

Courthouse  
Emmetsburg, Iowa  
June 11<sup>th</sup>, 2019, 8:00 a.m.

The Palo Alto County Board of Supervisors met in regular session. Members present: Craig Merrill, Chair; Roger Faulstick, Linus Solberg, Keith Wirtz, Ron Graettinger. Present: Marte Elbert, Cletus Elbert, Stewart Ohrtman, Wade Lundgren, Sharon Chism, Lois Stillman.

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

Motion by Solberg, seconded by Graettinger to approve the agenda for June 11<sup>th</sup>, 2019, with change to reschedule Gary Atherton to next week. Motion Carried.

Motion by Faulstick, seconded by Wirtz to approve the minutes for June 4<sup>th</sup>, 2019. Motion Carried.

Motion by Graettinger, seconded by Wirtz to approve the Recorder's monthly report through May 31<sup>st</sup>, 2019. Motion Carried.

Marte Elbert and Cletus Elbert met with the Board to discuss the drainage petition filed by Marte Elbert on May 31<sup>st</sup>, 2019. The Board suggested that Marte contact some of the landowners and the Board will put on the agenda for next week to recognize the petition.

Sharon Chism was present for public comment and made a request from Fred Brattmiller to have a private tile turned over to a county tile as a lateral of Drainage District 6. The Board suggested Fred needs to contact Jim Hudson, Drainage Attorney, to follow through the process.

Lois Stillman was present for public comment and expressed concerns regarding trucks and safety/hazard issues within the wind energy project area and asked who the contact person was for issues. The Board referred Lois to Brady Evans, MidAmerican Project Manager.

The Board discussed an email from Don Etlar at Bolton & Menk regarding Drainage District 28 and how to proceed with the process. Present: Stewart Ohrtman, Wade Lundgren, and Don Gardner by telephone conference. Don Gardner informed the Board that the large area of flooding is even worse this year and requests that a new tile be installed. Don Gardner has spoken to Don Etlar and Etlar has recommended that he update the engineer's report and then hold a hearing.

Motion by Solberg, seconded by Graettinger to authorize Bolton & Menk to update the Drainage District 28 Engineer's Report and file with the Board and then set a hearing date. Motion Carried.

Aletha King, Zoning, met with the Board to present recommendations from the Zoning Commission Board.

Motion by Wirtz, seconded by Solberg to approve a conditional use permit and master matrix for Joseph Noonan in Section 10 of Silver Lake Township. Motion Carried. This site meets the Good Neighbor policy.

Motion by Solberg, seconded by Graettinger to approve a conditional use permit for Justin Schmidt in Section 18 of Great Oak Township. Motion Carried. This site meets the Good Neighbor policy.

Motion by Graettinger, seconded by Faulstick to approve Sidles Sub-Division Plat in Section 36 of Walnut Township. Motion Carried.

Brady Evans, MidAmerican, met with the Board to request approval of the drain tile contractors for the Palo Alto Wind Project. Present: Nick McCann, Mortenson Project Manager. Brady & Nick gave a project update. Brady stated that letters will be

going out to all landowners in project area. Nick informed the Board that the road survey was complete and will be given to Walter.

Motion by Solberg, seconded by Wirtz to approve the list of drain tile contractors for the Palo Alto Wind Project as presented by MidAmerican on letter dated June 6, 2019, on file at the Auditor's Office. Motion Carried.

Motion by Ron Graettinger, seconded by Roger Faulstick to introduce and approve the following Resolution 6-11-2019 (A) for appropriations for FY2020. Ayes: All. Nays: non. Resolution passed.

**Resolution 6-11-2019 (A)**

SECTION 1

BE IT RESOLVED BY THE BOARD OF SUPERVISORS of Palo Alto County that they hereby appropriate from the resources of each fund for each of the different officers and departments for the fiscal year beginning July 1, 2019 and in accordance with Section 331.434, Sub. 6, 2017 Code of Iowa, the amounts itemized by department or office as listed below:

General Basic and General Supplemental Fund

<u>Dept. Code</u>	<u>Department</u>	<u>Appropriations</u>
1	Board of Supervisors	\$ 352,600
2	Auditor	\$ 285,877
	Elections	\$ 76,715
3	Treasurer	\$ 207,272
	Vehicle	\$ 238,171
4	Attorney	\$ 387,967
5	Sheriff	\$ 775,011
7	Recorder	\$ 199,659
21	Veterans Affairs	\$ 68,125
22	Conservation Board	\$ 586,174
23	Health Board	\$ 125,000
25	Social Services	\$ 48,900
27	Dept. of Human Service Adm.	\$ 650
28	Medical Examiner	\$ 30,000
29	Correctional Services	\$ 393,913
31	District Court	\$ 25,000
37	Communications Center	\$ 372,878
51	General Services-Courthouse	\$ 108,471
52	Data Processing	\$ 125,250
55	General Services-Annex II	\$ 17,500
56	Economic Development	\$ 42,500
60	Mental Health – Sub. Abuse	\$ 23,500
61	Juvenile Justice	\$ 51,000
74	Zoning & Sanitation	\$ 165,359
99	Non-Departmental	
	Emergency Management	\$ 15,038
	Lake Restoration	\$ 10,000
	Fairgrounds	\$ 41,000
	Services to the Elderly	\$ 32,600
	Discovery House	\$ 2,750
	Flood & Erosion Contr. Struct.	\$ 10,990
	GIS	\$ 18,050
	Township Officers	\$ 2,700
	Other Policy & Adm.	\$ 67,200
	General Services	\$ 30,400
	Capital Projects	\$ 300,000
	Insurance	\$ 110,000

MH-DD Services Fund		
60	Mental Health Adm. (Disb. To Region)	\$ 385,380
Palo Alto Economic Development		
56	Economic Development	\$ 46,677
Rural Services Basic Fund		
73	IRVM	\$ 149,399
99	County Library	\$ 79,000
71	Solid Waste Disposal	\$ 488,263
05	Sheriff	\$ 272,892
99	Economic Development	\$ 37,750
99	Insurance- Secondary Roads	\$ 83,000
Recorders Management Fund & Elect. Trans. Fund		
07	Recorder	\$ 5,500
County Attorney Collections Fund		
04	Attorney	\$ 3,000
Secondary Road & Rural Services Basic Fund		
20	County Engineer	\$7,040,027
	Capital Projects (Roadway Const.)	<u>\$ 464,785</u>
	Total	\$7,504,812
Secondary Road Capital Projects Bond Fund(30004)		\$ 0
R.E.A.P. (Resource Enhancement & Protection)		
22	County Conservation	\$ 16,383
Debt Service Fund		
99	Non-Departmental:	
	Principal	\$2,790,000
	Interest	<u>\$ 168,983</u>
	Total	\$2,958,983
Health Insurance Fund		
99	Non-Department	\$1,544,200
Special Revenue Fund		
05	Sheriff Reserve	\$ 3,800
05	Sheriff Investigations	\$ 0
32	Jail Room and Board	\$ 9,000
05	Forfeit Funds	\$ 5,000

## SECTION 2

Subject to the provisions of other county procedures and regulations and applicable State laws, the appropriations authorized shall constitute authorization for the department or office listed to make expenditures or incur obligations from the itemized fund effective July 1, 2019.

## SECTION 3

In accordance with Section 331.437, 2017 Code of Iowa, no department or officer shall expend or contract to expend any money or incur any liability, or enter into any contract which by its terms involves the expenditures or monies for any purpose in excess of the amounts appropriated pursuant to this Resolution.

## SECTION 4

If at any time during the 2019-2020 budget year the County Auditor shall ascertain that the available resources of a fund for the year will be less than said funds total appropriations, he/she shall immediately so inform the Board of Supervisors and recommend the appropriate corrective action.

#### SECTION 5

The County Auditor shall establish separate accounts for the appropriations authorized in Section 1, each of which account shall indicate the amount of appropriations, the amounts charged thereto, and the unencumbered balance. The County Auditor shall report the status of such accounts to the applicable departments and officers monthly during the 2019-2020 budget year.

#### SECTION 6

The Board approves FY 2020 funding for Elderbridge, Regional Transit, Rides, Homeward Housing Trust, Upper Des Moines Opportunity, Discovery House, CAASA, Family Crisis Center and West Bend Historical Society.

#### SECTION 7

All appropriations authorized pursuant to this Resolution lapse at the close of business on June 30, 2020. The above Resolution was passed and adopted with all Supervisors voting aye in a roll call vote.

The above Resolution adopted by the Palo Alto County Board of Supervisors. Voting in favor thereof: Graettinger, Wirtz, Solberg, Faulstick, Merrill.

The chairperson declared the Resolution duly adopted.

Motion by Roger Faulstick, seconded by Keith Wirtz to introduce and approve the following Resolution 6-11-2019 (B). Ayes: All.  
Nays: none. Resolution passed.

### **RESOLUTION 6-11-2019 (B)**

WHEREAS, it is desired to authorize the County Auditor to periodically transfer sums from the Rural Services Basic Fund to the Secondary Road Fund during the 2019-2020 budget year, and

WHEREAS, said transfers must be in accordance with Section 331.432 and 331.429, 2017 Code of Iowa,

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Palo Alto County, Iowa as follows:

#### SECTION 1

That the total maximum transfer from the Rural Services Basic Fund to the Secondary Road Fund for the fiscal year beginning July 1, 2019 shall not exceed the sum of \$1,720,304.

#### SECTION 2

That within five days of being notified of the apportionment of current property taxes, delinquent tax, State replacements against levied property taxes, mobile home taxes, military services tax credit replacements to the Rural Services Basic Fund, the County Auditor shall order a transfer from said fund to the Secondary Road Fund.

SECTION 3

That the amount of the transfer required by Section 2 shall be equal to the apportionment made under Section 2 to the Rural Services Basic Fund, respectively, multiplied by the ratio of .76044 of the said funds total maximum transfer to the Secondary Road Fund, to the sum of the said funds total current property tax levy, total delinquent tax, total mobile home taxes and total military service tax credit replacements.

SECTION 4

That notwithstanding the provisions of Section 2 & 3 of this Resolution the total transfers to the Secondary Road Fund shall not exceed the amounts specified in Section 1.

SECTION 5

That notwithstanding the provisions of Section 2 & 3 the amount of any transfer shall not exceed available fund balances in the transferring fund.

SECTION 6

That the Auditor is directed to correct his/her books when said operating transfers are made and to notify the County Treasurer and County Engineer of the amounts of said transfers.

The above Resolution was passed and adopted by the Palo Alto County Board of Supervisors. Voting in favor thereof: Graettinger, Wirtz, Solberg, Faulstick, Merrill.

The Chairperson declared the Resolution duly adopted.

The Board considered the Northwest Iowa Care Connections 28E Agreement for Sharing of Mental Health Advocate Position.

Motion by Linus Solberg, seconded by Ron Graettinger to approve the 28E Agreement for Sharing of Mental Health Advocate Position for Northwest Iowa Care Connections Region. Motion Carried.

Motion was made by Faulstick and seconded by Wirtz to re-levy the following Drainage Districts a percent of the original assessment to pay for outstanding warrants and claims. Motion Carried.

<u>Drainage District</u>	<u>Percent of Original Assessment</u>	<u>Dollars of Levy</u>
DD 21 West	100%	\$ 6,704.74
DD 41 Main Open	28%	\$140,691.25 10 yr. waiver
DD 54	455%	\$5,168.80
DD 80 Lateral C	641%	\$6,410.01
DD 80 Lateral F Open	13%	\$12,973.81
DD 109	29%	\$2,016.14
DD 151	157%	\$2,789.89
DD 162	41%	\$3,505.91
DD 171	106%	\$5,805.58
DD 172	32%	\$8,732.74
DD 21 West No 1 Open	84%	\$5,274.39
DD 21 West No 1 Tile	33%	\$1,849.27
DD Jt 1 PA&K Main Tile	9%	\$3,044.16
DD 180 Lateral A Open	2%	\$2,148.30
DD 80 Upper Main	5%	\$9,246.45
DD 15 South Main Open	5%	\$5,078.61
DD 6 Common Outlet	100%	\$21,413.93 10yr. waiver
DD 23 Common Outlet	100%	\$96,077.48 10yr. waiver
DD 62 Common Outlet	100%	\$61,736.94 10yr. waiver
DD 74 Common Outlet	100%	\$3,834.24 10yr. waiver

DD 82 Common Outlet	100%	\$10,957.34	10yr. waiver
DD 91 Common Outlet	100%	\$3,199.51	10yr. waiver
DD 111 Common Outlet	100%	\$11,194.65	10yr. waiver
DD 113 Common Outlet	100%	\$4,303.04	10yr. waiver
DD 118 Common Outlet	100%	\$544.40	10yr. waiver
DD 124 Common Outlet	100%	\$5,711.00	10yr. waiver
DD 175 Main Open	100%	\$261,613.35	10 yr. waiver
DD 176 Common Outlet	100%	\$6,993.97	10yr. waiver
DD Jt 52 Common Outlet	100%	\$5,144.19	10yr. waiver

Levy Date: September 1, 2019

/s/Craig Merrill, Chairman

/s/Carmen Moser, County Auditor

The Board considered drainage inspection position. Craig suggested making Aletha King full time till wind project is done to oversee drainage inspection positions.

Motion by Graettinger, seconded by Wirtz to approve hiring Aletha King for an additional half time position at \$20.00 per hour plus mileage to manage and oversee drainage district tile inspection for wind energy project. Motion Carried.

Committee Reports: Keith Wirtz—contacted DNR regarding Drainage District 81; Linus Solberg—drainage issues; Roger Faulstick—drainage issues, RIDES committee.

Motion by Solberg, seconded by Faulstick to approve the claims and drainage claims for June 11<sup>th</sup>, 2019. Motion Carried.

**General Basic Fund**

AdMfg, Inc	Misc Expense	793.93	
Aimee Devereaux	Stationery/Forms/Gen Ofc	29.08	
BLUE LAKE WEBSITES ANITRA LARS	Data Processing Services	124.34	
CAASA Centers Agnst A & S Assa	Contrib to Other Gov & Or	1500.00	
Cliff Christensen	Misc Expense	298.90	
Clay County Sheriff	Inmate Housing-out of cou	440.00	
Counsel Office & Document	Stationery/Forms/Gen Ofc	293.33	
E-Pride	Stationery/Forms/Gen Ofc	163.41	
Emmetsburg Ford	Minor MV Parts & Access	247.10	
Emmetsburg Publishing Co.	Board Proceedings	856.43	
GALLS, LLC	Wearing Apparel & Uniform	845.63	
Dr. Thomas Getta	Medical & Health Services	1000.00	
Graettinger Times	Board Proceedings	1018.25	
GREATAMERICA FINANCIAL SVCS	Contract Carriers	228.00	
SARA HARRIS	Wages-Temp, Pt. Time Empl	49.05	
Peter C Hart	Employee Mileage & Subs.	27.00	
HOWREY CONSTRUCTION, INC	Operating/Construction Eq	17349.71	
la County Attorney's Case Mana	Data Processing Equipment	5380.00	
IA COUNTY ATTORNEYS ASSN	Educational/Training Serv	325.00	
IA Law Enforcement Academy	Other	550.00	
IA STATE COUNTY TREAS ASSOC Br	Dues & Memberships	250.00	
IACCVSO Samantha Schaff, Treas	Misc Expense	50.00	
J.T. Body Shop	Minor MV Parts & Access	43.92	
NICK JACKSON	Wages-Temp, Pt. Time Empl	602.50	
Keltek Inc	Protection/Security Serv.	2076.40	
Aletha King	Postage & Mailing	24.75	
Mail Services, LLC	Postage & Mailing	319.88	
Matt's Cleaning Service	Salary-Regular Employees	450.00	
MEDIACOM LLC	Telecommunications Serv.-	955.20	
Jordan Morey	Employee Mileage & Subs.	203.40	
Myron Corp	Misc Expense	590.31	
Northwest Communications	Telecommunications Serv.-	1326.49	
Palo Alto Co Comm Health Ser	Board of Health	10822.05	
Palo Alto Co Sec Road	Natural & LP Gas, Fuel Oi	2323.55	
PITNEY BOWES	Postage & Mailing	1239.22	
The Print Shop	Stationery/Forms/Gen Ofc	33.50	

River Valley Telecommunication	Electric Light & Power	13661.56
Melanie Rouse	Postage & Mailing	50.77
Ruthven Zipcode	Official Pub & Legal Noti	137.84
The Schneider Corporation	Misc Expense	5737.50
Schumacher Elevator Company	Fixed Plant Equipment	609.03
SF MOBILE-VISION, INC	Secret Investigations	192.20
Siouxland District Health Dept	Buildings	100.00
SLASH POINT SALES	Engineering Services	361.65
HOWARD SMITH	Bus	240.00
The Cartridge Connection, Inc.	Stationery/Forms/Gen Ofc	320.90
Thomson Reuters West Payment C	Legal Research Service	460.76
U.S. Bank Equipment Finance	Photocopy & Dup. Serv.	155.42
U.S. Postal Service	Postage & Mailing	240.00
Verizon Wireless	Telecommunications Serv.-	320.08
VISA	Stationery/Forms/Gen Ofc	4884.88
Wentzel's True Value	Engineering Services	118.29
West Bend Ford	Minor MV Parts & Access	57.00
West Bend Journal	Official Pub & Legal Noti	137.84
Windstream	phone	907.47
Sidney Zylstra	Bus	100.00

**General Supplemental Fund**

IA Secretary of State	Data Processing Services	1256.62
Carmen Moser	Employee Mileage & Subs.	36.00
RESERVE ACCOUNT	Postage & Mailing	2100.00
U.S. Postal Service	Postage & Mailing	220.00

**Special Rev.-Sheriff Investig.**

VISA	Misc Expense	1146.00
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**Spec Rev-Sheriff Forfeit Funds**

IA Dept of Justice	Misc Expense	891.32
IA Great Lakes Drug Task Force	Misc Expense	2700.00

**Rural Services Basic Fund**

Emmetsburg Library	Contrib to Other Gov & Or	314.03
Graettinger Library	Contrib to Other Gov & Or	133.45
Mallard Library	Contrib to Other Gov & Or	109.91
Northern Rolloff	Sanitation & Disposal Ser	514.00
Ruthven Library	Contrib to Other Gov & Or	109.91
Shamrock Recycling, Inc	Sanitation & Disposal Ser	2555.88
West Bend Library	Contrib to Other Gov & Or	117.76

**Special Revenue-Sheriff Reserve**

IA Lakes Comm College	Educational/Training Serv	75.00
SUNSET LAW ENFORCEMENT	Educational/Training Serv	661.72

**Secondary Road Fund**

Arnold Motor Supply ATT: Sue	Engineering Services	368.15
Ayrshire Farmers Mut Telephone	Engineering Services	41.24
Carroll Construction Supply	Engineering Services	464.74
Cintas	Engineering Services	107.14
Croell Inc	Engineering Services	3107.00
City of Cylinder	Engineering Services	45.00
Don's Truck Sales Inc	Engineering Services	1035.68
Emmet County Engineer	Engineering Services	7521.34
Fleet Pride Truck & Trailer	Engineering Services	140.56
City of Fort Dodge	Engineering Services	587.50
Fox International, Inc.	Engineering Services	59.73
David Geerdes	Engineering Services	292.50
Graettinger Hardware	Engineering Services	199.00
Graettinger Mun. Utilities Gra	Engineering Services	554.92
Graettinger Times	Engineering Services	342.00
Hometown Distributing LLC	Engineering Services	109.39
Christopher Hurlburt	Engineering Services	186.45
IA Drainage District Assn c/o	Engineering Services	500.00
Iowa Lakes Regional Water	Engineering Services	12.13
Iowa State University Institut	Engineering Services	150.00
KRISTAT AUTO PARTS LLC	Engineering Services	1768.90
Lube Tech Accelerating Perform	Engineering Services	2415.82
Martin Marietta Agg	Engineering Services	733.23
Metal Culverts Inc.	Engineering Services	16315.50

MidAmerican Energy	Engineering Services	690.78
Murphy Tractor & Equipment	Engineering Services	1986.80
David R. Neilson	Engineering Services	50.00
North Iowa Lumber & Design, Inc	Engineering Services	53.33
Northern Safety Co., Inc.	Engineering Services	311.00
Northwest Communications	Engineering Services	48.95
Palo Alto Co Auditor	Engineering Services	142.59
Palo Alto Co Health System	Engineering Services	108.00
Picrays Welding & Fab.	Engineering Services	11.01
Quality Tree Care	Engineering Services	160.50
Rees Truck & Trailer, Inc	Engineering Services	316.31
River Valley Telecommunication	Engineering Services	81.46
Ruthven Coop Oil Co	Engineering Services	13853.85
City of Ruthven	Engineering Services	192.38
Safelite Fulfillment, Inc.	Engineering Services	209.99
Steve's Rods & Restorations	Engineering Services	173.34
Swanson Hardware	Engineering Services	45.99
U.S. Postal Service	Engineering Services	415.00
Verizon Wireless	Engineering Services	208.02
Rick Watts	Engineering Services	200.00
Wentzel's True Value	Engineering Services	264.25
Windstream	Engineering Services	488.74
Ziegler Inc	Engineering Services	245.35

**Res Enhance & Protection**

VISA	Equipment	1270.93
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**E911 Surcharge Fund**

Ayrshire Farmers Mut Telephone	Engineering Services	154.30
Electronic Specialties	Miscellaneous Repair	2245.75
MEDIACOM LLC	Engineering Services	145.70
Northwest Communications	Engineering Services	956.68
River Valley Telecommunication	Engineering Services	613.40
Swanson Hardware	Stationery/Forms/Gen Ofc	15.98
Verizon	phone service	3.37
Windstream	phone	358.05

**Drainage Claims**

Jacobson-Westergard & Assoc.	DD 5 Lat 1, Eng Exp	\$717.80
Hudson Law Firm	DD 16, Attorney Fees	\$68.75
King Excavation	DD 17, Tile Repair	\$550.00
Jacobson-Westergard & Assoc.	DD 19, Eng Exp	\$4,097.00
Jacobson-Westergard & Assoc.	DD 23, Eng Exp	\$2,802.50
King Excavation	DD 28, Tile Repair	\$1,642.00
Jacobson-Westergard & Assoc.	DD 47, Eng Exp	\$1,786.00
Jacobson-Westergard & Assoc.	DD 57, Eng Exp	\$2,018.70
Jacobson-Westergard & Assoc.	DD 61 Lat B, Eng Exp	\$577.50
King Excavation	DD 62 Tile Repair	\$1,260.00
King Excavation	DD 71, Tile Repair	\$1,325.00
King Excavation	DD 76 Lat A Tile Repair	\$1,135.00
King Excavation	DD 80 Lat X Tile Repair	\$1,072.50
Jacobson-Westergard & Assoc.	DD 92, Eng Exp	\$1,989.50
Hudson Law Firm	DD 175 Main, Attorney Fees	\$542.50
Gator Plumbing & Drain Cleaning	DD 180 Tile Repair	\$730.00
Hudson Law Firm	DD 180 Lat 1, Attorney Fees	\$275.00

Motion by Faulstick seconded by Solberg to adjourn. Motion Carried.

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Craig Merrill, Chairman

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Carmen Moser, County Auditor