

Courthouse
Emmetsburg Iowa
January 3rd, 2022 8:00 a.m.

The Palo Alto County Board of Supervisors met on January 3rd, 2022, the first working day of the Calendar Year to approve all resolutions and appointments for the 2022 year. Supervisors present: Ronald Graettinger, Craig Merrill, Linus Solberg, Keith Wirtz. Absent: Roger Faulstick.

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

Motion by Graettinger, seconded by Wirtz to approve agenda for January 3rd, 2022. Motion Carried.

Motion by Merrill, seconded by Graettinger to approve minutes for December 28th, 2022. Motion Carried.

Motion by Merrill, seconded by Graettinger to nominate Keith Wirtz as Chair and Ron Graettinger as Chair Pro-Tem for the calendar year 2022. Motion Carried.

Walter Davis-Oeth, County Engineer, met with the Board and presented Resolutions for calendar year 2022.

Motion by Merrill, seconded by Graettinger to introduce and approve the following Resolution 1-3-2022 (A). Ayes: Graettinger, Merrill, Wirtz, Solberg. Absent: Faulstick. Resolution Passed.

RESOLUTION NO. 1-3-2022 (A)
RIGHT OF WAY ASSURANCE STATEMENT
2022

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."

1-3-2022
Date Approved

/s/Keith Wirtz
Chairperson, Board of Supervisors

Motion by Solberg, seconded by Merrill to introduce and approve the following Resolution 1-3-2022 (B). Ayes: Graettinger, Merrill, Wirtz, Solberg. Absent: Faulstick. Resolution Passed.

RESOLUTION NO. 1-3-2022 (B)

AUTHORIZATION FOR THE COUNTY ENGINEER TO CLOSE ANY SECONDARY ROAD FOR THE PURPOSE OF ROUTINE MAINTENANCE PROCEDURES OR CONSTRUCTION DURING 2022

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 3rd day of January 2022, 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/Craig Merrill
/s/Ron Graettinger
/s/LJ Solberg

Recommended:
/s/Walter Davis-Oeth
Palo Alto County Engineer

Attest:/s/Carmen Moser
Palo Alto County Auditor

Motion by Merrill, seconded by Graettinger to introduce & approve Resolution 1-3-2022 (C). Ayes: Graettinger, Merrill, Wirtz, Solberg. Absent: Faulstick. Resolution Passed.

RESOLUTION NO.1-3-2022 (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 3rd of January 2022.

Board of Supervisors

Palo Alto County, Iowa

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

ATTEST: By /s/Carmen Moser, County Auditor

Motion by Graettinger, seconded by Solberg to introduce and approve Resolution 1-3-2022 for Title VI Compliance. Ayes: Graettinger, Merrill, Wirtz, Solberg. Absent: Faulstick. Motion Carried.

RESOLUTION # 1-3-2022

A RESOLUTION ADOPTING DOCUMENTS PERTAINING TO PALO ALTO COUNTY'S COMPLIANCE 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.) The Palo Alto County Auditor, Carmen Moser, 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 the 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 Administration Building 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 3, 2022.

/s/Keith Wirtz

Chair, Palo Alto County Board of Supervisors

ATTEST: /s/Carmen Moser, Auditor

Motion by Solberg, 2nd by Merrill to approve the Title VI Non-Discrimination Agreement with the Iowa DOT. Motion Carried.

Motion by Graettinger, 2nd by Merrill to approve the proposal for the bridge design consultant with Calhoun-Burns. Motion Carried.

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

RESOLUTION 1-3-2022 (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, Merrill, Wirtz, Solberg. Absent: Faulstick. Resolution Passed.

Motion was made by Solberg, and seconded by Graettinger to introduce and approve the following Resolution:

Resolution 1-3-2022 (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	\$20,000,000
Iowa Trust & Savings	Emmetsburg Iowa	\$30,000,000

Ayes: Graettinger, Merrill, Wirtz, Solberg. Absent: Faulstick. Resolution Passed.

Motion by Graettinger, seconded by Merrill to reappoint Tim McCain as Palo Alto County Tax Agent for the 2022 year. Motion Carried.

Motion by Merrill, and seconded by Graettinger to designate the Emmetsburg Reporter-Democrat, and the combined Graettinger Times, Ruthven Zip Code and West Bend Journal as the two Official Newspapers for the 2022 year. Motion Carried.

Motion was made by Solberg, and seconded by Merrill 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, and seconded by Solberg to reappoint Dr. Thomas Getta as County Medical Examiner for a 2-year term ending December 31, 2023. Motion Carried.

Motion by Merrill, seconded by Graettinger to reappoint Pam Studer and Margaret McNally to the Local Health Board for a 3-year term expiring December 31, 2024. Motion Carried.

Motion by Graettinger, seconded by Merrill to reappoint Clayton Helgeson and Allen Stangl to the Palo Alto County Planning & Zoning Board of Adjustment for a 3-year term expiring December 31, 2024. Motion Carried.

Motion by Merrill, seconded by Graettinger to appoint Kyle Auten to the County Conservation Board for a 5-year term expiring on December 31, 2026. Motion Carried.

Motion by Graettinger, seconded by Merrill to appoint the following supervisors to various committees and boards as follows for the year 2022. Motion Carried.

<u>Committee/Board</u>	<u>Appointment</u>	<u>Alternate</u>
Ag Committee	Ron Graettinger	Linus Solberg
Care Connections of Northern Iowa	Craig Merrill	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	
IDDA	Keith Wirtz	Linus Solberg
Building Committee (jail)	Linus Solberg, Roger Faulstick	
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)	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
Green Ribbon Committee
Iowa Workforce Development
Mid Iowa Growth Partnership

Ron Graettinger
Craig Merrill
Roger Faulstick
Craig Merrill

Linus Solberg

Committee Reports: Linus Solberg: Care Connections.

Motion by Solberg, seconded by Merrill to approve the following Construction Evaluation Resolution No. 1-3-2022 (F). Ayes: Graettinger, Merrill, Wirtz, Solberg
Absent: Faulstick. Resolution Passed.

RESOLUTION # 1-3-2022 (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, 2022 and January 31, 2023 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/Keith Wirtz, Chair, Board of Supervisors

Date:1-3-2022

ATTEST:/s/Carmen Moser, County Auditor

Date:1-3-2022

Jon Rosengren & Chris Hanson with Bolton & Menk met with the Board to discuss the possible termination of the contract with Dirt Proz on Drainage District No. 180 Lateral 1 Tile. Present: Jordan Morey, Drainage Clerk; Kim Kibbie, Emmetsburg City Administrator. The Board discussed the quality of work of the contractor and safety concerns.

Motion by Merrill, 2nd by Graettinger to terminate the contract with Dirt Proz LLC effective January 3, 2022, for the Drainage District 180 Lateral 1 tile improvement project. Motion Carried. Keith Wirtz heard from Roger Faulstick that he also was in favor of termination.

Motion by Solberg, 2nd by Graettinger for all full-time employees to be entitled to full wage replacement at their regular pay for a maximum of 80 hours for COVID19 exposure or illness. This is a continuation from December 31, 2021, no additional hours are allowed. This is effective through June 30, 2022. Motion Carried.

The Board discussed budget workshop dates. The budget workshop date was set for January 19th, 2022. The Board reviewed the budget requests and dues for FY23.

Motion by Solberg, 2nd by Graettinger to adjourn. Motion Carried.

Keith Wirtz, Chairman

Carmen Moser, County Auditor