

Election Center  
Emmetsburg, Iowa  
September 14, 2021, 8:00 a.m.

The Palo Alto County Board of Supervisors met in regular session. Members present: Linus Solberg, Chair; Ronald Graettinger, Roger Faulstick, Craig Merrill, Keith Wirtz. Present: Peter Hart, County Attorney; Jacob Oliver, Reporter/Democrat.

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, 2nd by Merrill to approve the agenda for September 14, 2021. Motion Carried.

Motion by Faulstick, 2nd by Wirtz to approve the minutes for August 31, 2021. Motion Carried.

Motion by Merrill, 2nd by Graettinger to approve the Veteran Affairs claims report for 9-3-2021. Motion Carried.

Motion by Wirtz, 2<sup>nd</sup> by Graettinger to approve the Recorder's Monthly report for 8-31-2021. Motion Carried.

Sarah Strohman, Community Health Director, met with the Board by conference call to give an update on COVID19 and vaccine. The current positivity rate is 10% and there are 56 positive cases in Palo Alto County.

Aletha King, Zoning, met with the Board to consider the revised master matrix for Ted Greinert in Section 1 of Fairfield Township. The Zoning Board recommended approval of the revised master matrix.

Motion by Wirtz, 2<sup>nd</sup> by Merrill to approve the revised master matrix for Ted Greinert in Section 1 of Fairfield Township. Motion carried.

Motion by Graettinger, 2<sup>nd</sup> by Wirtz to appoint Tim Murphy to the County Conservation Board to fill the unexpired term through December 2024. Motion Carried.

No one was present for public comment.

The Board held a conference call with Sheila Tipton, Attorney, to discuss the proposed Summit Carbon Solutions pipeline. The county will attend the informational meeting at the Iowa Lakes Community College. After the informational meetings, the company will file an application with the Iowa Utilities Board. The county is responsible for the inspection of the pipeline while it is constructed.

Walter Davis-Oeth, County Engineer, met with the Board for approval of the utility permits.

Motion by Graettinger, seconded by Faulstick to approve a utility permit for Iowa Lakes Regional Water in Section 4 of Highland Township. Motion Carried.

Motion by Faulstick, seconded by Merrill to approve a utility permit for Iowa Lakes Regional Water in Section 33 of Lost Island Township and Section 4 of Highland Township. Motion Carried.

Collin Klingbeil, Bolton & Menk, met with the Board for the completion hearing on FEMA repairs on Drainage Districts 48, 62, Jt 63, 98, 98 Sub 1 & 923 Lat 2. Present: Roger Hankey.

Collin presented the crop loss report and the completion report for FEMA repairs. Claims were filed by Kevin Schuller and Lisa Siebrecht.

Motion by Graettinger, 2<sup>nd</sup> by Wirtz to withhold ½ the crop damages from Dirt Proz LLC retainage. Motion Carried.

Motion by Graettinger, 2<sup>nd</sup> by Merrill to approve the crop loss report filed by Bolton & Menk and to direct the Auditor to make final payment to the contractor in 30 days & to withhold \$981.46 for crop damages and to approve the completion of the contract. Motion Carried.

Peter Hart, County Attorney, presented a hire letter to the Board for the Assistant County Attorney.

Motion by Wirtz, 2<sup>nd</sup> by Graettinger to approve hiring Anne Quail as the full time Assistance County Attorney effective Sept. 15, 2021, at \$71,000 annual salary with a 6-month probation period. Motion Carried.

### **Motion Scheduling Public Hearings**

A Motion Setting Public Hearings to REPEAL the May 11<sup>th</sup>, 1994 Floodplain Management Ordinance and to REPLACE it with the 2021 Palo Alto County Floodplain Management Ordinance.

WHEREAS, the Palo Alto County Board of Supervisors met in the Palo Alto County Election Center in Emmetsburg in regular session on September 14th, 2021 and moved to set the time and date for public hearings to repeal the 27 year old 1994 Floodplain Management Ordinance and upgrade the existing county floodplain maps with enhanced online satellite view floodplain maps; and,

WHEREAS, the Board of Supervisors endorse and adopt the express recommendation from the County Director of Emergency Management to adopt the 2021 Floodplain Management Ordinance together with the more accurate satellite view floodplain maps available by accessing [IowaFloodCenter.org](http://IowaFloodCenter.org) online county specific maps; and,

WHEREAS, Iowa Code 331.305 requires publishing notice of public hearings to repeal and replace an ordinance, at least once, not less than four (4) days or more than twenty (20) days, before the date of the proposed amendment to be published in the newspaper of general circulation; and,

WHEREAS, Iowa Code 331.302.6(a) requires the proposed amendment to be considered and voted on for passage at two meetings of the Board of Supervisors prior to the meeting at which it is to be finally passed, unless this requirement is suspended by a recorded vote of not less than a majority of the Board of Supervisors.

NOW THEREFORE, BE IT MOVED that following review, consideration and discussion, that the Supervisors determine to schedule and to publish the necessary hearings to repeal and replace the 1994 Floodplain Management Ordinance; and,

NOW, THEREFORE, BE IT FURTHER MOVED that the Palo Alto County Board of Supervisors hereby sets the first of three public hearings to consider amending the 1994 Floodplain Management Ordinance.

The first of three hearings will be held September 28<sup>th</sup>, 2021 at 8:30 am,  
The second of three hearings will be held on October 5<sup>th</sup>, 2021 at 8:30 am, and  
The third of three hearings will be held on the 12<sup>th</sup> of October, 2021 at 8:30 am.

The Palo Alto County Auditor shall cause a copy of this motion to be placed of record with the official newspapers of general circulation in compliance with Iowa Code 331.305, at least once, not less than four (4) days or more than twenty (20) days before the date of the hearing on the repeal and replacement of the Floodplain Management Ordinance.

Supervisor Craig Merrill therefore moves and Supervisor Keith Wirtz seconds the motion to schedule the hearing(s) for considering the repeal and replacement of the 1994 Floodplain Management Ordinance.

The Board of Supervisors give notice that it may waive the second and third readings of the proposed repeal and replacement of its 27 year old floodplain ordinance which action could be completed at the first scheduled reading on Sept. 28<sup>th</sup>, 2021.

THE RECORDED VOICE VOTE WAS MADE:

Linus Solberg \_\_aye\_\_\_\_\_

Keith Wirtz \_aye\_\_\_\_\_

Ron Graettinger \_\_\_aye\_\_\_\_\_

Roger Faulstick \_aye\_\_\_\_\_

Craig Merrill \_\_aye\_\_\_\_\_

Motion passed and the hearings on the proposed repeal and replacement of the 1994 Floodplain Management Ordinance are now scheduled for the 28th of Sept. 2021, the 5<sup>th</sup> of October, 2021 and the 12<sup>th</sup> of October, 2021.

MOTION CARRIED.

/s/LJ Solberg

Chairperson, Palo Alto County Board of Supervisors

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

MINUTES TO AUTHORIZE  
PARTIAL  
REDEMPTION OF BONDS

419285-11

Emmetsburg, Iowa

September 14, 2021

The Board of Supervisors of Palo Alto County, Iowa, met on September 14, 2021, at 9:30 o'clock a.m., at the Election Center, Emmetsburg, Iowa.

The Chairperson presided and the roll was called showing the following Supervisors present and absent:

Present: Linus Solberg, Keith Wirtz, Ron Graettinger, Craig Merrill, Roger Faulstick.

Absent: none.

After due consideration and discussion, Supervisor Craig Merrill introduced the following resolution and moved its adoption, seconded by Supervisor Roger Faulstick. The Chairperson put the question upon the adoption of said resolution, and the roll being called, the following Supervisors voted:

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

Nays: none.

Whereupon, the Chairperson declared the resolution duly adopted, as hereinafter set out.

At the conclusion of the meeting and upon motion and vote, the Board of Supervisors adjourned.

/s/ LJ Solberg

Chairperson, Board of Supervisors

Attest: /s/Carmen Moser, County Auditor

RESOLUTION NO. 9-14-2021

Resolution authorizing early partial redemption of General Obligation Urban Renewal Road Improvements Bonds, Series 2014

WHEREAS, Palo Alto County, Iowa (the "County") previously issued its \$5,000,000 General Obligation Urban Renewal Road Improvements Bonds, Series 2014, dated July 9, 2014 (the "2014 Bonds"), a portion of which currently remain outstanding as follows:

<u>Year</u>	<u>Principal Amount</u>	<u>Interest Rate Per Annum</u>
2022	\$120,000	2.05%
2023	\$665,000	2.25%
2024	\$990,000	2.40%

; and

WHEREAS, pursuant to the resolution authorizing the issuance of the Series 2014 Bonds, the County reserved the right to call part or all of the Series 2014 Bonds for optional early redemption on June 1, 2020 or on any date thereafter, on terms of par and accrued interest; and

WHEREAS, it has been proposed that the Board authorize the early, partial redemption of the 2024 maturity (the "Call Maturity") of the Series 2014 Bonds in the amount of \$480,000 on October 15, 2021 (the "Redemption Date");

NOW, THEREFORE, It Is Resolved by the Board of Supervisors of Palo Alto County, Iowa, as follows:

Section 1. UMB Bank, N.A., as Registrar and Paying Agent for the Series 2014 Bonds, is hereby authorized to take all action necessary to call \$480,000 of the Call Maturity for early redemption on the Redemption Date. UMB Bank, n.a. is further authorized and directed to give notice of such redemption by sending notice by registered mail, or such other means as may be acceptable to the registered owners of the Series 2014 Bonds, to the registered owners of the Call Maturity to be redeemed at the addresses shown on the County's registration books, not less than thirty (30) days prior to the Redemption Date.

Section 2. All resolutions and orders or parts thereof in conflict with the provisions of this resolution, to the extent of such conflict, are hereby repealed.

Section 3. This resolution shall be in full force and effect immediately upon its adoption and approval, as provided by law.

Passed and approved September 14, 2021.

/s/ LJ Solberg

Chairperson, Board of Supervisors

Attest: /s/Carmen Moser, County Auditor

Carmen Moser, Auditor, presented the FY22 proposed budget amendment. Motion by Faulstick, 2<sup>nd</sup> by Wirtz to set the budget amendment hearing for FY22 for October 5, 2021, at 9:00 a.m. at the Election Center. Motion Carried.

Motion by Graettinger, 2<sup>nd</sup> by Merrill to appoint Melissa Studer, RN, as Medical Examiner- Investigator for Palo Alto County. Motion Carried.

Committee Reports: Keith—IDALS programs.

Motion by Graettinger, seconded by Faulstick to approve the claims and drainage claims for September 14, 2021. Motion Carried.

**General Basic Fund**

Bauer Plumbing & Heating Inc.	Buildings	168.00
Kevin Berte	Employee Mileage & Subs.	15.00
Brew Oil LLC	Funeral Services	85.00
Brown Winick ATTN: Accounts Re	Consultants	1798.50
Canon	Photocopy & Dup. Serv.	166.00
Central Iowa Distributing Inc	Custodial Supplies	275.80
Cintas	Custodial Supplies	173.11
Counsel Office & Document	Stationery/Forms/Gen Ofc	256.75
E-Pride	Stationery/Forms/Gen Ofc	970.22
Elderbridge Agency on Aging	Contrib to Other Gov & Or	3750.00
Emmetsburg Ford	Minor MV Parts & Access	49.84
E.M.U.	utilities	532.64
Emmetsburg Publishing Co.	Misc Expense	1253.40
Fareway	Custodial Supplies	1848.46
GALLS, LLC	Wearing Apparel & Uniform	76.50
Graettinger Times	Board Proceedings	955.62
Amanda Hansen	Employee Mileage & Subs.	608.80
Vincent H. Heller	Bus	325.00
Ronald Hersom	Bus	412.00
HOLIDAY INN	Telecommunications Serv.-	241.92
Hughes Pharmacy	Acute & Emergency Treat.	533.40
Humboldt Co. Sheriff	Legal & Ct-Related Servic	69.00
IA Comm Pool Administrators Io	Equipment Insurance	728.00
IMWCA	Workmens' Comp Insurance	4045.30
Iowa Communications Network	Legal & Ct-Related Servic	26.31
J. Robert Hopson	Misc Expense	600.00
Robin Jamison	Employee Mileage & Subs.	688.58
Karl Chevrolet	Motor Vehicle	29680.50
Aletha King	Employee Mileage & Subs.	549.00
MISSY KING	Wages-Temp, Pt. Time Empl	68.00
Mail Services, LLC	Postage & Mailing	286.93
Major Erickson Funeral Home	Funeral Services	2200.00
Matt's Cleaning Service	Salary-Regular Employees	500.00
MEDIACOM LLC	Telecommunications Serv.-	803.17
Victoria Merwald	Stationery/Forms/Gen Ofc	84.04
Monroe Systems	Office & Data Processing	186.23
Ronn Naig	Employee Mileage & Subs.	3.00
Northwest Communications	Telecommunications Serv.-	1802.11
Palo Alto Co Comm Health Ser	Board of Health	1940.85
Palo Alto Co Fair Assn	Contrib to Other Gov & Or	4094.30
Palo Alto Co Sec Road	Fuels	5971.98
Palo Alto County Public Health	Other	37500.00
PITNEY BOWES	Postage & Mailing	1166.55
QS LAWN AND PEST, LLC	Contract Carriers	150.00
Quill Corporation	Stationery/Forms/Gen Ofc	176.72
Regional Trans.Authority	Contrib to Other Gov & Or	1800.00
RESERVE ACCOUNT	Postage & Mailing	3000.00
River Valley Telecommunication	Electric Light & Power	64.80
Susan Ruppert	Employee Mileage & Subs.	228.55
Ruthven Zipcode	Official Pub & Legal Noti	198.05
Schumacher Elevator Company	Fixed Plant Equipment	633.63
HOWARD SMITH	Bus	642.50
Solutions Inc.	services	86.25
Allen Stangl	Employee Mileage & Subs.	22.00
Swanson Hardware	Agric/Hort. Services	36.36
Thomson Reuters West Payment C	Legal Research Service	516.63
U.S. Postal Service	Postage & Mailing	110.00
Upper Des Moines Opp.Inc.	Contrib to Other Gov & Or	9975.00
Verizon	phone service	320.10
Veterans Information Serv	Misc Expense	180.00
Von Bokern Associates, Inc	Consultants	3950.00
West Bend Ford	Minor MV Parts & Access	522.51
West Bend Journal	Official Pub & Legal Noti	198.05
Windstream	phone	950.86

**General Supplemental Fund**

Cornwall,Avery,Bjornstad&Scott	Legal & Ct-Related Servic	60.00
E.M.U.	utilities	46.32
Emmetsburg Publishing Co.	Official Pub & Legal Noti	24.56
IA Secretary of State	Data Processing Services	1134.88

Storey Kenworthy/Matt Parrott	Stationery/Forms/Gen Ofc	64.64
<b><u>Rural Services Basic Fund</u></b>		
Ag Partners LLC	Fertilizer & Seed	1279.80
Bomgaars	Safety & Protect.Supplies	384.86
Bowman Welding Service	Miscellaneous Repair	1935.00
E-Pride	Stationery/Forms/Gen Ofc	5.98
Emmetsburg Library	Contrib to Other Gov & Or	3218.91
Galens Pro-Mow	Equipment	224.99
Graettinger Library	Contrib to Other Gov & Or	1368.04
IMWCA	Workmens' Comp Insurance	7512.70
Aletha King	Employee Mileage & Subs.	141.00
Mallard Library	Contrib to Other Gov & Or	1126.62
KENT MALM	Educational/Training Serv	135.00
Northwest Communications	Telecommunications Serv.-	81.95
Palo Alto Co Sec Road	Fuels	373.16
Pro Cooperative	Fertilizer & Seed	1603.55
River Valley Telecommunication	Telecommunications Serv.-	85.36
Rouse Tire and Repair, LLC	Equipment	604.78
Ruthven Library	Contrib to Other Gov & Or	1126.62
Samson Development	Sanitation & Disposal Ser	200.00
City of Spencer	Sanitation & Disposal Ser	26331.09
Swanson Hardware	Miscellaneous Repair	301.83
West Bend Library	Contrib to Other Gov & Or	1207.08
<b><u>Special Revenue-SheriffReserve</u></b>		
IA Lakes Comm College	Educational/Training Serv	75.00
<b><u>Secondary Road Fund</u></b>		
Alliant Energy	Engineering Services	119.42
Allstates Pavement & Recycling	Engineering Services	23606.96
Arnold Motor Supply ATT: Sue	Engineering Services	30.12
Ayrshire Farmers Mut Telephone	Engineering Services	41.24
Beck Excavating	Engineering Services	2273.50
Cemstone	Engineering Services	2668.50
Central Iowa Distributing Inc	Engineering Services	1107.20
Chemsearch	Engineering Services	191.35
Cintas	Engineering Services	234.66
Heritage-Crystal Clean, LLC	Engineering Services	403.15
City of Cylinder	Engineering Services	55.00
DD 23 Lat 8 & 9	Engineering Services	86858.00
Deitering Bros Inc	Engineering Services	2145.30
Emmet County Engineer	Engineering Services	8339.08
City of Emmetsburg	Engineering Services	58.97
Fareway	Engineering Services	49.70
Fleet Pride Truck & Trailer	Engineering Services	945.97
Graettinger Mun. Utilities Gra	Engineering Services	173.99
HCI Imaging	Engineering Services	1250.00
IA Comm Pool Administrators Io	Engineering Services	155.00
Iowa Lakes Regional Water	Engineering Services	105.09
IA Div of Criminal Inv. Suppor	Engineering Services	15.00
Iowa State Fire Marshall Div	Engineering Services	80.00
Jack's OK Tire	Engineering Services	4153.12
Kirkham Michael	Engineering Services	1205.55
KRISTAT AUTO PARTS LLC	Engineering Services	85.15
Lube Tech Accelerating Perform	Engineering Services	10658.12
City of Mallard	Engineering Services	89.59
Marriott	Engineering Services	284.76
MidAmerican Energy	Engineering Services	529.14
Murphy Tractor & Equipment	Engineering Services	859.38
Newman Traffic Signs	Engineering Services	901.89
Northern Safety Co., Inc.	Engineering Services	138.50
NUSS TRUCK & EQUIPMENT	Engineering Services	1623.40
Northwest Communications	Engineering Services	47.66
Palo Alto Co Auditor	Engineering Services	46.77
Pattison Sand Company	Engineering Services	23441.82
River Valley Telecommunication	Engineering Services	146.61
Rooney's Auto & Custom Exhaust	Engineering Services	3.66
Ruthven Coop Oil Co	Engineering Services	27514.96
City of Ruthven	Engineering Services	274.51
SLASH POINT SALES	Engineering Services	327.25
Solutions Inc.	Engineering Services	86.25
Verizon	Engineering Services	208.02
City of West Bend	Engineering Services	93.56
Windstream	Engineering Services	504.81
Ziegler Inc	Engineering Services	500.07
<b><u>Emergency Mgmt Agency</u></b>		
Fareway	Stationery/Forms/Gen Ofc	44.82
Swanson Hardware	Stationery/Forms/Gen Ofc	18.99
<b><u>E911 Surcharge Fund</u></b>		
Ayrshire Farmers Mut Telephone	Engineering Services	150.00
Century Link	Engineering Services	262.08
E-Pride	Stationery/Forms/Gen Ofc	7.08
Mainstay Systems Inc	Miscellaneous Repair	23.70
Northwest Communications	Engineering Services	3204.64
River Valley Telecommunication	Engineering Services	886.55
SHIELD TECHNOLOGY CORPORATION	Miscellaneous Repair	4225.00
Swanson Hardware	Stationery/Forms/Gen Ofc	17.98
Verizon	phone service	3.64
Windstream	phone	358.05

**Drainage Claims**

Anderson Drainage & Excavation	DD23 MainOpen FEMA #1	5301.00
Certified Testing Services, Inc	DD180 Lat1 testing	277.50
Hancock Concrete Products	DD180 Lat1 Tile materials	101005.44
Jacobson-Westergard&Assoc, Inc.	DD119 improvement	3380.60
Jacobson-Westergard&Assoc, Inc.	DD160 repairs	785.00
Jacobson-Westergard&Assoc, Inc.	DD23 MainOpen FEMA rep	2000.40
Jacobson-Westergard&Assoc, Inc.	DD41 MainOpen FEMA rep	651.25
Jacobson-Westergard&Assoc, Inc.	DD47 MainTile eng agree	2982.00
Jacobson-Westergard&Assoc, Inc.	DD5 FEMA repairs	600.00
Jacobson-Westergard&Assoc, Inc.	DD81 repair	5042.00
King Excavation	DD160 repair Final	1066.62
Reutzel Excavating Inc	DD41 MainOpen FEMA Final	2512.70
Reutzel Excavating Inc	DD5 FEMA rep pay2 Final	3624.64
Reutzel Excavating Inc	DD61 MainOpen improve#2	181665.90

Motion by Faulstick, seconded by Wirtz to adjourn. Motion Carried.

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Linus Solberg, Chairman

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Carmen Moser, County Auditor