

Courthouse
Emmetsburg Iowa
January 2nd, 2019, 8:00 a.m.

The Palo Alto County Board of Supervisors met on January 2nd, 2019, the first working day of the Calendar Year to approve all resolutions and appointments for the 2019 year. Supervisors present: Keith Wirtz, Roger Faulstick, Linus Solberg, Ron Graettinger, and Craig Merrill.

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

Ron Graettinger, Presiding Chair, opened the meeting at 8:00 a.m.

Motion by Faulstick, seconded by Wirtz to approve agenda for January 2nd, 2019. Motion Carried.

Motion by Wirtz, seconded by Faulstick to approve minutes for December 26th, 2018. Motion Carried.

The following Elected Officials were sworn into office: Supervisors: Linus Solberg, Craig Merrill, Keith Wirtz; County Treasurer: Robin Jamison; County Recorder: Sue Ruppert; County Attorney: Peter C. Hart.

Motion by Wirtz, seconded by Solberg to appoint Craig Merrill as Chairman for 2019. Motion Carried.

Motion by Graettinger, seconded by Solberg to cease nominations for Chair. Motion Carried.

Craig Merrill, Chair, asked for nominations for Chair Pro-Tem.

Motion by Graettinger, seconded by Wirtz to appoint Roger Faulstick as Chair Pro-Tem for the 2019 year. Motion Carried.

Motion by Graettinger, seconded by Wirtz to cease nomination for Chair Pro-Tem. Motion carried.

Walter Davis-Oeth, County Engineer, met with the Board and presented Resolutions for calendar year 2019.

Motion by Graettinger, seconded by Wirtz to introduce and approve the following Resolution 1-2-2019 (A). Ayes: Solberg, Merrill, Faulstick, Graettinger, Wirtz. Resolution Passed.

RESOLUTION NO. 1-2-2019 (A)
RIGHT OF WAY ASSURANCE STATEMENT
2019

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."

1-2-2019
Date Approved

/s/ Craig Merrill
Chairperson, Board of Supervisors

Motion by Faulstick, seconded by Graettinger to introduce and approve the following Resolution 1-2-2019(B). Ayes: Graettinger, Wirtz, Solberg, Faulstick, Merrill. Resolution Passed.

RESOLUTION NO. 1-2-2019 (B)

AUTHORIZATION FOR THE COUNTY ENGINEER TO CLOSE ANY SECONDARY ROAD FOR THE PURPOSE OF ROUTINE MAINTENANCE PROCEDURES OR CONSTRUCTION DURING 2019

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: They are further interested in accommodations for the traveling Public, adjacent landowners, and related users during construction Maintenance operations.

NOW THEREFORE, BE IT RESOLVED, the Palo Alto County Board of Supervisors on this 2nd day of January 2019, that the Palo Alto County Engineer is hereby authorized to temporarily close sections of highway in Palo Alto County's road system when necessary because of construction, maintenance, or natural disaster.

**PALO ALTO COUNTY
Board of Supervisors**

/s/Craig Merrill

/s/ Roger Faulstick

/s/Ron Graettinger

/s/Keith Wirtz

/s/LJ Solberg

Recommended:

/s/ Walter Davis-Oeth
Palo Alto County Engineer

Attest:

/s/Carmen Moser
Palo Alto County Auditor

Motion by Wirtz, seconded by Graettinger to introduce & approve Resolution 1-2-2019 (C). Ayes: Solberg, Merrill, Faulstick, Graettinger, Wirtz. Resolution Passed.

RESOLUTION NO.1-2-2019 (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 2019.

Board of Supervisors
Palo Alto County, Iowa

/s/Craig Merrill

/s/ Roger Faulstick

/s/Ron Graettinger

/s/Keith Wirtz

/s/LJ Solberg

ATTEST:

By /s/Carmen Moser, County Auditor

Walter recommended approval of hiring Robin Moore for Office Administrator Position at the County Engineer's Office.

Motion by Graettinger, seconded by Wirtz to approve hiring Robin Moore for Office Administrator Position at \$17.50 per hour effective January 3rd, 2019. Motion Carried.

Motion by Faulstick, and seconded by Wirtz to introduce and approve the following Resolution.

RESOLUTION 1-2-2019 (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: Wirtz, Faulstick, Solberg, Merrill, Graettinger. Resolution Carried

Motion was made by Wirtz and seconded by Graettinger to introduce and approve the following resolution.

Resolution 1-2-2019 (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's 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	\$15,000,000
Iowa Trust & Savings	Emmetsburg Iowa	\$25,000,000
Laurens State Bank	Emmetsburg Iowa	\$10,000,000

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

Motion by Fausltick, seconded by Solberg to appoint Tim McCain as Palo Alto County Tax Agent for the 2019 year. Motion Carried.

Motion by Solberg, and seconded by Graettinger to designate the combined Emmetsburg Democrat and Reporter, and the combined Graettinger Times, The Ruthven ZipCode and West Bend Journal as the two Official Newspapers for the 2019 year. Motion Carried.

Motion was made by Solberg and seconded by Graettinger 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 was made by Solberg and seconded by Faulstick to appoint the following persons to serve as members of the Compensation Commission for the Eminent Domain cases for the 2019 year. Motion Carried.

BUSINESS PERSONS

Ted Wentzel 801 Palmer St. Emmetsburg, Iowa	712-852-3503
John Spies 302 Lakeshore Drive, Emmetsburg, Iowa	712-852-4023
JoAnn Schoning, 1006 Bruce St, Ruthven, Iowa	712-837-4655
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

FARMERS

Ray Brown 5612 475 th St. West Bend, Iowa	515-887-4054
Gerald Thatcher 407 4 th St. West Bend, Iowa	515-887-5959
Fred Schmidt, 4169 580 th Ave, Whittemore, Iowa	515-884-2549
Dan Chism, 4791 380 th St, Emmetsburg, Iowa	712-852-2840
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

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

REALTORS

Jerry Besch 4420 510 th St. Mallard, Iowa	712-852-3690
Judy Johnson 3586 450 th Ave. Emmetsburg, Iowa	712-852-4921
Vic Johnson 3586 450 th Ave. Emmetsburg, Iowa	712-852-4921
Jack Nolan, 1107 Lake St, Emmetsburg, Iowa	712-852-4667
Mike Wentzel 104 Lake St. Emmetsburg, Iowa	712-852-2294
Jerry Holland 3502 1 st .Emmetsburg, Iowa	712-852-2877
Norlyn Stowell 2 North Madison St. Emmetsburg, Iowa	712-852-3604
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

Motion was made by Graettinger and seconded by Wirtz to reappoint Margaret McNally of Emmetsburg and Pam Studer of Graettinger to the Local Health Board for a 3-year term expiring December 31, 2021. Motion Carried.

Motion was made by Solberg and seconded by Faulstick 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, 2021. Motion Carried.

The Board tabled the appointment to the County Conservation Board.

Motion by Wirtz, and seconded by Graettinger to reappoint the following township officers to 4 year terms expiring December 31, 2022.

Booth Township: Daniel Noonan, Trustee

Penny Rubel, Clerk

Ellington Township: Richard Stafford, Trustee

Neal Heldt, Clerk

Emmetsburg Township: Robert Gress, Trustee

Nick Fank, Clerk

Fern Valley Township: Jay Bargman, Trustee

Byron Anliker, Clerk

Freedom Township: Andy Soenen, Trustee

Dan Zeigler, Clerk

Great Oak Township: Marte Elbert, Trustee

Gary Kauffman, Clerk

Highland Township: Leo Geelan, Trustee

Paul Molitor, Clerk

Lost Island Township: Brian Westergard, Trustee

Craig Thu, Clerk

Nevada Township: Coleen Ruddy, Trustee

Kathryn A. Mortenson, Clerk

Rush Lake Township: Martin Bergstrom, Trustee

Jeff Wickman, Clerk

Vernon Township: Janis Thompson, Trustee

Ronn Naig, Clerk

Walnut Township: Willard R. Herke, Trustee

Jerry Joyce, Clerk

Motion Carried.

Motion by Solberg, seconded by Faulstick to appoint the following supervisors to various committees and boards as follows for the year 2019.

Motion Carried.

<u>Committee/Board</u>	<u>Appointment</u>	<u>Alternate</u>
Ag Committee	Ron Graettinger	Linus Solberg
Central Iowa Juvenile Detention Commission	Roger Faulstick	Craig Merrill
Compass Pointe Board	Ron Graettinger	Linus Solberg
Courthouse Security Committee	Craig Merrill	
DECAT Board	Ron Graettinger	Keith Wirtz
Drainage Advisory Board	Keith Wirtz	Linus Solberg
Economic Development Board	Craig Merrill	Roger Faulstick
Enterprise Zone Board	Craig Merrill	
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	
Homeward Housing Trust Fund	Roger Faulstick	
IDDA	Keith Wirtz	Linus Solberg
NW Iowa Care Connections	Craig Merrill	Linus Solberg
North Central Regional Emergency Response Commission	Linus Solberg	Craig Merrill
NW Iowa Regional Housing Authority	Roger Faulstick	
NW Planning & Development	Roger Faulstick	
RIDES Board	Roger Faulstick	

Resource Conservation & Development Board (RC&D)	Keith Wirtz, Katilin Anderson	
Solid Waste Task Force	Ron Graettinger, Linus Solberg	
Safety/Wellness Committee	Keith Wirtz	Craig Merrill
Season's Center	Keith Wirtz	Ron Graettinger
Third Judicial District Department of Correctional Services	Craig Merrill	
Upper Des Moines Opportunity Board	Ron Graettinger	Linus Solberg
Green Ribbon Committee	Craig Merrill	
Iowa Workforce Development	Roger Faulstick	
Mid Iowa Growth Partnership	Craig Merrill	

Motion by Graettinger, seconded by Solberg to introduce and approve the following Resolution #1-2-2019. Ayes: Graettinger, Wirtz, Solberg, Faulstick, Merrill. Resolution Passed.

**RESOLUTION # 1-2-2019
NOTICE OF PUBLIC HEARING
AMENDMENT OF CURRENT COUNTY BUDGET
2018/2019**

The Board of Supervisors met this date for the purpose of amending the current FY 19 County Budget. No objectors were present therefore,

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF PALO ALTO COUNTY TO adopt the amended budget as published and change the following appropriations as listed:

Department Number	Department Title	Appropriation Prior to Resolution	Appropriation Adjustment Per Resolution	Final Appropriation Per Resolution
01	Board of Supervisors	\$298,571	\$82,000	\$380,571
05	Sheriff (Rural)	\$329,861	\$8,783	\$338,644
05	Sheriff	\$660,235	\$256	\$660,491
20	County Engineer	\$7,418,586	\$145,000	\$7,563,586
20	County Engineer (Roadway Const)	\$2,744,187	\$4,170,000	\$6,914,187
31	District Court	\$20,000	\$5,000	\$25,000
37	Communication Center	\$344,799	\$480	\$345,279
55	Annex II	\$16,400	\$1,500	\$17,900
61	Juvenile Justice	\$35,200	\$15,000	\$50,200

Adopted this 2nd day of January, 2019 by the Palo Alto County Board of Supervisors, with the vote thereon being as follows:

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

Nays: none.

Resolution Carried.

/s/Craig Merrill, Chairman

/s/Carmen Moser, Auditor

Motion by Graettinger, seconded by Solberg to approve the DOT budget amendment for FY 19. Motion Carried.

Motion by Solberg, seconded by Wirtz to approve the following Construction Evaluation Resolution # 1-2-2019 (F). Ayes. Solberg, Merrill, Faulstick, Graettinger, Wirtz. Resolution Passed.

RESOLUTION #1-2-2019 (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, 2019 and January 31, 2020 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/ Craig Merrill
Chair, Board of Supervisors
Date 1-2-2019

ATTEST:
/s/Carmen Moser
County Auditor
Date: 1-2-2019

Lynn Schultes, County Sheriff, met with the Board to recommend approval of hiring Mackenzie Jo Siefken as part time dispatcher.

Motion by Graettinger, seconded by Solberg to approve hiring Mackenzie Jo Siefken as part time dispatcher at \$18.43 per hour effective January 2nd, 2019. Motion Carried.

The Board reviewed budget request amounts for FY19-20. The first budget workshop date was set for January 22nd, 2019.

Committee Reports: Roger Faulstick—Drainage District 5 Lateral Tile update; Craig Merrill—Northwest Iowa Care Connections.

Motion by Graettinger, and seconded by Wirtz to adjourn. Motion Carried.

Craig Merrill, Chairman

Carmen Moser, County Auditor