

Floyd County Board of Supervisors Meeting  
May 11, 2021, 1:00 PM

UNAPPROVED MINUTES

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

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

Public comment: Jennifer Solomon, 911 Administrator/Office Assistant, was introduced. Merlyn Schweizer commented on why the county was hiring an attorney and how it was going to be paid for.

Kamm/Schwickerath moved to approve the April 26, 27, and May 3, 2021 meeting minutes as presented. Motion carried 3-0.

Schwickerath/Kamm moved to approve the claims presented: County #2528-2652, Secondary Roads #21472-21503 and Drains #15026-15027. Motion carried 3-0.

Law Enforcement Center (LEC)/Courthouse Project: The Board will hold off on approving the change request for garage paint deduct as Samuels Group reps think there should be additional reductions for labor costs. Supv Tjaden and Auditor Carr provided an update on the project including training will be starting soon, fire alarm hookups will be held on Wednesday morning and May 22, Auditor Carr will make calls to scrap metal buyers for items such as cast iron radiators, steel jail cells, and the boilers due to the county having first right of refusal for salvage materials, fire extinguishers for the addition will be scheduled for inspection along with courthouse extinguishers. Kamm/Schwickerath moved to approve Pay Ap #18 for \$407,619.17. Motion carried 3-0.

The Board discussed hiring legal counsel to assist with negotiations on Prochaska's additional fees due to the LEC/Courthouse project bids coming in so much higher than estimates. Schweizer was informed that the services would be paid for out of consulting services in Dept 51 and the appropriateness of hiring an attorney who specializes in construction contracts. Schwickerath/Kamm moved to hire legal counsel for the Prochaska fee dispute and enter into an Agreement for Special Counsel. Motion carried 3-0.

At 1:17 pm the public hearing opened for the application received by Mark and Rebeca Burke to rezone a portion of Parcel D in 17-94-17 from AG to R-1. Jeff Sherman, Zoning Administrator, informed the board that Jim Erb questioned the location of the property and the Zoning Commission recommended approval of rezoning. The Board and Auditor Carr reported there were no comments in support of or opposition to the zoning change. Sherman will provide Commission's meeting minutes to the board. The hearing closed at 1:19 pm.

Kamm/Schwickerath moved to approve Res #19-21\* Zoning Change—Mark and Rebecca Burke: Burke's filed with the Floyd County Zoning Commission an application to rezone from AG to R-1, 6.05 acres, known as parcel #141740001400, of a 14.4 acre parcel described as Parcel D located at N¼ of 17-94-17 in Union Township; the Commission provided timely notice of publication on April 6 regarding a Public hearing on the application to rezone the subject property set for April 20; the Board provided timely notice on April 30 regarding a Public Hearing on the same set for May 11; the Commission reviewed the information and based on Iowa Code, the Floyd County Zoning Ordinance and Regulations, and the Floyd County Comprehensive Plan and voted to recommend to the Board to approve said application; upon the Board's review of said information and after closing their hearing the Board motioned to approve the first reading and set May 25 for a second reading. Motion carried 3-0.

At 1:20 pm the public hearing opened for an application from Thomas and Lorraine Winterink for the Red Cedar Subdivision Final Plat. Sherman informed the Board that Winterink's intent is to either sell the property as a business or individual homes and rezoning would occur at a later date if properties are sold individually. Dean Stewart, Stewart Realty, commented that no persons present at the Zoning Commission meeting objected to the subdivision. Denny Hull, adjacent property owner, questioned how covenants of the subdivision would affect him as he does a lot of wood cutting and hunting and wants to keep it that way; Stewart followed up that the intent of the subdivision is to have high quality residential properties with its own board oversight of care and maintenance, bound by declarations of covenants regarding what can and cannot be done on the property of which the rules may be more restrictive but do not conflict with county zoning. The board and auditor reported receiving no comments in support of or objection to the subdivision. The hearing closed at 1:26 pm.

Schwickerath/Kamm moved to approve Res #20-21\* Final Subdivision Plan—Red Cedar Subdivision: Thomas and Lorraine Winterink filed with the Floyd County Zoning Commission the required documentation to

support an application of a Final Plat identified as Red Cedar Subdivision for a four lot subdivision, located at 1880 Gilbert St, Charles City, in NESW lying W & SWLY of River in 35-96-16, St Charles Township; the Commission provided timely notice of publication on April 6 regarding a public hearing on the application to rezone the subject property set for April 20; the Board provided timely notice on April 30 regarding a public hearing on the same set for May 11; the Commission reviewed the information and based on Iowa Code, the Floyd County Subdivision Ordinance, the Floyd County Zoning Ordinance and Regulations and the Floyd County Comprehensive Plan and voted unanimously to recommend to the Board that the final plat be approved; upon the Board's review of said information and after closing their hearing for the subject property the board motioned to approve the first reading of the Subdivision and set a second reading for May 25. Motion carried 3-0.

Schwickerath/Kamm moved to approve the Agreement for Data Management Services between the Floyd County E911 Services Board and Floyd County. Motion carried 3-0. Discussion included making sure the 911 board's future agendas included wages set before January 1.

Kamm/Schwickerath move to approve the First Amendment to the Coordination Contract between Iowa Department of Human Services and Floyd County. Motion carried 3-0.

Schwickerath/Kamm moved to approve the Third Amendment to the Community Partnerships for Protecting Children Contract for FY22 between Iowa Department of Human Services and Floyd County. Motion carried 3-0.

Kamm/Schwickerath moved to approve the Third Amendment to the Child Support County Staffing Contract Between Iowa Department of Human Services, Bureau of Collections, and Floyd County. Motion carried 3-0.

Schwickerath/Kamm moved to approve signing the Petition for Rezoning Request for 904 and 906 Court St in Charles City. Motion carried 3-0.

Dusten Rolando, County Engineer, provided two work orders for tile repair on Drainage District #9, one for \$1,014.71 and one for \$929.27. With a sufficient fund balance of \$3,778.63, there is no need for action to assess property owners for these repairs.

Rolando provided Work Order #1355 for fixing a tile line that had a hole in Washington School Watershed Priority #1 for \$350.90. With a sufficient fund balance of \$1,855.72, there is no need for Board action to assess property owners for the repair.

Engineer's Report: Dusten Rolando, County Engineer, provided his timesheet and Foreman's notes. Rolando updated the Board on an accident on 155<sup>th</sup> St that he has informed our insurance agent of the event. Crews are working on work orders to replace culverts and motor graters are doing dust control. Rolando got a quote from Heartland for a patch job on B60, east of T64. Plans for a project on S70, north of Nora Springs will be let next Spring. Rock resurfacing should start soon. Applications for the office assistant position are being received through next Friday. Rolando has been reviewing Farm to Market and SWAP funds and in looking FTM he thinks he will be able to add another project in FY25-FY26 due to the farm to market fund status that allows for borrowing three years ahead in the account. A potential project for a local letting would be to mill and fill on Packard Ave. Another alternative for SWAP bridge funds would allow a project for \$643,000 due to rules changing to allow borrowing ahead 4.5 years. Tjaden commented that protestors are not understanding that the county has not reduced the budget for county funding; Rolando commented that his budget has not been reduced on road rock or services to the county, mentioned different funding such as FTM, SWAP (bridge), and STBG (paving) and explained the 5-year plan does not include certain projects due to when state DOT funds become available.

Schwickerath/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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Linda Tjaden, Chair  
Floyd County Board of Supervisors