

Supervisors Room, Courthouse
Pocahontas, Iowa
April 11, 2023

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

Motion by Smith, seconded by Stauter, to approve the minutes dated April 4, 2023 as presented. Ayes all, motion carried.

Motion by Siepker, seconded by Ives, to approve the tentative agenda with an addition. Ayes all, motion carried.

Motion by Stauter, seconded by Smith, to approve the Auditor's Quarterly Reports. Ayes all, motion carried.

Motion by Stauter, seconded by Siepker, to approve the Recorder's Quarterly Report and Report of Fees Collected for the month of March. Ayes all, motion carried.

The Board reviewed a letter written to the Iowa Utilities Board and a revised resolution to replace Resolution 2021-12-#37, Construction of a pipeline, electric transmission line, communication line, underground service line, or other similar installations over, across, or beneath county drainage districts and/or tiles. Motion by Stauter, seconded by Smith, to approve said letter and adopt Resolution 2023-04-#19, replacing Resolution 2021-12-#37. The Chairman called the question with the following recorded votes: Ayes: Ives, Stauter, Aden, Siepker, Smith. Nays: none. Whereby the resolution is adopted to-wit. 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 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 2023-04 #20

DESTRUCTION OF NOXIOUS WEEDS

BE IT RESOLVED, by the Board of Supervisors, Pocahontas County, Iowa that pursuant to the Provisions of Chapter 317.13 and 317.14, Code of Iowa, 2022, it is hereby ordered:

That each owner and each person in the possession or control of any lands in Pocahontas County, Iowa, shall cut, burn or otherwise destroy all noxious weeds thereon, as defined in the Chapter, at such times each year and in such manner as shall prevent said weeds from blooming or coming to maturity, and shall keep said lands free from such growth of any other weeds shall render the streets or highways, adjoining said lands unsafe for public travel. Noxious weeds shall be cut or otherwise be destroyed on or before the following dates as often as necessary to prevent weed production.

Group 1 – May 25 to June 15, 2023 - for Leafy Spurge, Perennial Pepper Grass, Sour Dock, Smooth Dock, Sheep Sorrel

Group 2 – June 1 to June 15, 2023 - for Canada Thistle, Russian Knapweed, Buckthorn, Wild Mustard and other species of Thistles

Group 3 – June 21 to July 15, 2023 - for Field Bindweed, Wild Carrot

Group 4 – June 21 to July 15, 2023- for Horse Nettle, Perennial Sow Thistle, Quack Grass, Butterprint, Puncture Vine, Cocklebur, Bull Thistle, Teasel

Each owner and each person in the possession or control of any lands in Pocahontas County infested with any primary or secondary noxious weeds including:

Quack Grass, Perennial Sow Thistle, Canada Thistle, Bull Thistle, Field Bindweed, Horse Nettle, Leafy Spurge, Buckthorn, Perennial Pepper Grass, Palmer Amaranth, Russian Knapweed, Butterprint, Cocklebur, Teasel, Wild Mustard, Wild Carrot, Buckhorn, all other species of thistles belonging in the genera of "Cirsium and Carduus, Wild Sunflower, Sheep Sorrel, Sour Dock, Smooth Dock, Puncture Vine, Multiflora Rose, Poison Hemlock, and Shattercane, shall adopt a program for weed destruction, prescribed by the Weed Commissioner, which in five years may be expected to destroy and will immediately keep under control such infestations of said primary and secondary noxious weeds.

That if the owners or person in possession or control of any land in Pocahontas County fails to comply with the foregoing orders, the Weed Commissioner shall cause this to be done and the expense of said work including costs of serving notice and other costs, if any, to be assessed against the land and the owners thereof.

APPROVED THIS 11TH DAY OF APRIL, 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

Supervisor Ives advised that the 28E Agreement forming Workforce Development has been amended and a discussion on withdrawing from the consortium took place. Motion by Ives, seconded by Siepker, to adopt a resolution to withdraw from the 28E Agreement which formed Workforce Development. 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-2023-4-#21

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

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 amended/filed with the Iowa Secretary of State on April 4, 2023 assigned filing number M515884; and,

WHEREAS, Article 12 of the Agreement allows counties to 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.

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

1. It does hereby invoke Article 12 of the Articles of Agreement which formed the Workforce Development Chief Elected Official Consortium for the Workforce Innovation and Opportunity Act of 2014 and withdraws from the Agreement at the end of the day June 30, 2023.
2. It understands and is its intention to withdraw from the Agreement by all six (6) counties will terminate the Agreement.

Passed and approved this 11th day of April, 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

Motion by Stauter, seconded by Siepker, to appoint Jerry Hammen and Troy Stockwell as Classification Commissioners for DD 56. Ayes all, motion carried.

Motion by Ives, seconded by Siepker, to approve Jt. DD 63 Contractor's Pay Request #1 from Anderson Drainage & Excavating for \$23,681.25 and Change Order #1, contract price change with a net increase of \$9,562.50 and deny the change in contract times. Ayes all, motion carried. The completion date will be discussed at the completion hearing.

The Board discussed a draft of the new proposed language for the Child Support County Staffing Contract Leave Payout and had no questions at this time.

Motion by Stauter, seconded by Siepker, to acknowledge receipt of Manure Management Plans: (1) Wadle, Dennis & Gene – ID# 65822 located in the NW NW, Section 30, Cedar Township with Dennis Wadle & Gene Wadle as owner and contact persons; and (2) Peiffer, Mary -ID# 57939 located in the SW SE, Section 1, Douglas Township, Sac County with Mary Peiffer as owner & contact person. Ayes all, motion carried.

Motion by Smith, seconded by Siepker, to approve the claims as reviewed by the Board. Ayes all, motion carried. The following claims were audited and allowed:

Amazon	Supplies	830.29	7
Client	Mileage	63.18	1
Westin E Beneke	Mileage	157.13	1
B H Energy	Natural Gas	139.19	1
CAASA	Allocation	1250.00	1
Cardio Partners	Supplies	108.00	1
CID	Supplies	621.00	1
Century Link	Line Chg	120.59	1
City-Pocahontas	Utilities	3941.22	5
Collision Center	Supplies/Repairs	285.00	1
Comm First	Service	183.39	1
J Conlin	Mileage	158.00	1
Control Solutions	Supplies	1233.40	1
Po Co Sec Rd	Fuel	2399.77	1
O Cressler	Mileage	56.16	1
Dist III Treas	Training	80.00	1
E Z Graph of Victoria Inc	Supplies	214.08	1
Electronic Special	Supplies	290.17	1
Farm & Home	Supplies	523.90	2
Family Crisis Center	Allocation	1250.00	1
Fonda Ambl	Allocation	3057.50	1
Fonda Pub Libr	Allocation	6109.50	1
Foundation An	Service	421.25	1
Galls	Uniform	204.86	1
GFC Leasing	Lease	2105.72	1
GC Pub Libr	Allocation	2800.50	1
Gordon Flesch	Lease	768.07	1
Hands Up	Service	1271.00	1
Dayton M Harson	Feed	9.61	1
Havelock Pub Libr	Allocation	4964.50	1
K Hoffman	Mileage	19.89	1
Humb News	Ads	43.00	1
ICAA	Dues	336.00	1
IHCA	Training	365.00	1
ISACA	Dues	250.00	1
ISCTA	Service	150.00	1
ISSDA	Training	250.00	1
ITSavvy LLC	Renewal	250.80	1
Jasper Co Sheriff	Service	60.00	1
K Jepsen	Supplies	11.76	1
R Jergens	Expenses	665.28	1
Juicebox	Hosting	230.00	1
M Klocke	Mileage	22.23	1
Brooke A Krips	Mileage	270.68	1
Laurens Ambl	Allocation	3057.50	1
LMPC	Service	898.10	1
Laurens Pub Libr	Allocation	7637.00	1
Laurens Sport Club	Dues	320.00	1
LexisNexis	Service	130.00	1
Mary J Litwiller	Expenses	456.23	1
Mainstay Systems of Iowa	Service	237.00	1
Mediacom	Line Chg	252.57	2
Menards	Supplies	1068.30	2
K Metzger	Mileage	176.85	1
MidAm Energy	Electricity	53.79	1
Napa	Parts	92.37	1
Kayla M Nedved	Mileage	19.53	1
S Nelson	Phone	147.10	1
S Nelson	Uniform	259.95	1
Netsmart	Service	1682.00	1
New Way Ford	Service	333.24	1
NW Comm	Line Chg	158.99	1

Office Elements	Supplies	394.22	1
Palmer Mutual	Line Chg	164.96	1
Palmer Pub Libr	Allocation	5346.00	1
P As T	Training	400.00	1
Plover Pub Libr	Allocation	5346.00	1
Po Co Econ Dev	Allocation	25000.00	2
Po Co Fair Assoc	Allocation	10000.00	1
Po Co Historical	Allocation	3570.00	1
Poca Ambl	Allocation	15000.00	2
PO CO IT Dept	Phone Fiber	369.32	3
Pocahontas County	Keys	397.70	1
Pocahontas County Extension an	Training	30.00	1
Postmaster	Postage	587.00	4
Poca Pub Libr	Allocation	7637.00	1
Poca St Bank	Rent	400.00	1
Poky Fiber	Service	153.89	1
Record Dem	Renewal	35.00	1
Rolfe Ambl	Allocation	3057.50	1
Rolfe Pub Libr	Allocation	6109.50	1
Alexandria K Salsberry	Mileage	274.66	1
Kristi S Seiler	Postage	42.80	1
Sommerlot Paint	Painting	8400.00	1
M Thomas	Supplies	1689.00	1
Donald P Trexel	Mileage	12.87	1
USPS	Supplies	17.85	1
Varina Pub Libr	Allocation	4964.50	1
Nathanial J Vento	Mileage	319.41	1
Verizon	Phones	1365.57	3
Vermeer	Supplies	434.08	1
Wex Bank	Fuel	365.04	1
Windstream	Line Chg	360.36	2
Woods	Supplies	7.98	1
Grand Total		157774.35	

At 10:30 a.m., the Board proceeded to the public hearing on the proposed vacation and closure of the western half of 560th Street located in Section 24 & 25, Dover Township. Present for the hearing: Grant Wells, Tony Abbott, Road Superintendent, John Runneberg, and Sign Technician, Jonathon Williams. After discussion, a motion was made by Stauter, seconded by Smith, to adopt a Resolution to Vacate a County Road. 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 TO VACATE A COUNTY ROAD

Resolution No. 2023-04-#22

WHEREAS, A public hearing was conducted on 11 April 2023 following publication and service of notice as required by law on the proposed vacation and closure of a portion of Pocahontas County Secondary Road, described as follows:

That portion of 560th Street from Southwest corner of Section 24, east along the Section line between Sections 24 & 25 to the closed bridge across Big Cedar Creek, and

That portion of 560th Street from Big Cedar Creek, east approximately 400’ along the Section line between Section 24 & 25.

Both of these roads are located in Dover Township (T-91N, R-34 W)

WHEREAS, no objections have been received, either in writing or by persons present.

NOW THEREFORE BE IT RESOLVED by the Pocahontas County Board of Supervisors that the subject section of road be ordered vacated and closed to the public. The road will be vacated “As Is” and not modified or obliterated by Pocahontas County before it is vacated.

BE IT FURTHER RESOLVED by the Pocahontas County Board of Supervisors that the bridge located on said 560th Street be sold to Grant T. Wells for the price of \$2.00. (Grant Wells being the owner of the land underlying the northwest, northeast and southwest portions of the bridge. Mark E. Wells being the owner of the land under the remaining southeast portion.) This sale to be “As Is” with no warranty of condition or soundness of the bridge.

Passed and approved this 11th day of April, 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

Weekly meetings: Ives–Drainage concerns; Stauter–Fair Board, Clay and Buena Vista County Board of Supervisors, and constituent concerns; Aden–Visioning Committee, and Solid Waste business; Siepker–Visioning Committee, and Upper Des Moines; and Smith–Ditch ROW, pipeline and housing concerns.

At 11:00 a.m., a bid letting for patching was held. Jack Moellering, County Engineer, advised that two bids were received to patch 171 locations in the County: Ten Point Construction, from Denison, IA for \$586,805.40 and Cedar Falls Construction Co., from Cedar Falls, IA for \$515,777.60. After discussion on the bids, a motion was made by Stauter, seconded by Smith, to reject all bids. Ayes all, motion carried.

Motion by Ives, seconded by Siepker, to approve the revised FY24 DOT budget and 5-year program. Ayes all, motion carried.

Paul Greufe, Human Resources, and the Board discussed Moellering’s performance with Moellering rejecting the opportunity to go into closed session, pursuant to Iowa Code 21.5(1)(i). After the evaluation, a motion was made by Stauter, seconded by Siepker, to accept Moellering’s verbal resignation, effective June 1, 2023, and thank him for his years of service. Ayes all, motion carried.

With nothing further to come before the Board, the Chairman declared the meeting adjourned.

Brent Aden, Chairman

Kelly Jepsen, Auditor