

PUBLIC NOTICE
Cerro Gordo County

PROCEEDINGS OF THE BOARD OF SUPERVISORS DECEMBER 21, 2021

The Board of Supervisors of Cerro Gordo County, Iowa, met in regular session pursuant to adjournment. Present: Chairman Casey Callanan, Vice Chairman Chris Wattis, Supervisor Tim Latham and various members of the public.

Chairman Callanan convened the meeting at 10:00 a.m.

Watts moved with Callanan seconding, to approve today's agenda and the meeting minutes for the December 14, 2021 regular session. Motion passed unanimously.

Public comment session was held. Latham moved with Watts seconding, to approve claims. Motion passed unanimously.

Watts moved with Latham seconding, to authorize Rodney McKinney to conduct field review on the following drainage district: Drainage J Reported By | Problem District

DD 57 Chad Tile Sec 21 Markwardt Break Pleasant Valley Township Motion passed unanimously.

Watts moved with Latham seconding, to certify the costs of the November 2, 2021 City/School Election. Motion passed unanimously.

Latham moved with Watts seconding, to authorize the Chair to sign Letter of Financial Support for the Shell Rock River Watershed Management Coalition's Application for the IDNR Comprehensive Water Quality Management Planning Grant 2021 with a financial commitment of \$500.00. Motion passed unanimously.

Watts moved with Latham seconding, to approve Resolution 2021-109, WHEREAS, in 2018, the County Board of Supervisors authorized Cerro Gordo 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 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 Pharmaceuticals, 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 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 disbursements 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 Bob Barker Company I, cloth/dry goods 394.20 2 Bolton & Menk Inc, tile lines 15,276.50 3 BSI Investments, fuels 141.82 1 Builders First Source, parts 117.60 1 C G Co Health Admini, purch serv 2,568.71 1

AS, 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 Tom Meyer 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. Motion passed unanimously. Latham moved with Watts seconding, to authorize the Chair to sign the Subdivision Janssen Settlement Participation Form, the Subdivision Distributor Settlement Participation Form, and the Iowa Opioid Allocation Memorandum of Understanding. Motion passed unanimously. Latham moved with Watts seconding, to adjourn at 10:13 a.m. Motion passed unanimously. Various tabulations, reports, correspondence and other documents that were presented at today's meeting are placed on file with the supplemental minutes. Chairman Casey Callanan Board of Supervisors ATTEST: Adam V. Wedmore, Auditor Cerro Gordo County CLAIMS 43 North Iowa, custodial 427.00 1 Absolute Waste Remov, sanit disp 1,302.48 5 Accurate Analytical, lab tests 275.00 2 Active911 Inc, repair 875.00 1 Ahlers & Cooney PC, labor relations 540.00 2 Ahlers & Cooney PC, legal 540.00 1 Airgas USA LLC, repair 347.71 1 Albright, Steve, repair 228.00 1 Alliant Energy, utilities 14,802.95 6 Arnold Motor Supply, parts 529.35 1 Avery, Emily, meals/mileage 171.92 1 Benson, Ericha, meals/mileage 164.08 1 Bergo Environmental, freight 4,400.00 1 BlackStrap Inc, sand/chem 15,076.01 1 BMC Aggregates LC, flood/erosion control 160.59 1 Bob Barker Company I, cloth/dry goods 394.20 2 Bolton & Menk Inc, tile lines 15,276.50 3 BSI Investments, fuels 141.82 1 Builders First Source, parts 117.60 1 C G Co Health Admini, purch serv 2,568.71 1

C G Co Recorder, legal 227.00 2 CDW Government, Inc., equip 2,487.43 2 CDW Government, Inc., IT Hardware 2,655.86 1 CDW Government, Inc., supplies 319.39 2 Central Iowa Distrib, supplies 226.00 1 CenturyLink, telephone 515.00 1 Cerro Gordo Co Pheas, fertilizer/seed 480.00 1 Chosen Valley Testin, material test/insp 5,790.00 1 CINTAS, supplies 82.84 1 City Laundering Co, supplies 328.48 1 City of Mason City, purch serv 156.00 1 City of Mason City, utilities 79.88 1 City of Rock Falls, sanit disp 180.00 1 City of Rockwell, utilities 27.24 1 City of Thornton, sanit disp 36.00 1 City of Thornton, utilities 76.60 2 CJ's Auto Inc, repair 120.00 1 CJ's Auto Inc, tires/tubes 660.00 1 Clausen Plumbing & H, building remodel 405.16 1 Clerk Of District Co, legal 1.59 1 Connections Inc, purch serv 652.12 1 Consolidated Energy, fuels 5,266.90 3 Control Print Creati, printing 270.00 1 Counsel, repair 35.74 1 Crysteel Truck Equip, parts 819.36 1 Culligan, repair 213.30 1 Cypress Solutions, repair 2,750.00 1 Dept of Administrati, training 250.00 1 Des Moines Register, mag/books 257.14 1 Dodd, Shannon, meals/mileage 59.08 1 Exceptional Persons, other serv 5,720.43 1 Fareway Stores Inc, supplies 22.55 1 Fast Lane Motor Part, repair 294.96 1 Fastenal Company, equip 338.70 1 Fastenal Company, parts 62.20 1 Fastenal Company, repair 130.50 1 Flatness, Christophe, clean uniforms 17.44 2 Floyd & Leonard Elec, equip 286.44 1 Floyd & Leonard Elec, parts 56.38 1 Forestry Suppliers I, supplies 514.50 1 Franklin County Sher, legal 51.56 1 Franklin Rec, utilities 90.00 1 Fullerton Funeral Ho, funeral 975.00 1 Galls LLC, uniforms 1,185.88 3 Gempler's Inc, supplies 819.97 1 GlaxoSmithKline Phar, medicine 2,049.33 2 Glen's Tire Service, repair 32.71 1 Goodnature Work Stop, supplies 229.97 1 Goodnature Work Stop, uniforms 179.97 1 Goscinski, Tami, purch serv 300.00 1 Gov't Finance Office, purch serv 610.00 1 Graham Tire Co, repair 1,013.74 2 GRP & Associates Inc, sanit disp 51.00 1 Hackman, Mary, purch serv 500.00 1 Hancock County Coop, fuels 3,421.06 1 Handcuff Warehouse, training 350.15 1 Harrah, Joe, tile lines 250.00 1 HEALTHCAREfirst, repair 2,137.58 1 Heartland Asphalt In, equip 3,911.65 1 Helps Drain and Sept, freight 200.00 1 Hemann, Krista, meals/mileage 211.12 1 Hobby Lobby Inc, supplies 54.72 1 Holiday Inn Express, meals/mileage 211.92 1 Honda Financial Serv, Lease - Vehicles 869.00 4 Hosmer Toyota, repair 871.47 1 Huber Supply Co Inc, chem/gases 11.49 1 Huber Supply Co Inc, repair 60.00 1 Hy-Vee Food Store We, purch serv 1,096.72 1 IA State Sheriffs &, training 1,825.00 1 Internet Marketing P, public ed 75.00 1 Iowa Cancer Consorti, dues 20.00 1 Iowa Dept of Public, repair 5,010.00 1 Iowa Dept of Transpo, training 300.00 1 Iowa Emergency Manag, dues 150.00 1 IWork Distributing, equip 15,039.00 1 J & J Machining Weld, ditch 474.30 1 J & J Machining Weld, parts 714.00 1 Jones, Jody, meals/mileage 97.44 1

JR Family Inc dba Ar, other serv 1,051.00 1 Northern Iowa Therap, purch serv 1,785.00 1 Kapalata, Laci, meals/mileage 173.04 1 Northrup, Shanna, meals/mileage 122.08 1 KCMR Radio, other serv 185.00 1 NuWay-K&H Co-op, fuels 13,206.63 1 KCMR Radio, public ed 50.00 1 NuWay-K&H Co-op, utilities 72.00 1 Kingland Constructio, repair 6,790.00 1 O B's Plumbing & Hea, purch serv 75.00 1 KnowBe4 Inc, software 3,239.10 1 Office Elements, printing 96.49 2 Kramer Ace Hardware, supplies 18.58 1 Office Elements, supplies 510.76 1 Kronos, Betty, food/provisions 13.67 1 Olson, Andrew, purch serv 217.15 1 Kronos, Betty, meals/mileage 196.11 1 Ostermeier, Chelsey, meals/mileage 55.44 1 Kruger, Janelle, purch serv 1,000.00 1 Parts Town LLC, repair 81.62 1 LabSource Inc, supplies 1,062.40 1 Petro-Blend Corp, lubricants 407.78 1 Lanczos, Christi, meals/mileage 865.08 1 Petro-Blend Corp, parts 1,641.12 1 Lanczos, Christi, transport 100.41 1 Pfeffer, Debra, purch serv 100.00 1 Landfill of North lo, sanit disp 26.00 1 Pitney Bowes Global, repair 137.82 1 Language Line Serv, purch serv 30.00 1 Plumb Supply Company, equip 333.99 1 Larry Elwood Constr, parts 485.15 1 Powerphone Inc, training 129.00 1 Lingo Communications, telephone 52.35 1 Prairie Energy Coope, utilities 19.50 1 Little Angels Childc, scholarships 2,190.00 1 Pritchard Auto Compa, equip 104.97.00 1 Little Lambs Prescho, scholarships 635.00 1 Radiologists Of Nort, outpatient 773.00 1 Lutheran Services in, foster care 2,659.05 1 Rees Truck & Trailer, parts 39.94 1 Mail Services LLC, mailing 1,134.28 1 RICOH USA Inc, Lease - Office Equipment 39.46 1 Mail Services LLC, printing 398.72 1 Ries, Daniel, meals/mileage 63.51 1 Marco Inc, Lease - Office Equipment 516.51 3 Rush, Michelle, mailing 14.76 1 Marco Technologies L, Lease - Office Equipment 573.52 1 Sanofi Pasteur Inc, medicine 164.54 1 Marco Technologies L, repair 127.64 1 Shawn Williamson Cle, custodial 127.64 1 Martin Brothers Dist, equip 143.75 1 Shipley, Danielle, supplies 255.42 1 Martin Brothers Dist, food/provisions 68.55 1 Shomo-Madsen Insuran, insurance 1,540.25 1 Martin Brothers Dist, supplies 561.11 1 Sliger, James, meals/mileage 873.21 1 Mason City Fire and, ambulance 1,000.00 1 Staples Business Adv, equip 110.84 1 Mason City Ford Linc, parts 975.47 1 Staples Business Adv, printing 90.38 1 Mason City Lumber Co, wood 110.88 1 Staples Business Adv, supplies 266.07 1 Mason City Tire Serv, parts 317.49 1 Staples Credit Plan, supplies 179.14 2 Mason City Tire Serv, repair 193.15 1 State Hygienic Labor, lab tests 1,496.00 1 Mason City Tire Serv, tires/tubes 1,075.31 2 Stellar Truck & Trai, parts 1,216.48 1 Mayers Digging Compa, tile lines 3,450.00 1 Struchen, Sherry, meals/mileage 188.72 1 McKesson Medical-Sur, supplies 1,264.05 2 Sugar Plum Preschool, scholarships 560.00 1 McKiness Excavating, repair 3,495.22 1 Sult, Rhonda, meals/mileage 60.20 1 Mechanical Air Syste, repair 269.00 1 Summit Food Service, food/provisions 9,142.56 2 Mediacom, supplies 357.75 1 Sunset Distributors, supplies 7,260.00 1 Menards, equip 22.37 1 Super 8 Mason City, purch serv 436.80 1 Menards, parts 44.48 1 Sure Service Co, repair 103.00 1 Menards, repair 82.90 1 TASC, purch serv 3,950.19 1 Menards, supplies 126.15 4 Thrifty White Pharma, medicine 3,733.22 1 MercyOne North Iowa, hosp treat 4,192.50 1 Thrifty White Pharma, supplies 1,154.24 1 MercyOne Occupationa, lab tests 111.00 1 Meyer, Tomas, training 87.00 2 Tierney Main Street, rent 3,300.00 1 MercyOne Occupationa, med exam 190.00 2 Mid-America Publishi, brd proceed 2,261.49 2 Tomlinson, Mark, repair 68.00 1 Mid-America Publishi, publication 493.50 2 Treasurer State Of I, repair 210.00 1 MidAmerican Energy C, utilities 755.22 1 Truck Center Compani, parts 31.72 1 Midwest AcuTech LLC, supplies 181.80 1 Turnbull, Andrea, meals/mileage 51.52 1 Midwest Court Report, legal 94.40 1 Tyler, Carrie, purch serv 1,000.00 1 Midwest Pipe Supply, flood/erosion control 800.00 1 ULINE Inc, equip 1,021.10 1 Midwest Pipe Supply, tile lines 248.56 1 UnityPoint Clinic, lab tests 168.00 1 Midwest Wheel Compan, parts 187.61 1 UnityPoint Clinic, med exam 42.00 1 Midwest Wheel Compan, repair 149.00 1 US Cellular, telephone 652.66 1 Midwest Wheel Compan, safety items 95.58 1 Vanguard Appraisals, software 523.00 1 Midwest Wheel Compan, supplies 32.86 1 Verizon Wireless, telephone 678.60 2 Montag, Steve, tile lines 616.23 1 Verizon Wireless, data line 281.48 1 NALBOH, dues 200.00 1 VISA, equip 619.36 1 NAPA Auto Parts, lubricants 44.21 1 VISA, other serv 44.21 1 NAPA Auto Parts, parts 80.17 1 VISA, supplies 142.76 2 NASSCO Inc, supplies 46.53 1 VISA, tires/tubes 374.47 1 Nassa Inc, supplies 100.00 1 Wellmark Blue Cross, purch serv 59,000.00 1 NEHA, dues 806.00 3 Wells Fargo Financia, supplies 149.68 1 Nelson Septic Serv, sanit disp 85.00 1 WHKS & Co Inc, consult 6,300.00 2 Nelson Septic Serv, supplies 234.94 1 Wogen, Jeanne, meals/mileage 86.24 1 North Central Intern, parts 5,053.38 1 Youth & Shelter Serv, Juvenile Detention & Shelter Care 1,446.15 1 North Central Intern, repair 625.34 1 Ziegler Inc, lubricants 3,986.78 1 North Iowa Area Comm, training 1,983.75 2 Ziegler Inc, parts 290.24 1 North Iowa Area Coun, freight 2,000.00 1 Ziegler Inc, repair 4,330.91 1 North Iowa Broadcast, public ed 1,467.00 1 Zimmerman, Angela, meals/mileage 104.72 1 North Iowa Fresh LLC, purch serv 3,000.00 1 GRAND TOTAL 443,890.07 North Iowa Juvenile, Juvenile Detention & Shelter Care 125.00 1 North Iowa Media Gro, mag/books 247.99 1 North Iowa Mercy Cli, outpatient

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