

Floyd County Board of Supervisors Meeting
September 13, 2016, 9:00 AM

UNAPPROVED MINUTES

The Floyd County Board of Supervisors met in the Board Room of the Floyd County Courthouse with the following in attendance: Supv Kuhn, Supv Kamm and Supv Schwickerath.

Kamm/Schwickerath moved to approve the agenda. Motion carried 3-0.

Public comments: None.

Schwickerath/Kamm moved to approve August 23, 29 and September 2, 2016 minutes. Motion carried 3-0.

Kamm/Schwickerath moved to approve the following claims as presented: County #4705-4904 and Secondary Roads #17797-17847. Motion carried 3-0.

Kamm/Schwickerath moved to abate the taxes, interest and penalty for parcel #120735300600, tax receipt #2014/2015 10 08832 01, a billboard which deteriorated and is no longer assessed. Motion carried 3-0.

Schwickerath/Kamm moved to abate \$100 in taxes on parcel #110143800400, tax receipt #2016/2017 90 16019 01, a request from the City of Charles City for a mowing assessment for property located at 700 N Jackson. Motion carried 3-0.

Kamm/Schwickerath moved to abate \$105 in taxes on parcel #120740200600, tax receipt #2016/2017 90 16011 01, a request from the City of Charles City for a mowing assessment for property located at 1911 Clark St. Motion carried 3-0.

John and Julie Morische requested their taxes be reduced due to a classification change on parcel #022310000400 and consideration be given for taxes paid in prior years. Mr. Morische claims that on two occasions they requested the property be reclassified as agricultural instead of residential but was denied by the previous County Assessor. Two machine sheds erected on the property in 1997 and 2012 are used for farm purposes. Gary VanderWerf, County Assessor, stated that he has changed the classification for values as of January 1, 2017 and if the property would have been classified as agriculture for the taxes payable this year, the amount due would be approximately \$900 lower. Discussion included the assessment notice process, budgeting process for levying authorities, and the Board's discretion to abate taxes. Schwickerath/Kamm moved to disapprove the abatement of taxes for John and Julie Morische for parcel #022310000400, tax receipt #2016/2017 3371. Motion carried 3-0.

At 9:30 a.m. a public hearing regarding an application from Engels Farms, Inc to rezone 14.85 acres from Ag to C-1 for property located near 2065 Red Ball Road. Lezlie Weber, Zoning Administrator, informed the board that the Zoning Commission amended the application to rezone from Ag to C-1 to Ag to I-1 and voted 2-1 to approve the application with the objection because of the way the notification process. The acres should be 14.58 rather than 14.85. The Auditor reported that Commissioner Nelson informed her of why she denied the application. Diane Jones questioned Bob Engels about the types of tanks on the property; Engels responded that there will be anhydrous and liquid propane tanks on the property. Kamm/Schwickerath moved to approve Resolution #27-16 Engels Farms, Inc: Whereas, Daniel Engels, Engels Farms, Inc., has filed with the Floyd County Zoning Commission (Commission) the required documentation to support the following: an application to rezone 14.85 acres of property located at or near property known as 2065 Red Ball Road in the W $\frac{1}{2}$ of the SW $\frac{1}{4}$, except the railroad and highway and parcels in the E $\frac{1}{2}$ SW $\frac{1}{4}$ north of the railroad in Section 10, Township 95 North, Range 18W of the 5th P.M., Rockford Township, Floyd County, Iowa from AG to C-1 for the purpose of developing property for the storage of agricultural produces. Whereas, the Commission and the Floyd County Board of Supervisors (Board) provided timely notice of publication regarding a Public Hearing on the application to rezone the subject property set for September 6 and September 13, 2016, respectively. Whereas, the Commission reviewed the information and based on Iowa Code and the Floyd County Zoning Ordinance and Regulations voted 3-0 (Keyes, Carpenter, Nelson) to amend the application to rezone the requested designation to I-1 instead of C-1 and subsequently voted 2-1 (with Nelson opposed) to recommend to the Board of Supervisors that the application be approved with the condition that all adjacent land owners are notified of the hearing to change the zoning from Agriculture to Industrial (I-1) for bulk storage for agricultural chemicals and fertilizers.

Therefore, upon the Floyd County Board of Supervisor's review of said information and after closing their Public Hearing for the subject property the following actions were taken: Approve the first reading of the application to rezone said property as Industrial (I-1) instead of Agricultural and that the acres of property be corrected from 14.85 to 14.58, waive the second and third readings of the application, and approve this reading as final and approve the application to rezone 14.58 acres of said property from Ag to I-1. Roll call vote: Ayes: Kamm/Schwickerath/Kuhn, motion carried 3-0.

Schwickerath/Kamm moved to approve the sponsorship of the Floyd County Community Foundation application for the Floyd County Housing Trust Fund Furnace Replacement Program requesting \$9,105 of a total budget of \$61,000. Motion carried 3-0.

Kamm/Schwickerath moved to approve the liquor license application by Columbus Club for a five day event at 1406 Highway 218, Floyd along with Derailed's premise update application giving up those days. Motion carried 3-0.

Schwickerath/Kamm moved to approve a letter drafted by the Assistant County Attorney regarding Maple Heights Sanitary District's process to select successor trustees whereby current trustees select successors at a special meeting called for that purpose or by the trustees or landowners owning more than 50% of the land in the district calling a special meeting of the district to elect successor trustees in accordance with Iowa Code 358.9. Motion carried 3-0.

Kamm/Schwickerath moved to approve the letter to the Iowa Economic Development Authority regarding the Beaver Creek Watershed/CDBG grant request to extend the contract deadline to December 31, 2016 and to approve two amendments to federal language with contracts for Benchmark Agribusiness, Inc and Global Appraisal Services. Motion carried 3-0.

Dusten Rolando, County Engineer, and the Board reviewed the Official Report of County Highway Engineer. Schwickerath/Kamm moved to approve the Official Report of County Highway Engineer for FY16. Motion carried 3-0.

A joint meeting with Cerro Gordo County and Floyd County Board of Supervisors, acting as trustees for Drainage District #6 (Floyd)/#56 (Cerro Gordo), was convened at 10 a.m. via conference call with Cerro Gordo County Supvs Jay Urdahl, Casey Callanan, and Phil Dougherty. Kent Rode, ISG engineer, reviewed the bid tabulation for the open ditch improvements. Bids were submitted by: 1) Cole Excavating with Division I coming in at \$59,136.65 and Division II coming in at \$173,450.00, totaling \$232,586.65 and 2) Rognes Bros Excavating, Inc with Division I coming in at \$116,604.50 and Division II coming in at \$171,950.00, totaling \$288,554.50. Rode commented that the railroad is responsible for the Division II costs and would be assessed accordingly. Rode recommends Cole Excavating for Division I and Division II. Kamm/Urdahl moved to approve the bid from Cole Excavating for Division I and Division II, totaling \$232,586.65. Motion carried 6-0. The joint session ended at 1:11 a.m.

Engineer's Report: Rolando provided his timesheet and foreman's minutes. Crews are working on roads due to rain and flooding. Rolando will be meeting with FEMA representatives tomorrow and if declared as a disaster, state and federal funding could be available. Day labor projects continue. Pictures of a bridge on 280th St were provided to show the problems with the pier cap which is why the bridge was closed a couple of years ago. The bridge deck on the project near Rudd is scheduled to be poured tomorrow. Rolando had complaints on T18/Dancer Ave; work will start next week with paving planned for mid-October. Design work on the T26 road project continues. For this project, there is not enough right of way and shoulder width so the whole road will be reconstructed, tearing up asphalt and putting in concrete; costs skyrocketed to \$4.5 million with approximately \$1 million of federal aid. This project and the Quarry Road project will cause the Farm to Market account to go negative which the DOT may not allow to happen so the Quarry Road project may not be able to be let as early as planned. An excavator was rented to pull rock out of ditches. Crews are doing one last mowing and spot rocking. Rolando informed the board of a property owner's suggestion of a larger pipe at Goddard's property at Midway but Rolando does not think this will change the effect of the water. Rolando addressed a complaint from a property owner regarding a hole in the edge of the road on 120th St where the pipe is separated; a lot of roads are being washed out, crews are behind on work orders so this project will likely not get completed this year. Adam Sears, Conservation Director is seeking a grant to put in a boat landing on county property north of the Midway bridge; Rolando has no concerns of this.

A letter from Adam Sears, Conservation Director, requesting abatement of taxes on county owned property was discussed. Kamm/Schwickerath moved to abate the taxes on parcel #082540000800, property owned by Floyd County known as the Gilman G. White Conservation Area. Motion carried 3-0.

Kamm/Schwickerath motioned to adjourn. Motion carried 3-0.

ATTEST: _____
Gloria A. Carr
Floyd County Auditor

Mark A. Kuhn, Chair
Floyd County Board of Supervisors