

Courthouse
Emmetsburg, Iowa
February 8, 2022, 8:00 a.m.

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

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 Faulstick, 2nd by Graettinger to approve the agenda for February 8, 2022. Motion Carried.

Motion by Graettinger, 2nd by Solberg to approve the minutes for February 1 & 3, 2022. Motion Carried.

Motion by Merrill, 2nd by Faulstick to approve the Recorder's Monthly report for January 31, 2022 Motion Carried.

Motion by Graettinger, 2nd by Merrill to approve the Veteran Affairs report for February 4, 2022. Motion Carried.

Motion by Solberg, 2nd by Merrill to approve the liquor license for Lakeland EZ Stop for Class E liquor license and Class C beer permit and Sunday Service. Motion Carried.

Motion by Graettinger, 2nd by Faulstick to approve the liquor license for Redwood Campground for the Class C beer permit and Class B wine permit and Sunday Service. Motion Carried.

No one was present for public comment.

Walter Davis-Oeth, County Engineer, met with the Board by conference call for the following items. Motion by Graettinger, 2nd by Merrill to introduce and approve Resolution 2-8-2022 (A) Project BROS-SWAP-CO74(110)SE-74, culvert project. Ayes: Wirtz, Graettinger, Merrill, Faulstick, Solberg. Nays: none. Resolution Passed.

Motion by Faulstick, 2nd by Merrill to introduce and approve Resolution 2-8-2022(B) Project STBG-SWAP-CO74-108-FG-74, concrete overlay project. Ayes: Graettinger, Wirtz, Faulstick, Merrill, Solberg. Nays: none. Resolution Passed.

MINUTES TO SET DATE FOR
HEARING AND ADDITIONAL
ACTION ON LOAN AGREEMENT

419285-16

Emmetsburg, Iowa

February 8, 2022

The Board of Supervisors of Palo Alto County, Iowa, met on February 8, 2022, at 9:00 o'clock a.m., at the Election Center, Emmetsburg, Iowa. The Chairperson presided and the roll was called showing the following members of the Board present and absent:

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

Absent: none.

Supervisor Linus Solberg introduced a resolution hereinafter next set out and moved its adoption, seconded by Supervisor Craig Merrill; and after due consideration

thereof by the Board, the Chairperson put the question upon the adoption of the said resolution and the roll being called, the following named Supervisors voted:

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

Nays: none.

Whereupon, the Chairperson declared the resolution duly adopted as follows:

RESOLUTION NO. 2-8-2022

Resolution to fix a date for public hearing on proposal to enter into General Obligation Urban Renewal Loan Agreement and to borrow money thereunder

WHEREAS, the Board of Supervisors (the "Board") of Palo Alto County, Iowa (the "County"), has established the Palo Alto County Industrial Park Urban Renewal Area (the "Urban Renewal Area"); and

WHEREAS, the Board proposes to enter into a General Obligation Urban Renewal Loan Agreement (the "Loan Agreement") and to issue general obligation bonds in a principal amount not to exceed \$4,800,000 pursuant to the provisions of Subsection 331.441(2)(b)(14), Section 331.402, Section 331.442, and Chapter 403 of the Code of Iowa, for the purpose of paying the cost, to that extent, of undertaking the Palo Alto County Road and Bridge Improvement Projects, an urban renewal program in the Palo Alto County Industrial Park Urban Renewal Area approved by action of the Board of Supervisors on April 27, 2021, and in lieu of calling an election thereon, the County desires to institute proceedings to enter into the Loan Agreement by causing a notice of such proposal to be published, including notice of the right to petition for an election, under the provisions of Section 331.442(5) of the Code of Iowa; and it is now necessary to fix a date of meeting of the Board of Supervisors at which it is proposed to take action to enter into the Loan Agreement and to give notice thereof as required by such law;

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

Section 1. This Board will meet on March 1, 2022, at the Boardroom, Palo Alto County Courthouse, Emmetsburg, Iowa, at 8:15 o'clock a.m., at which time and place a hearing will be held and proceedings will be instituted and action taken to enter into the Loan Agreement.

Section 2. The County Auditor is hereby directed to give notice of the proposed action on the Loan Agreement and setting forth the amount and purpose thereof, the time when and place where the said meeting will be held by publication at least once and not less than 10 and not more than 20 days before the date selected for the meeting, in a legal newspaper which has a general circulation in the County. The notice shall be in substantially the following form:

NOTICE OF PROPOSED ACTION TO INSTITUTE PROCEEDINGS
TO ENTER INTO A LOAN AGREEMENT AND TO BORROW
MONEY THEREUNDER IN A PRINCIPAL AMOUNT NOT TO
EXCEED \$4,800,000

(GENERAL OBLIGATION)

The Board of Supervisors of Palo Alto County, Iowa, will meet on March 1, 2022, at the Boardroom, Palo Alto County Courthouse, Emmetsburg, Iowa, at 8:15 o'clock a.m., for the purpose of instituting proceedings and taking action on a proposal to enter into a loan agreement (the "Loan Agreement") and to borrow money thereunder in a principal amount not to exceed \$4,800,000 for the purpose of paying the costs, to that extent, of undertaking the Palo Alto County Road and Bridge Improvement Projects, an

urban renewal program in the Palo Alto County Industrial Park Urban Renewal Area approved by action of the Board of Supervisors on April 27, 2021,

The Loan Agreement is proposed to be entered into, and bonds will be issued thereunder, pursuant to authority contained in Section 331.402 and Section 331.441(2)(b)(14) of the Code of Iowa. The Loan Agreement and the bonds will constitute general obligations of the County.

At that time and place, oral or written objections may be filed or made to the proposal to enter into the Loan Agreement. After receiving objections, the County may determine to enter into the Loan Agreement, in which case, the decision will be final unless appealed to the District Court within fifteen (15) days thereafter.

At any time before the date fixed for taking action to enter into the Loan Agreement, a petition may be filed with the County Auditor asking that the question of entering into the Loan Agreement be submitted to the registered voters of the County, pursuant to the provisions of Section 331.441(2)(b)(14) of the Code of Iowa.

By order of the Board of Supervisors of Palo Alto County, Iowa.

Carmen Moser
County Auditor

Section 3. Pursuant to Section 1.150-2 of the Income Tax Regulations (the "Regulations") of the Internal Revenue Service, the County declares (a) that it intends to undertake the Projects which are reasonably estimated to cost approximately \$12,000,000, (b) that other than (i) expenditures to be paid or reimbursed from sources other than the issuance of bonds, notes or other obligations (the "Bonds"), or (ii) expenditures made not earlier than 60 days prior to the date of this Resolution or a previous intent resolution of the County, or (iii) expenditures amounting to the lesser of \$100,000 or 5% of the proceeds of the Bonds, or (iv) expenditures constituting preliminary expenditures as defined in Section 1.150-2(f)(2) of the Regulations, no expenditures for the Projects have heretofore been made by the County and no expenditures will be made by the County until after the date of this Resolution or a prior intent resolution of the County, and (c) that the County reasonably expects to reimburse the expenditures made for costs of the County out of the proceeds of the Bonds. This declaration is a declaration of official intent adopted pursuant to Section 1.150-2 of the Regulations.

Section 4. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 5. This resolution shall be in full force and effect immediately after its adoption and approval, as provided by law

Passed and approved February 8, 2022.

/s/Keith Wirtz

Chairperson, Board of Supervisors

Attest:

/s/Carmen Moser, County Auditor

On motion and vote, the meeting adjourned.

/s/Keith Wirtz

Chairperson, Board of Supervisors

Attest: /s/Carmen Moser, County Auditor

Motion by Solberg, 2nd by Graettinger to set the date for the proposed property tax levy for FY23 for March 8, 2022 at 9:00 a.m. at the Courthouse Boardroom. Motion Carried.

Motion by Merrill, 2nd by Graettinger to approve the 28E Agreement for Care Connections of Northern Iowa. Motion Carried.

Motion by Merrill, 2nd by Faulstick to approve contracts for Service Coordinator and Administrative Staff for Care Connections of Northern Iowa. Motion Carried.

Committee Reports: Ron Graettinger—Upper Des Moines; Keith Wirtz—drainage.

The Board held a discussion on Telford Prairie. Present: Randy Loomis, Leon Wojahn, Kirby Sampson, Rick Hurley, Rick Elbert, Bill Brown, David Zaugg representing landowner Blair Wood; Rob Allen, Conservation Director, & DNR representative; Jim Hudson, Attorney; Jordan Morey, Auditor's Office.

Jim Hudson explained the procedure for establishment of a drainage district versus remaining a private ditch. The Board reviewed the repairs that have been made and asked if the private agreement landowners would like to pay the \$1,200 engineering bill. Hudson informed the Board that they would be required to pay. Landowner consensus was to keep the ditch private.

The Board held an Annexation Hearing on Drainage District 61 at 10:00 am. at the Election Center, Emmetsburg Iowa. Present: Jon Rosengren, Bolton & Menk; Jim Hudson, Drainage Attorney; Jordan Morey, Auditor's Office. Landowners present: Dorothy & Joe Bradley, David Fehr, Gaylen Dykstra, Marilyn Schutz, Jim Kuecker, Fred Wirtz, Mark Steier, James R. Elbert, Mike Kollasch, James Metzger, Ken Dahlhauser, Quinn Dahlhauser, Tony Elbert, Jay Elbert, William C. Elbert.

Jim Hudson explained the annexation laws. The engineer prepared a report on lands that receive material benefit from Drainage District No. 61.

Jon Rosengren, Bolton & Menk, Engineer, presented the annexation report for Drainage District No. 61. The total no. of acres is as follows: Palo Alto County rural 18,468.45 acres; City of West Bend 91.5 acres; City of Rodman 20.7 acres; Kossuth County rural 984.64 acres; Total acres: 19,565.27.

Objections to annexation were filed by the following: Wendy Schnieders, Todd Schnieders, David Fehr, Beverly R. Bolte, Gary H. Bolte, David Bolte, Janet Bolte, Debra Steven, George Bolte, Pat Darnell, Dorothy Bradley, Jim Kuecker, Judy Kuecker, Objection filed by James Metzger by email received after the hearing on 2-8-2022.

Aletha King filed a letter in support of annexation.

Frederick Schmidt and Kevin Berte filed a bond and drainage petition for the establishment of a drainage district north of Drainage District No. 61 comprising of approximately 19,285 acres. The petition included approximately 50 signatures of landowners.

Motion by Solberg, 2nd by Merrill to eliminate Jay Elbert and Frink parcels in Section 18 & 19 in Kossuth County from the Drainage District 61 annexation. Motion Carried.

Motion by Solberg, seconded by Merrill to hire Jon Rosengren of Bolton & Menk to survey and prepare a report to establish Drainage District 61 North. Motion Carried.

Motion by Solberg, 2nd by Graettinger to approve the annexation of acres to Drainage District 61 with the exception of the acres north of Section 24 in West Bend Township and to continue the hearing on annexation to April 5, 2022, at 9:00 a.m. at the Election Center. Motion Carried.

Motion by Solberg, seconded by Faulstick to approve the claims and drainage claims for February 8th, 2022. Motion Carried.

General Basic Fund

Bauer Plumbing & Heating Inc.	Buildings	90.00
Canon	Photocopy & Dup. Serv.	166.00
Central Ia Juv Detention Ctr	Crisis Stab Comm Based Se	890.00
Emmet Co Public Health	Employee Mileage & Subs.	3294.34
Emmetsburg Ford	Minor MV Parts & Access	622.25
Emmetsburg Publishing Co.	Official Pub & Legal Noti	1255.31
Graettinger Times	Board Proceedings	1254.00
HARGENS COURT REPORTING KAREN Heiman, Inc	Legal & Ct-Related Servic	6.50
Vincent H. Heller	Buildings	65.00
Ronald Hersom	Bus	162.00
IA Comm Pool Administrators Io	Bus	359.00
IA Dept of Natural Resources W	Equipment Insurance	1378.00
IA Lakes Parts Department	Well Permit Fee to State	125.00
IA Law Enforcement Academy	Minor MV Parts & Access	108.68
IA State Assn of Counties	Educational/Training Serv	125.00
Inman Electric Co Inc	Educational/Training Serv	190.00
Iowa Attorney General Office P	Engineering Services	26.94
IA Office of State Medical Exm	Legal & Ct-Related Servic	28.00
ISSDA	Medical & Health Services	4068.70
MISSY KING	Educational/Training Serv	450.00
Kossuth Co Jail	Wages-Temp, Pt. Time Empl	110.50
Louscher Family Dentistry	Inmate Housing-out of cou	100.00
Mail Services, LLC	Acute & Emergency Treat.	638.00
Mainstay Systems of Iowa LLC	Postage & Mailing	298.60
Matt's Cleaning Service	Contract Carriers	106.65
MCPEAK TRENCHING	Salary-Regular Employees	500.00
MidAmerican Energy	Buildings	15819.58
Wesley Morse	electricity	91.39
North Iowa Lumber & Design,Inc	Employee Mileage & Subs.	163.00
Northwest Communications	Buildings	727.48
O'Brien County Sheriff	Telecommunications Serv.-	104.95
Office Elements	Legal & Ct-Related Servic	36.00
Pakor, Inc.	Stationery/Forms/Gen Ofc	88.91
Palo Alto Co Comm Health Ser	Stationery/Forms/Gen Ofc	190.04
Palo Alto Co Fair Assn	Board of Health	3702.66
Palo Alto Co Sheriff	Contrib to Other Gov & Or	491.10
The Print Shop	Legal & Ct-Related Servic	201.00
QS LAWN AND PEST, LLC	Stationery/Forms/Gen Ofc	378.91
Quill Corporation	Buildings	120.00
River Valley Telecommunication	Stationery/Forms/Gen Ofc	124.98
Susan Ruppert	Electric Light & Power	278.55
Lynn Schultes	Stationery/Forms/Gen Ofc	17.08
Secretary of State State Regis	Equipment	51.99
HOWARD SMITH	Dues & Memberships	30.00
Solutions Inc.	Bus	419.00
Spencer Office Supplies	services	57.50
STATE HYGIENIC LABORATORY	Stationery/Forms/Gen Ofc	191.55
Storey Kenworthy/Matt Parrott	Engineering Services	165.00
Swanson Hardware	Stationery/Forms/Gen Ofc	86.29
ULINE ATTN: Accounts Receivab	Buildings	400.90
Upper Des Moines Opp.Inc.	Equipment	480.61
Verizon	Contrib to Other Gov & Or	18975.00
VISA	phone service	320.12
Weekly Bulletin	Minor Equip & Hand Tools	64.31
Jerrit Westfall	Stationery/Forms/Gen Ofc	180.00
Wickman Auto Salvage	Animal Bounties & Apiaris	300.00
Windstream	Legal & Ct-Related Servic	650.00
	phone	2.17

Rural Services Basic Fund

Emmetsburg Library	Contrib to Other Gov & Or	263.71
Graettinger Library	Contrib to Other Gov & Or	112.08
Mallard Library	Contrib to Other Gov & Or	92.30
Northwest Communications	Telecommunications Serv.-	84.95
River Valley Telecommunication	Telecommunications Serv.-	84.93
Ruthven Library	Contrib to Other Gov & Or	92.30
Spencer Office Supplies	Stationery/Forms/Gen Ofc	13.34
Summit Fire Protection	Equipment	699.25
Swanson Hardware	Minor Equip & Hand Tools	60.94
West Bend Library	Contrib to Other Gov & Or	98.89

Secondary Road Fund

Algona Hearing Center	Engineering Services	40.00
Arnold Motor Supply ATT: Sue	Engineering Services	247.90
Ayrshire Farmers Mut Telephone	Engineering Services	41.24
Cardio Partners	Engineering Services	1792.99
Cintas	Engineering Services	134.58
Coffman's Locksmith Shop	Engineering Services	666.44
City of Cylinder	Engineering Services	55.00
Don's Truck Sales Inc	Engineering Services	316.32
Nick Fank Fank Farms	Engineering Services	452.50
Fleet Pride Truck & Trailer	Engineering Services	2594.65
Graettinger Hardware	Engineering Services	24.97
Hancock Concrete Products	Engineering Services	9563.70
Christopher Hurlburt	Engineering Services	100.25
IA Great Lakes Doors, Inc.	Engineering Services	935.90
Iowa Lakes Regional Water	Engineering Services	105.09
Interstate Batteries	Engineering Services	221.90
Jack's OK Tire	Engineering Services	1361.57
KRISTAT AUTO PARTS LLC	Engineering Services	44.47

Lube Tech Accelerating Perform	Engineering Services	5007.31
MidAmerican Energy	Engineering Services	817.98
Newman Traffic Signs	Engineering Services	976.52
Northern Safety Co., Inc.	Engineering Services	81.86
Northwest Communications	Engineering Services	42.43
River Valley Telecommunication	Engineering Services	74.50
Ruthven Coop Oil Co	Engineering Services	10466.88
Seth Christensen	Engineering Services	21.23
SLASH POINT SALES	Engineering Services	752.00
Swanson Hardware	Engineering Services	14.98
Unity Point Clinic- Occ Med	Engineering Services	42.00
Verizon	Engineering Services	408.07
Ziegler Inc	Engineering Services	55.56

Emergency Mgmt Agency

Emmetsburg Ford	Parts	219.00
Emmetsburg Publishing Co.	Official Pub & Legal Noti	68.39

E911 Surcharge Fund

B & I Electric	Equipment	10490.86
Counsel Office & Document	Miscellaneous Repair	522.00
Electronic Specialties	Official Pub & Legal Noti	85.00
Emmetsburg Publishing Co.	Official Pub & Legal Noti	238.88
MEDIACOM LLC	Engineering Services	187.00
River Valley Telecommunication	Data Processing Services	1057.52
Verizon	phone service	3.50
Windstream	phone	358.05
WINDSTREAM CABS ATTENTION: CAB	phone	344.54
Xybix Systems, Inc	Equipment	26580.22

Drainage Claims

Algona Publishing Company	DD61 Main annex notice	2581.97
Bill Brown	DD61 Main Commissioner	150.00
Jacobson-Westergard&Assoc, Inc.	DD119 eng exp	2072.00
Jacobson-Westergard&Assoc, Inc.	DD81 eng exp	2485.00
Palo Alto Co Sec Road	DD80 Lat F repair	2043.99
Allen Stangl	DD61 Main Commissioner	150.00
West Bend Journal	DD61 Main pub exp #53	1747.74

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

Keith Wirtz, Chairman

Carmen Moser, County Auditor