

Courthouse  
Emmetsburg, Iowa  
February 28, 2023, 8:00 a.m.

The Palo Alto County Board of Supervisors met in regular session. Members present: Ronald Graettinger, Chair; Keith Wirtz, Roger Faulstick, Craig Merrill, Linus Solberg. Present: Jim & Sharon Neighbors, Carla Larson, Delray Bredehoeft; Diane Weiland, Reporter/Democrat.

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

Ronald Graettinger, Chair, called the meeting to order and led the Pledge of Allegiance.

Motion by Merrill, 2nd by Faulstick to approve the agenda for February 28, 2023. Motion Carried.

Motion by Solberg, 2nd by Merrill to approve the minutes for February 14, 2023. Motion Carried.

Travis Squires, Piper Sandler, met with the Board by conference call to recommend approval of the bond purchase agreement for general obligation funds for the road construction projects and public safety building.

## MINUTES TO AUTHORIZE BOND PURCHASE AGREEMENT

419285-19

Emmetsburg, Iowa

February 28, 2023

The Board of Supervisors of Palo Alto County, Iowa, met at the Courthouse, Emmetsburg, Iowa, on February 28, 2023, at 8:15 o'clock a.m. The Chairperson presided and the roll being called, the following named Supervisors were present and absent:

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

Absent: None.

Supervisor Craig Merrill introduced the resolution next hereinafter set out and moved its adoption, seconded by Supervisor Keith Wirtz; and after due consideration thereof by the Board, the Chairperson put the question upon the adoption of the resolution, and the roll being called, the following named Supervisors voted:

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

Nays: none.

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

On motion and vote the meeting adjourned.

Ronald Graettinger, Chairperson, Board of Supervisors

Attest: Carmen Moser, County Auditor

RESOLUTION NO. 2-28-2023

Resolution approving a Bond Purchase Agreement for the sale of General Obligation County Purpose Bonds, Series 2023

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 proposed to enter into a General Obligation Urban Renewal Loan Agreement (the “Road Improvement Loan Agreement”) and to issue general obligation bonds in a principal amount not to exceed \$5,200,000 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 upon such proposal, has published notice of the proposed action and has held a hearing thereon, and as of January 10, 2023, no petition had been filed with the County asking that the question of entering into the Road Improvement Loan Agreement be submitted to the registered voters of the County; and

WHEREAS, the Board also proposed to enter into a General Obligation Urban Renewal Loan Agreement (the “Public Safety Building Loan Agreement”) and together with the Road Improvement Loan Agreement are sometimes referred to hereafter as the “Loan Agreements”) and to issue general obligation bonds in a principal amount not to exceed \$1,500,000 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 Public Safety Building Project, an urban renewal project 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 upon such proposal, has published notice of the proposed action and has held a hearing thereon, and as of January 10, 2023, no petition had been filed with the County asking that the question of entering into the Public Safety Building Loan Agreement be submitted to the registered voters of the County; and

WHEREAS, pursuant to the provisions of Section 331.402 of the Code of Iowa, the County previously combined the Loan Agreements into a single loan agreement (the “Loan Agreement”); and

WHEREAS, a Preliminary Official Statement (the “P.O.S.”) has been prepared by Dorsey & Whitney LLP (the “Disclosure Counsel”) as bond and disclosure counsel to the County to facilitate the sale of the General Obligation County Purpose Bonds, Series 2023 (the “Bonds”) in evidence of the obligations of the County under the Loan Agreement, and the County has made provision for the approval of the P.O.S. and has authorized its use by Piper Sandler & Co. (the “Underwriter”) as the underwriter of the issuance of the Bonds; and

WHEREAS, a certain Bond Purchase Agreement (the “Bond Purchase Agreement”) has been prepared to set forth the terms of the Bonds and the understanding between the County and the Underwriter, and it is now necessary to make provision for the approval of the Bond Purchase Agreement;

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

Section 1. The Bond Purchase Agreement is hereby approved in substantially the form as presented to this Board of Supervisors. The Chairperson and County Auditor are hereby authorized and directed to execute and deliver the Bond Purchase Agreement to the Underwriter.

Section 2. Further action with respect to the issuance of the Bonds and the approval of the Loan Agreement is hereby adjourned to the Board of Supervisors meeting on March 7, 2023.

Section 3. 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 4. This resolution shall be in full force and effect immediately upon its adoption and approval, as provided by law.

Passed and approved February 28, 2023.

Ronald Graettinger, Chairperson, Board of Supervisors

Attest: Carmen Moser, County Auditor

Jim Neighbors was present for public comment and discussed BPA's from wind turbines & asked about environmental studies.

Chris Towell, Assistant to County Engineer, met with the Board. Motion by Faulstick, 2<sup>nd</sup> by Merrill to introduce and approve the following Resolution. Ayes: Faulstick, Wirtz, Solberg, Merrill, Graettinger. Resolution Passed.

## RESOLUTION 2-28-2023(A)

**WHEREAS**, The Board of Supervisors, hereafter referred to as “the Board,” believes the Project STP-S-C074(111)-5E—74, hereafter referred to as “the project” is in the best interest of Palo Alto County, Iowa, and the residents thereof. The project is defined as PCC OVERLAY, and

**WHEREAS**, The Board has sought appropriate professional guidance for the concept and planning for the project and followed the steps as required by the Code of Iowa for notifications, hearings, and bidding/letting; and

**WHEREAS**, The Board finds this resolution appropriate and necessary to protect, preserve, and improve the rights, privileges, property, peace, safety, health, welfare, comfort, and convenience of Palo Alto County and its citizens, all as provided for in and permitted by section 331.301 of the Code of Iowa; and

**IT IS THEREFORE RESOLVED** by Board to accept the bid from Croell, INC. in the amount of \$2,710,711.68 and awards the associated contract(s) to the same;

**BE IT FURTHER RESOLVED** that all other resolutions or parts of resolutions in conflict with this resolution are hereby repealed. If any part of this resolution is adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the resolution or action of The Board as a whole or any part thereof not adjudged invalid or unconstitutional. This resolution shall be in full force and effect from and after the date of its approval as provided by law; and

**BE IT FURTHER RESOLVED** by the Board of Supervisors of Palo Alto County, Iowa, that after receiving the necessary contract documents, including but not limited to the contractor’s bond and certificate of insurance, Walter Davis-Oeth, the County Engineer for 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 contracts in connection with the afore awarded construction project let through the DOT for this county

Dated at Palo Alto County, Iowa, this 28<sup>th</sup> day of February 2023.

Board of Supervisors of Palo Alto County, Iowa

Ronald Graettinger

Craig Merrill

Linus Solberg

Keith Wirtz

Roger Faulstick

ATTEST:

By Carmen Moser, County Auditor

John Hansen, Midwest Construction Consultant, met with the Board for the project progress update on the Public Safety Building. Present: Ian Harper, John King, Sheriff.

Motion by Faulstick, 2<sup>nd</sup> by Merrill to approve Change Order 5.1 to Winger Co. for \$6,556 for transformer relocation and labor & travel to install conduits at the precast plant. Motion Carried.

Motion by Faulstick, 2<sup>nd</sup> by Merrill to approve Change Order 1.3 to Sand Construction for \$32,346.20 for door & hardware changes, provide moisture mitigation primer for epoxy coating and to add grout coating to epoxy. Motion carried.

Motion by Wirtz, 2<sup>nd</sup> by Merrill to approve Midwest Storage Solutions Inc. for storage/file system for the new public safety center for \$82,261 for delivery and installation of space saver systems and ancillary products. Motion Carried.

Motion by Merrill, 2<sup>nd</sup> by Solberg to approve pay application for 3-1-2023 for the public safety center. Motion Carried.

**PALO ALTO COUNTY SEAT BELT POLICY**  
**Effective 2-28-2023**

**PURPOSE**

This policy was created to protect the safety of our employees while operating official vehicles, equipment, personal and rental cars on official business.

It is the policy of Palo Alto County that all employees operating official vehicles, equipment, personal and rental cars on official business and other occupants use seatbelts and shoulder restraints.

Employees operating on and off-road equipment with a Rollover Protective Structure (ROPS) shall use seatbelts when operating the equipment.

Employees are also prohibited from riding in or on parts of a vehicle not designed for human occupancy. This includes but is not limited to pick-up and truck boxes, fenders, steps and bumpers. This also applies to trailers, ATV dump boxes and lift buckets.

Failure to comply with these rules is a violation of Palo Alto County safety policies, which is cause for disciplinary action.

Motion by Faulstick, 2<sup>nd</sup> by Merrill to approve the Palo Alto County Seat Belt Policy for Palo Alto County effective on February 28, 2023. Ayes:

Motion Carried.

Ronald Graettinger, Chair

Attest: Carmen Moser, Auditor

John Torbert, Iowa Drainage District Association, met with the Board. John gave an update on legislation. Present: Jordan Morey, Auditor's Office. John stated that new copies of the Iowa Drainage Laws will be distributed soon.

The Board considered the amount of funds to provide to Cherokee Public Health for the dental program.

Motion by Linus Solberg to fund \$5,000 to the Cherokee Public Health for the dental program. Motion died for lack of second. Motion by Roger Faulstick, 2<sup>nd</sup> by Keith Wirtz to approve \$6,500 to Cherokee Public Health for the dental program. Ayes: Faulstick, Wirtz, Merrill, Graettinger. Nays: Solberg. Motion Carried.

Carmen Moser, Auditor, presented the New Maximum Property Tax Sheet after the taxable valuations were changed due to Senate File 181 changing the residential rollback for 2022 values.

Motion by Wirtz, 2<sup>nd</sup> by Merrill to set the maximum property tax hearing for March 21, 2023, at 9:00 a.m. at the Courthouse Boardroom. Motion Carried.

Motion by Solberg, 2<sup>nd</sup> by Merrill to appoint Bill Brown and Allen Stangl and Jon Rosengren, Engineer with Bolton & Menk, as the Commissioners for Drainage District 180 Lat 1 Reclassification Commission. Motion Carried.

Committee Reports: Keith Wirtz: Early Childhood. Craig: pipeline.

Motion by Faulstick, 2<sup>nd</sup> by Wirtz to approve the claims and drainage claims for 2-28-2023. Motion Carried.

**General Basic Fund**

A.G. Adjustments, LTD	Custodial Supplies	255.70
Bolton & Menk, Inc.	Misc Expense	364.50
Brew Oil LLC	Cash Allowances	101.47
Canon	Photocopy & Dup. Serv.	166.00
Dan Cooper Builders	Buildings	180.00
District III IACCB	Dues & Memberships	200.00
Electronic Specialties	Radio & Related Equip	247.50
Emmetsburg Ford	Minor MV Parts & Access	1981.11
Emmetsburg Publishing Co.	Official Pub & Legal Noti	214.52
Fareway	Custodial Supplies	70.31
GALLS, LLC	Wearing Apparel & Uniform	578.44
Harris Sanitation	Sanitation & Disposal Ser	320.00
Iowa Lakes Regional Water	Water & Sewer	278.57
IA Law Enforcement Academy	Education/Training/Hotel	150.00
IA Office of State Medical Exm	Medical & Health Services	2249.00
ISSDA C/O Jared Schneider	Education/Training/Hotel	250.00
KRISTAT AUTO PARTS LLC	Minor MV Parts & Access	85.95
Loffler Companies - 131511	Photocopy & Dup. Serv.	47.05
Mail Services, LLC	Postage & Mailing	330.63
Mainstay Systems of Iowa LLC	Contract Carriers	106.65
ANDY MANWARREN	Agric/Hort. Services	480.00
Martin-Mattice Fun. Home	Medical & Health Services	5150.00
MidAmerican Energy	electricity	1530.26
Northwest Communications	Telecommunications Serv.-	209.90
Palo Alto Co Comm Health Ser	Board of Health	566.77
Palo Alto Co Sheriff	Legal/Ct-Related Ser/Tran	290.10
The Print Shop	Audio/Visual Supplies	92.95
Quill Corporation	Household & Institutional	83.97
RESERVE ACCOUNT	Postage & Mailing	2000.00
Rooney's Auto & Custom Exhaust	Tires & Tubes	99.86
Deb Rouse	Wages-Temp, Pt. Time Empl	34.00
Spencer Office Supplies	Stationery/Forms/Gen Ofc	158.74
Swanson Hardware	Minor Equip & Hand Tools	89.45
VISA	Dues & Memberships	405.15
Von Bokern Associates, Inc	Consultants	5500.00
Wells Fargo Financial Leasing	Equipment	12.00
Willow Tree	Minor Equip & Hand Tools	30.00
Windstream	phone	258.13

**General Supplemental Fund**

MidAmerican Energy	electricity	44.94
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**American Rescue Plan Act 2021**

Bauer Plumbing & Heating Inc.	Misc Expense	2751.00
Buhrow Construction	Misc Expense	15687.99

**Rural Services Basic Fund**

IA Lakes Electric Coop	Electric Light & Power	699.00
Northwest Communications	Telecommunications Serv.-	84.95
Overhead Door Sales	Miscellaneous Repair	313.30
Shamrock Recycling, Inc	Sanitation & Disposal Ser	2426.98
City of Spencer	Sanitation & Disposal Ser	18065.74
Summit Fire Protection	Equipment	495.00
Swanson Hardware	Misc Expense	38.91

Wessels Oil Co Inc	Fuels	1043.04
Windstream	phone	65.93
<b><u>Special Revenue-SheriffReserve</u></b>		
Kylie Iverson	Education/Training/Hotel	70.00
<b><u>Secondary Road Fund</u></b>		
Affordable Glass	Engineering Services	260.00
Algona Hearing Center	Engineering Services	360.00
Algona Machine & Supply, Inc.	Engineering Services	999.52
Alliant Energy	Engineering Services	14.49
Amazon Capital Services	Engineering Services	53.74
Arnold Motor Supply ATT: Sue	Engineering Services	1574.71
Bauer Plumbing & Heating Inc.	Engineering Services	54.00
Seth Christensen	Engineering Services	62.50
Cintas	Engineering Services	37.29
Emmetsburg Ford	Engineering Services	588.49
E.M.U.	Engineering Services	1552.49
Equipment Blades, Inc	Engineering Services	9805.00
Fleet Pride Truck & Trailer	Engineering Services	1118.84
Graettinger Hardware	Engineering Services	44.93
IA Dept of Natural Resources W	Engineering Services	350.00
IA Dept of Transportation	Engineering Services	632.00
IA Great Lakes Doors, Inc.	Engineering Services	2231.00
IA Lakes Electric Coop	Engineering Services	26.26
Interstate Batteries	Engineering Services	160.95
KRISTAT AUTO PARTS LLC	Engineering Services	160.80
KW Electric Inc	Engineering Services	1258.53
Lube Tech Accelerating Perform	Engineering Services	11623.08
City of Mallard	Engineering Services	82.73
Martin Marietta Agg	Engineering Services	136.22
MidAmerican Energy	Engineering Services	445.02
MSC INDUSTRIAL SUPPLY CO	Engineering Services	822.24
Murphy Tractor & Equipment	Engineering Services	1776.53
Nuss Truck & Equipment	Engineering Services	1010.04
Palo Alto Co Auditor	Engineering Services	37.71
Picrays Welding & Fab.	Engineering Services	193.50
Ruthven Coop Oil Co	Engineering Services	25700.63
Staples Credit Plan	Engineering Services	215.59
Stellar Industries	Engineering Services	669.28
Swanson Hardware	Engineering Services	205.75
Chris Towell	Engineering Services	35.73
Justin Williams	Engineering Services	33.31
WOODFORD EQUIPMENT	Engineering Services	43.50
Ziegler Inc	Engineering Services	4339.08
<b><u>Road Cap. Proj. Sec Roads</u></b>		
Croell Inc	Roads	147990.78
<b><u>E911 Surcharge Fund</u></b>		
Ayrshire Farmers Mut Telephone	Engineering Services	158.99
Ia Dept of Public Safety	Miscellaneous Repair	286.20
Mainstay Systems of Iowa LLC	Miscellaneous Repair	23.70
MEDIACOM LLC	Engineering Services	208.80
Northwest Communications	Engineering Services	158.99
Windstream	phone	160.88
WINDSTREAM IA Comm Inc	phone	161.51
<b><u>Drainage Claims</u></b>		
Bolton & Menk, Inc.	DDJt22 IDALS	790.00
Bolton & Menk, Inc.	DD180 Lat1 eng exp	9645.50
Bolton & Menk, Inc.	DD61N eng exp	1057.50
Bolton & Menk, Inc.	DD64 eng exp	12064.50
Bolton & Menk, Inc.	DD923 IDALS	1102.00
Rosacker Excavating	DDJt 60 beaver trapping	237.50

Motion by Solberg, 2<sup>nd</sup> by Wirtz to adjourn. Motion Carried.

Ronald Graettinger, Chairman

Carmen Moser, County Auditor