

Floyd County Board of Supervisors Meeting  
May 26, 2020, 9:00 AM

UNAPPROVED MINUTES

The Floyd County Board of Supervisors met in the Assembly Room of the Floyd County Courthouse with the following in attendance: Supv Roy Schwickerath, Supv Linda Tjaden and Supv Doug Kamm. Due to the COVID-19 pandemic, in-person access to this meeting was limited to 10 people in the Assembly Room and a conference call-in option was made available to any interested parties.

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

Public comment: none.

Kamm/Tjaden moved to approve the May 11, 12 and 18, 2020 meeting minutes. Motion carried 3-0.

Kamm/Tjaden moved to approve the claims presented: County #2942-3052, Secondary Roads #20767-20790 and Drains #15007-15008. Motion carried 3-0. Supv Tjaden has reached out to two department heads who need to provide supporting documents for prior claims.

Updates on various boards/commissions/activities: Supv Kamm attended Community Foundation COVID-19 Disaster Recovery Advisory Committee, Airport Authority and Board of Health meetings. Supv Tjaden attended LEC/Courthouse Core Team, Courthouse Security Committee and First Responder's meetings. Supv Schwickerath attended Dept Head and County Social Services Executive Board meetings.

Update on Law Enforcement Center/Courthouse project: Brian Shindelar, Samuels Group Site Superintendent, introduced Tad Gardner who will be filling in for him on occasion, and provided an update on the project including, precast wall and roof plank panels continue to go up, Wicks will be start pouring some stoops poured, Dean Snyder brought in a second crane is on site and will be setting steel beams between new elevators and existing building, the plumbers are setting up to do some underground work in the next two to three weeks, and plan for asbestos removal are being considered. Supv Tjaden is working with Samuels Group on a schedule, soft cost clarification and vendor selection for the soft costs.

Tim Fox, Area Development Executive Director, provided information on a request for tax exemption on property owned by Land Group, LLC. for a new business called Metal Wholesale, LLC expanding their Bloomfield, IA manufacturing of steel panels for siding, roof and trim and distribution center to this area. Auditor Carr presented information provided from Chris Diggins, NIACOG North Iowa Area Council of Governments representative, regarding a draft of new Urban Revitalization Plan, publication and hearing requirements to pass the plan and an ordinance in order to provide the requested exemption. Discussion included that a new application would need to be completed after the Urban Revitalization process is completed and an it would be in the best interest of the county before allowing an exemption to make sure the new business has legal access to the currently landlocked property. Tjaden/Kamm moved to approve Res #20-20\*, A Resolution Finding Need for Establishment of an Urban Revitalization District: There exists within the County, conditions which substantially impair or arrest the sound growth, retard the provision of housing accommodations, constitute an economic or social liability, and are a menace to the public health, safety, or welfare of the residents of the County; and, areas in the County meet the criteria established in Iowa Code Chapter 404 for establishing an urban revitalization district; and, the Board finds that the rehabilitation, conservation, redevelopment and economic development of areas of the County is necessary in the interest of the public health, safety, economic opportunity, or welfare of the residents; be it resolved by the Board, pursuant to Iowa Code Chapter 404, has identified the need to establish an Urban Revitalization District in order to allow the incentives and tools provided to be employed within a designated District in the County; be it further resolved that the Board will comply with all of the public notification requirements, notices and hearings according to Iowa Code Chapter 404.2(3), but waives the requirement of notifying tenants due that requirement not being applicable to this area due to no tenants. Motion carried 3-0.

At 9:24 a.m., the public hearing opened for Amendment to Ordinance 2011-2 Floyd County, Iowa Zoning Ordinance. Lezlie Weber, Zoning Director, and Auditor Carr reported there were no written or oral public comments in support of or against the amendment reported prior to the hearing. Weber and Carr mentioned changes in the amendment including Section XVII Flood Plain Conservation Overlay District 'F-C' due to Flood Insurance Rate Map changes and subsequent ordinance changes required for property owners to be able to secure flood insurance coverage, certain definitions added, modified or deleted, removing all references to Conditional Use, adding Maximum Damage Potential Development requirements to be one foot above the 500-year flood

elevation, modifying sections to mirror the DNR's model flood plain ordinance, and adding a \$500 penalties for violations of this section and, in Section XXIV Violation and Penalty, increasing the fine from \$100 to \$500 for all other zoning sections. Weber reported that the Zoning Commission held its hearing and approved the redlined amendments to the ordinance. Supv Tjaden commented that the written word and dollar amount for the penalty does not match; Auditor Carr will correct the written word to \$500. Hearing no other comments, the hearing closed at 9:30 a.m. Kamm/Tjaden moved to approve Res #21-20\*, Amendment to Ordinance #2011-02 Floyd County, Iowa, Zoning Ordinance: The Department of Homeland Security's Federal Emergency Management Agency Regional Office requires counties to adopt floodplain management measures that meet or exceed National Flood Insurance Program (NFIP) regulations by June 19, 2020 in order to comply with new measures that satisfy 44 Code of Federal Regulations and in order to avoid suspension from NFIP; the Board finds it necessary to amend certain areas in Section XVII, Flood Plain Conservation Overlay District 'F-C', and Section XXIV, Violation and Penalty, of said Ordinance; the Zoning Commissioners timely published notice of a public hearing, held their hearing and have reported to the Board their unanimous vote recommending approval of proposed amendments to Section XVII and XXIV of said Ordinance; the Board also timely published notice of a public hearing and held its hearing and first reading on May 26; therefore, upon the Board's review of proposed amendments to 2011-02 Floyd County, Iowa, Zoning Ordinance and after closing their public hearing the Board approves the first reading of amendments to Section XVII and XXIV of Ordinance #2011-02 Floyd County, Iowa, Zoning Ordinance and set June 1 as the date for a second reading. Motion carried 3-0.

At 9:35 a.m., the public hearing opened for proposed Ordinance #2020-1, An Ordinance Authorizing the Operation of All-Terrain Vehicles and Off-Road Utility Vehicles in the Unincorporated Area of Floyd County, Iowa. Auditor Carr reported that she received no written or oral comments in support or opposition to the proposed ordinance. Board members reported hearing of comments in support of the ordinance. Hearing no other comments, the hearing closed at 9:37 a.m. Tjaden/Kamm moved to approve Res #22-20\*, Ordinance #2020-1, An Ordinance Authorizing the Operation of All-Terrain Vehicles and Off-Road Utility Vehicles in the Unincorporated Areas of Floyd County, Iowa: The Board has had a number of requests to allow ATVs/UTVs on roads of the unincorporated areas of the County and recognize surrounding counties have implemented resolutions or ordinances to allow the same; the Board timely published notice of a public hearing and held said public hearing and the first reading of said Ordinance on May 26; therefore, upon the Board's review of proposed Ordinance #2020-1, An Ordinance Authorizing the Operation of All-Terrain Vehicles and Off-Road Utility Vehicles in the Unincorporated Areas of Floyd County, Iowa and after closing their public hearing the Board approves the first reading of Ordinance #2020-1 and set June 1 as the date for a second reading. Motion carried 3-0.

Kent Rode and Tyler Conley, Bolten & Menk representatives, provided an Engineer's Report for Drainage District #1 Main Tile & RB #2 on Sub-Main #1, Drainage Repairs and/or Improvements. The plan provides for a historical overview of the district, an annexation and reclassification, and an option for repair and improvement. Discussion included drainage coefficient, conservation wetland rules, CREP or other wetland mitigation alternatives, project costs, and schedule of activities to proceed. Tjaden/Kamm moved to recommend a tentative approval of the engineer's report with noted corrections to be made to a property already in the plan that shows to be annexed and the name of a road set a public hearing for July 14 at 9:15 a.m. Motion carried 3-0.

The Board discussed Drainage District #3 repairs to a suck hole over a tile line, lateral #11. There is no action to be taken at this time. Auditor Carr commented that the prior assessment still has not been assessed due to issues with divisions due to the Avenue of Saints.

The Board discussed Drainage District #9 repairs at a cost of \$200. There is no need to take action at this time. The Board is still waiting on bids that Scott Glaser was going to seek for additional work in the district.

Schwickerath/Kamm moved to approve the resignation of Brent Parker, Equipment Operator III, effective May 29, 2020. Motion carried 3-0. Dusten Rolando, County Engineer, discussed his plan to replace this position and a position from a retirement earlier this year.

The Board discussed a pay increase request for the Administrative Assistant in the Engineer's Office. Board comments included that many of the counties represented in the provided comparison do not have two office staff positions like Floyd County and information provided does not include a list of comparable duties or reasons other than pay to support a higher pay increase. Rolando thanked the Board for their consideration and will notify staff that there will be no additional increase other than the planned 2.5% increase.

Engineer's Report: Rolando provided his timesheet and foreman's notes. The paving project on T38 continues and should be completed within a couple of weeks. The S70 bridge project deck will likely be poured next week. The preconstruction meeting for T26 project will likely be scheduled for the week of June 29. Day labor project will start in the next fiscal year.

The Board discussed Coronavirus (COVID-19) plans to unlock the courthouse. Discussion included the judicial system pushing out non-jury trials until July 13 and jury trials to September, benchmarks to identify a time to unlock the doors to county facilities, how departments are preparing for the public, practices to minimize contact including personal protective equipment, social distancing, public making appointments to do business, minimize the number of people in offices, keeping office doors open, continuing to disinfect workspaces and provide hand sanitizer. County Treasurer Frank Rottinghaus said their office is getting closer to be able to issue drivers licenses. Supv Tjaden intends to visit with Samuels Group representatives to discuss if there is anything that could be done since the judicial system is not open at this time. Schwickerath/Tjaden moved to: 1) set a parameter that if the county has a 10% or less increase in active cases over a 14-day period, the county would unlock the courthouse door; 2) the Board would consider locking the door to the courthouse again if there were a 50% increase in cases over a 14-day period; 3) set following recommendations: the public makes appointments to do business, the public wears masks while in the courthouse, the public tries to minimize the number of people from a household to do business in the courthouse, make every effort to have countertop shields in their department, hand sanitizer be available, and for departments to keep office doors open. Motion carried 3-0.

The Board discussed an employee inquiry of allowing annual wellness reimbursements to pay for up to \$150 in purchases such as golf clubs or golf course memberships. Discussion included cutting all together or back on parameters for of the program, allowing reimbursements for fitness club memberships and registrations such as 5Ks or RAGBRAI, continuing with vision reimbursements, and the current policy does not account for any evidence-based improvements in health. Supv Schwickerath and Auditor Carr will try to come up with a revised policy for consideration. Kamm/Tjaden move to deny a request for reimbursement of golf clubs and golf course memberships. Motion carried 3-0.

Kamm/Tjaden moved to approve the Contract Declarations and Execution for the Iowa Child Abuse Prevention Program Local Services Contract for Parent Development for \$28,500 each year for five years where the county acts as fiscal agent and subcontracts with Learning Connections for services. Motion carried 3-0.

Tjaden/Kamm moved to set the Canvass for the June Primary Election for June 9 at 10:30 a.m. Motion carried 3-0.

The board discussed performance evaluations where they review department heads who report to them and other boards/commissions. Discussion including each board members completing individual reviews for all non-elected department heads by June 1 evaluations and submitting them to the auditor who will combine the results and each doing reviews to the individuals. Supv Tjaden will present the combined review to the Emergency Management/Zoning/Safety Director, Supv Schwickerath will present to IT Director, and Supv Kamm will present to the Engineer. The supervisor liaison assigned to specific departments will provide consolidated results to other boards/commissions and recommend those members to perform annual evaluations of the employee as well.

Future agenda: ambulance contract, Secondary Roads contract, a future contract forthcoming for the award of the Iowa Economic Development Authority Community Development Block Grant for Northeast Iowa Food Bank Mobile Food Pantry Operations, and appointments to various boards/commissions including an alternate for the North Iowa Regional Housing Authority. Supv Schwickerath commented that a Conservation Commissioner does not wish to serve; to gender balance, a female will need to be appointed.

Tjaden/Kamm 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](http://www.floydcoia.org).*

ATTEST: \_\_\_\_\_

Gloria A. Carr  
Floyd County Auditor

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Roy Schwickerath, Chair  
Floyd County Board of Supervisors