Courthouse
Emmetsburg, Iowa
April 14, 2026, 8:00 a.m.

The Palo Alto County Board of Supervisors met in regular session. Members present: Linus Solberg, Chair; Keith Wirtz, Ron Graettinger, Craig Merrill, Roger Faulstick. Present: Diane Weiland, Reporter/Democrat; Anne Quail, County Attorney; Jordan Morey, Auditor's Office.

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

Linus Solberg, Chair, called the meeting to order and lead the Pledge of Allegiance.

Motion by Graettinger, 2nd by Merrill to approve the agenda for April 14, 2026. Motion Carried.

Motion by Faulstick, 2nd by Wirtz to approve the minutes for April 7, 2026. Motion Carried.

The Board held a conference call with Kossuth County Board of Supervisors as Trustees of Jt. Drainage District PAK1. Present: Collin Klingbeil, Jacobson-Westergard—on conference call.

Motion by Kyle Stecker, Kossuth Co. Supervisor, 2nd by Keith Wirtz, Palo Alto Co. Supervisor, to approve a request by Brian Thul to pay for fill dirt & labor on repair site 378-1 on PAK1 in coordination with Reutzel Excavating pending additional investigation by the engineer. Ayes: All. Motion Carried.

Motion by Kyle Stecker, Kossuth Co. Supervisor, 2nd by Ron Graettinger, Palo Alto Co. Supervisor to approve change order #2 for an increase in the contract amount of rip rap on Jt. PAK1. Ayes: All. Motion Carried.

Motion by Graettinger, 2nd by Merrill to introduce and approve Resolution No. 4-14-2026.

RESOLUTION NO. 4-14-2026
To Approve Transfer of Funds

WHEREAS, it is desired to authorize the County Auditor to transfer sums from the Special Revenue TIF Wind Fund to the Debt Service Fund, and

WHEREAS, said transfers must be in accordance with Section 331.432, 2026 Code of Iowa,

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Palo Alto County, Iowa as follows:

That the Auditor is authorized to transfer $1,894,306 from the Special Revenue TIF Wind Fund to the Debt Service Fund effective April 14, 2026;

That the Auditor is directed to correct the books when said operating transfers are made and to notify the County Treasurer of the amounts of said transfer.

The above Resolution was passed and adopted by the Palo Alto County Board of Supervisors on April 14, 2026.
Ayes: Faulstick, Merrill, Graettinger, Wirtz, Solberg.
Nays: none.
Resolution Passed.
/s/Linus Solberg, Chair
/s/Attest: Carmen Moser, Auditor

No one was present for public comment.

Rob Allen, County Conservation, met with the Board to present the seasonal hires for 2026.

Motion by Faulstick, 2nd by Graettinger to approve hiring Donald Larsen as part time employment at $19.00 per hour effective April 20, 2026. Motion Carried.

Motion by Merrill, 2nd by Faulstick to approve hiring Pat Gappa as part time employment at $15.00 per hour effective April 20, 2026. Motion Carried.

Motion by Faulstick, 2nd by Wirtz to approve hiring Kurt Moore as campground host at $100 per weekend effective May 1, 2026. Motion Carried.

The Board held a conference call with Emmet County Board of Supervisors as trustees of Drainage District EPA17. Jeff Quastad, Emmet Co. Supervisor updated the Board on a repair on EPA17. No action taken.

The Board held a bid letting on the Marcellus Wetland Site. Jon Rosengren present on conference call. Anne Quail, County Attorney, reviewed the bid bonds before the bids were opened.
The following bids were received:

King Excavation	$387,595.00
Reutzel Excavating	$309,452.00
Marlin Concrete	$319,724.00
Adam Laubenthal	$322,147.00
Leroy & Sons	$286,782.00
Gehrke Inc.	$365,103.50
Dornbier Inc	$359,833.48
BD Construction	$444,052.00
Luft & Sons	$309,779.52

The Board will consider awarding the bid at the meeting next week.

Collin Klingbeil, Jacobson-Westergard, met with the Board for the Hearing on Improvements to Drainage District 62. Present: Gregg Garrelts, Marilyn Noonan, Ed Noonan, Paul Herbers, Randy Loomis.

Collin presented the engineer's report for improvements to Drainage District No. 62. The cost estimate is $893,000. Collin provided the pre-classification report on Drainage District No. 62. Collin reviewed the wetland determination status map. Objections were filed by Edward & Marilyn Noonan and Neil R. Dahlquist. The right of remonstrance was not met.

Motion by Graettinger, 2nd by Faulstick to accept the engineer's report and direct the engineer to prepare the right-of-way report and to prepare the plans and specifications for the bid letting on improvements to Drainage District No. 62. Abstain: Craig Merrill. Motion Carried.

Collin Klingbeil, Jacobson-Westergard, met with the board for the informational meeting on Drainage District 5 Lateral 1 Tile. Collin presented the pre-classification report for the repair on DD 5 Lat 1 tile. Present: Dennis Harson, Steve Aldous, Steve Dobbins, Ty Harson, Harold Christensen, Dennis Christensen, Kirby Sampson, Robert Nelson, Diane Nelson, Jim Nelson. Present on conference call: Jim Rothermich. Landowners discussed options and were given an opportunity to speak about the four proposed options. The pre-classification report was provided to the landowners.

Motion by Graettinger, 2nd by Wirtz to set the Hearing on Repairs for Drainage District 5 Lateral 1 for June 16, 2026, at 9:00 am at the Courthouse Boardroom. Motion Carried.

Committee Reports: Keith—safety/wellness; IA Drainage District Assoc.; Early Childhood.
Roger—road meeting.

Walter Davis-Oeth, County Engineer, met with the Board. Walter updated the Board on damage from tornado the night before. Walter discussed gravel and grading on the roads and discussed the 60-mph bill that was passed. Walter updated the Board on the two road meetings held last week on N40 and 350th St.

The Board of Supervisors of Palo Alto County, State of Iowa, met in regular session, in the Supervisors Room, Palo Alto County Courthouse, 1010 Broadway, Emmetsburg, Iowa 50536, at 8:00 A.M., on the above date. There were present Chairperson Linus Solberg, in the chair, and the following named Board Members:

Keith Wirtz, Ron Graettinger, Craig Merrill, Roger Faulstick. Absent: none.

Board Member Roger Faulstick introduced the following Resolution No. 4-14-2026 (A) entitled

"RESOLUTION FIXING THE DATE FOR A PUBLIC HEARING ON THE PROPOSITION TO REPEAL ORDINANCE NO. 2024-0001 (AN ORDINANCE AMENDING VARIOUS SECTIONS OF THE PALO ALTO COUNTY ZONING ORDINANCE DATED 08/09/1995 WITH AMENDMENTS FOR THE PURPOSE OF REGULATING AND RESTRICTING THE USE OF LAND FOR THE TRANSPORT OF HAZARDOUS LIQUID THROUGH A HAZARDOUS LIQUID PIPELINE), AND PROVIDING FOR THE PUBLICATION OF NOTICE THEREOF."

and moved that the same be adopted. Board Member Ron Graettinger seconded the motion to adopt. The roll was called and the vote was,

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

Whereupon, the Chairperson declared the resolution duly adopted as follows

RESOLUTION NO. 4-14-2026 (A) FIXING THE DATE FOR A PUBLIC HEARING ON THE PROPOSITION TO REPEAL ORDINANCE NO. 2024-0001 (AN ORDINANCE AMENDING VARIOUS SECTIONS OF THE PALO ALTO COUNTY ZONING ORDINANCE DATED 08/09/1995 WITH AMENDMENTS FOR THE PURPOSE OF REGULATING AND RESTRICTING THE USE OF LAND FOR THE TRANSPORT OF HAZARDOUS LIQUID THROUGH A HAZARDOUS LIQUID PIPELINE), AND PROVIDING FOR THE PUBLICATION OF NOTICE THEREOF.

WHEREAS, on January 16, 2024, the Palo Alto County Board of Supervisors enacted Palo Alto County Ordinance No. 2024-0001, An Ordinance Amending Various Sections of the Palo Alto County Zoning Ordinance Dated 08/09/1995 with Amendments for the Purpose of Regulating and Restricting the Use of Land for the Transport of Hazardous Liquid through a Hazardous Liquid Pipeline; and

WHEREAS, various other Iowa counties enacted their own ordinances regulating hazardous liquid pipelines in or around this same time, including Shelby County, Iowa, and Story County, Iowa; and

WHEREAS, a company endeavoring to install a hazardous liquid pipeline within Palo Alto County challenged Palo Alto County's Ordinance No. 2024-0001 in U.S. District Court for the Northern District of Iowa, by filing a lawsuit against the County, the Board of Supervisors, and the Supervisors in their official capacities; and

WHEREAS, at the time, ordinances enacted by Shelby County, Iowa, and Story County, Iowa, were already being challenged on similar grounds in separate legal actions brought before the U.S. District Court for the Southern District of Iowa; and

WHEREAS, the case against Palo Alto County in federal court for the Northern District of Iowa was stayed (paused) pending the outcome of the similar cases pending in federal court for the Southern District of Iowa; and

WHEREAS, the U.S. District Court for the Southern District of Iowa heard the two cases challenging Shelby and Story Counties' ordinances together and found the ordinances were both preempted by either federal law, state law, or both; and

WHEREAS, Shelby County and Story County both sought further review of the District Court's decisions before the United States Court of Appeals for the 8th Circuit; and

WHEREAS, a three-judge panel of the Eighth Circuit Court of Appeals upheld the District Court's finding of federal preemption, but for different reasoning, in *Couser, et al. v. Shelby County., et al.*, Nos. 23-3758 & 23-3760 (June 5, 2025); and

WHEREAS, all appellate options have now been exhausted by Shelby County and Story County; and

WHEREAS, Palo Alto County's Ordinance No. 2024-0001contains provisions similar or substantially similar to the ordinances held to be preempted in the federal court's ruling; and

WHEREAS, the County recognizes the decision is likely dispositive as to any outstanding questions on the validity and legality of its own Ordinance No. 2024-0001, and, as a result and in the interests of good governance, now wishes to repeal Ordinance No. 2024-0001; and

WHEREAS, on April 13, 2026, the Planning and Zoning Commission met and held a public hearing on the proposal to repeal Ordinance No. 2024-0001; and

WHEREAS, on the Planning and Zoning Commission has reviewed and recommended approval of the proposed repeal of Ordinance No. 2024-0001; and

WHEREAS, Iowa Code chapter 335 requires notice of the time and place of a public hearing on the proposal to repeal the County's Ordinance No. 2024-0001, a zoning ordinance, to be published as provided in section 331.305.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF PALO ALTO COUNTY, STATE OF IOWA:

That this Board shall meet in the Supervisors Room, Palo Alto County Courthouse, 1010 Broadway, Emmetsburg, Iowa 50536, at 8:00 A.M., on April 28, 2026, for the purpose of hearing public comment on and for considering and voting on the passage of the proposed amendment.

1. That the Auditor is hereby directed to cause at least one publication to be made of a notice of the meetings, in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in the County. The publication to be not less than four clear days nor more than twenty days before the date of the public meeting on the proposed amendment.

2. That the notice of the proposed action shall be in substantially the following form:

(To be published on or before: April 23, 2026)

NOTICE OF A PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF PALO ALTO COUNTY, STATE OF IOWA, ON THE PROPOSITION TO REPEAL ORDINANCE NO. 2024-0001 (AN ORDINANCE AMENDING VARIOUS SECTIONS OF THE PALO ALTO COUNTY ZONING ORDINANCE DATED 08/09/1995 WITH AMENDMENTS FOR THE PURPOSE OF REGULATING AND

RESTRICTING THE USE OF LAND FOR THE TRANSPORT OF HAZARDOUS LIQUID THROUGH A HAZARDOUS LIQUID PIPELINE), FOLLOWING A FINAL COURT ORDER FINDING SUBSTANTIALLY SIMILAR COUNTY ORDINANCES TO BE PREEMPTED BY FEDERAL LAW

PUBLIC NOTICE is hereby given that the Board of Supervisors of Palo Alto County, State of Iowa, will meet in the Supervisors Room, Palo Alto County Courthouse, 1010 Broadway, Emmetsburg, Iowa 50536, at 8:00 A.M., on April 28, 2026, for the purpose of hearing public comment on and for considering and voting on the passage of a proposed ordinance repealing Palo Alto County Ordinance No. 2024-0001, An Ordinance Amending Various Sections of the Palo Alto County Zoning Ordinance Dated 08/09/1995 with Amendments for the Purpose of Regulating and Restricting the Use of Land for the Transport of Hazardous Liquid Through a Hazardous Liquid Pipeline, following a final court ruling finding substantially similar county ordinances to be preempted by federal law.

At the above meeting the Board shall receive oral or written comments or objections from any resident or property owner of the County to the above action. After all comments and objections have been received and considered, the Board will at the meeting or at any adjournment thereof, consider and vote on the passage of the proposed repeal.

This notice is given by order of the Board of Supervisors of Palo Alto County, State of Iowa, as provided by chapters 335 and 331 of the Code of Iowa.

Dated this 14th day of April, 2026.

/s/Carmen Moser
County Auditor, Palo Alto County, State of Iowa

PASSED AND APPROVED this 14th day of April, 2026.

/s/LJ Solberg
Chairperson

ATTEST: /s/Carmen Moser, County Auditor

Motion by Wirtz, 2nd by Faulstick to appoint Kyle Licht as Silver Lake Township Trustee to fill the unexpired term till December 31, 2026. Motion Carried.

Motion by Graettinger, 2nd by Wirtz to approve the county claims and drainage claims for April 14, 2026. Motion Carried.

General Basic Fund

AHLERS & COONEY P.C.	Consultants	92.00
Amazon Capital Services	Buildings	211.47
AT&T Mobility	Telecommunications Serv.-	421.48
Bauer Plumbing & Heating Inc.	Buildings	623.50
Christina Clausen	Employee Mileage & Meals	36.00
DISTRICT III TREASURERS Traci	Education/Training/Hotel	75.00
Electronic Specialties	Radio & Related Equip	173.25
Emmet Co Public Health	Salary-Regular Employees	3763.97
Emmetsburg Ford	Minor MV Parts & Access	530.45
Emmetsburg Publishing Co.	Official Pub & Legal Noti	990.06
Fareway	Custodial Supplies	1687.93
Forge & Build	Stationery/Forms/Gen Ofc	227.20

Geelan Funeral Home	Medical & Health Services	966.00
Graettinger Times	Official Pub & Legal Noti	1113.43
Harris Sanitation	Sanitation & Disposal Ser	648.00
Vincent H. Heller	Bus	57.00
Stephanie Hudson	Employee Mileage & Meals	32.40
IA Prison Industries	Recreational Supplies	59.80
IA State Assn of Counties	Education/Training/Hotel	250.00
IA STATE COUNTY TREAS ASSOC %	Education/Training/Hotel	72.00
Kylie Iverson	Wages-Temp, Pt. Time Empl	616.25
K & W Electric Inc	Radio & Related Equip	100.00
K & W Electric, Inc.	Buildings	239.33
K.C. Nielsen Ltd	Agric/Hort. Services	1300.00
Knight Protection	Buildings	850.00
Samuel Lyon	Employee Mileage & Meals	30.00
Mail Services, LLC	Misc Expense	4597.05
ANDY MANWARREN	Agric/Hort. Services	183.00
McAllister Builders	Buildings	45.00
MEDIACOM LLC	Telecommunications Serv.-	496.93
Drake Mehan	Animal Bounties & Apiaris	150.00
Midwest Lake Service	Buildings	670.00
Midwest Pest	Contract Carriers	150.00
Midwest Technology ServicesLLC	Telecommunications Serv.-	610.85
Northwest Communications	Telecommunications Serv.-	249.90
Palo Alto Co Comm Health Ser	Board of Health	582.33
Palo Alto Co Emergency Mgmt	Contrib to Other Gov & Or	2110.75
Palo Alto Co Fair Assn	Contrib to Other Gov & Or	13761.70
Palo Alto Co Sec Road	Fuels	3733.23
PICTOMETRY International Corp.	Misc Expense	13721.40
Professional Office Servies	Postage & Mailing	404.99
Quill Corporation	Stationery/Forms/Gen Ofc	496.92
RELX Inc. DBA LexisNexis	Legal Research Service	219.00
RESERVE ACCOUNT	Postage & Mailing	250.00
River Valley Telecommunication	Electric Light & Power	306.63
Susan Ruppert	Stationery/Forms/Gen Ofc	15.78
Ruthven Coop Oil Co	Natural & LP Gas, Fuel Oi	572.00
Ruthven Zipcode	Official Pub & Legal Noti	412.00
HOWARD SMITH	Bus	375.60
Solutions Inc, Harris Local Go	services	976.54
Spencer Family Care Med Exam	Medical & Health Services	250.00
Spencer Office Supplies JCL So	Stationery/Forms/Gen Ofc	97.80
STATE HYGIENIC LABORATORY	Engineering Services	375.00
Swanson Hardware	Custodial Supplies	237.22
Veenstra & Kimm Inc.	Consultants	298.00
VISA	Minor Equip & Hand Tools	4417.82
Visual Edge IT Veit LLC	Office & Data Processing	122.67
Wells Fargo Financial Leasing	Contract Carriers	155.52
West Bend Ford	Minor MV Parts & Access	127.04
West Bend Journal	Official Pub & Legal Noti	291.39
Windstream	phone	833.20
Coty Zimmerman	Wages-Temp, Pt. Time Empl	435.00
General Supplemental Fund		
ELECTION SYSTEMS & SOFTWARE	Stationery/Forms/Gen Ofc	2258.24
IA PRECINCT ATLAS CONSORTIUM	Other	1830.00
Loffler Companies - 131511	Stationery/Forms/Gen Ofc	42.57

Opioid Settlement Special Rev		
Palo Alto Co Health System	Other Treatment, Prev, Ot	3157.80
VISA	Prevention Programs	1881.60
Rural Services Basic Fund		
Boji Powersports	Equipment	410.95
BUD'S SERVICE	Motor Vehicle Equipment	100.00
Don Pierson Ford	Motor Vehicle Equipment	465.95
Emmetsburg Ford	Motor Vehicle Equipment	79.75
Emmetsburg Library	Contrib to Other Gov & Or	10687.38
Graettinger Library	Contrib to Other Gov & Or	4542.14
KRISTAT AUTO PARTS LLC	Misc Expense	21.12
Mallard Library	Contrib to Other Gov & Or	3740.58
KENT MALM	Education/Training/Hotel	565.11
Northwest Communications	Telecommunications Serv.-	95.90
Palo Alto Co Sec Road	Fuels	1046.80
Parallel Ag	Equipment	902.75
River Valley Telecommunication	Telecommunications Serv.-	108.19
Rouse Tire and Repair, LLC	Equipment	25.00
Ruthven Library	Contrib to Other Gov & Or	3740.58
Spencer Office Supplies JCL So	Stationery/Forms/Gen Ofc	118.89
City of Spencer	Sanitation & Disposal Ser	21642.44
Swanson Hardware	Misc Expense	888.59
West Bend Library	Contrib to Other Gov & Or	4007.77
Co.Attorney Collections Fund		
VISA	Misc Expense	236.60
Secondary Road Fund		
Algona Machine & Supply, Inc.	Engineering Services	49.95
Algona Reminder	Engineering Services	278.00
Alliant Energy	Engineering Services	205.36
Amazon Capital Services	Engineering Services	967.66
Carroll Construction Supply Ac	Engineering Services	535.65
Cintas	Engineering Services	82.16
City of Cylinder	Engineering Services	55.00
Emmet County Engineer	Engineering Services	9227.56
Emmetsburg Publishing Co.	Engineering Services	403.42
Equipment Blades, Inc	Engineering Services	4806.00
Evora Energy	Engineering Services	395.84
Fleet Pride Truck & Trailer	Engineering Services	118.12
Graettinger Hardware	Engineering Services	92.32
Graettinger Mun. Utilities Gra	Engineering Services	801.14
Graettinger Times	Engineering Services	208.52
IA Dept of Natural Resources W	Engineering Services	1050.00
IA Dept of Transportation	Engineering Services	50.00
Iowa Lakes Regional Water	Engineering Services	110.65
Jack's OK Tire	Engineering Services	2494.80
KRISTAT AUTO PARTS LLC	Engineering Services	2201.37
KW Electric Inc	Engineering Services	3193.55
Iowa State University Institut	Engineering Services	810.00
City of Mallard	Engineering Services	114.31
MEDIACOM LLC	Engineering Services	106.84
Menards	Engineering Services	119.00
MidAmerican Energy	Engineering Services	955.27
MSC INDUSTRIAL SUPPLY CO	Engineering Services	1362.73
N & A Manufacturing Inc.	Engineering Services	160.00

New Century FS	Engineering Services	21887.11
Palo Alto Co Auditor	Engineering Services	33.26
Palo Alto Co Health System	Engineering Services	96.00
Picrays Welding & Fab.	Engineering Services	401.73
Retriever LLC	Engineering Services	2430.00
State Chemical Solutions State	Engineering Services	1359.81
Stratford Gravel, Inc.	Engineering Services	4046.70
Swanson Hardware	Engineering Services	61.48
Titan Machinery	Engineering Services	1742.46
TMobile	Engineering Services	615.76
Truck Center Companies	Engineering Services	628.58
Visual Edge IT Veit LLC	Engineering Services	651.61
Ziegler Inc	Engineering Services	4808.19
Emergency Mgmnt Agency		
Amazon Capital Services	Office & Data Processing	43.68
IA Emergency Mgmnt Association	Education/Training/Hotel	155.00
Palo Alto Co Sec Road	Parts	59.84
E911 Surcharge Fund		
Amazon Capital Services	Equipment	419.97
AT&T Mobility	Engineering Services	41.77
Ayrshire Farmers Mut Telephone	Engineering Services	158.99
Century Link	Engineering Services	33.95
GeoComm Inc	Engineering Services	5578.00
Northwest Communications	Engineering Services	158.99
River Valley Telecommunication	Engineering Services	701.77
Windstream	phone	358.05
Drainage Claims		
AgriVia PLLC	DD 61 Lat A-Eng Exp	4250.00
AgriVia PLLC	DD 61 Lat A4-Eng Exp	1150.00
B & B FARM DRAINAGE INC	DD 5 Lat 1-Explore Tile	550.00
B & B FARM DRAINAGE INC	DD 69-Explore Tile	2170.00
Bolton & Menk, Inc.	DD 923 IDALS-Eng Exp	1480.00
Emmetsburg Publishing Co.	DD 62 Main- Pub Exp	121.51
G.W."PETE" HOWE SANITATION INC	DD 69-Televising	1875.00
Jacobson-Westergard&Assoc,Inc.	DD 5 Lat 1-Eng Exp	2515.50
Jacobson-Westergard&Assoc,Inc.	DD 69-Eng Exp	770.00
Brent Mehan	DD 21 Main-Beaver Trap	50.00
Drake Mehan	DD 132-Beaver Trap	200.00
Drake Mehan	DD 81-Beaver Trap	200.00
MichaelSon, Inc	DD 32-Repair	6363.83
Michael Westfall	DD 114 Jack Creek-Beaver	100.00
Michael Westfall	DD 81-Beaver Trapping	1350.00

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

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Linus Solberg, Chairman Carmen Moser, Auditor