

Courthouse
Emmetsburg, Iowa
September 26th, 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: Mark Zaccone; Jodie Marlow, Spencer Municipal Utilities; Tom Stillman.

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 Merrill, seconded by Faulstick to approve the agenda for September 26th, 2017. Motion Carried.

Motion by Faulstick, seconded by Graettinger to approve the minutes for September 19th & 21st, 2017. Motion Carried.

Jan Helmke, Treasurer of PACGDC, met with the Board to request approval of the appointment of Fort & Schlegel, CPA P.C. to conduct the annual audit for the Palo Alto County Gaming Corporation.

Motion by Merrill, seconded by Solberg to introduce and approve the following Resolution:

R E S O L U T I O N
PALO ALTO COUNTY BOARD OF SUPERVISORS
September 26, 2017

APPROVAL OF THE APPOINTMENT OF FORT & SCHLEGEL, CPA P.C. TO
CONDUCT THE ANNUAL AUDIT FOR THE PALO ALTO COUNTY GAMING
DEVELOPMENT CORPORATION

BE IT RESOLVED BY the Palo Alto County Board of Supervisors as follows:

WHEREAS, Iowa Code 491 Chapter 5.2 and 99D.20 and 99F.13 provide that the Board of Supervisors of each county where gambling operations are conducted must select a certified public accountant licensed within the State of Iowa to conduct the annual audit of certain licensed gambling establishments within the county, specifically providing, "99D.20 AUDIT OF LICENSEE OPERATIONS. Within ninety days after the end of each calendar year, the licensee shall transmit to the commission an audit of the financial transactions and condition of the licensee's operations conducted under this chapter. Additionally, within ninety days after the end of the licensee's fiscal year, the licensee shall transmit to the commission an audit of the licensee's total racing and gaming operations, including an itemization of all expenses and subsidies. All audits shall be conducted by certified public accountants authorized to practice in the state of Iowa under chapter 542 who are selected by the board of supervisors of the county in which the licensee operates. "99F13 ANNUAL AUDIT OF LICENSEE OPERATIONS. Within ninety days after the end of the licensee's fiscal year, the licensee shall transmit to the commission an audit of the financial transactions and condition of the licensee's total gambling operations, including an itemization of all expenses and subsidies. All audits shall be conducted by certified public accountants registered or licenses in the State of Iowa under Chapter 542 who are selected by the board of supervisors in the county in which the licensee operates.", and;

WHEREAS, the Palo Alto County Board of Supervisors has been asked by the Palo Alto County Gaming Development Corporation who falls under this act to appoint the auditing firm of Fort & Schlegel, CPA P.C. as the certified public accountant for their audit, and

WHEREAS, the certified public accounting firm of Fort & Schlegel, CPA P.C. is registered and/or licensed to perform such services in the State of Iowa,

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

Section 1. The selection of Fort & Schlegel, CPA P.C. certified public accounting firm to conduct the annual audit for the Palo Alto County Gaming Development Corporation in Palo Alto County is hereby approved.

Section 2. This selection of Fort & Schlegel, CPA P.C. certified public accounting firm shall remain in effect and renew automatically each year until the Board of Supervisors receives a request from the Palo Alto County Gaming Development Corporation to appoint another certified public accounting firm to perform the annual audits contemplated under Iowa Code Chapter 99F.13.

Section 3. This resolution shall take effect immediately.

Motion by Craig Merrill

Seconded by Linus Solberg

Roll call vote:

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

Nays: none

Resolution Passed.

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

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

Public comment: Mark Zaccone, Invenergy, gave an update on the project. Invenergy is working with landowners to answer questions and concerns. Tom Stillman voiced concerns regarding turbines.

Walter Davis-Oeth, County Engineer, met with the Board. Walter updated the Board on the road projects. Tom Stillman reported pot holes on 480th Avenue. Walter requested approval to increase the maximum accumulation of compensation time for Justin Williams, Chris Towell, and Dan Berven.

Motion by Graettinger, seconded by Faulstick to increase the maximum accumulation of compensation time to 120 hours for Justin Williams, Dan Berven, & Chris Towell due to the construction season. Motion Carried.

Rick Hopper, Jacobson-Westergard & Assoc. met with the Board for the bid letting on Drainage District 19. Present: Jay Clasing, Duane Myer, Mike Myer, Marcus Stoltenberg; Amber Enger, Auditor's Office.

The following bids were received for option 1:

Myer Tile	\$1,237,228.00
Reutzel Excavating	\$ 974,877.50
EJM Pipe Services	\$1,590,996.00
Holland Contracting	\$1,086,725.00
King Construction	\$1,091,757.26
B & B Farm Drainage	\$ 988,412.22

(The full bid tab sheet is on file at the Auditor's Office)

Motion by Graettinger, seconded by Merrill to award the contract to Reutzel Excavating for option 1 for \$974,877.50 for tile improvements to Drainage District 19. Motion Carried.

Motion by Craig Merrill, seconded by Ron Graettinger to approve the following motion:

Motion to Approve Release of Real Estate Mortgage

WHEREAS the building at 101 West Robins Street in Graettinger, Palo Alto county legally described as follow: ***Lots Four (4) , Five (5) , Six (6), Seven (7), Eight (8) and Six Feet (6') of lot Nine (9), Block Five (5), Original Town of Graettinger , now occupied by Upper Des Moines Opportunity, Inc. central offices.***

WHEREAS, On June 27th, 1988, the Palo Alto County Board of Supervisors provided a loan in the amount of \$30,000.00 with a mortgage to the Graettinger Development Council which mortgage was recorded January 20th, 1989 at 2:10 pm in Book 136, Page 291 in the Palo Alto County Recorder's Office; and,

WHEREAS, the mortgage has been satisfied in full and the property owner and mortgagor's request a release of the June 27th, 1988 mortgage and have provided a proposed release of mortgage for the Board of Supervisors consideration; and,

WHEREAS, Palo Alto County Board of Supervisors desire to release the June 27th, 1988 mortgage as requested by the Graettinger Development Council.

NOW, THEREFORE, BE IT MOVED that the Palo Alto County Board of Supervisors authorize the Chairperson for the Superiors and the County Auditor to execute attest and deliver the Release of Real Estate Mortgage to the Graettinger Development Council.

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

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 motion duly adopted and approved this 26th day of September, 2017.

On this 26th day of September, 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 26th day of September, 2017.

/s/ Keith Wirtz

Chairman, Palo Alto County Board of Supervisors

/s/ Peter Christopher Hart

Notary Public in and for the State of Iowa

On this 26th day of September, 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 26th day of September, 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

The following people were present at 9:30 a.m.: Steve Mathis, Tillford Eglund, Lois Stillman, Ella Rae Eglund, Cynthia Berkland, Ritchie Berkland, Bertha Mathis, Terry L. Amato, Ray Grandstaff, Jay Clasing, Dean Gunderson, Mike Fred Reding, Mark Zaccone, Joe Neary, Carey Jensen.

Tillford Eglund met with the Board to express concerns on the wind turbines. Tillford read a letter to the Board and asked questions.

Lois Stillman met with the Board to express concerns on the wind turbines. Lois read a letter to the Board and asked questions.

Bertha Mathis, Steve Mathis, Cynthia Berkland, and Dean Gunderson made comments to the Board of Supervisors in regards to wind turbines.

Committee Reports: Roger—RIDES; Keith—Early Childhood, Season's meeting, IDDA meeting.

Motion by Graettinger, seconded by Solberg to approve claims & drainage claims for September 26th, 2017. Motion carried.

General Basic Fund

A.S.I.	Tires & Tubes	82.13	
Bohl's Small Engine & Marine	Operating/Construction Eq	631.90	
Bomgaars	Minor Equip & Hand Tools	276.92	
ANTHONY BRUELLMAN	Engineering Services	241.93	
Buena Vista Co. Sheriff	Legal & Ct-Related Servic	83.02	
Carroll Distributing, Inc.	Minor Equip & Hand Tools	7.58	
CCPOA of Iowa	Educational/Training Serv	65.00	
Counsel Office & Document	Contract Carriers	231.80	
Dickinson County Sheriff	Legal & Ct-Related Servic	19.00	
E-Pride	Stationery/Forms/Gen Ofc	69.79	
E.M.U.	utilities	374.92	
Emmetsburg Publishing Co.	Official Pub & Legal Noti	261.86	
EMS Auto	Minor MV Parts & Access	12.87	
Fareway	Food & Provisions	821.73	
LINDSY FRAMBACH	Employee Mileage & Subs.	62.50	
Hancock Co Sheriff	Legal & Ct-Related Servic	57.80	
Harris Sanitation	Sanitation & Disposal Ser	528.00	
Doug Hoffman	Operating/Construction Eq	150.00	
Hughes, Brennan & Wirtz Inc	Real Property Insurance	31.19	
IA Dept of Transportation	Buildings	174.20	
IA Lakes Electric Coop	Electric Light & Power	3118.60	
Iowa Lakes Regional Water	Water & Sewer	941.76	
IA LAW ENFORCEMENT INTEL NET A	Educational/Training Serv	350.00	
Ida Co Sheriff	Legal & Ct-Related Servic	20.00	
Iowa Dept. of Insurance	Iowa I Misc Expense	100.00	
Kevin Jasa	Park Maintenance & Suppli	475.00	
JCL Solutions	Custodial Supplies	44.17	
Craig Kassel	Engineering Services	557.47	
Koenig Portable Toilets	Sanitation & Disposal Ser	224.00	

Kossuth Co Sheriff	Legal & Ct-Related Servic	53.19
LEGAL DIRECTORIES	Dues & Memberships	62.81
MEDIACOM LLC	Telecommunications Serv.-	136.35
MidAmerican Energy	electricity	2441.53
Norgaard Sand & Gravel	Park Maintenance & Suppli	73.85
North Iowa Lumber & Design,Inc	Buildings	3719.00
Northwest Communications	Telecommunications Serv.-	151.45
Outdoor Recreation Products	Operating/Construction Eq	282.00
Palo Alto Co Health System	Acute & Emergency Treat.	4159.24
Palo Alto Co Sec Road	Fuels	659.25
Palo Alto Co Sheriff	Legal & Ct-Related Servic	1032.68
Pathology Assoc of Mason City	Medical & Health Services	4500.00
Phoenix Supply	Clothing & Dry Goods	70.74
PITNEY BOWES	Postage & Mailing	1326.31
The Print Shop	Stationery/Forms/Gen Ofc	86.07
RASSMUSSEN'S FORD MERC INC	Minor MV Parts & Access	114.54
Reserve Account	Postage & Mailing	100.00
River Valley Telecommunication	Telecommunications Serv.-	271.11
Deb Rouse	Custodial Supplies	37.75
AMY SALAS	Salary-Regular Employees	338.00
Schumacher Elevator Company	Fixed Plant Equipment	589.68
STATE HYGIENIC LABORATORY	Engineering Services	52.50
STT Scott Telephone & Telecom	Telecommunications Serv.-	7.00
Swanson Hardware	Minor Equip & Hand Tools	48.04
The Cartridge Connection, Inc.	Stationery/Forms/Gen Ofc	107.85
Thomson Reuters West Payment C	Legal Research Service	426.00
TREASURER STATE OF IOWA OFFICE	Legal & Ct-Related Servic	2557.00
Wentzel's True Value	Minor Equip & Hand Tools	15.28
Windstream	phone	221.32
Woodbury County Sheriff	Legal & Ct-Related Servic	43.00

General Supplemental Fund

Audrey Baatz	Election Officials	100.00
Donald Banwart	Election Officials	141.00
Irene R. Banwart	Election Officials	123.00
Dickinson County News	Stationery/Forms/Gen Ofc	246.24
DAVID DINGEL	Election Officials	20.00
Linda Dingel	Election Officials	120.00
Therese Geelan	Employee Mileage & Subs.	13.00
Margaret Grimm	Election Officials	100.00
Ronald Hersom	Election Officials	60.50
Hughes, Brennan & Wirtz Inc	Fidelity & Security Bond	1457.00
Becky Jamison	Election Officials	100.00
DILENE LARSEN	Election Officials	100.00
Marilyn Lewis	Election Officials	140.00
Anna McDevitt	Election Officials	76.00
MidAmerican Energy	electricity	36.39
Betty Millea	Election Officials	24.00
JUDY MILLER	Election Officials	126.00
Linda Miller	Election Officials	102.50
PATRICIA MOLITOR	Election Officials	76.00
Carmen Moser	Employee Mileage & Subs.	63.00
Palo Alto Co Sheriff	Acute & Emergency Treat.	54.08
Palo Alto Co Treasurer	Employee G.Ins-Co.Contrib	1800.00
JUDY RICHARDSON	Election Officials	100.00
Jane Rubel	Election Officials	116.00
Maureen Sandberg	Election Officials	153.00
Joyce Schnell	Election Officials	153.00
Sondra Seigel	Election Officials	158.00
Trudy Sonksen	Election Officials	76.00
Ann M. Stillman	Election Officials	20.00
Myram Tunncliff	Election Officials	20.00
Betty VonEhwegen	Election Officials	170.00
Bonnie Whitney	Election Officials	112.00

Jail Special Revenue Fund

Bauer Plumbing & Heating Inc.	Protection/Security Serv.	1581.00
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Rural Services Basic Fund

Bomgaars	Minor Equip & Hand Tools	28.72
IA Lakes Electric Coop	Electric Light & Power	148.41
Palo Alto Co Sec Road	Fuels	578.01
Picrays Welding & Fab.	Minor Equip & Hand Tools	261.53
Pro Cooperative	Fertilizer & Seed	1704.24
SARGENT ELECTRIC	Misc Expense	80.00
Shamrock Recycling, Inc	Sanitation & Disposal Ser	2263.28
City of Spencer	Sanitation & Disposal Ser	27000.00

Special Revenue-Sheriff Reserve

WEBSTER CO SHERIFF RESERVES	Educational/Training Serv	340.00
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Secondary Road Fund

Algona Machine & Supply, Inc.	Engineering Services	3409.27
Alliant Energy	Engineering Services	114.94
Arnold Motor Supply ATT: Sue	Engineering Services	265.62
Community Lumber	Engineering Services	485.88
Heritage-Crystal Clean, LLC	Engineering Services	318.30
E.M.U.	utilities	126.76
Emmetsburg Publishing Co.	Engineering Services	9.06
Nick Fank Fank Farms	Engineering Services	80.24
Fox International, Inc.	Engineering Services	285.15
G&K Services	Shop Supplies	96.00
David Geerdes	Engineering Services	292.50
Graettinger Hardware	Engineering Services	318.97
Melissa Hall	Engineering Services	33.00
H.T.C. Inc	Engineering Services	471.20
J.B. Mertz & Sons Inc	Engineering Services	270.00
KRISTAT AUTO PARTS LLC	Engineering Services	7.49
M.D. Products, Inc.	Engineering Services	589.24
MidAmerican Energy	electricity	165.25
Murphy Tractor & Equipment	Engineering Services	1345.55
Northern Safety Co., Inc.	Engineering Services	12.14
Palo Alto Co Health System	Engineering Services	134.00
Palo Alto Co Treasurer	Engineering Services	1800.00
Ruthven Coop Oil Co	Engineering Services	24225.05
Solutions Inc.	services	77.05
Spencer Auto Parts	Engineering Services	108.00
Staples Credit Plan	Engineering Services	92.21
Unity Point Clinic- Occ Med	Engineering Services	148.00
City of West Bend	Engineering Services	101.17
Windstream	phone	381.73
Ziegler Inc	repairs and parts	1644.79

Emergency Mgmnt Agency

Palo Alto Co Sec Road	Parts	197.95
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E911 Surcharge Fund

Ayrshire Farmers Mut Telephone	Engineering Services	154.30
Century Link	Engineering Services	354.46
Northwest Communications	Engineering Services	781.50
Windstream	phone	354.44
WINDSTREAM COMMUNICATIONS ATTE	phone	131.88
Ziegler Inc	Miscellaneous Repair	1036.11

Drainage Claims

Jacobson-Westergard & Assoc.	DD Jt 13 Eng Exp	\$856.40
West Bend Journal	DD Jt 13 Pub Exp	\$144.33
Reutzel Excavating Inc.	DD 61 Main Open Pay #4	\$11,112.40
Bolton & Menk, Inc.	DD Jt 1 PA&K Lat B FEMA	\$137.50
L. A. Carlson Contracting	DD 80 Upper Main Open FEMA#2	\$14,138.18
King Excavation	DD North 15 Main Open FEMA#2	\$28,236.24

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

Keith Wirtz, Chairman

Carmen Moser, County Auditor