

Supervisors Room, Courthouse
Pocahontas, Iowa
January 2, 2018

At 9:30 a.m. Supervisors Ives, Peters, Dewey, and Siepker proceeded to count the cash in the offices of the Auditor, Recorder, Sheriff and Treasurer. There was no cash in the offices of the Auditor and Sheriff. There was \$100.00 in cash in the Recorder's Office and \$600.00 in cash in the Treasurer's Office. The Treasurer's Office also reported \$4,417,255.08 in banks; \$ 7,002,454.94 in CD investments; \$3,203,316.00 in Drainage Improvement Certificates; and \$1,157,435.96 in Warrants Investments.

At 10:01 a.m. the Board of Supervisors of Pocahontas County, Iowa was called to order. Members present: Chairman, Jeffrey Ives; Supervisors, Clarence Siepker, Louis Stauter, Ed Dewey, and JoAnn Peters; and Auditor, Kelly Jepsen.

The first order of business was the election for Chairman and Vice-Chairman by secret ballot. The ballot count for Chairman was recorded as follows: Ives-2; Siepker-2; and Dewey-1. The tie was decided through a second secret ballot with a vote for either Ives or Siepker. Ives received 3 votes while Siepker received 2 votes. Whereby Supervisor Ives was elected Chairman for the 2018 calendar year.

The ballot count for Vice-Chairman was recorded as follows: Siepker-2 and Peters-3. Whereby Supervisor Peters was elected Vice-Chairman for the 2018 calendar year.

The tentative agenda was approved on motion of Dewey, seconded by Peters. Ayes all, motion carried.

The minutes of December 26, 2017 were approved as presented on motion by Peters, seconded by Dewey. Ayes all, motion carried.

It was moved by Siepker, seconded by Stauter, to set Tuesday as the regular meeting day for the Board of Supervisors commencing at 10:00 a.m. Claims will be audited and allowed the second and fourth Tuesdays of each month. Ayes all, motion carried.

It was moved by Dewey, seconded by Peters, to utilize Roberts Rules of Order to conduct the meetings of the Board of Supervisors. Ayes all, motion carried.

The Pocahontas Record Democrat, The Laurens Sun, and the Buena Vista Journal filed letters as official newspapers for Pocahontas County, IA for the 2018 calendar year, with the same being duly qualified publications and having the highest bona fide subscribers list. It was moved by Stauter, seconded by Siepker, to approve each of the applicants as the official newspapers of Pocahontas County and that all Board proceedings be published promptly after receipt of same as required by law. Ayes all, motion carried.

It was moved by Peters, seconded by Dewey, to set the county declared holidays of non-union employees for the 2018 calendar year as follows: New Year's Day, Presidents Day, Good Friday, Memorial Day, Independence Day (July 4th), Labor Day, Veterans Day, Thanksgiving Day, the Day after Thanksgiving, and Christmas Day per the Personnel Policy. Ayes all, motion carried.

The starting wage for newly hired inexperienced clerks and other personnel in Pocahontas County government was set at \$12.00 per hour, effective July 1, 2018 with an increase of \$0.50 per hour upon satisfactory completion of a three (3) month probationary period. All employees working over 40 hours shall be compensated as set out in the County's Personnel Policy Handbook and according to the Fair Labor Standards Act, except for elected officials and those as set forth in Sec. 350.4; 340.8; and 340.10 of the Code of Iowa and those under collective bargaining contracts as moved by Stauter, seconded by Siepker. Ayes all, motion carried.

The mileage reimbursement was reviewed. The Internal Revenue Service (IRS) has announced the standard mileage rate for the 2018 year for business use of an automobile is 54.5¢ per mile. It was moved by Stauter to set the mileage reimbursement at 50¢ per mile. Motion died. It was moved by Dewey, seconded by Siepker, to set the mileage reimbursement at the same rate as the IRS, 54.5¢ per mile, effective January 1, 2018. Ayes all, motion carried.

Recognizing that this Board represents the people of Pocahontas County as a whole, and having jurisdiction to act on all matters pertaining to this county, it was moved by Peters, seconded by Siepker, which this Board shall act as a unit and not as individuals. Ayes all, motion carried.

It was moved by Stauter, seconded by Peters, to adopt the following resolution:

Resolution for the Public Bidder – 2018-01-#1

BE IT RESOLVED by the Board of Supervisors of Pocahontas County, IA that we hereby appoint Sarah Winkler, County Treasurer as Public Bidder for Pocahontas County for the calendar year of 2018.

BE IT FURTHER RESOLVED by the authority vested in the Board of Supervisors, Chapter 446.19 of the Code of Iowa, that Sarah Winkler, as County Treasurer and the Public Bidder, is granted responsibility and authority to make and assign Bidder Tax Sale Certificates and is further empowered with the authority to affix her signature thereto.

The chairman called the question with the following recorded votes: Ayes: Siepker; Peters; Ives; Stauter; and Dewey. Nays: none. Whereby the Chairman declared the resolution duly adopted.

It was moved by Stauter, seconded by Dewey, to adopt the following resolution:

Resolution for Depositories of Public Funds 2018-01-#2

BE IT RESOLVED by this Board of Supervisors of Pocahontas County, IA that we hereby authorize the County Treasurer to deposit funds in her hands into the Pocahontas State Bank in Palmer and Pocahontas; Availa Bank, Pocahontas; Laurens State Bank in Laurens; Rolfe State Bank in Rolfe and Pocahontas; First Community Bank in Fonda and Pomeroy; West Iowa Bank in Laurens; United Bank of Iowa in Pocahontas; IPAIT in Des Moines; and Drainage Warrants/Improvement Certificates not to exceed the maximum amounts as hereby set below.

DEPOSITORIES	LOCATION	Max for FY 2017	Max for FY 2018
Pocahontas State Bank	Pocahontas, IA	\$12,000,000	\$12,000,000.00
Availa Bank	Pocahontas, IA	\$12,000,000	\$12,000,000.00
Laurens State Bank	Laurens, IA	\$12,000,000	\$12,000,000.00
Rolfe State Bank	Rolfe, IA	\$12,000,000	\$12,000,000.00
First Community Bank	Fonda, IA	\$12,000,000	\$12,000,000.00
West Iowa Bank	Laurens, IA	\$12,000,000	\$12,000,000.00
United Bank of Iowa	Pocahontas, IA	\$12,000,000	\$12,000,000.00
IPAIT	Des Moines, IA	\$100,000	\$100,000
Drainage Warrants/ Improvement Certificates	County	\$5,000,000	\$6,000,000

The Chairman called the question with the following votes recorded: Ayes: Siepker; Peters; Ives; Stauter; and Dewey. Nays: none. Whereby the Chairman declared the resolution duly adopted.

It was moved by Siepker, seconded by Peters, that the General Assistance Director consult with the Board of Supervisors before authorizing any expenditure in excess of \$500 for services in accordance with the County General Relief Ordinance. The County Engineer shall be limited in commitments and/or expenditures in excess of \$20,000. Ayes all, motion carried.

Supervisor Peters was appointed as County Farm Manager upon motion of Stauter, seconded by Dewey. As manager, she shall have Power of Attorney to sign for the County in all matters pertaining to the county farm, specifically all Farm Service Agency and government program papers. Ayes all, motion carried.

On motion of Peters, seconded by Siepker, the following resolution was submitted for adoption:

RESOLUTION – COUNTY ENGINEER FOR COMPLETION OF WORK 2018-01-#3

BE IT RESOLVED by the Board of Supervisors of Pocahontas County, IA that Jack Moellering, P.E., County Engineer, be and is hereby designated, authorized and empowered on behalf of the Board of Supervisors of said County to execute the certified completion of work and final acceptance thereof in accordance with the plans and specifications therefore in connection with all Farm-to-Market construction projects of this county.

After due consideration the Chairman called the question with the following vote recorded: Ayes: Siepker; Peters; Ives; Stauter; and Dewey. Nays: none. Whereby the Chairman declared the resolution duly adopted.

It was moved by Dewey, seconded by Stauter, to adopt and authorize the Chairman to sign the following Acquisition of Right of Way 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. Ayes all, motion carried. The Board of Supervisors of Pocahontas County, IA furnishes the following assurances to the Iowa Department of Transportation:

- (1) It is the policy of Pocahontas 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 Pocahontas County to provide relocation assistance benefits in accord with Title III 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 instruction entitled Uniform Manual, Real Property Acquisition and Relocation Assistance.

Next, the Board discussed the resolution, “Auditor to Make Partial Payments”. There was question on SF 346 that required interest to be paid to contractors starting 14 days after receipt of request of payment. The Board will revisit the resolution after more information can be gathered.

It was moved by Stauter, seconded by Siepker, to make appointments to the following committees. Ayes all, motion carried.

- Courthouse Committee: Supervisor Ives and Auditor Jepsen
- General Liabilities & Workman’s Compensation Insurance Committee
Supervisor Dewey and Auditor Jepsen
- Health Insurance Committee: Supervisor Dewey, Kelly Jepsen, Sarah Winkler, Mike Bollard, Robert Enockson,

Sherri Richardson, Jack Moellering
Courthouse Security Commission: Supervisor Ives; and Safety Committee: Supervisor Dewey.

The following appointments to mental health service agencies were made upon motion of Peters, seconded by Dewey. Ayes all, motion carried. Community Social Services Board: Supervisor Siepker with Supervisor Ives as an alternate. Appointments by the District Court with no action needed, are as follows: Mental Health Referee: Ben Meyer; Mental Health Advocate: Alice Warner.

It was moved by Dewey, seconded by Siepker, to approve the appointments for the following to the corresponding agencies. Ayes all, motion carried.

Community & Family Resources Board: Supervisor Stauter
County Conservation Board: Supervisor Dewey, Supervisor Ives as alternate
County Fair Board: Supervisor Stauter, Supervisor Dewey as alternate
County Farm Operations: Supervisor Peters.
E911 & LEPC Administrative Board: Supervisor Dewey
EMA Board: Supervisor Dewey
Jt. DD 181 Interim Committee: Supervisors Stauter and Siepker
Linking Families & Communities: Supervisor Siepker
Midas Council of Governments Board of Directors-City Rep: Eric List
Midas Board of Directors & Budget & Finance Committee: Supervisor Peters
Midas Board of Directors & Management & Finance Committee: Supervisor Peters
Midas Transportation Subcommittee (Dart Bus): Eric List
Midas Executive Committee: Supervisor Peters, Tom Grau, and Eric List
Midas Planning Subcommittee: Tom Grau
Midas Hazardous Materials Response Commission: Supervisor Dewey
NW IA Tourism Council: Gretchen Tiedeman, Supervisor Dewey as alternate
PCEDC: Supervisor Peters, Supervisor Ives as alternate
Pocahontas County Solid Waste Commission: Supervisors Ives & Peters, Supervisor Siepker as alternate
Pocahontas County Trails Committee: Supervisor Ives, Supervisor Siepker as alternate
Region V Hazmat Foundation Board: Supervisor Ives
Revolving Loan Fund Committee-Pocahontas County Economic Development: Supervisor Peters
Second Judicial District Board Member: Supervisor Peters, Supervisor Ives as alternate
Upper Des Moines Opportunity: Supervisor Siepker
Workforce Development-Service Area V: Supervisor Siepker
Youth Emergency Service Center: Supervisor Stauter

It was moved by Siepker, seconded by Dewey, to reappoint James C. Hudson as the Drainage Attorney for calendar year 2018. Ayes all, motion carried.

It was moved by Dewey, seconded by Stauter, to reappoint Ted George, D.O. as the County Medical Examiner for calendar year 2018. Ayes all, motion carried.

Mel Bierl was reappointed County Weed Commissioner upon motion by Stauter, seconded by Dewey. Ayes all., motion carried.

It was moved by Dewey, seconded by Peters, to appoint the following people to the Eminent Domain Commission. Ayes all, motion carried.

Group No. 1 Owners-Operators-Agricultural	Group No. 2 Owners of City Property
Rick Wadle	Duane Ricklefs
Bev Westerman	Palmer
Doug DeWall	Ronald Wessels
Dennis Wagner	Palmer
Ron Dreith	Francis Nowack
Donna Seehusen	Pocahontas
Bruce Boysen	Kent Wood
	Pocahontas
	Karen Johnson
	Rolfe
	Daryl Long
	Laurens
	Scott Kilbride
	Fonda
Group No. 3 RE Salesperson or Brokers	Group No. 4 Bankers & Auctioneers
Donna Hudson	Jerry Hammen
Donald D. Schnell	Fonda
Rick Winegarden	Rick Winegarden
DeWayne F. Peterson	Pocahontas
William Winkleblack	Terry Latham
Kerrie R. Woodley	Laurens
Delores Hopkins	Robert O'Donnell
	Curlew
	Tom Eberle
	Rolfe
	Dale E. Smith
	Pocahontas
	Jim Malecek
	Pocahontas

It was moved by Dewey, seconded by Stauter to reappoint Supervisor Peters, Polly Zaugg, and Diane Dirks to the Home Care Aide Agency for a two year term, ending December 31, 2019. Ayes all, motion carried.

It was moved by Dewey, seconded by Stauter, to reappoint Supervisor Peters and Ted George, D.O., to the Board of Health for a three term ending December 31, 2020. Ayes all, motion carried.

It was moved by Peters, seconded by Siepker, to reappoint Robert Nystrom to the Commission of Veterans Affairs for a term ending on December 31, 2019. Ayes all, motion carried.

It was moved by Dewey, seconded by Peters, to reappoint Dean Zuetlau to the Conservation Board for a five year term ending December 31, 2022. Ayes all, motion carried.

Gary Atherton, Assistant to the Engineer and Drainage Clerk, filled in for Jack Moellering, County Engineer, presenting informational items to the Board. Atherton discussed a conversation he had with Jim Hudson, Drainage Attorney, about the Good Neighbor Policy the Board would like to implement. Hudson will work on a draft. Atherton is working on an updated list of Drainage Ditches status for the Board.

It was moved by Peters, seconded by Dewey, to acknowledge receipt of Manure Management Plans: (1) FMP III Wernimont #1 South, Facility – ID# 65117 located in the SW SE, Section 18, Cedar Township with FMP III, LLP as owners as owner & Rusty Kosky as contact person; (2) Nehman’s – ID# 59264 located in the NE SE, Section 1, Williams Township, Calhoun Co. with Nutra Tech, LC as owners as owner & Rusty Kosky as contact person; (3) Double H Hogs, LLC – ID# 58581 located in the NE SE, Section 34, Colfax Township with Double H Hogs, LLC as owner & Twin Lakes Env. Services, LLC as contact person. Ayes all motion carried. Motion carried.

Jepsen presented a claim from Bolton & Menk for Jt. DD 43-72, for professional services in the amount of \$1,379.00. After discussion, the Board would like Jepsen to do some more checking, then bring it back to the Board to address.

The Board reviewed the Construction Evaluation Resolution for confinement facilities. Said resolution provides the opportunity for Boards of Supervisors to conduct an evaluation of every construction permit application and provide input if such facility shall be built or denied. It was moved by Siepker, seconded by Dewey, to adopt the following resolution:

Resolution – Construction Evaluation 2018 – 01-#4

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, 2018 and January 31, 2019 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 POCAHONTAS COUNTY that the Board of Supervisors hereby adopts this construction evaluation resolution pursuant to Iowa Code section 459.304(3).

The Chairman called the question with the following vote recorded: Ayes: Siepker, Peters, Ives, Stauter, and Dewey. Nays – none. Whereby the Chairman declared the resolution duly adopted.

Weekly meetings: Siepker–North Raccoon Watershed Meeting.

There being no further business, the Chairman declared the meeting adjourned.

Jeffrey Ives, Chairman

Kelly Jepsen, Auditor