

Supervisors Room, Courthouse  
Pocahontas, Iowa  
January 3, 2023

The Pocahontas County Board of Supervisors met for the organizational meeting pursuant to Chapter 331.213 of the Code of Iowa.

Members present: Chairman, Louis Stauter; Supervisors, Jeffrey Ives, Brent Aden, Clarence Siepker, Kyle Smith; and Auditor, Kelly Jepsen. Telephonically present: Reporter, Erin Somers

The first item of business was the election of Chairman and Vice-Chairman by secret ballot. The ballot count was as follows: Chairman: Brent Aden-4, Kyle Smith-1; Vice-Chairman: Kyle Smith-4, Clarence Siepker-1, The Board affirmed the vote and declared Brent Aden as Chairman and Kyle Smith as Vice-Chairman for the 2023 calendar year.

Motion by Stauter, seconded by Smith, to approve the minutes, dated December 27, 2022, as presented. Ayes all, motion carried.

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

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

Motion by Stauter, seconded by Smith, 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, each having filed letters requesting to be the official newspapers for Pocahontas County, IA for the 2023 calendar year, with each stating they meet the requirements as stated in Iowa Code 618.3. Motion by Smith, 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 Board approval. Ayes all, motion carried.

Motion by Stauter, seconded by Smith, to declare the County holidays of non-union employees for the 2023 calendar year as follows: New Year's Day, Presidents Day, Good Friday, Memorial Day, Independence Day (July 4<sup>th</sup>), Labor Day, Veterans Day, Thanksgiving Day, the Day after Thanksgiving, and Christmas Day. Ayes all, motion carried.

Newly hired personnel in Pocahontas County government shall follow the salary matrix system approved November 30, 2021. 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 the Code of Iowa and those under collective bargaining contracts, as moved by Ives, 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 2023 year for business use of an automobile is 65.5¢ per mile. Motion by Smith, seconded by Ives, to set the mileage reimbursement rate as 65.5¢ per mile, effective January 1, 2023. 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 Ives, seconded by Stauter, that this board shall act as a unit and not as individuals. Ayes all, motion carried.

Motion by Stauter, seconded by Smith, that the General Assistance Director consult with the Board of Supervisors before authorizing any expenditure in excess of \$500 and that the County Engineer shall be limited in commitments and/or expenditures in excess of \$20,000. Ayes all, motion carried.

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

**Resolution–2023-01-#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.

THEREFORE, BE IT RESOLVED that the Pocahontas County Board of Supervisors adopt the Resolution-Authorization of County Auditor to Issue Warrants for 2023.

ADOPTED AND APPROVED THIS 3RD DAY OF JANUARY, 2023

By: Pocahontas County Board of Supervisors

/s/ Brent Aden, Chairman, /s/Jeffrey K. Ives, /s/Louis Stauter, /s/Clarence Siepker

ATTEST: /s/Kelly Jepsen, County Auditor

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

**Resolution–2023-01-#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 2023.

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.

THEREFORE, BE IT RESOLVED that the Pocahontas County Board of Supervisors adopts the Resolution for the Public Bidder for 2023.

ADOPTED AND APPROVED THIS 3RD DAY OF JANUARY, 2023

By: Pocahontas County Board of Supervisors

/s/ Brent Aden, Chairman, /s/Jeffrey K. Ives, /s/Louis Stauter, /s/Clarence Siepker

ATTEST: /s/Kelly Jepsen, County Auditor

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

**Resolution–2023-01-#3  
Depositories of Public Funds**

WHEREAS, the Board of Supervisors of Pocahontas County, Iowa, met with Treasurer, Amy Johnson, and;

WHEREAS, it was determined there was a need to increase the amount authorized to be deposited by the Treasurer, and;

NOW, THEREFORE, BE IT RESOLVED, by this Board of Supervisors of Pocahontas County, IA, that in accordance 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, Pocahontas; Availa Bank, Pocahontas; Laurens State Bank, Laurens; United Bank of Iowa in Rolfe and Pocahontas; First Community Bank in Fonda and Pomeroy; West Iowa Bank in Laurens; IPAIT in Des Moines; and Drainage Warrants/Improvement Certificates not to exceed the maximum amounts as hereby set below.

DEPOSITORIES	LOCATION	Max for 2022	Max for 2023
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	\$12,000,000	\$12,000,000
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	Cathy Frerk, Recorder	\$ 50,000
Pocahontas State Bank	Steve Nelson, Sheriff	\$ 50,000

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By: Pocahontas County Board of Supervisors

/s/ Brent Aden, Chairman, /s/Jeffrey K. Ives, /s/Louis Stauter, /s/Clarence Siepker

ATTEST: /s/Kelly Jepsen, County Auditor

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

**Resolution –2023-01-#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.

THEREFORE, BE IT RESOLVED that the Pocahontas County Board of Supervisors adopt the Resolution-County Engineer for Completion of Work for 2023.

ADOPTED AND APPROVED THIS 3RD DAY OF JANUARY, 2023

By: Pocahontas County Board of Supervisors

/s/ Brent Aden, Chairman, /s/Jeffrey K. Ives, /s/Louis Stauter, /s/Clarence Siepker

ATTEST: /s/Kelly Jepsen, County Auditor

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

**Resolution–2023-01-#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 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. Pocahontas 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.”

THEREFORE, BE IT RESOLVED that the Pocahontas County Board of Supervisors adopt the Resolution- Right of Way Assurance Statement for 2023.

ADOPTED AND APPROVED THIS 3RD DAY OF JANUARY, 2023

By: Pocahontas County Board of Supervisors

/s/ Brent Aden, Chairman, /s/Jeffrey K. Ives, /s/Louis Stauter, /s/Clarence Siepker

ATTEST: /s/Kelly Jepsen, County Auditor

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

**Resolution–2023-01-#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 2023.

ADOPTED AND APPROVED THIS 3RD DAY OF JANUARY, 2023

By: Pocahontas County Board of Supervisors

/s/ Brent Aden, Chairman, /s/Jeffrey K. Ives, /s/Louis Stauter, /s/Clarence Siepker

ATTEST: /s/Kelly Jepsen, County Auditor

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

**Resolution– 2023-01-#7**

**Precinct Election Officials Compensation Resolution**

WHEREAS, the Pocahontas County Board of Supervisors is responsible for establishing the rate of compensation paid to Precinct Election Officials;

NOW THEREFORE BE IT RESOLVED that the County Auditor is hereby authorized to pay election officials, the hours as certified by said officials by claim or through the county payroll, as applicable to comply with state and federal payroll tax and reporting regulations for payment of election officials as follows for 2023:

- Precinct Election Officials Training: \$40 per session
- Precinct Officials: \$12.00 per hour
- Precinct Chairperson (and Co-Chairperson if needed): \$15.00 per hour

- Health Care Facility Elections Officials: \$12.00 per hour
- Absentee Board/Post-Election Audit Officials: \$12.00 per hour
- Absentee Board/Post-Election Audit Chairperson: \$15.00 per hour
- Runner: \$12.00 per election

**BE IT FURTHER RESOLVED** that the above listed Election Officials be paid mileage at the current County mileage reimbursement rate for round trip travel incurred to perform the above listed services.

ADOPTED AND APPROVED THIS 3RD DAY OF JANUARY, 2023

By: Pocahontas County Board of Supervisors

/s/ Brent Aden, Chairman, /s/Jeffrey K. Ives, /s/Louis Stauter, /s/Clarence Siepker

ATTEST: /s/Kelly Jepsen, County Auditor

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 2023. Ayes all, motion carried.

Motion by Smith, seconded by Ives, to reappoint Jennifer Boevers, D.O. as the Medical Examiner, term ending December 31, 2024. Ayes all, motion carried.

Motion by Ives, seconded by Stauter, to appoint the following people to the Eminent Domain Commission for 2023. Ayes all, motion carried.

Group No. 1 Owners-Operators-Agricultural	Group No. 2 Owners of City Property
Rick Wadle Fonda	Al Stroufe Rolfe
Bev Westerman Mallard	Ronald Wessels Palmer
Doug DeWall Palmer	Ben Storms Laurens
Dennis Wagner Rolfe	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 Winegarden Pocahontas
Rick Winegarden Pocahontas	Terry Latham Laurens
Lori Jergens Mallard	Kyle Brinkman Rolfe
Katie Halligan Pocahontas	Tom Eberle Rolfe
Kerrie R. Woodley Laurens	Brian Ricklefs Rolfe
Lori Hopkins Havelock	Jim Malecek Pocahontas

Motion by Stauter, seconded by Smith, to appointment the following people to the different committees, agencies, and board members for 2023. Ayes all, motion carried.

- Board of Health: Kyle Smith; Alternate: Brent Aden
- County Conservation Board Liaison: Clarence Siepker; Alternate: Kyle Smith
- County Fair Board Liaison: Louis Stauter; Alternate: Brent Aden
- Courthouse Committee: Kyle Smith & Kelly Jepsen
- County Farm Manager: Brent Aden; Alternate: Louis Stauter
- Courthouse Security Commission: Kyle Smith
- Community and Family Resources Board: Louis Stauter
- CPW County Decat Board: Clarence Siepker
- E-911 & LEPC Administrative Board: Jeff Ives
- Emergency Management Administrative Board: Jeff Ives
- Emergency Medical Services Advisory Board: Louis Stauter
- General Liabilities & Workman's Compensation Insurance Committee: Kyle Smith & Kelly Jepsen
- Health Insurance Committee: Kyle Smith, Kelly Jepsen, Amy Johnson, Cathy Frerk, Jessica Paulsen, Jill Conlin, Jack Moellering
- HIPPA: Brent Aden, Privacy Officer; Dereck Hebert, Security Officer; Kristi Seiler, Compliance Officer
- Homecare Aide Agency: Kyle Smith
- Iowa Drainage District Association Meeting Voting Delegates: Jeff Ives & Clarence Siepker; Alternate: Brent Aden
- Jt. DD 181 Interim Committee: Louis Stauter & Clarence Siepker
- Linking Families & Communities: Clarence Siepker
- Midas Council of Governments:
  - County Representative: Brent Aden; Alternate: Jeff Ives
  - City Representative-Angela Duitsman
  - Economic Development Representative: Mary Jo Litwiller; Alternate: Louis Stauter
  - Strategic Partners-TAC: Jack Moellering; Alternate: Gary Atherton
- Northwest Iowa Tourism Council: Mary Jo Litwiller; Alternate: Kyle Smith
- PCEDC Commission: Jeff Ives; Alternate: Brent Aden
- Pocahontas County Solid Waste Commission: Jeff Ives & Brent Aden; Alternate: Clarence Siepker
- Pocahontas County Trails Committee: Clarence Siepker; Alternate: Jeff Ives
- Region V Hazmat Foundation Board: Jeff Ives

- REVOLVING LOAN FUND Committee for PCEDC: Brent Aden
- Rolling Hills Governance Board: Clarence Siepker; Alternate: Kyle Smith
- Safety Committee: Kyle Smith, Russ Jergens, Kelly Jepsen, Kalista Herr, Dereck Hebert, Jill Conlin, John Runneberg, Kyle Scheidegger, Missy Zuetlau, Bob Harrison, Orene Cressler, Steve Nelson
- Second Judicial District Board Member: Brent Aden; Alternate: Jeff Ives
- Upper Des Moines Opportunity: Clarence Siepker
- Workforce Development (Service Area V): Jeff Ives
- Youth Emergency Service Center Advisory Committee: Louis Stauter

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: Ives, Stauter, Aden, Siepker, Smith. Nays: none. Whereby the Chairman declared the resolution duly adopted to-wit:

**Resolution– 2023-01-#8**

**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, 2023 and January 31, 2024 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 hereby adopts this construction evaluation resolution pursuant to Iowa Code section 459.304(3).

ADOPTED AND APPROVED THIS 3RD DAY OF JANUARY, 2023

By: Pocahontas County Board of Supervisors

/s/ Brent Aden, Chairman, /s/Jeffrey K. Ives, /s/Louis Stauter, /s/Clarence Siepker

ATTEST: /s/Kelly Jepsen, County Auditor

In compliance with GASB 87, a motion was made by Smith, seconded by Siepker, to approve the Pocahontas County Right-To-Use Lease Asset Policy. Ayes all, motion carried.

Motion by Stauter, seconded by Siepker, to acknowledge Deputy Treasurer, Julie Waterman’s retirement letter and thank her for her many years of service to Pocahontas County. Ayes all, motion carried. Waterman’s last day was December 31, 2022.

Motion by Stauter, seconded by Smith, to tentatively approve the Report of Classification Commission for DD 53 and set the hearing on said report for Wednesday, February 15, 2023 at 6:00 p.m. at the Courthouse/Expo Center in Pocahontas. Ayes all, motion carried.

Motion by Siepker, seconded by Ives, to approve VPN access for Brian Reis, Conservation Director. Ayes all, motion carried.

The Board discussed the renewal rate for the property and liability insurance for FY24 from EMC. The rate is increasing 28%.

Motion by Ives, seconded by Stauter, to acknowledge receipt of Manure Management Plans: (1) Nehman’s – ID# 59264 located in the NE SE, Section 1, Williams Township, Calhoun County with Nutra Tech, LC as owners and contact; and (2) Steve Wheatley-ID #57923 located in the SE NE, Sec. 22 Lincoln Township with Steve Wheatley as owner & contact person. Ayes all, motion carried.

Motion by Stauter, seconded by Smith, to acknowledge the resignation of Steve Halligan as a PT seasonal motor grader. Ayes all, motion carried. Halligan’s last day was December 17, 2022.

Motion by Stauter, seconded by Smith, to approve the hire of Cody Sukup as the Rolfe Truck Driver. Ayes-Stauter, Aden, Siepker, Smith; Nays-None; Abstain-Ives. Motion carried. Sukup will start employment on January 5, 2023, earning \$21.31/hour.

Motion by Siepker, seconded by Stauter, to approve the hire of Matthew Hertz as a PT seasonal motor grader. Ayes all, motion carried. Hertz will assist with winter snow removal making \$21.31/hr.

Motion by Stauter, seconded by Smith, to authorize the Chairman to sign the Title VI Non-Discrimination Policy Statement, Title VI Non-Discrimination Agreement, and the Title VI Non-Discrimination Assurances. Ayes all, motion carried. The DOT requires a new Title VI Policy and Assurances be resigned anytime there is a new Chairman.

Weekly meetings: Ives-Solid Waste meeting; Stauter-CFR; and Aden-Solid Waste meeting.

There being no further business, a motion was made by Stauter, seconded by Smith, to declare the meeting adjourned. Ayes all, motion carried.

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Brent Aden, Chairman

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Kelly Jepsen, Auditor