

Supervisors Room, Courthouse
Pocahontas, Iowa
January 2, 2020

At 10:00 a.m. the Pocahontas County Board of Supervisors met for the organizational meeting pursuant to Chapter 331.213 of the Code of Iowa. Members present: Chairman, Jeffrey Ives; Supervisors, Clarence Siepker, Louis Stauter, Ed Dewey, and Brent Aden; and Auditor, Kelly Jepsen. Reporter, Erin Sommers.

The first item of business was the election of Chairman and Vice-Chairman by secret ballot. The ballot count was as follows: Chairman: Jeff Ives-4; and Clarence Siepker-1; Vice-Chairman: Clarence Siepker-5. The Board affirmed the vote and declared Jeff Ives as Chairman and Clarence Siepker as Vice-Chairman for the 2020 calendar year.

The minutes of December 23, 2019 was approved as presented on motion by Stauter, seconded by Dewey. Ayes all, motion carried.

The tentative agenda was approved as posted on motion by Siepker, seconded by Stauter. Ayes all, motion carried.

Motion by Stauter, seconded by Aden to set Tuesdays as the regular meeting day for the Board of Supervisors commencing at 10:00 a.m., and claims will be audited and approved on the second and fourth Tuesdays of each month. Ayes all, motion carried.

Motion by Siepker, seconded by Aden, 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 have all filed letters requesting to be the official newspapers for Pocahontas County, IA for the 2020 calendar year, with each stating they meet the requirements as stated in Iowa Code 618.3. Motion by Aden, seconded by Stauter, to approve each of the applicants as the official newspapers of Pocahontas County and that all Board proceedings be published promptly after Board approval. Ayes all, motion carried.

Motion by Stauter, seconded by Siepker, to set the county declared holidays of non-union employees for the 2020 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 Pocahontas County Employee Handbook. Ayes all, motion carried.

The starting wage for newly hired inexperienced personnel in Pocahontas County government was set at \$12.00 per hour, effective July 1, 2020 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 Employee 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 Dewey. Ayes all, motion carried.

The mileage reimbursement was reviewed. The Internal Revenue Service (IRS) has announced the standard mileage rate for the 2020 year for business use of an automobile is 57.5¢ per mile. Motion by Dewey, seconded by Aden, to set the mileage reimbursement rate as 57.5¢ per mile, effective January 1, 2020. Ayes all, motion carried.

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

Motion by Siepker, seconded by Aden, 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 and that the County Engineer shall be limited in commitments and/or expenditures in excess of \$20,000. Ayes all, motion carried.

Motion by Stauter, seconded by Dewey, to authorize the County Farm Manager to 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.

Motion by Aden, seconded by Siepker, to adopt the following resolution. The Chairman called the question with the following recorded vote: Ayes: Siepker, Aden, Ives, Stauter, Dewey. Nays: none. Whereby the Chairman declared the resolution duly adopted to-wit:

Resolution– 2020-01-#1

Authorization of County Auditor to Issue Warrants

BE IT RESOLVED by the Board of Supervisors of Pocahontas County, Iowa, hereby authorize the Pocahontas County Auditor, Kelly Jepsen, to issue warrants for fixed charges including, but not limited to freight, postage, utilities, telephone service, contractual services, insurance premiums, and invoices allowing discounts. Any prepayment of civil service fees submitted by the County Attorney's Office or County Sheriff's Office and emergency general assistance claims. These claims shall be audited and allowed at the next regular claim date. The County Auditor is further authorized to issue warrants for salaries and payrolls as approved by the Board of Supervisors, all according to Section 331.506 of the Code of Iowa.

Motion by Stauter, seconded by Aden, to adopt the following resolution. The Chairman called the question with the following recorded vote: Ayes: Siepker, Aden, Ives, Stauter, Dewey. Nays: none. Whereby the Chairman declared the resolution duly adopted to-wit:

Resolution– 2020-01-#2

Public Bidder

BE IT RESOLVED by the Board of Supervisors of Pocahontas County, IA that we hereby appoint Amy Johnson, County Treasurer as Public Bidder for Pocahontas County for the calendar year of 2020. **BE IT FURTHER RESOLVED** by the authority vested in the Board of Supervisors, Chapter 446.19 of the Code of Iowa, that Amy Johnson, 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.

Motion by Stauter, seconded by Aden, to adopt the following resolution establishing the depositories of public funds. The chairman called the question with the following vote recorded: Ayes: Siepker, Aden, Ives, Stauter, Dewey. Nays: none. Whereby the Chairman declared the resolution duly adopted to-wit:

Resolution– 2020-01-#3

Depositories of Public Funds

BE IT RESOLVED by this Board of Supervisors of Pocahontas County, IA, that in accordance to with the provisions of Section 12C.2 of the Iowa Code, that we hereby authorize the County Treasurer, Amy Johnson, to deposit funds in her hands into the Pocahontas State Bank in Palmer and Pocahontas; Availa Bank, Pocahontas; Laurens State Bank in Laurens; United Bank of Iowa 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 2019	Max for 2020
Pocahontas State Bank	Pocahontas, IA	\$12,000,000	\$12,000,000
Availa Bank	Pocahontas, IA	\$12,000,000	\$12,000,000
Laurens State Bank	Laurens, IA	\$12,000,000	\$12,000,000
United Bank of Iowa	Rolfe, IA	\$12,000,000	\$12,000,000
First Community Bank	Fonda, IA	\$12,000,000	\$12,000,000
West Iowa Bank	Laurens, IA	\$12,000,000	\$12,000,000
United Bank of Iowa	Pocahontas, IA	\$12,000,000	\$12,000,000
IPAIT	Des Moines, IA	\$100,000	\$100,000
Drainage Warrants/ Improvement Certificates	County	\$6,000,000	\$6,000,000

BE IT FURTHER RESOLVED that 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:

Availa Bank	Kelly Jepsen, Auditor	\$1,000,000
Availa Bank	Mike Bollard, Recorder	\$ 50,000
Pocahontas State Bank	Brian Larsen, Sheriff	\$ 50,000

Motion by Stauter, seconded by Siepker, to adopt the following resolution. The Chairman called the question with the following recorded vote: Ayes: Siepker, Aden, Ives, Stauter, Dewey. Nays: none. Whereby the Chairman declared the resolution duly adopted to-wit:

Resolution– 2020-01-#4

COUNTY ENGINEER FOR COMPLETION OF WORK

BE IT RESOLVED by the Board of Supervisors of Pocahontas County, IA that the 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.

Motion by Aden, seconded by Siepker, to adopt the following resolution. The Chairman called the question with the following recorded vote: Ayes: Siepker, Aden, Ives, Stauter, Dewey. Nays: none. Whereby the Chairman declared the resolution duly adopted to-wit:

Resolution– 2020-01-#5

Right of Way Assurance Statement

BE IT RESOLVED by the Board of Supervisors of Pocahontas County, IA 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 Pocahontas furnishes the following: Assurances to the Iowa Department of Transportation.

1. It is the policy of the 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 the Pocahontas 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."

Motion by Siepker, seconded by Aden, to adopt the following resolution. The Chairman called the question with the following recorded vote: Ayes: Siepker, Aden, Ives, Stauter, Dewey. Nays: none. Whereby the Chairman declared the resolution duly adopted to-wit:

Resolution– 2020-01-#6

Authorization for the County Engineer to Close Roads

WHEREAS: The Pocahontas 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. **THEREFORE, BE IT RESOLVED,** the Pocahontas County Engineer is hereby authorized to temporarily close sections of highway in Pocahontas County's road system when necessary because of construction, maintenance, or natural disaster during 2020.

Motion by Stauter, seconded by Siepker, to reappoint James C. Hudson, as the Drainage Attorney, Jack Moellering, P.E., as the County Engineer, and Mel Bierl as the County Weed Commissioner for calendar year 2020. Ayes all, motion carried

Motion by Siepker, seconded by Aden, to appointment to the following to the different committees, agencies, and boards for 2020. Ayes all, motion carried.

Board of Health: Supervisor Aden
County Conservation Board: Supervisor Dewey and Supervisor Ives as alternate
County Fair Board: Supervisor Stauter and Supervisor Dewey as alternate
Courthouse Committee: Supervisor Ives and Auditor Jepsen
County Farm Operations: Supervisor Aden
Courthouse Security Commission: Supervisor Ives
Community & Family Resources Board: Supervisor Stauter
County Social Services Board: Supervisor Siepker and Supervisor Ives as an alternate
E911 & LEPC Administrative Board: Supervisor Dewey
Emergency Management Administrative Board: Supervisor Dewey
General Liabilities & Workman's Compensation Insurance Committee: Supervisor Dewey and Auditor Jepsen
Health Insurance Committee: Supervisor Dewey, County Auditor, County Treasurer, County Recorder, Robert Enockson, Sherri Richardson, Jack Moellering
Homecare Aide Agency: Supervisor Aden
Homeward Housing Committee: Supervisor Aden
Iowa Drainage District Association Meeting Voting Delegates: Supervisors Ives & Siepker
Jt. DD 181 Interim Committee: Supervisors Stauter & Siepker
Linking Families & Communities: Supervisor Siepker
Midas Council of Governments Board of Directors-City Rep: Joan DeWall
Midas Board of Directors and Budget, Finance & Management Committee: Supervisor Aden
Midas Transportation Subcommittee (Dart Bus): Joan DeWall
Midas Executive Committee: Supervisor Aden, Tom Grau, and Joan DeWall
Midas Planning Subcommittee: Tom Grau
Midas Hazardous Materials Response Commission: Supervisor Dewey
NW IA Tourism Council: Emily Williams and Supervisor Dewey as alternate
PCEDC: Supervisor Ives and Supervisor Aden as alternate
Pocahontas County Solid Waste Commission: Supervisors Ives & Aden
Pocahontas County Trails Committee: Supervisor Ives and Supervisor Siepker as alternate
Region V Hazmat Foundation Board: Supervisor Ives
Revolving Loan Fund Committee-Pocahontas County Economic Development: Supervisor Aden
Safety Committee: Supervisor Dewey
Second Judicial District Board Member: Supervisor Aden and Supervisor Ives as alternate
Upper Des Moines Opportunity: Supervisor Siepker
Workforce Development-Service Area V: Supervisor Siepker
Youth Emergency Service Center: Supervisor Stauter

Motion by Stauter, seconded by Dewey, to appoint the following people to the Eminent Domain Commission for 2020. Ayes all, motion carried.

Group No. 1 Owners-Operators-Agricultural		Group No. 2 Owners of City Property	
Rick Wadle	Fonda	Al Sroufe	Rolfe
Bev Westerman	Mallard	Ronald Wessels	Palmer
Doug DeWall	Palmer	Ben Storms	Laurens
Dennis Wagner	Gilmore City	Kent Wood	Pocahontas
Ron Dreith	Rolfe	Karen Johnson	Rolfe
Donna Seehusen	Pocahontas	Daryl Long	Laurens
Bruce Boysen	Havelock	Scott Kilbride	Fonda

Group No. 3 RE Salesperson or Brokers		Group No. 4 Bankers & Auctioneers	
Donna Hudson	Pocahontas	Jerry Hammen	Fonda
Kevin Maurer	Laurens	Rick Winegarten	Pocahontas
Rick Winegarten	Pocahontas	Terry Latham	Laurens
Lori Jergens	Mallard	Robert O'Donnell	Curlew
Katie Halligan	Pocahontas	Tom Eberle	Rolfe
Kerrie R. Woodley	Laurens	Brian Ricklefs	Rolfe
Lori Hopkins	Havelock	Jim Malecek	Pocahontas

Motion by Dewey, seconded by Stauter, to reappoint Polly Zaugg and Diane Dirks to the Home Care Aide Agency to a two term ending December 31, 2021. Ayes all, motion carried.

Motion by Dewey, seconded by Siepker, to reappoint Joe Kramer to the Board of Health to a three year term ending December 31, 2022. Ayes all, motion carried.

Motion by Siepker, seconded by Aden, to reappoint Robert Nystrom to the Commission of Veterans Affairs for a three year term ending on December 31, 2022. Ayes all, motion carried.

Motion by Dewey, seconded by Aden, to appoint Dan Stall to the Conservation Board for five year term ending on December 31, 2024. Ayes all, motion carried.

Motion by Stauter, seconded by Aden, to reappoint Bill Tiedeman to the Civil Service Commission to a two year term ending December 31, 2021. Ayes all, motion carried.

Gary Atherton, Assistant to the Engineer/Drainage Clerk, advised that the Iowa DOT requested an agreement to use county roads for a detour while they repair railroad tracks in Gilmore City. The detour would begin at the intersection of IA 3 and P-15/330th Ave; thence north 1 mile on P-15/330th Street to the intersection of P-15 and 510th Street; thence east on 510th Street to the intersection of 510th and Quarry Road; thence south on Pocahontas Quarry Road; continuing on Quarry Road in the City limits of Gilmore City to IA 3. Motion by Aden, seconded by Siepker, to authorize the Chairman to sign the Iowa DOT agreement for use of local agency roads as detours. Ayes all, motion carried.

Motion by Stauter, seconded by Aden, to acknowledge the Treasurer's designation of the Record Democrat as the official paper for all required publications of the Pocahontas County Treasurer's Office. Ayes all, motion carried.

County Treasure, Amy Johnson, advised that the City of Laurens requested a tax abatement on a parcel that they have recently acquired through the court order abandonment process. Motion by Siepker, seconded by Stauter, to abate the taxes and penalties, totaling \$3,477 on parcel #0127185025 for the City of Laurens. Ayes all, motion carried.

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. Motion by Siepker, seconded by Stauter, to adopt the following resolution. The Chairman called the question with the following recorded vote: Ayes: Siepker, Aden, Ives, Stauter, Dewey. Nays: none. Whereby the Chairman declared the resolution duly adopted to-wit:

Resolution– 2020-01-#7

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, 2020 and January 31, 2021 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).

Motion by Stauter, seconded by Dewey, to approve Jt. DD 63 FEMA claim from Gary Atherton for professional services in the amount of \$141.97. Ayes all, motion carried.

Motion by Aden, seconded by Siepker, to acknowledge receipt of Manure Management Plans: (1) Laurens 3 – ID# 69850 located in the NE NW, Section 3, Dover Township with Spud Farms, LLC as owner & Keith Kratchmer as contact person; (2) A1– ID# 69903 located in the SW NW, Section 11, Dover Township with Spud Farms, LLC as owner & Keith Kratchmer as contact person (3) Poky 240– ID# 69900 located in the SW SW, Section 27, Sherman Township with JGB Farms, LLC as owner & Keith Kratchmer as contact person; (4) Marton/Pedersen, Finisher Farm – ID# 57922 located in the NW NW, Section 13, Garfield Township with Marton Pork Production, Inc. as owner & Keith Kratchmer as contact person; (5) Nehman's – ID# 59264 located in the NE SE, Section 1, Williams Township, Calhoun County with Nutra Tech, LC as owners & contact; and (6) FMP III Wernimont #1– ID# 65117 located in the SW SE, Section 18, Cedar Township with FMP III, LLP as owners as owner & Nutra Tech, LC as contact. Ayes all, motion carried.

Motion by Stauter, seconded by Aden, to authorize Kelly Jepsen, County Auditor, to enter into a 5 year lease agreement with Office Systems Company for a Canon copier for \$160.00 per month. Ayes all, motion carried.

Weekly meetings: Ives-constituent concerns; and Stauter-met with Jt. DD 181 contractor.

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

Jeffrey K. Ives, Chairman

Kelly A. Jepsen, Auditor