

Courthouse  
Emmetsburg Iowa  
September 29th, 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, Keith Wirtz and Ed Noonan. Present: Peter Hart, County Attorney.

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

Motion by Solberg, seconded by Wirtz to approve the agenda for September 29th, 2015. Motion carried.

Motion by Noonan, seconded by Graettinger to approve the minutes of September 22nd, 2015. Motion carried.

Maureen Sandberg, CPC, met with the Board. Maureen read the Proclamation for National Mental Illness Awareness Week and the Proclamation for National Disability Employment Awareness Month. Kim Wilson will meet with the Board on October 13<sup>th</sup>, 2015, to discuss CPC position.

Motion by Solberg, seconded by Graettinger to approve and authorize Chairperson to sign Proclamation for National Mental Illness Awareness Week October 3-10th, 2015. Motion Carried.

Motion by Wirtz, seconded by Graettinger to approve and authorize Chairperson to sign Proclamation for National Disability Employment Awareness Month for October 2015. Motion Carried.

Chris Towell, Assistant to County Engineer, met with the Board. Chris presented paperwork for approval and signatures. The Board Chairman signed contracts for Oden Bridges with Merryman Bridge Construction for Project No. L-B (EB27)-1404-73-74 and Project No. L-B (WB77)-0714-73-74.

Motion by Graettinger, seconded by Wirtz to approve a partial acquisition contract with Joleen Metzger for project on county road B55. Motion Carried.

Motion by Solberg, seconded by Wirtz to approve a partial acquisition contract with Darin K. and Amanda J. Banwart for project on county road B55. Motion Carried.

Motion by Graettinger, seconded by Noonan to approve a partial acquisition contract with Sharon L. Golbuff (Outlot 5 of Morling's Addition) for project on county road B55. Motion Carried.

Motion by Solberg, seconded by Wirtz to approve a partial acquisition contract with Sharon L. Golbuff (vacated Williams Street, Morling's Addition) for project on county road B55. Motion Carried.

Motion by Noonan, seconded by Wirtz to approve contractors bonds for Merryman Bridge Construction on Project No. for Project No. L-B (EB27)-1404-73-74 and Project No. L-B (WB77)-0714-73-74.

Carmen Moser, Auditor, discussed ACA reporting with the Board. Present: Therese Geelan and Robin Jamison. Carmen updated the Board on the ISAC insurance meeting and ACA reporting requirements. Robin gave update on insurance meeting.

Motion by Graettinger, seconded by Wirtz to introduce and approve the following Resolution to set levy for Joint Drainage District No. 36.

### **Resolution to set Levy Rate for Drainage District Assessment**

The Board of Supervisors of Pocahontas and Palo Alto Counties as Joint Trustees for Jt. Drainage District No. 36 met in special session to set a levy for assessment.

WHEREAS, JT. Drainage District No. 36 was initially considered as an Iowa Initiative Project in 2009,

WHEREAS, the landowners voted to decline the project as an Iowa Initiative due to the costs proposed for the project,

WHEREAS, the project proceeded as a repair of the current tile system and short open ditch with construction completed in 2010. The appropriate claims were submitted to IDALS for the initial engineering costs with \$ 78,946.72 reimbursed to Pocahontas County. The Completion Hearing was delayed due to Engineering firm dissolution and I & S Engineers concern of the tile grade installation by the contractor.

WHEREAS, the district current deficit for the **repairs is \$242,316.39** with **interest** accrued **through October 30, 2015** in the amount of **\$51,747.37** for a **total deficit** of **\$294,063.76**; add a **\$5,000.00** for future repairs brings the **total assessment needs** to **\$299,063.76**.

NOW THEREFORE BE IT RESOLVED, it is moved by Graettinger and Wirtz, Palo Alto Supervisors to approve a levy of **3735%** upon the lands of Palo Alto County of **\$2,996.00** for a total of **\$111,900.60** with **20 year Waivers at 5% interest - due October 1, 2015 and becomes delinquent November 1, 2015. Ayes: Noonan, Wirtz, Graettinger, Solberg, Graettinger, Merrill.**

Whereby said resolution is adopted to-wit this 29<sup>th</sup> day of September, 2015.

/s/ Craig Merrill, Palo Alto County Chairman

Approval of the final plat of South Shore Third Addition was tabled until the title opinion and abstract are completed. Present: Joe Neary.

Ron Graettinger gave a committee report on Upper Des Moines meeting. Keith Wirtz & Craig Merrill gave a committee report on Season's meeting. Joe Neary gave an update to Board members on recycling. Craig Merrill and Linus Solberg reported on meeting with Ron Askland at Horizon's. Joe will get copies of comprehensive plan to Board members and get a report of tonnage to interested parties. Joe will give update to the Board at the October 13<sup>th</sup> meeting. Keith Wirtz gave committee report on Early Childhood meeting.

Pocahontas County Auditor called during the meeting to correct the percent of levy for Joint Drainage District 36. Motion by Graettinger, seconded by Wirtz to rescind the motion for levy on Joint Drainage District No. 36 for 3735%. Motion Carried.

Motion by Graettinger, seconded by Wirtz to introduce and approve the following Resolution with the correct percent of levy for Joint Drainage District No. 36:

**Resolution to set Levy Rate for Drainage District Assessment**

The Board of Supervisors of Pocahontas and Palo Alto Counties as Joint Trustees for Jt. Drainage District No. 36 met in special session to set a levy for assessment.

WHEREAS, JT. Drainage District No. 36 was initially considered as an Iowa Initiative Project in 2009,

WHEREAS, the landowners voted to decline the project as an Iowa Initiative due to the costs proposed for the project,

WHEREAS, the project proceeded as a repair of the current tile system and short open ditch with construction completed in 2010. The appropriate claims were submitted to IDALS for the initial engineering costs with \$ 78,946.72 reimbursed to Pocahontas County. The Completion Hearing was delayed due to Engineering firm dissolution and I & S Engineers concern of the tile grade installation by the contractor.

WHEREAS, the district current deficit for the **repairs is \$242,316.39** with **interest** accrued **through October 30, 2015** in the amount of **\$51,747.37** for a **total deficit** of

**\$294,063.76**; add a **\$5,000.00** for future repairs brings the **total assessment needs** to **\$299,063.76**.

NOW THEREFORE BE IT RESOLVED, it is moved by Ron Graettinger and Keith Wirtz, Palo Alto Supervisors to approve a levy of **3435%** upon the lands of Palo Alto County of **\$2,996.00** for a total of **\$102,912.60** with **20 year Waivers at 5% interest - due October 1, 2015 and becomes delinquent November 1, 2015. Ayes: Noonan, Wirtz, Graettinger, Solberg, Merrill.**

Whereby said resolution is adopted to-wit this 29<sup>th</sup> day of September, 2015.

/s/ Craig Merrill, Palo Alto County Chairman

Motion by Noonan, seconded by Graettinger to cancel the Board meeting on October 6<sup>th</sup>, 2015. Motion Carried.

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

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Craig Merrill, Chair

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Carmen Moser, County Auditor