

The Fremont County Board of Supervisors met in regular session on Wednesday, August 28, 2024, in the Fremont County Courthouse Boardroom, with Chris Clark, Clint Blackburn and Dustin Sheldon present. A quorum was declared, and the meeting was officially called to order at 9:00 a.m. The agenda was approved as posted. Minutes of the previous board session were read and approved.

Let the record show that Attorney Peter Johnson, Engineer Dan Davis, Assistant Engineer Robbie Kromminga, Treasurer Alise Snyder, Recorder Tarah Berry, and Troy Housh Maintenance were present at this meeting.

Engineer Dan Davis met with the board for the following:

Motion by Sheldon to allow Chairman Clark to sign contract with HGM Associates for construction services on J-18 Bridge. Motion carried unanimously.

Motion by Blackburn to sign resolution for road vacation public hearing for a portion of 130th Street in Section 19, Township 70, Range 42 for the 18<sup>th</sup> of September, 2024, at 9:10 a.m. Motion carried unanimously.

**RESOLUTION FOR ROAD VACATION PUBLIC HEARING**

Fremont County Resolution No. 2024-52

WHEREAS, a request has been filed with the County Engineer asking that action be taken to vacate and close a section of Fremont County Secondary Road, described as follows:

A portion of 130th Street, originally established in 1871(Book 2, page 128) lying on the North line of Section 19, T70N, R42W of the 5th PM, Fremont County, Iowa. The intention of this road closure is to vacate a portion of the public road as now established (original and with modifications) Beginning at the NE Corner of the NW ¼ of the NE ¼ of Section 19, T70N, R42W: thence west along the north line of said section 19 to the NW Corner of the NE ¼ of the NW ¼ of Section 19, T70N, R42W of the 5th PM, Fremont County, Iowa. See Exhibit A.

NOW, THEREFORE BE IT RESOLVED that a hearing on the proposed vacation will be held in the Board Room, Fremont County Courthouse, Sidney, Iowa 51652, at 9:10 A.M. on September 18, 2024, in accordance with Iowa Code Chapter 306.

Motion made by Blackburn and seconded by Sheldon.

Approved this 28<sup>th</sup> day of August, 2024.

ATTEST:

/s/ Dee Owen	/s/ Chris Clark, Chairman	aye
County Auditor	/s/ Clint Blackburn, Vice Chairman	aye
	/s/ Dustin Sheldon, Member	aye

Motion by Sheldon to sign resolution for road vacation public hearing for alleys in Block 2, Hutchinson Addition, in the unincorporated town of Anderson, IA on the 18<sup>th</sup> of September 2024, at 9:20 a.m. Motion carried unanimously.

**RESOLUTION FOR ROAD VACATION PUBLIC HEARING**

Fremont County Resolution No. 2024-53

WHEREAS, This being the date and time set for the hearing on the proposed vacation and closure of a portion of alley in the unincorporated town of Anderson, Fremont County, described as follows:

All of the remaining alleys in Block 2 Hutchinson Addition, bounded on the North by Indiana St and on the South by Ohio St. in the unincorporated Town of Anderson, Iowa.

NOW, THEREFORE BE IT RESOLVED that a hearing on the proposed vacation will be held in the Board Room, Fremont County Courthouse, Sidney, Iowa 51652, at 9:20 A.M. on September 18, 2024, in accordance with Iowa Code Chapter 354.23.

Motion made by Sheldon and seconded by Blackburn.

Approved this 28<sup>th</sup> day of August, 2024.

ATTEST:

/s/ Dee Owen	/s/ Chris Clark, Chairman	aye
County Auditor	/s/ Clint Blackburn, Vice Chairman	aye
	/s/ Dustin Sheldon, Member	aye

Motion by Blackburn to allow Chairman Clark to sign application for underground construction in county ROW with MidAmerican Energy for J-18 project, on 120th Street just west of Highway 59, south side of Walnut Creek Bridge. Motion carried unanimously.

Motion by Blackburn to sign audit representation letter for Gronewold, Bell, Kyhnn, & Co.P.C. for 2023 Audit. Motion carried unanimously.

The board discussed who will oversee maintenance with the retirement of the current supervisor. Housh stated he thought he was the supervisor and that the previous person was to oversee his budget. Owen stated that the person was to oversee maintenance to

make sure things were getting done not just to manage the budget. The board discussed the need to have checks and balances for everyone. Motion by Sheldon for Auditor Owen to oversee the maintenance person. Motion carried unanimously.

Veteran's Affairs Director Mark Stockstell stopped in to give the board a fall school schedule from the Iowa Department of Veteran's Affairs.

At 9:32 a.m., Blackburn made a motion to recess until representatives from the law firm arrive. Motion carried unanimously.

At 9:42 a.m., Blackburn made a motion to go back into session. Motion carried unanimously.

At 9:43 a.m., motion by Blackburn to go into closed session per Iowa Code 21.5(1)(c) to discuss matter where litigation is imminent. Vote: Clark, aye; Blackburn, aye; Sheldon, aye. Present were Chairman Chris Clark, Vice-Chairman Clint Blackburn, and Supervisor Dustin Sheldon, Attorney Peter Johnson, Auditor Dee Owen, Alex Grasso, and Marcus Coleman with Hopkins and Huebner were present at this meeting. At 9:43 a.m., the board went into closed session. At 9:52 a.m., motion was made by Blackburn to go out of closed session. Vote: Clark, aye; Blackburn, aye; Sheldon, aye.

Roll Call: Chairman Chris Clark, Vice-Chairman Clint Blackburn, and Supervisor Dustin Sheldon, Attorney Peter Johnson, Auditor Dee Owen, Alex Grasso, and Marcus Coleman with Hopkins and Huebner Motion by Sheldon to authorize the signing of Resolution No. 2024-54 Litigation Resolution. Motion carried unanimously.

RESOLUTION NO. 2024-54 RESOLUTION APPROVING SETTLEMENT

WHEREAS, on or about April 18, 2024, Martin Rodriguez, through counsel, sent a demand letter to recover alleged damages after a January 25, 2024 car accident between his vehicle and a vehicle owned by the County and operated by Deputy Andrew Wake ("the incident"), and

WHEREAS, the County through its legal counsel has negotiated a settlement that resolves this matter, and

WHEREAS, the perfection of settlement requires the County's approval of same, and

WHEREAS, the County went into closed session on the 28th day of August, 2024 and received advice from its legal counsel, Alex Grasso and Marcus Coleman of Hopkins & Huebner, P.C., regarding the proposed settlement, and

WHEREAS, the County admits no liability or wrongdoing of any kind of it or its employees or agents as part of the settlement, and

WHEREAS, the proposed settlement releases the County and its agents and employees from any further liability to Martin Rodriguez regarding the incident, and

WHEREAS, the County finds that the settlement of this matter is in the best interest of the County, and

NOW, THEREFORE, BE IT RESOLVED, that the County hereby approves the settlement discussed in closed session with its legal counsel. This Resolution shall take immediate effect.

PASSED, APPROVED, AND ADOPTED THIS 28<sup>th</sup> day of August, 2024.

Moved: Sheldon

ATTEST:

/s/ Dee Owen, Fremont County Auditor

/s/ Chris Clark, Chair, Fremont County Board of Supervisors

In other business, the Sheriff's Office Monthly Report for July was approved.

Claims were approved for August 30, 2024.

At 9:55 a.m., with no further business, Blackburn motioned to adjourn. The motion carried unanimously.

ATTEST:

  
Dee Owen, Auditor

  
Chris Clark, Chairman

**August 2024 Claims Payable**

Access Technologies, Inc. Acce	Data Processing	1,389.92
Accurate Lawn & Irrigation LLC	Buildings	250.00
AgriVision Equipment Group LLC	Minor Mv Parts & Access	2,161.95
Valeri Albertsen	Custodial Supplies	240.00
All Copy Products, Inc.	Photocopying & Duplicatin	408.95
Allied Oil & Tire Company	Lubricants	1,926.18
AT&T Mobility	Radio & Related Equip Mai	2,738.94
Atchison-Holt Elec.Co-Op	Electric Power	159.96
Automated Energy Solutions Inc	Office & Data Proc Equip	1,967.50
Auxiant	Medical & Health Charges	21,754.15
Bauer Built Tire	Tires & Tubes	3,043.48
Tarah Berry	Employee Mileage & Subsis	242.27
Black Hills Energy	Natural Gas,LP Gas, Fuel	471.15
BOO, Inc. Bobcat of Omaha	Minor Mv Parts & Access	39.92
C. J. Cooper & Associates Inc.	Medical & Health Services	300.00
Card Services	Wearing Apparel & Uniform	3,262.37
Centec Cast Metal Products	Care of Graves	664.35
CenturyLink	Telephone & Telegraph Ser	33.95
Charm-Tex	Clothing & Dry Goods	749.03
Chat Mobility	Telephone & Telegraph Ser	259.76
Cherryroad Media	Board Proceedings	268.55
CINTAS LOC 749	Parts (non motor vehicle)	163.86
Cintas Corporation	Medical & Laboratory Supp	345.01
City of Farragut	Roads	1,006.53
City of Randolph	Roads	420.85
City of Riverton	Roads	243.28
City of Sidney	Water & Sewer	899.95
City of Thurman	Roads	606.01
Cleanwash Laundry Systems	Miscellaneous Repair & Ma	20.98
Clear Live powered by pioneer	Telephone & Telegraph Ser	65.53
Code 4 Public Safety Emblems	Stationery & Forms	650.00
Community Connections, Inc.	Telephone & Telegraph Ser	70.00
Continental Research Corp	Hardware (non motor vehic	1,053.39
Country Tire-Shenandoah	Tires & Tubes	138.00
Mike Cox	Contrib to Other Gov & Or	200.00
Culligan	Buildings	160.30
Century Homes Co dbs D & K Pro	Chemicals & Gases-Herbici	368.00
Jeffrey C. Dannar dba Dannar A	Lubricants	65.00
Daniel R. Davis 1009 Mobile	Educational & Training Se	80.00
Denco Corp	Asphalt & Asphalt Product	176,556.90
DLT Solutions LLC	Office & Data Proc Equip	6,853.62
Dollar General Charged Sales	Food & Provisions	84.05
Dultmeier Sales	Hardware (non motor vehic	386.49
Eakes Inc. Eakes Office Soluti	Office Equipment & Furnit	23.50
Chris Eickemeyer Eickemeyer Re	Miscellaneous Repair & Ma	475.60
Electronic Contracting Co	Custodial Supplies	621.00
ESRI	Office & Data Proc Equip	1,380.00
Eyecare Associates of SW Iowa	Employee Gr Ins-County Co	610.00
Farragut Oil Inc	Lubricants	2,074.55
Foundation for Educational Svc	Contrib to Other Gov & Or	4,000.00
First Interstate Bank Masterca	Election Supplies	999.34
Fremont Co Sanitary Landfill	Sanitation & Disposal Ser	4,427.92
Fremont Co. Treasurer	Land Imp/Drainage	11,029.35
Fremont County Vet Clinic	Machinery & Mech Equipmen	105.00
Galls, LLC.	Safety & Protective Suppl	797.75
General Basic Fund	Buildings - Rental	60.07
Sharon Gilbert	Contrib to Other Gov & Or	200.00
Patrick Gilson	Veterans Affairs Commissi	50.00
The Glass Guy Inc	Motor Vehicle Equipment	765.00

GovCo Inc	Flood & Erosion Control S	97,000.00
GovDeals Inc	Construction & Maintenanc	34,327.50
Great Plains Uniforms LLC	Wearing Apparel & Uniform	117.48
Gude Mortuary	Employee Mileage & Subsis	919.00
Rachael Hall	Medical & Health Services	100.78
Hamilton County Sheriff Dept	Legal & Court-Related Ser	86.80
Carole Hamilton	Contrib to Other Gov & Or	200.00
Hawkeye Truck Equipment	Minor Mv Parts & Access	451.26
HD Supply Formerly Home Depot	Custodial Supplies	229.14
Kris Henneman	Telephone & Telegraph Ser	40.00
HGM Associates Inc.	Engineering Services	5,682.98
HMS Auto and Fleet	Miscellaneous Repair & Ma	1,013.59
Holt Gas Co. Inc.	Fuels	20,415.40
Hotsy Equipment Co	Miscellaneous Repair & Ma	696.50
IMWCA	Workmens' Compensation In	15,681.00
Interstate Battery of Omaha	Minor Mv Parts & Access	211.95
Iowa Dept. of Revenue Conserva	Contrib to Other Gov & Or	686.49
Iowa DHS Distribution Facility	Food & Provisions	474.25
Iowa Prison Industries	Miscellaneous Repair & Ma	702.72
ISAC	Educational & Training Se	750.00
ISCTA/ Michael Clasen Dubuque	Educational & Training Se	100.00
ISSDA c/o Jared Schneider, Fin	Employee Mileage & Subsis	1,125.00
Jackson's Heavy Equipment Trai	Roads	7,200.00
Tunnicliff, Inc. dba JB Parts	Miscellaneous Repair & Ma	2,833.32
JD Lawn Service James Allen Ba	Custodial	1,426.66
Tyco Fire & Security Johnson C	Office & Data Proc Equip	3,678.40
Jones Automotive	Minor Mv Parts & Access	135.00
Kiesler's Police Supply, Inc.	Safety & Protective Suppl	379.16
Nathan Korver	Water/Sewer Structures	500.00
Laacke & Joys Company, LLC	Office Equipment	2,430.00
Mail Services LLC	Stationery & Forms	444.06
Mainstay Systems	Data Processing	2,029.80
The Malvern Leader/Beacon Ent.	Board Proceedings	896.13
Sandra McIntyre	Medical & Health Services	188.19
Medical Clinic P.C.	Medical & Health Services	1,577.19
Menards - Council Bluffs	Minor Equip & Hand Tools	280.39
MHC Kenworth	Minor Mv Parts & Access	1,953.15
MidAmerican Energy Co.	Electric Power	11,065.82
Midwest Data Center, Inc.	Office & Data Proc Equip	1,000.00
Midwest Fence Co Guardrail Sys	Traffic & Street Sign Mat	3,630.00
Midwest Laboratories Inc	Water & Sewer	53.25
Midwest Outlaw Garage	Minor Mv Parts & Access	105.65
Miller Building Supply	Custodial Supplies	149.70
Mount Farm Drainage LLC	Cover Aggregate & Sand	466.88
Fred Moyer	Veterans Affairs Commissi	36.00
MPPC LLC	Perm.Landscaping,Capital	400.00
MTE Office Center	Other	560.44
Erman Mullins III	Postage & Mailing	75.60
Transportation Technology Ctr	Telephone & Telegraph Ser	100.00
Nebraska-Iowa Ind. Fasteners	Hardware (non motor vehic	1,429.83
Northland Securities, Inc.	Office & Data Proc Equip	1,500.00
Office Warehouse Inc.	Data Processing Services	1,617.04
OMG Midwest, Inc. Attn: Accoun	Asphalt & Asphalt Product	10,472.90
FMTC-SWT, Inc Omnitel Communic	Telephone & Telegraph Ser	212.96
O'Reilly Auto Parts	Minor Mv Parts & Access	671.64
Diane Owen	Employee Mileage & Subsis	299.63
Page County Engineer	Asphalt & Asphalt Product	2,049.42
Paper Tiger Shredding	Stationery & Forms	30.00
Penn Drug	Medical & Laboratory Supp	234.72
Sioux City Truck Sales, Inc Mi	Minor Mv Parts & Access	1,422.71
Pitney Bowes	Postage & Mailing	163.83

Power Plan	Minor Mv Parts & Access	1,446.20
Prairie Telephone Company, Inc	Telephone & Telegraph Ser	736.00
Professional Office Services	Stationery & Forms	4,106.32
Quadient Finance USA, Inc.	Postage & Mailing	1,650.95
Quadient Leasing USA, Inc.	Postage & Mailing	566.31
Carol Rands	Food & Provisions	23.96
Rash-Gude Funeral Home Inc.	Employee Mileage & Subsis	819.00
Reporting Services, LLC	Legal & Court-Related Ser	61.20
Jeff Vrba ResCom Services	Extermination Services	263.98
Richardson Sanitation Scott Ri	Sanitation & Disposal Ser	1,730.00
Jessica Richardson	Medical & Health Services	350.00
Ricoh USA, Inc	Stationery & Forms	220.59
ROCSTOP	Minor Mv Parts & Access	550.00
Sapp Bros Petroleum Inc.	Natural Gas,LP Gas, Fuel	937.15
Sapp Brothers Truck Stops Inc	Fuels	10,536.13
Schildberg Constr Co Inc	Cover Aggregate & Sand	110,388.70
SCIA Shenandoah Chamber and	Contrib to Other Gov & Or	5,000.00
Shenandoah Medical Center	Acute & Emergency Treat.	352.95
Elizabeth Shirley	Parts (non motor vehicle)	621.00
Sidney Food Ltd.	Food & Provisions	206.98
Alise Snyder	Employee Mileage & Subsis	295.25
Solutions, Harris Local Gov	Data Processing	848.83
Southwest Iowa Home Health Svcs	Homemaker-Home Health Aid	4,479.73
Spaulding Mfg., Inc.	Minor Mv Parts & Access	322.00
Star Equipment Ltd	Minor Mv Parts & Access	2,312.18
State Hygienic Laboratory	Engineering Services	416.00
State Medical Examiner's Off.	Medical & Health Services	2,047.00
Tabor Motor Company, LLC	Minor Mv Parts & Access	813.50
Ten Point Construction	Concrete/Clay/Plastic Pro	85,862.40
Thomson Reuters - West Payment	Other	360.00
TK Elevator Corporation	Buildings	1,707.48
TopSpot Rentals, LLC DBA	Custodial Supplies	430.00
Tradesmen Automotive LLC	Minor Mv Parts & Access	4,091.38
Transunion Risk & Alternative	Minor Equip & Hand Tools	125.20
John Travis	Veterans Affairs Commissi	44.00
Truck Center Companies - CB	Minor Mv Parts & Access	2,298.50
U.S. Cellular	Telephone & Telegraph Ser	14,545.37
US Cellular	Telephone & Telegraph Ser	57.77
Van Wall Equipment	Machinery & Mech Equipmen	836.00
Verizon	Telephone & Telegraph Ser	40.01
Verizon Connect NWF, Inc	Radio & Related Equip Mai	174.50
Vestis	Wearing Apparel & Uniform	105.93
WahlTek, Inc.	Other	18,450.00
Walman Optical Company	Medical & Health Services	138.00
Doug Weber	Telephone & Telegraph Ser	40.00
Wells Fargo Bank Elite Card Pa	Stationery & Forms	2,134.38
WEX BANK	Fuels	7,409.76
Whipp Sales and Service	Minor Mv Parts & Access	530.74
Mandy Whipple	Contrib to Other Gov & Or	200.00
Kenneth Whitehill	Medical & Health Services	205.39
Wilson Distributor Service	Minor Equip & Hand Tools	436.88
Windstream Iowa Communication	Telephone & Telegraph Ser	7,066.74
Wiretap Telecom	Telephone & Telegraph Ser	260.80
Woodhouse	Minor Mv Parts & Access	1,085.20
Yoka, Inc.	Other	4,316.00
Consolidated Electrical Dist.	Fixed Plant Equipment	2,352.83
911 Custom	Safety & Protective Suppl	260.00
<b>Grand Total</b>		<b>812,767.69</b>