

September 2, 2025

The Des Moines County Board of Supervisors met in a regular session at the Court House in Burlington at 9:00 AM on Tuesday, September 2nd, 2025, with Chair Jim Cary and Member Tom Broeker present. This meeting was also held electronically via Webex and YouTube live streaming. Public input was available through board email or call in.

Unless otherwise noted, all motions passed unanimously. The Pledge of Allegiance was conducted.

Meeting with Department Heads: Budget Director Cheryl McVey reported that the office will be open until 5 p.m. Today is the last day for candidates to withdraw. IT Director Colin Gerst stated that the office remains busy. Sheriff Kevin Glendening reported that Deputy Kramer completed his 16-week training at the academy and has completed his first week of skilled training. He was a Reserve Deputy. The jail population is 72 with two out-of-county. Maintenance Director Rodney Bliesener stated that the boiler inspection went well. Assistant Land Use Administrator Jarred Lassiter stated that he has an agenda item. Treasurer Janelle Nalley-Londquist reported that there was a lot of mail this morning and that payments are coming in. Recorder Natalie Steffener stated that today is the first day you can renew ATVs or off-highway vehicles for the year 2026. The current ones expire December 31<sup>st</sup>. Attorney Lisa Schaefer reported her office is busy. Safety Director Angela Vaughan reported that it was a good weekend. Emergency Management Director Shannon Prado explained that it's National Preparedness Month. This week they ask individuals to be "aware". Next week is "make a plan" and week three is "build a kit" and week four is "get involved in your community". There will be Tips and Tricks on her social media pages for the month. County Engineer Brian Carter reported there are plenty of things going on in the county, but he wanted to focus on some DOT projects. Mediapolis Road opened last week. The school loop (235<sup>th</sup>) closed the same day which creates issues for farmers with large equipment. He has been talking to the DOT about some options for large equipment. There is a chance that they may close the current Highway 61 and move traffic to the new lanes at Mediapolis. They will not be using all four lanes initially. There is progress going on up there. Conservation Director Chris Lee reported the Twist a Cat Catfish Tournament will be this Saturday. The North boat ramp may be closed for a little while as boats are coming in and out. There were a lot of people out this past weekend. Saturday afternoon there will be catfish clinics before the weigh-in. They will teach the proper way to cast a pole and have a tank with big fish in it. They would like to engage the community. The river is a big part of a lot of people's lives.

No correspondence was received.

Dale Alison explained that he sent a letter on Friday to the Board, Sheriff, Auditor, and Joseph Myer, CEO of Transitions DMC. No one received it. He read the letter. He stated that in his view, Supervisor Broeker and Sheriff Glendening tried to undermine their efforts to purchase the county building at 522 N 3<sup>rd</sup> Street. The letter is on file in the Auditor's office for viewing.

Approval of Payroll Reimbursement Claims in the amount of \$496.89. Broeker made a motion to approve and was seconded by Cary.

Approval of Accounts Payable Claims in the amount of \$385,283.93. Broeker made a motion to approve and was seconded by Cary.

Approval of Resolution #2025-042 and Final Plat of Rappenecker Subdivision. Assistant Land Use Administrator Jarred Lassiter explained that it's a one lot subdivision on Dodgeville Road just south of Big Hollow. There's a single-family house that will be separated from surrounding farm ground. It has an existing driveway and a strip on the West side for access for farm ground. Broeker made a motion to approve and was seconded by Cary.

#### **Insert Resolution #2025-042**

Approval of Resolution #2025-043 Extending the Current 3 Month Moratorium on accepting/approving permit applications for commercial wind energy conversion systems thru October 31, 2025. Broeker made a motion to approve and was seconded by Cary.

#### **DES MOINES COUNTY BOARD OF SUPERVISORS RESOLUTION #2025-042**

WHEREAS Section 354.8 of the Code of Iowa states that a governing body shall certify by resolution the approval of a subdivision plat, and,

WHEREAS the Final Plat for **Rappenecker Subdivision** has been reviewed for conformance to applicable County standards by the Des Moines County Auditor, Health Department, Secondary Roads Department, and Land Use Department and has been duly recommended by the aforementioned entities for approval,

NOW THEREFORE, BE IT RESOLVED: That the Board of Supervisors hereby approves the Final Plat of **Rappenecker Subdivision**.

Approved and adopted this 2nd day of September, 2025.

DES MOINES COUNTY BOARD OF SUPERVISORS

Jim Cary, Chair

ATTEST:

Cheryl McVey- Deputy for Sara Doty, County Auditor

Approval of Resolution #2025-044 approving Participation in Purdue-Sackler Settlement Agreement. Attorney Schaefer explained that all three are lengthy and all say pretty much the same thing. These are three new defendants in the opioid litigation that have reached settlements. Purdue-Sackler was going through bankruptcy, and we had to wait for that to get resolved. Manufacturers is just a litany of different opioid manufacturers and Sandoz is another manufacturer who was dealt with separately as well. This approves our participation in the settlement agreements and approving her to sign the participation agreements. Broeker made a motion to approve and was seconded by Cary.

**RESOLUTION NO. 2025-043**

RESOLUTION EXTENDING THE CURRENT 3 MONTH MORATORIUM ON ACCEPTING/APPROVING PERMIT APPLICATIONS FOR COMMERCIAL WIND ENERGY CONVERSION SYSTEMS THRU OCTOBER 31, 2025

WHEREAS, THE DES MOINES COUNTY BOARD OF SUPERVISORS REQUIRE ADDITIONAL TIME TO FINALIZE AMENDMENTS TO COUNTY ORDINANCE #62, THE REGULATIONS FOR THE SITING AND OPERATION OF WIND ENERGY CONVERSION SYSTEMS; AND

WHEREAS, THE CURRENT 3 MONTH MORATORIUM ON ACCEPTING/APPROVING PERMIT APPLICATIONS FOR COMMERCIAL WIND ENERGY CONVERSION SYSTEMS EXPIRES ON SEPTEMBER 17, 2025

WHEREAS, THE CONDITIONS AND BENEFITS THAT PROMPTED THE CURRENT MORATORIUM STILL EXIST; AND

NOW, THEREFORE; BE IT RESOLVED, BY THE DES MOINES COUNTY BOARD OF SUPERVISORS THAT THE CURRENT 3 MONTH MORATORIUM ON THE ACCEPTANCE OR APPROVAL OF CWECS SITING PERMITS SHALL BE EXTENDED THRU OCTOBER 31, 2025

APPROVED AND ADOPTED THIS 2<sup>ND</sup> DAY OF SEPTEMBER 2025

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Jim Cary, Chairman

Attest: \_\_\_\_\_  
Cheryl McVey-Deputy for Sara Doty, Auditor

\_\_\_\_\_  
Tom Broeker, Member

**RESOLUTION NO. 2025-044**

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

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

**WHEREAS**, negotiations to settle claims against several of the Opioid Defendants, specifically Sandoz, Inc., (the “Settling Defendants”) have been ongoing for several years;

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

**WHEREAS**, copies of the proposed terms of those proposed nationwide settlements have been set forth in the Sandoz, Inc. Settlement Agreement;

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

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

**WHEREAS**, an Allocation MOU has already been entered into with the State Attorney General’s Office (“AGO”) as to how the Iowa Opioid Funds will be allocated, which has resulted in the proposed Iowa Opioid Allocation Memorandum of Understanding (“Allocation MOU”), which is an agreement between all of the entities who are signatories to the Allocation MOU;

**WHEREAS**, the allocation of the Settlement Agreement with Sandoz, Inc. will be distributed in accordance with the previously entered Allocation MOU;

**WHEREAS**, the LG Abatement Share shall be distributed in direct payments to the Counties that are Participating Local Governments according to the allocation model developed in connection with the proposed negotiating class in the National Prescription Opiate Litigation (MDL No. 2804);

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

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

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

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

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

Adopted by the Des Moines County Board of Supervisors this 2<sup>nd</sup> day of September 2025.

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JAMES CARY  
Des Moines County Board of Supervisors  
ATTEST:

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Cheryl McVey Deputy for Sara Doty  
Des Moines County Auditor

Broeker made a motion to approve Resolution #2025-045 and was seconded by Cary.

**RESOLUTION NO. 2025-045**

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

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

**WHEREAS**, negotiations to settle claims against several of the Opioid Defendants, specifically Sandoz, Inc., (the "Settling Defendants") have been ongoing for several years;

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

**WHEREAS**, copies of the proposed terms of those proposed nationwide settlements have been set forth in the Purdue Pharma, L.P. and Sackler Family Estate Settlement Agreement;

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

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

("Iowa Opioid Funds");

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

**WHEREAS**, the allocation of the Settlement Agreement with Purdue Pharma, L.P and Sackler Family Estate will be distributed in accordance with the previously entered Allocation MOU;

**WHEREAS**, the LG Abatement Share shall be distributed in direct payments to the Counties that are Participating Local Governments according to the allocation model developed in connection with the proposed negotiating class in the National Prescription Opiate Litigation (MDL No. 2804);

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

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

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

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

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

Adopted by the Des Moines County Board of Supervisors this 2<sup>nd</sup> day of September 2025.

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JAMES CARY  
Des Moines County Board of Supervisors  
ATTEST:

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Cheryl McVey-Deputy for Sara Doty  
Des Moines County Auditor

Broeker made a motion to approve Resolution #2025-046 and was seconded by Cary.

**RESOLUTION NO. 2025-046**

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

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

**WHEREAS**, negotiations to settle claims against several of the Opioid Defendants, specifically Alvogen, Amneal, Apotex, Hikma, Indivior, Mylan, Sun, and Zydus, (the "Settling Defendants") have been ongoing for several years;

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

**WHEREAS**, copies of the proposed terms of those proposed nationwide settlements have been set forth in

the Manufacturer's Master Settlement Agreement;

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

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

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

**WHEREAS**, the allocation of the Settlement Agreement with Alvogen, Amneal, Apotex, Hikma, Indivior, Mylan, Sun, and Zydus, will be distributed in accordance with the previously entered Allocation MOU;

**WHEREAS**, the LG Abatement Share shall be distributed in direct payments to the Counties that are Participating Local Governments according to the allocation model previously developed in connection with the proposed negotiating class in the National Prescription Opiate Litigation (MDL No. 2804);

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

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

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

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

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

Adopted by the Des Moines County Board of Supervisors this 2<sup>nd</sup> day of September 2025.

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JAMES CARY

Des Moines County Board of Supervisors

ATTEST:

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Cheryl McVey-Deputy for Sara Doty  
Des Moines County Auditor

Approval of Personnel Actions was presented. Cary read a letter of resignation from I.T. Director Colin Gerst effective 9/26/2025. Broeker made a motion to approve and seconded by Cary. County Attorney – Sara Rouse, Special Projects/Victim Witness Coordinator, 4 hours unpaid leave on 8/28/2025. Broeker made a motion to approve and was seconded by Cary.

Broeker motioned to approve August 26<sup>th</sup>, 2025, regular meeting minutes and was seconded by Cary.

Future Agenda Items – Work Session regarding the Wind Ordinance.

Public Input – Rose Fisher asked if it is possible to get an updated draft of the wind ordinance before next week's work session. Assistant Land Use Administrator Jarred Lassiter explained that he was holding off until they got through the entire ordinance so that there weren't multiple versions out there. He explained that he could release one if the Board agreed to it. Broeker said if the different versions were numbered so that they could keep track of

them he would be alright with it. Tracy Lamm, Hawkeye reporter, asked for an update on the other supervisor. She was told he was out due to health issues.

The meeting was adjourned at 9:48 A.M.

Following the meeting, the Board of Supervisors held the following work sessions:

BOS/County Attorney regarding the Public Health Building.

BOS/Imagine the Possibilities regarding Properties.

BOS/County Engineer regarding Road Tour.

This Board meeting is recorded. The meeting minutes and audio are posted on the county's website

[www.dmcounty.com](http://www.dmcounty.com)

Approved: September 9, 2025

Jim Cary, Chair

Attest: Cheryl McVey, Budget Director

9-9-25

Date Approved

Cheryl McVey  
Attest: Deputy Auditor

Jim Cary  
Chairman