

Supervisors Room, Courthouse  
Pocahontas, Iowa  
January 4, 2020

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, Brent Aden, Louis Stauter, Kyle Smith; and Auditor, Kelly Jepsen. Others present: Reporter, Erin Somers. Telephonically: Anne Thompson, Health Department Administrator; and Dan Feistner, County Attorney.

The first item of business was the election of Chairman and Vice-Chairman by secret ballot. The ballot count was as follows: Chairman: Clarence Siepker-4; and Jeff Ives -1; Vice-Chairman: Louis Stauter-4; and Brent Aden-1. The Board affirmed the vote and declared Clarence Siepker as Chairman and Louis Stauter as Vice-Chairman for the 2021 calendar year.

Motion by Stauter, seconded by Aden, to approve the minutes, dated December 29, 2020, as presented. Ayes all, motion carried.

The tentative agenda was approved with the addition of discuss Christmas Eve on motion by Ives, seconded by Smith. Ayes all, motion carried.

Motion by Ives, seconded by Stauter, to reaffirm the appointment of Cathy Frerk as the new County Recorder, made on December 15, 2020, effective today, January 4, 2021. Ayes all, motion carried. Frerk was then sworn into office by Magistrate Judge, Ben Meyer.

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 Ives, 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 have all filed letters requesting to be the official newspapers for Pocahontas County, IA for the 2021 calendar year, with each stating they meet the requirements as stated in Iowa Code 618.3. Motion by Stauter, 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 Stauter, seconded by Ives, to set the county declared holidays of non-union employees for the 2021 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, 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 \$15.00 per hour, effective July 1, 2021 with an increase of 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 Aden, 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 2021 year for business use of an automobile is 56¢ per mile. Motion by Ives, seconded by Stauter, to set the mileage reimbursement rate as 56¢ per mile, effective January 1, 2021. 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 Ives, that this board shall act as a unit and not as individuals. Ayes all, motion carried.

Motion by Stauter, seconded by Aden, that the General Assistance Director consult with the Board of Supervisors before authorizing any expenditure in excess of \$500 for services 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 Ives, 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: Siepker, Aden, Ives, Stauter, Smith. Nays: none. Whereby the Chairman declared the resolution duly adopted to-wit:

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

**Resolution–2021-01-#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 2021.

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

**Resolution–2021-01-#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.

<b>DEPOSITORIES</b>	<b>LOCATION</b>	<b>Max for 2020</b>	<b>Max for 2021</b>
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	Cathy Frerk, Recorder	\$ 50,000
Pocahontas State Bank	Steve Nelson, Sheriff	\$ 50,000

Motion by Ives, seconded by Aden, to adopt the following resolution. The Chairman called the question with the following recorded vote: Ayes: Siepker, Aden, Ives, Stauter, 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 Aden, seconded by Stauter, to adopt the following resolution. The Chairman called the question with the following recorded vote: Ayes: Siepker, Aden, Ives, Stauter, 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 Stauter, seconded by Ives, to adopt the following resolution. The Chairman called the question with the following recorded vote: Ayes: Siepker, Aden, Ives, Stauter, 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 2021.

Motion by Stauter, seconded by Smith, 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 2021. Ayes all, motion carried

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

Motion by Stauter, seconded by Smith, to make the following appointments to the different committees, agencies, and boards for 2021. Ayes all, motion carried.

Board of Health: Supervisor Smith with Supervisor Aden as alternate  
County Conservation Board: Supervisor Siepker with Supervisor Smith as alternate  
County Fair Board: Supervisor Stauter with Supervisor Aden as alternate  
Courthouse Committee: Supervisor Smith 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 with Supervisor Smith as an alternate  
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, 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 & Siepker  
Linking Families & Communities: Supervisor Siepker  
Pathfinders Strategic Partners-City Rep: Angela Duitsman and request that the City of Pocahontas suggest the alternate representative  
Pathfinders Strategic Partners-County Rep: Supervisor Aden with Supervisor Ives as alternate  
Pathfinders Strategic Partners-Economic Dev. Rep: Tom Grau with Emily Williams as the alternate  
Pathfinders Strategic Partners-TAC: Jack Moellering with Gary Atherton as the alternate  
NW IA Tourism Council: Emily Williams and Supervisor Smith as alternate  
PCEDC: Supervisor Ives and Supervisor Aden as alternate  
Pocahontas County Solid Waste Commission: Supervisors Ives & Aden with Supervisor Siepker as alternate  
Pocahontas County Trails Committee: Supervisor Siepker and Supervisor Ives as alternate  
Region V Hazmat Foundation Board: Supervisor Ives  
Revolving Loan Fund Committee-Pocahontas County Economic Development: Supervisor Aden  
Safety Committee: Supervisor Smith  
Second Judicial District Board Member: Supervisor Aden and 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 Smith, seconded by Ives, to appoint the following people to the Eminent Domain Commission for 2021. Ayes all, motion carried.

<b>Group No. 1 Owners-Operators-Agricultural</b>		<b>Group No. 2 Owners of City Property</b>	
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
<b>Group No. 3 RE Salesperson or Brokers</b>		<b>Group No. 4 Bankers &amp; Auctioneers</b>	
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 Aden, seconded by Stauter, to not appoint a representative to the Home Care Aide Agency as this time. Ayes all, motion carried.

Motion by Ives, seconded by Smith, to reappoint Dr. Ted George, to the Board of Health to a three year term ending December 31, 2023. Ayes all, motion carried.

Motion by Stauter, seconded by Smith, to reappoint Keith Hoffman, to the Commission of Veterans Affairs for a three year term ending on December 31, 2023. Ayes all, motion carried.

Motion by Stauter, seconded by Aden, to reappoint Ray Wolf, to the Conservation Board for five year term ending on December 31, 2025. Ayes all, motion carried.

Motion by Ives, seconded by Stauter, to appoint Robin Moore, to the County Planning & Zoning Commission for five year term ending on December 31, 2025. Ayes all, motion carried.

Motion by Stauter, seconded by Ives, to reappoint Nancy Fuchs, Dean Behrendsen, and Gary Devereaux, to the Civil Service Commission to a six term ending December 31, 2026. 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 Ives, seconded by Smith, to adopt the following resolution. The Chairman called the question with the following recorded vote: Ayes: Siepker, Aden, Ives, Stauter, Smith. Nays: none. Whereby the Chairman declared the resolution duly adopted to-wit:

**Resolution– 2021-01-#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, 2021 and January 31, 2022 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).

Motion by Aden, seconded by Ives, to acknowledge the County Attorney’s appointments as follows: Jeff Kuchel to the Civil Service Commission to a term of four years, ending December 31, 2024; and Jeff Kuchel and Don Beneke to the Magistrate Appointing Commission to a term of six years, ending December 31, 2026. Ayes all, motion carried.

Motion by Stauter, seconded by Aden, to approve Jt. DD 168 Contractor’s Pay Request #5 from Progressive Structures, Inc. for \$196,980.30 and Change Order #2 for a net increase of \$800.00. Ayes all, motion carried.

Motion by Stauter, seconded by Ives, to acknowledge the Certification of completion on DD 168 and set the Completion Hearing for Tuesday, February 9, 2021 at 1:00 p.m. in the Assembly Room of the Courthouse. Ayes all, motion carried.

Motion by Aden, seconded by Smith, 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; and (4) Nehman’s – ID# 59264 located in the NE SE, Section 1, Williams Township, Calhoun County with Nutra Tech, LC as owners & contact. Ayes all, motion carried.

The Board clarified that employees would have to work, use vacation, or compensations time until from their normal start time until 12:00 p.m. for Thursday, December 24th. Then remainder of their normal scheduled hours for that day would be paid, as they had closed the County building at noon on December 24th.

Auditor Jepsen and the Board discussed schedules for budget reviews and snow removal at the Courthouse and County Annex.

Paul Greufe, Human Resource/Union Negotiator, discussed the salary survey and how it would be implemented. He explained the pay band matrix, the indirect benefit comparison, and a compensation policy.

Weekly meetings: Ives-weather concerns, and Siepker-Rolling Hills.

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