

Floyd County Board of Supervisors Meeting
February 4, 2020, 1:00 PM

UNAPPROVED MINUTES

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

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

Public comment: Doug Lindaman presented a handout regarding a constitutional proposal to add the Initiative, Referendum and Recall as a citizen protection from government malfeasance on school, city, county and state levels, requiring a petition for any of the above and require 10% of the voters from the previous General Election.

Updates on various boards/commissions/activities: Supv Tjaden attended a Decatur Governance Board meeting and presented at Rotary. Supv Schwickerath attended a Department Head meeting. All three supervisors attended the ISAC State-wide Supervisor's meeting.

Update on law enforcement center/courthouse project: Brian Shindelar, Samuels Group Site Superintendent, mentioned that there will be a signing of the OSHA partnership on Friday at 10 a.m. Prochaska is working on plan changes to the precast panels that will need to be reviewed by MPC; this is pushing panel orders out. Supv Tjaden will contact Bill Huey, Prochaska rep to check on the status for the plan changes and approval process. Footings are being poured for the southwest pad, jail area. The Owner-Architect-Contractor meeting will be on Monday.

Tjaden/Kamm moved to approve the Arc Flash Information and Indemnification Agreement between MidAmerican Energy and Floyd County. Motion carried 3-0.

The Board discussed the FY21 budget including health insurance coverage, maximum levy rate, Builders Risk Insurance, waiting on final information on the new bonds to complete the debt service portion of the budget, and some budgetary changes to certain departments for the FY20 amendment and the FY21 proposed budget.

Future agenda items: ATV/ATV proposed ordinance, Builders Risk Insurance discussion with Melrose Insurance, and discussion regarding County Engineer contract with Chickasaw County.

The Board recessed at 1:50 p.m. and reconvened at 2 p.m. in the assembly room.

An informational meeting was held regarding Drainage District #7 drain issues. Eight representatives of property owner or tenants of the upper and lower portion of the district attended the meeting. Kent Rode and Tyler Conley, Bolton & Menk representatives, explained drainage district procedures per Iowa Code Chapter 468, including repairs, improvements, reclassification, annexation, factors considered to determine benefit of the property owners in the district, remonstrance rules and trustee responsibilities. Bolton & Menk staff have conducted a preliminary study of DD #7, including the small size of the district, not a lot of records, an upper and lower portion of the watershed, the lower portion being assessed only for a portion of a project in 1971 but the upper portion being assessed per the original schedule for all work in the district.

Bill Dolan, tenant for property owner in the upper and lower areas, commented that there have been nearly annual blowouts, roots have been discovered in a 12-inch tile in the lower area and believes tiles added to the main are likely stressing the main as well as the addition of the ethanol plant causing water to come across faster because of the hard surface area. Dave Dolan, property owner in the lower area, mentioned that in 1981 there was clay tile from the Valero side (prior to the ethanol plant) abandoned due to it being broken and shallow and new clay tile was placed on the other side of the ditch and water followed the ditch. Auditor Carr mentioned that in 1971 that an assessment was done to the lower and upper portions of the district in conjunction with the ASC office.

Ron Stewart, property owner in the upper area thinks the district should be divided in two areas with a shared common outlet by classifying the lower district. Rode does not believe the lower area is in the district and blowouts and additional tile could be done privately, which is sometimes difficult to get all property owners on board, or it could be done as a drainage district where annexation and improvements can be made to the district unless a majority of the landowners who own 70% of the land mass would object to the improvement, known as a remonstrance. Rode believes the lower portion should be part of the entire district and presented that the next step for the trustees would be to hire an engineer to complete an initial report by studying the district, visiting with the

landowners, defining the watershed line, proposing new main tiles as well as lateral tiles, make annexation recommendations, and reclassified. The report would be filed with the Board, a hearing set 40 days after the report is filed, property owners would be provided notice of the hearing and decide how to proceed. Rode suggested the engineering cost estimate to be \$15-20,000 and reclassification estimated to be \$20-25,000 and explained how drainage warrants are issued until assessments are ordered. Improvements could be done before all the engineering is completed; engineering would likely take about a year to complete. Bill Dolan mentioned that the waterway reshaping project has to be completed six months from April 1. Rode suggested the location of a main tile would be put outside of the waterway and would be a separate project from a district.

Auditor Carr suggested that work being done by Secondary Roads on the tile in the lower area has been assessed per the schedule to the upper area has not been appropriate and questioned who should be paying for those lower area tile repairs in the future. Rode's opinion is that the county should not be doing repairs to the lower area or assessments outside of the main tile schedule. Bill Dolan mentioned that there is history of repairs on the lower portion that may be a reason to keep doing things the same. Supv Kamm commented and Rode agreed that if the Board ordered a reclassification there would be an annexation of the lower portion to the upper district.

Property owners and tenants of the upper and lower area are going to meet after the meeting to discuss how they would like the board to proceed. Supv Schwickerath asked that they report back to the board within a couple of weeks.

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

ATTEST: _____

Gloria A. Carr
Floyd County Auditor

Roy Schwickerath, Chair
Floyd County Board of Supervisors