

Courthouse
Emmetsburg, Iowa
September 12th, 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; Dean Gunderson, Mark Zaccone, Nick Edwards, David Kirk, David Johnson, Ritchie Berkland, Tom Stillman, Joe Neary.

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 September 12th, 2017. Motion Carried.

Motion by Solberg, seconded by Merrill to approve the minutes for September 5th, 2017. Motion Carried.

Motion by Graettinger, seconded by Solberg to approve the Recorder's monthly report for August 1st, 2017, through August 31st, 2017. Motion Carried.

Peg Martini, General Assistance, met with the Board to give an update on the number of general assistance calls.

Motion by Merrill, seconded by Graettinger to set the Public Hearing for the Palo Alto County Wind Energy Project for October 5th, 2017, at 6:30 p.m. at the Emmetsburg VFW. Ayes: Merrill, Faulstick, Graettinger, Wirtz. Nays: Solberg. Motion Carried.

Dean Gunderson was present for public comment and questioned the decommissioning agreement for the wind energy project. Tom Stillman & Ritchie Berkland made comments to suggest making the landowner responsible for taking down the wind turbines. Peter Hart, County Attorney, explained the costs of decommissioning included in the agreement.

The Board considered Resolution 9-12-2017 to Establish the Temporary Moratorium on Processing Further Site Plan & Review on Wind Energy Conversion Systems.

Motion by Faulstick, seconded by Solberg to introduce and approve the following Resolution 9-12-2017:

RESOLUTION NO. 9-12-2017

A RESOLUTION TO ESTABLISH THE TEMPORARY MORATORIUM ON PROCESSING FURTHER SITE PLAN REVIEW AND APPROVAL PERMITS FOR THE CONSTRUCTION AND MAINTENANCE OF WIND ENERGY CONVERSION SYSTEMS AND WIND ENERGY DEVICES IN PALO ALTO COUNTY

WHEREAS, the Palo Alto County Board of Supervisors adopted a Wind Energy Conversion System Ordinance, Ordinance No. 9-27-16, on Sept. 27th, 2016 (the "Ordinance"); and,

WHEREAS, Invenergy L.L.C., an Illinois Corporation and a wind energy developer ("Invenergy") proposing to construct a Wind Energy Conversion System (the "WECS Project") in Palo Alto County, conducted a public county-wide informational meeting on June 20th, 2017 in Emmetsburg, Iowa (the "Informational Meeting"), as required by the Ordinance as a condition precedent to submitting its application for a Site Plan Review and Approval for construction and maintenance of the WECS Project; and;

WHEREAS, Palo Alto County citizens in attendance at the Informational Meeting participated in that meeting, which included discussion on the following points. They:

1. Raised questions about the respective location of WECS Project vis-à-vis Palo Alto County landowners in favor of the Project and landowners still undecided about the Project in terms of how the Project will affect their lands; and,
2. Inquired about the concentration of the WECS Project within targeted areas situated in Palo Alto County; and,
3. Commented against excessive compaction of WECS Project components in the targeted areas of Palo Alto County, and;
4. Requested clarification concerning how WECS Project decisions would avoid excessive density/placement throughout the cooperating land areas of Palo Alto County; and,
5. Urged greater communications between Invenergy and local aerial spraying services whenever agricultural farm chemicals/ fertilizer/ insecticides/ fungicides and or cover crop are being applied ; and,
6. Recommended stopping the rotation of turbine blades, turning the nacelle perpendicular to the spray route, or leaving the turbine blades parallel to the airplane's spray application pattern in order to facilitate safer agricultural aerial spraying operation; and,

WHEREAS, the Palo Alto County Board of Supervisors hereby FINDS that the density concentration issues accompanying installation of any WECS may negatively affect the County's public infrastructure, including roads and drainage facilities and aerial agricultural spraying operations; and,

WHEREAS, the Palo Alto County Board of Supervisors believes that the concentration density issues raised by the County's citizens at the Informational Meeting merit additional study to develop feedback and real-time solutions; and,

WHEREAS, the Palo Alto County Board of Supervisors believe that such study may proceed during the same period in which the Invenergy Application is being processed by the County so long as that process includes consideration of the concerns expressed at the June 20, 2017 Informational Meeting.

NOW THEREFORE, BE IT RESOLVED by the Palo Alto County Board of Supervisors following review, consideration and discussion, that the Supervisors have determined that a temporary moratorium on further development of wind energy conversion systems should be utilized to allow them to further study and resolve the concerns expressed at the Informational Meeting.

NOW, THEREFORE, BE IT FURTHER RESOLVED the Palo Alto County Board of Supervisors hereby adopts and issues a moratorium of three (3) months duration beginning Sept. 12th, 2017 and continuing through Dec. 12th, 2017, during which the County Board of Supervisors will delay acceptance and/or processing of any further applications for the Site Plan Review and Approval for Construction and Maintenance of Wind Energy Conversion Systems by developers that have not previously held the required public informational meeting required by the Ordinance.

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

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.

ADOPTION

Supervisor Roger Faulstick therefore moves for the approval and passing of the resolution.

Supervisor Linus Solberg seconded the motion to adopt the resolution.

THE RECORDED VOICE VOTE WAS MADE:

Keith Wirtz __Nay_____
Ron Graettinger __Nay_____
Roger Faulstick __Aye_____
Craig Merrill __Nay_____
Linus Solberg __Aye_____

Denied this 12th day of September, 2017.

RESOLUTION NOT ADOPTED.

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

Attest:
/s/Carmen Moser
Palo Alto County Auditor

Joe Neary, Zoning, met with the Board to approve applications for septic improvement grants. Applications have been received from the following landowners: David C. Loomis, Don & Deb Sundall, Farrel Sirovy, Ray Grandstaff.

Motion by Graettinger, seconded by Faulstick to approve the watershed septic improvement grant applications for the following landowners: David C. Loomis, Don & Deb Sundall, Farrell Sirovy and Ray Grandstaff. Motion Carried.

Motion by Faulstick, seconded by Merrill to rescind the motion made on 8-22-2017 for charging Reutzel Contracting 50% of the liquidated damages. Motion Carried.

Motion by Graettinger, seconded by Merrill to waive the liquidated damages to Reutzel Contracting for repairs to Drainage District 61 Main Open Ditch. Motion Carried.

David Johnson, State Senator, met with the Board to discuss changes to the master matrix. Bruce Reimers and Rick Pedersen, Humboldt Co. Supervisors were on conference call.

Committee Reports: Roger—economic development; Keith—safety/wellness.

Motion by Solberg, seconded by Graettinger to approve claims & drainage claims for September 12th, 2017. Motion carried.

General Basic Fund

A.S.I.	Tires & Tubes	23.36	
Brown Winick	Consultants	2805.00	
KORTNEY BUETTNER	Wages-Temp, Pt. Time Empl	70.00	
Carpenter Uniform Co	Wearing Apparel & Uniform	1452.16	
CenTec Cast Metal Products	Grave Markers	836.56	
Central Ia Juv Detention Ctr	Foster Family Home	810.00	
Central Iowa Distributing Inc	Custodial Supplies	221.70	
Cintas	Custodial Supplies	69.12	
Counsel Office & Document	Contract Carriers	349.76	
E-Pride	Office Equip & Furniture	211.47	
Elderbridge Agency on Aging	Contrib to Other Gov & Or	3125.00	
Emmetsburg Ford	Minor MV Parts & Access	95.49	
Emmetsburg Publishing Co.	Board Proceedings	1177.84	
EMS Auto	Buildings	71.05	

Fareway	Food & Provisions	41.74	
KAY FRERK	Employee Mileage & Subs.	176.57	
Graettinger Times	Board Proceedings	1207.80	
JAMES R. HILL	Bus	135.00	
Hometown Convenience	Cash Allowances	30.00	
Hometown Electric	Buildings	876.50	
TAMMY HORST	Park Maintenance & Suppli	350.00	
Virgil Huberty	Bus	315.00	
Hughes Pharmacy	Acute & Emergency Treat.	38.36	
IA COUNTY ATTORNEYS ASSN	Educational/Training Serv	75.00	
IA STATE COUNTY TREAS ASSOC Sh	Educational/Training Serv	65.00	
INNOVATIVE RESCUE SOLUTIONS	Custodial Supplies	704.45	
Daniel Jackson	Salary-Regular Employees	435.00	
NICK JACKSON	Wages-Temp, Pt. Time Empl	67.50	
Robin Jamison	Employee Mileage & Subs.	568.65	
KRISTAT AUTO PARTS LLC	Minor MV Parts & Access	48.58	
Mail Services	Postage & Mailing	280.85	
Martin's Flag Co	Custodial Supplies	192.77	
Debra M. McKeever, CSR,RPR MCK	Legal & Ct-Related Servic	362.00	
John McNally Construction, LLC	Office Equipment	971.73	
MEDIACOM LLC	Telecommunications Serv.-	876.32	
Mercy Medical Center NI	Medical & Health Services	1431.00	
MidAmerican Energy	electricity	77.30	
Carmen Moser	Employee Mileage & Subs.	23.36	
Lois Naig	Educational/Training Serv	122.72	
Joseph F. Neary	Educational/Training Serv	455.68	
North Iowa Lumber & Design,Inc	Buildings	264.72	
Northwest Communications	Telecommunications Serv.-	1141.28	
O'Brien County Sheriff	Legal & Ct-Related Servic	49.00	
Palo Alto Co Auditor	Stationery/Forms/Gen Ofc	23.00	
Palo Alto Co Comm Health Ser	Board of Health	2067.66	
Palo Alto Co Fair Assn	Contrib to Other Gov & Or	2712.90	
Palo Alto Co Sec Road	Natural & LP Gas, Fuel Oi	2355.90	
Palo Alto Co Sheriff	Legal & Ct-Related Servic	648.40	
Palo Alto County Public Health	Other	35000.00	
Palo Alto County Arts Council	Misc Expense	787.50	
Phoenix Supply	Clothing & Dry Goods	100.62	
Picrays Welding & Fab.	Real Property Insurance	11.25	
Quill Corporation	Stationery/Forms/Gen Ofc	97.49	
Regional Trans.Authority	Contrib to Other Gov & Or	1800.00	
River Valley Telecommunication	Electric Light & Power	64.80	
Rouse Tire and Repair, LLC	Tires & Tubes	36.00	
Deb Rouse	Custodial Supplies	11.03	
Susan Ruppert	Employee Mileage & Subs.	166.66	
KIM SCOTT	Bus	205.00	
Secretary of State Notary Divi	Stationery/Forms/Gen Ofc	30.00	
SHIELD TECHNOLOGY CORPORATION	Dues & Memberships		225.00
HOWARD SMITH	Bus	240.00	
Solutions Inc.	services	7535.51	
Stanley Propane & Appliance	Equipment	649.00	
Storey Kenworthy/Matt Parrott	Data Processing Supplies	741.84	
STT Scott Telephone & Telecom	Telecommunications Serv.-	109.99	
Melanie Summers Bauler	Employee Mileage & Subs.	190.00	
Swanson Hardware	Buildings	161.57	
The Cartridge Connection, Inc.	Stationery/Forms/Gen Ofc	68.95	
Robin Thomsen	Employee Mileage & Subs.	12.70	
Turner Jenness Funeral Home	Funeral Services	1800.00	
U.S. Bank Equipment Finance	Photocopy & Dup. Serv.	155.42	
Upper Des Moines Opp.Inc.	Contrib to Other Gov & Or	9500.00	
Verizon Wireless	Telecommunications Serv.-	320.40	
VISA	Educational/Training Serv	1467.05	
Wentzel's True Value	Engineering Services	13.27	
West Bend Ford	Minor MV Parts & Access	25.90	
West Bend Journal	Official Pub & Legal Noti	372.11	
Windstream	phone	566.83	
WOODWARD YOUTH CORPORATION % F	Foster Family Home		279.90

Youth & Shelter Services, Inc.	Foster Family Home	1259.55
Sidney Zylstra	Bus	310.00

General Supplemental Fund

ELECTION SYSTEMS & SOFTWARE	Stationery/Forms/Gen Ofc	1406.82
Emmetsburg Publishing Co.	Official Pub & Legal Noti	347.41
Graettinger Times	Official Pub & Legal Noti	172.69
IMWCA	Workmens' Comp Insurance	4439.75
ISACA TREASURER DENISE FRAISE	Educational/Training Serv	150.00
N Cen Reg Emer Response Comm	Dues & Memberships	6594.70
Ruthven Zipcode	Official Pub & Legal Noti	174.74
West Bend Journal	Official Pub & Legal Noti	183.69

Jail Special Revenue Fund

John McNally Construction, LLC	Protection/Security Serv.	10294.29
Swanson Hardware	Protection/Security Serv.	84.97

Rural Services Basic Fund

A.S.I.	Miscellaneous Repair	163.19
Ag Partners LLC	Fertilizer & Seed	1306.65
Bomgaars	Minor Equip & Hand Tools	613.19
E-Pride	Stationery/Forms/Gen Ofc	2.40
Electronic Specialties	Motor Vehicle Equipment	828.73
Emmetsburg Library	Contrib to Other Gov & Or	2278.22
EMS Auto	Motor Vehicle Equipment	33.40
Graettinger Library	Contrib to Other Gov & Or	968.25
Hometown Electric	Buildings	1949.20
IMWCA	Workmens' Comp Insurance	8245.25
Keltek Inc	Motor Vehicle Equipment	11510.78
Mallard Library	Contrib to Other Gov & Or	797.38
Palo Alto Co Sec Road	Fuels	301.04
River Valley Telecommunication	Telecommunications Serv.-	75.33
Ruthven Library	Contrib to Other Gov & Or	797.38
SLASH POINT SALES	Stationery/Forms/Gen Ofc	53.94
City of Spencer	Sanitation & Disposal Ser	24467.33
Swanson Hardware	Safety & Protect. Supplies	132.31
VISA	Motor Vehicle Equipment	26.98
Wentzel's True Value	Misc Expense	3.10
West Bend Library	Contrib to Other Gov & Or	854.33
Wickman Auto Salvage	Misc Expense	75.00
Windstream	phone	104.21

Rec. Records Mgmt Fund

Microfilm Imaging Systems, Inc	Office Equip & Furniture	3219.50
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Co.Attorney Collections Fund

E-Pride	Misc Expense	279.99
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Secondary Road Fund

A.S.I.	tire repairs	94.63
Alliant Energy	utilities	118.72
Arnold Motor Supply ATT: Sue	parts	17.89
Ayrshire Farmers Mut Telephone	telephone service	41.24
Baum Hydraulics Inc.	shop supplies	239.79
Class C Solutions Group	shop supplies	366.40
City of Cylinder	utilities	35.00
Claudia Darrah C/o Scott Kibbi	tile repairs	525.50
Deitering Bros Inc	PARTS	406.94
Emmet County Engineer	Engineering Services	8941.65
City of Emmetsburg	garbage	57.25
EMS Auto	PARTS	136.94
Fareway	Eng Supplies	7.52
Fleet Pride Truck & Trailer	parts	905.39
City of Fort Dodge	CRS-2	705.00
Fox International, Inc.	FILTERS	87.26
G&K Services	Shop Supplies	128.00
Graettinger Hardware	Engineering Services	49.30
Graettinger Mun. Utilities Gra	Utilities	175.77
Hiway Truck Equipment	PARTS	275.48
H.T.C. Inc	parts	194.07
IA Dept of Transportation	eng repairs	60.00
Iowa Lakes Regional Water	Utilties	107.26

Treasurer IA State University	safety meeting fees	150.00
Interstate Batteries	batteries	451.80
Jacobson-Westergard&Assoc,Inc.	ROW acquisitions	8944.70
Kirkham Michael	bridge evals	2696.62
Lube Tech Accelerating Perform	supplies	1171.57
City of Mallard	utilities	60.77
Menards	boards, plexiglass	191.32
MidAmerican Energy	Utilities	556.89
Murphy Tractor & Equipment	parts	452.82
North Iowa Lumber & Design,Inc	board	29.28
Northern Safety Co., Inc.	safety supplies	66.84
Northwest Communications	telephone service	61.62
Palo Alto County Treasurer	Drainage Assessments	33140.72
Picrays Welding & Fab.	PARTS	404.10
Rees Truck & Trailer, Inc	parts	84.42
River Valley Telecommunication	Telephone services	78.33
Ruthven Coop Oil Co	fuels	5463.12
City of Ruthven	Utilities	245.80
Schneider Service	tire repair	20.00
State Steel of Spencer	steel	407.18
Stratford Gravel, Inc.	Gravel	224062.72
Swanson Hardware	supplies	212.23
Verizon Wireless	Engineering Services	281.38
VISA	Engineering Services	463.70
Wentzel's True Value	hose repair, valve	15.54
City of West Bend	Utilities	94.14
Windstream	telephone services	725.21
Ziegler Inc	parts	1215.30

E911 Surcharge Fund

Ayrshire Farmers Mut Telephone	Engineering Services	154.30
Century Link	Engineering Services	354.46
IA Chapter of APCO Cara Sorrel	Educational/Training Serv	100.00
Ia Emer Number Association Mar	Educational/Training Serv	100.00
Northwest Communications	Engineering Services	781.50
River Valley Telecommunication	Engineering Services	522.34
SHIELD TECHNOLOGY CORPORATION	Miscellaneous Repair	4050.00
Swanson Hardware	Stationery/Forms/Gen Ofc	33.48
Verizon	phone service	3.41
Windstream	phone	358.05

Drainage Claims

Bolton & Menk, Inc.	DD South 15 Main Open Fema	\$167.50
King Excavation	DD19 Main Tile repair	\$10,500
Jacobson-Westergard & Assoc.	DD 19 Main Tile Eng Exp	\$5,419.95
Bolton & Menk, Inc.	DD 23 Main Open Fema	\$518.50
Jacobson-Westergard & Assoc.	DD 41 Main Open Eng Exp	\$1,333.50
Jacobson-Westergard & Assoc.	DD 47 Tile Eng Exp	\$511.40
Jacobson-Westergard & Assoc.	DD 57 Tile Eng Exp	\$789.30
Melva M. Bargman Rev Trust ½ & Melva M. Bargman LE 1/2	DD 61 Main Open Crop Damages	\$3,313.16
Rolland J. Bleuer Trust	DD 61 Main Open Crop Damages	\$1,829.31
Harold P. & Carol A. Bonnsetter Revocable Trust	DD 61 Main Open Crop Damages	\$196.80
W.H. Daubendiek Trust	DD 61 Main Open Crop Damages	\$66.30
Cory D. & Jennifer A. Fehr	DD 61 Main Open Crop Damages	\$460.80
Daniel & Eunice Fehr	DD 61 Main Open Crop Damages	\$618.30
Anita D. Fisher & Carrie S. Fisher	DD 61 Main Open Crop Damages	\$655.50
Lester L. & Esther L. Frieden	DD 61 Main Open Crop Damages	\$383.40
James W. Galyen Trust B-1	DD 61 Main Open Crop Damages	\$120.55
Ronald & Judith Girres	DD 61 Main Open Crop Damages	\$218.70
Gerald G. & Rita L. Thatcher	DD 61 Main Open Crop Damages	\$502.80
Caroline M. Thatcher, LE	DD 61 Main Open Crop Damages	\$279.74
Verdon Acres, LLLP	DD 61 Main Open Crop Damages	\$426.90
Wirtz Farm Partnership, LP & Charles D. Wirtz, etal	DD 61 Main Open Crop Damages	\$398.40
Doris Zaugg Farms, Inc.	DD 61 Main Open Crop Damages	\$402.00
Bolton & Menk, Inc.	DD 61 Main Open Eng Exp	\$8,472.50

Bolton & Menk, Inc.	DD 61 Main Open Fema	\$155.00
West Bend Journal	DD 61 Main Open Pub Exp	\$48.50
Jacobson-Westergard & Assoc.	DD 61 Lat B Eng Exp	\$1,550.00
Bolton & Menk, Inc.	DD 80 Lat F Open Eng Exp	\$430.00
Jacobson-Westergard & Assoc.	DD 23 Main Tile Lat 16-19	\$570.80
Bolton & Menk, Inc.	DD 180 Lat 1 Eng Exp	\$185.00
Bolton & Menk, Inc.	DD 80 Low Main Open Fema	\$1,317.50
Bolton & Menk, Inc.	DD 80 Upper Main Open Fema	\$1,483.00
Bolton & Menk, Inc.	DD 15 North Main Open Fema	\$2,907.50
King Excavation	DD 15 North Main Open Fema	\$26,184.42

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

Keith Wirtz, Chairman

Carmen Moser, County Auditor