

Clay County Board of Supervisor's Minutes from Meeting 8 held on February 11, 2020

The Clay County Board of Supervisors met pursuant to adjournment February 11, 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 February 11, 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 #6 held January 28, 2020 and Board meeting # 7 held January 31, 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 February 11, 2020. Ayes: Anderson, Hamrick, Matthews, Skelton, Swanson. Nays: None. Abstentions: None. Resolution adopted.

Publication List by Vendor		
A & M Laundry	Uniforms	210.32
A-1 Portables	Sanitation & Disposal	66.00
Advanced Door Systems	Construction	570.00
Airgas USA	Grounds Maintenance	72.69
Alliant Energy	Utilities	697.76
Barry Anderson	Employee Travel Expenses	687.02
Arnold Motor Supply	Buildings	2.94
Asher Motor Co	Parts	701.60
Ann Baschke	Flex	274.84
Black Hills Energy	Utilities	4766.08
Brianne Blom	Flex	105.00
Bound Tree Medical	Safety Supplies	209.87
C & B Operations	Parts	711.12
Campus Cleaners & Launderers	Custodial Supplies	87.84
Canon Fin Services	Copier Contract	163.71
CenturyLink	Telephone	48.13
City of Everly	Natural & Lp Gas	362.34
City of Royal	Water & Sewer	52.50
City of Webb	Water & Sewer	94.50
Clay Co Fair & Event Center	Allocation	27347.33
Clay Co Sec Road Fund	Fuels	472.54
Coffman's Locksmith	Buildings	65.00
Cooperative Energy Company	Parts	31739.11
Cornwall Avery Bjornstad	Legal Aid	120.00
Crescent Electric Supply	Buildings	168.16
Crysteel Manufacturing	Parts	92.30
Crysteel Truck Equipment	Parts	55.09

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Culligan of Spencer	Office Supplies	55.40
Daily Reporter	Board Proceedings	1486.53
Diamond Vogel	Parts	205.34
Drivers License Guide Company	Supplies	29.95
Employee Benefit Systems	Emp Grp Health Ins	333.30
Evertex	Telephone	261.22
FASTENAL	Buildings	1739.48
Fire Proof Plus	Safety Supplies	235.00
FleetPride	Parts	68.10
Galen's Pro-Mow	Parts	78.51
Galls	Uniform	127.93
Lee Geerdes	Township Official	18.20
Gordon Flesch Company	Copier Contract	602.48
Graham Tire Co	Tires & Tubes	160.00
Jim Graham	Township Officials	30.10
Marc Gustafson	Flex	169.16
Harrison Truck Centers	Parts	32.19
Hartley Sentinal	Publications	189.44
HEAT Tactical Team	Allocation	2009.97
Iowa Lakes Community College	Rent	3330.34
IA Lakes Regional Water	Water & Sewer	467.39
IACCVSO	Registration	60.00
IEMA	Dues & Memberships	150.00
ISAC	Registration	1630.00
Janitors Closet	Buildings	145.28
Johnston Automotive	Parts	542.26
Robert Kluender	Safety Supplies	107.21
Lexis Nexis	Subscription	899.52
Lube-Tech & Partners	Lubricants	596.98
Kevin Maassen	Employee Travel Expenses	6.39
Mail Services	Postage	510.49
Mar-Lin Business Supply	Office Supplies	27.38
Marcus News	Publication	1355.10
Matheson Tri-Gas	Grounds Maintenance	31.03
Burlin Matthews	Employee Travel Expenses	204.19
MaxYield Cooperative	Cover Aggregate/Sand/Mate	1358.26
Tammy McKeever	Flex	267.00
Menards	Buildings	781.51
John Metcalf	Township Official	8.40
Neofunds	Postage & Mailing	1500.00
Nielsens Tire & Appliance	Engineering Services	475.53
North Central Int'l	Parts	410.70
NW IA Regional Housing	Allocation	6565.00
Palo Alto County Sheriff	Sheriff Fees	31.74
Robin Patrick	CPR Renewals	105.00
Poweshiek County Auditor	Data Processing Supplies	405.00
Premier Communications	Telephone	639.62
Travis Riley	Recreational Supplies	100.00
Royal Telephone Co	Telephone	30.00
Sanders	Cover Aggregate/Sand/Mate	3818.40
Laurie Saunders	CPR Renewals	105.00
Setpoint Mechanical Services	Buildings	4075.50
Sioux Sales	Other	104.77
Daniel Skelton	Employee Travel Expenses	138.90
Michael Skonhovd	Employee Travel Expenses	4.44

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Snap On Tools Corp	Tools	61.25
Solutions	Data Processing Serv.	3413.78
LeRoy Spears	Fuels	18.90
Spencer Auto Parts	Shop Equipment	3469.46
Spencer Hospital	Medical & Health Services	6259.02
SMU	Electric Light & Power	10605.47
Spencer Office Supplies	Office Supplies	1533.10
Ann Spooner	Flex	121.82
Amy Strohman	Flex	40.00
Randy Swanson	Employee Travel Expenses	27.11
Terril Telephone Coop	Telephone	8.04
Town & Country Disposal	Sanitation & Disposal	74.00
US Cellular	Telephone	800.89
Randy Van Kley	Safety & Supplies	150.00
VanderWerff & Associates	Other Professional	2250.00
Verizon	Telephone	474.01
Craig VonEhwegen	Township Official	9.80
Walmart Community	Recreational Supplies	68.42
Warren Meier Electric	Buildings	167.00
Wells Fargo Vendor Fin Serv	Motor Vehicle	577.12
Danika Welsch	Employee Travel Expenses	161.92
Jeffrey Wiemann	Flex	40.00
Windstream	Telephone	41.69
Woodward Youth Corporation	Detention	2379.15
James Worm	Employee Travel Expenses	151.88
Ziegler Inc	Parts	11140.29
Grand Total		

Motion by Hamrick, 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 February 11, 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#37	Wetland/Envir Rules Compliance	\$ 965.00 Stamped
DD#2	Mitigation Wetland, Permit Compliance	\$ 865.00 Stamped
DD#2	FEMA Disaster DR-4421 Repairs	\$1,731.00 Stamped
Goodwin Law Office, 311 W Lincoln Way, Suite 1, Ames, IA 50010		
DD #37	Professional Services	<u>\$1,110.00</u> Stamped
Total Drainage Warrants:		\$4,662.00

Resolution adopted.

The Board had open discussion regarding the recent North Raccoon River Management Coalition (NRRWMA) meetings attended by Don Etlar as well as the Iowa Department of Agriculture and Land Stewardship (IDALS) Nitrate Reduction Projects. Clay County has participated in a nitrate reduction project with surrounding counties and IDALS that has proven results. Questions were raised as to how IDALS fit within the framework of a Watershed Management Authority (WMA) which has access to federal dollars for projects and tax levying authority. Concerns over a potential loss of local control and legislative changes that would override the local drainage authorities. The Board will continue to gather further information.

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No Board action taken to approve and authorize the Chairperson to sign the Articles of Agreement for the Region 3-4 Chief Elected Official Consortium Workforce Innovation and Opportunity Act of 2014. This joint exercise of powers agreement, per Chapter 28E of the Code of Iowa, allowing for the purpose of establishing a Chief Elected Official Board under the WIOA. The area covered by this agreement is the Workforce Development Region 3-4, which is comprised of the counties of Kossuth, Emmet, Dickinson, Osceola, Lyon, Sioux, O'Brien, Clay, Palo Alto, and Buena Vista, and all of which are signatories to this agreement.

Motion by Hamrick seconded by Swanson to approve and authorize the County Engineer to sign the gravel contract between Stratford Gravel and Clay County to crush gravel at the Kruse Pit for \$2.75/ton. Motion carried.

County Engineer Rabenberg updated the Board on data and discussions with Alliant Energy regarding the compensation for repairs of county roads and bridges consequent to the installation of wind turbines. The Board directed Engineer Rabenberg to convey to Alliant Energy the Board's desire to compile further information in the next two weeks. Rabenberg also reported on the request by the City of Greenville to remove trees on the east side of town. An estimate for removal has been obtained. The tree debris would have to be hauled to the Elser Pit. The Board and the Engineer will continue to work with the City of Greenville to have a satisfactory solution and time frame for removal and reimbursement for services. The Board and Engineer discussed the request by Windstream Holdings Inc to allow 100-foot poles to be installed in the County road right-of-way without permitting. Windstream is not classified as a utility and would still have to comply with our County Zoning Commission as a communication utility which Windstream disputes. The Board requests that a representative of Windstream and our Engineer and our Zoning Commissioner be present at the next regular Board meeting to be held Tuesday, February 25, 2020.

Matters were discussed relative to modifying provisions of the outstanding debt for the Clay County Fair, pursuant to Chapter 419 of the Iowa Code. Whereupon, Supervisor Matthews introduced the following resolution and moved its adoption, seconded by Supervisor Anderson and after due consideration thereof by the Board, the Chairperson put the question upon the motion and the roll being called, the following named Supervisors voted: Ayes: Anderson, Hamrick, Matthews, Skelton and Swanson. Nays: None.

Whereupon, the Chairperson declared the said motion duly carried and the resolution adopted as follows:

RESOLUTION 2020-12

**Approving Modifications to County Fair Revenue Note,
Series 2010**

WHEREAS, Clay County, State of Iowa (the "County"), has previously issued a County Fair Revenue Note, Series 2010 (the "Note") on behalf of the Clay County Fair Charitable Trust (the "Borrower"); and

WHEREAS, the Borrower and Farmers Savings Bank (the "Lender") have requested that the County approve certain modifications to the terms of the Note related to the maturity date and the amount of annual payments of principal and interest; and

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WHEREAS, the Lender has prepared a certain Commercial Debt Modification Agreement (the "Modification Agreement"), with an effective date of November 1, 2019, that incorporates the proposed modifications, including reducing the annual payment of principal and interest to \$41,636, effective November 1, 2020; and extending the maturity date to November 1, 2035;

NOW, THEREFORE, IT IS RESOLVED by the Board of Supervisors of the Issuer, as follows:

Section 1. The Modification Agreement is hereby approved, and the Chairperson and County Auditor are hereby authorized to execute the Modification Agreement on behalf of the County.

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

Passed and approved on February 11, 2020.

The above and foregoing resolution was adopted by the Board of Supervisors of Clay County, Iowa, this 11th day of February 2020 and the vote thereon being as follows:

Ayes: Anderson, Hamrick, Matthews, and Swanson.

Abstains: Skelton.

Nays: None.

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

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

10:00 a.m. The time having arrived for the County Supervisors to conduct a public hearing on the proposed maximum property tax dollars for fiscal year 2021. The Chairperson opened the hearing to oral comments. There being no oral comments from hearing attendees, it was moved by Supervisor Hamrick, seconded by Supervisor Swanson to close the hearing.

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

RESOLUTION NO. #2020-11

Approval of FY21 Maximum Property Tax Dollars

WHEREAS, the Clay County Board of Supervisors have considered the proposed FY21 county maximum property tax dollars for both General County Services and Rural County Services, and

WHEREAS, a notice concerning the proposed county maximum property tax dollars was published as required and posted on county web site and/or social media accounts if applicable,

WHEREAS, a public hearing concerning the proposed county maximum property tax dollars was held on February 11, 2020.

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NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Clay County that the maximum property tax dollars for General County Services and Rural County Services for FY21 shall not exceed the following:

General County Services- \$5,839,996

Rural County Services- \$2,370,201

The Maximum Property Tax dollars requested in either General County Services or Rural County Services for FY21 does not represent an increase of 102% from the Maximum Property Tax dollars requested for FY20.

The above and foregoing resolution was adopted by the Board of Supervisors of Clay County, Iowa, this 11th day of February 2020 and the vote thereon being as follows:

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

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

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

10:00 a.m. The time having arrived for the first hearing and reading on the proposed amendment to the Clay County Ordinance 1.8, Section 2 establishing a Pioneer Cemetery Commission. The purpose of this ordinance amendment is to establish a six (6) member board for Pioneer Cemetery Commission to assume jurisdiction and management of pioneer cemeteries in Clay County, Iowa. The Board determined that proper notice of the public hearing was accomplished.

Barry Sackett, Assistance County Attorney, advised that an uneven number of board members would be better for the commission than an even number, so the amendment should be written to create a seven-member board instead of six. After discussion, the board consensus was to change the amendment to a seven (7) board members for the Pioneer Cemetery Commission and continue with the first hearing.

The Chairperson opened the hearing to oral comments and discussion of the proposed ordinance. There being no further discussion by Board members or hearing attendees, it was moved by Supervisor Anderson, seconded by Supervisor Hamrick to close the hearing, place the proposed amendment on file and read it for the first time.

The Amendment to Clay County Ordinance 1.8, Section 2 establishing a seven (7) board member Pioneer Cemetery Commission was read and a motion by Hamrick, seconded by Swanson to vote upon the passage by the Board of Supervisors for the first time. It was passed by a vote of the majority of the Board of Supervisors. Those voting for passage: Anderson, Hamrick, Matthews, Skelton and Swanson. Those voting against passage: None.

10:08 a.m. Assistant County Attorney Barry Sackett gave the Board a departmental update from the civil division of the County Attorney's office.

Motion by Anderson, seconded by Hamrick to approve the estimate of \$1,790.00 from Warren Meier Electric, 526 W. 7th Street, Spencer, Iowa 51301 for labor and materials to install sixteen (16) two by four thirty-five-watt LED fixtures at the Clay County jail. Pricing is available only if LED fixtures are

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still in stock at time of order, otherwise there will be an additional cost of \$24.00 per fixture. Motion carried.

Motion by Hamrick, seconded by Swanson to set the date and time for the fiscal year 2021 County Budget public hearing to be 10:00 a.m. March 10, 2020 at the Clay County Administration Building, 300 W. 4th St., Spencer, IA. Motion carried.

Motion by Anderson, seconded by Swanson to accept the recommendation by the Clay County Assessor of new and disallowed family farm credit claims filed prior to November 1, 2019 pursuant to Iowa Code Section 425A.4. Motion carried.

Supervisors discuss/share information from committees and boards they have attended. Supervisor Anderson reported on the Iowa Workforce Regional meeting and the Iowa Drainage District Assoc meeting. Supervisor Matthews updated on the County Conservation Board meeting, and the Public Health Board. Supervisor Hamrick reported on the DCAT meeting and the Farm Bureau meeting. Supervisor Swanson reported on the Public Health Board meeting. Supervisor Skelton updated on the Farm Bureau meeting.

The Chairperson adjourned the meeting at 11:13 a.m. to convene at the next Auditor's called meeting February 25, 2020 at 8:30 a.m.

/s/Marjorie A. Pitts, County Auditor

/s/Dan Skelton, Chairperson