

Courthouse
Emmetsburg, Iowa
September 27th, 2016, 8:00 a.m.

The Palo Alto County Board of Supervisors met in regular session. Members present: Linus Solberg, Chair; Keith Wirtz, Ron Graettinger, Craig Merrill, Ed Noonan. Present: David Kirk, Rick Elbert, Rick Hopper, Scott Buchanan.

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

Motion by Merrill, seconded by Graettinger to approve the agenda for September 27th, 2016. Motion Carried.

Motion by Graettinger, seconded by Wirtz to approve the minutes for September 20th, 2016. Motion Carried.

Motion by Noonan, seconded by Wirtz to introduce and approve the following Proclamation for Mental Illness Awareness Week. Ayes: Wirtz, Graettinger, Noonan, Merrill, Solberg. Nays: None. Motion Carried.

**Palo Alto County Proclamation
for Mental Illness Awareness Week 2016**

Whereas mental health is part of overall health; and

Whereas one in five adults experiences a mental health problem in any given year; and

Whereas approximately one-half of chronic mental illness begins by the age of 14 and three-quarters by age 24; and

Whereas suicide is the 10th leading cause of death in the United States and the 2nd leading cause among young adults, and 90% of people who die by suicide have an underlying mental illness; and

Whereas long delays—sometimes decades—often occur between the time symptoms first appear and when individuals get help; and

Whereas early identification and treatment can make a difference in successful management of mental illness and recovery; and

Whereas it is important to maintain mental health and learn the symptoms of mental illness in order to get help when it is needed; and

Whereas, every citizen and community can make a difference in helping end the silence and stigma that for too long has surrounded mental illness and discouraged people from getting help; and

Whereas public education and civic activities can encourage mental health and help improve the lives of individuals and families affected by mental illness.

NOW, THEREFORE BE IT RESOLVED, I, Linus Solberg, **Chair of Palo Alto County Board of Supervisors**, do hereby proclaim October 2 through October 8, 2016 as Mental Illness Awareness Week in Emmetsburg, Iowa, to shine a light on mental illness and fight stigma, provide support, educate the public and advocate for equal care. AND BE IT FURTHER RESOLVED that all citizens, businesses, schools and community organizations are encouraged to take #StigmaFree pledge at www.nami.org/stigmfree in observance of Mental Illness Awareness Week.

/s/ Linus Solberg
Linus Solberg, County Board of Supervisors-Chair

Date 9-27-2016

Lynn Schultes, Sheriff, met with the Board.

Motion by Graettinger, seconded by Merrill to approve hiring Angela Wise as full time jailer effective September 27th, 2016, at \$15.26 per hour. Motion Carried.

Walter Davis-Oeth, County Engineer, met with the Board. Walter discussed the Iowa DOT letter regarding the bridge replacement on Hwy 4.

Motion by Noonan, seconded by Wirtz to approve an underground utility permit application for Windstream Iowa Communications, Inc. in Section 34, of Nevada Township. Motion Carried.

Motion by Graettinger, seconded by Noonan to approve an underground utility permit application for Windstream Iowa Communications, Inc. in Section 28, of Rush Lake Township. Motion Carried.

Motion by Merrill, seconded by Noonan to approve an underground utility permit application for Windstream Iowa Communications, Inc. in Section 8, of Fairfield Township. Motion Carried.

Motion by Wirtz, seconded by Noonan to recognize petitions filed on Drainage District 41; and appoint Rick Hopper, Jacobson-Westergard & Assoc., to prepare study on Drainage District 41; and direct Walter to work with Rick Hopper to get estimates for tree removal. Motion Carried.

Representatives of IMWCA and Phil Andreasen met with the Board to discuss worker's compensation insurance. Phil reviewed the experience modification factor and loss experience for 3 years.

The Board of Supervisors held a completion hearing on Drainage District 7 Main Open Ditch. Present: Rick Hopper, Jacobson-Westergard & Assoc.; Keith Bare, Ronn Naig.

Rick reviewed the cleanout of Drainage District 7 Main Open. Claims for damages were filed by the following landowners: Clayton Helgeson and David Girres.

Motion by Graettinger, seconded by Merrill to approve claims for damages to Clayton Helgeson for \$800 and David Girres for \$350. Motion Carried.

Motion by Wirtz, seconded by Graettinger to approve the completion of contract for Drainage District 7 Main Open and to direct the Auditor to pay the final claim to Reutzel Excavating for \$11,097.94 in 30 days. Motion Carried.

Committee Reports: Ed Noonan—NW Planning & Development, RIDES, IDDA.

At 10:00 a.m., the Board of Supervisors held the 3rd reading of the wind energy conversion systems ordinance for Palo Alto County. Present: David Kirk, Cynthia Berkland, Ritchie L. Berkland, Dennis Meyer, Luke Steier, Chad Meyer, Mike Poeppe, Phyllis Schroeder, Mike Brown, Brett Swanson, David McIntosh, Mark Zaccone, Dani Spangler, Mary Barrick, Ray Grandstaff, Dean Gunderson, Dennis Mandsager, Bert Naig, Mike Hermansen, Wayne Knutson, Shirley Knutson, Carey Jensen, Adam Jablenski, Keith Bare, Brian Garrels, Terry Amato, John Spies, Jack Kibbie.

Copies of the wind energy conversion systems ordinance for Palo Alto County were available. The notice of ordinance and dates set for the 1st, 2nd, & 3rd readings were published in the newspapers in the county.

Linus Solberg, Chair, made opening comments and thanked everyone for attending the public meetings. Scott Buchanan, Attorney, reviewed the ordinance in detail and reviewed the changes made since last week.

Those in attendance who made comments are as follows: Dean Gunderson, Mike Brown, Jay Clasing, Brian Garrels, Ray Grandstaff, Luke Steier, Denny Meyer, Chad Meyer, Lois Stillman, Wayne Knutson, Jr., Terry Amato, Ritchie Berkland, Cynthia Berkland, Mike Poeppe, Dani Spangler, Carey Jensen, Adam Jablenski, Keith Bare, Bert Naig.

Scott Buchanan, Attorney, read the following Resolution. Motion was made by Keith Wirtz, seconded by Craig Merrill to introduce and approve the following Resolution:

Resolution 9/27/2016

RESOLUTION ENACTING THE PALO ALTO COUNTY WIND ENERGY CONVERSION SYSTEM SITE PLAN REVIEW AND APPROVAL ORDINANCE.

WHEREAS, Palo Alto County Board of Supervisors received recommendations from the Palo Alto County Planning and Zoning Commission addressing the standards, conditions, and application, site plan review and approval for the construction and maintenance of wind energy conversion systems (WECS) and individual wind energy devices (WEDS) within the unincorporated area of Palo Alto County, Iowa; and,

WHEREAS, the Palo Alto County Board of Supervisors wish to adopt and enforce the following Wind Energy Conversion Systems Site Plan Review and Approval Ordinance to better promote the health, safety, and welfare of the County’s residents and businesses.

WHEREAS, the Wind Energy Conversion Systems Site Plan Review and Approval Ordinance is a separate county ordinance and shall be considered to be a “stand alone” enactment authorized under County Home Rule under Iowa Code Section 331.302(1); and,

Whereas the Palo Alto County Board of Supervisors caused to be published its Wind Energy Conversion Site Plan Review and Approval Ordinance in a newspaper of general circulation within Palo Alto County, and conducted the three consecutive weekly readings of the ordinance on Sept. 13th, Sept. 20th and Sept. 27th, 2016.

NOW, THEREFORE, BE IT ORDAINED, ESTABLISHED AND ADOPTED that the Wind Energy Conversion Systems Site Application Review and Approval Ordinance is hereby adopted and shall be recorded in the Offices of the Palo Alto County Recorder and the Palo Alto County Auditor’s Office.

WHEREUPON, supervisor Keith Wirtz 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
Ed Noonan 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 the Ordinance hereby approved this 27th day of Sept. 2016.

On this 27th day of Sept. 2016, before me, a Notary Public in and for the State of Iowa, personally appeared Linus Solberg , 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 Linus Solberg acknowledged the execution of the instrument to be the voluntary act and deed of Palo Alto County by it voluntarily executed.

Dated this 27th day of Sept., 2016.

/s/ LJ Solberg
Chairman , Palo Alto County Board of Supervisors

/s/Scott G. Buchanan
Notary Public in and for the State of Iowa

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

Motion by Graettinger, seconded by Merrill to approve claims & drainage claims for September 27th, 2016. Motion carried.

General Basic Fund

A.S.I.	Tires & Tubes	18.00	
Building Center	Agricultural & Horticult.	1097.41	
Canon	Office & Data Processing	146.56	
Carpenter Uniform Co	Wearing Apparel & Uniform	702.57	
Carroll Cleaning Supply	Custodial Supplies	194.01	
Central Ia Juv Detention Ctr	Foster Family Home	669.77	
Cintas	Custodial Supplies	94.12	
Creative Stitches	Conservation Board	19.00	
Diamond Vogel Paints	Agricultural & Horticult.	113.37	
Cindy Dorr-Harthan	Engineering Services	375.00	
E-Pride	Stationery/Forms/Gen Ofc	184.95	
Electronic Specialties	Radio & Related Equip	486.90	
Emmetsburg Ford	Minor MV Parts & Access	88.66	
E.M.U.	utilities	825.19	
Emmetsburg Publishing Co.	Official Pub & Legal Noti	85.51	
Fareway	Food & Provisions	29.92	
Paul Forry	Sanitation & Disposal Ser	76.50	
Hardware Hank	Minor Equip & Hand Tools	241.37	
Harris Sanitation	Sanitation & Disposal Ser	264.00	
Hometown Convenience	Cash Allowances	30.00	
TAMMY HORST	Park Maintenance & Suppli	400.00	
Hudson Law Firm	Consultants	518.70	
Hughes Pharmacy	Acute & Emergency Treat.	213.73	
IA Lakes Electric Coop	Electric Light & Power	906.38	
Iowa Lakes Regional Water	Water & Sewer	423.68	
Iowa County Attys Association	Educational/Training Serv	325.00	
IA Office of State Medical Exm	Medical & Health Services	1523.00	
Brian Jackson James L. Kibbie	Buildings	750.00	
NICK JACKSON	Wages-Temp, Pt. Time Empl	22.50	
JCL Solutions	Custodial Supplies	160.94	
Kossuth Co Sheriff	Legal & Ct-Related Servic	21.00	
KW Electric Inc	Electrical Supp.& Parts	245.47	
Cierra McAllister	Wages-Temp, Pt. Time Empl	60.00	
MidAmerican Energy	electricity	2559.44	
Norgaard Sand & Gravel	Agricultural & Horticult.	1283.22	
Northwest Communications	Telecommunications Serv.-	1127.95	
Palo Alto Co Sec Road	Fuels	721.29	
Palo Alto Co Sheriff	Legal & Ct-Related Servic	121.60	
PITNEY BOWES	Postage & Mailing	1076.82	
Quill Corporation	Office Equipment	674.19	
River Valley Telecommunication	Telecommunications Serv.-	22324.58	
AMY SALAS	Wages-Temp, Pt. Time Empl	444.00	
Solutions Inc.	services	2900.01	
Thomson Reuters West Payment C	Legal Research Service	379.97	
TREASURER STATE OF IOWA OFFICE	Legal & Ct-Related Servic	2514.00	
TrimLine Painting	Buildings	1414.25	
West Bend Ford	Minor MV Parts & Access	66.04	
City of West Bend	Utilities Payments	200.00	
Windstream	phone	854.12	
WOODWARD YOUTH CORPORATION % F	Foster Family Home	1632.75	

General Supplemental Fund

ELECTION SYSTEMS & SOFTWARE	Stationery/Forms/Gen Ofc	2256.52	
E.M.U.	utilities	38.89	
GOVERNMENT FORMS AND SUPPLIES	Stationery/Forms/Gen Ofc	115.76	
Hughes, Brennan & Wirtz Inc	Fidelity & Security Bond	1457.00	
IA Secretary of State	Data Processing Services	1056.99	
MidAmerican Energy	electricity	79.84	
N Cen Reg Emer Response Comm	Dues & Memberships	7065.40	
Palo Alto Co Sheriff	Legal & Ct-Related Servic	317.65	
Palo Alto Co Treasurer	Employee G.Ins-Co.Contrib	1800.00	
PELZER LAW FIRM JENNIFER BENNE	Legal & Ct-Related Servic	131.75	

U.S. Postal Service	Postage & Mailing	282.00
<u>Rural Services Basic Fund</u>		
Bomgaars	Minor Equip & Hand Tools	99.42
Galens Pro-Mow	Equipment	336.56
IA Lakes Electric Coop	Electric Light & Power	143.13
Palo Alto Co Sec Road	Fuels	557.26
Pro Cooperative	Fertilizer & Seed	495.00
Windstream	phone	103.17
<u>Secondary Road Fund</u>		
Alliant Energy	Engineering Services	117.35
Byron Anliker	Engineering Services	796.40
Leonard & Helen Anliker	Engineering Services	5308.46
Ayrshire Farmers Mut Telephone	Engineering Services	40.73
John Banwart	Engineering Services	6566.56
John & Kimberly Banwart	Engineering Services	7926.66
Patricia Ann Baumann	Engineering Services	6560.14
Douglas A. Bleckwenn	Engineering Services	2362.45
Bomgaars	Engineering Services	190.96
Emmet County Engineer	Engineering Services	20156.19
City of Emmetsburg	Engineering Services	53.00
E.M.U.	Engineering Services	72.05
Fern Valley Feeders	Engineering Services	1554.99
G&K Services	Engineering Services	128.00
Anthony & Annette Girres	Engineering Services	1476.48
Ronald & Judith Girres	Engineering Services	1476.48
Hiway Truck Equipment	Engineering Services	6053.30
IA Comm Pool Administrators lo	Engineering Services	58.20
J & K Banwart Corp	Engineering Services	124.85
Mary K Marti Trust Mary K Mart	Engineering Services	3417.18
Joleen Metzger	Engineering Services	6574.76
MidAmerican Energy	Engineering Services	160.71
Northwest Communications	Engineering Services	53.07
Palo Alto Co Health System	Engineering Services	658.00
Palo Alto Co Treasurer	Engineering Services	1800.00
Picrays Welding & Fab.	Engineering Services	1601.76
Reding Family Farm Trust Susan	Engineering Services	2871.04
Ruthven Coop Oil Co	Engineering Services	6277.48
David L or Karen A Schmidt	Engineering Services	425.36
Secretary of State State Regis	Engineering Services	30.00
Unity Point Clinic- Occ Med	Engineering Services	296.00
West Bend Red Power	Engineering Services	141.00
City of West Bend	Engineering Services	92.33
Windstream	Engineering Services	597.94
<u>Bond #4 Cap. Proj. Sec. Roads</u>		
Cedar Valley Corp	Roads	61328.97
<u>Emergency Mgmnt Agency</u>		
Palo Alto Co Sec Road	Parts	123.70
<u>E911 Surcharge Fund</u>		
Ayrshire Farmers Mut Telephone	Engineering Services	154.30
Northwest Communications	Engineering Services	618.24
Windstream	phone	273.82
WINDSTREAM COMMUNICATIONS ATTE	phone	132.57
<u>Drainage Claims</u>		
Hudson Law Firm	DD 61 Lat B Tile, Attorney Fees	\$883.50
Myer Tile & Backhoe, LLC	DD 923 Lat H Tile Repair	\$1,190.00
Joseph F. Neary	DD 923 Lat H Tile mileage	\$22.00
B & B Farm Drainage Inc	DD 48 Lat 3 Tile Pay Est #1	\$335,853.12
B & B Farm Drainage Inc	DD 48 Lat 3D Tile Pay Est #1	\$42,566.12

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

LJ Solberg, Chairman

Carmen Moser, County Auditor