

# Fremont County 2023 Resolutions

The board approved the following resolutions to reorganize the board for 2023:

## RESOLUTION NO. 2023-1

WHEREAS, motion was made by Blackburn to appoint Chris Clark Board Chairman and Dustin Sheldon 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 3rd day of January, 2023, that Supervisor Clark is appointed Board Chairman and Supervisor Sheldon is appointed to the position of Vice-Chairman.

ATTEST:

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

## RESOLUTION NO. 2023-2

BE IT HEREBY RESOLVED by the Fremont County Board of Supervisors this 3rd day of January, 2023, that the 2023 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 Blackburn – DECAT Board, DHS Service Advisory Board, Emergency Management Commission, Zion Recovery Board, Fourth Judicial District 28E Board, Board of Health, Corner Counties Early Childhood, Workforce Development, East & West Nishnabotna WMA, and REAP Commission.

Supervisor Clark – Waubonsie Mental Health, Tourism Board, Loess Hills Authority, Hungry Canyons Authority, Hungry Canyons Alliance, Southwest Iowa Transit, Southwest Iowa Planning Council, SCIA, Regional Planning Affiliate Board, and Local Emergency Response.

Clark, Sheldon, and Blackburn appointed to E911 Board with one vote.

Motion was made by Sheldon.

ATTEST:

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

## RESOLUTION NO. 2023-3

BE IT HEREBY RESOLVED by the Fremont County Board of Supervisors this 3rd day of January, 2023, 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. Meetings for 2023 will begin on January 11, 2023.

Motion made by Blackburn.

ATTEST:

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

# Fremont County 2023 Resolutions

## RESOLUTION NO. 2023-4

BE IT HEREBY RESOLVED by the Fremont County Board of Supervisors this 3rd day of January, 2023, that the Fremont-Mills Leader-Beacon and The Hamburg Reporter be designated as the County's official newspapers for 2023.

Motion to approve made by Sheldon.

ATTEST:

/s/ Dee Owen Fremont County Auditor	/s/ Chris Clark, Chairman /s/ Dustin Sheldon /s/ Clint Blackburn	aye aye aye
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## RESOLUTION NO. 2023-5

RESOLUTION APPOINTING EMINENT DOMAIN COMPENSATION COMMISSION

BE IT HEREBY RESOLVED by the Fremont County Board of Supervisors this 3rd day of January 2023, that the following persons are appointed as members of the Eminent Domain Compensation Commission for the year 2023.

BANKERS:

Chris Johnson, Sidney, IA 51652  
Kent Claiborne, Hamburg, IA 51640  
Phil Worcester, Sidney, IA 51652  
Grant Schaaf, Randolph, IA 51649  
Cindy Gregg, Hamburg, IA 51640  
Jay Longinaker, Randolph, IA 51649

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

PROPERTY OWNERS:

Pat Sheldon, Percival, IA 51648  
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

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  
Justin Ewalt, Sidney, IA 51652

Motion to approve made by Sheldon.

ATTEST:

/s/ Dee Owen Fremont County Auditor	/s/ Chris Clark, Chairman /s/ Dustin Sheldon /s/ Clint Blackburn	aye aye aye
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# Fremont County 2023 Resolutions

## RESOLUTION NO. 2023-6

### 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, 2023 and January 31, 2024 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/ Chris Clark  
Chair, Board of Supervisors  
January 18, 2023

ATTEST:  
/s/ Dee Owen  
County Auditor  
January 18, 2023

Motion by Sheldon to approve Resolution no. 2023-7 for the new hire in the county attorney's office. Motion carried unanimously.

## RESOLUTION NO. 2023-7

### RESOLUTION TO FILL PARALEGAL VACANCY IN COUNTY ATTORNEY OFFICE

WHEREAS, the Office of the Fremont County Attorney has a personnel vacancy for the position of Paralegal; and WHEREAS, a candidate has been identified;  
BE IT RESOLVED BY THE FREMONT COUNTY BOARD OF SUPERVISORS that Nina Embree be hired to the full-time position of Paralegal with the Fremont County Attorney's Office for a total salary of \$43,000 per year, with benefits, effective January 20, 2023.  
DATED this 25th day of January, 2023.

:

ATTEST:

/s/ Dee Owen  
Fremont County Auditor

/s/ Chris Clark, Chairman  
/s/ Dustin Sheldon  
/s/ Clint Blackburn

aye  
aye  
aye

# Fremont County 2023 Resolutions

Motion made by Sheldon to approve the following resolutions:

## RESOLUTION NO. 2023-8

BE IT HEREBY RESOLVED by the Fremont County Board of Supervisors this 1st day of February 2023, that the following individuals shall be approved as staff for the Office of the Fremont County Treasurer, as requested by Fremont County Treasurer Alise Snyder. The effective date of appointment shall be January 3, 2023: Tricia Martin – First Deputy Treasurer, Carissa Buttercase – Tax Deputy Treasurer, & Skye Roth – Motor Vehicle Deputy Treasurer. Motion made by Sheldon.

ATTEST:

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

## RESOLUTION NO. 2023-9

BE IT HEREBY RESOLVED by the Fremont County Board of Supervisors this 1st day of February 2023, that the following individuals shall be approved as staff for the Office of the Fremont County Recorder, as requested by Fremont County Recorder Tarah Berry. The effective date of appointment shall be January 3, 2023: Rachael Hall – Deputy Recorder & Michaela Chatfield – Deputy Recorder. Motion made by Sheldon.

ATTEST:

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

Motion by Sheldon to approve new hire Resolution No. 2023-10 for the auditor's office. Motion carried unanimously.

## RESOLUTION NO. 2023-10

BE IT HEREBY RESOLVED by the Fremont County Board of Supervisors this 1st day of February, 2023, that the following individual shall be approved as Assistant Auditor for the Fremont County Auditor's Office, as requested by Fremont County Auditor Dee Owen. The effective date of full-time employment shall be January 30th, 2023. Kristi Clark – Assistant Auditor. Motion to approve made by Sheldon.

ATTEST:

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

# Fremont County 2023 Resolutions

Motion by Sheldon to approve signing Resolution No. 2023-11 awarding the contract to low bidder for Project #L-CO36(Pavement 1, 20Markings) - - 73-36 as recommended by Engineer Davis. Motion carried unanimously.

## RESOLUTION NO. 2023-11

### RESOLUTION TO ACCEPT LOW BID AND AWARD CONSTRUCTION CONTRACT

Award of Bid for Project L-CO36(2023 PAVEMENT MARKINGS) - - 73-36

VARIOUS: ENTIRE COUNTY –

Purpose of this project is to reapply new pavement markings to the entire system of paved roads in Fremont County. Additionally, a new left turn lane will be placed in front of the Fremont County Sheriff's Office.

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

Section 1: That bid for L-CO36(2023 PAVEMENT MARKINGS) --73-36 be awarded to the low bidder, Vogel Traffic Services, Orange City, IA for the total cost of \$157,389.68.

Section 2: That the chair be authorized to sign the contract documents on behalf of the board.

Section 3: That this resolution shall take effect immediately.

Motion to approve made by Sheldon.

Approved this 8<sup>th</sup> day of February, 2023.

ATTEST:

/s/ Dee Owen  
Fremont County Auditor

/s/ Chris Clark, Chairman

/s/ Dustin Sheldon

/s/ Clint Blackburn

aye

aye

aye

## RESOLUTION NO. 2023-12

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

WHEREAS, the City of Sidney, P.O. Box 335, Sidney, IA, 51652, is desirous of obtaining a certificate of tax sale purchase for \$532.00 for the following:

Parcel Number 470470502000000, Tax Sale Certificate number 2012-326 – W 360' LOT 8 EXC W 160' NE1/4 SE1/4 26-69-42, in the City of Sidney, 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 the City of Sidney, P.O. Box 335, Sidney, IA, 51652, is in the better interest of the County and is in the better interest of the City of Sidney 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 8th day of February, 2023.

ATTEST:

/s/ Dee Owen  
Fremont County Auditor

/s/ Chris Clark, Chairman

/s/ Dustin Sheldon

/s/ Clint Blackburn

aye

aye

aye

# Fremont County 2023 Resolutions

## RESOLUTION NO. 2023-13

### ASSIGNMENT OF CERTIFICATE OF TAX SALE PURCHASE

Fremont County does hereby transfer the certificate of tax sale purchase regarding the described real estate to the City of Sidney, P.O. Box 335, Sidney, IA, 51652, as follows:

Parcel Number 4704705020000000, Tax Sale Certificate number 2012-326 – W 360' LOT 8 EXC W 160' NE1/4 SE1/4 26-69-42, in the City of Sidney, 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 \$532.00.

Dated this 8th day of February, 2023.

ATTEST:

/s/ Dee Owen  
Fremont County Auditor

/s/ Chris Clark  
Chairman

STATE OF IOWA, FREMONT COUNTY SS:

On this 8th day of February, 2023, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Chris Clark, 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/ Erin Achenbach

Notary Public in and for the State of Iowa

Motion by Blackburn to approve Resolution No. 2023-14 for a new hire for the sheriff's office. Motion carried unanimously.

Motion by to sign Resolution No. 2023-14 approving new hire in the Sheriff's Office. Motion carried unanimously.

## RESOLUTION NO. 2023-14

BE IT HEREBY RESOLVED by the Fremont County Board of Supervisors this 8<sup>th</sup> day of February, 2023, that the following individual shall be approved as a Dispatcher/Jailer for the Fremont County Sheriff's Department, as requested by Fremont County Sheriff Kevin Aistrope. The effective date of employment shall be January 27, 2023: Christopher Pryal – Deputy  
Motion was made by Blackburn.

ATTEST:

/s/ Dee Owen  
Fremont County Auditor

/s/ Chris Clark, Chairman

/s/ Dustin Sheldon

/s/ Clint Blackburn

aye

aye

aye

# Fremont County 2023 Resolutions

## RESOLUTION NO. 2023-15

A RESOLUTION TO WITHDRAW FROM THE ARTICLES OF AGREEMENT WHICH FORMED THE WORKFORCE DEVELOPMENT CHIEF ELECTED OFFICIAL CONSORTIUM FOR THE WORKFORCE INNOVATION AND OPPORTUNITY ACT OF 2014

WHEREAS, Fremont County previously signed a resolution to approve the Articles of Agreement creating the Workforce Development Chief Elected Official Consortium (CEO) together with 17 other counties in western and southwestern Iowa, known as the "Western Iowa Workforce Development Area" or WILWDA; and, WHEREAS, this 28E Agreement was filed with the Iowa Secretary of State on July 7, 2020 and assigned filing number M512796; and,

WHEREAS, Article 13 of the Agreement allows counties, at their sole option, to withdraw from the Agreement at least 90 days prior to the beginning of the fiscal year (April 1 or any year); and,

WHEREAS, at their meeting on January 20, 2023, the CEO Board discussed the 28E Agreement, weighing the roles and responsibilities of counties as a result of the Agreement and impacts to services offered to their citizens both under the agreement and in absence of the Agreement; and,

WHEREAS, the CEO Board voted 11-0 at this meeting, after this discussion, to dissolve the 28E Agreement.

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

1. It does hereby invoke Article 13 of the Articles of Agreement which formed the Workforce Development Chief Elected Official Consortium for the Workforce Innovation and Opportunity Act of 2014 and withdraws from the Agreement at the end of the day June 30, 2023.
2. It understands and is its intention withdrawal of the Agreement by all 18 counties will terminate the Agreement.

Passed and approved this 22<sup>nd</sup> day of February, 2023.

ATTEST:

/s/ Kristi Clark Fremont County Assistant Auditor	/s/ Chris Clark, Chairman /s/ Dustin Sheldon /s/ Clint Blackburn	aye aye aye
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## RESOLUTION NO. 2023-16

RESOLUTION ABATING TAXES ON LAND OWNED BY THE CITY OF SIDNEY

WHEREAS, the City of Sidney now owns certain property in Sidney, Fremont County, Iowa, Parcel No. 470470121000000, described as: E ½ Lots 8-9 Blk O, City of Sidney, Parcel No. 470470198000000, described as: Lots 29-30 Outlot 1, City of Sidney, Parcel No. 470470353000000, described as: Lots 13-14 Blk 3 Hiatts Add, City of Sidney, Parcel No. 470470566000000, described as: 80' X 131' Tr Adj E Line Lot 2 SW ¼ NW ¼, 35-69-42, 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 8th day of March, 2023.

Motion by Blackburn.

ATTEST:

/s/ Dee Owen Fremont County Auditor	/s/ Chris Clark, Chairman /s/ Clint Blackburn	aye aye
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# Fremont County 2023 Resolutions

## RESOLUTION FOR ROAD VACATION PUBLIC HEARING

### RESOLUTION NO. 2023-17

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  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of Section 19, T70N, R42W: thence west along the north line of said section 19 to the NW Corner of the NE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  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 9:00 A.M. on April 5th, 2023 in accordance with Iowa Code Chapter 306.

Motion made by Sheldon.

Approved this 15th day of March, 2023

ATTEST:

/s/ Kristi Clark  
Fremont County Assistant Auditor

/s/ Chris Clark, Chairman	aye
/s/ Dustin Sheldon	aye
/s/ Clint Blackburn	aye

## RESOLUTION FOR ROAD VACATION PUBLIC HEARING

### RESOLUTION NO. 2023-18

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 260th Avenue, originally established as Road No. 527 (Book 4, page 232) established on October 6, 1902, lying on the West line of Section 21, T69N, 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 SW Corner of the NW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 21, T69N, R42W thence north along the West line of said NW  $\frac{1}{4}$  NW  $\frac{1}{4}$  of section 21, to the south right of way of 190th street as presently established, all in Section 20 and 21, T69N, 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 9:05 A.M. on April 5th, 2023 in accordance with Iowa Code Chapter 306.

Motion made by Sheldon.

Approved this 15th day of March, 2023.

ATTEST:

ATTEST:

/s/ Kristi Clark  
Fremont County Assistant Auditor

/s/ Chris Clark, Chairman	aye
/s/ Dustin Sheldon	aye
/s/ Clint Blackburn	aye

# Fremont County 2023 Resolutions

## RESOLUTION FOR ROAD VACATION PUBLIC HEARING

### RESOLUTION NO. 2023-19

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 320th Avenue, Road #539, originally established in 1910(Book 5, Page 8) lying along the West Line of Section 9 and 16, T69N, R41W of the 5th PM, Fremont County Iowa. The intention of this road closure is to vacation a portion of the public road as now established (original and with modifications) beginning at the NW Corner of the NW ¼ of the SW ¼ of Section 9, T69N, R41W: thence south along the west line of said Section 9 to the SW Corner of the SW ¼ of the NW ¼ of Section 16, T69N, R41W; Thence east to the SE Corner of the SW ¼ of the NW ¼, Thence North on Road #434, (Book 4, Page 136), Thence East 80 Rods, Thence north to the intersection of the Old Walnut Creek Road, Road #83, (Book 2, Page 101), Thence East to the West Right of Way of L68/330th Ave. in Section 16, T69N, R41W of the 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 April 5<sup>th</sup>, 2023 in accordance with Iowa Code Chapter 306.

Motion made by Sheldon.

Approved this 15<sup>th</sup> day of March, 2023.

ATTEST:

/s/ Kristi Clark  
Fremont County Assistant Auditor

/s/ Chris Clark, Chairman	aye
/s/ Dustin Sheldon	aye
/s/ Clint Blackburn	aye

Motion by Sheldon to sign a resolution to have a public hearing for a portion of 180th St to be changed to a Level "C" Road. This portion is in Sections 14 and 15, Township 69, Range 43. Motion carried unanimously.

## RESOLUTION FOR REDUCED LEVEL OF MAINTENANCE TO AREA SERVICE "C" ROAD PUBLIC HEARING

### RESOLUTION NO. 2023-20

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

A portion of 180th ST, originally established as Road No. 124 (Book 2, page 161 and book 4, page 48) established in 1872 lying on the North line of Section 15, T69N, R43W of the 5th PM, Fremont County, Iowa. The intention of this road modification is to lower the maintenance requirement to a Level C designation for the public road as now established (original and with modifications) Beginning at the NW Corner of Section 15, T69N, R43W: thence East along the North line of said section 15, to a point 420ft West of the NE corner NW 1/4 NW1/4 of Section 14, T69N, R43W of the 5th PM, Fremont County, Iowa. See Exhibit A

NOW, THEREFORE BE IT RESOLVED that a hearing on the proposed lowering of the level of maintenance will be held in the Board Room, Fremont County Courthouse, Sidney, Iowa 51652, at 9:15 A.M. on April 5<sup>th</sup>, 2023 in accordance with Iowa Code Chapter 306.

Motion made by Sheldon.

Approved this 15<sup>th</sup> day of March, 2023.

ATTEST:

/s/ Kristi Clark  
Fremont County Assistant Auditor

/s/ Chris Clark, Chairman	aye
/s/ Dustin Sheldon	aye
/s/ Clint Blackburn	aye

# Fremont County 2023 Resolutions

Motion by Blackburn to sign two Stop at Intersection Resolutions for the following locations:  
On Waubonsie Ave at Golf Course Drive in Sect 5, T70, R43 in Scott Township and on Waubonsie Avenue at Wild River Road in Section 5, T70, R43 in Scott Township. Motion carried unanimously.

## STOP AT INTERSECTION RESOLUTION

### RESOLUTION NO. 2023-21

WHEREAS: the Board of Supervisors is empowered under authority of Sections 321.236, 321.255, and 321.345 of the Code of Iowa to designate any secondary road intersection under their jurisdiction as a STOP intersection and to erect STOP signs at one or more entrances to such intersection, and  
WHEREAS: Traffic on Southbound Wild River Road is endangered by traffic from the East and West on Waubonsie Avenue in Section 5, T70N-R43W in Scott Township, and  
NOW, THEREFORE, BE IT RESOLVED by the Fremont County Board of Supervisors that Wild River Road approach from the North be designated as a "STOP approach" to the above-described intersection and that a STOP sign shall be erected accordingly.  
Motion to approve made by Blackburn.  
Passed and Approved this 15th day of March, 2023.

#### ATTEST:

/s/ Kristi Clark  
Fremont County Assistant Auditor

/s/ Chris Clark, Chairman	aye
/s/ Dustin Sheldon	aye
/s/ Clint Blackburn	aye

## STOP AT INTERSECTION RESOLUTION

### RESOLUTION NO. 2023-22

WHEREAS: the Board of Supervisors is empowered under authority of Sections 321.236, 321.255, and 321.345 of the Code of Iowa to designate any secondary road intersection under their jurisdiction as a STOP intersection and to erect STOP signs at one or more entrances to such intersection, and  
WHEREAS: Traffic on Southbound Golf Course Drive is endangered by traffic from the East and West on Waubonsie Avenue in Section 5, T70N-R43W in Scott Township, and  
NOW, THEREFORE, BE IT RESOLVED by the Fremont County Board of Supervisors that Golf Course Drive approach from the North be designated as a "STOP approach" to the above-described intersection and that a STOP sign shall be erected accordingly.  
Motion to approve made by Blackburn.  
Passed and Approved this 15th day of March, 2023

#### ATTEST:

/s/ Kristi Clark  
Fremont County Assistant Auditor

/s/ Chris Clark, Chairman	aye
/s/ Dustin Sheldon	aye
/s/ Clint Blackburn	aye

# Fremont County 2023 Resolutions

## RESOLUTION TO VACATE A COUNTY ROAD

### RESOLUTION NO. 2023-23

WHEREAS, this being the date and time set for the hearing on the proposed vacation and closure of a portion of Fremont County secondary Road, described as follows:

A portion of 260th Avenue, originally established as Road No. 527 (Book 4, page 232) established on October 6, 1902 lying on the West line of Section 21, T69N, 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 SW Corner of the NW ¼ of the NW ¼ of Section 21, T69N, R42W thence north along the West line of said NW ¼ NW ¼ of section 21, to the south right of way of 190th street as presently established, all in Section 20 and 21, T69N, R42W of the 5th PM, Fremont County, Iowa.

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

NOW THEREFORE BE IT RESOLVED by the Fremont County Board of Supervisors that the section of roadway as described above R42W be ordered vacated and closed.

Motion was made by Blackburn and seconded by Sheldon.

Approved this 5<sup>th</sup> day of April, 2023.

ATTEST:

/s/ Dee Owen

/s/ Chris Clark, Chairman

## RESOLUTION FOR REDUCED LEVEL OF MAINTENANCE TO AREA SERVICE "C" ROAD

### RESOLUTION NO. 2023-24

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF FREMONT COUNTY that this County does hereby establish the road described as an Area Service "C" road, with restricted access and minimal level of maintenance. A portion of 180th ST, originally established as Road No. 124 (Book 2, page 161 and book 4, page 48) established in 1872 lying on the North line of Section 15, T69N, R43W of the 5th PM, Fremont County, Iowa. The intention of this road modification is to lower the maintenance requirement to a Level C designation for the public road as now established (original and with modifications) Beginning at the NW Corner of Section 15, T69N, R43W: thence East along the North line of said section 15, to a point 420ft West of the NE corner NW 1/4 NW1/4 of Section 14, T69N, R43W of the 5th PM, Fremont County, Iowa.

Resolution adopted this 5th day of April, 2023.

Fremont County Board of Supervisors

/s/ Chris Clark, Chairman

ATTEST:

/s/ Dee Owen, Fremont County Auditor

# Fremont County 2023 Resolutions

At 9:52 a.m., motion was made by Blackburn to go into a public hearing regarding the County FY24 Maximum Levy/Tax Dollars. Auditor Owen discussed the levy rate. At 9:55 a.m., hearing no comment, a motion was made by Blackburn to close the public hearing. Motion carried unanimously. Motion by Blackburn to approve Resolution No. 2023-25 for the FY24 Fremont County maximum tax dollars. Clark, aye; Sheldon, aye; Blackburn, aye. Motion carried unanimously.

## RESOLUTION NO. 2023-25 APPROVING THE FY24 MAXIMUM PROPERTY TAX DOLLARS

Whereas, the Fremont County Board of Supervisors has considered the proposed FY 2024 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 the county website and/or social media accounts, if applicable; and  
Whereas, a public hearing concerning the proposed county maximum property tax dollars was held on April 5th, 2023.

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 FY23 shall not exceed the following:

General County Services: \$3,959,073.00

Rural County Services: \$1,693,660.00

The Maximum Property Tax dollars requested in either General County Services or Rural County Services for FY24 represents an increase of 102% from the Maximum Property Tax dollars requested for FY23.

Roll call vote: Clark, aye; Sheldon, aye; Blackburn, aye.

Adopted this 5th day of April, 2023.

ATTEST:

/s/ Dee Owen  
Fremont County Auditor

/s/ Chris Clark, Chairman  
/s/ Dustin Sheldon  
/s/ Clint Blackburn

aye  
aye  
aye

## RESOLUTION NO. 2023-26

### RESOLUTION FOR ESTABLISHING SPEED LIMIT

Fremont County Resolution No. 2023-26

WHEREAS, the Board of Supervisors is empowered under authority of the Iowa Code Sections 321.255 and 321.285 of the Code of Iowa, to determine upon the basis of an engineering and traffic investigation, that the speed limit of any secondary road is greater than is reasonable and proper under the conditions existing, and may determine and declare a reasonable and proper speed limit, and

WHEREAS, such an investigation has been requested and has been completed by the Fremont County Engineer.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF FREMONT COUNTY that the speed limit be established and appropriate signs be erected at the location described as follows:

Waubonsie Ave From L31(200th Ave) West to the IDNR Boat Ramp, a speed limit of 20 miles per hour is established.

Speed limit shall be effective when the appropriate signs giving notice of the speed limits are erected.

Motion to approve made by Sheldon.

ATTEST:

/s/ Dee Owen  
Fremont County Auditor

/s/ Chris Clark, Chairman  
/s/ Dustin Sheldon  
/s/ Clint Blackburn

aye  
aye  
aye

Passed and Approved this 19<sup>th</sup> day of April, 2023.

# Fremont County 2023 Resolutions

## RESOLUTION NO. 2023-27

### RESOLUTION UPDATING COUNTY ATTORNEY SALARY

WHEREAS, the salary recommendation of \$79,846.00 for the Fremont County Attorney was adopted by the Fremont County Board of Supervisors in Resolution 2022-25 on March 30th, 2022; and  
WHEREAS, Resolution 2022-58, adopted on November 23, 2022, for Establishing County Attorney as a Part-time Position, listed the salary for the County Attorney as \$72,110.00 instead of \$79,846.00 as intended; and  
WHEREAS, the Fremont County Attorney has been paid at the rate of \$72,110.00 instead of \$79,846.00 since November 23, 2022; BE IT RESOLVED BY THE FREMONT COUNTY BOARD OF SUPERVISORS that the salary of the County be updated to reflect the salary as adopted in Resolution 2022-25 of \$79,846.00.  
Approved this 19th day of April, 2023.

ATTEST:

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

## RESOLUTION NO. 2023-28

### 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 January 4, 2023, and made the following salary recommendations for the following elected officials for the fiscal year beginning July 1, 2023:

Elected Official	Current Salary	Proposed Increase	Recommended Salary
Auditor	\$59,741	9%	\$65,118
County Attorney	\$79,846	8%	\$86,234
Recorder	\$59,741	8%	\$64,521
Sheriff	\$80,562	12%	\$90,229
Supervisors	\$32,874	8%	\$35,504
Treasurer	\$59,741	8%	\$64,521

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, 2023.

Motion made by Sheldon.

PASSED AND APPROVED, this 26th day of April, 2023.

FREMONT COUNTY BOARD OF SUPERVISORS

ATTEST:

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

# Fremont County 2023 Resolutions

## RESOLUTION NO. 2023-29

### ADOPTION OF BUDGET AND CERTIFICATION OF TAXES

Fiscal Year July 1, 2023—June 30, 2024

At the meeting of the Board of Supervisors of Fremont County, held during public hearing as required by law, on April 26, 2023, the proposed budget for July 1, 2023 to June 30, 2024 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	3.85000
GENERAL SUPPLEMENTAL	2.20000
RURAL BASIC	3.30000
DEBT SERVICE	0.90781

And approved a 12% increase for the Sheriff, a 9% increase for the Auditor, and an 8% increase for the Attorney, Recorder, Treasurer, and Supervisors as follows:

Attorney	\$86,234
Auditor	\$65,118
Recorder	\$64,521
Treasurer	\$64,521
Supervisors	\$35,504
Sheriff	\$90,229

Motion made by Sheldon and approved April 26, 2023.

ATTEST:

/s/ Dee Owen  
Fremont County Auditor

/s/ Chris Clark, Chairman  
/s/ Dustin Sheldon  
/s/ Clint Blackburn

aye  
aye  
aye

# Fremont County 2023 Resolutions

## RESOLUTION NO. 2023-30

### 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, 2023, in accordance with Section 331.434, Subsection 6, Code of Iowa.

THEREFORE, be it resolved by the Fremont County Board of Supervisors on this 26th day of April, 2023, 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, 2023.
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 2023/2024 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 2023/2024 budget year.
6. All appropriations authorized pursuant to this resolution lapse at the close of business on June 30, 2024. The above and foregoing resolution was adopted by the Fremont County Board of Supervisors on Wednesday, April 26th, 2023.

The Fremont County Board of Supervisors, meeting in session on this 26th day of April, 2023, do hereby resolve to appropriate the amounts itemized by department for the fiscal year 2023/2024.

All appropriations authorized pursuant to this resolution lapse at the close of business June 30, 2024:

Board of Supervisors 212,741	Medical Examiner 35,000
Auditor 335,241	Court Administration 1,000
Treasurer 363,129	District Court 4,900
County Attorney 291,817	County Library 41,058
Sheriff 2,501,633	Communications 630,171
Recorder 269,684	Courthouse 148,012
County Farm 10,000	Data Processing 272,971
General Assistance 21,838	Elections 80,050
Local Option Tax Fund 784,786	Bonds (LEC & ISICS) 594,065
Secondary Road 12,930,000	Juvenile Court Services 77,959
Veterans Affairs 65,914	Home Health 169,254
Conservation Board 331,492	Emergency Management 164,677
Health Board/Sanitation 40,588	Landfill 55,736
Weed Eradication 6,620	Non-Departmental 2,537,311
Social Services 21,900	

GRAND TOTAL: \$22,999,547

Motion made by Sheldon.

PASSED AND APPROVED, this 26th day of April, 2023.

ATTEST:

/s/ Dee Owen  
Fremont County Auditor

/s/ Chris Clark, Chairman  
/s/ Dustin Sheldon  
/s/ Clint Blackburn

aye  
aye  
aye



# Fremont County 2023 Resolutions

**RESOLUTION NO. 2023-33**

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

On this 10th day of May 2023, the Fremont County Board of Supervisors met in session for the purpose of amending the current operating budget adopted March 31st, 2022. The notice and time and place of hearing was published on April 27th & April 28th, 2023. 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	3,481,893	3,574,993	93,100
Physical Health & Social Services	318,515	319,243	728
Roads & Transportation	5,266,000	5,616,000	350,000
Interprogram Services	3,385,721	3,496,682	110,691
Capital Projects	6,692,473	2,192,473	-4,500,000
Operating Transfer Out	1,419,730	1,519,730	-100,000
<b>Total</b>	<b>20,564,332</b>	<b>16,719,121</b>	<b>-3,845,211</b>

<b>Revenues</b>			
Intergovernmental	11,825,449	11,925,449	100,000
Miscellaneous	165,255	195,255	30,000
Operating Transfer In	1,419,730	1,519,730	100,000
<b>Total</b>	<b>13,410,434</b>	<b>13,640,434</b>	<b>230,000</b>

<b>Appropriations</b>			
Board of Supervisors	207,345	210,345	3,000
Sheriff	2,343,424	2,407,454	64,030
Communications	584,699	603,769	19,070
Sanitation	38,911	39,639	728
Medical Examiner	35,000	45,000	10,000
Secondary Roads	11,912,000	7,762,000	-4,150,000
Non-Departmental	4,432,465	4,640,426	207,961
<b>Total</b>	<b>19,553,844</b>	<b>15,708,633</b>	<b>-3,845,211</b>

Amendment for payroll expenses, opioid funds, LATCF funds, medical examiner expenses, revenues and expenses for buyouts and watershed project, and other added expenses to continue the operation of the county. Motion to approve made by Sheldon.

ATTEST:

/s/ Kristi Clark Fremont County Assistant Auditor	/s/ Chris Clark, Chairman /s/ Dustin Sheldon /s/ Clint Blackburn	aye aye aye
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Motion by Blackburn to sign Resolution No. 2023-34 transferring funds from the General Basic Fund to the State Contingency Loan Debt Service Fund to make the payment for June 2023. Motion carried unanimously.

**RESOLUTION NO. 2023-34**

BE IT HEREBY RESOLVED by the Fremont County Board of Supervisors this 10th day of May 2023, that the following transfer of funds be approved and made: \$8,000.00 from the General Basic Fund to the State Contingency Debt Service Fund for loan payment #3 for the 2019 Flood Debris Removal. Motion to approve transfer made by Blackburn.

ATTEST:

/s/ Kristi Clark Fremont County Assistant Auditor	/s/ Chris Clark, Chairman /s/ Dustin Sheldon /s/ Clint Blackburn	aye aye aye
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# Fremont County 2023 Resolutions

Motion by Sheldon to approve Resolution No. 2023-37 regarding noxious weeds. Motion carried unanimously.

## RESOLUTION NO. 2023-37:

BE IT HEREBY RESOLVED by the Fremont County Board of Supervisors this 24th day of May, 2023, that the following order for destruction of noxious weeds be effective June 1, 2023.

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 production:

Group 1: June 1, 2023 - 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, 2023 - for Field Bindweed, Wild Carrot

Group 3: August 1, 2023- 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 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/ Chris Clark, Chairman

aye

/s/ Dustin Sheldon

aye

/s/ Clint Blackburn

aye

# Fremont County 2023 Resolutions

Motion by Blackburn to approve Resolution No. 2023-38 changing level of service for 320th Avenue. Motion carried unanimously.

## RESOLUTION FOR REDUCED LEVEL OF MAINTENANCE TO AREA SERVICE "C" ROAD

### Fremont County Resolution No. 2023-38

WHEREAS, Fremont County desires to classify certain roads on the area service system in the County to provide for a minimal level of maintenance and access by means of a gate or barrier; and  
WHEREAS, the County, after consultation with the County Engineer, has the authority to specify certain roads within the County as Area Service "C" roads pursuant to Iowa Code Section 309.57; and  
WHEREAS, the only persons who will have access rights to the roads shall be:

- (1) the owner, lessee, or person in lawful possession of any adjoining land,
- (2) The agent or employee of the owner, lessee or person in lawful possession of any adjoining land,
- (3) any peace officer,
- (4) any magistrate,
- (5) any public employee whose duty it is to supervise the use or perform maintenance of the road,
- (6) any agent or employee of any utility located upon the road.

WHEREAS, the minimal level of maintenance will be as follows:

1. Blading. Blading or dragging will not be performed on a regular basis.
2. Snow and Ice Removal. Snow and ice will not be removed, nor will the road surface be sanded or salted on a regular basis.
3. Signing. Except for load limit posting for bridges, signing shall not be continued or provided. ALL AREA SERVICE LEVEL C ROADS SHALL BE IDENTIFIED WITH A SIGN AT ALL POINTS OF ACCESS TO WARN THE PUBLIC OF THE LOWER LEVEL OF MAINTENANCE.
4. Weeds, Brush and Trees. Mowing or spraying weeds, cutting brush and tree removal will not be performed on a regular basis. Adequate sight distances will not be maintained.
5. Structures. Bridges and culverts may not be maintained to carry legal loads. Upon failure or loss, the replacement structure will be appropriate for the traffic thereon.
6. Road Surfacing. There will be no surfacing materials applied to Area Service System C Roads on a regular basis.
7. Shoulders. Shoulders will not be maintained on a regular basis.
8. Crown. A crown will not be maintained on a regular basis.
9. Repairs. There will be no road repair on a regular basis.
10. Uniform Width. Uniform width for the traveled portion of the road will not be maintained.
11. Inspections. Regular inspections will not be conducted.

THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF FREMONT COUNTY that this County does hereby establish the road described as an Area Service "C" road, with restricted access and a minimal level of maintenance.

A portion of 320th Avenue, Road #539, originally established in 1910(Book 5, Page 8) lying along the West Line of Section 9 and 16, T69N, R41W of the 5th PM, Fremont County Iowa. The intention of this road closure is to vacation a portion of the public road as now established (original and with modifications) beginning 33 feet south of the NW quarter of Section 9, T69N, R41W continuing south to the NW Corner of the NW ¼ of the SW ¼ of Section 9, T69N, R41W; thence south along the west line of said Section 9 to the SW Corner of the SW ¼ of the NW ¼ of Section 16, T69N, R41W; Thence east to the SE Corner of the SW ¼ of the NW ¼, Thence North on Road #434,(Book 4, Page 136), Thence East 80 Rods, Thence north to the intersection of the Old Walnut Creek Road, Road #83, (Book 2, Page 101), Thence East to the West Right of Way of L68/330th Ave. in Section 16, T69N, R41W of the 5th PM, Fremont County, Iowa. See Exhibit A and B.

Resolution adopted this 24th day of May, 2023.

Fremont County Board of Supervisors

/s/Chris Clark

Board of Supervisors Chairperson

ATTEST:

/s/ Dee Owen

Fremont County Auditor

Motion by Sheldon to approve Resolution No. 2023-39 abating taxes for Parcel No. 471471702030000 now owned by Sidney Community School District.

RESOLUTION NO. 2023-39

RESOLUTION ABATING TAXES ON LAND OWNED BY SIDNEY COMMUNITY SCHOOL DISTRICT

# Fremont County 2023 Resolutions

WHEREAS, the Sidney Community School District now owns certain property in Sidney, Fremont County, Iowa, Parcel No. 471471702030000, described as: PARCEL B IN PT LOTS 4, 6 & 9 SE1/4 NW1/4 26-69-42, City of Sidney, Fremont County, Iowa, according to the recorded plat thereof.

WHEREAS, the property is now owned by the Sidney Community School District 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 24th day of May, 2023.

ATTEST:

/s/ Dee Owen  
Fremont County Auditor

/s/ Chris Clark, Chairman

/s/ Dustin Sheldon

/s/ Clint Blackburn

aye

aye

aye

Motion by Sheldon to approve Resolution No. 2023-39 abating taxes for Parcel No. 471471702030000 now owned by Sidney Community School District.

## RESOLUTION NO. 2023-39:

### RESOLUTION ABATING TAXES ON LAND OWNED BY SIDNEY COMMUNITY SCHOOL DISTRICT

WHEREAS, the Sidney Community School District now owns certain property in Sidney, Fremont County, Iowa, Parcel No. 471471702030000, described as: PARCEL B IN PT LOTS 4, 6 & 9 SE1/4 NW1/4 26-69-42, City of Sidney, Fremont County, Iowa, according to the recorded plat thereof.

WHEREAS, the property is now owned by the Sidney Community School District 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 24th day of May, 2023.

ATTEST:

/s/ Dee Owen  
Fremont County Auditor

/s/ Chris Clark, Chairman

/s/ Dustin Sheldon

/s/ Clint Blackburn

aye

aye

aye

# Fremont County 2023 Resolutions

Motion by to sign Resolution No. 2023-40 for Change in appropriations. Motion carried unanimously.

## RESOLUTION NO. 2023-40:

BE IT HEREBY RESOLVED by the Fremont County Board of Supervisors this 24th day of May, 2023 that the following change in appropriations be made:  
Expenditures

Increase	02000-09110-110-52	+80.00
Increase	02000-09110-111-52	+170.00
Increase	02000-09110-113-52-10	+70.00
Decrease	01000-09110-444-52	-260.00
Increase	02000-09100-113-51-10	+100.00
Decrease	01000-09100-240-51	-100.00

Motion to approve made by Sheldon

ATTEST:

/s/ Dee Owen  
Fremont County Auditor

/s/ Chris Clark, Chairman	aye
/s/ Dustin Sheldon	aye
/s/ Clint Blackburn	aye

Motion by to approve Resolution No. 2023-41 to transfer funds from the Local Option Sales Tax Fund and Rural Services Fund to Secondary Roads. Motion carried unanimously.

## RESOLUTION NO. 2023-41:

BE IT HEREBY RESOLVED by the Fremont County Board of Supervisors this 7th day of June 2023, that the following transfer of funds be approved and made: \$643,263.00 from the Rural Services Basic Fund, the share of Rural Services taxes, to the Secondary Road Fund and \$73,243.00 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 Sheldon.

ATTEST:

/s/ Dee Owen  
Fremont County Auditor

/s/ Chris Clark, Chairman	aye
/s/ Dustin Sheldon	aye
/s/ Clint Blackburn	aye

Motion by to approve Resolution No. 2023-42 to transfer Local Assistance and Tribal Consistency Funds to General Basic Fund to replace lost revenue. Motion carried unanimously.

## RESOLUTION NO. 2023-42:

BE IT HEREBY RESOLVED by the Fremont County Board of Supervisors this 7th day of June 2023, that the following transfer of funds be approved and made: \$50,000.00 from the ARPA/LACTF Fund to the General Basic Fund for expenses due to lost revenue.

Motion to approve transfer made by Blackburn.

ATTEST:

/s/ Dee Owen  
Fremont County Auditor

/s/ Chris Clark, Chairman	aye
/s/ Dustin Sheldon	aye
/s/ Clint Blackburn	aye

# Fremont County 2023 Resolutions

Motion by Sheldon to sign Resolution No. 2023-43 for change in appropriations. Motion carried unanimously.

## RESOLUTION NO. 2023-43:

BE IT HEREBY RESOLVED by the Fremont County Board of Supervisors this 7th day of June, 2023 that the following change in appropriations be made:

Expenditures

Increase	11000-08020-481-30	+500.00
Decrease	02000-08010-264-55-42	-500.00

Motion to approve made by Sheldon.

ATTEST:

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

Motion by Sheldon to sign Resolution No. 2023-44 for change in appropriations. Motion carried unanimously.

## RESOLUTION NO. 2023-44:

BE IT HEREBY RESOLVED by the Fremont County Board of Supervisors this 14th day of June, 2023 that the following change in appropriations be made:

Expenditures

Increase	11000-06020-475-71	+200.00
Decrease	01000-06100-480-22	-200.00

Motion to approve made by Sheldon.

ATTEST:

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

Motion made by Blackburn to approve the following Resolution 2023-45. Motion carried unanimously.

## RESOLUTION NO. 2023-45:

BE IT HEREBY RESOLVED by the Fremont County Board of Supervisors this 28th day of June 2023, that the Auditor be authorized to cancel outstanding warrants that are over one year old.

Motion made by Blackburn.

ATTEST:

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

# Fremont County 2023 Resolutions

Motion made by Sheldon to approve the following Resolution 2023-46. Motion carried unanimously.

## **RESOLUTION NO. 2023-46:**

Resolution Authorizing Appropriations to County Offices and Departments FY 2023/2024  
Resolution to appropriate 100% of the budgeted amounts for expenditures deemed necessary to all Budgetary Funds/Departments FY 2023/2024, as published in the Notice of Public Hearing Budget Estimate on April 13 & 14, 2023.

Motion made by Sheldon.

PASSED AND APPROVED, this 28th day of June, 2023.

ATTEST:

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

Motion by Sheldon to sign Resolution No. 2023-47 approving new hire in the Sheriff's Office. Motion carried unanimously.

## **RESOLUTION NO. 2023-47:**

BE IT HEREBY RESOLVED by the Fremont County Board of Supervisors this 28th day of June, 2023, that the following individual shall be approved as a Dispatcher/Jailer for the Fremont County Sheriff's Department, as requested by Fremont County Sheriff Kevin Aistrope. The effective date of employment shall be June 21, 2023: Cheyenne Marie Kirsch

Motion was made by Sheldon.

ATTEST:

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

## **RESOLUTION NO.2023-48:**

RESOLUTION TO ACCEPT LOW BID AND AWARD CONSTRUCTION CONTRACT

WHEREAS, the Fremont county Secondary Roads Department held a letting for construction projects on June 28, 2023, and

WHEREAS, three (3) bids were received for Grading and Seal Coat, LFM-CO36(sealcoat L68)—7X-36, LFM-CO36(sealcoat M16)—7X-36, LFM-CO36(sealcoat J10)—7X-36,

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Fremont County that the contract be awarded to Manatt's Inc, of Brooklyn, Iowa for the low bid of \$1,010,152.35. The cost of this project shall be paid from Local Funds.

Motion to approve made by Sheldon.

Approved this 5<sup>th</sup> day of July, 2023

ATTEST:

/s/ Kristi Clark	/s/ Chris Clark, Chairman	aye
Fremont County Assistant Auditor	/s/ Dustin Sheldon	aye
	/s/ Clint Blackburn	aye

# Fremont County 2023 Resolutions

Motion by Blackburn to approve Resolution No. 2023-49. Motion carried unanimously.

## RESOLUTION NO. 2023-49:

### RESOLUTION NAMING DEPOSITORIES

RESOLVED, that the Fremont County Board of Supervisors of Fremont County, Iowa, approves the following list of financial institutions to be depositories of the funds in conformance with all applicable provisions of Iowa Code Chapter 12C.

RESOLVED, Alise Snyder, Fremont County Treasurer is hereby authorized to deposit the Fremont County funds in amounts not to exceed the maximum approved for each respective financial institution as set out below:

Depository Name	Location	Maximum Balance
Arbor Bank	Sidney	\$9,000,000
First Interstate bank	Hamburg/Sidney	\$6,000,000
First Heritage Bank	Shenandoah/Farragut	\$3,000,000
Glenwood State Bank	Tabor	\$3,000,000
Tri Valley Bank	Randolph	\$2,000,000
IPAIT/PMA		\$7,000,000
Recorder: First Interstate Bank	Sidney	\$100,000
Sheriff: Arbor Bank	Sidney	\$100,000

Motion made by Blackburn.

This Resolution passed on the 5th day of July, 2023.

### ATTEST:

/s/ Kristi Clark Fremont County Assistant Auditor	/s/ Chris Clark, Chairman /s/ Dustin Sheldon /s/ Clint Blackburn	aye aye aye
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Motion by Sheldon to approve Resolution 2023-50 and Resolution 2023-51. Motion carried unanimously.

## RESOLUTION NO. 2023-50:

### RESOLUTION TO ADJUST HOURLY WAGE FOR FREMONT COUNTY ATTORNEY PART-TIME LEGAL ASSISTANT

WHEREAS, the Office of the Fremont County Attorney has budgeted for an increase in hourly wage for the position of Part-time Legal Assistant;

BE IT RESOLVED BY THE FREMONT COUNTY BOARD OF SUPERVISORS that the wage for the part-time position of Legal Assistant with the Fremont County Attorney's Office be set at \$28.35/hour, effective July 1, 2023.

DATED this 5th day of July, 2023.

### ATTEST:

/s/ Kristi Clark Fremont County Assistant Auditor	/s/ Chris Clark, Chairman /s/ Dustin Sheldon /s/ Clint Blackburn	aye aye aye
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# Fremont County 2023 Resolutions

## RESOLUTION NO. 2023-51:

RESOLUTION TO ADJUST HOURLY WAGE FOR FREMONT COUNTY ATTORNEY PART-TIME VICTIM-WITNESS COORDINATOR

WHEREAS, the Office of the Fremont County Attorney has budgeted for an increase in hourly wage for FY24 for the position of Part-time Victim-Witness Coordinator;

BE IT RESOLVED BY THE FREMONT COUNTY BOARD OF SUPERVISORS that the wage for the part-time position of Victim-Witness Coordinator with the Fremont County Attorney's Office be set at \$31.75/hour, effective July 1, 2023.

DATED this 5th day of July, 2023.

ATTEST:

/s/ Kristi Clark	/s/ Chris Clark, Chairman	aye
Fremont County Assistant Auditor	/s/ Dustin Sheldon	aye
	/s/ Clint Blackburn	aye

Motion by Sheldon to approve Resolution No. 2023-52 transferring ARPA Funds. Motion carried unanimously.

## RESOLUTION NO. 2023-52:

RESOLUTION ALLOCATING AMERICAN RESCUE PLAN ACT FUNDS

WHEREAS, in March 2021, the federal government established the American Rescue Plan Act of 2021 (ARPA) which included the Coronavirus State and Local Fiscal Recovery Funds (SLFRF) to provide state, local and Tribal governments with resources needed to respond to the pandemic and its' economic effects; and

WHEREAS, the United States Department of the Treasury issued an Interim Final Rule implementing the SLFRF program on May 10, 2021, which included replacing lost revenue to County governments, and

WHEREAS, on January 6, 2022, the Treasury issued final rules for the SLFRF program, including authorization for counties to allocate up to \$10,000,000.00 of their total SLFRF allocation as lost revenue to spend on government services.

NOW, THEREFORE, BE IT RESOLVED that the Fremont County Board of Supervisors approves allocating \$425,000.00 of their total SLFRF allocation of \$1,351,898.00 as lost revenue to spend on government services.

HEREBY RESOLVED by the Fremont County Board of Supervisors this 2nd day of August, 2023.

Motion by Sheldon.

ATTEST:

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

Motion by Sheldon to approve Resolution No. 2023-53 transferring ARPA Funds to the General Fund. Motion carried unanimously.

## RESOLUTION NO. 2023-53:

RESOLUTION TO TRANSFER FUNDS

BE IT HEREBY RESOLVED by the Fremont County Board of Supervisors this 2nd day of August 2023, that the following transfer of funds be approved and made: \$425,000.00 from the ARPA/LATCF Fund to the General Basic Fund for expenses due to lost revenue.

Motion to approve transfer made by Sheldon.

ATTEST:

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

# Fremont County 2023 Resolutions

Motion by Blackburn to approve Resolution No. 2023-53 to transfer the remaining \$10.00 from Fund 10000 to Fund 01000. Motion carried unanimously.

## **RESOLUTION NO. 2023-54:**

BE IT HEREBY RESOLVED by the Fremont County Board of Supervisors this 2nd day of August 2023, that the following transfer of funds be approved and made: \$10.00 from the Mental Health Fund 10000 to the General Fund 01000 due to the closing of the Mental Health Fund.

Motion to approve transfer made by Blackburn.

ATTEST:

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

Motion by Sheldon to approve the following new hires for the sheriff's office. Motion carried unanimously.

## **RESOLUTION NO. 2023-55:**

BE IT HEREBY RESOLVED by the Fremont County Board of Supervisors this 4th day of October, 2023, that the following individual shall be approved as a dispatcher/jailer for the Fremont County Sheriff's Department, as requested by Fremont County Sheriff Kevin Aistrope. The effective date of employment shall be September 22, 2023.

Jesus Portillo – Dispatcher/Jailer

Motion to approve made by Sheldon.

ATTEST:

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

## **RESOLUTION NO. 2023-56:**

BE IT HEREBY RESOLVED by the Fremont County Board of Supervisors this 4th day of October, 2023, 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 September 18, 2023.

Jason Birt – Jailer

Motion to approve made by Sheldon.

ATTEST:

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

# Fremont County 2023 Resolutions

The board discussed a request for Abatement of Taxes for Properties Owned by City of Sidney (503 Webster ST & 1003 Cass ST). These properties are now owned by the City of Sidney. Motion by Sheldon to approve the abatement of taxes on the properties at 503 Webster Street and 1003 Cass Street in Sidney. Motion carried unanimously.

## RESOLUTION NO. 2023-57:

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

WHEREAS, the City of Sidney now owns certain property in Sidney, Fremont County, Iowa, Parcel No. 470470302000000, described as: E 60' LOT 1 OUTLOT 23, 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 24th day of October, 2023.

Motion by Sheldon.

### ATTEST:

/s/ Dee Owen  
Fremont County Auditor

/s/ Chris Clark, Chairman  
/s/ Dustin Sheldon  
/s/ Clint Blackburn

aye  
aye  
aye

## RESOLUTION NO. 2023-58:

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

WHEREAS, the City of Sidney now owns certain property in Sidney, Fremont County, Iowa, Parcel No. 470470353000000, described as: LOTS 13-14 BLK 3, HIATTS ADD, 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 24th day of October, 2023.

Motion by Sheldon.

### ATTEST:

/s/ Dee Owen  
Fremont County Auditor

/s/ Chris Clark, Chairman  
/s/ Dustin Sheldon  
/s/ Clint Blackburn

aye  
aye  
aye

# Fremont County 2023 Resolutions

Attorney Peter Johnson met with the board regarding the appointment of a temporary county attorney when he is out of the county.:

## RESOLUTION 2023-59

A RESOLUTION APPOINTING TEMPORARY ASSISTANT COUNTY ATTORNEY UNDER IOWA CODE SECTIONS 331.757 AND 331.754 IN EMERGENCY SITUATIONS

WHEREAS, Fremont County, Iowa, recognizes the need for legal expertise and assistance in the performance of the duties and responsibilities of the County Attorney's Office; and

WHEREAS, Iowa Code Section 331.754 and 331.757 authorize the appointment of assistant county attorneys; and WHEREAS, the Office of the Fremont County Attorney only has one practicing attorney and no assistant county attorneys; and

WHEREAS, it is critical to ensure the continuity of legal services for Fremont County in the event that the County Attorney of Fremont County, Iowa, is unreachable, unavailable, or otherwise incapacitated; and

WHEREAS, there may arise an emergency situation in Fremont County where the Fremont County Attorney is unreachable or unavailable and time is of essence; and

WHEREAS, the Mills County Attorney and the Montgomery County Attorney are neighboring part-time county attorneys who can provide legal assistance in such situations;

BE IT RESOLVED by the Fremont County Board of Supervisors that:

The Mills County Attorney, and any assistant Mills County Attorneys are hereby appointed as a temporary Assistant County Attorney for Fremont County, Iowa, on an as-needed basis only, under the provisions of Iowa Code Section 331.757 and 331.754, solely when the County Attorney of Fremont County, Iowa, is unreachable or unavailable during an emergency in Fremont County. The Mills County Attorney shall assist in legal matters, including but not limited to, representing Fremont County and providing legal counsel to county officials during such periods.

If both the Fremont County Attorney and the Mills County Attorney are unreachable or otherwise unavailable, the Montgomery County Attorney and Assistant County Attorney, is hereby appointed as a contingent temporary Assistant County Attorney for Fremont County, Iowa, on an as-needed basis only. The Montgomery County Attorney shall temporarily assist in legal matters, including but not limited to representing Fremont County and providing legal counsel to county officials in emergency circumstances during such periods.

The temporary appointment of the Mills County Attorney and the Montgomery County Attorney shall be effective only when they are called upon to serve in accordance with this resolution, without compensation, and their appointments shall only be effective for a period necessary to resolve the emergency issue or until the Fremont County Attorney is available. This resolution is effective until terminated by resolution of the Fremont County Board of Supervisors with written notice to the Mills County Attorney and Montgomery County Attorney.

Any anticipated or foreseeable absences or periods of incapacitation of the Fremont County Attorney longer than 24 hours must be addressed by separate resolution.

The Mills County Attorney, the Mills County Assistant Attorneys and the Montgomery County Attorney and the Montgomery County Assistant Attorney shall be responsible for complying with all applicable laws, rules, and ethical standards governing the practice of law in the State of Iowa.

Motion by Blackburn.

ATTEST:

/s/ Dee Owen  
Fremont County Auditor

/s/ Chris Clark, Chairman

/s/ Dustin Sheldon

/s/ Clint Blackburn

aye

aye

aye

# Fremont County 2023 Resolutions

Motion was made by Sheldon to approve the following Resolution 2023-60. Motion carried unanimously.

## RESOLUTION NO. 2023-60:

BE IT HEREBY RESOLVED by the Fremont County Board of Supervisors this 6th day of December 2023, that the following transfer of funds be approved and made: \$659,787.00 from the Rural Services Basic Fund, share of Rural Services taxes, to the Secondary Road Fund and \$73,415.00 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 Sheldon.

ATTEST:

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

Motion was made by Sheldon to approve the following Resolution 2023-61 Adopting the Fremont County Multi-Jurisdictional Hazard Mitigation Plan. Motion carried unanimously.

## RESOLUTION 2023-61:

A RESOLUTION ADOPTING THE FREMONT COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN FOR FREMONT COUNTY, IOWA

WHEREAS, Fremont County and its participating jurisdictions have completed their portions of the Multi-Jurisdictional Hazard Mitigation Plan; and

WHEREAS, review of the Hazard Mitigation Plan was open to the public; and,

WHEREAS, Fremont County has reviewed the recommendations of the Hazard Mitigation Plan and is in agreement with the priorities contained herein;

BE IT THEREFORE RESOLVED that the Board of Supervisors of Fremont County hereby adopts the Fremont County Multi-Jurisdictional Hazard Mitigation Plan, as amended by the Federal Emergency Management Agency for approval, as the guiding document for hazard mitigation in the county.

PASSED AND APPROVED this 27<sup>th</sup> day of December, 2023.

ATTEST:

/s/ Kristi Clark	/s/ Chris Clark, Chairman	aye
Fremont County Assistant Auditor	/s/ Dustin Sheldon	aye
	/s/ Clint Blackburn	aye

# Fremont County 2023 Resolutions

Motion was made by Blackburn to approve the following Resolution 2023-62 naming holidays for 2024. Motion carried unanimously.

## RESOLUTION NO. 2023-62:

BE IT HEREBY RESOLVED by the Fremont County Board of Supervisors this 27th day of December, 2023, that the following holidays shall be observed by the Fremont County Courthouse Offices for the year 2024.

New Year's Day	Monday	January 1, 2024
President's Day	Monday	February 19, 2024
Good Friday	Friday	March 29, 2024
Memorial Day	Monday	May 27, 2024
Independence Day	Thursday	July 4, 2024
Labor Day	Monday	September 2, 2024
Veteran's Day	Monday	November 11, 2024
Thanksgiving	(Thurs. & Fri.)	November 28 & 29, 2024
Christmas	(Tues. & Wed.)	December 24 & 25, 2024

Motion by Blackburn and carried unanimously.

## ATTEST:

/s/ Kristi Clark	/s/ Chris Clark, Chairman	aye
Fremont County Assistant Auditor	/s/ Dustin Sheldon	aye
	/s/ Clint Blackburn	aye