

Supervisors Room, Courthouse
Pocahontas, Iowa
August 16, 2022

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

Motion by Siepker, seconded by Smith, to approve the minutes dated August 9, 2022, as presented. Ayes all, motion carried.

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

Russ Jergens, on behalf of the EMS Advisory Council, reported on the Council's recommendation for an EMS levy. Patrick Mooney, Pocahontas County EMS Coordinator, and James Roetman, Pocahontas Community Hospital CEO, were present for discussion. After discussion, a motion was made 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 NO. 2022-08-#29

RESOLUTION TO DIRECT THE COUNTY COMMISSIONER OF ELECTIONS TO SUBMIT THE QUESTION OF ADOPTING A LEVY AND IMPOSING A VOTER-APPROVED EMERGENCY MEDICAL SERVICES (EMS) AD VALOREM PROPERTY TAX AND LOCAL OPTION INCOME TAX PURSUANT TO IOWA CODE CHAPTER 422D

WHEREAS, Pocahontas County Board of Supervisors declared Emergency Medical Services (EMS) to be an essential service in Pocahontas County, pursuant to Resolution #2022-05-20, adopted on May 31, 2022, recognizing EMS is essential to preserve the health, safety and welfare of Pocahontas County citizens; and

WHEREAS, the Board appointed the Pocahontas County EMS System Advisory Council to provide guidance to the County on how to preserve and improve the local EMS system; and

WHEREAS, on August 16, 2022, the Advisory Council advised the Board of Supervisors of steps to preserve and improve the County EMS system, including a recommendation for additional funding to the system through an ad valorem tax and Local Option Income Tax, pursuant to Iowa Code Chapter 422D; and

NOW, THEREFORE, BE IT RESOLVED, by the Pocahontas County Board of Supervisors, that the following proposition is approved, and the Board of Supervisors shall file the proposition for the ballot with the Pocahontas County Commissioner of Elections at least sixty (60) days prior to the election.

SHALL THE FOLLOWING PUBLIC MEASURE BE ADOPTED?

PROPOSITION ____

YES []
NO []

Shall the Pocahontas County Board of Supervisors, upon recommendation by the Pocahontas County EMS Advisory Council, for the purpose of funding Emergency Medical Services in Pocahontas County including, but not limited to, ambulance service, personnel, and equipment be authorized, for a period of fifteen (15) years, to (1) levy and impose a local option income surtax of One Percent (1.00%) upon the state individual income tax of each individual taxpayer resident in Pocahontas County on December 31 for each calendar year commencing with the calendar year 2023, and (2) levy and impose an ad valorem tax not exceeding Twenty-One Cents (\$.21) per One Thousand Dollars (\$1,000.00) of assessed valuation on all taxable property within Pocahontas County commencing with the levy of property taxes for collection in the fiscal year ending June 30, 2024?

[END BALLOT LANGUAGE]

NOW, LET IT BE FURTHER RESOLVED, that the County Commissioner of Elections shall make publication of the Notice of Election in a legal newspaper in the County once at least sixty (60) days prior to the date of the election, as required by Iowa Code section 422D.1, and shall prepare all ballots and election registers and other supplies necessary for the proper and legal conduct of this election.

Adopted this 16th day of August, 2022.

Error! Reference source not found. County Board of Supervisors
/s/Louis Stauter, Chairman, /s/Jeffrey K. Ives, /s/Brent Aden, /s/Clarence Siepker, /s/Kyle Smith
ATTEST: /s/Kelly Jepsen, County Auditor

Jack Moellering, County Engineer, and the Board selected four bridges for supplemental abutments to be done contracted this fiscal year. Bridges selected were located at: two in 8/9 Garfield, 7/8 Dover, and 34 Cedar.

Motion was made by Aden, seconded by Siepker, to adopt the following resolution to start a special revenue fund for the opioid settlement funds. 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-2022-08-30

ESTABLISHING NEW FUND-LOCAL GOVERNMENT OPIOID ABATEMENT FUND

WHEREAS, per Resolution 2021-11-#35, the Board of Supervisors of Pocahontas County entered into a settlement agreement with McKesson Corporation, Cardinal Health, Inc, Amerisource Bergen Corporation, John & Johnson Pharmaceuticals, Inc, Ortho-McNeil-Janssen Pharmaceuticals, Inc, and Janssen Pharmaceuticals, Inc.;

WHEREAS, negotiations with the defendants resulted in nationwide settlements with state and local governments requiring every participating government entity who receives a direct distribution to establish a separate fund on its financial books to record receipts and expenditures whereby said funds shall not be comingled with other funds of the participating local government and expenditures be directed solely for opioid addition, prevention and treatment activities carried out under the Distributor Master Settlement Agreement and J&J Master Settlement Agreement;

THEREFORE, BE IT RESOLVED that the Board of Supervisors hereby authorizes to establish a Special Revenue Fund, now known as Fund 30000 Local Government Opioid Abatement Fund, effective upon the date of passage of this resolution.

BE IT FURTHER RESOLVED that the County shall oversee the operations of the fund established and ensure assets, liabilities, fund balances, revenues and expenditures are accounted for per all settlement agreements.

Adopted this 16th day of August, 2022.

Error! Reference source not found. County Board of Supervisors

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

ATTEST: /s/Kelly Jepsen, County Auditor

Motion by Smith, seconded by Ives, to approve the letter of commitment to Heart of Iowa Regional Housing Trust Fund. Ayes all, motion carried.

Motion by Ives, seconded by Aden, to approve Jt. DD 63 claim from The Emmetsburg Reporter-Democrat for publication of Notice of Hearing, for \$135.44. Ayes all, motion carried.

Motion by Siepker, seconded by Aden, to acknowledge receipt of Manure Management Plans: (1) Woodin Finisher – ID# 61833 located in the NW SW, Sec. 34 Cummins Township with Middle Creek Swine, LLC as owner & Steve Licht as contact person; and (2) Bunda Finisher – ID# 61830 located in the NW NE, Sec. 29, Sherman Township with Middle Creek Swine, LLC as owner & Steve Licht as contact person. Ayes all, motion carried.

Weekly meetings: Ives–ISAC Educational Committee meeting and drainage concerns; Stauter–Fair board, meeting on wind turbines, and discussion with Iowa Lake Corridor; Siepker–Conservation; and Smith–ARPA Committee, Safety, and buildings & grounds meeting.

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

Louis Stauter, Chairman

Kelly Jepsen, Auditor