

Approved Minutes Emmet County Board of Supervisor Minutes
 November 15, 2022 at 9:00am.
 Regular Meeting
 Board Room, Courthouse

Present: Jeff Quastad, Chair
 John Pluth
 Tim Schumacher
 Todd Glasnapp, Vice-Chair
 Lisa K. Hansen

Media Present: Mike Tidemann, Ed Funston

Quastad, Chair, called the meeting to order. All in attendance recited the Pledge of Allegiance. Motion by Hansen, second by Glasnapp to approve the minutes from the November 1, 2022 meeting, also approving them for publication. All ayes, motion carried.

Public forum. Glasnapp shared from safety committee that Emmet County has gone 427 days without loss of work. Quastad received a call from Jay Lausen that he requested not to be appointed on any county boards.

Emmet County Engineer, Walter Davis-Oeth. Approval of bridge inspection contract with Kirkham Michael. Motion by Schumacher, second by Pluth. All ayes, motion carried. Approval of a pick-up truck purchase 2022 Chevy Silverado 2500. Motion by Glasnapp, second by Hansen. All ayes, motion carried.

Chairperson Quastad called to open the public hearing for the approval of final plat of Oleson Farms Subdivision, owned by David and Patricia Oleson. Pat Mohning, Land Surveyor and Barb Bohm, Emmet County Zoning Administrator were present. The proposed subdivision is located Part of the NE ¼ of the NE ¼ of Section 36, Township 99, Range 32 West of the 5th p.m., (Swan Lake Township). Motion by Schumacher, second by Hansen to exit public hearing. Roll call vote: all ayes, motion carried. Motion by Schumacher, second by Pluth to approve the final plat. All ayes, motion carried.

Board reviewed the treasurer's monthly report.

Monthly claims review. Motion by Pluth, second by Schumacher. All ayes. Motion carried. Assessor and zoning paid priors. Motion by Pluth, second by Hansen. All ayes. Motion carried. Drainage claims. Motion by Glasnapp, second by Schumacher. All ayes, motion carried.

Gross Pay 2022 October	334038.49
Total Gross Payroll	459736.47
County Share IPERS	31091.77
County Share FICA	19389.14
County Share Medicare	4534.62
County Share Health/Life/Dent Ins.	70602.45

Claims Paid Prior to 11/15/2022

DATE	VENDOR	PURPOSE	AMOUNT
10/14	EMPLOYEE BENEFIT SYSTEMS	HEALTH INSURANCE PREMIUM	\$82,836.03
10/14	EMPLOYEE BENEFIT SYSTEMS	PSF CLAIMS ACCOUNT	\$278.09
10/14	EMPLOYEE BENEFIT SYSTEMS	PSF CLAIMS ACCOUNT	\$6,139.37
10/14	EMPLOYEE BENEFIT SYSTEMS	PSF CLAIMS ACCOUNT	\$209.60
10/28	EMPLOYEE BENEFIT SYSTEMS	PSF CLAIMS ACCOUNT	\$7,481.34
10/28	REDINIUS, JEREMY	ARPA ANNEX RENOVATIONS	\$1,085.00
11/4	STEW HANSEN CHRYSLER	2022 DODGE PICKUP TRUCK	\$28,445.00

		TOTAL	\$126,474.43
VENDOR	DESCRIPTION	AMOUNT	
A & M LAUNDRY INC	LAUNDRY SERVICE		336.49
ACE HARDWARE	GROUNDS		643.93
ACOSTA, MARITZA	INTERPRETER		121.75
ADAMS, AMY	GENERAL ELECTION TRAINING		176.75
AHLERS & COONEY, ACCOUNTING DEPT	LABOR UNION CONTRACT WORK		60.00
ALIG, PEGGY	GENERAL ELECTION TRAINING		158.00
ALL STAR LANES	JAIL CONDIMENT PACKETS		125.01
ALLIANT ENERGY	ARMSTRONG REPEATER		567.77
ALPHA WIRELESS COMM.	SERVICE AND REPAIRS		2,072.75
AMERICAN MUSCLE	TUTTLE TRUCK BREAKS		506.26
ARMSTRONG AMBULANCE	MONTHLY PAYMENT		417.00

ARMSTRONG HISTORICAL SOCIETY, %CHARLOTTE THIESSE	MONTHLY PAYMENT	125.00
ARMSTRONG JOURNAL	AD	1,454.55
ARMSTRONG SENIOR CITIZENS	MONTHLY PAYMENT	150.00
AT & T	E911 ACCESS	46.64
ATLAS STAMP AND SEAL CO	NOTARY STAMP	28.30
AVERA HOLY FAMILY	MEDICAL SUPPLIES	1,097.70
AVERA MED GROUP ESTHERVILLE	PRISONER CARE	398.00
BATMAN, KARI	CELL PHONE REIMBURSEMENT	88.00
BCN TELECOM	BCN LONG DISTANCE	181.28
BEAVER, RICHARD	GENERAL ELECTION TRAINING	162.00
BLACK HILLS ENERGY	UTILITIES	907.10
BLUE TARP FINANCIAL, %CAPITAL ONE CREDIT	TOOLS	154.00
BOMGAARS SUPPLY	SUPPLIES	96.59
BRUNS, CONNIE	GENERAL ELECTION TRAINING	162.00
BUDACH, PAUL	GENERAL ELECTION TRAINING	157.50
BUDACH, ROXANNE	CELL PHONE REIMBURSEMENT	46.05
BURTON, DANIEL	DD ED 1 TRAPPED 2 BEAVERS	100.00
C & G MANUFACTURING LLC	WELDING SUPPLIES	2,838.15
CAASA	MONTHLY PAYMENT	291.67
CDWG INC	ETHERNET SWITCH	32.89
CENTURYLINK	PHONE	515.77
CENTURYLINK	PHONE	31.82
CHRESTIANSEN, SHERYL	GENERAL ELECTION TRAINING	171.00
CITY OF ARMSTRONG	UTILITIES	118.75
CITY OF ESTHERVILLE	GA UTILITIES ASSISTANCE	5,692.64
CITY OF ESTHERVILLE-AMBULANCE	MONTHLY PAYMENT	2,500.00
CITY OF GRUVER	10% TRANSFER OF JURISDICTION MONEY	41.87
CITY OF RINGSTED	UTILITIES	39.50
CITY OF WALLINGFORD	UTILITIES	41.08
CLAGUE, DEBORAH	11/8/22 GENERAL ELECTION TRAINING	150.75
CLARK, NANCY	11/8/22 GENERAL ELECTION TRAINING	156.75
CLAY COUNTY SHERIFF DEPT	PRISONER HOUSING	1,240.00
CMBA ARCHITECTS	PROFESSIONAL ARCHITECT SERVICES	47,591.32
COUNSEL - VISUAL EDGE IT	COPIER	67.92
CRONK, JACKIE	GENERAL ELECTION TRAINING	275.75
CRYSTEEL TRUCK EQUIPMENT INC	PARTS	206.26
DAKOTA FLUID POWER	PARTS	1,320.90
DAN'S REPAIR	TIRE SERVICE	135.00
DASH MEDICAL GLOVES INC	GLOVES	169.80
DATAMAXX, LSQ FUNDING GROUP	7 OMNI FORCE BROWSER LICENSE	840.00
DES MOINES STAMP MFG CO	NOTARY STAMP	32.90
DETTMANN, PAMELA	CELL PHONE REIMBURSEMENT	20.00
DEUTSCHMANN, EVELYN	GENERAL ELECTION TRAINING	155.25
DIAMOND MOWERS INC	PARTS	2,709.74
DIETRICH, LEA	MILEAGE	27.00
DOLLAR GENERAL	INCENTIVES	20.70
DOMEK, PAM	GENERAL ELECTION TRAINING	162.00
DON JOSE RESTAURANT	PRISONER MEALS	812.00
DONOVAN, MARY KAY	GENERAL ELECTION TRAINING	166.50
DUIZSMAN PLUMBING & HEATING	CLEAN AND TEST SHOP HEATER	3,325.33
ECCOG	E-WASTE DISPOSAL	118.77
EGELAND, THOMAS	CELL PHONE REIMBURSEMENT	96.00
EMMET CO ENGINEER	FUEL	4,513.81
EMMET CO FAIRGROUNDS, CAMI PAULSON	MONTHLY PAYMENT	4,166.67
EMMET CO HISTORICAL SOCIETY	MONTHLY PAYMENT	500.00
EMMET CO SHERIFF	TRANSPORT FEES	1,630.03
EMMET CO TREASURER	POSTAGE	2,175.93
EMPLOYEE BENEFIT SYSTEMS	PSF CLAIMS ACCOUNT	88,718.22
ENDERSON, JEFFREY	CELL PHONE REIMBURSEMENT	20.00
ERICKSON, MICHELE	GENERAL ELECTION TRAINING	171.00
ERICKSON, STEVE	11/8/22 GENERAL ELECTION	67.50
ESPINOSA, DEBBIE	GENERAL ELECTION TRAINING	162.00
ESTHERVILLE COMMUNICATIONS	INTERNET FEES	113.11
ESTHERVILLE DINNER DATE	MONTHLY PAYMENT	300.00
ESTHERVILLE LIBRARY	MONTHLY PAYMENT	1,353.58
ESTHERVILLE NEWS AND SPIRIT	BID PUBLIC NOTICE AND AD	1,697.41

ESTHERVILLE PAINT & GLASS	REPAIRS	16.00
ESTHERVILLE PHARMACY	PRISONER MEDS	580.77
ESTHERVILLE PRINTING CO	ELECTION SUPPLIES	197.27
EWEN, ALEX	CELL PHONE REIMBURSEMENT	20.00
FAREWAY STORES	JAIL FOOD	717.85
FIRSTNET AT&T MOBILITY	EMA HOTSPOT	1,003.46
FORCE AMERICA DISTRIBUTING LLC	PARTS	188.04
FORGE & BUILD, (N IA LUMBER)	SQUAD ROOM COUNTERTOP	3,621.77
FREDERICKSEN, TRAVIS	CELL PHONE REIMBURSEMENT	20.00
FRIENDS OF THE ESTHERVILLE, PUBLIC LIBRARY	LIBRARY DONATION MATCH	5,000.00
FUNSTON, KRISTY	11/8/22 GENERAL ELECTION	80.75
GAGE, KAREN	11/8/22 GENERAL ELECTION TRAINING	155.00
GOEBEL, HEIDI	ELECTION MILEAGE	38.00
GOEBEL, ROB	MONTHLY PAYMENT	1,992.00
GORDON FLESCH - MILWAUKEE, WI	COPIER	1,180.04
GORDON FLESCH TX	COPIER	233.04
GRAHAM TIRE SPENCER	TIRES	631.00
GREIG, JAN	11/8/22 GENERAL ELECTION	67.50
HAASE, BECKY	11/8/22 GENERAL ELECTION	135.00
HANSEN, ROSE	11/8/22 GENERAL ELECTION	1,227.75
HARRIS SANITATION & SONS INC	SANITATION	912.00
HARVEY, MICHELLE	GENERAL ELECTION TRAINING	167.00
HEIMAN	4 HALLIGAN BARS	1,875.00
HENRY M ADKINS & SON INC	BALLOT COST AND LAYOUT	7,996.97
HOFFMAN, LAURA	CONTRACT SERVICES	1,960.00
HOFFMEYER, MARY ANN	GENERAL ELECTION TRAINING	185.75
HOME IMPROVEMENT CENTER	SUPPLIES	92.50
HOOGE, SHARON	CELL PHONE REIMBURSEMENT	194.50
HOWING, MICHELLE	CELL PHONE REIMBURSEMENT	300.00
HUNTLEY, BEN	MILEAGE & EXPENSES	720.50
HY-VEE ACCOUNTS RECEIVABLE	INCENTIVES & OFFICE SUPPLIES	825.71
IA DNR WATER SUPPLY OPERATIONS	WATER WELL PERMITS	50.00
IA DRAINAGE DISTRICT ASSOC, TP ANDERSON CO	MEETING REGISTRATION	65.00
ICS JAIL SUPPLIES INC	JAIL BAR SOAP	144.30
INLAND TRUCK PARTS & SERVICE	PARTS	161.94
INMAN ELECTRIC	SHIPPING	141.38
IOWA COUNTY ATTORNEYS ASSOC	CONFERENCE REGISTRATION	80.00
IOWA DOT-OFFICE OF FINANCE	BLADES	26,474.60
IOWA LAKES CORRIDOR DEVELOPMEN	FY23 PAYMENT 2	5,000.00
IOWA LAKES ELECTRIC COOP	FLASHING SIGNAL LIGHTS	1,589.88
IOWA LAKES REGIONAL WATER	UTILITIES	141.50
IOWA LAW ENFORCEMENT ACADEMY	JAILER MMPI EVALUATION	150.00
IOWA PRISON INDUSTRIES	SIGN INVENTORY	177.87
ISAC EDUCATION & SEAT TRAINING	MEETING	1,715.00
J & J AG SOLUTIONS-J & J LAND	2 FIRE EXTINGUISHERS	198.00
J & J TRAILER SALES, & WELDING SUPPLIES	FIRE EXTINGUISHER	99.95
JACK'S UNIFORM SALES	LONG SLEEVE JAILER UNIFORMS	463.59
JACKSON CYCLE	SERVICE WORK	359.30
JCL SOLUTIONS - JANITORS CLOSE	SUPPLIES	1,278.05
JENSEN, LILI	11/8/22 GENERAL ELECTION	67.50
JENSEN, MICHELLE	11/8/22 GENERAL ELECTION	147.25
JOHANSEN, MARY	GENERAL ELECTION TRAINING	166.00
JOHN DEERE FINANCIAL	GROUNDS	209.92
JOHNSTON AUTO STORES	SUPPLIES	924.47
JONES, VAL	GENERAL ELECTION TRAINING	186.50
KAHN TILE SUPPLY	REDUCERS	929.50
KANE, MARTIN	MILEAGE	408.41
KIRCHNER, LARRY	CELL PHONE REIMBURSEMENT	20.00
KWIK TRIP	JAIL FOOD	207.15
LARSEN, LORI	GENERAL ELECTION TRAINING	22.50
LARY, ROBIN	GENERAL ELECTION TRAINING	166.25
LAUCK, JAMIE	MATRON FEES	20.00
LAWSON PRODUCTS INC	PARTS	76.05
LEFFEL, ANN	11/8/22 GENERAL ELECTION TRAINING	146.25
LEWIS, SUE	TRANSPORT FEES	30.00
LSI - WOODHAVEN SHELTER CARE	SHELTER CARE	933.00
LUTHERAN SERVICES IN IOWA	CONTRACT SERVICES	350.00

MADISON, SUE	GENERAL ELECTION TRAINING	183.75
MAIL SERVICES	NOVEMBER RENEWAL NOTICES	297.98
MARCO (DALLAS)	COPIER	480.64
MARCO (MPLS)	COPIER	342.13
MARCO SERVICE NW7128 (MPLS)	COPIER REPAIRS	77.50
MARRIOTT WEST DES MOINES	MEETING	287.64
MASON, PEG	GENERAL ELECTION TRAINING	162.00
MATHESON TRI-GAS INC	WELDING SUPPLIES	69.21
MCKESSON MEDICAL & SURGICAL	SUPPLIES	242.04
MEDIACOM	TELEPHONE/INTERNET	1,558.45
MICHAELSON INC	DRIVEWAY REPAIRS	532.47
MIDAMERICAN ENERGY CO	UTILITIES	12.46
MIDWEST TECHNOLOGY SERVICES	TELEPHONE REPAIR SERVICE	85.00
MIKE CUTHBERTSON CONSTRUCTION	ARPA ANNEX RENOVATIONS	2,016.88
MINION, DIANN	OFFICE SUPPLIES	35.39
MONTREUIL, JILL	CLEANING	300.00
MOORE, CAMELA	GENERAL ELECTION TRAINING	184.50
MOORMAN, MARY	CELL PHONE REIMBURSEMENT	42.90
MYHRE, PAULA	MILEAGE	142.00
NAPA - ESTHERVILLE	PARTS	2,251.96
NELSEN, DIANE	GENERAL ELECTION TRAINING	166.50
NEW COOPERATIVE INC	CARDTROL	108.48
NORTHERN SAFETY CO INC	SAFETY GLOVES	639.20
NORTHSTAR ELECTRIC LLC	JAIL HALLWAY LED UPGRADE	170.00
OFFICE ELEMENTS	OFFICE SUPPLIES	251.55
OLESON, LUCAS	CELL PHONE REIMBURSEMENT	20.00
OLSON, BRUCE	JAIL MASONRY WORK	1,075.00
ONE OFFICE SOLUTION	OFFICE SUPPLIES	199.21
O'REILLY AUTOMOTIVE	PARTS	101.65
OUTLET STORES	ELECTION SUPPLIES	27.80
PERGANDE, JASON	SPRAYING	505.00
PETERSEN, GAYLE	GENERAL ELECTION TRAINING	268.00
POLK CO IA SHERIFF	SERVICE OF PAPERS	40.00
POMP'S TIRE SERVICE INC	TIRE REPAIR	76.36
PRESTON, CORRIN	CELL PHONE REIMBURSEMENT	46.50
PRO COOP ESTHERVILLE	FUEL	38.24
PRO COOP POCAHONTAS	FUEL	9,825.18
QUALITY INN & SUITES STARLITE	MEETING EXPENSES	235.18
R & R INDUSTRIES INC	SAFETY VESTS	464.77
RDI	IT SUPPORT	1,385.75
RELIANCE TELEPHONE INC	JAIL WIRING	373.25
RINGSTED AMBULANCE	MONTHLY PAYMENT	349.58
RINGSTED DISPATCH	PUBLICATIONS	605.16
RINGSTED LIBRARY	MONTHLY PAYMENT	456.25
RINGSTED SENIOR CITIZENS, %RON WILSON	MONTHLY PAYMENT	150.00
RINGTEL COMMUNICATIONS	PHONE	792.55
RIVER VALLEY TELECOMMUNICATION	PHONE	878.89
RIVERA, KATHERINE	NOTARY FEE REIMBURSEMENT	30.00
ROSBURG, LISA	CELL PHONE REIMBURSEMENT	20.00
RUSSELL, RHONDA	MILEAGE	293.50
S & R AUTO AND TIRE INC	2019 RAM SERVICE	127.21
SABBY, WANDA	GENERAL ELECTION TRAINING	185.75
SATHOFF, AMY	CELL PHONE REIMBURSEMENT	20.00
SCHACHERER, CARMEN	GENERAL ELECTION TRAINING	166.25
SCHOENEMAN BROTHERS	ARPA ANNEX RENOVATIONS	562.40
SCHUMACHER ELEVATOR	ELEVATOR MAINTENANCE	188.14
SCHUMACHER, TIMOTHY	MILEAGE	102.00
SCHWIESOW, DOROTHY	GENERAL ELECTION TRAINING	356.00
SECURE SHRED SOLUTIONS LLC	SHRED SERVICE	52.00
SEMRAD, PEGGY	11/8/22 GENERAL ELECTION TRAINING	171.00
SEPTIC SOLUTIONS, MELANIE WOODYARD	SEPTIC SYSTEM REPAIRS	16,100.00
SEYLAR, DEBRA	11/8/22 GENERAL ELECTION	67.50
SHERIDAN, TRAVIS	CELL PHONE REIMBURSEMENT AUG-OCT	60.00
SHERLING, KATHY	GENERAL ELECTION TRAINING	167.50
SHONKWILER, JO ANN	11/8/22 GENERAL ELECTION	76.50
SPENCER OFFICE SUPPLIES	OFFICE SUPPLIES	188.01
STALLS FARM & HOME	PARKS	739.49

STANARD & ASSOCIATES INC	TESTING	44.00
STAPLES CREDIT PLAN	OFFICE SUPPLIES	40.62
STATE HYGIENIC LAB, UNIVERSITY OF IOWA	WATER SAMPLES	257.00
STEW HANSEN CHRYSLER	2022 DODGE RAM 1500	33,948.00
STOREY KENWORTHY/MATT PARROTT	ELECTION SUPPLIES	226.79
SUMMERS BAULER, MELANIE	CELL PHONE REIMBURSEMENT	120.00
SUNDE, SANDY	11/8/22 GENERAL ELECTION TRAINING	157.50
TATMAN, ANTHONY	2 CRITICAL HIRE SCREENINGS	20.00
TERRIL TELEPHONE CO	E911 ACCESS	5.68
TEXAS REFINERY CO	MOLY AND GREASE	977.00
THRIFTY WHITE PHARMACY	PRISONER MEDS	57.93
TIGER PRIDE LAWN CARE	JAIL PEST CONTROL	40.00
TOSTENSON, SUE	GENERAL ELECTION TRAINING	175.50
TRITECH FORENSICS	WIRELESS HEADSET INTEGRATION	2,204.83
TRITECH SOFTWARE SYSTEM	911 ANNUAL MAINTENANCE FEES	15,159.08
TROW, LYLE	GENERAL ELECTION TRAINING	195.50
TRUCK CENTER COMPANIES	PARTS	854.63
UNIFORM DEN	3 LONG SLEEVE UNIFORMS	168.59
UPPER DES MOINES OPPORTUNITY	FY23 OCT-DEC ALLOCATION	4,000.00
VERIZON WIRELESS	Cell Phone Service	1,091.71
VFW POST 3388	JAIL FOOD	574.00
VISA	OFFICE SUPPLIES	2,745.38
VON BEHREN, JANICE	GENERAL ELECTION TRAINING	173.50
WELLS FARGO - ELITE CARD	EXPENSES	906.72
WEST PAYMENT CENTER	AD	1,591.42
WEX BANK	FUEL	31.71
WILLIAMS, DR. GREG	PRISONER CARE	665.00
WINDSTREAM	PHONE	15.40
WINDSTREAM	PHONE	221.49
WINTHER & STAVE	AUDIT PROGRESS BILLING	20,000.00
YOUTH SHELTER CARE OF NORTH, CENTRAL IA	SHELTER CARE	800.82
ZIEGLER	PARTS	8,072.34
	GRAND TOTAL	407,652.08

Sheriff Mike Martens, Communications Center Labor Agreement wage adjustments/ increase to pay scale. Motion by Hansen, second by Schumacher. All ayes, motion carried.

Resolution 22-21 Settlement Agreement between Stateline Cooperative and the Emmet County Board of Supervisors.

Resolution 22-21

SETTLEMENT AGREEMENT BETWEEN STATELINE COOPERATIVE AND THE EMMET COUNTY BOARD OF SUPERVISORS

This **SETTLEMENT AGREEMENT** (the "Agreement") is made and entered into effective as of the 15th day of November, 2022 (the "Effective Date"), by and between Stateline Cooperative ("**SLC**"), on the one part, and the Emmet County, Iowa, Board of Supervisors ("**ECBOS**"), on the other part. The foregoing parties may be referred to individually herein as "Party" and collectively herein as "Parties."

W I T N E S S E T H :

WHEREAS, **SLC** owns and pays taxes on the following relevant properties in Emmet County, Iowa Halfa Feed Mill (Parcel No. 08-31-427-002) ("**Halfa**"); and

WHEREAS, the Parties dispute the appropriate property tax assessment for Halfa for assessment years 2014-2022. For the 2015-2016 assessment years, **SLC** did not protest the 2015-2016 assessments to the Emmet County Board of Review, the Iowa Property Assessment Appeal Board, or to the Iowa District Court for Emmet County. However, following the Iowa Supreme Court's opinion regarding the 2014 assessment, **SLC** submitted a Claim of Refund to the **ECBOS**, which denied the Claim of Refund.

As noted below, **SLC** intends to challenge that denial to the Emmet County District Court. The Parties have been unable to settle the dispute related to the Halfa assessment for assessment years 2015-2016 regarding the value assigned to overhead ingredient bins. As part of this settlement, the Parties have agreed to value the exemption for the overhead ingredient bins at \$680,000 per year for the purposes of that litigation, and that litigation alone.

This agreement of valuation for the overhead ingredient bins at \$680,000 does not bind, nor should it be taken as an admission by the **ECBOS** that the assessment of the Halfa property for the tax years 2015-2016 is anything other than a settled matter, and does not preclude the **ECBOS** from asserting any claim or defense against **SLC**'s anticipated claims regarding same. This agreement is for the sole purpose of removing the issue of fact as to the value of the overhead bins for the 2015-16 tax years, and should not be construed or considered as any admission, ratification, or concession of any other claim or defense that pertains to **SLC**'s anticipated claims for a refund brought regarding the 2015-16 tax years.

Further Documentation and Action. To the extent necessary, each Party agrees to execute all additional documents and take all further actions necessary to effectuate the purpose of, and promises, obligations and the like set forth in, this Agreement.

No Admission of Liability. This Agreement shall not be interpreted, asserted or construed as an admission of any wrongful acts or liability by any Party hereto.

Integrated Agreement; Severability. This Agreement constitutes the entire understanding between the Parties concerning the subject matter hereof. No other prior representations, inducements, promises, or agreements, oral or otherwise, between the Parties relating to the subject matter hereof shall be of any force or effect. This Agreement shall not be modified except in a writing signed by all Parties hereto. If any provision of this Agreement shall for any reason be held to be invalid, unenforceable, or contrary to public policy, whether in whole or in part, the remaining provisions shall not be affected by such holding.

Binding Effect. This Agreement is binding upon, and shall inure to the benefit of, the Parties hereto and their respective heirs, successors and assigns.

Review by Counsel. The Parties hereto acknowledge and agree that they have carefully read and fully understand the terms, provisions and legal effect of this Agreement, and they are signing the Agreement of their own free will, after having consulted independent legal counsel, or having the opportunity to consult with independent legal counsel, with full knowledge of its significance, and solely in reliance on their own knowledge, belief and judgment and that of their legal counsel.

No Construction Against Party Drafting. The Parties expressly acknowledge and agree that this Agreement represents a negotiated agreement, having been drafted, negotiated, compromised and agreed upon by the Parties. Therefore, the fact that one Party or the other may have been primarily or exclusively responsible for drafting or editing this Agreement shall not, in any dispute over the terms, construction or meaning of this Agreement, be held, interpreted or construed against such Party.

Attorney Fees and Costs. Each Party shall bear its own attorney fees and costs incurred with respect to the negotiation and preparation of this Agreement.

Applicable Law, Jurisdiction and Venue. This Agreement shall in all respects be governed by the laws of the State of Iowa. All actions commenced to enforce this Agreement shall be commenced and prosecuted in the Iowa District Court for Emmet County, and all Parties hereto consent to jurisdiction and venue in that Court.

Due Authority. Each Party respectively warrants and represents, which warranty and representation shall survive the date of this Agreement, that: (i) it has good right, title and authority to enter into this Agreement and perform its respective obligations hereunder; (ii) the execution and delivery hereof by the individuals set forth below, and the consummation of the transactions herein provided, have been duly authorized and approved by such Parties; and (iii) this Agreement, upon execution and delivery by the individuals set forth below, will constitute a valid and binding obligation, enforceable against it in accordance with its terms.

Counterparts. This Agreement may be executed in one or more counterparts, all of which shall together constitute one and the same instrument and shall become effective when one or more counterparts have been signed by each and every Party hereto and delivered to each and every other Party hereto.

IN WITNESS HEREOF, the Parties hereto have duly executed this **SETTLEMENT AGREEMENT** effective as of the date first above written:

Jeff Quastad, Chair of Emmet County Board of Supervisors

Motion by Schumacher, second by Hansen. Roll call vote. All ayes. Motion carried.

RIDES update and funding request by Cindy Voss. She thanked Tim Schumacher for serving on their board. Request of \$5000 for FY 24.

**GENERAL ELECTION
CANVASS REPORT TO THE BOARD OF SUPERVISORS
Canvass, November 15th, 2022**

PROVISIONAL BALLOTS = 3

REJECTED = 1

BALLOTS RECEIVED AFTER ELECTION DAY = 1

EMMET COUNTY REGISTERED VOTERS = 6744

BALLOTS CAST TOTAL 3432

Absentee 881

Election Day 2551

VOTER TURNOUT 50.89%

Last midterm election turnout 55.81% registered voters of 6818

NOTES REGARDING THIS ELECTION:

- New Freedom Vote Scanners were used.

- Deputy Commissioner of Elections was overseeing the entire election, including training, absentee voting, testing, set-up, election day and post-election.
- Soil and Water Conservation Commissioner had two openings, as well as, to fill a vacancy. Nobody filed candidacy paperwork for these positions.
- 461 Write-ins for all offices, 65 Address Changes, 60 EDRs
- 3 Auditor's Office Staff, 39 Election Officials, 7 Absentee Officials, 3 Post Election Audit Officials, 1 full time fill-in for extra office help and 2 part-time.
- The following seven townships aren't on the ballot and are appointed by the board, due to resolution in 2006 or 2008.

Denmark – Ellsworth – Estherville - High Lake - Jack Creek-Swan Lake - Twelve Mile Lake

Emmet County Deputy Commissioner of Elections, Roxanne Budach brought the General Election results to the board for canvassing. Appoint Joe Crouch to fill a vacancy for Soil and Water remainder of two-year term. Motion by Schumacher, second by Hansen. All ayes. Motion carried Motion was made by Hansen to approve the election canvass, second by Pluth. All ayes, motion carried.

Information technology and auditor's office staffing discussion. Roxanne Budach, Lisa Rosburg and Heidi Goebel, member of the auditor's office staff joined the board to discuss the replacement of Rosburg's position now that she has been elected Emmet County Treasurer for 2023.

Motion to adjourn by Hansen, second by Schumacher. All ayes, motion carried. Adjourned at 12:32 p. m.

Jeffrey Quastad
Board Chairperson

Heidi Goebel
Auditor's Assistant