

Courthouse  
Emmetsburg Iowa  
January 4<sup>th</sup>, 2021 8:00 a.m.

The Palo Alto County Board of Supervisors met on January 4<sup>th</sup>, 2021, the first working day of the Calendar Year to approve all resolutions and appointments for the 2021 year. Supervisors present: Roger Faulstick, Ronald Graettinger, Craig Merrill, Linus Solberg, Keith Wirtz.

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

Motion by Graettinger, seconded by Wirtz to approve agenda for January 4<sup>th</sup>, 2021. Motion Carried.

Motion by Merrill, seconded by Solberg to approve minutes for December 22<sup>nd</sup>, 2020. Motion Carried.

Motion by Graettinger, seconded by Merrill to nominate Linus Solberg as Chair and Keith Wirtz as Chair Pro-Tem for the calendar year 2021. Motion Carried.

Elected County Officials Lynn Schultes, County Sheriff and Carmen Moser, County Auditor and Board of Supervisors Ron Graettinger and Roger Faulstick were all sworn in and completed the Oath of Office.

Motion by Graettinger, seconded by Faulstick to approve the Veteran Affairs claims allowed report for January 4, 2021, & the quarterly report ending December 31, 2020. Motion Carried.

Walter Davis-Oeth, County Engineer, met with the Board and presented Resolutions for calendar year 2021. Walter discussed with the Board the continuation of emergency paid sick leave.

Motion by Wirtz, seconded by Graettinger to introduce and approve the following Resolution 1-4-2021 (A). Ayes: Graettinger, Faulstick, Merrill, Wirtz, Solberg. Resolution Passed.

**RESOLUTION NO. 1-4-2021 (A)  
RIGHT OF WAY ASSURANCE STATEMENT  
2021**

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."

1-4-2021  
Date Approved

/s/LJ Solberg  
Chairperson, Board of Supervisors

Motion by Merrill, seconded by Wirtz to introduce and approve the following Resolution 1-4-2021 (B). Ayes: Ayes: Graettinger, Faulstick, Merrill, Wirtz, Solberg. Resolution Passed.

**RESOLUTION NO. 1-4-2021 (B)**

AUTHORIZATION FOR THE COUNTY ENGINEER TO CLOSE ANY SECONDARY ROAD FOR THE PURPOSE OF ROUTINE MAINTENANCE PROCEDURES OR CONSTRUCTION DURING 2021

**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:** The Board is further interested in accommodations for the traveling public, adjacent landowners, and all related users during construction maintenance operations

**NOW THEREFORE, BE IT RESOLVED,** the Palo Alto County Board of Supervisors, on this 4th day of January 2021, the Palo Alto County Engineer is hereby authorized to temporarily close sections of roadways in Palo Alto County's road system when necessary because of construction, maintenance, or natural disaster.

PALO ALTO COUNTY  
Board of Supervisors

/s/Keith Wirtz  
/s/Roger Faulstick  
/s/Ron Graettinger  
/s/Craig Merrill  
/s/LJ Solberg

Recommended:  
/s/Walter D. Oeth  
Palo Alto County Engineer  
Attest:  
/s/ Carmen Moser  
Palo Alto County Auditor

Motion by Faulstick, seconded by Merrill to introduce & approve Resolution 1-4-2021 (C). Ayes: Graettinger, Faulstick, Merrill, Wirtz, Solberg. Resolution Passed.

**RESOLUTION NO.1-4-2021 (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 4th of January 2021.

Board of Supervisors

Palo Alto County, Iowa

/s/Keith Wirtz  
/s/Roger Faulstick  
/s/Ron Graettinger  
/s/Craig Merrill  
/s/LJ Solberg

ATTEST:

By /s/Carmen Moser, County Auditor

Motion by Graettinger, seconded by Merrill to introduce and approve Resolution 1-4-2021 for Title VI Compliance. Ayes: Graettinger, Faulstick, Merrill, Wirtz, Solberg. Motion Carried.

## RESOLUTION No. 1-4-2021

A RESOLUTION ADOPTING DOCUMENTS PERTAINING TO PALO ALTO COUNTY'S COMPLAINT WITH TITLE VI PROVISIONS OF THE CIVIL RIGHTS ACT OF 1964.

WHEREAS, Palo Alto County has been a recipient of federal financial assistance from the U.S. Department of Transportation; and

WHEREAS, in receiving such financial assistance Palo Alto County is mandated to comply with the provisions of Title VI of the Civil Rights Act of 1964; and

WHEREAS, in order to continue receiving federal financial assistance from the U.S. Department of Transportation and the Iowa Department of Transportation the adoption of certain documents and establishment of certain programs is necessary.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Palo Alto County that:

- 1.) Carmen Moser, Palo Alto County Auditor, is hereby designated the Title VI Coordinator for Palo Alto County Secondary Roads.
- 2.) The Palo Alto County Title VI Plan is hereby adopted and that the Chairman of the Board of Supervisors and Title VI Coordinator are authorized to sign said plan where required.
- 3.) The Standard DOT Title VI Assurances are hereby adopted and that Chairman of the Board of Supervisors is authorized to sign said document where required.
- 4.) The Title VI Notice to the public is hereby adopted and shall be posted where other public notices are displayed in the Palo Alto County Courthouse and County Engineer's Office. Furthermore, said notice shall be placed on the County's official website.
- 5.) The Title VI Coordinator is authorized to take any other actions necessary and/or recommended by the Iowa Department of Transportation, or other designated authority to comply with the provisions of Title VI of the Civil Rights Act of 1964.

APPROVED this January 4, 2021.

/s/LJ Solberg  
Chairperson

Palo Alto County Board of Supervisors

Attest: /s/Carmen Moser, Palo Alto Co. Auditor

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

RESOLUTION 1-4-2021 (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: Graettinger, Faulstick, Merrill, Wirtz, Solberg. Resolution Passed.

Motion was made by Faulstick, and seconded by Wirtz to introduce and approve the following Resolution:

Resolution 1-4-2021 (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 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: Graettinger, Faulstick, Merrill, Wirtz, Solberg. Resolution Passed.

Motion by Merrill, seconded by Graettinger to reappoint Tim McCain as Palo Alto County Tax Agent for the 2021 year. Motion Carried.

Motion by Faulstick, and seconded by Merrill to designate the combined Emmetsburg Democrat & Reporter, and the combined Graettinger Times, Ruthven Zipcode and West Bend Journal as the two Official Newspapers for the 2021 year. Motion Carried.

Motion was made by Merrill, and seconded by Wirtz to inform Township Trustees and Clerks that while engaged in Official County Business, they shall be compensated \$12.50 per hr. plus mileage, however the minimum daily pay for attending a scheduled meeting shall be \$25.00 per meeting. Motion Carried.

Motion by Merrill, seconded by Faulstick to reappoint Dr. Thomas Getta and Julie Nelson to the Local Health Board for a 3-year term expiring December 31, 2023. Motion Carried.

Motion by Graettinger, seconded by Merrill to reappoint Ronn Naig to the Palo Alto County Planning & Zoning Board of Adjustment for a 3-year term expiring December 31, 2023. Motion Carried.

Motion by Merrill, seconded by Faulstick to reappoint Rhonda Helm to the County Conservation Board for a 5-year term expiring on December 31, 2025. Motion Carried.

Motion by Graettinger, seconded by Faulstick to appoint John Kenyon, Dr. Michael Handeland, and Dr. Ryan Reedy to the Judicial Magistrate Appointing Committee for a 6-year term ending on December 31, 2026. Motion Carried.

Motion by Wirtz and seconded by Graettinger to reappoint the following Township Trustees to 4-year term expiring December 31, 2024. Motion Carried.

Booth Township: Allen Stangl and Brad Rubel  
 Ellington Township: Dave Morey and Gary Anderson  
 Emmetsburg Township: Bob Soenen and April Soenen  
 Fern Valley Township: Mark Steier and John Banwart  
 Freedom Township: Jeff Stillman and Don Bruch  
 Great Oak Township: Justin Kibbie and Bruce Johnson  
 Highland Township: Duane Meyer and James Schoning  
 Independence Township: Tim Naig and Myron Bruhn  
 Lost Island Township: Curt Berkland and Ron Kropf  
 Nevada Township: Lance Bruch and Kenneth O. Sikora  
 Rush Lake Township: Marvin Schneiders and Jerry Wickman  
 Vernon Township: Jim Stillman and Joey Boevers  
 Walnut Township: Steven Dobbins and Gary L. Swanson

Motion by Merrill, seconded by Graettinger to appoint the following supervisors to various committees and boards as follows for the year 2021. Motion Carried.

<u>Committee/Board</u>	<u>Appointment</u>	<u>Alternate</u>
Ag Committee	Ron Graettinger	Linus Solberg
Central Iowa Juvenile Detention Commission	Keith Wirtz	Craig Merrill
Courthouse Security Committee	Ron Graettinger	
DECAT Board	Ron Graettinger	Keith Wirtz
Economic Development Board	Craig Merrill	Roger Faulstick
Empowerment Board	Keith Wirtz	Ron Graettinger
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, Lisa Black	
IDDA	Keith Wirtz	Linus Solberg
Building Committee (jail)	Linus Solberg, Roger Faulstick	
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	
PACGDC (gaming corporation)	Linus Solberg	Roger Faulstick
RIDES Board	Roger Faulstick	
Solid Waste Task Force	Ron Graettinger, Linus Solberg	
Safety/Wellness Committee	Keith Wirtz	Craig Merrill
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	

Committee Reports: Craig Merrill—Northwest Iowa Care Connections; Robin Jamison—insurance update.

Motion by Merrill, seconded by Wirtz to approve the following Construction Evaluation Resolution No. 1-4-2021 (F). Ayes: Graettinger, Faulstick, Merrill, Wirtz, Solberg Resolution Passed.

**RESOLUTION 1-4-2021 (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, 2021 and January 31, 2022 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/LJ Solberg, Chair, Board of Supervisors

Date: 1-4-2021

ATTEST:

/s/Carmen Moser, County Auditor

Date: 1-4-2021

Sarah Strohman, Community Health Director, met with the Board by conference call to give an update on COVID19. There are 29 active cases in Palo Alto County. Two nursing homes have had breakouts. The vaccine is being distributed in phases and a public news release will be in the Tuesday paper.

The Board discussed budget workshop dates. The budget workshop date was set for January 20<sup>th</sup>, 2021.

Motion by Graettinger, seconded by Faulstick to approve a cigarette permit for Dollar General at Ruthven through June 30, 2021. Motion Carried.

Rick Hopper, Jacobson-Westergard & Assoc. met with the Board to discuss Drainage District No. 160. Rick presented plans for repairs to Drainage District No. 160.

Motion by Merrill, seconded by Faulstick to set a bid letting date for Drainage District No. 160 for January 26, 2021, at 9:30 a.m. in the Courthouse Boardroom. Motion Carried.

Motion by Graettinger, and seconded by Faulstick to adjourn. Motion Carried.

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Linus Solberg, Chairman

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Carmen Moser, County Auditor