

Supervisors Room, Courthouse  
Pocahontas, Iowa  
January 3, 2022

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

Members present: Chairman, Clarence Siepker; Supervisors, Jeffrey Ives, Brent Aden, Louis Stauter, Kyle Smith; and Auditor, Kelly Jepsen. Others 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: Louis Stauter-3, Brent Aden-1, Kyle Smith-1; Vice-Chairman: Brent Aden-4, Kyle Smith-1. The Board affirmed the vote and declared Louis Stauter as Chairman and Brent Aden as Vice-Chairman for the 2022 calendar year.

Motion by Smith, seconded by Aden, to approve the minutes, dated December 28, 2021, 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 Aden, seconded by Smith, 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 Ives, seconded by Siepker, 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 2022 calendar year, with each stating they meet the requirements as stated in Iowa Code 618.3. Motion by Smith, seconded by Aden, 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 Ives, seconded by Aden, to set the County declared holidays of non-union employees for the 2022 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.

Effective July 1, 2022, newly hired personnel in Pocahontas County government shall follow the salary matrix system approve 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 Sec. 350.4; 340.8; and 340.10 of the Code of Iowa and those under collective bargaining contracts, as moved by Siepker, seconded by Smith. Ayes all, motion carried.

The mileage reimbursement was reviewed. The Internal Revenue Service (IRS) has announced the standard mileage rate for the 2022 year for business use of an automobile is 58.5¢ per mile. Motion by Aden, seconded by Ives, to set the mileage reimbursement rate as 58.5¢ per mile, effective January 1, 2022. 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 Smith, 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 and that the County Engineer shall be limited in commitments and/or expenditures in excess of \$20,000. Ayes all, motion carried.

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

**Resolution–2022-01-#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 Aden, seconded by Ives, to adopt the following resolution. The Chairman called the question with the following recorded vote: Ayes: Ives, Aden, Stauter, Siepker, Smith. Nays: none. Whereby the Chairman declared the resolution duly adopted to-wit:

**Resolution–2022-01-#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 2022.

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

**Resolution–2022-01-#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, 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 2020	Max for 2021
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	<b>Kelly Jepsen</b> , Auditor	\$1,000,000
Availa Bank	<b>Cathy Frerk</b> , Recorder	\$ 50,000
Pocahontas State Bank	<b>Steve Nelson</b> , Sheriff	\$ 50,000

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

**Resolution –2021-01-#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 Ives, seconded by Aden, to adopt the following resolution. The Chairman called the question with the following recorded vote: Ayes: Ives, Aden, Stauter, Siepker, Smith. Nays: none. Whereby the Chairman declared the resolution duly adopted to-wit:

**Resolution–2021-01-#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. 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.”

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

**Resolution–2021-01-#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 2022.

Motion by Ives, seconded by Aden, 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 2022. Ayes all, motion carried.

Motion by Smith, seconded by Aden, to reappoint Jennifer Boevers, D.O. as the Medical Examiner, term ending December 31, 2022. Ayes all, motion carried.

Motion by Siepker, seconded by Aden, to appointment the following people to the different committees, agencies, and board members for 2022. Ayes all, motion carried.

Board of Health: Supervisor Smith  
County Conservation Board: Supervisor Siepker, Supervisor Smith as alternate  
County Fair Board: Supervisor Stauter, Supervisor Aden as alternate  
Courthouse Committee: Supervisor Smith and Auditor Jepsen  
County Farm Manager: Supervisor Aden  
Courthouse Security Commission: Supervisor Ives  
Community & Family Resources Board: Supervisor Stauter  
E911 & LEPC Administrative Board: Supervisor Ives  
Emergency Management Administrative Board: Supervisor Ives  
General Liabilities & Workman's Compensation Insurance Committee: Supervisor Smith and Auditor Jepsen  
Health Insurance Committee: Supervisor Smith, County Auditor, County Treasurer, County Recorder, Jessica Paulsen, Jill Conlin, and Jack Moellering  
Homecare Aide Agency: Supervisor Smith  
Homeward Housing Committee: Supervisor Aden  
Iowa Drainage District Association Meeting Voting Delegates: Supervisors Ives & Siepker, with Supervisor Aden as alternate  
Jt. DD 181 Interim Committee: Supervisors Stauter and Siepker  
Linking Families & Communities: Supervisor Siepker  
Midas Council of Governments:  
City Rep: Duitsman and request that the City of Pocahontas suggest the alternate representative  
County Rep: Supervisor Aden; Supervisor Ives as alternate  
Ec Dev Rep: Tom Grau; Emily Williams as alternate  
Strategic Partners-TAC: Jack Moellering; Gary Atherton as alternate  
NW IA Tourism Council: Emily Williams, Supervisor Smith as alternate  
PCEDC: Supervisor Ives, Supervisor Aden as alternate  
Pocahontas County Solid Waste Commission: Supervisors Ives & Aden, with Supervisor Siepker as alternate  
Pocahontas County Trails Committee: Supervisor Siepker, Supervisor Ives as alternate  
Region V Hazmat Foundation Board: Supervisor Ives  
Revolving Loan Fund Committee-Pocahontas County Economic Development: Supervisor Aden  
Rolling Hills Governance Board: Supervisor Siepker, Supervisor Smith as an alternate  
Safety Committee: Supervisor Smith  
Second Judicial District Board Member: Supervisor Aden, Supervisor Ives as alternate  
Upper Des Moines Opportunity: Supervisor Siepker  
Workforce Development-Service Area V: Supervisor Ives  
Youth Emergency Service Center: Supervisor Stauter

Motion by Aden, seconded by Smith, to appoint the following people to the Eminent Domain Commission for 2022. Ayes all, motion carried.

Group No. 1 Owners-Operators-Agricultural	Group No. 2 Owners of City Property
Rick Wadle	Fonda
Bev Westerman	Mallard
Doug DeWall	Palmer
Dennis Wagner	Rolfe
Ron Dreith	Rolfe
Donna Seehusen	Pocahontas
Bruce Boysen	Havelock
Group No. 3 RE Salesperson or Brokers	Group No. 4 Bankers & Auctioneers
Donna Hudson	Pocahontas
Kevin Maurer	Laurens
Rick Winegarden	Pocahontas
Lori Jergens	Mallard
Katie Halligan	Pocahontas
Kerrie R. Woodley	Laurens
Lori Hopkins	Havelock

Motion by Smith, seconded by Ives, to appoint Polly Zaugg and Brent Aden to the Home Care Aide Agency for a two-year term ending December 31, 2023. Ayes-Ives, Aden, Siepker, Smith; Nays-none; Abstain-Stauter; motion carried.

Motion by Smith, seconded by Siepker, to appoint Donna Stall and Connie Schachtner to the Board of Health for a three-year term ending December 31, 2024. Ayes all, motion carried.

Motion by Ives, seconded by Aden, to appoint Merete Klocke, to the Commission of Veterans Affairs for a three-year term ending on December 31, 2024. Ayes all, motion carried.

Motion by Siepker, seconded by Aden, to appoint Randy Gustafson, to the Conservation Board for five-year term ending on December 31, 2026. Ayes all, motion carried.

Motion by Aden, seconded by Smith, to table the appointments of Compensation Board members for the Auditor, Treasurer and Board of Supervisors until next week. Ayes all, motion carried.

Motion by Siepker, seconded by Ives, to appoint Scott Kilbride and Kristina Mathers, to the Civil Service Commission for terms ending December 31, 2023, and December 31, 2027 respectively. Ayes all, motion carried.

The Board discussed private landowners' unpaid bill for drainage repair done to their private tile. The County had a contractor onsite to do repairs to Jt. DD 181 Little Cedar. In performing the repairs, it was determined that four landowners needed repair work done to their private tile to connect to the ditch. At the time, Stauter contacted the landowners and gave them the option to have their own contractor come out and make the need repairs or have the County's contractor make the repair and bill them for the repair. All four chose the latter, as it saved them time and money. The original bills were sent December 3, 2020 and as to date, only two landowners have paid. Stauter and Siepker will follow up with phone calls to the two landowners, then if nothing happens, formal letters would be mailed.

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

**Resolution– 2022-01-#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, 2022 and January 31, 2023 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).

Dan Feistner, County Attorney, and the Board discussed the vaccine mandate. Feistner advised that OSHA's COVID-19 Vaccination and Testing Emergency Temporary Standard (ETS) covers employers with 100 or more employees and requires them to take steps to minimize the risk of COVID-19 transmission. To date, Pocahontas County has 87 full-time/part-time employees, 10 County elected officials and 3 temporary seasonal employees. Depending on how employees are defined will determine if Pocahontas County is required to follow the mandate. Feistner will work on a policy and with the Auditor and her staff to ensure our responsibilities are being met.

After Jepsen and the Board reviewed the FY23 health insurance rate and discussed different rates for the partial self-funding. A motion was made by Aden, seconded by Siepker, to set the FY23 insurance rate at \$877.00/month for single plans and \$2,005.00/month for family plans. Ayes all, motion carried. Jepsen will send notice to the department administrators to budget \$844.00/month for single plans and \$1,894.00/month for family plans. The County's health insurance fund will be used to subsidize the difference for the County employees.

Motion by Aden, seconded by Smith, to approve the hire of Steven Frerk as the Pocahontas Motor Patrol Operator. Frerk will start employment on January 17, 2022, earning \$19.37/hour during his probationary period. Ayes all, motion carried.

Motion by Aden, seconded by Ives, to authorize the Chairman to sign the Title VI Non-Discrimination Policy 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.

Jack Moellering, County Engineer, gave the Board an update on the happening in Secondary Roads.

Weekly meetings: Stauter –Pipeline and drainage concerns; Siepker–Rolling Hills and Secondary Roads' interviews; and Smith – Secondary Roads' Interviews.

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