

Floyd County Board of Supervisors Meeting
March 20, 2017, 10:00 AM

UNAPPROVED MINUTES

The Floyd County Board of Supervisors met in the Board Room of the Chickasaw County Courthouse with the following in attendance: Supv Doug Kamm, Supv Linda Tjaden, and Supv Mark Kuhn.

Tjaden/Kuhn moved to approve the agenda as presented. Motion carried 3-0.

The meeting continued with Chickasaw County Board of Supervisors Tim Zoll (Chair), Dan Carolan, Steve Geertz, Dave Tilkes and Jacob Hackman to discuss the FY18 County Engineer employment contract. Dusten Rolando, commented about his dual county salary comparisons, being happy with his job, would like to continue working for the two counties, understands budget demands and recommended the increase not be more than 2%. Supv Kamm updated Chickasaw County about the Compensation Board's recommendations, what the board approved and that most employees will receive a 2.75% increase. Supv Zoll commented that Chickasaw County settled at 2% increase with the Compensation Board's recommendations, except the county attorney who will receive a 1.67% increase, and that they have three of four unions that are in negotiations. Secondary Roads contracts in both counties are not up until FY19; Chickasaw employees are at 2.25% increase and Floyd County employees are at 2.75% increase in FY18. Rolando received a 3% increase in FY17 and two Chickasaw County supervisors signed "Nay" on that contract. Discussion included an increase between 1% and 2.75%, Rolando's duties, clarification of Section 9a and 9b of the termination clause, going into a contract for more than one year, and what would happen if the parties could not agree on an increase. Chickasaw County supervisors approved a 2% increase for the county engineer contract for FY18 with a 5-0 vote. Tjaden/Kuhn moved to give the county engineer a 2% increase and continue with a 1-year contract for FY18. Motion carried 3-0.

The Floyd County Board of Supervisors recessed at 10:40 a.m.

The Floyd County Board of Supervisors reconvened the Special meeting at the Floyd County Courthouse at 12:30 p.m.

Public comment: Gail and Jeff Schwartzkopf provided a letter regarding a request to be on the Board of Supervisor's March 28 agenda to take action on their complaint of a violation of Iowa Code Chapter 459 and Iowa Administrative Code 567 – 65.11 with respect to two wells on the Melvin and Barbara Frost property, adjacent to the Brandon and Casey Wood confinement site, known as Candon Finisher Farm.

Updates on various boards/commissions/activities: Supv Tjaden attended a FMC Decat Board meeting where they awarded the Coordination Contract to Floyd County. Supv Kuhn attended the 2nd Judicial District Board of Corrections meeting where discussed the impact of Chapter 20 regarding collective bargaining and how the budget will be filled for the state shortfall and also spoke with representatives from the University of Iowa and the Department of Public Health regarding safety in confinement facilities. Supv Kamm attended a NIACOG and a Farm Bureau meeting.

Tjaden/Kuhn moved to approve a Class C Liquor License for Cedar Ridge Golf Course for eight months. Motion carried 3-0.

Kuhn/Tjaden moved to set a public hearing on April 11, 2017 at 9:15 a.m. in the Board Room for the K&K Hogs, LLC Construction Permit Application for two new 2,498 head deep pit swine finisher confinement buildings for a new swine confinement. Motion carried 3-0. The Auditor will provide certified notices to the applicant and agency who scored the Master Matrix and notices to residents within one mile of the proposed facility.

The Board discussed a proposed resolution related to Master Matrix scoring, specifically #37 regarding that contains an applicant's worker safety and protection plan. Supv Kuhn provided information from a hog producer in Andover, IA, who, along with neighbors, has been working on safety issues after the demise of a neighbor and son who died from hydrogen sulfide exposure; a specialist from the University of Iowa/Center for Agricultural Health regarding research on hydrogen sulfide emissions; and Stephanie Leonard, author of an article in Iowa Farmer Today and U of I industrial health specialist, who provide information from websites including standards, manure studies and dangers of exposure in confinement areas. Kuhn proposes a resolution where three of the following four Best Management Practices be required for applicants who score 10 points for question #37 on the matrix: 1) Verification shall be included with the application that any worker employed at the proposed

CAFO is provided with workman's compensation insurance if the applicant (employer) meets the thresholds for insurance coverage in accordance with Iowa Code Section 85.1. 2) Signage shall be posted at the entry to all confinement buildings and/or any manure storage structures that warn of the dangers of hydrogen sulfide and other gases during agitation and pumping of manure. During agitation and pumping of manure a second warning sign shall be posted near the pump-out area that says Manure Pumping in Progress -- STAY OUT. 3) Manure pit openings and access areas shall be cordoned off with gates, railings, cables, or other means to prevent accidental falls into the manure pit and pit access area. 4) The applicant (employer) shall provide employees with hydrogen sulfide gas monitors to be worn by employees during agitation and pumping of manure. The applicant (employer) shall provide employees with training needed to use the hydrogen sulfide gas monitors properly. Supv Kamm commented that monitors are not cheap and need recalibration. Supv Tjaden commented on item #1 that many workers are contract workers rather than employees of the facility owner so the contractor would be on their own for workers comp insurance, item #2 believes signage is imperative, and item #3 there are regulations already in process such as pits on sites should be covered with heavy approximately 4x4 covers opened only during loadout of manure, only the certified person being in the pump area and no one else in the building, and process such as placing plywood around the pump to keep gases from coming up, allowing them to go back in the building and go out through the fans. Discussion including not able to enforce standards once a facility is constructed, encouraging applicants to enhance safety plans and document what they do, likeliness of an applicant scoring points for this question, there is nothing punitive with the proposal, workers compensation standards, and research shows that although regulations are in place fatalities have occurred. Kuhn commented on a University study that shows of 132 accidents documented, 83% were fatal, 45% occurred at dairy facilities, 38% at swine facilities and one out of five children involved under the age of 16 had a fatality rate of 96%. The proposal will be presented to the County Attorney's office and county's insurance agent for review.

The Board noted the retirement of Judy Kroneman, Child Support Recovery Unit employee, effective March 31, 2017. At this time the position will not be filled due to the state's hiring freeze.

The Board noted the receipt of a letter from Sheriff Jeff Crooks that he has hired April Watenphul as a part time jailer effective March 13, 2017 at a wage of \$15.66/hour plus \$2,000/year to serve as lead jailer, proving a total wage of \$16.99/hour. The Board noted that Tami Knecht is no longer the lead jailer and is bumped down to a jailer position with an hourly wage or \$15.66/hour.

Kuhn/Tjaden moved to go in to closed session per Iowa Code 21.5.1.C to discuss strategy with legal counsel on matters of litigation. Roll call vote: Kuhn/Kamm/Tjaden, all ayes, motion carried 3-0. The Board convened in closed session at 1:10 p.m. Tjaden/Kuhn moved to return to open session at 1:40 p.m. No action was taken following the closed session meeting.

Future agenda items: Schwartzkopf complaint, Master Matrix resolution proposal, and potential reduction in mental health levy rate pending County Social Services meeting this Wednesday.

Kuhn/Tjaden moved to adjourn. Motion carried 3-0.

ATTEST: _____

Gloria A. Carr
Floyd County Auditor

Doug A. Kamm, Chair
Floyd County Board of Supervisors