

Courthouse
Emmetsburg Iowa
January 2, 2024, 8:00 a.m.

The Palo Alto County Board of Supervisors met on January 2, 2024, the first working day of the Calendar Year to approve all resolutions and appointments for the 2024 year. Supervisors present: Craig Merrill, Roger Faulstick, Linus Solberg, Keith Wirtz, Ronald Graettinger. Present: Diane Weiland, Reporter/Democrat; Peter Hart, County Attorney; Carla Larson, Delray Bredehoeft.

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

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

Motion by Wirtz, 2nd by Faulstick to approve agenda for January 2, 2024. Motion Carried.

Motion by Faulstick, 2nd by Wirtz to approve minutes for December 27, 2023. Motion Carried.

Motion by Solberg, 2nd by Wirtz to nominate Craig Merrill as Chair and Roger Faulstick as Chair Pro-Tem for the calendar year 2024. Motion Carried.

Motion by Graettinger, 2nd by Solberg to cease nominations. Motion Carried.

Motion by Faulstick, 2nd by Solberg to approve the completion of septic grant for \$5,000 to Steven Peterson. Motion Carried.

Walter Davis-Oeth, County Engineer, met with the Board and presented Resolutions for calendar year 2024.

Motion by Solberg, 2nd by Wirtz to approve the contract with Croell for LFM-P-(B19)-7X-74, Fenton Road, for \$4,554,866.44. Motion Carried.

Motion by Graettinger, 2nd by Solberg to introduce and approve Resolution 1-2-2024(A). Ayes: Graettinger, Wirtz, Solberg, Faulstick, Merrill. Nays: none. Resolution passed.

RESOLUTION NO. 1-2-2024 (A)
RIGHT OF WAY ASSURANCE STATEMENT
2024

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."

Motion by Graettinger, 2nd by Wirtz to introduce and approve Resolution 1-2-2024 (B). Ayes: Merrill, Graettinger, Solberg, Wirtz Faulstick. Nays: none. Resolution passed.

RESOLUTION NO. 1-2-2024 (B)

AUTHORIZATION FOR THE COUNTY ENGINEER TO CLOSE ANY SECONDARY ROAD FOR THE PURPOSE OF ROUTINE MAINTENANCE PROCEDURES OR CONSTRUCTION DURING 2024

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 2nd day of January 2024, 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.

Board of Supervisors

Craig Merrill, Ron Graettinger, Keith Wirtz, Roger Faulstick, LJ Solberg.

Walter Davis-Oeth, County Engineer

Attest: Carmen Moser, Palo Alto County Auditor

Motion by Faulstick, 2nd by Graettinger to introduce and approve Resolution No. 1-2-2024(C)

Ayes: Faulstick, Wirtz, Solberg, Graettinger, Merrill . Nays: none. Resolution passed.

RESOLUTION NO. 1-2-2024 (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 2nd of January 2024.

Board of Supervisors

Craig Merrill, Ron Graettinger, Keith Wirtz, Roger Faulstick, LJ Solberg.

Attest: Carmen Moser, County Auditor

Motion by Wirtz, 2nd by Graettinger to approve Title VI Non-Discrimination Agreement with Iowa DOT.
Motion Carried.

Motion by Graettinger, 2nd by Faulstick to introduce and approve Resolution # 1-2-2024.

RESOLUTION # 1-2-2024

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 2, 2024.

Craig Merrill

Chair, Palo Alto County Board of Supervisors

ATTEST: Carmen Moser, Auditor

No one was present for public comment.

Motion by Faulstick, and 2nd by Graettinger to introduce and approve the following Resolution:

Resolution 1-2-2024 (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 amount 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	John King, Sheriff	\$200,000

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

Motion was made by Graettinger, and 2nd by Wirtz to introduce and approve the following Resolution:
Resolution 1-2-2024 (E)

BE IT RESOLVED, by the Board of Supervisors of Palo Alto County, Iowa, that they do designate the following banks to be depositories for the County Treasurer Funds in the amount 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:

West Iowa Bank	West Bend, Iowa	\$20,000,000
Iowa Trust & Savings	Emmetsburg, Iowa	\$35,000,000

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

Motion by Solberg, 2nd by Graettinger to reappoint Tim McCain as Palo Alto County Tax Agent for the 2024 year. Motion Carried.

Motion by Solberg, and 2nd by Faulstick to designate the combined Emmetsburg Democrat & Reporter, and the combined Graettinger Times, Ruthven Zip Code and West Bend Journal as the two Official Newspapers for the 2024 year. Motion Carried.

Motion was made by Graettinger, and 2nd 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 Graettinger, 2nd by Solberg to reappoint Dr. Thomas Getta to the Local Health Board for a 3-year term expiring December 31, 2026. Motion Carried.

Motion by Graettinger, 2nd by Wirtz to appoint Shirleen Helgeson to the Local Health Board for a 3 year term expiring on December 31, 2026, to replace Julie Nelson who retired. Motion Carried.

Motion by Solberg, 2nd by Wirtz to reappoint Sam Henkelvig to the County Conservation Board for a 5-year term expiring on December 31, 2028. Motion Carried.

Motion by Graettinger, 2nd by Faulstick to reappoint Dr. Thomas Getta as County Medical Examiner for a 2 year term expiring on December 31, 2025. Motion Carried.

Motion by Solberg, 2nd by Graettinger to reappoint Mary Hilfiker to the Civil Service Commission Board for a 6-year term expiring on October 1, 2029. Motion Carried.

Motion by Faulstick, 2nd by Wirtz to appoint Ron Naig and Bert Naig to the Planning & Zoning Board for a 3-year term ending on December 31, 2026. Motion Carried.

Motion was made by Graettinger, 2nd by Solberg to appoint the following persons to serve as members of the compensation commission for the eminent domain cases for the 2024 year. Motion Carried.

BUSINESS PERSONS

Alex Bleuer, 605 S. Broadway, West Bend Iowa	515-890-0565
John Spies 302 Lakeshore Drive, Emmetsburg, Iowa	712-852-4023
Wm. S. Brown 4577 280 th St. Graettinger, Iowa	712-859-3880
Jeff Treveer 1208 South St. Box 264, Ayrshire, Iowa	712-426-2202
Joe Noonan, 42125 360 th Ave, Ruthven, Iowa	712-298-1504
Mike Gehrt 803 Micawber St. Mallard, Iowa	712-425-3560
Kurt Bonnsetter, 111 Iowa St, Cylinder, Iowa	712-424-3961
Troy Auten, 4928 455 th Ave, Mallard Iowa	712-358-2040

FARMERS

Gerald Thatcher 407 4 th St. West Bend, Iowa	515-887-5959
Fred Schmidt, 4169 580 th Ave, Whittemore, Iowa	515-884-2549
Kathy Cramer 4283 440 th St. Curlew, Iowa	712-855-2874

Jerome Kuyper 5728 500 th St. West Bend, Iowa	515-887-3457
Craig Thu, 102 Ford Rd, Emmetsburg, Iowa	712-415-1072
Cory Fehr, 5727 440 th St, West Bend, Iowa	712-358-0831
Scott Kibbie, 10 N Huron St, Emmetsburg	712-298-3738
Steve Licht, 4411 380 th Ave, Ayrshire	712-260-6020

CITY AND TOWNSHIP PROPERTY OWNERS

Chad Clausen, 4957 490 th Ave, Mallard, Iowa	712-298-2359
Mike Flaherty, 410 N Maple Ave, Graettinger, Iowa	712-859-3578
Matt Greene, 3765 380 th Ave, Ruthven, Iowa	712-837-4843
David Morey, 4812 510 th Ave, Mallard, Iowa	712-425-3234
David Neilson 104 South Elder Ave. Graettinger, Iowa	712-859-3860
Rich Stillman, 34789 Cy-Hawk Ave, Emmetsburg	

REALTORS

Judy Johnson 3586 450 th Ave. Emmetsburg, Iowa	712-852-4921
Mike Wentzel, 804 King St. Emmetsburg, Iowa	712-852-2294
Roger Wagner 3856 440 th Ave. Emmetsburg, Iowa	712-852-4257
Brian Jackson 212 North Wallace St. Emmetsburg, Iowa	712-852-3211
Jay Bargman, 5579 430 th St, West Bend, Iowa	515-887-5579
Chuck Sikora, 1006 Gowrie St, Ruthven	712-260-2788

Motion by Faulstick, 2nd by Wirtz to appoint the following supervisors to various committees and boards as follows for the year 2024. 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
North Central Regional Emergency Response Commission	Linus Solberg	Craig Merrill
NW Iowa Regional Housing Authority	Roger Faulstick	
NW Planning & Development	Roger Faulstick	Ron Graettinger
PACGDC (gaming corporation)	Linus Solberg	Roger Faulstick
RIDES Board	Roger Faulstick	Ron Graettinger
Solid Waste Task Force	Ron Graettinger, Roger Faulstick	
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
Iowa Workforce Development	Roger Faulstick	
Mid Iowa Growth Partnership	Craig Merrill	
Palo Alto County Connections Coalition	Roger Faulstick	Linus Solberg

The Board of Supervisors held a conference call with Anna Ryon, Attorney. Anna will be present for the 1st reading of the pipeline ordinance on Wednesday, January 3rd at 6:30 pm. at the Election Center. Anna will represent the Board on the Vestas project when an application is filed.

There were no committee reports.

Peter Hart, County Attorney, met with the Board to discuss the option of a 28E agreement if needed for his replacement.

Carmen Moser, Auditor, presented the maximum levy rate calculation per HF718. The Board discussed budget workshop dates and reviewed budget requests for FY25. The budget workshop date was set for January 17, 2024. Present: Amanda Hansen, Auditor's Office.

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

Craig Merrill, Chairman

Carmen Moser, County Auditor