

Courthouse  
Emmetsburg Iowa  
January 2nd, 2018, 8:00 a.m.

The Palo Alto County Board of Supervisors met on January 2nd, 2018, the first working day of the Calendar Year to approve all resolutions and appointments for the 2018 year. Supervisors present: Keith Wirtz, Roger Faulstick, Linus Solberg, Ron Graettinger, and Craig Merrill.

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

Motion by Solberg, seconded by Merrill to approve agenda for January 2nd, 2018. Motion Carried.

Motion by Graettinger, seconded by Merrill to approve minutes for December 27th, 2017. Motion Carried.

Motion by Graettinger, seconded by Wirtz to appoint Craig Merrill as Chair Pro-Tem for the 2018 year. Motion Carried.

Motion by Solberg, seconded by Wirtz to appoint Ron Graettinger as Chairman for 2018. Motion Carried.

Walter Davis-Oeth, County Engineer, met with the Board and presented Resolutions for calendar year 2018 and gave the road report.

Motion by Solberg, seconded by Merrill to introduce and approve the following Resolution 1-2-2018 (A). Ayes: Solberg, Merrill, Faulstick, Graettinger, Wirtz. Resolution Passed.

**RIGHT OF WAY ASSURANCE STATEMENT  
1-2-2018 (A)**

County of Palo Alto

To comply with the provisions of the 1970 Uniform Relocation Assistance and Land Acquisition Policies Act, as amended by Title IV of the Surface Transportation and Uniform Relocation Assistance Act of 1987, the Board of Supervisors of Palo Alto furnishes the following:

Assurances to the Iowa Department of Transportation.

1. It is the policy of the Palo Alto County to acquire right of way in accord with Title III of said 1970 Act, as amended by Title IV of the Surface Transportation and Uniform Relocation Assistance Act of 1987, and applicable state laws.
2. It is the policy of the Palo Alto County to provide relocation assistance benefits in accord with Title II of said 1970 Act, as amended by Title IV, and applicable state laws.
3. The above named county will contact the Iowa Department of Transportation for assistance as needed to assure compliance with applicable laws which are summarized in the instructions entitled "Uniform Manual, Real Property Acquisition and Relocation Assistance."

1-2-2018  
Date Approved

/s/Ron Graettinger  
Chairperson, Board of Supervisors

Motion by Faulstick, seconded by Merrill to introduce and approve the following Resolution 1-2-2018 (B). Ayes. Solberg, Merrill, Faulstick, Graettinger, Wirtz. Resolution Passed.

**RESOLUTION NO. 1-2-2018 (B)**

**AUTHORIZATION FOR THE COUNTY ENGINEER TO CLOSE ANY SECONDARY ROAD FOR THE PURPOSE OF ROUTINE MAINTENANCE PROCEDURES OR CONSTRUCTION DURING 2018**

**WHEREAS:** The Palo Alto County Board of Supervisors is concerned about tort Liability involved during construction and maintenance of the Secondary Road System, and

**WHEREAS:** They are further interested in accommodations for the traveling public, adjacent landowners, and related users during construction maintenance operations.

**NOW THEREFORE, BE IT RESOLVED,** the Palo Alto County Board of Supervisors on this 2nd day of January 2018, that the Palo Alto County Engineer is hereby authorized to temporarily close sections of highway in Palo Alto County's road system when necessary because of construction, maintenance, or natural disaster.

**PALO ALTO COUNTY  
Board of Supervisors**

/s/Ron Graettinger

/s/Craig Merrill

/s/LJ Solberg

/s/Roger Faulstick

/s/Keith Wirtz

**Recommended:**

/s/Walter Davis-Oeth

Palo Alto County Engineer

**Attest:**

/s/Carmen Moser

Palo Alto County Auditor

Motion by Merrill, seconded by Faulstick to introduce & approve Resolution 1-2-2018 (C). Ayes: Solberg, Merrill, Faulstick, Graettinger, Wirtz. Resolution Passed.

**RESOLUTION 1-2-2018 (C)**

**BE IT RESOLVED** by the Board of Supervisors of Palo Alto County, Iowa, that

Walter Davis-Oeth, P.E., the County Engineer of Palo Alto County, Iowa, be and is hereby designated, authorized, and empowered on behalf of the Board of Supervisors of said County to execute the certification of completion of work and final acceptance thereof in accordance with plans and specifications in connection with all Farm-to-Market and Federal or State aid construction projects in this county.

Dated at Palo Alto County, Emmetsburg, Iowa, this 2nd of January 2018.

Board of Supervisors

Palo Alto County, Iowa

/s/Ron Graettinger

/s/Craig Merrill

/s/LJ Solberg

/s/Roger Faulstick

/s/Keith Wirtz

ATTEST: /s/Carmen Moser

County Auditor

Motion by Wirtz, seconded by Merrill to approve partial acquisition contract #8 for Clinton Fogde. Motion Carried.

Motion by Solberg, seconded by Faulstick to approve partial acquisition contract #18 for Daniel Henningsen. Motion Carried.

Motion by Faulstick, seconded by Solberg to approve partial Acquisition contract #36 for Charles Pedersen, Michael Pedersen, Patricia Pedersen. Motion Carried.

Motion by Wirtz, seconded by Solberg to approve partial acquisition contract #40 for Craig & Karen Thu. Motion Carried.

Motion by Faulstick, and seconded by Merrill to introduce and approve the following Resolution.

RESOLUTION 1-2-2018 (D)

BE IT RESOLVED, By the Board of Supervisors of Palo Alto County, Iowa, that they do hereby designate the following banks to be depositories and the Elected Officials named below shall deposit funds in the amounts not to exceed the amounts named opposite each of said designated depositories and said Officials are hereby authorized to deposit the funds in each bank as follows:

Iowa Trust & Savings	Sue Ruppert, Recorder	\$100,000
Iowa Trust & Savings	Lynn Schultes, Sheriff	\$300,000

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

Motion was made by Merrill and seconded by Wirtz to introduce and approve the following resolution.

Resolution 1-2-2018 (E)

BE IT RESOLVED, By the Board of Supervisors of Palo Alto County, Iowa that they do hereby designate the following banks to be depositories for the County Treasurer's Funds in the amounts not to exceed that amount named opposite each designated bank or depository and the County Treasurer is hereby authorized to deposit County Funds in the amounts not to exceed aggregate amounts named for said banks or depositories as follows:

Wells Fargo	Emmetsburg Iowa	\$15,000,000
Iowa Trust & Savings	Emmetsburg Iowa	\$25,000,000
Laurens State Bank	Emmetsburg Iowa	\$10,000,000

Ayes: Wirtz, Faulstick, Merrill, Graettinger. Nays: Solberg. Resolution Carried.

Motion by Merrill, seconded by Solberg to appoint Tim McCain as Palo Alto County Tax Agent for the 2018 year. Motion Carried.

Motion by Wirtz, and seconded by Faulstick to designate the combined Emmetsburg Democrat and Reporter, and the combined Graettinger Times, The Ruthven Zipcode and West Bend Journal as the two Official Newspapers for the 2018 year. Motion Carried.

Motion was made by Merrill and seconded by Solberg to inform Township Trustees and Clerks that while engaged in Official County Business, they shall be compensated \$10.00 per hr. plus mileage, however the minimum daily pay for attending a scheduled meeting shall be \$20.00 per meeting. Motion Carried.

Motion was made by Faulstick and seconded by Wirtz to appoint the following persons to serve as members of the Compensation Commission for the Eminent Domain cases for the 2018 year. Motion Carried.

**BUSINESS PERSONS**

Ted Wentzel 801 Palmer St. Emmetsburg, Iowa	712-852-3503
John Spies 302 Lakeshore Drive, Emmetsburg, Iowa	712-852-4023
JoAnn Schoning, 1006 Bruce St, Ruthven, Iowa	712-837-4655
Wm. S. Brown 4577 280 <sup>th</sup> St. Graettinger, Iowa	712-859-3880
Jeff Treveer 1208 South St. Box 264, Ayrshire, Iowa	712-426-2202
Joe Noonan, 42125 360 <sup>th</sup> Ave, Ruthven, Iowa	712-298-1504
Mike Gehrt 803 Micawber St. Mallard, Iowa	712-425-3560
Ron Larson 707 Inman St. Mallard, Iowa	712-425-3364

**FARMERS**

Ray Brown 5612 475 <sup>th</sup> St. West Bend, Iowa	515-887-4054
Gerald Thatcher 407 4 <sup>th</sup> St. West Bend, Iowa	515-887-5959
Fred Schmidt, 4169 580 <sup>th</sup> Ave, Whittemore, Iowa	515-884-2549
Dan Chism, 4791 380 <sup>th</sup> St, Emmetsburg, Iowa	712-852-2840
Kathy Cramer 4283 440 <sup>th</sup> St. Curlew, Iowa	712-855-2874
Jerome Kuyper 5728 500 <sup>th</sup> St. West Bend, Iowa	515-887-3457
Craig Thu, 102 Ford Rd, Emmetsburg, Iowa	712-415-1072

**CITY AND TOWNSHIP PROPERTY OWNERS**

Chad Clausen, 4957 490 <sup>th</sup> Ave, Mallard, Iowa	712-298-2359
Mike Flaherty, 410 N Maple Ave, Graettinger, Iowa	712-859-3578
Matt Greene, 3765 380 <sup>th</sup> Ave, Ruthven, Iowa	712-837-4843
David Morey, 4812 510 <sup>th</sup> Ave, Mallard, Iowa	712-425-3234
David Neilson 104 South Elder Ave. Graettinger, Iowa	712-859-3860

**REALTORS**

Jerry Besch 4420 510 <sup>th</sup> St. Mallard, Iowa	712-852-3690
Judy Johnson 3586 450 <sup>th</sup> Ave. Emmetsburg, Iowa	712-852-4921
Vic Johnson 3586 450 <sup>th</sup> Ave. Emmetsburg, Iowa	712-852-4921
Jack Nolan, 1107 Lake St, Emmetsburg, Iowa	712-852-4667
Mike Wentzel 104 Lake St. Emmetsburg, Iowa	712-852-2294
Jerry Holland 3502 1 <sup>st</sup> .Emmetsburg, Iowa	712-852-2877
Norlyn Stowell 2 North Madison St. Emmetsburg, Iowa	712-852-3604
Roger Wagner 3856 440 <sup>th</sup> Ave. Emmetsburg, Iowa	712-852-4257
Brian Jackson 212 North Wallace St. Emmetsburg, Iowa	712-852-3211
Jay Bargman, 5579 430 <sup>th</sup> St, West Bend, Iowa	515-887-5579

Motion was made by Solberg and seconded by Wirtz to reappoint Dr. Thomas Getta and Julie Nelson to the Local Health Board for a 3 year term expiring December 31, 2020. Motion Carried.

Motion was made by Merrill and seconded by Solberg to reappoint Ronn Naig to the Palo Alto County Planning & Zoning Board of Adjustment for a 3 year term expiring December 31, 2020. Motion Carried.

Motion was made by Wirtz and seconded by Merrill to reappoint Tony Streit to the County Conservation Board for a 5 year term expiring on December 31, 2022. Ayes: Wirtz, Faulstick, Merrill, Graettinger. Nays: Solberg. Motion Carried.

Motion by Solberg, seconded by Faulstick to reappoint Mary Hilfiker to the Civil Service Commission Board for a six year term to expire on October 1<sup>st</sup>, 2023. Motion Carried.

Motion by Merrill, seconded by Wirtz to reappoint Dr. Thomas Getta as the County Medical Examiner for a 2 year term expiring on December 31<sup>st</sup>, 2019. Motion Carried.

Motion by Faulstick, seconded by Solberg to appoint the following supervisors to various committees and boards as follows for the year 2018.  
Motion Carried.

<u>Committee/Board</u>	<u>Appointment</u>	<u>Alternate</u>
Ag Committee	Ron Graettinger	Linus Solberg
Central Iowa Juvenile Detention Commission	Roger Faulstick	Craig Merrill
Compass Pointe Board	Ron Graettinger	Linus Solberg
Courthouse Security Committee	Craig Merrill	
DECAT Board	Ron Graettinger	
Drainage Advisory Board	Keith Wirtz	Linus Solberg
Economic Development Board	Craig Merrill	Roger Faulstick
Enterprise Zone Board	Craig Merrill	
Empowerment Board	Keith Wirtz	
Emergency Management Board	Linus Solberg	Ron Graettinger
E 911 Board	Linus Solberg	Craig Merrill
HIPAA Compliance Board	Keith Wirtz	
Homeward Housing Trust Fund	Roger Faulstick	
IDDA	Keith Wirtz	
NW Iowa Care Connections	Craig Merrill	Linus Solberg
North Central Regional Emergency Response Commission	Linus Solberg	Craig Merrill
NW Iowa Regional Housing Authority	Roger Faulstick	
NW Planning & Development	Roger Faulstick	
RIDES Board	Roger Faulstick	
Resource Conservation & Development Board (RC&D)	Keith Wirtz, Miriam Patton	
Solid Waste Task Force	Ron Graettinger, Linus Solberg	
Safety/Wellness Committee	Keith Wirtz	Craig Merrill
Season's Center	Keith Wirtz	Ron Graettinger
Third Judicial District Department of Correctional Services	Craig Merrill	
Upper Des Moines Opportunity Board	Ron Graettinger	Linus Solberg
Green Ribbon Committee	Craig Merrill	
Iowa Workforce Development	Roger Faulstick	
Mid Iowa Growth Partnership	Craig Merrill	

Motion by Solberg, seconded by Faulstick to approve the following Construction Evaluation Resolution # 1-2-2018 (F). Ayes. Solberg, Merrill, Faulstick, Graettinger, Wirtz. Resolution Passed.

### **RESOLUTION # 1-2-2018 (F)**

#### **CONSTRUCTION EVALUATION RESOLUTION**

**WHEREAS**, Iowa Code section 459.304(3) sets out the procedure if a board of supervisors wishes to adopt a “construction evaluation resolution” relating to the construction of a confinement feeding operation structure; and

**WHEREAS**, only counties that have adopted a construction evaluation resolution can submit to the Department of Natural Resources (DNR) an adopted recommendation to approve or disapprove a construction permit application regarding a proposed confinement feeding operation structure; and

**WHEREAS**, only counties that have adopted a construction evaluation resolution and submitted an adopted recommendation may contest the DNR’s decision regarding a specific application; and

**WHEREAS**, by adopting a construction evaluation resolution the board of supervisors agrees to evaluate every construction permit application for a proposed confinement feeding operation structure received by the board of supervisors between February 1, 2018 and January 31, 2019 and submit an adopted recommendation regarding that application to the DNR; and

**WHEREAS**, the board of supervisors must conduct an evaluation of every construction permit application using the master matrix created in Iowa Code section 459.305, but the board's recommendation to the DNR may be based on the final score on the master matrix or may be based on reasons other than the final score on the master matrix;

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF PALO ALTO COUNTY** that the Board of Supervisors hereby adopts this construction evaluation resolution pursuant to Iowa Code section 459.304(3).

/s/Ronald D. Graettinger  
Chair, Board of Supervisors

Date: 1-2-2018

ATTEST:

/s/Carmen Moser  
County Auditor

Date: 1-2-2018

The Board reviewed budget request amounts for FY18-19. The first budget workshop date was set for January 23<sup>rd</sup>, 2018.

Committee Reports: Roger Faulstick: interviews for Secondary Roads.

Motion by Solberg and seconded Wirtz to adjourn. Motion Carried.

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Ron Graettinger, Chairman

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Carmen Moser, County Auditor