

Courthouse  
Emmetsburg, Iowa  
June 20th, 2017, 8:00 a.m.

The Palo Alto County Board of Supervisors met in regular session. Members present: Keith Wirtz, Chair; Ron Graettinger, Craig Merrill, Roger Faulstick, Linus Solberg. Present: Peter Hart, County Attorney.

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

Motion by Faulstick, seconded by Graettinger to approve the agenda for June 20<sup>th</sup>, 2017. Motion Carried.

Motion by Graettinger, seconded by Solberg to approve the minutes for June 13<sup>th</sup>, 2017. Motion Carried.

Motion by Faulstick, seconded by Merrill to approve a cigarette permit for Lakeland E-Z Stoppe, Inc. effective July 1, 2017 to June 30<sup>th</sup>, 2018. Motion Carried.

Don Reffer, B & W Control Specialists, Inc., met with the Board to review quotes for drainage district spraying for 2017. Motion by Solberg, seconded by Graettinger to approve the proposed quotes for drainage district spraying in 2017 (list on file in Auditor's Office). Motion Carried.

No one was present for public comment.

Jean Hyslop, Rodman City Mayor, met with the Board and the county engineer to discuss farm to market roads in Rodman and to request re-surfacing of farm to market road. Walter will review.

Walter Davis-Oeth, County Engineer, met with the Board. Walter discussed transfer of jurisdiction of funds with the Board and recommended approve of utility permits.

Motion by Graettinger, seconded by Faulstick to approve an underground utility permit application for Iowa Lakes Regional Water crossing N28 and B53. Motion Carried.

Motion by Graettinger, seconded by Merrill to approve utility permit for MidAmerican Energy for electrical line along 410<sup>th</sup> Ave. Motion Carried.

Motion by Solberg, seconded by Merrill to approve an underground utility permit application for Iowa Lakes Electric Cooperative in Ellington Township, Sections 25 & 26. Motion Carried.

Joe Neary, Zoning met with the Board. Planning & Zoning met on Monday evening to consider the following conditional use permits. Planning & Zoning recommended approval of these conditional use permits and the hog site meets the Good Neighbor Policy. The subdivision plat located at 4612 380<sup>th</sup> Street was not considered at this time.

Motion by Solberg, seconded by Faulstick to approve a conditional use permit & Master Matrix for Kollash Fams Inc. in Vernon Township, Section 2. Motion Carried.

Motion by Solberg, seconded by Merrill to approve a conditional use permit for Terry Callahas, CCSI Networks for a communication tower in Section 19 of Fairfield Township. Motion Carried.

Motion by Faulstick, seconded by Solberg to approve the preliminary and final plat for Hefty Subdivision in West Bend Township, Section 24. Motion Carried.

Motion by Graettinger, seconded by Faulstick to approve Amended Resolution No. 6-20-2017 for Septic Improvement Grant Program.

**RESOLUTION NO. 2-28-2017**  
**Amended Resolution NO. 6-20-2017**  
**A RESOLUTION TO ESTABLISH THE PALO ALTO COUNTY**  
**WATERSHED SEPTIC IMPROVEMENT GRANT PROGRAM**  
**AND TO ALLOCATE FUNDING.**

WHEREAS, the Palo Alto County Board of Supervisors and the Office of Palo Alto County Environmental Health have determined that there is a need for improving and replacing existing outdated or non-functioning septic systems within the watershed areas of Five Island Lake, Lost Island Lake and Silver Lake, all located within Palo Alto County ; and

WHEREAS, the outdated / non-functioning septic systems within the watershed areas of Five Island Lake, Lost Island Lake and Silver Lake, in Palo Alto County adversely affect water quality, directly diminish the participation in outdoors sports activity, recreation and negatively lessen economic growth therefrom; and

WHEREAS, the Palo Alto County Board of Supervisors find that improving and replacing outdated or non-functioning septic systems within the County's three lakes watershed area directly promotes the public purpose of improving the lake environment and increases and improves the countywide real property tax base; and,

WHEREAS, the Palo Alto County Board of Supervisors and the Office of Palo Alto County Environmental Health have developed a proposal designated as the "Watershed Septic Improvement Grant" to encourage the improvement and replacement of septic systems, with the cooperation of Palo Alto Gaming Development Corporation according to the terms of its grants; and,

WHEREAS, following review, consideration and discussion, the Palo Alto County Board of Supervisors has determined that the "Watershed Septic Improvement Grant Program" should be established and funded.

NOW, THEREFORE, BE IT RESOLVED by the Palo Alto County Board of Supervisors as follows:

Section 1. The Palo Alto County Board of Supervisors shall apply for grants not to exceed an amount of \$5,000.00 per septic system applicant , from the Palo Alto County Gaming Development Corporation to be used for the Watershed Septic Improvement Grant Program as administered by Palo Alto County Board of Supervisors. This grant will provide funding not exceeding Five Thousand Dollars (\$5,000.00) per applicant for replacement of outdated/ nonfunctioning septic systems within the watershed area of Five Island Lake, Lost Island Lake and Silver Lake located within Palo Alto County.

Section 2. The Palo Alto County Board of Supervisors shall apply for grants in an amount not to exceed \$5,000.00 per applicant from the Palo Alto County Gaming Development Corporation to be used for the Watershed Septic Improvement Grant Program, as administered by Palo Alto County Board of Supervisors , to provide grants of up to Five Thousand Dollars (\$5,000.00) to be used solely for the for improving/replacing existing outdated / nonfunctioning septic systems within the watershed area of Five Island Lake, Lost Island Lake and Silver Lake, within Palo Alto County.

Section 3. The rules and conditions of the Grant Program are as follows:

- A. Grants are only for the repair / improvement/replacement of existing outdated / non-functioning septic systems within the watershed area of Five Island Lake, Lost Island Lake and Silver Lake, within Palo Alto County.

- B. The Grant will pay up to a maximum contribution of five thousand dollars (\$5,000.00) towards the actual replacement/ improvement costs of existing outdated/nonfunctioning septic systems in the named watershed areas.
- C. The applicant shall be responsible for remaining replacement costs above the Five Thousand (\$5,000.00) maximum grant award.
- D. The Palo Alto County Board of Supervisors will issue a Grant Commitment to the Applicant and the Applicant's contractor. After the Grant is accepted the Grant funds will be allocated to reimburse up to \$5,000.00 of the costs of replacement / repair / improvement of an outdated/non-functioning septic system.
- E. It is recommended to use local contractors and materials whenever possible.
- F. Grant funds may be disbursed by the Palo Alto County Board of Supervisors and County Auditor to reimburse the Applicant following completion of and payment for the installation of the new septic system. Applicant shall present a contractor's invoice marked "paid" for the costs of the repaired, replaced or improved septic system. Upon the Palo Alto County Board of Supervisor's confirmation that the watershed septic improvement project has been completed, and upon approval of funding by PACGDC, funds will be disbursed directly to the Applicant from the Palo Alto County Board of Supervisors. ~~Disbursement payment will be made directly to the Applicant upon presentation of the contractor's invoice marked "paid".~~
- G. Grant Commitments will be issued on a "first-come, first-served" basis, contingent upon approval by Palo Alto County Gaming Development Corporation until funds are exhausted.
- H. An Applicant may withdraw a Grant Application at any time prior to funds disbursement.
- I. An Applicant may be awarded a Grant only once in the life period of the program.
- J. An Application may be denied for any reason.

When the County makes a grant commitment, it will so advise the Palo Alto County Gaming Development Corporation. The County Auditor is authorized to make application to Palo Alto County Gaming Development Corporation for up to Five Thousand Dollars (\$5,000.00) to fund each septic system application approved by the County. The County Auditor is authorized to make application to Palo Alto County Gaming Development Corporation for up to Five Thousand Dollars (\$5,000.00) to fund each septic system grant application approved by the County.

Section 4. All resolutions or parts of resolutions in conflict with the provisions of this resolution are hereby repealed.

Section 5. If any section, provision, or part of this resolution shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the resolution as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

Section 6. **ADOPTION**

Supervisor Graettinger therefore moves for the approval and passing of the resolution.

Supervisor Faulstick seconded the motion to adopt the resolution.

THE RECORDED VOICE VOTE WAS MADE:

Keith Wirtz \_\_\_aye\_\_\_\_\_  
 Ron Graettinger \_\_\_aye\_\_\_\_\_  
 Roger Faulstick \_\_\_aye\_\_\_\_\_  
 Craig Merrill \_\_\_aye\_\_\_\_\_  
 Linus Solberg \_\_\_aye\_\_\_\_\_

Passed and approved this 20th day of June, 2017.

MOTION CARRIED RESOLUTION ADOPTED.

/s/Keith Wirtz  
 Chairperson, Palo Alto County Board of Supervisors

Attest:  
 /s/ Carmen Moser  
 Palo Alto County Auditor

Lynn Schultes, Sheriff, met with the Board. Lynn requested approval for a reserve officer, Nicholas Jackson, to carry a firearm.

Motion by Solberg seconded by Faulstick to approve Nicholas Jackson to carry a firearm. Motion Carried.

Motion by Graettinger, seconded by Merrill to introduce and approve the following Resolution 6-20-2017 (A) for appropriations for FY2018. Ayes: Graettinger, Faulstick, Merrill, Solberg, Wirtz. Nays: none. Resolution Passed.

**Resolution 6-20-2017 (A)**

SECTION 1

BE IT RESOLVED BY THE BOARD OF SUPERVISORS of Palo Alto County that they hereby appropriate from the resources of each fund for each of the different officers and departments for the fiscal year beginning July 1, 2017 and in accordance with Section 331.434, Sub. 6, 2017 Code of Iowa, the amounts itemized by department or office as listed below:

General Basic and General Supplemental Fund

<u>Dept. Code</u>	<u>Department</u>	<u>Appropriations</u>
1	Board of Supervisors	\$ 274,792
2	Auditor	\$ 287,672
	Elections	\$ 78,850
3	Treasurer	\$ 216,658
	Vehicle	\$ 221,522
4	Attorney	\$ 368,799
5	Sheriff	\$ 630,064
7	Recorder	\$ 185,408
21	Veterans Affairs	\$ 71,312
22	Conservation Board	\$ 575,026
23	Health Board	\$ 163,500
25	Social Services	\$ 53,100
27	Dept. of Human Service Adm.	\$ 1,100
28	Medical Examiner	\$ 25,000
29	Correctional Services	\$ 330,021
30	Court Administration	\$ 0
31	District Court	\$ 10,000
37	Communications Center	\$ 331,919
51	General Services-Courthouse	\$ 103,145
52	Data Processing	\$ 67,532
54	General Services-Annex	\$ 10,700
55	General Services-Annex II	\$ 16,500
56	Economic Development	\$ 40,000

60	Mental Health – Sub. Abuse	\$ 22,500
61	Juvenile Justice	\$ 33,500
74	Zoning & Sanitation	\$ 86,792
99	Non-Departmental	
	Emergency Management	\$ 15,510
	Lake Restoration	\$ 10,000
	Fairgrounds	\$ 37,000
	Services to the Elderly	\$ 31,850
	Discovery House	\$ 2,750
	Flood & Erosion Contr. Struct.	\$ 8,325
	GIS	\$ 18,050
	Township Officers	\$ 2,700
	Other Policy & Adm.	\$ 75,200
	General Services	\$ 30,200
	Capital Projects	\$ 54,000
	Insurance	\$ 131,005
MH-DD Services Fund		
60	Mental Health Adm. (Disb. To Region)	\$ 396,352
Palo Alto Economic Development		
56	Economic Development	\$ 44,177
Rural Services Basic Fund		
73	IRVM	\$ 143,761
99	County Library	\$ 76,000
71	Solid Waste Disposal	\$ 470,435
05	Sheriff	\$ 281,005
99	Economic Development	\$ 35,250
99	Insurance- Secondary Roads	\$ 93,000
Recorders Management Fund & Elect. Trans. Fund		
07	Recorder	\$ 5,500
County Attorney Collections Fund		
04	Attorney	\$ 3,000
Secondary Road & Rural Services Basic Fund		
20	County Engineer	\$5,493,051
	Capital Projects (Roadway Const.)	<u>\$1,030,674</u>
	Total	\$6,523,725
Secondary Road Capital Projects Bond Fund(30004)		\$ 200,000
R.E.A.P. (Resource Enhancement & Protection)		
22	County Conservation	\$ 16,383
Debt Service Fund		
99	Non-Departmental:	
	Principal	\$ 1,690,000
	Interest	<u>\$ 203,996</u>
	Total	\$ 1,893,996
Health Insurance Fund		
99	Non-Department	\$1,616,200
Special Revenue Fund		
05	Sheriff Reserve	\$ 3,800
05	Sheriff Investigations	\$ 1,149
32	Jail Room and Board	\$ 8,000

## SECTION 2

Subject to the provisions of other county procedures and regulations and applicable State laws, the appropriations authorized shall constitute authorization for the department or office listed to make expenditures or incur obligations from the itemized fund effective July 1, 2017.

## SECTION 3

In accordance with Section 331.437, 2017 Code of Iowa, no department or officer shall expend or contract to expend any money or incur any liability, or enter into any contract which by its terms involves the expenditures or monies for any purpose in excess of the amounts appropriated pursuant to this Resolution.

## SECTION 4

If at any time during the 2017-2018 budget year the County Auditor shall ascertain that the available resources of a fund for the year will be less than said funds total appropriations, he/she shall immediately so inform the Board of Supervisors and recommend the appropriate corrective action.

## SECTION 5

The County Auditor shall establish separate accounts for the appropriations authorized in Section 1, each of which account shall indicate the amount of appropriations, the amounts charged thereto, and the unencumbered balance. The County Auditor shall report the status of such accounts to the applicable departments and officers monthly during the 2017-2018 budget year.

## SECTION 6

The Board approves FY 2018 funding for Elderbridge, Regional Transit, Rides, Homeward Housing Trust, Upper Des Moines Opportunity, Discovery House, and West Bend Historical Society.

## SECTION 7

All appropriations authorized pursuant to this Resolution lapse at the close of business on June 30, 2018. The above Resolution was passed and adopted with all Supervisors voting aye in a roll call vote.

The above Resolution adopted by the Palo Alto County Board of Supervisors. Voting in favor thereof: Graettinger, Faulstick, Merrill, Solberg, Wirtz.

The chairperson declared the Resolution duly adopted.

Motion by Solberg, seconded by Graettinger to introduce and approve the following Resolution 6-20-2017 (B). Ayes: Wirtz, Graettinger, Faulstick, Merrill, Solberg.

Nays: none. Resolution passed.

## **RESOLUTION 6-20-2017 (B)**

WHEREAS, it is desired to authorize the County Auditor to periodically transfer sums from the Rural Services Basic Fund to the Secondary Road Fund during the 2017-2018 budget year, and

WHEREAS, said transfers must be in accordance with Section 331.432 and 331.429, 2017 Code of Iowa,

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Palo Alto County, Iowa as follows:

#### SECTION 1

That the total maximum transfer from the Rural Services Basic Fund to the Secondary Road Fund for the fiscal year beginning July 1, 2017 shall not exceed the sum of \$1,643,363.

#### SECTION 2

That within five days of being notified of the apportionment of current property taxes, delinquent tax, State replacements against levied property taxes, mobile home taxes, military services tax credit replacements to the Rural Services Basic Fund, the County Auditor shall order a transfer from said fund to the Secondary Road Fund.

#### SECTION 3

That the amount of the transfer required by Section 2 shall be equal to the apportionment made under Section 2 to the Rural Services Basic Fund, respectively, multiplied by the ratio of .76044 of the said funds total maximum transfer to the Secondary Road Fund, to the sum of the said funds total current property tax levy, total delinquent tax, total mobile home taxes and total military service tax credit replacements.

#### SECTION 4

That notwithstanding the provisions of Section 2 & 3 of this Resolution the total transfers to the Secondary Road Fund shall not exceed the amounts specified in Section 1.

#### SECTION 5

That notwithstanding the provisions of Section 2 & 3 the amount of any transfer shall not exceed available fund balances in the transferring fund.

#### SECTION 6

That the Auditor is directed to correct his/her books when said operating transfers are made and to notify the County Treasurer and County Engineer of the amounts of said transfers.

The above Resolution was passed and adopted by the Palo Alto County Board of Supervisors. Voting in favor thereof: Wirtz, Graettinger, Faulstick, Merrill, Solberg.

The Chairperson declared the Resolution duly adopted.

Motion by Merrill, seconded by Faulstick to transfer \$40,000 from General Basic Fund to the Economic Development Fund for FY 17-18. Motion Carried.

Motion by Solberg, seconded by Graettinger to approve salaries for FY 18. Motion Carried.

The Board held a conference call with Pocahontas County to recognize drainage petition on Jt 63 Branch Main tile.

Present: Palo Alto County Supervisors: Keith Wirtz, Chair, Ron Graettinger, Roger Faulstick, Craig Merrill, Linus Solberg. Carmen Moser, Auditor; Pocahontas County Board: Jeff Ives, Chair, Clarence Siepker, Ed Dewey, JoAnn Peters, Louis Stauter. Kelly Jepsen, Auditor.

Motion by Louis Stauter, seconded by Keith Wirtz to appoint Jeff Ives as Chair and Kelly Jepsen, as Secretary of the Jt 63 conference call. Ayes: All. Motion Carried.

Motion by Ed Dewey, seconded by Ron Graettinger to recognize the petition filed on June 15, 2017, for improvement to Jt 63 Branch Main Tile in Section 19 of Great Oak Township. Ayes: All. Motion Carried.

Motion by Louis Stauter, seconded by Craig Merrill to appoint Bolton & Menk to prepare a report on Jt 63 Branch Main Tile. Ayes: All. Motion Carried.

Motion by Ed Dewey, seconded by Keith Wirtz to adjourn the joint telephone conference. Ayes: All. Motion Carried.

Motion by Merrill, seconded by Faulstick to approve pay request no. 3 to Reutzel Exc. Inc. for \$48,094.56 and to approve change order no. 1 for repairs on Drainage District 61 Main Open Ditch. Motion Carried.

Committee Reports: Craig Merrill: Pictometry; Keith Wirtz: Season's.

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

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Keith Wirtz, Chairman

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Carmen Moser, County Auditor