

Floyd County Board of Supervisors Meeting
January 17, 2023, 9:00 a.m.

The Floyd County Board of Supervisors met at Floyd County Courthouse EOC/Training Room with the following in attendance: Supv Mark Kuhn, Supv Dennis Keifer and Supv Jim Jorgensen.

Keifer/Jorgensen moved to approve the agenda as presented. Motion carried 3-0.

Public comment: Doug Lindaman, retired farmer, commented on his perspective of politics around the pipeline with respect to eminent domain processes and if left to the courts, a judge will see if the five farmers to the right and to the left have all settled and would be reluctant to go above the bid price for the ground. With regard to the pipeline going across the Area Development ground, they would be crazy to leave the money on the table.

Jorgensen/Keifer moved to approve the January 9, 2023 minutes. Motion carried 3-0.

Keifer/Jorgensen moved to approve the claims presented: County #1551-1614, Secondary Roads #22694-22710, and Drains #15365-15368. Motion carried 3-0.

Updates on Law Enforcement Center/Courthouse Project: Brian Shindelar, Samuels Group Site Superintendent provided updates including Dean Snyder Construction is working on door hardware and casework; Paulsen Electric is replacing electrical panels on ground floor and wiring ground floor heating units; Young Plumbing is working on ground floor ductwork; Continental Fire is testing sprinkler systems on second, third and fourth floors; Personified Insulation is working on first floor duct work; Pro Wall is fixing window jams; Zephyr Aluminum is caulking windows; Band Box is cleaning the new recorder's office and second floor bathrooms; G&R is installing ceiling grids on first floor; Swiffer is waiting for delivery confirmation on hardware for detention doors. There is an Owner-Architect-Contractor meeting at 1 p.m. tomorrow. Jorgensen commented that the IT Director would like to move to the back room of the assessor's old office. Ductwork between attorney's old office and the engineer needs to be modified due to beam locations and ceiling heights not matching up and consideration to lower light fixtures and ceilings to cover the duct work; consensus was to address the exposed ductwork in this area and other areas at a later date. Keifer/Jorgensen moved to approve PCO #126 TSG General Conditions Dec 2022 for \$4,991.24. Motion carried 3-0.

Jorgensen reported that the building has been warm with the use of the temporary LP heater. Keifer provided a statement of activity from AgVantage FS with charges totaling \$5,371.08 for delivery of 2,754.40 gallons of propane on December 7, 21, 26, 30, and January 6 and 9. Jorgensen provided an invoice dated January 16 for services on January 13. Auditor Carr reported that the county has not been billed anything to date. Being necessary to get heat to offices, Supv Kamm and Jason McLendon, Samuels Group Project Manager, arranged for temporary heat which after one failed option, the LP heater that AgVantage has been providing propane for was lined up by McLendon. It is Carr's understanding from Kamm that due to Young Plumbing not getting the HVAC system in place, they are obligated to cover the cost of the temporary heat but is not aware of any formal agreement. Shindelar reported that piping for the hot water heat and controls for ground floor units are being worked on but before they can be turned on, the county needs to sign off on them. McLendon said the plan is to withhold the cost of temporary heat from Young Plumbing's contract for services.

Maria Boyd, Healthy Harvest of North Iowa representative, presented agency efforts for the past ten years to provide a healthy local food system throughout nine counties by building partnerships and programming, creating opportunities for innovative community development strategies. Activities supported in North Iowa and specific to Floyd County for 2022 were highlighted as well as plans for 2023. Boyd is requesting funding of \$1,500 for the FY24 budget.

Angie Johnson, representative of Grow Rockford, a 501(c)(3), presented information on a Rockford Recreational Trail with handouts of the 4-phase project. The City of Rockford has agreed to fund \$10,000 per year for 15 years and Johnson is requesting the county fund \$5,000 in the FY24 budget.

Jorgensen/Keifer moved to approve Res #05-23 Settlement Agreement and Mutual Release – Floyd County Board of Supervisors V. Prochaska & Associates, Inc: The Board engaged Prochaska & Associates to provide design services for the Floyd County Law Enforcement Center and courthouse updates, and; the County disputed the price for the design services that Prochaska provided prior to the construction phase of the Project, the conformance to the standard of care of those designs, and whether Prochaska should be liable for the amount that construction costs exceeded Floyd County's budget and on July 27, 2021 filed a petition in the Iowa District Court for Floyd County against Prochaska for breach of contract, professional negligence and equitable indemnity, and;

on August 17, 2021, Prochaska removed the case to the Federal District Court of the Northern District of Iowa and filed an answer and counterclaim against the County alleging breach of contract, and; in December 2022, the County and Prochaska engaged mediation services and are now prepared to settle their differences; be it resolved by the Board to adhere to the terms and conditions disclosed in the Settlement Agreement and Mutual Release – Floyd County Board of Supervisors v. Prochaska & Associates and authorize the Chair to sign said agreement. Roll call vote-Ayes: Jorgensen/Keifer/Kuhn; motion carried 3-0.

Keifer/Jorgensen moved to enter into the Memorandum of Understanding-Local Housing Trust Fund Administration between North Iowa Area Council of Governments and Floyd County. Motion carried 3-0. Per an e-mail from Heidi Nielsen, NIACOG Community Development Planner, the Local Housing Trust Fund administrative board appoints members and requested current members, Veronica Litterer and Randy Hassman, be able to finish their terms. The supervisors are welcome to submit nominations to NIACOG but with more than a majority of members required to have backgrounds in real estate, banking, attorneys and social services, it would be prohibitive for each county to appoint a county supervisor. Consensus was to not change the makeup of the NIACOG board which would remove Jorgensen as the appointee from the January 3 board of supervisor’s meeting.

Keifer/Kuhn moved to appoint Supv Jorgensen as the primary board member to the North Iowa Regional Housing Authority. Motion carried 3-0. Jorgensen/Keifer moved to appoint Jeff Sherman as an alternate to NIRHA. Motion carried 3-0.

The Board discussed the status of the Emergency Medical Services Advisory Council previously represented by former Supv Roy Schwickerath. An e-mail from Pat Lumley read that the Council disbanded following the failure of the EMS Essential Service Levy, a ballot issue on the 2022 General Election, and a new EMS Advisory Committee was formed to assess Iowa EMS System Standards per the Iowa Department of Public Health. The new committee met informally on January 10 to discuss the path of the council, added membership to include a county supervisor, and will meet with the supervisors in the future. Jorgensen is interested in serving on this committee.

The Board discussed Jorgensen’s term that ended on the Board of Adjustments in December. Jorgensen has a potential candidate interested who has been provided with the application form.

The Board noted Auditor, Recorder and Treasurer fees collected for the quarter ending December 2022.

Future agenda items: Cost Advisory Report, Compensation Board’s recommendations of elected official’s salary for FY24, and consideration to allow the transfer of employee benefits to an ill employee.

The Board conducted FY24 budget revenues for the following departments: Public Health, Board of Health/Sanitarian, Planning & Zoning, Engineer, Data Processing/IT, and Dept of Human Services which included a review of the 5-year plan to relocate the department to the courthouse.

Jorgensen/Keifer moved to adjourn. Motion carried 3-0.

**This is a summary of the resolution; full text of resolutions may be inspected during normal business hours in the Floyd County Auditor’s office and at www.floydcoia.org.*

ATTEST: _____
Gloria A. Carr
Floyd County Auditor

Mark A. Kuhn, Chair
Floyd County Board of Supervisors