

# Fremont County 2021 Resolutions

## RESOLUTION NO. 2021-1

WHEREAS, motion was made by Hickey to appoint Dustin Sheldon, Board Chairman and Randy Hickey as Board Vice-Chairman.

WHEREAS, the Board Chairman may make motions and vote as any other member of the Board.

BE IT HEREBY RESOLVED by the Fremont County Board of Supervisors this 4th day of January, 2021, that Supervisor Sheldon is appointed Board Chairman and Supervisor Hickey is appointed to the position of Vice-Chairman.

ATTEST:

/s/ Dee Owen	/s/ Dustin Sheldon, Chairman	aye
Fremont County Auditor	/s/ Randy Hickey,	aye
	/s/ Chris Clark	aye

## RESOLUTION NO. 2021-2

BE IT HEREBY RESOLVED by the Fremont County Board of Supervisors this 4th day of January, 2021, that the 2021 committee appointments are as follows:

Supervisor Sheldon – Welcome Center Board, West Central Development, Landfill Commission, Local Emergency Response, Southwest Iowa Juvenile Emergency Services Board, Loess Hills Alliance, and Safety Committee.

Supervisor Hickey – DECAT Board, DHS Service Advisory Board, Emergency Management Commission, Waubonsie Mental Health, Regional Planning Affiliate Board, Board of Health, Corner Counties Early Childhood, Workforce Development, and REAP Commission.

Supervisor Clark – Tourism Board, Loess Hills Authority, Hungry Canyons Authority, Hungry Canyons Alliance, Southwest Iowa Transit, Southwest Iowa Planning Council, Fourth Judicial 28E Board, and Zion Recovery Board, SCIA, and Local Emergency Response.

Graham, Hickey, and Sheldon appointed to E911 Board with one vote.

Motion was made by Hickey.

ATTEST:

/s/ Dee Owen	/s/ Dustin Sheldon, Chairman	aye
Fremont County Auditor	/s/ Randy Hickey,	aye
	/s/ Chris Clark	aye

# Fremont County 2021 Resolutions

## RESOLUTION NO. 2021-3

BE IT HEREBY RESOLVED by the Fremont County Board of Supervisors this 4th day of January, 2021, that the Board will hold its regular meetings on Wednesday of each week in the office of the Fremont County Courthouse, Sidney, Iowa, commencing at 9:00 a.m. until business is concluded.

Motion made by Hickey.

ATTEST:

/s/ Dee Owen	/s/ Dustin Sheldon, Chairman	aye
Fremont County Auditor	/s/ Randy Hickey,	aye
	/s/ Chris Clark	aye

## RESOLUTION NO. 2021-4

BE IT HEREBY RESOLVED by the Fremont County Board of Supervisors this 4th day of January, 2021, that the Sidney Argus-Herald and The Hamburg Reporter be designated as the County's official newspapers for 2021.

Motion to approve made by Hickey.

ATTEST:

/s/ Dee Owen	/s/ Dustin Sheldon, Chairman	aye
Fremont County Auditor	/s/ Randy Hickey,	aye
	/s/ Chris Clark	aye

## RESOLUTION NO. 2021-5

BE IT HEREBY RESOLVED by the Fremont County Board of Supervisors this 4th day of January 2021, that the following individuals shall be approved as staff for the Office of the Fremont County Auditor, as requested by Fremont County Auditor Dee Owen. The effective date of appointment shall be January 4, 2021: Kristi O'Neal – Assistant Auditor, Sydney Dailey – Assistant Auditor, Elizabeth Glenn – Assistant Auditor.

Motion made by Hickey.

ATTEST:

/s/ Dee Owen	/s/ Dustin Sheldon, Chairman	aye
Fremont County Auditor	/s/ Randy Hickey,	aye
	/s/ Chris Clark	aye

# Fremont County 2021 Resolutions

## RESOLUTION NO. 2021-6

BE IT HEREBY RESOLVED by the Fremont County Board of Supervisors this 4th day of January, 2021, that the following individuals shall be approved as Deputies for the Fremont County Sheriff's Department, as requested by Fremont County Sheriff Kevin Aistrope. The effective date of employment shall be January 1, 2021:

Timothy Dean Bothwell - Chief Deputy  
Andrew James Wake – Deputy  
Austin Wayne Richardson – Deputy  
Ashton Taylor Luke – Deputy  
Evan Olony Ruse – Deputy  
Michael Lee Wake – Deputy  
Alexander Lee Killpack – Deputy  
Jacob Adam Degase – Deputy  
Spencer John Rice – Deputy

Motion was made by Hickey.

ATTEST:

/s/ Dee Owen  
Fremont County Auditor

/s/ Dustin Sheldon, Chairman	aye
/s/ Randy Hickey,	aye
/s/ Chris Clark	aye

# Fremont County 2021 Resolutions

## RESOLUTION NO. 2021-7

### RESOLUTION APPOINTING EMINENT DOMAIN COMPENSATION COMMISSION

BE IT HEREBY RESOLVED by the Fremont County Board of Supervisors this 13th day of January, 2021, that the following persons are appointed as members of the Eminent Domain Compensation Commission for the year 2021.

#### BANKERS:

Chris Johnson, Sidney, IA 51652  
Kent Claiborne, Hamburg, IA 51640  
Colleen Jurey, Sidney, IA 51652  
Justin Ewalt, Sidney, IA 51652  
Grant Schaaf, Randolph, IA 51649  
Cindy Gregg, Hamburg, IA 51640  
Jay Longinaker, Randolph, IA 51649

#### PROPERTY OWNERS:

Pat Sheldon, Percival, IA 51648  
Willis Moyer, Sidney, IA 51652  
Rita Lorimor, Sidney, IA 51652  
Joni Hickey, Thurman, IA 51654  
Twila Larson, Sidney, IA 51652  
Gerald Head, Imogene, IA 51645  
James D. Doyle, Farragut, IA 51639

#### REAL ESTATE:

Denise Hammer, Tabor, IA 51653  
Cory Gordon, Randolph, IA 51649  
Dan Holliman, Hamburg, IA 51640  
Nancy Vanatta, Sidney, IA 51652  
Jenna Gregory, Sidney, IA 51652  
Janell McIntyre, Farragut, IA 51639  
Doug Shirley, Sidney, IA 51652

#### FARMERS:

John Askew, Thurman, IA 51654  
Bob Benton, Tabor, IA 51653  
H. Frances Lorimor, Sidney, IA 51652  
Dave Roberts, Sidney, IA 51652  
Sara Holt, Sidney, IA 51652  
Steve Lorimor, Farragut, IA 51639

Motion to approve made by Hickey.

#### ATTEST:

/s/ Dee Owen  
Fremont County Auditor

/s/ Dustin Sheldon, Chairman                    aye  
/s/ Randy Hickey,                                    aye  
/s/ Chris Clark                                        aye

## RESOLUTION NO. 2021-8

### RESOLUTION APPOINTING REVA BENEFIEL TO FREMONT COUNTY ZONING COMMISSION

BE IT HEREBY RESOLVED by the Fremont County Board of Supervisors this 13th day of January 2021, that Reva Benefiel be appointed to the Fremont County Zoning Commission.

Motion by Hickey.

#### ATTEST:

/s/ Dee Owen  
Fremont County Auditor

/s/ Dustin Sheldon, Chairman                    aye  
/s/ Randy Hickey,                                    aye  
/s/ Chris Clark                                        aye

# Fremont County 2021 Resolutions

## RESOLUTION NO. 2021-9

### 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 FREMONT COUNTY that the Board of Supervisors hereby adopts this construction evaluation resolution pursuant to Iowa Code section 459.304(3).

/s/ Dustin Sheldon  
Chair, Board of Supervisors  
January 27, 2021

ATTEST:

/s/ Dee Owen  
County Auditor  
January 27, 2021

# Fremont County 2021 Resolutions

## RESOLUTION NO. 2021-10

RESOLUTION APPROVING THE ASSIGNMENT OF CERTIFICATE OF PURCHASE AT TAX SALE TO THE FOLLOWING:

WHEREAS, Matt Skarperud, 2921 Swedish RD, Hamburg, Iowa, 51640, is desirous of obtaining a certificate of tax sale purchase for \$1,336.00 for the following:

Parcel Number 430430136000000, Tax Sale Certificate number 2014-310 – S 1/2 LOT 3 BLK 20 in the Town of Hamburg, Fremont County, Iowa, according to the recorded plat thereof.

WHEREAS, Fremont County is desirous of avoiding the expense of tax redemption procedure, and

WHEREAS, the transfer of said certificate of tax purchase to, Matt Skarperud, 2921 Swedish RD, Hamburg, Iowa, 51640, is in the better interest of the County and is in the better interest of Matt Skarperud to eliminate any form of liability to Fremont County, now

THEREFORE, it is hereby resolved that the Chairman of the Board of Supervisors is authorized and directed to execute the assignment of certificates of tax purchases of this real estate upon receipt of payment.

IT IS SO RESOLVED, this 27th day of January 2021.

ATTEST:

/s/ Dee Owen  
Fremont County Auditor

/s/ Dustin Sheldon, Chairman	aye
/s/ Randy Hickey,	aye
/s/ Chris Clark	aye

# Fremont County 2021 Resolutions

## RESOLUTION NO. 2021-11

### ASSIGNMENT OF CERTIFICATE OF TAX SALE PURCHASE

Fremont County does hereby transfer the certificate of tax sale purchase regarding the described real estate to Matt Skarperud, 2921 Swedish RD, Hamburg, Iowa, 51640, as follows:

Parcel Number 430430136000000, Tax Sale Certificate number 2014-310 – S 1/2 LOT 3 BLK 20 in the Town of Hamburg, Fremont County, Iowa, according to the recorded plat thereof. The county shall endorse the tax sale certificate as necessary to complete this assignment upon receipt of payment of \$1336.00.

Dated this 27th day of January 2021.

ATTEST:

/s/ Dee Owen  
Fremont County Auditor

/s/ Dustin Sheldon  
Chairman, Board of Supervisors

STATE OF IOWA, FREMONT COUNTY SS:

On this 27th day of January, 2021, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Dustin Sheldon, to me personally known, who being by me duly sworn, did say that he is a member of the Fremont County Board of Supervisors and that said instrument was signed on behalf of the Fremont County Board of Supervisors and hereby acknowledge the execution of the foregoing instrument to be the voluntary act and deed of the Fremont County Board of Supervisors, by it and by his voluntarily executed.

/s/ Kristi L. O'Neal  
Notary Public in and for the State of Iowa

# Fremont County 2021 Resolutions

## RESOLUTION NO. 2021-12

RESOLUTION APPROVING THE ASSIGNMENT OF CERTIFICATE OF PURCHASE AT TAX SALE TO THE FOLLOWING:

WHEREAS, Matt Skarperud, 2921 Swedish RD, Hamburg, Iowa, 51640, is desirous of obtaining a certificate of tax sale purchase for \$1,341.00 for the following:

Parcel Number 430430135000000, Tax Sale Certificate number 2013-309 – S 17.5' N 1/2 LOT 3 BLK 20 in the Town of Hamburg, Fremont County, Iowa, according to the recorded plat thereof.

WHEREAS, Fremont County is desirous of avoiding the expense of tax redemption procedure, and

WHEREAS, the transfer of said certificate of tax purchase to, Matt Skarperud, 2921 Swedish RD, Hamburg, Iowa, 51640, is in the better interest of the County and is in the better interest of Matt Skarperud to eliminate any form of liability to Fremont County, now

THEREFORE, it is hereby resolved that the Chairman of the Board of Supervisors is authorized and directed to execute the assignment of certificates of tax purchases of this real estate upon receipt of payment.

IT IS SO RESOLVED, this 27th day of January 2021

ATTEST:

/s/ Dee Owen  
Fremont County Auditor

/s/ Dustin Sheldon, Chairman	aye
/s/ Randy Hickey,	aye
/s/ Chris Clark	aye



# Fremont County 2021 Resolutions

## RESOLUTION NO. 2021-13

### ASSIGNMENT OF CERTIFICATE OF TAX SALE PURCHASE

Fremont County does hereby transfer the certificate of tax sale purchase regarding the described real estate to Matt Skarperud, 2921 Swedish RD, Hamburg, Iowa, 51640, as follows:

Parcel Number 430430135000000, Tax Sale Certificate number 2013-309 – S 17.5' N 1/2 LOT 3 BLK 20 in the Town of Hamburg, Fremont County, Iowa, according to the recorded plat thereof. The county shall endorse the tax sale certificate as necessary to complete this assignment upon receipt of payment of \$1341.00.

Dated this 27th day of January 2021.

ATTEST:

/s/ Dee Owen  
Fremont County Auditor

/s/ Dustin Sheldon  
Chairman, Board of Supervisors

STATE OF IOWA, FREMONT COUNTY SS:

On this 27th day of January, 2021, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Dustin Sheldon, to me personally known, who being by me duly sworn, did say that he is a member of the Fremont County Board of Supervisors and that said instrument was signed on behalf of the Fremont County Board of Supervisors and hereby acknowledge the execution of the foregoing instrument to be the voluntary act and deed of the Fremont County Board of Supervisors, by it and by his voluntarily executed.

/s/ Kristi L. O'Neal  
Notary Public in and for the State of Iowa

## RESOLUTION NO. 2021-14

### RESOLUTION DESIGNATING OFFICIAL NEWSPAPERS FOR FREMONT COUNTY

WHEREAS, the Sidney Argus Herald is permanently closing their business on February 15th, 2021.

WHEREAS, the Fremont County Board of Supervisors must designate an official paper to replace the Sidney Argus Herald who was previously selected along with the Hamburg Reporter on January 4, 2021.

BE IT HEREBY RESOLVED by the Fremont County Board of Supervisors this 10th day of February, 2021, that the Fremont-Mills Beacon-Enterprise and The Hamburg Reporter be designated as the County's official newspapers for 2021.

Motion to approve made by Clark.

ATTEST:

/s/ Dee Owen  
Fremont County Auditor

/s/ Dustin Sheldon, Chairman	aye
/s/ Randy Hickey,	aye
/s/ Chris Clark	aye

# Fremont County 2021 Resolutions

**RESOLUTION NO. 2021 -15**

February 24, 2021

The Board of Supervisors of Fremont County, Iowa, met in regular session, at 9:00 o'clock A.M., on the above date.

The Board met in person in the Board Room, County Courthouse, 506 Filmore Street, Sidney, Iowa.

The Board determined that it is impossible and impractical for all members of the Board, other County personnel, and members of the public to be physically present at this meeting due to the COVID-19 pandemic, and that it is necessary to conduct the meeting by electronic means. The Board has provided public access to the electronic meeting.

There were present Chairperson Sheldon, in the chair, and the following named Board Members:

Vice-Chairman Randy Hickey and Member Chris Clark

Absent:

Vacant:

Board Member Hickey introduced the following Resolution entitled "RESOLUTION FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$3,615,000 TAXABLE GENERAL OBLIGATION REFUNDING CAPITAL LOAN NOTES OF FREMONT COUNTY, STATE OF IOWA (FOR ESSENTIAL COUNTY PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF", and moved that the same be adopted. Board Member Clark seconded the motion to adopt. The roll was called and the vote was,

AYES: Sheldon, Hickey, Clark

NAYS:

Whereupon, the Chairperson declared the resolution duly adopted as follows:

RESOLUTION FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$3,615,000 TAXABLE GENERAL OBLIGATION REFUNDING CAPITAL LOAN NOTES OF FREMONT COUNTY, STATE OF IOWA (FOR ESSENTIAL COUNTY PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF

WHEREAS, it is deemed necessary and advisable that Fremont County, State of Iowa, should provide for the authorization of a Loan Agreement and issuance of Taxable General Obligation Refunding Capital Loan Notes, to the amount of not to exceed \$3,615,000, as authorized by Sections 331.402 and 331.443, of the Code of Iowa, for the purpose of providing funds to pay costs of carrying out essential county purpose project(s) as hereinafter described; and

WHEREAS, the Loan Agreement and Notes shall be payable from the Debt Service Fund; and

WHEREAS, before a Loan Agreement may be authorized and Taxable General Obligation Refunding Capital Loan Notes, issued to evidence the obligation of the County thereunder, it is necessary to comply with the provisions of the Code of Iowa, as amended, and to publish a notice of the proposal and of the time and place of the meeting at which the Board proposes to take action for the authorization of the Loan Agreement and Notes and to receive oral and/or written objections from any resident or property owner of the County to such action.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF FREMONT COUNTY, STATE OF IOWA:

Section 1. That this Board meet in the Board Room, County Courthouse, 506 Filmore Street, Sidney, Iowa, at 9:45 A.M., on the 10th day of March, 2021, for the purpose of taking action on the matter of the authorization of a Loan Agreement and issuance of not to exceed \$3,615,000 Taxable General Obligation Refunding Capital Loan Notes, for essential county purposes, the proceeds of which notes will be used to provide funds to pay the costs of refinancing and refunding outstanding general obligation indebtedness, including the General Obligation Bonds, Series 2014A, dated April 15, 2014.



# Fremont County 2021 Resolutions

the date indicated in the attachment, which proceedings remain in full force and effect, and have not been amended or rescinded in any way; that meeting and all action thereat was duly and publicly held in accordance with a notice of meeting and tentative agenda, a copy of which was timely served on each member of the Board and posted on a bulletin board or other prominent place easily accessible to the public and clearly designated for that purpose at the principal office of the Board pursuant to the local rules of the Board and the provisions of Chapter 21, Code of Iowa, upon reasonable advance notice to the public and media at least twenty-four hours prior to the commencement of the meeting as required by law and with members of the public present in attendance; I further certify that the individuals named therein were on the date thereof duly and lawfully possessed of their respective County offices as indicated therein, that no Board vacancy existed except as may be stated in the proceedings, and that no controversy or litigation is pending, prayed or threatened involving the incorporation, organization, existence or boundaries of the County or the right of the individuals named therein as officers to their respective positions.

WITNESS my hand and the seal of the Board hereto affixed this 24th day of February, 2021.

/s/  
County Auditor, Fremont County, State of Iowa

Dee

Owen

The board discussed increasing the per diem rate of pay for the township trustees. This rate has been \$8.00 per hour/meeting for many years. This will not change the amount budgeted for those expenses. Motion by Hickey to raise the hourly rate to \$20.00/hour to compensate a township trustee/clerk while engaged in official business and to establish a minimum meeting amount of \$40.00. Motion carried unanimously.

Cara Morgan with Golden Hills RC & D met with the board regarding awarding the contract for the East West Nishnabotna Watershed Project Bid Package No. 1. There were 3 bids received as follows:

JNC Construction LLC	\$452,515.86
Mount Farm Drainage	\$468,618.49
ESB Clark Heavy Construction	\$484,474.93
Lee Construction Inc.	\$653,632.00

The board received a recommendation from JEO to select the low bidder. Motion by Hickey to accept the low bid from JNC Construction LLC for the project. Motion carried unanimously.

Motion by Clark sign resolution to accept low bid from Peterson Contractors and allow Engineer Daniel Davis to sign contract for Project #ER-CO36(80) - - 58-36 (L-31) in the amount of \$678,383.79. Motion carried unanimously.

# Fremont County 2021 Resolutions

## RESOLUTION 2021-16

WHEREAS, the Board of Supervisors, hereafter referred to as "the Board", believes the ERCO36(80)--58-36, hereafter referred to as "the project" is in the best interest of Fremont County, Iowa, and the residents thereof. The project is defined as On L31 the ER work consists of repairing ditches and shoulders to preflood condition; and

WHEREAS, the Board has sought appropriate professional guidance for the concept and planning for the project and followed the steps as required by the Code of Iowa for notifications, hearings, and bidding/letting; and

WHEREAS, The Board finds this resolution appropriate and necessary to protect, preserve, and improve the rights, privileges, property, peace, safety, health, welfare, comfort, and convenience of Fremont County and its citizens, all as provided for in and permitted by Section 331.301 of the Code of Iowa; and

IT IS THEREFORE RESOLVED by Board to accept the bid from Peterson Contractors, INC. in the amount of \$678,383.79 and awards the associated contract(s) to the same;

BE IT FURTHER RESOLVED that all other resolutions or parts of resolutions in conflict with this resolution are hereby repealed. If any part of this resolution is adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the resolution or action of The Board as a whole or any part thereof not adjudged invalid or unconstitutional. This resolution shall be in full force and effect from and after the date of its approval as provided by law; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Fremont County, Iowa, that after receiving the necessary contract documents, including but not limited to, the contractor's bond and certificate of insurance, Daniel Davis, the County Engineer for

Fremont County, Iowa, be and is hereby designated, authorized, and empowered on behalf of the Board of Supervisors of said County to execute the contracts in connection with the afore awarded construction project let through the DOT for this county.

Dated at Fremont, Iowa, this 24th day of February, 2021.

ATTEST:

/s/ Dee Owen  
Fremont County Auditor

/s/ Dustin Sheldon, Chairman                      aye  
/s/ Randy Hickey,    aye  
/s/ Chris Clark    aye

Motion by Hickey to sign resolution to accept low bid from Henningsen Construction Inc. and allow Engineer Daniel Davis to sign contract for Project #ER-CO36(81) - - 58-36 (J-34) in the amount of \$2,253,099.71. Motion carried unanimously.

# Fremont County 2021 Resolutions

## RESOLUTION 2021-17

WHEREAS, the Board of Supervisors, hereafter referred to as “the Board”, believes the ER36(81)--58-36, hereafter referred to as “the project” is in the best interest of Fremont County, Iowa, and the residents thereof. The project is defined as On J34 the ER work is to restore the normal pavement surface with new HMA and seal coat to pre-flood condition; and

WHEREAS, the Board has sought appropriate professional guidance for the concept and planning for the project and followed the steps as required by the Code of Iowa for notifications, hearings, and bidding/letting; and

WHEREAS, The Board finds this resolution appropriate and necessary to protect, preserve, and improve the rights, privileges, property, peace, safety, health, welfare, comfort, and convenience of Fremont County and its citizens, all as provided for in and permitted by section 331.301 of the Code of Iowa; and

IT IS THEREFORE RESOLVED by Board to accept the bid from Henningsen Construction, INC. in the amount of \$2,253,099.71 and awards the associated contract(s) to the same;

BE IT FURTHER RESOLVED that all other resolutions or parts of resolutions in conflict with this resolution are hereby repealed. If any part of this resolution is adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the resolution or action of The Board as a whole or any part thereof not adjudged invalid or unconstitutional. This resolution shall be in full force and effect from and after the date of its approval as provided by law; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Fremont County, Iowa, that after receiving the necessary contract documents, including but not limited to, the contractor's bond and certificate of insurance, Daniel Davis, the County Engineer for

Fremont County, Iowa, be and is hereby designated, authorized, and empowered on behalf of the Board of Supervisors of said County to execute the contracts in connection with the afore awarded construction project let through the DOT for this county.

Dated at Fremont, Iowa, this 24th day of February, 2021.

ATTEST:

/s/ Dee Owen  
Fremont County Auditor

/s/ Dustin Sheldon, Chairman                      aye  
/s/ Randy Hickey,    aye  
/s/ Chris Clark    aye

# Fremont County 2021 Resolutions

Motion by Hickey to sign resolution to accept bid from Reilly Construction Co. and allow Engineer Daniel Davis to sign contract for Project #ER-CO36(85) - - 58-36 (J-24) & FM-CO36(89) - - 55-36 (J-10) in the amount of \$1,031,573.15. Motion carried unanimously.

## RESOLUTION 2021-18

WHEREAS, the Board of Supervisors, hereafter referred to as "the Board", believes the ER-CO36(85)--58-36 for J24 and FM-CO36(89)--55-36 for J10, hereafter referred to as "the project" is in the best interest of Fremont, Iowa, and the residents thereof. The project is defined as On J24 the ER work is to provide a safe travel way by repairing the shoulders, ditches, and reconstructing the approach to the BNSF railway. There will also be some PCC patching. On J10 the FM work will reconstruct the approaches to the BNSF railway; and

WHEREAS, the Board has sought appropriate professional guidance for the concept and planning for the project and followed the steps as required by the Code of Iowa for notifications, hearings, and bidding/letting; and

WHEREAS, The Board finds this resolution appropriate and necessary to protect, preserve, and improve the rights, privileges, property, peace, safety, health, welfare, comfort, and convenience of Fremont County and its citizens, all as provided for in and permitted by section 331.301 of the Code of Iowa; and

IT IS THEREFORE RESOLVED by Board to accept the bid from Reilly Construction Co., INC. in the amount of \$1,031,573.15 and awards the associated contract(s) to the same;

BE IT FURTHER RESOLVED that all other resolutions or parts of resolutions in conflict with this resolution are hereby repealed. If any part of this resolution is adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the resolution or action of the Board as a whole or any part thereof not adjudged invalid or unconstitutional. This resolution shall be in full force and effect from and after the date of its approval as provided by law; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Fremont County, Iowa, that after receiving the necessary contract documents, including but not limited to, the contractor's bond and certificate of insurance, Daniel Davis, the County Engineer for Fremont County, Iowa, be and is hereby designated, authorized, and empowered on behalf of the Board of Supervisors of said County to execute the contracts in connection with the afore awarded construction project let through the DOT for this county.

Dated at Fremont, Iowa, this 24th day of February, 2021.

ATTEST:

/s/ Dee Owen  
Fremont County Auditor

/s/ Dustin Sheldon, Chairman                      aye  
/s/ Randy Hickey,    aye  
/s/ Chris Clark    aye

# Fremont County 2021 Resolutions

Motion by Hickey to sign resolution to accept low bid from Peterson Contractors and allow Engineer Daniel Davis to sign contract for Project #ER-CO36(87) - - 58-36 (J-64) in the amount of \$982,325.15. Motion carried unanimously.

## RESOLUTION NO. 2021-19

WHEREAS, the Board of Supervisors, hereafter referred to as "the Board", believes the ERCO36(87) - - 58-36, hereafter referred to as "the project" is in the best interest of Fremont County, Iowa, and the residents thereof. The project is defined as on J-64 the permanent ER work is to re-establish a safe driving surface for the public. The work consists of reclaiming existing seal coat and placing a new double seal surface. The work will also involve repairing the ditches and pipes as needed; and

WHEREAS, the Board has sought appropriate professional guidance for the concept and planning for the project and followed the steps as required by the Code of Iowa for notifications, hearings, and bidding/letting; and

WHEREAS, the Board finds this resolution appropriate and necessary to protect, preserve, and improve the rights, privileges, property, peace, safety, health, welfare, comfort, and convenience of Fremont County and its citizens, all as provided for in and permitted by Section 331.301 of the Code of Iowa; and

IT IS THEREFORE RESOLVED by Board to accept the bid from Peterson Contractors, INC. in the amount of \$982,325.15 and awards the associated contract(s) to the same;

BE IT FURTHER RESOLVED that all other resolutions or parts of resolutions in conflict with this resolution are hereby repealed. If any part of this resolution is adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the resolution or action of The Board as a whole or any part thereof not adjudged invalid or unconstitutional. This resolution shall be in full force and effect from and after the date of its approval as provided by law; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Fremont County, Iowa, that after receiving the necessary contract documents, including but not limited to, the contractor's bond and certificate of insurance, Daniel Davis, the County Engineer for

Fremont County, Iowa, be and is hereby designated, authorized, and empowered on behalf of the Board of Supervisors of said County to execute the contracts in connection with the afore awarded construction project let through the DOT for this county.

Dated at Fremont, Iowa, this 24th day of February, 2021.

ATTEST:

/s/ Dee Owen  
Fremont County Auditor

/s/ Dustin Sheldon, Chairman                      aye

/s/ Randy Hickey,    aye

/s/ Chris Clark    aye



# Fremont County 2021 Resolutions

## RESOLUTION NO. 2021-20

### APPROVING THE FY22 MAXIMUM PROPERTY TAX DOLLARS

Whereas, the Fremont County Board of Supervisors have considered the proposed FY 2022 county maximum property tax dollars for both General County Services and Rural County Services; and

Whereas, a notice concerning the proposed county maximum property tax dollars was published as required and posted on county web site and/or social media accounts, if applicable; and

Whereas, a public hearing concerning the proposed county maximum property tax dollars was held on March 10th, 2021.

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Fremont County that the maximum property tax dollars for General County Services and Rural County Services for FY22 shall not exceed the following:

General County Services: \$3,607,154.00  
Rural County Services: \$1,598,708.00

The Maximum Property Tax dollars requested in either General County Services or Rural County Services for FY22 does not represent an increase of 102% from the Maximum Property Tax dollars requested for FY21.

Roll call vote:	Sheldon	aye
	Hickey	aye
	Clark	aye

Adopted this 10th day of March, 2021.

## RESOLUTION NO. 2021-21

### RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$3,615,000 TAXABLE GENERAL OBLIGATION REFUNDING CAPITAL LOAN NOTES

WHEREAS, pursuant to notice published as required by law, the Board of Supervisors has held a public meeting and hearing upon the proposal to institute proceedings for the authorization of a Loan Agreement and the issuance of not to exceed \$3,615,000 General Obligation Refunding Capital Loan Notes, for the essential county purposes, in order to provide funds to pay the costs of refinancing and refunding outstanding general obligation indebtedness, including the General Obligation Bonds, Series 2014A, dated April 15, 2014, and has considered the extent of objections received from residents or property owners as to the proposed issuance of Notes; and following action is now considered to be in the best interests of the County and residents thereof.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF FREMONT COUNTY, STATE OF IOWA:

- 4 -

Section 1. That this Board does hereby institute proceedings and take additional action for the authorization and issuance in the manner required by law of not to exceed \$3,615,000 General Obligation Refunding Capital Loan Notes, for the foregoing essential county purposes. PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

Chairperson

ATTEST:  
County Auditor

CERTIFICATE

# Fremont County 2021 Resolutions

STATE OF IOWA  
COUNTY OF FREMONT

)  
) SS  
)

I, the undersigned County Auditor of Fremont County, State of Iowa, do hereby certify that attached is a true and complete copy of the portion of the records of the County showing proceedings of the Board of Supervisors, and the same is a true and complete copy of the action taken by the Board with respect to the matter at the meeting held on the date indicated in the attachment, which proceedings remain in full force and effect, and have not been amended or rescinded in any way; that meeting and all action thereat was duly and publicly held in accordance with a notice of meeting and tentative agenda, a copy of which was timely served on each member of the Board and posted on a bulletin board or other prominent place easily accessible to the public and clearly designated for that purpose at the principal office of the Board pursuant to the local rules of the Board and the provisions of Chapter 21, Code of Iowa, upon reasonable advance notice to the public and media at least twenty-four hours prior to the commencement of the meeting as required by law and with members of the public present in attendance; I further certify that the individuals named therein were on the date thereof duly and lawfully possessed of their respective County offices as indicated therein, that no Board vacancy existed except as may be stated in the proceedings, and that no controversy or litigation is pending, prayed or threatened involving the incorporation, organization, existence or boundaries of the County or the right of the individuals named therein as officers to their respective positions.

WITNESS my hand and the seal of the Board hereto affixed this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

County Auditor,  
Fremont County, State of Iowa

## RESOLUTION NO. 2021-22

### RESOLUTION APPROVING OFFICIAL STATEMENT

WHEREAS, in conjunction with its Underwriter, Northland Securities, Inc., the County has caused an Official Statement to be prepared outlining the details of the proposed sale of the Notes; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF FREMONT COUNTY, STATE OF IOWA:

Section 1. That the preliminary Official Statement in the form presented to this meeting be and the same hereby is approved as to form and deemed final for purposes of Rule 15c2-12 of the Securities and Exchange Commission, subject to such revisions, corrections or modifications as the Chairperson and Auditor, upon the advice of bond counsel and the County's Underwriter, shall determine to be appropriate, and is authorized to be distributed in connection with the offering of the Notes for sale.

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2021.  
Chairperson

ATTEST:

County Auditor

CERTIFICATE  
STATE OF IOWA  
COUNTY OF FREMONT

)  
) SS  
)

I, the undersigned County Auditor of Fremont County, State of Iowa, do hereby certify that attached is a true and complete copy of the portion of the records of the County showing proceedings of the Board, and the same is a true and complete copy of the action taken by the

# Fremont County 2021 Resolutions

Board with respect to the matter at the meeting held on the date indicated in the attachment, which proceedings remain in full force and effect, and have not been amended or rescinded in any way; that meeting and all action thereat was duly and publicly held in accordance with a notice of meeting and tentative agenda, a copy of which was timely served on each member of the Board and posted on a bulletin board or other prominent place easily accessible to the public and clearly designated for that purpose at the principal office of the Board pursuant to the local rules of the Board and the provisions of Chapter 21, Code of Iowa, upon reasonable advance notice to the public and media at least twenty-four hours prior to the commencement of the meeting as required by law and with members of the public present in attendance; I further certify that the individuals named therein were on the date thereof duly and lawfully possessed of their respective County offices as indicated therein, that no Board vacancy existed except as may be stated in the proceedings, and that no controversy or litigation is pending, prayed or threatened involving the incorporation, organization, existence or boundaries of the County or the right of the individuals named therein as officers to their respective positions.

WITNESS my hand and the seal of the Board hereto affixed this \_\_\_\_\_ day of \_\_\_\_\_, 2021.  
County Auditor

## RESOLUTION NO. 2021-23

BE IT HEREBY RESOLVED by the Fremont County Board of Supervisors this 17th day of May 2021, that the following order for destruction of noxious weeds be effective June 1, 2021.

1. That each owner and each person in the possession or control of any land in Fremont County shall cut, burn, spray, or otherwise destroy all noxious weeds thereon and shall prevent weed seeds from blooming or coming to maturity, and shall keep said lands free from such growth of any other weeds as shall render the streets or highways adjoining said land unsafe for public travel.

Noxious weeds shall be cut, burned, sprayed, or otherwise destroyed on or before the following dates and as often thereafter as is necessary to prevent seed productions:

Group 1: June 1, 2021 - for Leafy Spurge, Perennial Peppergrass, Sour Dock, Sheep Sorrow, Canada Thistle, Russian Knapweed, Buckhorn, Wild Mustard, Musk Thistle, Bull Thistle, and all other species of thistle

Group 2: July 1, 2021 - for Field Bindweed, Wild Carrot

Group 3: August 1, 2021- for Horse Nettle, Perennial Sow Thistle, Quack Grass, Butter Print, Puncture Vine, Cocklebur, Hemp, Shatter Cane, Wild Sunflower, and Palmer Amaranth

2. That each owner and person in the possession or control of any lands in Fremont County, infested with any noxious weeds, including Quack Grass, Perennial Sow Thistle, Canada Thistle, Field Bindweed, Horse Nettle, Leafy Spurge, Perennial Peppergrass, Russian Knapweed, Hemp, any species of Thistle, and Palmer amaranth shall adopt a program of weed destruction described by the Weed Commissioner, which in five years may be expected to destroy and will immediately keep under control such infestations of said noxious weeds.

3. That if the owners or persons in possession/control of any land in Fremont County fail to comply with the foregoing order, 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.

ATTEST:

/s/ Dee Owen  
Fremont County Auditor

/s/ Dustin Sheldon, Chairman                      aye  
/s/ Randy Hickey,    aye  
/s/ Chris Clark    aye

# Fremont County 2021 Resolutions

## RESOLUTION NO. 2021-24

The board discussed a resolution directing the acceptance of a proposal to purchase \$3,590,000.00 taxable general obligation refunding capital loan notes, series 2021A. Chip Schultz with Northland Securities told the board there was a strong local interest from local banks in Fremont County and Shenandoah. The savings in the refunding is \$198,250 which is 5.1%. Motion by Hickey to allow Chairman Sheldon sign Resolution No. 2021-24. Motion carried unanimously. The full text of the resolution is available in the auditor's office.

## RESOLUTION NO. 2021-25

### ADOPTION OF BUDGET AND CERTIFICATION OF TAXES

Fiscal Year July 1, 2021—June 30, 2022

At the meeting of the Board of Supervisors of Fremont County, held during public hearing as required by law, on March 31, 2021, the proposed budget for July 1, 2021 to June 30, 2022 was adopted as summarized and tax levies voted on all taxable property of this County.

The property tax levies will be levied as follows:

GENERAL BASIC	3.75000
GENERAL SUPPLEMENTAL	2.20000
MH-DD SERVICES	0.25976
RURAL BASIC	3.30000
DEBT SERVICE	0.97737

And approved a 5.00% increase for the Attorney, Auditor, Recorder, Treasurer, Sheriff, and Supervisors as follows:

Attorney	\$76,044
Auditor	\$56,896
Recorder	\$56,896
Treasurer	\$56,896
Sheriff	\$73,238
Supervisors	\$32,847

Motion made by Clark and approved March 31, 2021.

ATTEST:

/s/ Dee Owen  
Fremont County Auditor

/s/ Dustin Sheldon, Chairman                      aye  
/s/ Randy Hickey,    aye  
/s/ Chris Clark    aye

# Fremont County 2021 Resolutions

## RESOLUTION NO. 2021-26

### RESOLUTION FOR APPROPRIATIONS

WHEREAS, it is desired to make appropriations for each of the different officers and department for the fiscal year beginning July 1, 2021, in accordance with Section 331.434, Subsection 6, Code of Iowa.

THEREFORE, be it resolved by the Fremont County Board of Supervisors on this 31st day of March, 2021, the following:

1. The amounts itemized by fund and department on the attached schedule are hereby appropriated from the resources/funds as shown.
2. Subject to the provisions of other county procedures and regulations, and applicable state law, the appropriations authorized under number 1 shall constitute an authorization for the department/officer listed to make expenditures or incur obligations from the itemized fund, effective July 1, 2021.
3. In accordance with 331.437, Code of Iowa, no Department/Officer shall incur any liability in excess of the amount appropriated to this resolution.
4. If, at any time during the 2021/2022 budget year the Auditor ascertains that the available resources of a fund will be less than said fund's total appropriations, he/she shall immediately inform the Board and recommend appropriate corrective action.
5. The Auditor shall establish separate accounts for the appropriations authorized in number 1. The Auditor shall report the status of such accounts to the applicable Departments/Officers monthly during the 2021/2022 budget year.
6. All appropriations authorized pursuant to this resolution lapse at the close of business on June 30, 2022. The above and foregoing resolution was adopted by the Fremont County Board of Supervisors on Wednesday, March 31st, 2021. The Fremont County Board of Supervisors, meeting in session on this 31st day of March, 2021, do hereby resolve to appropriate the amounts itemized by department for the fiscal year 2021/2022.  
All appropriations authorized pursuant to this resolution lapse at the close of business June 30, 2022:

Board of Supervisors 184,347  
Auditor 305,430  
Treasurer 319,722  
County Attorney 289,167  
Sheriff 2,191,502  
Recorder 239,758  
County Farm 10,000  
General Assistance 21,838  
Local Option Tax Fund 414,811  
Secondary Road 10,896,000  
Veterans Affairs 67,323  
Conservation Board 323,502  
Health Board/Sanitation 37,422  
Weed Eradication 6,620  
Social Services 21,900

Medical Examiner 35,000  
Court Administration 1,000  
District Court 4,900  
County Library 32,570  
Communications 566,270  
Courthouse 137,549  
Data Processing 187,446  
Elections 83,550  
Bonds (LEC & ISICS) 602,325  
Mental Health Services 160,080  
Juvenile Court Services 68,670  
Home Health 159,512  
Emergency Management 93,635  
Landfill 55,736  
Non-Departmental 2,112,217

GRAND TOTAL 19,629,802

Motion made by Clark.

PASSED AND APPROVED, this 31st day of March, 2021.

ATTEST:

/s/ Dee Owen  
Fremont County Auditor

/s/ Dustin Sheldon, Chairman                      aye  
/s/ Randy Hickey,    aye  
/s/ Chris Clark    aye

# Fremont County 2021 Resolutions

## RESOLUTION NO. 2021-27

### RESOLUTION FOR SALARY RECOMMENDATIONS

WHEREAS, the Fremont County Compensation Board meets annually to recommend a compensation schedule for elected officials for the fiscal year immediately following, in accordance with Iowa Code Chapters 331.905 and 331.907, and

WHEREAS, the Fremont County Compensation Board met on February 11, 2021, and made the following salary recommendations for the following elected officials for the fiscal year beginning July 1, 2021:

Elected Official	Current Salary	Proposed Increase	Recommended Salary
Auditor	\$54,187	5%	\$56,896
County Attorney	\$72,423	5%	\$76,044
Recorder	\$54,187	5%	\$56,896
Sheriff	\$69,750	5%	\$73,238
Supervisors	\$31,309	5%	\$32,874
Treasurer	\$54,187	5%	\$56,896

THEREFORE, BE IT RESOLVED that the Fremont County Board of Supervisors approves the following salary adjustments for the following elected officials for the fiscal year beginning July 1, 2021.

Approved this 31st day of March 2021.

Motion made by Clark.

PASSED AND APPROVED, this 31st day of March, 2021.

FREMONT COUNTY BOARD OF SUPERVISORS

ATTEST:

/s/ Dee Owen	/s/ Dustin Sheldon, Chairman	aye
Fremont County Auditor	/s/ Randy Hickey,	aye
	/s/ Chris Clark	aye

## RESOLUTION NO. 2021-28

BE IT HEREBY RESOLVED by the Fremont County Board of Supervisors this 31st day of March 2021, that Sarah McGinnis shall be appointed as the part-time Victim-Witness Coordinator, as requested by the Fremont County Attorney. The rate of pay shall be \$28.00 per hour. The effective date of employment shall be March 30th, 2021.

Motion to approve made by Hickey.

ATTEST:

/s/ Dee Owen	/s/ Dustin Sheldon, Chairman	aye
Fremont County Auditor	/s/ Randy Hickey,	aye
	/s/ Chris Clark	aye

# Fremont County 2021 Resolutions

## RESOLUTION NO. 2021-29

A Resolution for Voluntary Annexation of the property described in the attached Exhibit "A"

Containing 1.86 acres has been filed with the City of Shenandoah.

In accordance with Iowa Code 368.7(2) the applicant for annexation must provide the board of supervisors notice of any action by the City Council at least 14 days prior to city council action.

The Board of Supervisors made motion herein to acknowledge notice of the above-described annexation proposal on April 7th, 2021 at Board meeting held in Fremont County Boardroom, Sidney, Iowa at 9:00 A.M.

Motion made by Clark.

Seconded by Hickey.

Roll Call of Board of Members

ATTEST:

/s/ Dee Owen	/s/ Dustin Sheldon, Chairman	aye
Fremont County Auditor	/s/ Randy Hickey,	aye
	/s/ Chris Clark	aye

## RESOLUTION NO. 2021-30

Appointing Paying Agent, Note Registrar, and Transfer Agent, Approving the Paying Agent and Note Registrar and Transfer Agent Agreement and Authorizing the Execution of the Agreement. Motion carried unanimously. The full text of the resolution is available in the Fremont County Auditor's Office.

ATTEST:

/s/ Dee Owen	/s/ Dustin Sheldon, Chairman	aye
Fremont County Auditor	/s/ Randy Hickey,	aye
	/s/ Chris Clark	aye

## RESOLUTION NO. 2021-31

Approving and Authorizing a form of Loan Agreement and Authorizing and Providing for the Issuance and Levying a Tax to pay the Notes; Approval of the Continuing Disclosure Certificate and Refunding Trust Agreement. Motion carried unanimously. The full text of the resolution is available in the Fremont County Auditor's Office.

# Fremont County 2021 Resolutions

## RESOLUTION NO. 2021-32

BE IT HEREBY RESOLVED by the Fremont County Board of Supervisors that the following salaries be in effect commencing on the 1st day of July 2021, for the supervisory and non-union personnel in the Secondary Road Department.

MAINTENANCE SUPERINTENDENT: \$25.66 per hour salary  
ADMINISTRATIVE ASSISTANT: \$21.63 per hour salary  
ASSISTANT TO ENGINEER: \$31.21 per hour salary (Robbie K.)  
ASSISTANT TO ENGINEER: \$31.21 per hour salary (Kevin L.)  
ENGINEER: \$100,945.00 salary

Motion is hereby made by Hickey, seconded by Clark to adopt this resolution.

Dated this 28th day of April, 2021.

ATTEST:

/s/ Dee Owen Fremont County Auditor	/s/ Dustin Sheldon, Chairman /s/ Randy Hickey, /s/ Chris Clark	aye aye aye
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Motion by Hickey to approve new hire resolution for the Fremont County Attorney's Legal Assistant. Motion carried unanimously.

## RESOLUTION NO. 2021-33

BE IT HEREBY RESOLVED by the Fremont County Board of Supervisors this 5th day of May, 2021, that the following individual shall be approved as Legal Assistant for the Fremont County Attorney's Office, as requested by Fremont County Attorney Naeda Elliott. The effective date of full-time employment shall be June 1, 2021.

Joni Laughlin – Legal Assistant

Motion to approve made by Hickey.

ATTEST:

/s/ Dee Owen Fremont County Auditor	/s/ Dustin Sheldon, Chairman /s/ Randy Hickey, /s/ Chris Clark	aye aye aye
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Motion by Clark to approve the following resolutions regarding new full-time and part-time hires at the Fremont County Sheriff's Office. Motion carried unanimously.



# Fremont County 2021 Resolutions

## RESOLUTION NO. 2021-34

BE IT HEREBY RESOLVED by the Fremont County Board of Supervisors this 5th day of May, 2021, that the following individual shall be approved as a Part-Time Jailer for the Fremont County Sheriff's Department, as requested by Fremont County Sheriff Kevin Aistrope. The effective date of employment shall be May 5, 2021.

Tammie Marie Langfelt

Motion to approve made by Clark.

ATTEST:

/s/ Dee Owen	/s/ Dustin Sheldon, Chairman	aye
Fremont County Auditor	/s/ Randy Hickey,	aye
	/s/ Chris Clark	aye

## RESOLUTION NO. 2021-35

BE IT HEREBY RESOLVED by the Fremont County Board of Supervisors this 5th day of May, 2021, that the following individual shall be approved as a Jailer for the Fremont County Sheriff's Department, as requested by Fremont County Sheriff Kevin Aistrope. The effective date of employment shall be April 29, 2021.

Jacob Tyler Bateman

Motion to approve made by Clark.

ATTEST:

/s/ Dee Owen	/s/ Dustin Sheldon, Chairman	aye
Fremont County Auditor	/s/ Randy Hickey,	aye
	/s/ Chris Clark	aye

# Fremont County 2021 Resolutions

## RESOLUTION NO. 2021-36

### RECORD OF HEARING AND DETERMINATION ON THE BUDGET AMENDMENT And CHANGE OF APPROPRIATIONS

On this 12<sup>th</sup> day of May 2021, the Fremont County Board of Supervisors met in session for the purpose of amending the current operating budget adopted March 25<sup>th</sup>, 2020. The notice and time and place of hearing was published on March 12<sup>th</sup> & March 13<sup>th</sup>, 2020. The amendment was taken up and considered and taxpayers heard for or against the amendment as follows and amendment passed unanimously:

<b>Expenditures</b>	<b>From</b>	<b>To</b>	<b>Difference</b>
Public Safety & Legal Services	3,062,935	3,158,250	95,315
Physical Health & Social Services	315,780	317,080	1,300
Roads & Transportation	5,300,000	5,405,000	105,000
Interprogram Services	2,206,812	2,222,514	15,702
Capital Projects	2,606,956	2,501,956	-105,000
<b>Total</b>	<b>13,492,483</b>	<b>13,604,800</b>	<b>112,317</b>

<b>Revenues</b>			
Hotel/Motel Taxes	508,887	524,589	15,702
Charges for Service	305,045	310,040	4,995
Miscellaneous	85,811	210,704	124,893
<b>Total</b>	<b>899,743</b>	<b>1,045,333</b>	<b>145,590</b>

<b>Non-Budgetary: Revenue</b>			
Emergency Management	104,030	114,386	10,356

<b>Expense</b>			
Emergency Management	93,780	104,135	10,355

<b>Appropriations</b>			
Sheriff	2,011,117	2,091,254	80,137
Communications	544,741	554,741	10,000
Roads & Transportation	7,821,000	7,821,000	0
Social Services	21,900	23,200	1,300
Joint Disaster Services	93,780	104,135	10,355
Non-Departmental	6,943,360	6,964,240	20,880
<b>Total</b>	<b>17,435,898</b>	<b>17,558,570</b>	<b>122,672</b>

Amendment for insurance claims, COVID Relief, and other expenses and revenues to continue operations of the county.

Motion to approve made by Hickey.

ATTEST:

/s/ Dee Owen  
Fremont County Auditor

/s/ Dustin Sheldon, Chairman	aye
/s/ Randy Hickey,	aye
/s/ Chris Clark	aye

# Fremont County 2021 Resolutions

## RESOLUTION NO. 2021-37

BE IT HEREBY RESOLVED by the Fremont County Board of Supervisors this 19th day of May, 2021, that the following individual shall be approved as a Deputy for the Fremont County Sheriff's Department, as requested by Fremont County Sheriff Kevin Aistrope. The effective date of employment shall be May 17, 2021:

Michael Jacob Cisneros - Deputy

Motion was made by Hickey.

/

ATTEST:

/s/ Dee Owen	/s/ Dustin Sheldon, Chairman	aye
Fremont County Auditor	/s/ Randy Hickey,	aye
	/s/ Chris Clark	aye

## RESOLUTION NO. 2021-38

BE IT HEREBY RESOLVED by the Fremont County Board of Supervisors this 2nd day of June 2021, that the 2021 utilities as certified to the Auditor by the Iowa State Department of Revenue and Finance be approved, collected, and disposed of as regular taxes, according to taxing district.

Motion to approve made by Clark.

ATTEST:

/s/ Dee Owen	/s/ Dustin Sheldon, Chairman	aye
Fremont County Auditor	/s/ Randy Hickey,	aye
	/s/ Chris Clark	aye

## RESOLUTION NO. 2021-39

BE IT HEREBY RESOLVED by the Fremont County Board of Supervisors this 2nd day of June 2021, that the following transfer of funds be approved and made: \$628,668.00 from the Rural Services Basic Fund, share of Rural Services taxes, to the Secondary Road Fund and \$49,572.00 property tax relief of local option taxes, from the Local Option Sales Tax Fund to the Secondary Road Fund.

Motion to approve transfer made by Hickey.

ATTEST:

/s/ Dee Owen	/s/ Dustin Sheldon, Chairman	aye
Fremont County Auditor	/s/ Randy Hickey,	aye
	/s/ Chris Clark	aye

# Fremont County 2021 Resolutions

## RESOLUTION NO. 2021-40

The board considered Resolution No. 2021-40 Authorizing the Redemption of Outstanding General Obligation Refunding Capital Loan Notes, Series 2014B.

Board Member Hickey introduced the following Resolution entitled "A RESOLUTION AUTHORIZING THE REDEMPTION OF OUTSTANDING GENERAL OBLIGATION REFUNDING CAPITAL LOAN NOTES, SERIES 2014B, OF FREMONT COUNTY, STATE OF IOWA, DATED NOVEMBER 1, 2014, AND DIRECTING NOTICE BE GIVEN" and moved its adoption. Board Member Clark seconded the motion to adopt. The roll was called, and the vote was:

AYES: Chairman Dustin Sheldon, Vice-Chairman Randy Hickey, and Member Chris Clark

NAYS:

Whereupon, the Chairperson declared the resolution duly adopted as follows:

RESOLUTION AUTHORIZING THE REDEMPTION OF OUTSTANDING GENERAL OBLIGATION REFUNDING CAPITAL LOAN NOTES, SERIES 2014B, OF FREMONT COUNTY, STATE OF IOWA, DATED NOVEMBER 1, 2014, AND DIRECTING NOTICE BE GIVEN

WHEREAS, the County did by resolution dated October 14, 2014, authorize the issuance of \$520,000 General Obligation Refunding Capital Loan Notes, Series 2014B (the "Notes") dated November 1, 2014; and

WHEREAS, the Notes are redeemable in any order of their numbering on June 1, 2021 or any date thereafter upon giving notice in the manner provided in the resolution authorizing the issuance of the Notes; and

WHEREAS, it is deemed necessary and advisable that \$85,000 be so redeemed on July 9, 2021 and notice of redemption be given according to the terms of the resolution authorizing issuance of the Notes.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF FREMONT COUNTY, STATE OF IOWA:

Section 1. That outstanding General Obligation Refunding Capital Loan Notes, dated November 1, 2014, in the principal amount of \$85,000, be and the same are hereby redeemed as of July 9, 2021.

Section 2. The Registrar and Paying Agent, UMB Bank, N.A., is hereby authorized and directed to cause notice of such redemption be given not less than thirty (30) days prior to the redemption date and to cause notice of redemption to be mailed to the registered owners of the Notes by ordinary mail, and to notify DTC.

Section 3. The Treasurer is hereby authorized and directed to cause to be deposited in a separate fund sum sufficient to pay all principal and interest on the redeemed Notes to the date of redemption and to notify the County's dissemination agent to post the Notice of Redemption to the MSRB's website (EMMA) in searchable PDF format for the redeemed Notes in accordance with the Continuing Disclosure Certificate for the Notes.

Section 4. That the form of such notice be substantially as follows:

NOTICE OF THE CALL OF NOTES FOR REDEMPTION TO THE HOLDERS OF THE FOLLOWING DESCRIBED NOTES:

Please take notice that the Notes described below have been called for redemption. Owners of the Notes should present their Notes for payment on the redemption date.

Issuer: Fremont County, State of Iowa

Original Issue Amount: \$520,000

# Fremont County 2021 Resolutions

Note Issue: General Obligation Refunding Capital Loan Notes, Series 2014B  
Dated Date: November 1, 2014  
Redemption Date: July 9, 2021  
Redemption Price: Par, plus accrued interest

Notes Called for Redemption

CUSIP

<u>Numbers</u>	<u>Principal Amount</u>	<u>Interest Rate</u>	<u>Maturity Date</u>
357216 BP4	\$85,000*	2.15%	June 1, 2022

\* The Note maturing on June 1, 2022 is a \$160,000 Term Note, \$75,000 of which was redeemed by mandatory redemption on June 1, 2021. The remaining \$85,000 is called for redemption.

No representation is made as to the accuracy of the CUSIP numbers printed herein or on the Notes.

The above Notes should be presented to UMB Bank, N.A., West Des Moines, Iowa. This represents a full call of the outstanding obligations. All interest will cease to accrue on the Redemption Date.

UMB BANK, N.A., West Des Moines, Iowa

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(End of Notice)

PASSED AND APPROVED this 9th day of June, 2021.

/s/ Dustin Sheldon  
Chairperson

ATTEST:/s/ Dee Owen  
County Auditor

CERTIFICATE )  
STATE OF IOWA )SS  
COUNTY OF FREMONT )

I, the undersigned County Auditor of Fremont County, State of Iowa, do hereby certify that attached is a true and complete copy of the portion of the records of the County showing proceedings of the Board, and the same is a true and complete copy of the action taken by the Board with respect to the matter at the meeting held on the date indicated in the attachment, which proceedings remain in full force and effect, and have not been amended or rescinded in any way; that meeting and all action thereat was duly and publicly held in accordance with a notice of meeting and tentative agenda, a copy of which was timely served on each member of the Board and posted on a bulletin board or other prominent place easily accessible to the public and clearly designated for that purpose at the principal office of the Board pursuant to the local rules of the Board and the provisions of Chapter 21, Code of Iowa, upon reasonable advance notice to the public and media at least twenty-four hours prior to the commencement of the meeting as required by law and with members of the public present in attendance; I further certify that the individuals named therein were on the date thereof duly and lawfully possessed of their respective County offices as indicated therein, that no Board vacancy existed except as may be stated in the proceedings, and that no controversy or litigation is pending, prayed or threatened involving the incorporation, organization, existence or boundaries of the County or the right of the individuals named therein as officers to their respective positions.

WITNESS my hand and the seal of the Board hereto affixed this 9th day of June, 2021.

/s/ Dee Owen  
County Auditor, Fremont County, State of Iowa

# Fremont County 2021 Resolutions

## Resolutions 2021-41

BE IT HEREBY RESOLVED by the Fremont County Board of Supervisors this 23rd day of June, 2021, that the following individual shall be approved as part-time Legal Assistant for the Fremont County Attorney's Office, as requested by Fremont County Attorney Naeda Elliott. The effective date of part-time employment shall be June 23, 2021.

Rebecca Smith—Legal Assistant

Motion to approve made by Hickey.

ATTEST:

/s/ Dee Owen	/s/ Dustin Sheldon, Chairman	aye
Fremont County Auditor	/s/ Randy Hickey,	aye
	/s/ Chris Clark	aye

## Resolution 2021-42

Motion made by Hickey to approve the following Resolution 2021-42. Motion carried unanimously.

RESOLUTION NO. 2021-42

BE IT HEREBY RESOLVED by the Fremont County Board of Supervisors this 30th day of June 2021, that the Auditor be authorized to cancel outstanding warrants that are over one year old.

Motion made by Hickey.

ATTEST:

/s/ Dee Owen	/s/ Dustin Sheldon, Chairman	aye
Fremont County Auditor	/s/ Randy Hickey,	aye
	/s/ Chris Clark	aye

## Resolution 2021-43

Motion made by Hickey to approve the following Resolution 2021-43. Motion carried unanimously.

RESOLUTION NO. 2021-43

Resolution Authorizing Appropriations to County Offices and Departments FY 2021/2022

Resolution to appropriate 100% of the budgeted amounts for expenditures deemed necessary to all Budgetary Funds/Departments FY 2021/2022, as published in the Notice of Public Hearing Budget Estimate on March 18 & 19, 2021.

Motion made by Hickey.

PASSED AND APPROVED, this 30th day of June, 2021.

ATTEST:

/s/ Dee Owen	/s/ Dustin Sheldon, Chairman	aye
Fremont County Auditor	/s/ Randy Hickey,	aye
	/s/ Chris Clark	aye

# Fremont County 2021 Resolutions

## Resolution 2021-44

Motion by Hickey to approve new hire resolution for the Fremont County Attorney's Legal Assistant. Motion carried unanimously.

RESOLUTION NO. 2021-44

BE IT HEREBY RESOLVED by the Fremont County Board of Supervisors this 7<sup>th</sup> day of July, 2021, that the following individual shall be approved as full-time Legal Assistant for the Fremont County Attorney's Office, as requested by Fremont County Attorney Naeda Elliott. The effective date of full-time employment shall be July 12, 2021.

Ashley Greedy – Legal Assistant

Motion to approve made by Hickey.

ATTEST:

/s/ Dee Owen  
Fremont County Auditor

/s/ Dustin Sheldon, Chairman                      aye  
/s/ Randy Hickey,    aye  
/s/ Chris Clark    aye

## RESOLUTION 2021-45

The board discussed a resolution regarding the abandonment of a county road and an easement for that road. Assistant County Attorney Loontjer explained the resolution that the board had already agreed with which to proceed. Motion by Clark to sign Resolution No. 2021-45. Sheldon, aye; Hickey, aye, Clark, aye

RESOLUTION TO VACATE COUNTY ROAD RIGHT-OF-WAY EASEMENT

WHEREAS, pursuant to Chapters 306 and 331 of the Iowa Code allows the County to obtain and vacate easements for County Road Right-of-Way; and,

WHEREAS, Fremont County currently has such an easement, granted by the United States Army Corp of Engineers, as depicted on Exhibit A as attached and as legally described as follows:

A parcel of land located in the NW<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub>, NE<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub> and the SE<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub> in Section 30, all in T68N, R43W of the 5th Principal Meridian, Fremont County, Iowa, as shown on Plat of Survey, attached hereto and by reference made a part hereof, said parcel is more particularly described as follows: Commencing at the Center of Section 30, T68N, R43W of the 5th P.M., Fremont County, Iowa; thence S3°22'26"W 1333.64 feet along the east line of the SW<sup>1</sup>/<sub>4</sub> of said Section 30; thence N86°37'35"W 921.31 feet to a point on the present northerly right of way line of Primary Road No. 1A. 2, the Point of Beginning; thence S34°48'03"W 90.00 feet along said present northerly right of way line to a point on the existing southerly county road right of way line; thence along said existing southerly county road right of way line for the following four(4) courses, N55°11'38"W 420.00 feet; N34°48'22"E 12.00 feet; N55°11'38"W 121.68 feet; northwesterly 40.88 feet along a 150.00 foot radius curve, concave southwesterly and having a chord bearing N63°00'17"W 40.75 feet; thence N63°10'46"E 81.30 feet to a point on the existing northerly county road right of way line; thence along said existing northerly county road right of way line for the following three (3) courses; S55°11'50"E 123.42 feet; N34°48'22"E 12.00 feet; S55°11'38"E 419.99 feet to the Point of Beginning, containing 1.08 acres.

WHEREAS, Fremont County, through its Board of Supervisors, believe it is in the best interest of Fremont County and its citizens for Fremont County to vacate and abandon the above-referenced easement.

NOW, THEREFORE, BE IT RESOLVED by the Fremont County Board of Supervisors that Fremont County hereby vacates and abandons the right-of-way easement described above and illustrated in Exhibit A.

Dated this 1st day of September, 2021.

ATTEST:

/s/ Dee Owen  
Fremont County Auditor

/s/ Dustin Sheldon, Chairman                      aye  
/s/ Randy Hickey,    aye  
/s/ Chris Clark    aye

# Fremont County 2021 Resolutions

## RESOLUTION 2021-46

American Rescue Plan Act Fund

WHEREAS, March 11, 2021, the American Rescue Plan Act of 2021 was signed into law allocating dollars for State & Local Fiscal Recovery and;

WHEREAS, Fremont County anticipates receiving \$1,351,898 to be used only on allowable expenditures as determined by the U.S. Treasury;

THEREFORE, BE IT RESOLVED that the Board of Supervisors of Fremont County hereby authorizes the set up of a dedicated sub-fund of the General Fund for purposes of isolating these funds from the rest of the General Fund.

Passed and adopted on this 8<sup>th</sup> day of September, 2021.

/s/ Dustin Sheldon, Chairperson

Fremont County Board of Supervisors

Attest:

/s/ Dee Owen

## RESOLUTION 2021-47

RESOLUTION ADOPTING CERTAIN POLICIES, RULES, AND REGULATIONS FOR THE PERFORMANCE OF THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

WHEREAS, Fremont County desires to implement improvements to their water system located within Hamburg, Iowa; and,

WHEREAS, Fremont County was awarded \$185,000.00 through the Iowa Economic Development Authority, Community Development Block Grant Program, Project #21-WS-012, with which to complete this work; and,

WHEREAS, Fremont County must adopt certain policies and abide by certain rules and laws during the performance of this project.

NOW THEREFORE BE IT RESOLVED by the Fremont County Board of Supervisors as follows:

Fremont County hereby adopts the following policies and statements and authorizes and directs the Board Chairman to sign the same:

- Fremont County - Code of Conduct
- Fremont County - Procurement Policy
- Fremont County - Equal Opportunity Policy
- Fremont County - Excessive Force Requirements
- Fremont County - Affirmative Fair Housing Policy
- Fremont County - Residential Anti-Displacement and Relocation Assistance Plan

Upon signature, said policies shall become and remain effective for the duration of the CDBG project. In the event any policy shall be at conflict with an existing Fremont County policy, the above-referenced policies will be applicable exclusively for and to the CDBG project. Existing Fremont County policies will remain in full force and effect as enacted for all other projects.

Dated this 8th day of September, 2021.

ATTEST:

/s/ Dee Owen  
Fremont County Auditor

/s/ Dustin Sheldon, Chairman	aye
/s/ Randy Hickey,	aye
/s/ Chris Clark	aye



# Fremont County 2021 Resolutions

## RESOLUTION NO. 2021-48

### RECORD OF HEARING AND DETERMINATION ON THE BUDGET AMENDMENT AND CHANGE OF APPROPRIATIONS

On this 15<sup>th</sup> day of September 2021, the Fremont County Board of Supervisors met in session for the purpose of amending the current operating budget adopted March 31st, 2021. The notice and time and place of hearing was published on September 2<sup>nd</sup> & September 3<sup>rd</sup>, 2021. The amendment was taken up and considered and taxpayers heard for or against the amendment as follows and amendment passed unanimously:

<b>Expenditures</b>	<b>From</b>	<b>To</b>	<b>Difference</b>
County Environment & Education	468,528	4,441,752	3,973,224
Capital Projects	5,746,000	5,831,956	85,956
<b>Total</b>	<b>6,214,528</b>	<b>10,273,708</b>	<b>4,059,180</b>

<b>Revenues</b>			
Intergovernmental	10,229,470	15,498,514	5,269,044
Use of Money & Property	103,251	106,851	3,600
<b>Total</b>	<b>10,332,721</b>	<b>15,605,365</b>	<b>5,272,644</b>

<b>Appropriations</b>			
Non-Departmental	2,112,217	6,171,397	4,059,180
<b>Total</b>	<b>2,112,217</b>	<b>6,171,397</b>	<b>4,059,180</b>

Amendment for 2019 Flood Buyouts, Receiving ARPA Funds, and ISICS Radio Project.  
Motion to approve made by Clark.

ATTEST:

/s/ Dee Owen  
Fremont County Auditor

/s/ Dustin Sheldon, Chairman  
Randy Hickey,  
/s/ Chris Clark

Aye  
Absent  
Aye

## RESOLUTION 2021-49

### RESOLUTION ABATING TAXES ON LAND NOW OWNED BY CITY OF SIDNEY

WHEREAS, the City of Sidney now owns certain property in Sidney, Fremont County, Iowa, parcel numbers are as follows:

Parcel #470470651000000, described as: LOT 1 Collins 1st Subdivision, City of Sidney, Fremont County, Iowa, according to the recorded plat thereof.

WHEREAS, the property is now owned by the City of Sidney and therefore should not be on the tax rolls according to Section 427.1(2), Code of Iowa,

IT IS HEREBY RESOLVED that the above-described property shall be listed as exempt on the tax list of the Fremont County Auditor. Further, all current and delinquent real property taxes are abated under Iowa Code Section 445.63.

BE IT FURTHER resolved that the Auditor and Treasurer shall enter such change orders required to abate these taxes. Dated this 22nd day of September, 2021.

Motion by and carried unanimously.

ATTEST:

/s/ Dee Owen  
Fremont County Auditor

/s/ Dustin Sheldon, Chairman  
/s/ Randy Hickey,  
/s/ Chris Clark

aye  
aye  
aye

# Fremont County 2021 Resolutions

## RESOLUTION NO. 2021-50

### RECORD OF HEARING AND DETERMINATION ON THE BUDGET AMENDMENT And CHANGE OF APPROPRIATIONS

On this 9<sup>th</sup> day of November 2021, the Fremont County Board of Supervisors met in session for the purpose of amending the current operating budget adopted March 31st, 2021. The notice and time and place of hearing was published on October 28<sup>th</sup> & October 29<sup>th</sup>, 2021. The amendment was taken up and considered and taxpayers heard for or against the amendment as follows and amendment passed unanimously:

<b>Expenditures</b>	<b>From</b>	<b>To</b>	<b>Difference</b>
Interprogram Services	1,788,477	2,967,930	1,179,453
<b>Total</b>	<b>1,788,477</b>	<b>2,967,930</b>	<b>1,179,453</b>

<b>Revenues</b>			
Intergovernmental	15,498,514	16,677,967	1,179,453
<b>Total</b>	<b>15,498,514</b>	<b>16,677,967</b>	<b>1,179,453</b>

<b>Appropriations</b>			
Non-Departmental	6,171,397	7,350,850	1,179,453
<b>Total</b>	<b>6,171,397</b>	<b>7,350,850</b>	<b>1,179,453</b>

Amendment for East/West Nishnabotna Watershed Projects.  
Motion to approve made by Clark.

ATTEST:

/s/ Dee Owen	/s/ Dustin Sheldon, Chairman	aye
Fremont County Auditor	/s/ Randy Hickey,	aye
	/s/ Chris Clark	aye

## RESOLUTION NO. 2021-51

BE IT HEREBY RESOLVED by the Fremont County Board of Supervisors this 1st day of December 2021, that the following transfer of funds be approved and made: \$627,819.00 from the Rural Services Basic Fund, share of Rural Services taxes, to the Secondary Road Fund and \$61,231.00 property tax relief of local option taxes, from the Local Option Sales Tax Fund to the Secondary Road Fund.  
Motion to approve transfer made by Clark.

ATTEST:

/s/ Dee Owen	/s/ Dustin Sheldon, Chairman	absent
Fremont County Auditor	/s/ Randy Hickey,	aye
	/s/ Chris Clark	aye

# Fremont County 2021 Resolutions

Motion by Hickey to approve the 2022 Holiday Resolution No. 2021- 52. Motion carried unanimously.

## RESOLUTION NO. 2021- 52

BE IT HEREBY RESOLVED by the Fremont County Board of Supervisors this 15th day of December 2021, that the following holidays shall be observed by the Fremont County Courthouse Offices for the year 2022.

New Year's Day	Friday	December 31, 2021
President's Day	Monday	February 21, 2022
Good Friday	Friday	April 15, 2022
Memorial Day	Monday	May 30, 2022
Independence Day	Monday	July 4, 2022
Labor Day	Monday	September 5, 2022
Veteran's Day	Friday	November 11, 2022
Thanksgiving	(Thurs. & Fri.)	November 24 & 25, 2022
Christmas	(Fri. & Mon.)	December 23 & 26, 2022

Motion by Hickey and carried unanimously.

ATTEST:

ATTEST:

/s/ Elizabeth Glenn	/s/ Dustin Sheldon, Chairman	aye
Fremont County Auditor	/s/ Randy Hickey,	aye
	/s/ Chris Clark	aye

## RESOLUTION NO. 2021- 53

RESOLUTION APPROVING THE ASSIGNMENT OF CERTIFICATE OF PURCHASE AT TAX SALE TO THE FOLLOWING:

WHEREAS, Situs Cultivation LLC, 18025 Oak Street, Ste B, Omaha, NE, 68130, is desirous of obtaining a certificate of tax sale purchase for \$786.30 for the following:

Parcel Number 430430203000000, Tax Sale Certificate number 2019-305 – LOTS 5-6 BLK 30, City of Hamburg, Fremont County, Iowa, according to the recorded plat thereof.

WHEREAS, Fremont County is desirous of avoiding the expense of tax redemption procedure, and

WHEREAS, the transfer of said certificate of tax purchase to Situs Cultivation LLC, 18025 Oak Street, Ste B, Omaha, NE, 68130, is in the better interest of the County and is in the better interest of Situs Cultivation LLC to eliminate any form of liability to Fremont County, now

THEREFORE, it is hereby resolved that the Chairman of the Board of Supervisors is authorized and directed to execute the assignment of certificates of tax purchases of this real estate upon receipt of payment.

IT IS SO RESOLVED, this 15th day of December 2021.

ATTEST:

/s/ Elizabeth Glenn	/s/ Dustin Sheldon, Chairman	aye
Fremont County Auditor	/s/ Randy Hickey,	aye
	/s/ Chris Clark	aye

# Fremont County 2021 Resolutions

## RESOLUTION NO. 2021- 54

### ASSIGNMENT OF CERTIFICATE OF TAX SALE PURCHASE

Fremont County does hereby transfer the certificate of tax sale purchase regarding the described real estate to Situs Cultivation LLC, 18025 Oak Street, Ste B, Omaha, NE, 68130, as follows:

LOTS 5-6 BLK 30, City of Hamburg, Iowa, Fremont County, Iowa, according to the recorded plat thereof.

The county shall endorse the tax sale certificate as necessary to complete this assignment upon receipt of payment of \$786.30.

Dated this 15th day of December 2021.

### ATTEST:

/s/ Elizabeth Glenn  
Fremont County Assistant Auditor

/s/ Dustin Sheldon, Chairman  
Fremont County Board of Supervisors

### STATE OF IOWA, FREMONT COUNTY SS:

On this 15th day of December, 2021, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Dustin Sheldon, to me personally known, who being by me duly sworn, did say that he is a member of the Fremont County Board of Supervisors and that said instrument was signed on behalf of the Fremont County Board of Supervisors and hereby acknowledge the execution of the foregoing instrument to be the voluntary act and deed of the Fremont County Board of Supervisors, by it and by his voluntarily executed.

/s/ Elizabeth Glenn  
Notary Public in and for the State of Iowa

The board discussed county held tax certificate 2014-308. Situs Cultivation LLC is interested in purchasing the certificate. Motion made by Hickey to approve the following assignment of certificate of purchase at tax sale resolution and resolution of assignment of certificate of tax sale purchase. Motion carried unanimously.

## RESOLUTION NO. 2021-55

### RESOLUTION APPROVING THE ASSIGNMENT OF CERTIFICATE OF PURCHASE AT TAX SALE TO THE FOLLOWING:

WHEREAS, Situs Cultivation LLC, 18025 Oak Street, Ste B, Omaha, NE, 68130, is desirous of obtaining a certificate of tax sale purchase for \$229.00 for the following:

Parcel Number 420420111000000, Tax Sale Certificate number 2014-308 – LOTS 577-578, City of Farragut, Fremont County, Iowa, according to the recorded plat thereof.

WHEREAS, Fremont County is desirous of avoiding the expense of tax redemption procedure, and

WHEREAS, the transfer of said certificate of tax purchase to Situs Cultivation LLC, 18025 Oak Street, Ste B, Omaha, NE, 68130, is in the better interest of the County and is in the better interest of Situs Cultivation LLC to eliminate any form of liability to Fremont County, now

THEREFORE, it is hereby resolved that the Chairman of the Board of Supervisors is authorized and directed to execute the assignment of certificates of tax purchases of this real estate upon receipt of payment.

IT IS SO RESOLVED, this 15th day of December 2021.

### ATTEST:

/s/ Elizabeth Glenn  
Fremont County Auditor

/s/ Dustin Sheldon, Chairman	aye
/s/ Randy Hickey,	aye
/s/ Chris Clark	aye

# Fremont County 2021 Resolutions

## RESOLUTION NO. 2021-56

### ASSIGNMENT OF CERTIFICATE OF TAX SALE PURCHASE

Fremont County does hereby transfer the certificate of tax sale purchase regarding the described real estate to Situs Cultivation LLC, 18025 Oak Street, Ste B, Omaha, NE, 68130, as follows:

LOTS 577-578, City of Farragut, Iowa, in Fremont County, Iowa, according to the recorded plat thereof.

The county shall endorse the tax sale certificate as necessary to complete this assignment upon receipt of payment of \$229.00.

Dated this 15th day of December 2021.

#### ATTEST:

/s/ Elizabeth Glenn  
Fremont County Assistant Auditor

/s/ Dustin Sheldon, Chairman  
Fremont County Board of Supervisors

#### STATE OF IOWA, FREMONT COUNTY SS:

On this 15th day of December, 2021, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Dustin Sheldon, to me personally known, who being by me duly sworn, did say that he is a member of the Fremont County Board of Supervisors and that said instrument was signed on behalf of the Fremont County Board of Supervisors and hereby acknowledge the execution of the foregoing instrument to be the voluntary act and deed of the Fremont County Board of Supervisors, by it and by his voluntarily executed.

/s/ Elizabeth Glenn  
Notary Public in and for the State of Iowa

## Resolution No. 2021-57

Authorizing Fremont County to enter into settlement agreements with McKesson Corporation, Cardinal Health, Inc., Ortho-McNeil-Janssen Pharmaceuticals, Inc., and Janssen Pharmaceutica, Inc., agree to the terms of the Iowa Opioid Allocation Memorandum of Understanding and Authorize Entry into the Memorandum of Understanding. Motion carried unanimously.

*Authorizing Fremont County to Enter into Settlement Agreements with McKesson Corporation, Cardinal Health, Inc., AmerisourceBergen Corporation, Johnson & Johnson, Janssen Pharmaceuticals, Inc., Ortho-McNeil-Janssen Pharmaceuticals, Inc., and Janssen Pharmaceutica, Inc., Agree to the Terms of the Iowa Opioid Allocation Memorandum of Understanding and Authorize Entry Into that Memorandum of Understanding*

**WHEREAS**, in 2018, the County Board of Supervisors authorized Fremont County (the "County") to enter into an engagement agreement with Crueger Dickinson LLC, Simmons Hanly Conroy LLC and von Briesen & Roper, s.c. (the "Law Firms") to pursue litigation against certain manufacturers, distributors, and retailers of opioid pharmaceuticals (the "Opioid Defendants") in an effort to hold the Opioid Defendants financially responsible for the impact on of the Opioid Epidemic on the County and resources necessary to combat the opioid epidemic;

**WHEREAS**, on behalf of the County, the Law Firms filed a lawsuit against the Opioid Defendants in 2018 and have been litigating against the Opioid Defendants since that time;

**WHEREAS**, negotiations to settle claims against several of the Opioid Defendants, specifically McKesson Corporation, Cardinal Health, Inc., AmerisourceBergen Corporation, Johnson & Johnson, Janssen Pharmaceuticals, Inc., Ortho-McNeil-Janssen Pharmaceuticals, Inc., and Janssen Pharmaceutica, Inc. (the "Settling Defendants") have been ongoing for several years;

**WHEREAS**, negotiations with the Settling Defendants have resulted in proposed nationwide settlements of state and local government claims involved in the Litigation;

# Fremont County 2021 Resolutions

**WHEREAS**, copies of the proposed terms of those proposed nationwide settlements have been set forth in the Distributors Master Settlement Agreement and the J&J Master Settlement Agreement (collectively "Settlement Agreements");

**WHEREAS**, copies of the Settlement Agreements as well as summary of the main terms of the Settlement Agreements, the deadlines for submitting the Participation Agreements to the Settlement Agreements and the MDL Court's Order setting deadlines for any Plaintiff who declines to enter into the Settlement Agreements have been provided to the County prior to the execution of this Resolution;

**WHEREAS**, the Settlement Agreements provide, among other things, for the payment of a certain sum to settling government entities in Iowa including to the State of Iowa and Participating Subdivisions, as that term is defined in the Settlement Agreements, upon occurrence of certain events as defined in the Settlement Agreements ("Iowa Opioid Funds");

**WHEREAS**, the Law Firms have engaged in extensive discussions with the State Attorney General's Office ("AGO") as to how the Iowa Opioid Funds will be allocated, which has resulted in the proposed Iowa Opioid Allocation Memorandum of Understanding ("Allocation MOU"), which is an agreement between all of the entities who are signatories to the Allocation MOU;

**WHEREAS**, a copy of the Allocation MOU and the Exhibits to that MOU has been provided with this Resolution;

**WHEREAS**, the Allocation MOU divides Iowa Opioid Funds as follows: (i) 50% to the State ("the Iowa Abatement Share") and (ii) 50% to Participating Local Governments ("LG Share"), less fees and costs allocated to the Iowa Backstop Fund as set forth in Section D of the Allocation MOU and in this Resolution ("LG Abatement Share").

**WHEREAS**, the LG Abatement Share shall be distributed in direct payments to the Counties that are Participating Local Governments according to the allocation model developed in connection with the proposed negotiating class in the National Prescription Opiate Litigation (MDL No. 2804) in the amounts set forth on Exhibit 2 to the Allocation MOU ("Direct Distribution Percentage"). The Direct Distribution Percentage will be multiplied by the total LG Abatement Share to arrive at the total allocation to the Participating Local Government (the "Direct Distribution Amount").

**WHEREAS**, 100% of the Iowa Abatement Share and the LG Abatement Share, regardless of allocation, shall be utilized only for Opioid Related Expenditures incurred after the Effective Date of this MOU. The list of approved Opioid Related Expenditures are set forth in Exhibit 1 to this MOU.

**WHEREAS** at least 75% of the Iowa Abatement Share and 75% of the LG Abatement Share shall be utilized for only the "Core Strategies" listed in Schedule A of Exhibit 1 to this MOU.

**WHEREAS**, every Participating Local Government that receives a Direct Distribution Amount shall create a separate fund on its financial books and records that is designated for the receipt and expenditure of the entity's Direct Distribution Amount, called the "LG Abatement Fund." Funds in an LG Abatement Fund shall not be commingled with any other money or funds of the Participating Local Government. A Participating Local Government may invest LG Abatement Fund funds consistent with the investment of other funds of a Participating Local Government.

**WHEREAS**, Funds in a LG Abatement Fund may be expended by a Participating Local Government only for Opioid Related Expenditures. For avoidance of doubt, funds in a LG Abatement Fund may not be expended for costs, disbursements or payments made or incurred prior to the Settlement.

# Fremont County 2021 Resolutions

**WHEREAS**, each LG Abatement Fund shall be subject to audit in a manner consistent with Code of Iowa §§331.402(2)(i) and 11.6. Any such audit shall be a financial and performance audit to ensure that the LG Abatement Fund disbursements are consistent with the terms of this MOU. If any such audit reveals an expenditure inconsistent with the terms of this MOU, the Participating Local Government shall immediately redirect the funds associated with the inconsistent expenditure to an Opioid Related Expenditure.

**WHEREAS**, County has contracted with the Law Firms for representation in the Litigation and the Law Firms have been representing those entities since 2018 and in consideration for the Law Firms' representation, the County entered into a contract with the Law Firms for a 25% contingency fee applied to County's total recovery from any settlement.

**WHEREAS**, the Settlement Agreements provide for the payment of attorney's fees and legal expenses owed by States and Participating Local Governments to outside counsel retained for Opioid Litigation. To effectuate this, the Court in the MDL Litigation has established a fund to compensate attorneys representing plaintiffs in the Litigation (the "National Attorney Fee Fund").

**WHEREAS**, the Law Firms intend to make application to the National Attorney Fee Fund. However, because there is still uncertainty regarding what counsel for litigating local governments will recover as compensation for the large volume of work done and the large out of pocket expense of the Litigation, and whereas the Parties to the Allocation MOU desire to fairly compensate outside counsel for the work done on behalf of the Participating Local Governments in Iowa, the Allocation MOU provides that a fund be created from 15 % of the LG Share attributable to the Litigating Local Governments, less any amounts a Litigating Local Government ("Iowa Backstop Fund")

**WHEREAS**, the Iowa Backstop Fund is meant to compensate outside counsel for participating local governments only for amounts not recovered at the National Fee Fund attributable to their Iowa clients;

**WHEREAS**, to be eligible for the Iowa Backstop Fund, the Law Firms must first seek payment from the National Attorneys' Fees Fund and may not recover amounts attributable to Counsel's representation of the County received at the National Attorneys' Fees Fund from the Iowa Backstop Fund;

**WHEREAS**, the County, by this Resolution, agrees to the creation of the Iowa Backstop Fund in the amount of 15% of the LG Share attributable to the Litigating Local Governments in order to fund a state-level "backstop" for payment of the fees, costs, and disbursements of the Law Firms;

**WHEREAS**, in no event shall the total of the amounts received by the Law Firms at the National Attorney's Fees Fund related to the County and the amount received at the Iowa Backstop Fund exceed the amount the Law Firms would have been entitled to pursuant their fee contract with the County;

**WHEREAS**, the County, by this Resolution, shall establish an account for the receipt of the LG Abatement Share consistent with the terms of this Resolution ("the LG Abatement Fund");

**WHEREAS**, the County's LG Abatement Fund shall be separate from the County's general fund, shall not be commingled with any other County funds, and shall be dedicated to funding opioid abatement measures as provided in the Settlement Agreements and the Allocation MOU;

**WHEREAS**, the County must comply annually with the reporting requirements in the Allocation MOU;

**WHEREAS**, the if the County elects to become a Participating Subdivision in the Settlement Agreements it will receive the benefits associated with the Settlement Agreement and the Allocation MOU, provided the County (a) approves the Settlement Agreements; (b) executes the Participation Agreements stating the County's intention to be bound by the Settlement Agreements; (3) approves the Allocation MOU; (4) executes the Acknowledgement and Agreement to be Bound to

# Fremont County 2021 Resolutions

Memorandum of Understanding necessary to execute the Allocation MOU;

**WHEREAS**, the intent of this Resolution is to authorize the County to enter into the Settlement Agreements by executing the Participation Agreements and to enter into the Allocation MOU by executing the Acknowledgement and Agreement to be Bound to Memorandum of Understanding necessary to execute the Allocation MOU;

**NOW, THEREFORE, BE IT RESOLVED:** the County Board of Supervisors hereby approves and authorizes Fremont County to settle and release the County's claims against the Settling Defendants in exchange for the consideration set forth in the Settlement Agreements, Allocation MOU and all exhibits thereto, including taking the following measures:

1. The execution of the Participation Agreement to the Distributors Settlement Agreement and any and all documents ancillary thereto.
2. The execution of the Participation Agreement to the Janssen Settlement Agreement and any and all documents ancillary thereto.
3. The execution of the Allocation MOU by executing the Acknowledgement and Agreement to be Bound to Memorandum of Understanding.

**BE IT FURTHER RESOLVED:** the County hereby establishes an account separate and distinct from the County's general fund which shall be titled "LG Abatement Fund" to receive the LG Abatement Share from the Settlement Agreements.

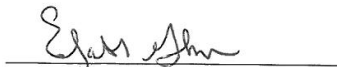
**BE IT FURTHER RESOLVED** that all actions heretofore taken by the Board of Supervisors and other appropriate public officers and agents of the County with respect to the matters contemplated under this Resolution are hereby ratified, confirmed and approved.

Adopted by the ~~Fremont~~ Fremont County Board of Supervisors this 15<sup>th</sup> day of December, 2021.



Board Chair

ATTEST:

  
County Auditor, Assistant

ATTEST:

/s/ Elizabeth Glenn  
Fremont County Auditor

/s/ Dustin Sheldon, Chairman  
/s/ Randy Hickey,  
/s/ Chris Clark

aye  
aye  
aye



# Fremont County 2021 Resolutions

## Resolution No. 2021-58

Regarding participation incentives. Motion carried unanimously. He also asked the board to sign the contract with ISAC for FY22. Motion by Clark to allow Chairman Sheldon to sign the agreement. Motion carried unanimously. The full text of the Resolution No. 2021-58 is available at the auditor's office.

BE IT RESOLVED by the Fremont County Board of Supervisor's

This 22<sup>nd</sup> day of December, 2021, that employees who carry county offered health insurance and are eligible to participate in the county wellness program, be subject to a health insurance contribution schedule. This schedule will determine the rate for both single and family held policies on a participation or non-participation category. If an employee participates and fulfills 100% of the wellness programs, he/she shall pay the participation rate that applies to his/her health insurance plan. If the eligible employee chooses not to participate 100%, he/she will pay the non-participation rate for his/her health insurance plan. Participation in the county's wellness program shall be verified by the County Auditor's Office.

Implementation- Participation and non-participation rate changes will be effective for a 12-month period starting in December of each calendar year. If the employee participates and fulfills (100%) of all programs set out by the wellness committee in the 2022 wellness program, the savings will apply in the 2024 calendar year, etc.

Insurance rates are subject to change each fiscal year (July 1-June 30th)

New employees who start after July 1st of the calendar year will not be 5subject to non-participation rates until the following calendar year.

ATTEST:

/s/ Elizabeth Glenn  
Fremont County Auditor

/s/ Dustin Sheldon, Chairman  
/s/ Randy Hickey,  
/s/ Chris Clark

aye  
absent  
aye

## RESOLUTION 2021-59

BE IT RESOLVED BY THE FREMONT COUNTY BOARD OF SUPERVISORS this 22nd day of December, 2021, that in accordance with the Code 602.6501 (1) (b) the following three electors will be appointed to the Fremont County Judicial Magistrate Appointing Commission: Grant Schaaf, Sandra Bugg, Jeff Phillips; such appointments being for six years with the term starting January 1, 2022.

ATTEST:

/s/ Elizabeth Glenn  
Fremont County Auditor

/s/ Dustin Sheldon, Chairman  
/s/ Randy Hickey,  
/s/ Chris Clark

aye  
absent  
aye

# Fremont County 2021 Resolutions

## RESOLUTION NO. 2021-60

BE IT HEREBY RESOLVED by the Fremont County Board of Supervisors this 29th day of December, 2021, that the following individual shall be approved as part-time Deputy County Attorney, as requested by Fremont County Attorney Naeda Elliott. The effective date of part-time employment shall be January 3, 2022. Salary shall be set at the current salary for Deputy County Attorney.

Ryan Dale – Deputy County Attorney

Motion to approve made by Clark.

ATTEST:

/s/ Elizabeth Glenn  
Fremont County Auditor

/s/ Dustin Sheldon, Chairman

/s/ Randy Hickey,

/s/ Chris Clark

aye

absent

aye