

Supervisors Room, Courthouse  
Pocahontas, Iowa  
February 19, 2019

The Board of Supervisors of Pocahontas County, Iowa, met in regular session pursuant to adjournment.

Members present: Chairman, Jeffrey Ives; Supervisors, Louis Stauter, Clarence Siepker, Ed Dewey (telephonically), and Brent Aden; and Auditor, Kelly Jepsen. Others present: Reporter, Erin Sommers.

The minutes of February 12, 2019 were approved as presented on motion by Siepker, seconded by Aden. Ayes all, motion carried.

Motion by Stauter, seconded by Siepker, to approve the tentative agenda with striking Todd Anderson, CFR Prevention Specialist. Ayes all, motion carried.

Sue Reigelsbeiger, County Assessor, advised that due to an audit in another county's NRCS office, it was determined that they were paying property taxes and they should not be. Since the Pocahontas Soil & Water Conservation District has been paying property taxes, a tax abatement needs to be done and they need to be made exempt. Motion by Stauter, seconded by Aden, to abate current property taxes on parcels 827-300-001, 827-300-002, 827-300-003, and 827-300-004, totaling \$1,844.00. Ayes all, motion carried. Motion by Stauter, seconded by Siepker, to authorize the change in said parcels to "exempt". Ayes all, motion carried.

Gary Atherton, Assistant to the Engineer/Drainage Clerk, and Chris Archer, Varina Patrol Operator/ Collateral Inspector 1, presented a map indicating different areas that need revamped in the parking lot and the sidewalk located west of the Courthouse. After discussion, the Board instructed Atherton to put it out for bid.

Motion by Siepker, seconded by Aden, to adopt the policy, "Disclosure of Security Related Information". Ayes all, motion carried.

Motion by Stauter, seconded by Siepker, to approve the final plans for N-28. Ayes all, motion carried.

Jack Moellering, County Engineer, and the Board discussed that the bridge, located at 2-3 Powhatan, was recommended for a supplemental abutment. Moellering explained that there were three bridges that are on the list for a supplemental abutment, so he will change 2-3 Powhatan from construction to maintenance and put all three bridges on the list to be completed in FY20.

It was moved by Siepker, seconded by Aden, to acknowledge receipt of Manure Management Plan: (1) K & M Turkey Farm – ID# 68050, located in the SW SE, Section 34, Coon Township, Buena Vista County with Matt McCarthy as owner & contact person. Ayes all, motion carried.

Motion by Stauter, seconded by Siepker, to authorize the Chairman to sign the letter in Support for amending Iowa Code 53.17(2) pertaining to absentee ballots and adopt the following resolution. The Chairman called the question with the following recorded vote: Ayes – Siepker, Aden, Ives, Stauter; Nays-none. Whereby the resolution is adopted to-wit:

**RESOLUTION –2019-02-#16**

**A RESOLUTION PETITIONING THE GOVERNOR AND LEGISLATURE OF IOWA TO REVISE IOWA CODE §53.17(2) PERTAINING TO ABSENTEE BALLOTS**

**WHEREAS**, county commissioners of elections receive absentee ballots after polls close on Election Day; and **WHEREAS**, to be counted, said absentee ballots must be "clearly postmarked by an officially authorized postal service or bear an intelligent mail barcode traceable to a date of entry into the federal mail system not later than the day before the election and received by the commissioner not later than noon on the Monday following the election" (Iowa Code §53.17(2)); and **WHEREAS**, the federal mail system is outside jurisdiction of Iowa law and cannot guarantee either prescribed method of authentication as basis for qualifying such absentee ballots for counting (acknowledged in Iowa Administrative Code 721—21.303(53)); and **WHEREAS**, absent prescribed evidence of registration in the federal mail system, said absentee ballots are disqualified from lawful counting; and **WHEREAS**, disqualified and uncounted absentee ballots in close races cast doubt among voters as to legitimacy of election results; and **WHEREAS**, such disqualified and uncounted absentee ballots have been cause to contest election results in district court and the Iowa House of Representatives. **THEREFORE, BE IT RESOLVED BY THE Pocahontas BOARD OF SUPERVISORS:**

The Pocahontas County Board of Supervisors do hereby petition the Governor and Legislature of Iowa to simplify the standard for counting absentee ballots by revising Iowa Code §53.17(2) as follows:

In order for the ballot to be counted, the return envelope must be received in the commissioner's office before the polls close on election day ~~or be clearly postmarked by an officially authorized postal service or bear an intelligent mail barcode traceable to a date of entry into the federal mail system not later than the day before the election and received by the commissioner not later than noon on the Monday following the election.~~

Auditor Jepsen advised that if ICIT postpones their visit, she would let them know. She also presented a claim for vegetation control that will be on next week's agenda to approve.

Weekly meetings: Siepker–Swan Lake meeting; Ives–Swan Lake meeting & constituent concerns; Stauter–Yes Center. Stauter, Siepker, Aden & Ives–DD 41 Br 19 and DD 64

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