

Floyd County Board of Supervisors Meeting
July 13, 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.

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

Public comment:

Schwickerath/Kamm moved to approve the June 22, July 1 and July 6, 2021 meeting minutes. Motion carried 3-0.

Kamm/Schwickerath moved to approve the claims presented: County #3034-3099, Secondary Roads #21590-21634 and Drains #15033. Motion carried 3-0.

Law Enforcement Center (LEC)/Courthouse Project: Schwickerath/Kamm moved to reject PCO #72 Muntins at Existing Courthouse Windows for \$6,257.62. Motion carried 3-0. Kamm/Schwickerath moved to approve Pay Ap #20. Motion carried 3-0.

Tjaden/Kamm moved to approve the Use of Courthouse Grounds Application for a banner advertising the Floyd County Fair. Motion carried 3-0. The Board would consider a perpetual agreement for the Fair banner with stipulations of a banner only and Iowa One Call utility location be contacted before driving stakes in the ground.

Kamm/Schwickerath moved to appoint Kathy Herrick to the Civil Service Commission for a six year term ending June 30, 2027. Motion carried 3-0.

At 1:17 p.m. a public hearing opened regarding the disposition of parcel #072717800600, Lot 11 Woodland Acres, Subdivision of S27-T96N-R15W of the 5th P.M. Auditor Carr and the Board reported receiving no written or oral comments in support of or objection to disposition of said property. Sandy Clayton, adjacent property owner, informed the board of interest in the property as it is adjacent, would square up their area, and they would be able to clean up the weeds on the property. The hearing closed at 1:19 p.m. Kamm/Schwickerath moved to approve Res #34-21* Disposition of Real Estate – Woodland Acres Property: The Board received a letter of an interested party to acquire the following described parcel (Parcel Number 072717800600), Lot 11 Woodland Acres, Subdivision of the N½ 27-96N-16W and the County acquired said property through Tax Sale Deed recorded as instrument 2017-1061 on June 9, 2017, and in accordance with Iowa Code Chapter 331 regarding the disposition of County property, timely notice was provided of a public hearing to be held on July 13, 2021 at 1:15 pm, and a public hearing was held; be it resolved by the Board for consideration of \$3,000 to convey to Lyle J. and Sandy K. Clayton the above mentioned real estate and direct the County Attorney to prepare deeds and any other necessary documents for said property and authorize the Chair of to execute documents. Motion carried 3-0.

At 1:22 p.m. the public hearing opened regarding a Development Agreement with Charles City Area Development Corporation and Authorization of Annual Appropriation Tax Increment Payments. Auditor Carr and the Board reported receiving no written or oral comments in support of or objection to the agreement or payments. There were no public comments. The hearing closed at 1:23 p.m. Kamm/Schwickerath moved to approve Res #35-21* Resolution Approving Development Agreement with Charles City Area Development Corporation, Authorizing Annual Appropriation Tax Increment Payments and Pledging Certain Tax Increment Revenues to the Payment of the Agreement: Floyd County, together with the City of Charles City, has adopted an urban renewal plan for the Southwest Bypass Urban Renewal Area; and the Board has adopted an ordinance providing for the division of taxes levied on taxable property in the URA and establishing the fund referred to Iowa Code 403, which fund and the portion of taxes referred to in that subsection may be irrevocably pledged by the County for the payment of the principal of and interest on indebtedness incurred to finance or refinance in whole or in part projects in the URA; and, a certain development agreement between the County and the Charles City Area Development Corporation has been prepared in connection with the provision of services, programs and initiatives by ADC for the promotion of economic development in the URA; and, under the Agreement, the County would provide annual appropriation tax increment payments to ADC in a total amount not exceeding \$55,500, such payments being in addition to the funding (up to \$141,300 additional) being provided to ADC from other sources of County revenues; and, this Board has published notice, has held a public hearing on the Agreement on July 13, 2021, and has otherwise complied with statutory requirements for the approval of the Agreement; and, Iowa Code

Chapter 15A declares that economic development is a public purpose for which a County may provide grants, loans, tax incentives, guarantees and other financial assistance to or for the benefit of private persons; and, Chapter 15A requires that before public funds are used for grants, loans, tax incentives or other financial assistance, a Board must determine that a public purpose will reasonably be accomplished by the spending or use of those funds; and, Chapter 15A requires that in determining whether funds should be spent, a Board must consider any or all of a series of factors; be it resolved by the Board as follows: Section 1 The Board finds that (a) the ADC Project will add diversity and generate new opportunities for the Floyd County and Iowa economies; (b) the ADC Project will generate public gains and benefits, particularly in the creation of new jobs, which are warranted in comparison to the amount of the proposed financial incentives; Section 2. The Board further finds that a public purpose will reasonably be accomplished by entering into the Agreement and providing the incremental property tax payments to ADC. Section 3. The Agreement is hereby approved and the Chairperson and County Auditor are authorized and directed to execute and deliver the Agreement on behalf of the County, in substantially the form and content in which the Agreement has been presented to the Board. Such officers are also authorized to make such changes, modifications, additions or deletions as they, with the advice of bond counsel, may believe to be necessary, and to take such actions as may be necessary to carry out the provisions of the Agreement. Section 4. All payments by the County under the Agreement shall be subject to annual appropriation by the Board, in the manner set out in the Agreement. The County's obligations under the Agreement shall be payable solely from the income and proceeds of the Urban Renewal Tax Revenue Fund attributable to property taxes derived from taxable property in the URA. Section 5. The County hereby pledges to the payment of the Agreement the Urban Renewal Tax Revenue Fund and the taxes referred to in Iowa Code 403.19(2) to be paid into such Fund, provided, however, that no payment will be made under the Agreement unless and until monies from the Urban Renewal Tax Revenue Fund are appropriated for such purpose by the Board. Section 6. After its adoption, a copy of this resolution shall be filed in the office of the County Auditor to evidence the continuing pledging of the Urban Renewal Tax Revenue Fund and the portion of taxes to be paid into such Fund and, pursuant to the Iowa Code 403.19, the Auditor shall allocate the taxes in accordance therewith and in accordance with the tax allocation ordinance referred to in the preamble hereof. Motion carried 3-0.

Schwickerath/Kamm moved to approve the IA Dept of Transportation Preconstruction Agreement 2021-C-105 for Primary Road Projects NHSX-018-6(95)--3H-34 and NHSX-018-6(96)--3H-34. Motion carried 3-0.

The Board discussed options for hours for the Collection Site. An e-mail from Karen Smith, Collection Site operator, proposing four options varying with adding Monday hours, opening and closing earlier on weekdays and Saturdays, reducing Saturday hours, and rotating subs for Saturdays were reviewed. Scott Andrews, citizen, expressed concerns of building accommodations, not having running water and restroom accommodations in a climate-controlled environment and suggested the county spend the money to run well water from the fair grounds and install a discharge pumping station funded through tax levy, American Rescue Plan funds, or donations. Discussion included additional hours would increase costs which are not budgeted, hours from other counties and landfill operations, Rolando recommends keeping open from 10:30 a.m. until 6 p.m., comparison of Floyd County's budget versus Chickasaw County's budget of approximately \$100,000 less per year, and the county not owning the property. All Board members and Rolando commented that Smith has not expressed the concerns presented by Andrews and Rolando has addressed concerns brought to him. Supv Kamm will pull together costs as suggested by Andrews to present to the Board at a future meeting and Rolando will visit with Smith.

Engineer's Report: Dusten Rolando, County Engineer, provided his timesheet and foreman's notes. The contract rock project has started. Crews are working on a day labor project on 170th St. The old structure on 180th St bridge project has been removed and dirt work will start soon. Pavement markings should start next week. Rolando has 10 interviews scheduled for the Equipment Operator position. Supv Kamm mentioned a Cartersville Elevator rep does not think their dirt pile is on top of the DD #6/56 tile; Rolando will try to locate the tile.

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.*

ATTEST: _____
Gloria A. Carr
Floyd County Auditor

Linda Tjaden, Chair
Floyd County Board of Supervisors