

May 7th, 2024

The meeting of the Board of Supervisors was called to order at 9:00 am by Chairman Heath Hansen. Present were Heath Hansen, Doug Sorensen, Rick Thompson, Chassity Musfeldt, Frank Olsen, Lisa Frederiksen, Deb Campbell, Megan Andersen, Mitch Rydl, Ben Linde, Vernon Veteicher, Chris Swensen, Dave Hansen, Nathan Wahlert, Callie Christensen, and Bruce Haag.

Motion- Thompson Second- Sorensen to approve the agenda. Vote-all in favor. Motion- Thompson Second- Sorensen to approve the meeting minutes of 4-30-24. Vote-all in favor. Motion- Thompson Second- Hansen to approve the meeting minutes of 5-1-24. Vote-all in favor. Public comment was opened at 9:15 am. Frank Olsen, representing the Veteran's Affairs board, gave an update from the VA meeting yesterday. Olsen said they have decided to hire/share Beth Watson with Guthrie County. They will be working out the details/hours/days that Watson will be in Audubon County soon. Watson is currently acting as interim VA Director so it will be a smooth transition to fill the role. They will be in contact with the county attorney on a possible 28E agreement for this position. Motion- Thompson Second- Sorensen to accept/file the Clerk of Courts fees collected for April 2024. Vote-all in favor. Motion- Sorensen Second- Thompson to accept/file the Recorder's report of fees collected for April 2024. Vote-all in favor. Motion- Sorensen Second- Thompson to accept/file MMP Annual Update Keno Farms VII LLC #69332. Vote-all in favor. Motion- Sorensen Second- Thompson to accept/file Auditor's April 2024 month end reports. Vote-all in favor. Motion- Thompson Second- Sorensen to approve the payment of claims as submitted by various departments in the amount of \$461,264.12 and published in a separate publication at the end of May. Vote-all in favor. Supervisor Thompson reported on Region XII projects. Thompson said Audubon has participated in the \$25,000 matching funds program the last two years.

At 10:00 am discussion was held on the Courthouse roof solution. Graphite Construction was in contact with Chairman Hansen and they do not have the quoted numbers ready for review yet. Megan Andersen inquired as to why the engineering firm on the project did not catch this issue when they were first inspecting the building and doing all the tests and samples. It was suggested that all of the documents from 2017 when the roof was replaced should be reviewed. Hansen said he will contact John Hansen to review the roofing documents. Thompson said he will be calling McDermott Roofing to ask them about the roof. Nathan Wahlert inquired about the energy efficiency of the new windows that have been purchased for the Courthouse. Attorney Swensen reviewed the Opioid Resolution with the Supervisors. Motion- Thompson Second- Sorensen to approve Resolution #2024-19 on the distribution of the Opioid Settlement Funds as follows. Vote-all in favor.

Resolution 2024 –19

WHEREAS Audubon County has received Opioid Litigation Settlement Funds and anticipates receiving additional Opioid Funds in the future,

WHEREAS the aforementioned Opioid Settlement Funds are intended to help abate the harms caused by opioid abuse, support the treatment of opioid abuse, and/or prevent future opioid abuse,

WHEREAS the County has evaluated potential uses of said opioid funds, and wishes to allocate the funds, on an annual basis, in the following manner:

1. Outreach/Marketing/Connecting Individuals with Resources = 30%
2. Drug Takeback/Sharps = 10%
3. Programs to prevent, treat, and/or abate = 60%

"Programming" funds above will be equally divided between the following entities:

New Opportunities Program = 20%

Manning Recovery = 20%

STEPS Family Treatment Court = 20%

WHEREAS parties agree that all Opioid Funds may only be expended in a manner consistent with the categories enumerated in Exhibit E to the Distributor Master Settlement Agreement and the J&J Master Settlement Agreement found at <https://nationalopioidsettlement.com>.

WHEREAS the County will re-evaluate the allocation and overall use of Opioid Settlement Funds at least annually and may alter this allocation at any time. This resolution does not supersede or alter any terms of existing Settlement Agreements.

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BE IT HEREBY RESOLVED that the Opioid Settlement Funds received by Audubon County are allocated as follows: 30% Outreach, 10% Drug Takeback, 60% Programs.

Signed this 7th Day of May, 2024.

/s/Heath Hansen

Chairman, Board of Supervisors

/s/Chassity Musfeldt

Attest: Audubon County Auditor Clerk

Treasurer Campbell spoke to the Supervisors regarding the ARPA Funding and advised that it will be running out soon. Engineer Rydl and Attorney Swensen discussed the drafted ordinance for the Wind Turbine setbacks. They noted the changes that need to be made.

At 11:00 am the Valley Business Park Funds were discussed due to the recent request from Audubon County Economic Development to use the remainder of the county retained funds. Supervisor Sorensen sits on the Audubon County Economic Development Board and answered several questions regarding where all the funds for ACED come from and what is being done with the funds. Dave Hansen asked what the criteria was for businesses to be able to apply for the use of some of the funding. Sorensen said everyone must apply, then the ACED Board reviews the application. It was stressed that for a business to be awarded funds, it must generate money back into the County in some way. Vernon Venteicher, Callie Christensen, Megan Andersen, and Nathan Wahlert also asked several questions regarding these funds. Wahlert asked why there is no audit trail provided for the funds that have been given to ACED to show the taxpayers where the funding was going. Andersen (City of Exira) & Christensen (City of Brayton) had asked ACED for a funding distribution document and comparing those two documents to the document that ACED had provided the Auditor's office, the numbers and funding distribution amounts contradicted each other. One of the main concerns discussed was the need for ACED to provide transparency with the funding that the County allocated. There were concerns regarding the funding allocated to ACED and if it is being distributed towards the project it was allocated for. Many questions were raised about how to be on the board of ACED or become a member. Sorensen said that anyone can become a member but can only be on the board if a current member decides to step down, then be appointed by the current members. There were concerns about filling board spots with members representing the entire county, as many of the board members are currently from the Audubon City area. Christensen said there is no one on the ACED board currently representing Brayton. Sorensen stated that when the last member from the Brayton area resigned, the spot was hard to fill, so they allowed someone from Audubon, who was willing to fill the position, take the seat on the board. Christensen was curious who had been asked in Brayton because there were several people who would've been interested if asked. Since ACED receives funding from Audubon County, it was stressed that it is important that they are equally involved throughout the entire county. Supervisor Thompson asked if ACED could send an invite to members throughout the County to attend a meeting and voice opinions/ask questions. Meg Andersen said that the City of Exira has adopted an economic development program. This program would benefit from county funding and would fairly allocate County funds throughout the county, and they would provide 100% transparency. If ACED receives additionally funding, questions were raised on how the county would get that money back. Venteicher stated that Cass County had retained all of the funding they received from the VBP and now have accumulated interest on it. Discussion on allowing ACED the use of the money verse giving it to them was proposed. The funds can come back into the County when lots are purchased. No decision was made on if any of the money retained from the VBP funds would be allocated to ACED. More discussion will be held at another time.

Engineer Rydl gave Construction & Maintenance updates. He said there was a road closure around 250th/Crane & Dove due to 18 power poles that had broken off in the recent storm. M66 will hopefully be done with the surface overlay by the end of the week. Draft for the letter to a resident concerning a driveway issue will be approved at next week's meeting after reviewal by County Attorney. Rydl also noted that if ACED starts the proposed project, to check with Chapter 25 in the Ordinances for subdivisions. Meeting adjourned at 12:28 pm.

/s/ Heath Hansen

Chairman, Board of Supervisors

/s/ Chassity Musfeldt

Audubon County Auditor Clerk

