2020

Kathryn Murphy	Sick Pay Over 90 Days	109.00
NAPA Auto Parts	Parts	152.99
NW IA Planning & Devlpmnt	Services	90.00
NW IA Youth Emergency	Detention	2275.00
James OHearn	Sick Pay Over 90 Days	100.30
Otis Elevator Co	Buildings	2816.28
Peterson CRU	Safety Supplies	180.00
Marjorie Pitts	Data Processing Equipment	633.52
Pocahontas Healthcare FDN	Educational	150.00
Presto X Company	Buildings	189.00
Proforma	Office Supplies	220.73
William Rabenberg	Employee Travel Expenses	102.88
Monica Rehnstrom	Sick Pay Over 90 Days	110.65
Ricoh USA	Copier Contract	160.19
Travis Riley	Sick Pay Over 90 Days	90.00
River Valley Telecom Coop	Telephone & Telegr.Serv.	199.91
Road Machinery & Supplies	Parts	336.62
Glenn Rouse	Sick Pay Over 90 Days	85.00
Jesse Rustad	Sick Pay Over 90 Days	110.00
Aaron Rutter	Sick Pay Over 90 Days	105.65
Safelite AutoGlass	Parts	407.19
Sanders	Cover Aggregate/Sand/Mate	9629.25
Darrel Santage	Sick Pay Over 90 Days	111.25
Joseph Schueller	Sick Pay Over 90 Days	115.90
Secure Shred Solutions	Sanitation & Disposal Ser	72.00
Sherwin Williams	Buildings	106.45
Shred-It USA	Sanitation & Disposal Ser	65.27
Daniel Skelton	Employee Travel Expenses	117.60
Michael Skonhovd	Sick Pay Over 90 Days	115.00
Smith Fertilizer & Grain	Cover Aggregate/Sand/Mate	4231.65
Snap On Tools	Tools	107.00
Solutions	Data Processing Equipment	3169.99
Speed Printers	Office Supplies	1099.25
Spencer Hospital	Medical & Health Services	19166.67
Spencer Office Supplies	Office Supplies	928.72
Ann Spooner	Sick Pay Over 90 Days	97.15
Star Energy	Fuels	5707.27
State Steel Supply	Parts	60.50
Amy Strohman	Employee Travel Expenses	95.87
TG Industries	Parts	325.00
Mark Thompson	Sick Pay Over 90 Days	20.95
Thrifty White Stores	Safety Supplies	60.55
Eric Tigges	Sick Pay Over 90 Days	86.90
Kristine Toay	Sick Pay Over 90 Days	119.35
Total Tool Supply	Parts	41.96
Treas - State of Iowa	Tax	347.00
Underground Vaults & Storage	Data Processing Serv.	294.00
Randy Van Kley	Sick Pay Over 90 Days	105.65
Megan Van Schepen	Sick Pay Over 90 Days	110.00
Vander Haag's	Parts	97.10
Laura Ver Mulm	Sick Pay Over 90 Days	106.90
Verizon	Telephone	367.57
VISA	Office Supplies	2706.91
Warner Funeral Home	Burial Services	1800.00
Warren Meier Electric	Buildings	1659.35

Clay County Board of Supervisors

January 28, 2020

Webster Co Sheriff	Sheriff Fees	12.00
Sheila Weeks	Employee Travel Expenses	272.15
Jeffrey Wiemann	Sick Pay Over 90 Days	100.00
Woodward Youth Corporation	Shelter Care	1026.30
James Worm	Sick Pay Over 90 Days	90.15
Grand Total		207122.24

Motion by Matthews, seconded by Hamrick to adopt the following resolution: BE IT HEREBY RESOLVED by the Board of Supervisors approve the expenditures and that the County Auditor be hereby authorized and directed to issue warrants, against the various settlement of such claims a allowed January 28, 2020. Ayes: Anderson, Hamrick, Matthews, Skelton, Swanson. Nays: None. Abstentions: None. Resolution adopted.

Bolton & Menk, Inc., 1960 Premier Drive, Mankato, MN, 56001		
DD #2	Mitigation Wetland, Permit Compliance	\$1,795.50 Stamped
DD #2	FEMA Disaster DR-4421 Repairs	\$ 960.00 Stamped
DD#37	Wetland/Env Rules Compliance/Court	\$1,287.00 Stamped
Koenig Portable Toilets, PO Box 1312, Spencer, IA 51301		
Jt DD #22	Jet Tile Line	\$ 612.50
Clay County Secondary Roads, 300 W 4 th Street, Suite 5, Spencer, IA 51301		
Jt DD #14-42 Lat. 243 E	Tile Repairs	\$ 110.00
Bruce Hanson, 4955 290 ^t Avenue, Webb, IA 51366		
Jt DD #14-42 Lat. 243 E	Tile Repairs	<u>\$ 95.00</u>
	Total	\$4,860.00

Motion by Swanson, seconded by Anderson to approve a \$2,009.97 allocation to the H.E.A.T. Tactical team for purchasing two reliable computers to complete information from the requesting agency, log all radio traffic and coordinate team relayed information to help bridge the current technological gap that is an ongoing issue with the team. Motion carried.

Motion by Anderson, seconded by Matthews to re-appoint Marc E. Gustafson, 1001 9th Street, Spencer, IA as Clay County Weed Commissioner pursuant to Code of Iowa, Chapter 317.3 for calendar year of 2020. There shall be an annual compensation of \$2,250.00 for the responsibilities. Motion carried.

Motion by Hamrick, seconded by Anderson to approve and authorize the chairperson to sign the Non-501(c) (3) Fiscal Sponsorship Agreement between Clay County, Iowa and Clay County Deputies Association to serve as a fiscal/program sponsor and formally approve adopting the Clay County Sheriff Drone Program. The program will be accounted for as a program of the county for IRS auditing and financial reporting purposes. If a grant is awarded, the County is responsible for ensuring completion of timely reports and submission of necessary financial statements required by the grantor Clay County Community Foundation. Motion carried.

8:45 a.m. Assistant County Attorney Barry Sackett gave the Board a departmental update from the civil division of the County Attorney’s office.

10:00 a.m. Urban Renewal Plan Clay County Urban Renewal Area Public Hearing & Approve Resolution 2020-08

The Board of Supervisors of Clay County, Iowa, met on January 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 Board of Supervisors

January 28, 2020

designation of an urban renewal area and on a proposed urban renewal plan and project. 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.

It was reported that notice of the intention of the Board to conduct a public hearing on the designation of the Clay County Urban Renewal Area and on an urban renewal plan and project for the Area had been published according to law and as directed by the Board and that this is the time and place at which the Board shall receive oral or written objections from any resident or property owner of the County. All written objections, statements, and evidence heretofore filed were reported to the Board.

There being no persons present that offered oral objections, statements, or evidence; or filed written objections or statements; or presented other exhibits:

There being no further objections, comments, or evidence offered, the Chairperson announced the hearing closed.

Supervisor Matthews moved the adoption of a resolution entitled “A resolution to declare necessity and establish an urban renewal area, pursuant to Section 403.4 of the Code of Iowa and approve urban renewal plan and project for the Clay County Urban Renewal Area”, seconded by Supervisor Anderson. After due consideration, the Chairperson put the question on the motion and the roll being called, the following named Supervisors voted:

Ayes: Supervisors Swanson, Anderson, Matthews, Hamrick, and Skelton

Nays: None.

Whereupon, the Chairperson declared the resolution duly adopted and signed approval thereto.

RESOLUTION NO. 2020-08

A resolution to declare necessity and establish an urban renewal area, pursuant to Section 403.4 of the Code of Iowa and approve urban renewal plan and project for the Clay County Urban Renewal Area

WHEREAS, as a preliminary step to exercising the authority conferred upon Iowa counties by Chapter 403 of the Code of Iowa, the “Urban Renewal Law”, a county must adopt a resolution finding that one or more economic development areas exist in the county and that the development of such area or areas is necessary in the interest of the public health, safety or welfare of the residents of the county; and

WHEREAS, it has been recommended that an urban renewal area be established within the property described in Exhibit A to this Resolution; and

WHEREAS, notice of a public hearing by the Board of Supervisors on the question of establishing the area identified above as an urban renewal area and on a proposed urban renewal plan and project for the area was heretofore given in strict compliance with the provisions of Chapter 403 of the Code of Iowa, and the Board has conducted said hearing; and

WHEREAS, the proposed urban renewal plan and project were found by the Plan and Zoning Commission of the County to be consistent with the County’s general plan; and

Clay County Board of Supervisors

January 28, 2020

WHEREAS, copies of the urban renewal plan, notice of public hearing and notice of a consultation meeting with respect to the urban renewal plan were mailed to the Clay Central Everly School District; the consultation meeting was held; and responses to any comments or recommendations received following the consultation meeting were made as required by law;

NOW, THEREFORE, It Is Resolved by the Board of Supervisors of Clay County, Iowa, as follows:

Section 1. An economic development area as defined in Chapter 403 of the Code of Iowa is found to exist within the property described in Exhibit A.

Section 2. The area identified in Section 1 hereof is hereby declared to be an urban renewal area, in conformance with the requirements of Chapter 403 of the Code of Iowa, and is hereby designated the Clay County Urban Renewal Area.

Section 3. The development of this area is necessary in the interest of the public health, safety or welfare of the residents of Clay County, Iowa.

Section 4. It is hereby determined by this Board of Supervisors as follows:

A. The proposed urban renewal plan conforms to the general plan of the County as a whole;

B. Proposed economic development in the urban renewal area is necessary and appropriate to facilitate the proper growth and development of the County in accordance with sound planning standards and local community objectives.

Section 5. The urban renewal plan for the Clay County Urban Renewal Area is made a part hereof and is hereby in all respects approved in the form presented to this Board, and the proposed project for such area based upon such plan is hereby in all respects approved.

Section 6. All resolutions or parts thereof in conflict herewith are hereby repealed, to the extent of such conflict.

Passed and approved January 28, 2020.

/s/Dan Skelton, Chairperson, Board of Supervisors

Attest: /s/Marjorie A Pitts, County Auditor

Supervisor Anderson introduced the ordinance set out on the following pages, entitled “Ordinance No. 2.8 Supplemental 1 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.”

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

Pursuant to the provisions of Clay County Model Ordinance, No. 1.2, a summary of the Ordinance must be published at least 15 days before the date on which it is first considered for passage.

Clay County Board of Supervisors

January 28, 2020

Supervisor Swanson moved that the Board schedule the first consideration of the Ordinance for February 25th, 2020, and that a summary of the Ordinance be published at least 15 days prior to that date, seconded by Supervisor Anderson. After due consideration, the Chairperson put the question on the motion and the roll being called, the following named Supervisors voted:

Ayes: Supervisors Swanson, Anderson, Matthews, Hamrick, and Skelton

Nays: None.

Whereupon, the Chairperson declared the motion duly adopted,

Supervisor Matthews gave the Board a preview of the upcoming Statewide Supervisor's Meeting to be held on January 30th, 2020 and use of the ISAC Legislative tracing tools.

11:00 a.m. Clay County Fair Project Proposal to Issue Revenue Refunding Notes Public Hearing & Approve Resolution 2020-09

This being the time and place for holding a hearing on the proposal to issue revenue refunding notes for the purpose of refinancing the outstanding balance of the County Fair Revenue Note, Series 2010, the County Auditor reported that no written comments or objections had been filed.

The Chairperson called for any written or oral objections. There being no further comments, the Chairperson closed the public hearing.

Supervisor Matthews introduced the resolution next hereinafter set out, expressing the Board's intent to issue a revenue refunding note in the future, and moved its adoption, seconded by Supervisor Hamrick. After due consideration and discussion, the Chairperson put the question upon the adoption of the resolution, and the roll being called, the following Supervisors voted:

Ayes: Swanson, Anderson, Matthews, Hamrick, and Skelton

Nays: None.

Whereupon, the Chairperson declared the resolution duly adopted as hereinafter set out.

RESOLUTION NO. 2020-09

Expressing Intent to issue County Fair Revenue Refunding Note

WHEREAS, Clay County, State of Iowa (the "Issuer"), is a County authorized and empowered by the provisions of Chapter 419 of the Code of Iowa, 2019, as amended (the "Act"), to issue revenue bonds or notes for the purpose of financing the cost of acquiring, by construction or purchase, land, buildings, improvements and equipment, or any interest therein, suitable for the use of any facility for an organization described in Section 501(c)(3) of the Internal Revenue Code (the "Code") which is exempt from federal income tax under Section 501(a) of the Code (a "Tax Exempt Organization") or to retire any existing indebtedness on a facility for a Tax Exempt Organization or to refund any Bonds issued pursuant to the Act; and

WHEREAS, the Issuer has been requested by the Clay County Fair Charitable Trust (the "Borrower"), a Tax Exempt Organization, to issue revenue refunding notes in an aggregate principal amount not to exceed \$612,472.64 (the "Notes"), pursuant to the Act, and to loan said amount to the

Clay County Board of Supervisors

January 28, 2020

Borrower for the purpose of refinancing the outstanding balance of the Borrower's County Fair Revenue Note, Series 2010; and

WHEREAS, notice of a public hearing on the issuance of refunding notes has been published and the hearing has been held; and

WHEREAS, the County intends to issue refunding notes in the future;

NOW, THEREFORE, Be It Resolved by the Board of Supervisors of Clay County, Iowa, as follows:

Section 1. The Board of Supervisors hereby expresses its intent to issue the refunding notes in the future and further declares that this resolution shall constitute the "additional action" required by Section 419.9 of the Code of Iowa.

Section 2. All resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Passed and approved January 28, 2020.

/s/Dan Skelton, Chairperson

Attest: /s/Marjorie A Pitts, County Auditor

Supervisors discuss/share information from committees and boards they have attended. Supervisor Skelton will be attending the Communication Center meeting today. Supervisor Swanson reported on the EMS Advisory Board and the Clay County Visitor's Bureau meetings. Supervisor Anderson updated on the ISAC University, the YES Center Board, The IWD Regional meeting, Season's Center Board, and the Assessor Conference Board. Supervisor Matthews reported on Season's Annual meeting and the Ag & Rural Affairs Steering Comm conference call. Supervisor Hamrick reported on the County Safety meeting.

The Chairperson adjourned the meeting at 11:05 a.m. to convene at the next Auditor's called meeting January 31, 2020 at 8:30 a.m.

/s/Marjorie A. Pitts, County Auditor

/s/Dan Skelton, Chairperson

Clay County Board of Supervisors

January 28, 2020