

Supervisors Room, Courthouse  
Pocahontas, Iowa  
March 21, 2023

The Board of Supervisors of Pocahontas County, Iowa, met for a regular meeting. Members present: Chairman, Brent Aden; Supervisors, Jeffrey Ives, Louis Stauter, Clarence Siepker, Kyle Smith; and Auditor, Kelly Jepsen. Others present: Reporter, Erin Sommers; and Navigator representative, Logan Shine.

Motion by Smith, seconded by Siepker, to approve the minutes dated March 14, 2023 as presented. Ayes all, motion carried.

Motion by Stauter, seconded by Ives, to approve the tentative agenda as posted. Ayes all, motion carried.

Motion by Ives, seconded by Stauter, to authorize the Sheriff to purchase a reader kit, thermal printer, and printer mount for \$1,000.91 from L-Tron Corporation out of New York and a BEE3-2KA Radar from Karl Emergency Vehicles from Des Moines, for \$2,279.00. Ayes all, motion carried.

Motion by Stauter, seconded by Siepker, to authorize the Chairman to sign the Iowa DOT Federal-aid agreement for the C-49 Overlay, Project #STP-S-C076(74)-5e-76. Ayes all, motion carried.

Motion by Smith, seconded by Siepker, to authorize the Chairman to sign the Iowa DOT Federal-aid agreement for the County Line Bridge, Project #BROS-C076-8J-76. Ayes all, motion carried.

Motion by Stauter, seconded by Smith, to set a bid letting for patching for Tuesday, April 11, 2023 at 11:00 a.m., in the Supervisors Room, at the Courthouse. Ayes all, motion carried.

Motion by Siepker, seconded by Stauter, to authorize Secondary Roads to purchase two Plyco doors for the Pocahontas Shed, estimated cost is \$1,700.00 each. Ayes all, motion carried.

Jack Moellering, County Engineer, and John Runneberg, Roads Superintendent, discussed the need for a PT Seasonal employee to help with mowing the ditches. With the Board requesting for the ditches to be mowed at least twice in the Summer, the Board felt like this was a reasonable request. Moellering and Runneberg will gather more information and discuss further with the Board at a later time.

Motion by Stauter, seconded by Siepker, to approve a pay increase for Ashley Aschenbrenner, FT Dispatcher, as she has reached 6-months of employment in the Sheriff's Department. Ayes all, motion carried. As of April 3, 2023, Aschenbrenner's rate of pay will be changed to \$18.46/hr., as per union contract.

Motion by Stauter, seconded by Smith, to approve Mackenzie Pedersen as Jail Supervisor in the Sheriff's Department. Ayes all, motion carried. As of March 14, 2023, Pedersen's rate of pay will be changed to \$21.46/hr., as per union contract.

Motion by Siepker, seconded by Stauter, to approve the hire of Elizabeth Leu as a FT Jailer for the Sheriff's Office. Leu's first day will be April 10, 2023, making \$18.19/hr., per union contract. Ayes all, motion carried.

Motion by Siepker, seconded by Ives, to approve the hire of Blake Wiley as a PT Deputy for the Sheriff's Office to be used on an "as needed" basis. Ayes all, motion carried. Wiley's rate of pay will be \$28.41/hr., as per union contract.

Motion by Stauter, seconded by Smith, to approve the hire of Molly Montag as a PT Jailer for the Sheriff's Office to be used on an "as needed" basis at \$18.19/hr., as per union contract. Ayes all, motion carried. Montag started on March 16, 2023.

Supervisor Ives advised that the 28E Agreement which formed Workforce Development needs to be amended prior to the counties being able to withdraw from the Consortium. Motion by Ives, seconded by Stauter, to rescind Resolution 2023-2-#11, A Resolution to Withdraw from the Articles of Agreement Which Formed the Workforce Development Chief Elected Official Consortium for the Workforce Innovation and Opportunity Act of 2014, dated the 21<sup>st</sup> day of February, 2023. Ayes all, motion carried.

Motion by Ives, seconded by Smith, to adopt the Resolution to Amend the Articles of Agreement Which Formed the Workforce Development Chief Elected Official Consortium for the Workforce Innovation and Opportunity Act of 2014. 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-2023-3-#14**

**A RESOLUTION TO AMEND THE ARTICLES OF AGREEMENT WHICH FORMED THE WORKFORCE DEVELOPMENT CHIEF ELECTED OFFICIAL CONSORTIUM FOR THE WORKFORCE INNOVATION AND OPPORTUNITY ACT OF 2014**

WHEREAS, Pocahontas County previously signed a resolution to approve the Articles of Agreement creating the Workforce Development Chief Elected Official Consortium (CEO) together with 5 other counties in North Central Iowa, known as the "North Central Iowa Local Workforce Development Area" or NCILWDA; and,

WHEREAS, this 28E Agreement was filed with the Iowa Secretary of State on October 2, 2020 and assigned filing number M512999; and,

WHEREAS, Article 11 of the Agreement allows counties to amend the terms and provisions of the Agreement by at least two-thirds (2/3) roll call vote of the members of the CEO Board at any regular or special meeting for which the members were notified at least ten (10) calendar days prior to said meeting; and,

WHEREAS, at their meeting on February 16, 2023, the CEO Board discussed the 28E Agreement, weighing the need to amend the terms of the Agreement to include Article 12, Termination by Counties. A county may withdraw from this Agreement by resolution of their Board of Supervisors and by providing notice of said withdrawal to the CEO Board at least thirty (30) days prior to the beginning of the upcoming fiscal year; and,

WHEREAS, the CEO Board voted 6-0 at this meeting, after this discussion, to amend the 28E Agreement with the addition of an Article of Termination by Counties.

NOW, THEREFORE BE IT RESOLVED by the Pocahontas County Board of Supervisors that:

1. It does hereby invoke Article 11 of the Articles of Agreement which formed the Workforce Development Chief Elected Official Consortium for the Workforce Innovation and Opportunity Act of 2014 to include Article 12, Termination by Counties: A County may withdraw from this Agreement by resolution of their Board of Supervisors and by providing notice of said withdrawal to the CEO Board at least thirty (30) days prior to the beginning of the upcoming fiscal year.
2. It understands this change will allow any of the six (6) counties to withdraw from the Agreement.

Passed and approved this 21st day of March, 2023.

By: Pocahontas County Board of Supervisors

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

ATTEST: /s/Kelly Jepsen, County Auditor

As part of the Opioid settlement agreement, a motion was made by Stauter, seconded by Siepker, to adopt **Resolution – 2023-3-#15**, the Local Government Settlement Resolution. The Chairman called the question with the following recorded vote: Ayes – Ives, Stauter, Aden, Siepker, and Smith; Nays-none. The full resolution is available for review on the County's website, <https://pocahontascounty.iowa.gov> and in the Auditor's Office.

Motion by Stauter, seconded by Ives, to table designating a County Inspector for the Navigator Heartland Greenway CO2 Pipeline until more information is received. Ayes all, motion carried.

On behalf of the Jt. DD 181 Interim Board, a motion was made by Stauter, seconded by Siepker, to approve a claim from the Drainage Department-BV, Calhoun, Sac County in the amount of \$250.00 and another claim from Pocahontas County Secondary Roads for \$241.40, for the Drainage Engineer and Watchman to attend the annual meeting. Ayes all, motion carried.

Weekly meetings: Ives–Economic Development and legislative concerns; Stauter–EMS, YES Center, Fairboard, North Racoon Watershed, and met with Hudson concerning pipeline resolution; Aden–Economic Development; Siepker–Conservation, North Racoon Watershed, Linking Families, and met with Hudson concerning pipeline resolution; and Smith–Public Health, Building & Grounds, Safety, drainage and pipeline concerns.

At 11:00 a.m., a motion was made by Smith, seconded by Siepker, to go into closed session, Iowa Code 21.5(1)(c): To discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation. Ayes all, motion carried.

At 11:35 a.m., the Board voted to come out of closed session.

Motion by Siepker, seconded by Stauter, to authorize the Chairman to sign the Settlement Agreement and General Release. Ayes-Stauter, Aden, Siepker, Smith; Nays-Ives. Motion carried.

There being no further business to come before the Board, the Chairman declared the meeting adjourned.

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Brent Aden, Chairman

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Kelly Jepsen, Auditor