

Floyd County Board of Supervisors Meeting
September 21, 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.

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

Public comment: none.

Tjaden/Kamm moved to approve the September 8 and 14, 2020 meeting minutes. Motion carried 3-0.

Tjaden/Kamm moved to rescind the motion to approve the September 8 and 14 minutes. Motion carried 3-0.

Tjaden/Kamm moved to amend the September 8 meeting minutes regarding an unfinished sentence in the Drainage District #7 paragraph that reads "Dolan has applied for a one-year extension to do the" and add "waterway reshaping project.", approve the September 8 minutes as amended and approve the September 14 minutes. Motion carried 3-0.

Tjaden/Kamm moved to approve the claims presented: County #569-679, Secondary Roads #21018-21044 and Drain #15014. Motion carried 3-0.

Updates on various boards/commissions/activities: Supv Tjaden attended a Decat and Iowa Workforce meetings and meetings tied to law enforcement center/courthouse project. Supv Kamm attended a landfill, hotel/motel tax and NIACOG meetings and mentioned that Myrtle Nelson has accepted NIACOG director position. Supv Schwickerath attended two County Social Services meetings and mentioned that Mary McKinnell has accepted the CSS director position and Webster and Cerro Gordo counties have requested to leave the region, orphaning four counties from the CSS region.

Law Enforcement Center/Courthouse Project - Brian Shindelar, Samuels Group Site Superintendent, provided the following updates: Dean Snyder has been setting door frames and laying out walls for the masons, the plumbers have been working on storm drains, pipe rough-ins, bathrooms, and duct work, the electrician has been working with masons doing rough-ins and running conduit to the building, Wicks Construction finished pouring the deck floors and should be working on sub-base and slab on-grade, masons are laying block walls, sprinkler people are here, roofers should finish up the roof project by Friday, Cole Excavating should be coming back next week to do ground work. An OAC meeting is later today and a OSHA Partnership Safety Stand Down meeting will be onsite on Thursday morning. Several items are in the works including additional heavy duty sealer for floors, hot water to garage areas, the Gilbert St entrance, some door issues, ceiling in kitchen, and the maintenance contract for Communication Innovators. Supv Kamm mentioned the municipal airport is interested in acquiring the county's generator.

Coronavirus (COVID-19) update: There are 301 total cases, 237 recovered, 3 deaths and 61 active cases. Supv Schwickerath commented that he thought signage was on the door recommending facemasks be worn. Discussion included that facemasks are required in the treasurer's office and court rooms but not all offices are requiring them. Schwickerath/Tjaden moved to put signage at the door to recommend the public to wear a facemask upon entering the building and note that some departments are requiring facemasks. Motion carried 3-0.

Kamm/Tjaden moved to abate liens, penalties and interest on special assessments previously certified to the County Treasurer for collection on the following: 1) 1706 Owen St, parcel #120718301200, for \$153 for mowing and \$187 for unpaid utility bill, 2) 208 16th Ave, parcel #120615100900, for \$165 and \$49, both for unpaid utility bills, 3) 1210 Clark St, parcel #111223400600, for \$195 for unpaid utility bills, all at the request of the City of Charles City due to the liens not being filed in time to attach to parcels prior to the parcels changing ownership. Motion carried 3-0.

Tjaden/Kamm moved to set a public hearing on October 13 at 9:30 a.m. in regard to an application from Rick Lensing to rezone parcel #160240001300, Nashua, 2-95-15, Riverton Township from AG to I-1. Motion carried 3-0.

Tjaden/Kamm moved to set a public hearing on October 13 at 9:30 a.m. in regard to an application from Neil and Carol Liepzig to rezone parcel #072712700400, Charles City, NENW Ex Par & Hwy & N30' of lot 1 SENW in 27-96-16, Floyd Township from AG to I-1. Motion carried 3-0.

Tjaden/Kamm moved to not redirect the county's \$7,500 FY21 allocation to the Community Foundation COVID-19 Floyd County Disaster Response Fund. Motion carried 3-0.

Bill Dolan, tenant for property in Drainage District #7 (DD7) and DD7 sub-watershed, Asst County Attorney Randy Tilton, and the Board discussed the tile installation, maintenance and easement agreement for DD7 sub-watershed. Tilton mentioned that the agreement he received from Pat Vickers, Vickers Law Office, appears to be a private agreement and is concerned of the small portion in the sub-watershed that runs into the DD #7 main tile. Dolan commented that rather than paying a lot of money to have an engineer's survey, parties in the sub-watershed have collaborated together to propose a new tile in the sub-watershed area that would outlet into the same creek as DD7 but would not be tied into the DD7 main tile. Discussion included the property owners identified in the agreement are landowners in the sub-watershed, the cost per property owner is based on acres owned in the sub-watershed, there are no plans to interconnect to the DD7 tiles, the current sub-watershed tile is an 8-inch tile which has parts that are dysfunctional and there are no plans to touch this tile, some of the issue with the existing tile problems are caused by the water draining from the hard surface area established by the ethanol plant, the new tile will be a bigger tile, the DD7 sub-watershed was established in 1949 and the was last assessed in 1971, a pattern or precedence may have been set in the past for a remedy but does not necessarily make the sub-watershed area a new drainage district but if someone was injured or seeking a remedy then past precedence may be relevant, concerns of a precedence that may be set for future drainage districts with sub-watersheds, potentially if DD7 is ever reclassified it may annex the sub-watershed in the district, and it's not likely that the property owners would want the board/trustees to hire a drainage engineer to study DD7 and DD7 sub-watershed. Supv Kamm mentioned that he spoke with Conservation Director Adam Sears who informed him that they are willing to go along with the 6% cost of the project to be a good neighbor but they prefer not to have drainage on the wetland area and see no benefit of the project to the county's property. Consensus was that the project falls on the agreement of the affected property owners so if the county property is not included in the proposed agreement, those parties can move forward with the project.

Tjaden/Kamm moved to go into closed session per Iowa Code 21.5(1)i to evaluate the professional competency of the Emergency Management/Zoning/Safety Coordinator whose performance is being considered, when necessary to prevent needless and irreparable injury to that individual's reputation and that the individual requests a closed session. Roll call vote: Tjaden, Kamm, Schwickerath-all ayes. Motion carried 3-0. The Board proceeded into closed session.

Upon returning to open session, Kamm/Tjaden moved to approve the employee performance appraisal as provided. Motion carried 3-0. Randy Tilton, Assistant County Attorney asked if the employee performance appraisal would be a portion of the employee's personnel records; Schwickerath and Tjaden commented that it would.

Schwickerath/Tjaden moved to appoint Supv Tjaden to oversee the employee improvement program and report back within the next 90 days on how the program is working. Motion carried 3-0. Tilton asked if the employee improvement program would be a portion of the employee's personnel records; Supv Schwickerath responded that it would possibly be after the 90 days and until it is completed, the board would address if it was a part of the public record.

The Board noted that Nora Sprague, Public Health Home Care Aide, has submitted her resignation effective September 25 and Britney Layman, Home Care Aide, has completed the required hours of employment to advance to the next rate of pay to \$12.21 per hour.

Future agenda items: 28E for Communications.

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

ATTEST: _____

Gloria A. Carr
Floyd County Auditor

Roy Schwickerath, Chair
Floyd County Board of Supervisors