

Courthouse
Emmetsburg, Iowa
March 24, 2020, 8:00 a.m.

The Palo Alto County Board of Supervisors met in regular session. Members present: Roger Faulstick, Chair; Craig Merrill, Linus Solberg; present by conference call Keith Wirtz and Ron Graettinger.

Due to COVID 19, measures were taken to conduct the public meeting by conference call and the following joined in the call: Joe Schany, Emmetsburg Newspaper; Ivan Dalen, River Valley; Maureen Elbert; Economic Development; Darren Bumgarner, NW IA Planning & Development; David Kirk, City of Ruthven Mayor.

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

Motion by Graettinger, seconded by Merrill to approve the agenda for March 24, 2020, with the cancellation of Drainage District 162 & 24 meeting and updated times at 9:45 a.m. for Farnsworth Group and at 11:00 a.m. for Rick Weidner. Motion Carried.

Motion by Wirtz, seconded by Graettinger to approve the minutes for March 17, 2020. Motion Carried.

Mark Hunefeld, EMA, met with the Board by conference call and gave an update on COVID 19 and stated that the federal declaration takes the place of the county declaration. Mark reported 1 case in Kossuth County and no cases in Palo Alto County at this time. Mark will continue to update the Board weekly.

No one was present for public comment.

Motion by Merrill, seconded by Graettinger to appoint Rick Hopper, PE, Jacobson-Westergard & Assoc., as engineer for NRCS-EWPP project for river bank stabilization near Flynn river bridge. Motion Carried.

Motion by Ron Graettinger, seconded by Craig Merrill to introduce and approve Resolution 3-24-2020 for FY21 Budget & Certification of Taxes. Ayes: Merrill, Graettinger, Wirtz, Solberg, Faulstick. Resolution Passed.

RESOLUTION No. 3-24-2020

Approval of FY 2020/2021 Budget and Certification of Taxes

WHEREAS, the Palo Alto County Board of Supervisors has considered the proposed FY 2020/2021 county budget and certification of taxes, and

WHEREAS, a public hearing concerning the proposed county budget was held on March 24, 2020; and the budget was published as provided by Iowa Code. No written comments were received and no one representing the public was present for the hearing.

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Palo Alto County that the county budget and certificate of taxes for FY 2020/2021, as set forth in the budget summary, is hereby adopted and that the Palo Alto County Auditor is directed to file said budget and to establish accounting records in accordance with the attached schedules.

BE IT FURTHER RESOLVED that the Chairperson and the County Auditor be and are hereby authorized to sign the approved FY 2020/2021 county budget.

Signed and dated this 24th day of March, 2020.
/s/Roger Faulstick, Chairman
Palo Alto County Board of Supervisors

ATTEST:/s/Carmen Moser
Palo Alto County Auditor

Motion by Craig Merrill, seconded by Keith Wirtz to introduce and approve the following Resolution 3-24-2020(A) to Assign Fund Balances. Ayes: Merrill, Graettinger, Wirtz, Faulstick, Solberg. Resolution Passed.

RESOLUTION NO. 3-24-2020 (A)

Resolution of the Palo Alto County Board of Supervisors

Fund Balance Assigned and Restricted Pursuant to GASB 54

WHEREAS, the Governmental Accounting Standards Board (“GASB”) has issued Statement 54 (“GASB 54”), a new standard for governmental fund balance reporting and governmental fund type definitions that became effective in governmental fiscal years starting after June 15, 2010, and

WHEREAS, The Palo Alto County Board of Supervisors is required to implement GASB 54 requirements, and to apply such requirements to its financial statements beginning with the fiscal year 2020-2021; and

NOW THEREFORE BE IT RESOLVED THAT the Palo Alto County Board of Supervisors hereby adopts the following:

On 3-24-2020, the Palo Alto County Board of Supervisors approved:

\$25,000 Assigned for Future County Buildings and Repairs

Motion by Craig Merrill, seconded by Keith Wirtz to adopt the above Resolution.
Roll Call Vote:

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

Nays:

The above Resolution is adopted this 3-24-2020.

/s/Roger Faulstick, Chair
Palo Alto County Supervisors

Attest: /s/Carmen Moser
Palo Alto County Auditor

Committee Reports: Roger Faulstick: RIDES meeting; Linus Solberg: call to Sheila Tipton, no update.

The Palo Alto County Board of Supervisors held a Public Hearing for the CDBG Application for the City of Ruthven.

Palo Alto County, Iowa CDBG Application Public Hearing

This CDBG Application Public Hearing is to comply with participation requirements of Section 508 of the Housing and Community Development Act of 1987. The City of Ruthven will submit a Community Development Block Grant (CDBG) application to the Iowa Economic Development Authority (IEDA) by no later than April 1, 2020. The CDBG application will request Federal CDBG funds in the amount of \$446,000 to assist the City in making necessary improvements to the City’s wastewater treatment system. The CDBG application will be a joint application with Clay County and Palo Alto County and the City of Ruthven. The City of Ruthven will be the lead applicant submitting the CDBG application. A breakdown of the \$446,000 requested consists of the City of Ruthven \$300,000; Clay County \$58,000 and Palo Alto County \$88,000. The amounts of CDBG funds requested from each county on behalf of the City of Ruthven is based on \$1,000 per capita of persons residing in each county that are connected to the Lost Island Sanitary Sewer District (LISSD). Number of persons was obtained from

results of a CDBG income survey completed for the LISSD. Rural county residents connected to the LISSD are beneficiaries of Ruthven's wastewater treatment system and any improvements made to the system since Ruthven treats the domestic wastewater collected and discharged from LISSD.

The proposed project is estimated to cost \$3,554,848. To finance the proposed project the City is making a joint application and requesting \$446,000 Federal CDBG funds from IEDA and the City will utilize \$3,108,848 in local match funds consisting of USDA-RD grant of \$1,322,000 and loan of \$1,786,848.

The portion of \$446,000 Federal funds that will benefit low- and moderate-income persons (LMI) is \$261,133 or 58.55%.

All construction activities will be conducted within the City of Ruthven at the current wastewater treatment lagoons site.

The City received an inspection from the Iowa Department of Natural Resources (IDNR) Field Office Number 3 (FO #3) dated August 24, 2016, stating that the liner in the primary lagoon cell is to be evaluated due to a tear in the primary cell's synthetic liner that occurred in March of 2014. The report also indicated the secondary cells berms are starting to slough and fail. If the City does not resolve the treatment problems, an IDNR compliance schedule may be prepared and enforced. To address these deficiencies, the City of Ruthven hired engineers from ISG to evaluate the existing WWTP and produce a Facility Plan outlining the steps needed to improve the existing lagoon. Engineers found the secondary cells were constructed on approximately 15 to 20 feet of peat based on the geotechnical reports that were prepared when the original WWTP was constructed in 1986. The peat produces and releases methane gas that creates stress on the liner, which is causing it to fail sooner than anticipated. To eliminate this problem, the City decided to investigate alternatives to construct a new WWTP.

The nature of the proposed improvements are to allow the City's wastewater treatment system to be in compliance with IDNR standards and regulations is the construction of a new wastewater treatment system consisting of an OPTATER Aerated Lagoon and submerged attached growth reactor (SAGR). This alternative consists of retrofitting the existing primary cell with a conventional aerated lagoon system. The OPTAER system consists of a conventional aerated lagoon system followed by a SAGR. The SAGR contains a clean gravel bed that provides surface area for nitrifying bacteria to grow and populate. The OPTAERTM and SAGR system being proposed for the City of Ruthven is a two-cell lagoon that operates in series. Cell 1 is a partially mixed cell consisting of 12 fine bubble diffusers suspended near the bottom of the lagoon. Cell 2 is split into two zones, Cell 2a is a partial mix cell and Cell 2b is a settling cell. Cell 2a consists of two fine bubble diffusers.

Due to the nature of this project no persons or businesses shall be displaced as a result of the recommended project. In the event that any persons or businesses are displaced as a result of the recommended project, the entities involved in the project will adhere to the requirements of the Uniform Relocation and Assistance and Acquisition Act of 1974, as amended.

Following the hearing, the Board took the following action:

Motion by Ron Graettinger, seconded by Craig Merrill to approve the Community Development and Housing Needs Assessment. Motion Carried.

Palo Alto County Community Development and Housing Needs Assessment

Community Development and Housing Needs of LMI Persons

1. Make necessary improvements to the City of Ruthven's sanitary wastewater treatment system to benefit City residents and Lost Island Sanitary Sewer District residents.

2. Work with developers and home buyers to create affordable housing for low- and moderate-income families by informing them on available incentives and grants, such as:
 - Housing Initiative Grant - \$15,000 in grants available
 - Home Ownership Grant – up to 5% of home purchase for purchase of primary sing-family home appraised between \$26,000-\$100,000.
 - Demolition Grant – Palo Alto County can provide grants up to \$5,000 to help demolish dilapidated structures.
 - Apartment Grant – for newly constructed apartments, Palo Alto County can provide grants of \$15,000 per apartment. If an existing structure is converted to apartments, \$7,500 per apartment is available.
3. Assist local businesses and industry, where possible, with business expansion or relocation to create or retain quality employment opportunities for low-and moderate-income persons:
 - Home Base Iowa (established program in Palo Alto County for veterans)
 - Iowa Industrial New Job Training Program (260E)
 - Jobs Training Program (260F)
 - Job Postings on website
 - 3-5 Year Job Projections obtained from local Human Resources Dept.
 - Partner with Iowa Workforce Development as a resource for individuals

Other Community Development and Housing Needs

1. Assist local industry with business expansions or relocations to create and/or retain quality employment opportunities.
 - Established the Palo Alto County Revolving Loan Fund: Small business loans for business expansion or new start-ups up to \$50,000.
2. Encourage new developments and seek property readily available with services and utilities and other available land with access to infrastructure.
 - A database is maintained on available land and buildings to provide specific details on properties that are for sale or lease at a moment's notice and contact information.
3. Continue to work with utility providers and communities with planned infrastructure improvements to ensure existing facilities do not prohibit planned or potential development.

We work with following utility providers that service communities in Palo Alto County:

- MidAmerican Energy
 - Iowa Lakes Electric Cooperative
 - Emmetsburg Municipal Utilities
 - Graettinger Municipal Utilities
 - West Bend Municipal Utilities
 - Alliant Energy – Interstate Power & Light
 - Ruthven Municipal Utility
4. Work on unified and cooperative initiatives to support the growth of the region (Highways, State and Federal Legislative Issues, etc.). Start to initiate the steps of our regional three to five-year strategic plan by initiating our three sub-committees. They are: 1) Mission & Joint Operations 2) Community Satisfaction , and 3) Legislative Taskforce.

Planned or Potential Activities to Address Housing and Community Needs

1. To apply as a joint applicant with the City for CDBG funds to assist in making necessary sewer treatment system improvements and lessen the costs burden on the users of the treatment system.
2. Promote the use of federal, state and local assistance programs to assist projects for Palo Alto County:
 - USDA Housing Program: 100 percent financing is available and the interest rate for families with eligible incomes may be reduced to 1 percent. USDA Rural Development is able to loan in communities with a population of less than 20,000.
 - Homeward, Inc.: Offers programs for Palo Alto County, including: Down Payment Assistance, Energy Efficient Loans, Minor Repair Application, Well and Septic Loans
 - Workforce Housing Tax Credit - Assisting Construction or Rehabilitation of Housing in Communities with Workforce Housing Needs.
3. To encourage the application for grants to assist with business and economic development opportunities and job retention and creation.
4. Encourage new residential developments to locate adjacent to existing developed areas first, if possible before locating in the rural county.
5. Encourage the cities in Palo Alto County to initiate or continue house rehabilitation program and new home ownership programs.
 - A City Clerk's Networking Program has been established where city clerks meet on a quarterly basis to discuss needs and programs available in their continued community growth.

Motion by Craig Merrill, seconded by Keith Wirtz to introduce and approve the following Resolution 3-24-2020(B) for Support of Project of the CDBG Application; to approve the Community Development and Housing Needs Assessment; and to authorize the chairperson and auditor to execute and sign said application documents. Ayes: Merrill, Solberg, Wirtz, Graettinger, Faulstick. Resolution Passed.

RESOLUTION NO. 3-24-2020(B)

A RESOLUTION OF THE PALO ALTO COUNTY, IOWA SUPERVISORS TO APPROVE THE SUBMISSION OF A COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) APPLICATION FOR A SANITARY WASTEWATER TREATMENT SYSTEM IMPROVEMENTS PROJECT; AND TO APPROVE A COMMUNITY DEVELOPMENT AND HOUSING NEEDS ASSESSMENT; AND TO AUTHORIZE THE CHAIRPERSON AND AUDITOR TO EXECUTE AND SIGN SAID APPLICATION DOCUMENTS

WHEREAS, the IDNR has found the City of Ruthven's wastewater treatment plant (WWTP) has deficiencies such as a torn primary cell synthetic liner and berm walls sloughing and is not in compliance with Iowa and IDNR standards, regulations, and laws and the IDNR is requiring the City to make necessary facility upgrades and improvements to the treatment system; and

WHEREAS, to address these deficiencies the City hired the engineer firm ISG to study and evaluate the WWTP plant and create a facility plan and to produce alternative to address the problems of the WWPT and from this evaluation it was found the secondary cells are located on top of 15 to 20 feet of peat which released methane gas and is causing the liners to fail sooner than anticipated; and,

WHEREAS, the most feasible long-term solution to address the deficiencies of the WWTP system and to allow City's wastewater treatment system to be in compliance with IDNR standards and regulations is the construction of a new WWTP consisting of an OPTATER Aerated Lagoon and submerged attached growth reactor (SAGR); and,

WHEREAS, the Ruthven City Council has decided in the best interest of the community to submit a Community Development Block Grant (CDBG) application for financial assistance for these proposed improvements and upgrades to the Iowa Economic Development Authority (IEDA) to make the project more affordable for the community; and

WHEREAS, Palo Alto County believes that approval of this application will result in benefits to residents within the Lost Island Sanitary District (LISSD) which includes residents of Palo Alto County Iowa, especially those low-to-moderate-income (LMI) residents; and

WHEREAS, Ruthven's WWTP provides treatment of Lost Island Sanitary District (LISSD) domestic wastewaters and LISSD will be a beneficiary of the proposed improvements and a CDBG income survey was completed with year around residents within the LISSD to determine number of persons benefitting and low- to moderate-income percentages; and,

WHEREAS, it was determined LISSD has 58 Clay County and 88 Palo Alto County full-time residents within the LISSD; and,

WHEREAS, the City of Ruthven will be the lead applicant and will submit a joint CDBG application with Clay and Palo Alto Counties requesting \$446,000 in CDBG funds and the funds requested are broken down by entity as follow: Ruthven \$300,000, Clay County \$58,000 and Palo County \$88,000; and

WHEREAS, the CDBG project related costs are estimated to be \$3,554,848 and CDBG funds will lessen the burden of WWTP improvements to users of the system and the City of Ruthven will utilize USDA-RD grant of \$1,322,000 and loan of \$1,786,848 to reduce project costs and to pay for improvement costs; and

WHEREAS, Palo Alto County fully intends to utilize the services of the Northwest Iowa Planning and Development Commission to prepare and submit the CDBG grant application as well as to perform the CDBG grant administration on behalf of this project, if awarded.

WHEREAS, a requirement of the CDBG application is to approve a Community Development and Housing Needs Assessment and the County approves such an assessment formulated at the March 24, 2020 Board of Supervisor's meeting and is included as part of the Board minutes; and,

NOW, THEREFORE BE IT RESOLVED by the Palo Alto County Board of Supervisors that the submittal of a joint CDBG application is authorized; that the City of Ruthven will be the lead applicant, and Chairperson Roger Faulstick and County Auditor Carmen Moser are hereby authorized to sign and execute said grant application documents and to correspondence on behalf of the County in matters pertaining to this application.

/s/Roger Faulstick, Palo Alto County Board of Supervisors

ATTEST:

/s/Carmen Moser, Palo Alto County Auditor

The Board held interviews with two architect firms. Present: Lynn Shultes, Sheriff; By conference call: Eric Hanson; Rick Hansen, Midwest Construction Consultants.

The first interview was by conference call with Jerry Purdy, Farnsworth Group from Waukee, Iowa. Jerry presented information to the Board and the Board asked questions.

The second interview was with Rick Weidner, AIA, from Omaha, Nebraska. Rick presented his information and the Board also asked questions.

The Board discussed the possibility of a bond referendum for September 2020 or in March of 2021. The Board decided that they need to pick an architect. John Hansen, Midwest Construction Consultants, recommended Rick Weidner, AIA, as the architect.

Motion by Graettinger, seconded by Solberg, to select Rick Weidner, AIA, as the architect and approve the following fees: Phase 1 fees of \$10,000 with \$4,000 credit from Phase 1 to Phase 2, and an offer of 6.25% of construction costs. Motion Carried.

The Board contacted Rick by conference call and he accepted the offer. Rick will send contract documents to John Hansen and then begin working on the project.

Motion by Solberg, seconded by Wirtz to approve the claims and drainage claims for March 24, 2020. Motion Carried.

General Basic Fund

Brown Winick	Consultants	3893.00
Cintas	Custodial Supplies	104.44
Dyno Oil Co	Cash Allowances	52.84
E-Pride	Stationery/Forms/Gen Ofc	77.91
E.M.U.	utilities	817.67
Emmetsburg Publishing Co.	Misc Expense	693.50
Fareway	Food & Provisions	40.00
Stephanie Fulford	Rent Payments	250.00
IA COUNTY RECORDERS ASSOC	Office Equip & Furniture	1677.78
IA Lakes Electric Coop	Electric Light & Power	791.00
Iowa Lakes Regional Water	Water & Sewer	184.07
IA State Assn of Counties	Educational/Training Serv	70.00
Robin Jamison	Employee Mileage & Subs.	514.74
KRISTAT AUTO PARTS LLC	Minor MV Parts & Access	61.68
Timothy McCarthy	Animal Bounties & Apiaris	1600.00
MEDIACOM LLC	Telecommunications Serv.-	.34
MidAmerican Energy	electricity	704.93
Carmen Moser	Employee Mileage & Subs.	30.71
Mr. B's Flooring	Buildings	123.47
Palo Alto Co Comm Health Ser	Board of Health	227.36
Palo Alto Co Sec Road	Fuels	451.34
Palo Alto Co Sheriff	Legal & Ct-Related Servic	315.00
Palo Alto Co Veteran Affairs	Food & Provisions	50.00
PITNEY BOWES	Postage & Mailing	1166.55
Theresa A. Ritland, CSR TR Cou	Legal & Ct-Related Servic	104.80
River Valley Telecommunication	Telecommunications Serv.-	308.95
Susan Ruppert	Employee Mileage & Subs.	205.24
Ruthven Zipcode	Magazines,Period.& Books	26.00
Schumacher Elevator Company	Fixed Plant Equipment	609.03
Solutions Inc.	services	167.40
Swanson Hardware	Minor Equip & Hand Tools	12.02
Claude Thayer	Sanitation & Disposal Ser	37.00
Thomson Reuters West Payment C	Legal Research Service	492.03
Windstream	phone	249.23

General Supplemental Fund

ELECTION SYSTEMS & SOFTWARE	Stationery/Forms/Gen Ofc	70.51
E.M.U.	utilities	128.04
MidAmerican Energy	electricity	44.23
U.S. Postal Service	Postage & Mailing	300.00

Rural Services Basic Fund

IA Lakes Electric Coop	Electric Light & Power	639.00
Jackson Sports	Equipment	19.48
Jim's Repair	Motor Vehicle Equipment	70.95
KENT MALM	Educational/Training Serv	528.40
Northern Rolloff	Sanitation & Disposal Ser	177.00
Shamrock Recycling, Inc	Sanitation & Disposal Ser	2463.73
Windstream	phone	59.96

Secondary Road Fund

Alliant Energy	Engineering Services	202.72
Arnold Motor Supply ATT: Sue	Engineering Services	347.69
Bohl's Small Engine & Marine	Engineering Services	65.90
Carroll Construction Supply Ac	Engineering Services	58.42
Central Iowa Distributing Inc	Engineering Services	373.50
Cintas	Engineering Services	150.21
Emmet County Engineer	Engineering Services	7806.62
City of Emmetsburg	Engineering Services	57.25
E.M.U.	Engineering Services	686.87

Emmetsburg Publishing Co.	Engineering Services	54.00
Equipment Blades, Inc	Engineering Services	1800.00
Fareway	Engineering Services	70.49
Fox International, Inc.	Engineering Services	918.81
David Geerdes	Engineering Services	292.50
Gordon Flesch Company Advanced	Engineering Services	407.77
Christopher Hurlburt	Engineering Services	239.90
IA Dept of Transportation	Engineering Services	796.00
IA Lakes Electric Coop	Engineering Services	23.16
KRISTAT AUTO PARTS LLC	Engineering Services	17.56
City of Mallard	Engineering Services	66.49
Maxyield Cooperative	Engineering Services	708.50
MidAmerican Energy	Engineering Services	1671.92
Newman Traffic Signs	Engineering Services	3212.28
NUSS TRUCK & EQUIPMENT	Engineering Services	150.28
Palo Alto Co Health System	Engineering Services	282.00
Ruthven Coop Oil Co	Engineering Services	6293.75
Spencer Auto Parts	Engineering Services	203.31
Staples Credit Plan	Engineering Services	256.50
Swanson Hardware	Engineering Services	9.99
Chris Towell	Engineering Services	44.00
Unity Point Clinic- Occ Med	Engineering Services	84.00
Ziegler Inc	Engineering Services	389.60
<u>Emergency Mgmt Agency</u>		
William Hunefeld	Educational/Training Serv	55.73
<u>E911 Surcharge Fund</u>		
Century Link	Engineering Services	324.18
IA Prison Industries	Addressing (Signs)	1608.75
MCI Comm Service	Engineering Services	31.66
Verizon	phone service	3.42
Windstream	phone	80.44
<u>Drainage Claims</u>		
B & B FARM DRAINAGE INC	DD5 Lat 1 tile repair	5387.00
Bolton & Menk, Inc.	DD180 LowMain eng exp	4535.00
Bolton & Menk, Inc.	DD28 eng exp	1685.00
Bolton & Menk, Inc.	DD80 LowMainOpen eng	1318.00
Bolton & Menk, Inc.	DD84 FEMA eng exp	1488.50
Emmetsburg Publishing Co.	DD180 LowMainTile pub	86.90
Hudson Law Firm	DD180 Lat 1 atty fee	277.50
Timothy McCarthy	DD81 beaver tails	700.00
Timothy McCarthy	DD84 beaver tails	200.00

Motion by Merrill, seconded by Wirtz to adjourn. Motion Carried.

Roger Faulstick, Chairman

Carmen Moser, County Auditor