

Supervisors Room, Courthouse  
Pocahontas, Iowa  
January 3, 2017

At 9:30 a.m. Supervisors Ives, Peters, Siepker and Stauter 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 \$6,846,653.66 in banks; \$ 6,502,441.45 in CD investments; \$889,016.69 in Drainage Improvement Certificates; and \$1,560,087.25 in Warrants Investments.

At 9:45 a.m. the newly elected officials of Pocahontas County-Brian Larsen, Sheriff; Kelly Jepsen, Auditor; County Supervisors Jeffrey Ives, Louis Stauter and Ed Dewey (telephonically); Iowa State Extention Board members Jean Trimble and Larry Movall, were sworn into office by Carol Williams. Moments later newly appointed County Attorney, Dan Fiestner was sworn in.

At 10:00 a.m. the Board of Supervisors of Pocahontas County, Iowa was called to order. Roll call was taken. Members present: Chairman Jeffery Ives, Clarence Siepker, JoAnn Peters, Louis Stauter, and Ed Dewey was present telephonically. Also present was Dan Fiestner.

The minutes of December 27, 2016 were approved with a typographical change on motion by Peters, seconded by Siepker. Ayes all, motion carried.

The tentative agenda was approved as amended on motion of Peters, seconded by Stauter to change typographical error. Ayes all, motion carried.

Organizational Agenda started with the election of Chairman and Vice-Chairman by secret ballot. The ballot count for Chairman was recorded as follows: Jeffrey Ives-4 votes and Clarence Siepker-1 vote. The ballot count for Vice-Chairman is recorded as follows: Clarence Siepker-3 votes; JoAnn Peters-1 vote; and Louis Stauter-1 vote. Whereby Supervisor Ives will serve as Chairman and Supervisor Siepker as Vice-Chairman for the 2017 calendar year.

It was moved by Stauter, seconded by Dewey to set Tuesday at 10:00 a.m. as the regular meeting day and time and claims to be audited and allowed on the second and fourth Tuesday of each month. Ayes all. Motion carried.

It was moved by Siepker, seconded by Peters, to utilize Roberts Rule of Order to conduct the meeting of the Board of Supervisors. Ayes all. Motion carried.

The Pocahontas Record Democrat, The Laurens Sun, and the Buena Vista Journal each having filed letters as official newspapers for Pocahontas County, IA for the 2017 calendar year, with the same being duly qualified publications and having the highest bona fide subscribers list. This was moved by Dewey, 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 receipt of the same as required by law. Ayes all. Motioned carried.

It was moved by Siepker, seconded by Dewey to set the county declared holidays of non-union employees for the calendar year 2017 as follows: New Year's Day; President's Day; Good Friday; Memorial Day; Independence Day; Labor Day; Veterans Day; Thanksgiving Day; the day after Thanksgiving; and Christmas Day. Ayes all. Motioned carried.

The starting wage for newly hired inexperienced clerks and other personnel in Pocahontas County government will remain at \$12.00 per hour effective July 1, 2017 with an increase of \$0.50 per hour upon satisfactory completion of a three month probationary period. Further that 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 Section 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 2017 year for business use of an automobile is \$0.535 per mile. It was moved by Stauter, seconded by Siepker to set the mileage reimbursement at \$.50 per mile effective July 1, 2017. Ayes all. Motion carried.

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

On the motion of Peters, seconded by Dewey, the County Auditor is authorized to issue warrants for payroll, partial payments of contracts on estimates issued by the county engineer or drainage engineer; payment of freight, postage, telephone claims and utilities and invoices allowing discounts, and emergency general assistance claims. These claims shall be audited and allowed the next regular claim date. Ayes all. Motioned carried.

It was moved by Stauter, seconded by Siepker to adopt the following resolution. The chairman called the question with the following recorded vote: Ayes – Siepker, Peters, Ives, Stauter, Dewey; Nays-none. Whereby the Chairman declared the resolution duly adopted to-wit:

**Resolution for the Public Bidder – 2017-01-#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 2017.

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 further empowered with the authority to affix her signature thereto.

It was moved by Stauter, seconded by Peters to adopt the following resolution establishing the depositories of public funds. The Chairman called the question with the following vote recorded: Ayes – Siepker, Peters, Ives, Stauter, Dewey; Nays-none. Whereby the Chairman declared the resolution duly adopted to-wit:

**Resolution for Depositories of Public Funds 2017-01-#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 Carroll County State Bank, Pocahontas; Pocahontas State Bank in Palmer and Pocahontas; Laurens State Bank in Laurens; Rolfe State Bank in Rolfe and Pocahontas; First Community Bank of Fonda and Pomeroy; West Iowa Bank in Laurens; United Bank in Pocahontas; not to exceed the maximum amounts as hereby set below:

<b>DEPOSITORIES</b>	<b>LOCATION</b>	<b>MAX FOR FY 2016</b>	<b>MAXY FOR FY2017</b>
Pocahontas State Bank	Pocahontas, IA	\$9,000,000.00	\$10,000,000.00
Carroll Co. State Bank	Pocahontas, IA	\$9,000,000.00	\$10,000,000.00
Laurens State Bank	Laurens, IA	\$9,000,000.00	\$10,000,000.00
Rolfe State Bank	Rolfe, IA	\$9,000,000.00	\$10,000,000.00
First Community Bank	Fonda, IA	\$9,000,000.00	\$10,000,000.00
West Iowa Bank	Laurens, IA	\$9,000,000.00	\$10,000,000.00
United Bank	Pocahontas, IA		\$10,000,000.00
IPAIT	Des Moines, IA	\$100,000.00	\$100,000.00
Drainage Warrants	County	\$3,000,000.00	\$3,000,000.00

It was moved by Stauter, seconded by Dewey 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 Siepker. As manager, she shall have Power of Attorney to sign for the county in all matters pertaining to the county far, specifically all Farm Service Agency and government program papers. Ayes all. Motion carried.

On motion of Siepker, seconded by Stauter the following resolution was submitted for adoption. After due consideration the Chairman called the question with the following vote recorded: Ayes – Siepker, Peters, Ives, Stauter, Dewey; Nays – none. Whereby the Chairman declared the resolution duly adopted to-wit:

**RESOLUTION – COUNTY ENGINEER FOR COMPLETION OF WORK 2017-01-#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.

It was moved by Peters, seconded by Dewey 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, the Board of Supervisors of Pocahontas County, Iowa 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.

It was moved by Stauter, seconded by Siepker to adopt the following resolution. The Chairman called the question with the following vote recorded: Ayes – Siepker, Peters, Ives, Stauter, Dewey; Nays – none. Whereby the Chairman declared the resolution duly adopted to-wit:

**Resolution – Auditor to Make Partial Payments 2017 – 01-#4**

WHEREAS, Section 314.4 of the Code of Iowa allows for partial payment to be made on highway contract work during the progress thereof, and

WHEREAS, SF 346 requires interest to be paid to contractors starting 14 days after receipt of request for payment, and

WHEREAS, it is sometimes more than 14 days between Board of Supervisors meetings when claims are paid,

NOW THEREFORE BE IT RESOLVED that the County Auditor is hereby authorized to pay estimates for highway construction and/or maintenance work done under contract, upon certification by the County Engineer.

It was moved by Stauter, seconded by Siepker to appoint Auditor Jepsen and Supervisor Ives to serve on the *Courthouse Committee*. Ayes all. Motion carried.

It was moved by Stauter, seconded by Peters to appoint Supervisor Dewey and Auditor Jepsen to serve as the *general liabilities and workers compensation insurance committee* for the county. Ayes all. Motion carried.

The following persons were reappointed to the *Health Insurance Committee*:

Supervisor Dewey; Auditor Jepsen; Sarah Winkler; Mike Bollard; Sherri Richardson; Jack Moellering; Robert Enockson upon motion of Stauter, seconded by Peters. Ayes all. Motion carried.

James C. Hudson was appointed as *Drainage Attorney* upon motion of Dewey, seconded by Stauter. Ayes all. Motion carried.

It was moved by Dewey, seconded by Stauter to make appointments to the following committees. Ayes all. Motion carried. *Upper Des Moines Opportunity* – Supervisor Siepker; *Northwest Iowa Tourism Council* – Gretchen Tiedeman, Supervisor Ives as Alternate; *Second Judicial District Dept. of Corrections* – Supervisor Peters, Supervisor Ives as Alternate; *Workforce Development – Service Area V* – Supervisor Siepker; *Advisory Committee of Youth Emergency Services Center* – Supervisor Stauter; *Community & Family Resources* – Supervisor Stauter

The following appointments to mental health service agencies were made upon motion of Stauter, seconded by Peters. Ayes all. Motion carried. *Community Social Services Board* – Supervisor Siepker.

It was moved by Stauter, seconded by Siepker to approve the appointments for the following agencies: *County Emergency Management Administrative Board* – Supervisor Dewey; *County E-911 and LEPC Administrative Board* – Supervisor Dewey; MIDAS Council of Governments: *Board of Directors and TAC* – Tom Grau; *Board of Directors – City Rep* – Eric List, City Administrator; *Economic Development and Finance* – Supervisor Peters; *Pocahontas County Solid Waste Commission* – Supervisors Peters and Ives; *Courthouse Security Commission* – Supervisor Ives; *Safety Committee* – Supervisor Dewey; *Interim Committee Jt. DD 181* – Supervisors Stauter and Siepker; *Iowa Drainage District Association* voting delegates at Annual meeting – Supervisors Peters and Ives; *MIDAS Hazardous Materials Response Commission* – Supervisor Dewey; *Liaison to County Conservation Board* – Supervisor Dewey with Supervisor Ives as Alternate; *Liaison to County Fair Board* – Supervisor Stauter. Ayes all. Motion carried.

It was moved by Peters, seconded by Stauter to reappoint Ted George, D.O. as the *County Medical Examiner* for calendar year 2017. Ayes all. Motion carried.

Mel Bierl was reappointed *County Weed Commissioner* upon motion of Siepker, seconded by Stauter. Ayes all. Motion carried.

It was moved by Stauter, seconded by Dewey to appoint Lona Wells to the Home Care Aide Agency to fulfill the remaining term of Nancy Jenson to expire December 31, 2018. Ayes all. Motion carried.

Greg Fritz was appointed to fulfill to remaining term of Doug Jenson as the Auditor representative to the Compensation Board upon motion by Dewey, seconded by Siepker. Ayes all. Motion carried.

It was moved by Stauter, seconded by Peters to reappoint Randy Gustafson to the Conservation Board. 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. It was moved by Stauter, seconded by Siepker to adopt the following resolution. The Chairman called the question with the following vote recorded: Ayes – Siepker, Peters, Ives, Stauter, Dewey; Nays – none. Whereby the Chairman declared the resolution duly adopted to-wit:

#### **Resolution – Construction Evaluation 2017 – 01-#5**

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, 2017 and January 31, 2018 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).

Other information, Jack Moellering, County Engineer, had no new information for the Board. Karen Halder tendered her resignation to the Board.

Supervisors’ weekly meetings: Supervisors Dewey attended the safety committee meeting.

There being there was no further business the board adjourned on motion of Siepker, seconded by Dewey.

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Jeffrey Ives, Chairman

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Kelly Jepsen, Auditor