

Courthouse  
Emmetsburg, Iowa  
August 22nd, 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 Graettinger, seconded by Faulstick to approve the agenda for August 22nd, 2017, and to change the bid letting for the Ayrshire bridge to 10:000 a.m. Motion Carried.

Motion by Faulstick, seconded by Merrill to approve the minutes for August 15th, 2017. Motion Carried.

No one was present for public comment.

The Board held public hearing to transfer the White Bank Building to Emmetsburg St. Pat's Association. No one was present for the public hearing.

Motion by Graettinger, seconded by Merrill to introduce and approve the following Resolution 8-22-2017. Resolution Passed.

Resolution No. 8-22-2017

RESOLUTION APPROVING TRANSFER OF WHITE BANK BUILDING AT 1001  
Broadway to the EMMETSBURG ST. PATRICK'S ASSOCIATION, Inc.

WHEREAS the building at 1001 Broadway in Emmetsburg is legally described as follows: *All of Lot One (1); also a strip of land two feet, or as much as is now occupied by the Bank Building thereon, in width off of and across the North side of Lot Two (2), all in Block Thirty-Seven, Corbin and Lawler's Plat of the City of Emmetsburg, Iowa; and,*

WHEREAS, the Emmetsburg Saint Patrick's Association, Inc., occupies the East half of the building at 1001 Broadway in Emmetsburg , now desires to occupy the entire premises at that location; and,

WHEREAS, the location for the Palo Alto County Secondary Roads Engineer for the last 40 plus years has been the West half of the Palo Alto County Bank Building, also referred to as the "White Bank" building at 1001 Broadway in Emmetsburg. The County purchased the building in 1968 for \$50,000.00. The County recently installed a new roof on this building at the approximate expense of \$30,000.00; and,

WHEREAS, the Palo Alto County Secondary Roads Engineer's office has relocated all its personnel and mechanical equipment from the West half of the building at 1001 Broadway to the newly refurbished Brink's Building at 2105 Main Street in Emmetsburg, Iowa; and,

WHEREAS, the Building at 1001 Broadway was built in 1916 and is in need of new heating and air conditioning equipment. The Parties expressly state the building is being transferred with the understanding that the Grantor will bear the expense of updating and installing new heating and air conditioning; that there is no warranty or

promise of the building's habitability. The Saint Patrick's Association understands the costs of heating and air conditioning is their sole responsibility; and,

WHEREAS, the vaults in the basement and the vaults in the first floor of the building at 1001 Broadway continue to securely house and contain the historical records from the Palo Alto County Clerk of Court's offices and business records and maps from the Palo Alto County Secondary Roads Engineer's office. The Palo Alto County Supervisors and the Clerk of Court and the County Engineer's offices will make arrangements to move the above named records from 1001 Broadway to 2105 Main Street in an orderly and secure manner over the next six months.

WHEREAS, Palo Alto County Board of Supervisors desire to transfer the building at 1001 Broadway in Emmetsburg to the Emmetsburg Saint Patrick's Association, Inc. but wish to retain reasonable access into and out of the vaults while arranging the orderly and secure relocation of the vault contents to the building at 2105 Main Street .

NOW, THEREFORE, BE IT RESOLVED, that the Palo Alto County Board of Supervisors authorize the Chairperson for the Superiors and the County Auditor to execute attest and deliver the Warranty Deed for the Building at 1001 Broadway to the Emmetsburg Saint Patrick's Association , Inc. for One Dollar and other good and valuable consideration. The County retains the right to ingress and egress to secure and to relocate the contents of the records in the bsement and first floor vaults at 1001 Broadway, in Emmetsburg.

WHEREUPON, supervisor Ron Graettinger moved the adoption of the above and foregoing resolution which was seconded by supervisor Craig Merrill.

Upon a roll call vote the supervisors voted as follows:

Craig Merrill voted :	<u>      X      </u> Aye,	<u>                    </u> Nay
Linus Solberg voted :	<u>      X      </u> Aye,	<u>                    </u> Nay
Ron Graettinger voted:	<u>      X      </u> Aye,	<u>                    </u> Nay
Roger Faulstick voted:	<u>      X      </u> Aye,	<u>                    </u> Nay
Keith Wirtz voted :	<u>      X      </u> Aye,	<u>                    </u> Nay

WHEREUPON the Chair for the board of supervisors declared the resolution duly adopted and approved this 22nd day of August, 2017.

On this 22nd day of August, 2017 , before me, a Notary Public in and for the State of Iowa, personally appeared Keith Wirtz , who is personally known, who, being by me duly sworn, did say that he is the acting Chairperson of the Palo Alto County Board of Supervisors executing the foregoing instrument; that the instrument was signed on behalf of Palo Alto County by authority of its Board of Supervisors; that Keith Wirtz acknowledged the execution of the instrument to be the voluntary act and deed of Palo Alto County by it voluntarily executed.

Dated this 22nd day of August, 2017.

/s/Keith Wirtz

Chairman , Palo Alto County Board  
of Supervisors

/s/ Peter Cristopher Hart

Notary Public in and for the State of Iowa

On this 22nd day of August, 2017, before me, a Notary Public in and for the State of Iowa, personally appeared Carmen Moser, who is personally known who, being by me duly sworn, did say that she is the Palo Alto County Auditor and that she was attesting to the foregoing instrument and that this was her voluntary act.

Dated this 22<sup>nd</sup> day of August , 2017.

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

/s/ Peter Christopher Hart  
Notary Public in and for the State of Iowa

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

Motion by Solberg, seconded by Graettinger to pay the utilities at the white bank building for 3 months till December 1<sup>st</sup>, 2017. Motion Carried.

Maureen Elbert, PACEDC, met with the Board to present Resolution for Non-501 (c) (3) Tax Exempt fiscal sponsorship agreement. Maureen presented a list of the revolving loan funds.

Motion by Solberg, seconded by Merrill to introduce the following resolution

**RESOLUTION TO APPROVE  
Non-501(c) (3) Tax Exempt  
Fiscal Sponsorship Agreement**

WHEREAS the Palo Alto County Economic Development Corporation has received tax exempt status determination from the Internal Revenue Service in the form of a 501(c) (6) letter; and,

WHEREAS the Palo Alto County Economic Development Corporation has made an application for grant monies for financial assistance for the **Palo Alto County Revolving Loan Fund totaling \$50,000.00.**

WHEREAS the Board of Supervisors have agreed to serve as a fiscal program sponsor for the Palo Alto County Economic Development Corporation, (hereafter referred to as the Applicant). The Applicant's financial activities will be accounted for as a program of the Organization for IRS auditing and financial reporting purposes; and,

WHEREAS the Palo Alto County Board of Supervisors now seek to facilitate the pass through of any funds obtained by grant application from various sources by resolution required by Iowa Code Chapter 331.361(2) and,

WHEREAS this resolution authorizes the execution of the accompanying Non-501(c) (3) Fiscal Sponsorship Agreement, which should be adopted.

WHEREUPON, Supervisor Linus Solberg moved the adoption of the above and foregoing resolution which was seconded by Craig Merrill Supervisor.

Upon a roll call vote the supervisors voted as follows:

Ayes: Solberg, Merrill, Faulstick, Graettinger, Wirtz.

Nayes: none \_\_\_\_\_

Resolution Carried.

Chairman Palo Alto County Board of Supervisors /s/ Keith Wirtz

/s/ Carmen Moser  
Attest: Palo Alto County Auditor

Rick Moser met with the Board to discuss Island View Lane and request the Board to consider taking over Island View Lane. The Association is responsible for the maintenance of Island View Lane. Walter will send a letter to the Association with some requirements and concerns regarding Island View Lane.

Walter Davis-Oeth, County Engineer, met with the Board. Walter updated the Board on the Rodman road project and N40 road project. Walter discussed with the Board an old gravel pit near the Ruthven lagoons.

Motion by Solberg, seconded by Faulstick to approve affidavit of No Affect of properties by Ruthven, Iowa. Motion Carried.

Jon Rosengren, Bolton & Menk, met with the Board. Present: Charles Wirtz; Amber Enger, Auditor's Office.

Jon presented the number of acres for damages on Drainage District 61 Main Open Ditch for FEMA repairs and the repair of the upper main open ditch. Jon will provide a letter to send out with payments requesting claims be filed by December 31<sup>st</sup>, 2017, if expenses are more than amounts reimbursed.

Motion by Graettinger, seconded by Faulstick to approve charging Reutzel Contracting 50% of the liquidated damages. Motion Carried.

Motion by Merrill, seconded by Faulstick to approve the completion of contract with Reutzel Contracting and approve crop damages to the landowners and notify landowners to submit claims by December 31<sup>st</sup>, 2017. Motion Carried.

At 10:00 a.m., the Board held a bid letting for the Ayrshire Bridge. One bid was received from Cramer Association for \$89,642.50. No action taken. The Board will consider next week.

Committee Reports: Craig—economic development.

The Board participated in a conference call with Dickinson, Clay, and Emmet Counties for the Annexation Hearing on Joint Drainage District 61 and repairs to Joint Drainage District 61. Palo Alto County has 258 acres to be annexed into Joint Drainage District 61. Rick Hopper, Jacobson-Westergard & Assoc., presented the preliminary engineering report for the cleanout to remove trees and silt. Rick presented the annexation report to annex 258 acres into Joint Drainage District 61. The report for cleanout and annexation report were approved. The Palo Alto County Board does not want to make it a four county district.

Motion by Solberg, seconded by Graettinger to approve claims & drainage claims for August 22nd, 2017. Motion carried.

**General Basic Fund**

A.S.I.	Tires & Tubes	49.44
Asher Motor Company	Operating/Construction Eq	345.25
Bauer Plumbing & Heating Inc.	Buildings	105.00
Bomgaars	Minor Equip & Hand Tools	129.99
Counsel Office & Document	Office & Data Processing	102.11
E-Pride	Stationery/Forms/Gen Ofc	1428.36
City of Emmetsburg	Legal & Ct-Related Servic	275.00
Emmetsburg Ford	Minor MV Parts & Access	27145.63
E.M.U.	utilities	441.46
Emmetsburg Publishing Co.	Board Proceedings	1105.55
EMS Auto	Minor MV Parts & Access	53.83
Fareway	Food & Provisions	319.00
Paul Forry	Sanitation & Disposal Ser	60.00
Graettinger Times	Board Proceedings	826.29
Harris Sanitation	Sanitation & Disposal Ser	396.00
Hometown Convenience	Cash Allowances	57.00

IA Prison Industries	Recreational Supplies	71.80
JCL Solutions	Custodial Supplies	222.79
Koenig Portable Toilets	Sanitation & Disposal Ser	50.00
Lost Island Outdoors, LLC	Chemicals & Gases-Herb.	574.70
Debra M. McKeever, CSR,RPR MCK	Legal & Ct-Related Servic	124.50
MERCY MEDICAL CENTER MASON CIT	Medical & Health Services	1200.00
The Messenger	Misc Expense	65.00
MidAmerican Energy	electricity	2945.00
Midwest Radar & Equipment	Minor MV Parts & Access	400.00
Northwest Communications	Data Processing	665.00
Palo Alto Co Comm Health Ser	Board of Health	8313.42
Palo Alto Co Extension Office	Misc Expense	1839.50
Palo Alto Co Health System	Employee Mileage & Subs.	63.00
Palo Alto Co Sec Road	Fuels	3131.90
Palo Alto County Treasurer	Planning/Mngmnt Consultan	2079.00
Plumbing & Heating Wholesale	Buildings	40.55
Progressive Business-Complianc	Official Pub & Legal Noti	44.95
River Valley Telecommunication	Telecommunications Serv.-	270.79
AMY SALAS	Salary-Regular Employees	286.00
Secretary of State Notary Divi	Stationery/Forms/Gen Ofc	30.00
SHIELD TECHNOLOGY CORPORATION	Contract Carriers	4625.00
Solutions Inc.	services	28.75
STATE HYGIENIC LABORATORY	Engineering Services	17.50
STT Scott Telephone & Telecom	Telecommunications Serv.-	109.99
Swanson Hardware	Minor Equip & Hand Tools	37.88
Thomson Reuters West Payment C	Legal Research Service	426.00
U.S. Bank Equipment Finance	Photocopy & Dup. Serv.	155.42
U.S. Postal Service	Postage & Mailing	98.00
VISA	Educational/Training Serv	2163.72
West Bend Ford	Minor MV Parts & Access	25.90
West Bend Journal	Board Proceedings	35.00
Windstream	phone	20.99
Youth & Shelter Services, Inc.	Foster Family Home	1446.15
<b><u>General Supplemental Fund</u></b>		
MidAmerican Energy	electricity	39.64
Palo Alto Co Treasurer	Employee G.Ins-Co.Contrib	1800.00
<b><u>Rural Services Basic Fund</u></b>		
A.S.I.	Equipment	601.83
Ag Partners LLC	Fertilizer & Seed	2244.00
EMS Auto	Motor Vehicle Equipment	2.49
Habben Enterprises Dennis Habb	Other	2096.00
IA Lakes Electric Coop	Electric Light & Power	174.09
Keltek Inc	Motor Vehicle Equipment	599.00
Palo Alto Co Sec Road	Fuels	873.59
Pro Cooperative	Fertilizer & Seed	1027.40
Shamrock Recycling, Inc	Sanitation & Disposal Ser	2340.53
Swanson Hardware	Minor Equip & Hand Tools	52.94
Vande Berg Scales	Stationery/Forms/Gen Ofc	300.00
<b><u>Secondary Road Fund</u></b>		
A&D Technical Supply Co, Inc.	GPS Equipment	46960.38
Abel Drainage & Excavating, In	Gravel	70537.60
Arnold Motor Supply ATT: Sue	Engineering Services	175.52
Blacktop Service Company	seal coat Rodman	10250.00
Bohl's Small Engine & Marine	Engineering Services	14.34
Central Iowa Distributing Inc	Engineering Services	322.00
E.M.U.	utilities	94.98
EMS Auto	Engineering Services	269.53
Fareway	supplies	54.55
Fleet Pride Truck & Trailer	Engineering Services	43.00
Fox International, Inc.	Engineering Services	430.83
G&K Services	Shop Supplies	64.00
Graettinger Market	Engineering Services	69.68
Great Lakes Concrete	paving repairs	34731.25
Christopher Hurlburt	Engineering Services	109.80
ICEOO Treasurer Miranda Bailey	Engineering Services	400.00
Inland Truck Parts	Engineering Services	161.00

Iowa State Fire Marshall Div	Engineering Services	80.00
Jacobson-Westergard&Assoc,Inc.	Maps	99.50
Kirkham Michael	Bridge Inspections	4746.85
KRISTAT AUTO PARTS LLC	Engineering Services	97.47
City of Mallard	Utilities	51.70
MidAmerican Energy	electricity	316.79
Murphy Tractor & Equipment	Engineering Services	258.07
Newman Traffic Signs	signs	52.82
Northern Safety Co., Inc.	safety supplies	31.80
Palo Alto Co Treasurer	Engineering Services	1800.00
Rees Truck & Trailer, Inc	Engineering Services	381.18
Ruthven Coop Oil Co	fuels	20061.21
City of Ruthven	Utilities	178.17
SLASH POINT SALES	Engineering Services	89.70
Staples Credit Plan	Office Supplies/Equipment	925.48
Swanson Hardware	Engineering Services	385.74
Ziegler Inc	Engineering Services	1226.21
<b><u>Emergency Mgmnt Agency</u></b>		
PACHS, Ambulance Service	Other	500.00
Palo Alto Co Sec Road	Parts	138.25
<b><u>E911 Surcharge Fund</u></b>		
Verizon	phone service	3.41
Windstream	phone	193.21
WINDSTREAM COMMUNICATIONS ATTE	phone	132.10

**Drainage Claims**

King Excavation	DD South 15 Main Open Pay #1	\$3,556.42
Bolton & Menk	DD South 15 Main Open FEMA	\$232.50
Arnie Johnson	DD 23 Main Open Beaver	\$100.00
Bolton & Menk, Inc.	DD 23 Main Open FEMA	\$1,474.50
King Excavation	DD 23 Main Open Pay #1	\$35,007.28
Emmetsburg Publishing Co.	DD 41 Main Open Pub Exp	\$84.84
West Bend Journal	DD 57 Tile Pub Exp	\$80.00
Hudson Law Firm	DD 61 Main Open Attorney Fees	\$670.00
West Bend Journal	DD 61 Main Open Pub Exp	\$147.50
Bolton & Menk, Inc.	DD 61 Main Open Eng Exp	\$454.00
Bolton & Menk, Inc.	DD 61 Main Open Eng Exp	\$7,997.50
Bolton & Menk, Inc.	DD 80 Lat F Open FEMA	\$430.00
Bolton & Menk, Inc.	DD 84 Main Open Eng Exp	\$620.00
Arnie Johnson	DD 98 Main Open Beaver	\$400.00
Hudson Law Firm	DD 171 Tile Attorney Fees	\$79.25
Bolton & Menk, Inc.	DD 175 Main Open Eng Exp	\$1,800.00
Bolton & Menk, Inc.	DD 180 Lat 1 Tile Eng Exp	\$650.00
Bolton & Menk, Inc.	DD 80 Low Main FEMA	\$2,750.00
Bolton & Menk, Inc.	DD 80 Upper Main FEMA	\$4,849.50
Botlon & Menk, Inc.	DD 15 North Main Open FEMA	\$1,505.00
King Excavation	Jt 1 PA&K Lat B Open Pay #1	\$4,079.66

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