

**PUBLIC NOTICE  
CLAYTON COUNTY  
BOARD OF  
SUPERVISORS**

**DECEMBER 28, 2021**  
Meeting of the Clayton County Board of Supervisors at 600 Gun-der Road NE, Elkader, Iowa.  
Present: Steve Doeppke, Sharon Keehner, and Ray Peterson  
Guests: None  
Keehner moved, Doeppke seconded to approve the minutes of the December 21, 2021 meeting. Ayes: Doeppke, Keehner, Peterson. Motion carried.  
Doeppke moved, Keehner seconded to approve the claims as presented totaling \$316,409.56. Ayes: Doeppke, Keehner, Peterson. Motion carried.  
The Board worked on the FY2023 County Budget.  
Chairperson Peterson opened a public hearing regarding an Establishing Election Precincts Ordinance. There were no comments. The public hearing was closed. Keehner moved, Doeppke seconded to approve the first reading of the Establishing Election Precincts Ordinance. Ayes: Doeppke, Keehner, Peterson. Motion carried.  
The Board attended the county-wide safety meeting.  
Ray Peterson,  
Board of Supervisors Chair  
Attest:  
  
Jennifer Garms,  
Clayton County Auditor

Published January 12, 2022 in The Outlook, Monona.

**PUBLIC NOTICE CITY OF LUANA**

**LUANA CITY COUNCIL MINUTES  
OF JANUARY 6, 2022**

Meeting at the Luana Fire Department. Location changed due to COVID19 Social Distancing requirements.  
The Luana City Council held their regular monthly meeting Thursday January 6, 2022, at 7:00 pm. with Council Members Lonnie Baade, Kevin Boddicker, Todd Olson, Jackie Radloff-Schneider, Luke Steege present. Absent: None.  
Mayor Jerry Schroeder called meeting to order at 7:00 pm.  
Minutes of December meeting were reviewed and approved upon a motion by Radloff-Schneider, second by Steege, carried unanimously.  
Olson motioned to pay all monthly claims totaling \$19,339.92, Boddicker second, carried unanimously. Receipts for the month totaled \$35,308.48. Total gross wages reported for 2021 for all elected officials and city employees \$85,609.86. Steege motioned to pass Res. 1-2022 T.O.F, Radloff-Schneider second, carried unanimously.  
Baade motioned to name "The Outlook" as the City of Luana's official newspaper, Olson second, carried unanimously. Res. 1.2.2022 adopted  
Olson motioned second reading of Ord. 2022-01, JUNKED, OBSOLETE and ABANDONED MOTOR VEHICLES AND MACHINERY, Steege second first reading, carried unanimously. Steege motioned to wave 3rd reading of Ord. 2022-01 Radloff-Schneider second. Roll call vote was taken to adopt Ord. 2022-01, in favor, all. Nays, none. Whereupon, the Mayor declared the measure duly adopted.  
ARTICLE 3.13 JUNKED, OBSOLETE and ABANDONED MOTOR VEHICLES AND MACHINERY ORD. 2022-01  
It is declared that the storage of obsolete, abandoned, or junked vehicles and machinery within

the corporate limits of the city, unless excepted by Section 3.13.6 of this article, constitutes a threat to the health and safety of the citizens and is a nuisance within the meaning of Section 657.1 of the Iowa Code. If any junked or obsolete vehicle or machinery is stored upon private property in violation of this chapter, the owner of the vehicle or machinery shall be prima facie liable for the violation. In the absence of any known or ascertainable owner of the vehicle or machinery, the owner of the property upon which the vehicle or machinery is stored shall be prima facie liable for the violation.  
3.13.3 Notice to Abate  
Upon discovery of any junked or obsolete vehicle or machinery within the corporate limits of the city in violation of this article, the Mayor or his designee, which may include the Chief of Police or the Clayton County Sheriff, shall notify by certified mail the owner of the vehicle or machinery or other property owner; or in the absence of any known or ascertainable owner, the owner of the property upon which it is stored, that:  
A. The vehicle constitutes a nuisance under the provisions of the Luana City Code;  
B. That the owner must remove or repair the vehicle in accordance with the terms of 3.13.4;  
C. That the failure to remove or repair the vehicle or machinery will be sufficient cause for its removal by the city and the owner's cost.  
Radloff-Schneider motioned to set hearing date for Proposed Max Property Tax Levy for February 3, 2022 at 7pm. Boddicker second, carried unanimously.  
Radloff-Schneider motioned to support MFL Mar Mac After Prom in the amount of \$75.00, Olson second, carried unanimously.  
Boddicker motioned to approve a 4% per hour increase for Superintendent of Public Works and City Administrator, Steege second. Roll call vote: AYES 5, NAYS 0. Res.

1.3.2022 signed.  
Mayor Schroeder appointed Jackie Radloff-Schneider as Mayor Pro Tem.  
Next regular Council meeting will be held February 3, 2022, at 7:00 pm.  
Mayor Schroeder adjourned the meeting at 7:44 pm.  
Tammy Humble,  
City Administrator  
**Monthly Expenditures \$19,339.92:** ACCO \$722.75 (Water chemicals); Alliant Energy \$1,853.79; Black Hills Energy \$452.72; Card Services \$24.44(Supplies); Certified Letters \$88.56; Derrick Eilers \$316.48 (Software); Federal Taxes \$1,509.00; IA Firefighters Association \$323.00(Membership dues); IA One Call \$19.00; IPERS \$1,281.59; Jeff Kleinow \$53.29 (Christmas lights); John Deere \$44.93 (City & Fire Department supplies); Keystone Lab \$72.60(Sewer/water testing); Kwik Trip \$268.35 (Fireman fuel); LSB \$60.00(Safety box rental); Mid-America Publishing \$48.93; NAPA \$423.52 (Truck repairs); NEIT \$157.92; Sales Tax \$45.00; State W.E.T. \$932.00; State Withholding \$475.00; Tim Sautter \$70.56(Fireman lunch); Wages \$8,340.57; Waste Management \$1,755.92.  
Fire Department Expenditures \$1,061.69; General Fund Expenditures \$17,024.84; Propriety Expenditures \$795.35; Road Use Tax Expenditures \$458.04; TIF Expenditures \$0.  
**Monthly Revenue \$35,308.48:** Franchise Tax (Black Hills) \$102.52; Fredrikson & Byron \$127.39; Interest \$126.11; Local Option \$3,099.06; Monona Township \$7,500.00; Property Taxes \$4,667.62; RUT \$1,333.62; Utilities \$18,352.16.  
  
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**PUBLIC NOTICE  
CLAYTON COUNTY BOARD OF SUPERVISORS**

**CLAYTON COUNTY ORDINANCE  
#1-2022: ESTABLISHING  
ELECTION PRECINCTS**

TITLE: An ordinance establishing the voting precincts in Clayton County, Iowa.  
BE IT ENACTED by the Board of Supervisors, Clayton County, Iowa.  
SECTION 1. PURPOSE. The purpose of this ordinance is to comply with Sections 49.3 and 49.4 of the Code of Iowa requiring the Board of Supervisors to establish election precincts following every federal decennial census.  
SECTION 2. VOTING PRECINCTS ESTABLISHED. Clayton County shall have twelve (12) voting precincts as follows:  
Boardman-Highland-Read: Boardman, Highland, and Read Townships and the City of Elkader; Buena Vista-Millville: Buena Vista and Millville Townships and the City of North Buena Vista;  
Cass: Cass Township and the City of Strawberry Point;  
Clayton-Garnavillo: Clayton and Garnavillo Townships and the Cities of Clayton and Garnavillo;  
Cox Creek-Sperry: Cox Creek and Sperry Townships and the City of Volga;  
Lodomoillo: Lodomoillo Township and the portion of the City of Edgewood located in Clayton County;  
Elk-Mallory-Volga: Elk, Mallory and Volga Townships and the Cities of Elkport and Garber but excluding the City of Osterdock;  
Farmersburg-Wagner: Farmersburg and Wagner Townships and the Cities of St. Olaf and Farmers-

burg;  
Giard-Monona: Giard and Monona Townships and the Cities of Luana and Monona;  
Mendon: Mendon Township and the Cities of Marquette and McGregor;  
Grand Meadow-Marion: Grand Meadow and Marion Townships; and the portion of the City of Postville located in Clayton County;  
Jefferson: Jefferson Township and the Cities of Guttenberg and Osterdock;  
SECTION 3. REPEALER. All ordinances and parts thereof in conflict herewith are hereby repealed, including but not limited to Ordinance #1-2011.  
SECTION 4. SEVERABILITY CLAUSE. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.  
SECTION 5. EFFECTIVE DATE. Pursuant to Iowa Code Chapter 49.7, this Ordinance shall be in full force and effect on January 15, 2022.  
PASSED AND ADOPTED this 3rd day of January, 2022.  
/s/ Ray Peterson  
Chairperson, Board of Supervisors  
  
Published January 12, 2022 in The Outlook, Monona.

**PUBLIC NOTICE CITY OF MONONA**

**CITY OF MONONA  
SPECIAL COUNCIL MEETING  
PRELIMINARY 2022/2023  
BUDGET**

**MONDAY, JANUARY 03, 2022**  
The Monona, Iowa, City Council met in special session Monday, January 03, 2022, at 6:28 p.m. at the Monona Community Center. Mayor Grant Langhus presided with John Elledge, Andrew Meyer, Bridget Schlein, Timothy Wright, and Preston Landt present.  
Guests Present: Randy Evenson (City) and Ande and Chad Davies  
1) General Budget Information  
Public Works Director, Randy Evenson, discussed 2022/2023 Street Maintenance: GSB – Approximately 14,573 square yards:  
S. Main St. – Kregel St. to HWY 18-52  
Franklin St. – N. Main St. to N. Page St.  
Chestnut St. – S. Main St. to S. Egbert St. – North and South Sides W. Iowa St. – Monroe St. to City Limits  
Jim Burger Blvd. – 120th St. to Darby Dr.  
Darby Dr. – Jim Burger Blvd to end of Street  
Estimated at around \$24,000  
Crack filling of Same Streets Listed Above -Approximated 26,406 Linear Feet  
Estimated between \$17,000 to \$25,000  
2 ½" Mill and Overlay of N. Main St.- Franklin St. to City Limits  
Approximately 17,757 Square Feet; estimated at \$48,000  
New Asphalt Paving of approximately 20,943 square feet - \$80,000

Total Rough Estimate for all Projects - \$177,000.00  
Miscellaneous Street/Parks  
Sunken Curb and Broken Footing Drainpipe on S. Water Street - \$1,500  
10 ADA Sidewalk Entrances at \$1,175 = \$11,750  
Install storm sewer intake and 150" of 18" concrete pipe in empty lot by Davis Street Car Wash - \$6,100  
Push Mower and Weed Eater - \$600  
Total Rough Estimate of Miscellaneous - \$19,950.00  
Set aside money to replace Street Sweeper and 2004 Dump Truck  
2) Payroll – Touched on wages and cost of living.  
3-12) City Administrator Collins touched on all these areas of the City Budget which included: Public Safety, Public Works, Health and Social Services, Culture and Recreation, Community and Economic Development, General Government, Debt Services, Enterprise Funds, Capital Projects, and Transfers. Collins also went over property tax valuations for 2022/2023 budget. City rate for 2020 – 14.52875, 2021 – 14.52703, 2022 – 14.52634  
There being no further business, Mayor Langhus declared meeting adjourned at 7:34 p.m.  
Next budget meeting was scheduled for immediately after the January 17, 2022, Council Meeting.  
Barbara Collins, City Administrator  
  
Published January 12, 2022 in The Outlook, Monona.

**PUBLIC NOTICE CITY OF MONONA**

**CITY OF MONONA  
REGULAR COUNCIL MEETING  
MONDAY, JANUARY 3, 2022**

The Monona, Iowa, City Council met in regular session Monday, January 3, 2022, at 6:00 p.m. at Monona Community Center. Mayor Grant Langhus presided with John Elledge, Bridget Schlein, Andrew Meyer, Timothy Wright, and Preston Landt present.  
Guests Present: John Jensen (The Outlook) and Chad and Ande Davies  
1) Approve Consent Agenda  
Moved by Elledge, seconded by Meyer, to approve consent agenda as listed. Carried Unanimously.  
• Agenda  
• Council Minutes ~ December 20, 2021  
• Prepads and Warrants  
• Community Foundation of Greater Dubuque ~ November 2021 Fund Activity Statement  
• Liquor License Renewal ~ Casey's General Store and Outdoor Creations  
**PREPAID VENDOR**  
ALPINE COMMUNICATIONS, LC SECURITY SYSTEM MONITORING .....29.95  
BAKER & TAYLOR, INC. BOOKS.....668.93  
BLACK HILLS/IOWA GAS UTILITY  
GAS SERVICE .....118.00  
CITY LAUNDERING CO. CLEANING SUPPLIES ...75.22  
DEMCO, INC OFFICE & PROGRAM SUPPLIES .....143.36  
LANDT, HEIDI POSTAGE/SUPPLIES/ZOOM/ BATTERIE .....653.39  
MicroMarketing ASSOCIATES AUDIO BOOKS .....89.78  
NEIT PHONE/ FAX .....47.79  
ORIENTAL TRADING COMPANY SRP SUPPLIES .....244.41  
OVERDRIVE 17 EBOOKS, 6 AUDIOS ARPA .....505.01  
TIMES-REGISTER dba Morris News SUBSCRIPTION .....39.00  
TRAPPE, SUSAN PROGRAMMING SUPPLIES... .....62.03  
Total ..... \$ 2,676.87  
**PREPAID VENDOR**  
AFLAC AFLAC-PRETAX ...161.82  
ALLAMAKEE-CLAYTON ELECT COOP ELEC SERV .....102.46  
ALLIANT ENERGY ELEC.....8,029.04  
BACON CONCRETE S MAIN ST TRAIL EXTENSION.....38,098.67  
UMB BANK NA ADMINISTRATIVE FEE .....250.00  
CITY OF MONONA HLTH INS-PRETAX.....602.72  
CLAYTON COUNTY RECORDER RECORD PLAT OF SURVEY "FISK" .....12.00  
DEARBORN NATIONAL LIFE INS. CO LIFE INSURANCE.....178.90  
FREEDOMBANK FED/FICA TAX.....4,426.71  
HSA - EMPLOYEE

HSA EMPLOYEE .....50.00  
HSA - EMPLOYEE HSA EMPLOYEE .....100.00  
IPERS IPERS .....4,845.26  
MARCO dba GREATAMERICA FINANC COPIER MAINTENANCE .....262.00  
MONONA FIRE DEPT. BH DONATION FD LED LIGHTS .....250.00  
MONONA POST OFFICE DEC UTILITY BILLING .255.93  
PEOPLESERVICE CONTRACT FEE .....20,973.00  
TREASURER STATE OF IOWA STATE TAX .....1,245.00  
U.S. CELLULAR PHONE SERV .....267.19  
WASTE MANAGEMENT-LACROSSE RECYCLING .....3,564.09  
WELLMARK BL CROSS BL SHIELD PREM. & ANNUAL ADM FEE W/ POP .....8,047.55  
Total ..... \$ 91,722.34  
**WARRANTS VENDOR**  
ALL FLAGS, LLC 3'X 5' FLAGS X 12 & 6 POLES .....377.73  
AXON ENTERPRISE, INC. TASER BATTERIES & TRAIN SUPPLY .....827.54  
BLACK HILLS/IOWA GAS UTILITY GAS SERVICE .....1,781.42  
BODENSTEINER IMPLEMENT JD FUEL & HYDRAL FLTRS/ SEAL .....493.80  
CITY LAUNDERING CO. CLEANING SUPPLIES .104.16  
BARBARA COLLINS 2021 TRAVEL MTGS/ COUNCIL PKG .....594.69  
COMPASS MINERALS 20.41 TONS SALT .....1,408.29  
CROELL, INC. 45 TONS SAND .....585.00  
ELECTRIC PUMP 2021 SERVICE AGREEMENT/ PULL PUMP .....1,500.00  
RANDY A. EVANSON SAFETY CLASS MEAL REIMB. ....14.71  
FEHR GRAHAM 20-929 '21 REAP MAIN ST TRAIL .....6,597.00  
FISK'S FARM & HOME SUPPLY SUPPLIES/UNIFORM/ EQUIPMT/PAINT .....834.40  
IOWA ONE CALL LOCATES .....20.70  
JANSEN PRODUCTS LLC ANNUAL WEBHOST & DOMAIN @GODA.....204.00  
JOE & MATT'S PLUM. & HVAC LLC DRINKING FOUNTAIN PARTS .....112.52  
MB CONSTRUCTION, INC. KWIK STAR WATER & SEWER EXPAN .....18,695.73  
MID-AMERICA PUBLISHING CORP. MINUTES 12/6 .....244.62  
MIKE J. EGAN SAFETY CLASS MEAL REIMB. ....14.71  
MONONA CHAMBER & EC. DEV. 1ST QTR DUES/ ALLOCATION .....4,000.00  
MONONA COMPUTER SERVICES MS OFFICE 365 1 YR SUBSCRPT X3 .....314.85

T & K CAHOON NAPA AUTO PARTS OIL FILTR/ZAMP 12V BAT CHRGDIX .....94.10  
NEIT PHONE SERVICE....497.71  
OMNISITE YEARLY WIRELESS SER/ RPTING .....1,152.00  
QUILLIN'S SUPPLIES .....39.43  
SCHILLER LAW OFFICE LEGAL FEES.....316.00  
SMITTY'S OIL & TIRE '04 DUMP TRUCK TIRES X 2. ....1,031.48  
SOPHIE LANDT 2 TB EXTERNAL HD .....64.19  
STOREY KENWORTHY/ MATT PARROTT 1 CS PAPER .....41.49  
USDA RURAL DEVELOPMENT LBCC LOAN .....1,058.00  
VEENSTRA & KIMM, INC. ENGINEERING FEES- SEWER LININ .....3,051.50  
WEX BANK FUEL .....1,414.75  
WILLIAMS CARPET CLEANING JANITORIAL SRV/ CC/ CH/ LIB .....219.60  
Total ..... \$ 47,706.12  
2) Hearing of Delegations  
Ande Davies talked to the council about concerns of the city's donation to Clayton County Development Group. She talked about an outdated 2002 tri-fold pamphlet about Monona and receiving no representation on Facebook among other things.  
Mayor Langhus swore in Police Chief Bonney "Jo" Amsden.  
3) Resolution No. 2022-01 Authorizing Official Appointments  
Moved by Meyer, seconded by Schlein, to Approve Resolution No. 2022-01 Authorizing Official City Appointments including City Administrator, Deputy Clerk, Police Chief, official city newspaper, city attorney, Zoning Administrator, Mayor Pro Tem and EMS board representatives among other positions. Roll Call Vote: Ayes – Five, Nays – None. Resolution was adopted.  
4) Resolution No. 2022-02 Authorizing E-911 Service Board Appointments  
Moved by Landt, seconded by Wright, to Approve Resolution No. 2022-02 Appointing Dave Smith as Representative and Joe Sass as Alternate to the Clayton County E-911 Service Board. Roll Call Vote: Ayes – Five, Nays – None. Resolution was adopted.  
5) Resolution No. 2022-03 Authorizing Monona Board, Commission & Committee Appointments  
Moved by Meyer, seconded by Wright, to Approve Resolution No. 2022-03 Authorizing Appointments to Monona Boards, Commission and Committee Positions including appointees to Zoning Board of Adjustment, Family Aquatic Center Board, Police Committee, Street Committee and Sidewalk Committee. Roll Call Vote: Ayes – Five, Nays – None. Resolution was adopted.  
6) Resolution No. 2022-04 Authorizing Signature Resolution for Banking Purposes  
Moved by Wright, seconded by Meyer to Approve Resolution No. 2022-04 Authorizing Signature Resolution for Banking Purposes

with Monona FreedomBank as the Financial Institution. Roll Call Vote: Ayes – Five, Nays – None. Resolution was adopted.  
7) Consider Annual \$2,712.00 Donation to Substance Abuse Services for Clayton County for FY 22/23  
City Administrator Collins explained that Merry French, Program Director, for Substance Abuse Services for Clayton County is getting a 28E agreement approved from her board and when she does will forward to the city. It was moved by Landt, seconded by Elledge to approve the \$2,712.00 donation to Substance Abuse Services for Clayton County for fiscal year 2022/2023. Carried Unanimously.  
8) Consider Annual \$5,000.00 Donation to Northeast Iowa Regional Housing Trust Fund  
City Administrator Collins talked about the donation being needed for the 20% match required by Iowa Finance Authority to help with the housing projects. The funded projects consist of down payments, replacement of windows, doors, roofs, siding, HVAC, furnaces, foundations, and wall and carpet repair for low-income residents of Monona. She also stated that it is getting harder to get contractors to work on these projects. After some more discussion it was moved by Meyer, seconded by Schlein to approve the \$5,000 Donation to the Northeast Iowa Regional Housing Trust Fund for the fiscal year 2022/2023. Carried Unanimously.  
9) Lawn Mower Quotes  
In 2022 the city public works employees will take over the mowing of all the city property except for the Wastewater Treatment plant. The city received a quote for a 2022 Ferris Zero Turn with a 61" deck and a quote for a 2022 John Deere Zero Turn with a 60" deck. Both of these mowers are on order and delivery date is unknown. The city also received a quote for a new 2021 John Deere Z950 R Ztrak. This mower is currently on hand with a 60" deck. This mower also comes with an electric deck lift, mulch-on-demand deck and tweek all rubber tires. After discussion, it was moved by Elledge, seconded by Wright to approve the purchase of the 2021 John Deere Z960 R Ztrak mower from Bodensteiner Implement for \$13,250.00. Carried Unanimously.  
Mayor/Council/Clerk Notes:  
• Council received a Thank You from the Dollars for Scholars for using the Monona Community Center to hold their annual Fund-Raising Craft Show in December.  
• Copy of first City Newsletter was distributed to the Council  
Hearing no further comments, Mayor Langhus declared meeting adjourned at 6:25 p.m.  
Next regular council meeting was scheduled for Monday, January 17, 2022, at 6:00 p.m. at the Monona Community Center.  
Barbara Collins, City Administrator  
  
Published January 12, 2022 in The Outlook, Monona.



## PUBLIC NOTICE CLAYTON COUNTY BOARD OF SUPERVISORS

**DECEMBER 21, 2021**

Meeting of the Clayton County Board of Supervisors at 600 Gunter Road NE, Elkader, Iowa.

Present: Steve Doepcke, Sharon Keehner, and Ray Peterson

Guests: Deb Schulte, John Jensen, Zach Herrmann, Trisha Wilkins, Brittany Hubanks, Anna Schaufenbuel, JJ Rochford, Michael Beck.

Doepcke moved, Keehner seconded to approve the minutes of the December 14, 2021 meeting. Ayes: Doepcke, Keehner, Peterson. Motion carried.

Keehner moved, Doepcke seconded to approve the claims as presented totaling \$80,949.09. Ayes: Doepcke, Keehner, Peterson. Motion carried.

Deb Schulte presented a program update and FY2023 funding request for the Clayton County Fair Board.

Keehner moved, Doepcke seconded to authorize the chair to sign the Opioid Litigation Documents and approve resolution #36-2021 relating to the litigation. Roll Call Vote: Doepcke-aye, Keehner-aye, Peterson-aye. Motion carried.

**RESOLUTION #36-2021  
AUTHORIZING CLAYTON COUNTY, IOWA TO ENTER INTO SETTLEMENT AGREEMENTS WITH MCKESSON CORPORATION, CARDINAL HEALTH, INC., AMERISOURCEBERGEN CORPORATION, JOHNSON & JOHNSON, JANSSEN PHARMACEUTICALS, INC., ORTHO-MCNEIL-JANSSEN PHARMACEUTICALS, INC., AND JANSSEN PHARMACEUTICA, INC., AGREE TO THE TERMS OF THE IOWA OPIOID ALLOCATION MEMORANDUM OF UNDERSTANDING AND AUTHORIZE ENTRY INTO THAT MEMORANDUM OF UNDERSTANDING**

WHEREAS, in 2018, the County Board of Supervisors authorized Clayton 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 McKesson Corporation, Cardinal Health, Inc., AmerisourceBergen Corporation, Johnson & Johnson, Janssen Pharmaceuticals, Inc., Ortho-McNeil-Janssen Pharmaceuticals, Inc., and Janssen Pharmaceutica, 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 Distributors Master Settlement Agreement and the J&J Master Settlement Agreement (collectively "Settlement Agreements");

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, the Law Firms have engaged in extensive discussions 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, a copy of the Allocation MOU and the Exhibits to that MOU has been provided with this Resolution;

WHEREAS, the Allocation MOU divides Iowa Opioid Funds as follows: (i) 50% to the State ("the Iowa Abatement Share") and (ii) 50% to Participating Local Governments

("LG Share"), less fees and costs allocated to the Iowa Backstop Fund as set forth in Section D of the Allocation MOU and in this Resolution ("LG Abatement Share").

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) in the amounts set forth on Exhibit 2 to the Allocation MOU ("Direct Distribution Percentage"). The Direct Distribution Percentage will be multiplied by the total LG Abatement Share to arrive at the total allocation to the Participating Local Government (the "Direct Distribution Amount").

WHEREAS, 100% of the Iowa Abatement Share and the LG Abatement Share, regardless of allocation, shall be utilized only for Opioid Related Expenditures incurred after the Effective Date of this MOU. The list of approved Opioid Related Expenditures are set forth in Exhibit 1 to this MOU.

WHEREAS at least 75% of the Iowa Abatement Share and 75% of the LG Abatement Share shall be utilized for only the "Core Strategies" listed in Schedule A of Exhibit 1 to this MOU.

WHEREAS, every Participating Local Government that receives a Direct Distribution Amount shall create a separate fund on its financial books and records that is designated for the receipt and expenditure of the entity's Direct Distribution Amount, called the "LG Abatement Fund." Funds in an LG Abatement Fund shall not be commingled with any other money or funds of the Participating Local Government. A Participating Local Government may invest LG Abatement Fund funds consistent with the investment of other funds of a Participating Local Government.

WHEREAS, Funds in a LG Abatement Fund may be expended by a Participating Local Government only for Opioid Related Expenditures. For avoidance of doubt, funds in a LG Abatement Fund may not be expended for costs, disbursements or payments made or incurred prior to the Settlement.

WHEREAS, each LG Abatement Fund shall be subject to audit in a manner consistent with Code of Iowa §§331.402(2)(i) and 11.6. Any such audit shall be a financial and performance audit to ensure that the LG Abatement Fund disburse-

ments are consistent with the terms of this MOU. If any such audit reveals an expenditure inconsistent with the terms of this MOU, the Participating Local Government shall immediately redirect the funds associated with the inconsistent expenditure to an Opioid Related Expenditure.

WHEREAS, County has contracted with the Law Firms for representation in the Litigation and the Law Firms have been representing those entities since 2018 and in consideration for the Law Firms' representation, the County entered into a contract with the Law Firms for a 25% contingency fee applied to County's total recovery from any settlement.

WHEREAS, the Settlement Agreements provide for the payment of attorney's fees and legal expenses owed by States and Participating Local Governments to outside counsel retained for Opioid Litigation. To effectuate this, the Court in the MDL Litigation has established a fund to compensate attorneys representing plaintiffs in the Litigation (the "National Attorney Fee Fund").

WHEREAS, the Law Firms intend to make application to the National Attorney Fee Fund. However, because there is still uncertainty regarding what counsel for litigating local governments will recover as compensation for the large volume of work done and the large out of pocket expense of the Litigation, and whereas the Parties to the Allocation MOU desire to fairly compensate outside counsel for the work done on behalf of the Participating Local Governments in Iowa, the Allocation MOU provides that a fund be created from 15 % of the LG Share attributable to the Litigating Local Governments, less any amounts a Litigating Local Government ("Iowa Backstop Fund")

WHEREAS, the Iowa Backstop Fund is meant to compensate outside counsel for participating local governments only for amounts not recovered at the National Fee Fund attributable to their Iowa clients;

WHEREAS, to be eligible for the Iowa Backstop Fund, the Law Firms must first seek payment from the National Attorneys' Fees Fund and may not recover amounts attributable to Counsel's representation of the County received at the National Attorneys' Fees Fund from the Iowa Backstop Fund;

WHEREAS, the County, by this Resolution, agrees to the creation of the Iowa Backstop Fund in the

amount of 15% of the LG Share attributable to the Litigating Local Governments in order to fund a state-level "backstop" for payment of the fees, costs, and disbursements of the Law Firms;

WHEREAS, in no event shall the total of the amounts received by the Law Firms at the National Attorney's Fees Fund related to the County and the amount received at the Iowa Backstop Fund exceed the amount the Law Firms would have been entitled to pursuant their fee contract with the County;

WHEREAS, the County, by this Resolution, shall establish an account for the receipt of the LG Abatement Share consistent with the terms of this Resolution ("the LG Abatement Fund");

WHEREAS, the County's LG Abatement Fund shall be separate from the County's general fund, shall not be commingled with any other County funds, and shall be dedicated to funding opioid abatement measures as provided in the Settlement Agreements and the Allocation MOU;

WHEREAS, the County must comply annually with the reporting requirements in the Allocation MOU;

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 Crueger Dickinson LLC 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 Janssen 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: the County hereby establishes an account separate and distinct from the County's general fund which shall be titled "LG Abatement Fund" to receive the LG Abatement Share from the Settlement Agreements.

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.

Trisha Wilkins presented a program update and FY2023 funding request for Northeast Iowa Community Action Corporation.

The Board received an update regarding public health concerns relating to COVID-19.

JJ Rochford and Mike Beck presented the Clayton County 2022 Insurance Renewal with an overview of Iowa Communities Assurance Pool (ICAP) coverage. Doepcke moved, Keehner seconded to approve and authorize the chair to sign the 2022 Insurance Renewal for \$281,670.00 (no voucher). Ayes: Doepcke, Keehner, Peterson. Motion carried.

Doepcke moved, Keehner seconded to authorize the chair to sign the Cafeteria Plan Amendment. Ayes: Doepcke, Keehner, Peterson. Motion carried.

Sheriff Mike Tschirgi was unavailable for an update.

The Board worked on redistricting the voting precincts.

Ray Peterson,  
Board of Supervisors Chair  
Attest:

Jennifer Garms,  
Clayton County Auditor

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