

Courthouse  
Emmetsburg Iowa  
May 12th, 2015, 8:00 a.m.

The Palo Alto County Board of Supervisors met in regular session. Members present: Craig Merrill, Chair, Linus Solberg, Ron Graettinger, and Ed Noonan. Absent: Keith Wirtz.

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote: Ayes: Noonan, Graettinger, Solberg, Merrill. Nays: None. Absent: Wirtz.

Motion by Noonan, seconded by Graettinger to approve agenda for May 12th, 2015. Motion carried.

Motion by Graettinger, seconded by Noonan to approve the minutes of May 5th, 2015. Motion carried.

Motion by Noonan, seconded by Solberg to approve Recorder's monthly report for April 1, 2015 thru April 30, 2015. Motion Carried.

Maureen Sandberg, CPC, met with the Board to discuss mental health information. The Board received copies of the Northwest Iowa Care Connections Governance Board meeting minutes of April 17<sup>th</sup>, 2015.

David Kirk, City of Ruthven Mayor, met with the Board. Present: Joe Neary, Environmental Health/Zoning. David Kirk addressed two properties of concern one being between Old Hwy 18 and new Hwy 18 and 1804 Washington St. Joe Neary will make contact with the property owners at 1804 Washington St and research a nuisance ordinance for Palo Alto County.

Motion by Solberg, seconded by Graettinger to authorize submittal of appeal letter on FEMA project worksheet #298. Motion Carried.

Brett Pickar and Julie Rolston from Daybreak Foods met with the Board. Present: Dan Fehr, Cory Fehr, Dale Opheim; Joe Neary, Environmental Health and Mark Hunefeld, EMA. Brett Pickar gave update on response plan that Daybreak Foods has in place regarding Avian flu. Pickar requested embargo of poultry or poultry waste products within 1 mile of their facility for up to 3 months and then revisit. Cory Fehr requested signs to reduce traffic on 2 miles by Country Nest. Mark Hunefeld will locate signs and work with County Engineer to embargo roads.

Motion by Solberg, seconded by Graettinger to introduce and approve the following Resolution 5-12-2015(A). Ayes: Noonan, Graettinger, Solberg, Merrill. Absent: Wirtz. Resolution passed.

**Resolution 5-12-2015(A)**  
**Resolution proclaiming civil emergency and authorizing**  
**chairperson to issue orders of road closure and/or**  
**Embargo**

Whereas Palo Alto County, Iowa, including both incorporated and unincorporated areas thereof, is currently experiencing significant risk of infection of its poultry by the Highly Pathogenic Avian Influenza (HPIA); and

Whereas, Palo Alto County may, pursuant to its home rule authority, exercise any power and perform any function it deems appropriate to protect and preserve the rights, privileges and property of the county and/or its residents, and to preserve and improve the peace, safety, health, welfare, comfort and convenience of its residents; and

Whereas, the Palo Alto County Board of Supervisors on 5-12-2015 declared a State of Emergency in Palo Alto County in an effort to take proactive, preventative approach to the widespread Highly Pathogenic Avian Influenza (HPIA); and

Whereas, the Palo Alto County Board of Supervisors has determined that it is necessary to order the mandatory closing of certain roads of unincorporated Palo Alto County and restrict movement of any poultry or poultry waste products with 1 mile of any poultry facility not owned by the facility, in order to protect or preserve life or property; to assist in disaster mitigation, response or recovery; and to generally preserve and improve the peace, safety, health, welfare, comfort and convenience of its residents.

Therefore, Be It Resolved by the Palo Alto County Board of Supervisors that due to the current risk of infection of its poultry by the Highly Pathogenic Avian Influenza (HPIA) in Palo Alto County, Iowa, there is proclaimed to be a State of Emergency in the unincorporated areas of the County; and

Be It Further Resolved that the Chairperson of the Board of Supervisors may, in response to the state of Emergency, issue Orders of Road Closure and/or Embargo for any part of unincorporated Palo Alto County the Chairperson deems advisable as necessary to protect or preserve life or property or as necessary to assist in disaster mitigation response, or recovery; and

Be it Further Resolved the any such Order of Road Closures and/or Embargo shall be made in writing and communicated in such a manner as to reasonable apprise the affected residents and the general public of the specific time and location of the roads to be closed and/or any restrictions on the movement of any poultry or poultry waste products; and Be it Further Resolved the ingress and egress to and from any road designated by the County shall be limited to authorized law enforcement, emergency management personnel and other persons specifically designated by the County. All other vehicles are prohibited from travel on designated roads; and

Be It Further Resolved the movement or transport of any poultry or poultry waste products is hereby prohibited within 1 mile of any poultry facility. This prohibition shall not apply to a poultry facility moving or transporting on or near its own facility; and

Be It Further Resolved the Palo Alto County Board of Supervisors hereby requests that the State of Iowa issue and embargo and/or take action to prohibit the movement or transport of any poultry or poultry waste products with 1 mile of any poultry facility in Palo Alto County.

/s/Craig Merrill

Craig Merrill

Chairperson, Palo Alto County Board of Supervisors

/s/Carmen Moser

Attest: Carmen Moser, Palo Alto County Auditor

Motion by Graettinger, seconded by Noonan to set Reclassification Hearing for Drainage District 7 Main Tile & Lateral 3 Tile for June 30<sup>th</sup>, 2015, at 9:00 a.m. at the Courthouse Boardroom. Motion Carried.

Motion by Graettinger, seconded by Noonan to reappoint Christina Clausen of Mallard to Commission of Veteran Affairs for a 3 year term to expire on May 31, 2018. Motion Carried.

The Board approved joint drainage district levies as follows:

Jt DD #52	\$1,400.80
Jt 1 PA&E	\$1,513.44
Jt 60 Lateral 8 Tile	\$110,212.81
Jt 60 Lateral 11 Tile	\$2,076.93
Jt 1 PA&K Main Tile	\$1,080.92
Jt 1 PA&K 137 Tile	\$850.41

Walter Davis-Oeth, Interim County Engineer, met with the Board. The Board discussed Iowa Lakes Electric Cooperative utility permit in West Bend Township, Section 15.

Motion by Solberg, seconded by Noonan to approve 28E Agreement for Emmet-Palo Alto County, County Engineer Agreement for 2 years. Motion Carried.

Motion by Solberg, seconded Graettinger to introduce and approve Resolution #5-12-2015. Ayes: Noonan, Graettinger, Solberg, Merrill. Absent: Wirtz. Resolution passed.

**Resolution #5-12-2015**  
Palo Alto County

BE IT RESOLVED by the Board of Supervisors of Palo Alto County, Iowa that Walter Davis-Oeth, Shared Engineer of Palo Alto County, Iowa be and is hereby designated, authorized, and empowered on behalf of the Board of Supervisors of said County to execute the certification of completion of work and final acceptance thereof in accordance with plans and specifications in connection with all Farm-to-Market and federal or state aid construction projects in this county.

Dated at Emmetsburg, Iowa, this 12th day of May, 2015.

Board of Supervisors, Palo Alto County, Iowa

/s/Craig Merrill

/s/ Ed Noonan

ATTEST:

/s/Ron Graettinger

/s/ Carmen Moser  
Carmen Moser, Palo Alto County Auditor

/s/LJ Solberg

Motion by Graettinger, seconded by Noonan to approve claims & drainage claims for May 12<sup>th</sup>, 2015. Motion Carried.

**General Basic Fund**

Dawn Buettner	Educational/Training Serv	11.21	
CenTec Cast Metal Products	Grave Markers	688.38	
Central Ia Juv Detention Ctr	Foster Family Home	770.87	
Central Iowa Distributing Inc	Custodial Supplies	228.40	
Terry Chamberlain	Wages-Temp, Pt. Time Empl	37.50	
Cliff Christensen	Misc Expense	1216.54	
CYPRESS POINTE APARTMENTS	Rent Payments		200.00
E-Pride	Stationery/Forms/Gen Ofc	169.96	
Emmetsburg Food Pride	Food & Provisions	12.09	
Emmetsburg Ford	Minor MV Parts & Access	1008.93	
Emmetsburg Publishing Co.	Misc Expense	1022.53	
Fareway	Custodial Supplies	184.77	
G T Enterprises	Official Pub & Legal Noti	110.00	
Hardware Hank	Buildings	72.84	
Ronald Hersom	Misc Expense	375.00	
HOLIDAY INN	Educational/Training Serv	168.00	
Virgil Huberty	Bus	229.82	
Nancy Hunsaker	Wages-Temp, Pt. Time Empl	277.68	
IA COUNTY RECORDER'S ASSN % DE	Stationery/Forms/Gen Ofc		6.00
IA Law Enforcement Academy	Educational/Training Serv	195.00	
IBM CORPORATION	Data Processing Services	734.40	
Iowa County Attys Association	Educational/Training Serv	325.00	
Johnathon King	Employee Mileage & Subs.	7.13	
Mallard Sporting Goods	Other	73.30	
Martin-Mattice Fun. Home	Funeral Services	1800.00	
MidAmerican Energy	electricity	112.21	

Carmen Moser	Employee Mileage & Subs.	155.00	
Joseph F. Neary	Employee Mileage & Subs.	264.00	
Northwest Communications	Contract Carriers	1205.75	
NW Iowa Planning & Development	Dues & Memberships	1144.35	
Office Systems Company	Stationery/Forms/Gen Ofc	573.77	
Palo Alto Co Comm Health Ser	Board of Health	1781.19	
Palo Alto Co Sec Road	Fuels	2017.57	
Palo Alto Co Sheriff	Foster Family Home	70.13	
PRIA PROPERTY RECORDS INDUSTRY	Dues & Memberships		60.00
QUALITY TIRE & SERVICE LLC	Minor MV Parts & Access	783.58	
Quill Corporation	Stationery/Forms/Gen Ofc	74.46	
Secretary of State Notary Divi	Dues & Memberships	30.00	
SHAMROCK SHINE LLC	Minor MV Parts & Access	100.00	
Sirchie	Audio/Visual Supplies	77.75	
Solutions Inc.	services	132.25	
Storey Kenworthy/Matt Parrott	Data Processing Supplies	718.72	
CARISSA SUNDALL	Wages-Temp, Pt. Time Empl	75.00	
Robin Thomsen	Employee Mileage & Subs.	70.00	
U.S. Bank Equipment Finance	Photocopy & Dup. Serv.	230.33	
US Postal Serv	Postage & Mailing	300.00	
Verizon Wireless	Telecommunications Serv.-	193.39	
VISA	Employee Mileage & Subs.	2839.03	
Von Bokern Associates, Inc	Consultants	4225.00	
Wentzel's True Value	Engineering Services	82.78	
Donald Wichman	Bus	285.12	
Windstream	phone	1050.36	
<b><u>General Supplemental Fund</u></b>			
E-Pride	Stationery/Forms/Gen Ofc	17.98	
ISACA TREASURER	Dues & Memberships	125.00	
SLASH POINT SALES	Stationery/Forms/Gen Ofc	79.95	
<b><u>MH-DD Services Fund</u></b>			
Windstream	phone	160.17	
<b><u>Rural Services Basic Fund</u></b>			
AGCO FINANCE LLC	Equipment	15662.65	
Emmetsburg Library	Contrib to Other Gov & Or	1626.34	
EMS Auto	Fuels	420.94	
Galens Pro-Mow	Minor Equip & Hand Tools	48.43	
Graettinger Library	Contrib to Other Gov & Or	691.20	
Habben Enterprises Dennis Habb	Other	1794.95	
Hardware Hank	Misc Expense	536.55	
KRISTAT AUTO PARTS LLC	Motor Vehicle Equipment	42.78	
BRYAN LONG	Employee Mileage & Subs.	70.00	
Mallard Library	Contrib to Other Gov & Or	569.22	
Palo Alto Co Sec Road	Fuels	915.95	
River Valley Telecommunication	Telecommunications Serv.-	68.99	
Ruthven Library	Contrib to Other Gov & Or	569.22	
SLASH POINT SALES	Stationery/Forms/Gen Ofc	135.85	
City of Spencer	Sanitation & Disposal Ser	19047.76	
West Bend Library	Contrib to Other Gov & Or	609.88	
<b><u>Special Revenue-SheriffReserve</u></b>			
Palo Alto Co Health System	Educational/Training Serv	71.00	
<b><u>Secondary Road Fund</u></b>			
A.S.I.	Engineering Services	12.00	
AP Air, Inc.	Engineering Services	271.00	
Ayrshire Communications	Engineering Services	36.95	
Brown Supply Co.	Engineering Services	143.30	
Building Center	Engineering Services	116.78	
Class C Solutions Group	Engineering Services	1313.05	
Continental Research Corp	Engineering Services	210.62	
Cummins Central Power LLC	Engineering Services	904.76	
City of Cylinder	Engineering Services	15.00	
E-Pride	Engineering Services	15.49	
Electronic Specialties	Engineering Services	214.70	
Emmet County Engineer	Engineering Services	277.14	
EMS Auto	Engineering Services	351.93	
Fox International, Inc.	Engineering Services	444.57	

G&K Services	Engineering Services	28.00
Goodwin Law Office	Engineering Services	643.50
Graettinger Mun. Utilities Gra	Engineering Services	268.93
Hardware Hank	Engineering Services	285.62
Iowa Lakes Regional Water	Engineering Services	39.50
J.B. Mertz & Sons Inc	Engineering Services	180.83
Jack's OK Tire	Engineering Services	5619.98
Johnston Automotive	Engineering Services	26.91
Kirkham Michael	Engineering Services	3460.55
City of Mallard	Engineering Services	52.80
Martin Marietta Agg	Engineering Services	519.76
MidAmerican Energy	Engineering Services	595.45
Murphy Tractor & Equipment	Engineering Services	621.97
Napa Auto Supply	Engineering Services	33.12
Northwest Communications	Engineering Services	57.90
Palo Alto Co Health System	Engineering Services	246.00
Pro Cooperative	Engineering Services	29670.03
River Valley Telecommunication	Engineering Services	73.49
City of Ruthven	Engineering Services	91.03
VISA	Engineering Services	19.99
Wentzel's True Value	Engineering Services	186.12
West Bend Ford	Engineering Services	80.52
Windstream	Engineering Services	623.60
Ziegler Inc	Engineering Services	1024.57
Zimco Supply Co	Engineering Services	1515.00

**Bond #4 Cap. Proj. Sec. Roads**

Bankers Trust Company Attn: Co Roads	1000.00
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**Escrow GO Bond Fund**

Palo Alto County Treasurer	Interest-GO Bonds	34918.75
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**Emergency Mgmnt Agency**

Palo Alto Co Sec Road	Parts	117.74
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**E911 Surcharge Fund**

Ayrshire Communications	Engineering Services	154.30
CENTURLINK	Equipment	33369.08
Electronic Specialties	Equipment	5076.00
IA Prison Industries	Addressing (Signs)	544.50
River Valley Telecommunication	Engineering Services	403.99
Verizon	phone service	3.94
Windstream	phone	438.49

**Drainage Claims**

Jacobson-Westergard & Assoc.	DD 5 Open Eng Exp	\$2,758.00
Jacobson-Westergard & Assoc.	DD 7 Open Eng Exp	\$892.00
Ray A. Grandstaff	Jt 60 Main Seed Reimb	\$150.00
Jacobson-Westergard & Assoc.	DD 61 Lat B Tile Eng Exp	\$6,454.00
Jacobson-Westergard & Assoc.	DD 64 Eng Exp	\$5,574.30
Jacobson-Westergard & Assoc.	DD 159 Eng Exp	\$1,388.65
Jacobson-Westergard & Assoc.	DD 160 Eng Exp	\$444.90
Jacobson-Westergard & Assoc.	DD 7 Lat 2 Tile Eng Exp	\$2,583.10
Ray A. Grandstaff	Jt 60 Lat 8 Tile Seed Reimb	\$30.00
Jacobson-Westergard & Assoc.	DD 48 Lat 3 Tile Eng Exp	\$2,818.35
Verla Brown	DD 29 Lat 7 Tile CRP Reimb	\$806.24
Steven & Donna Morey	DD 29 Lat 7 Tile Reimb	\$107.18
Jacobson-Westergard & Assoc.	DD 29 Lat 7 Tile Eng Exp	\$1,242.70
Jacobson-Westergard & Assoc.	DD 29 Lat 10 Tile Eng Exp	\$217.50

Motion by Graettinger, seconded by Solberg to adjourn. Motion Carried.

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Craig Merrill, Chairman

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Carmen Moser, County Auditor