
FOR THE YEAR 2020
BOARD OF SUPERVISOR'S MINUTE BOOK
CHEROKEE COUNTY, IOWA
DECEMBER 15, 2020

The Cherokee County Board of Supervisors met in regular session on Tuesday, December 15, 2020 with Dennis Bush, Rick Mongan, Gary Lundquist, Duane Mummert, and Wane Miller present. Judy Rosenthal, *Marcus News*, represented the press. Bryan Petersen, Kelly Puhmann, Sarah Tracy, Justin Pritts and Stu Hogg were also in attendance. Unless otherwise indicated, all votes were offered as follows: Ayes – Mongan, Bush, Mummert, Miller, Lundquist; Nays – none; Abstentions – none.

The Pledge of Allegiance was led by Wane Miller, Veteran Affairs Commissioner.

Motion by Miller, seconded by Mongan to approve the agenda. Motion carried.

Motion by Mummert, seconded by Miller to approve the minutes of the previous meeting. Motion carried.

Amy Crouch, Little Sioux Watershed Project Director, explained a two-phase approach for reducing soil and property damage by slowing flood waters as they enter main tributaries. A first step would include approaching landowners along rivers about developing oxbows for water retention, restoring wetlands and riparian strips, and returning low lying farmland back to pasture. The second step would be to develop a bridge and culvert program with retainage structures designed to slow flood waters. Crouch is researching potential grant funds and will report back to the supervisors at a later date.

Tom Wilson, Beck Engineering, discussed final design plans for the proposed Courthouse Sidewalk Improvement Project and suggested bid letting and public hearing dates for the board's consideration.

Motion by Mongan, seconded by Mummert to set a bid letting date on February 3, 2021 at 2:00 p.m. for the Courthouse Sidewalk Improvement Project. Motion carried.

Motion by Bush, seconded by Miller to set a public hearing date on February 9, 2021 at 9:00 a.m. for the Courthouse Sidewalk Improvement Project. Motion carried.

Motion by Bush, seconded by Mummert to approve Resolution #2020-14 Inter-Fund Operating Transfer of \$1,089,393.50 from Rural Basic Fund to Secondary Road Fund effective December 15, 2020. Roll call vote: Mongan-aye, Bush-aye, Mummert-aye, Miller-aye, Lundquist-aye. Motion carried and resolution adopted.

Motion by Mummert, seconded by Miller to approve ISG Field Services Invoice #C1759 for submission to Dakota Access Pipeline for payment of inspection services provided from September 27, 2020 through October 31, 2020. Motion carried.

Motion by Mongan, seconded by Bush to approve ISG Field Services Invoice #C1773 for submission to Dakota Access Pipeline for payment of inspection services provided from November 1, 2020 through November 28, 2020. Motion carried.

Motion by Mummert, seconded by Miller to approve a separation of employment and \$3,516.43 final payout of vacation, comp hours and hours worked for Thomas Nielsen, Conservation Maintenance Technician, effective December 11, 2020. Motion carried.

Motion by Miller, seconded by Mummert to authorize the chairman to sign a Boundary Line Agreement to clarify that adjoining property owners agree to accept the Centerline of the Little Sioux River as the true Boundary Line between them on parcels currently maintained by the Cherokee County Conservation Board in Section 31 of Pilot Township and Section 16 of Silver Township. Roll call vote: Mongan-aye, Bush-aye, Mummert-aye, Miller-aye, Lundquist-aye. Motion carried.

The supervisors provided committee reports and reviewed meeting schedules.

Lundquist called for comments from the public. Justin Pritts, Emergency Management Coordinator, reported that 4300 boxes of PPE has been delivered to the Cherokee County EMA Warehouse as part of the governor's initiative to take care of long-term care facilities. The supplies are divided amongst 16 counties in our region.

Motion by Mongan, seconded by Mummert to go into closed session per Iowa Code Chapter 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."* Roll call vote: Mongan-aye, Bush-aye, Mummert-aye, Miller-aye, Lundquist-aye. Motion carried and session closed at 9:43 a.m. Regular session resumed at 11:06 a.m. with no action taken as a result of the closed session.

Ryan Kolpin, County Attorney, presented information related to multi-jurisdictional litigation which seeks restitution for damages related to Opioid medications.

Motion by Miller, seconded by Bush to authorize the chairman to sign an Engagement Letter with Simmons Hanly Conroy LLC, Crueger Dickinson LLC, and von Briesen & Roper, s.c., as Counsel to represent Cherokee

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County's interests in the negotiation of a resolution of its claims against opioid manufacturers, distributors and chain pharmacies. Motion carried.

Greg Zarr, County Assessor, presented a wage authorization for consideration.

Motion by Mummert, seconded by Mongan to acknowledge a \$42,000 wage authorization for Nissa Renken, Assessor's Clerk, effective December 14, 2020 as approved by Greg Zarr, County Assessor; noting the Assessor's approval to maintain Renken's current benefit date of February 19, 2019 and to allow carryover of current vacation and sick time balances. Motion carried.

Lundquist called for additional comments from the public. Stu Hogg, IT Director, requested input regarding a recent request by one of the supervisors to purchase equipment to facilitate remote meetings in the boardroom. After a brief discussion, the supervisors advised Hogg to get some quotes and report back about the feasibility of the proposal. The county attorney will be contacted to provide a legal opinion regarding electronic meeting compliance with open meeting laws.

Dick Sievers, Mid Sioux Opportunity, gave an informative review of services offered to area residents and reported that 1,346 individuals and 638 households received services in Cherokee County; which returns \$200 for every dollar contributed by the county. Mid Sioux's \$9,000 budget request for 2021/2022 is the same as it has been for the past several years. The request will be considered during the budget process.

There being no further business, Chairman Lundquist adjourned the meeting at 11:39 a.m.

All board agendas and minutes are available online at www.cherokeecountyiowa.com.

Gary Lundquist, Chairman

Attest: _____

Kris Glienke, County Auditor