

Floyd County Board of Supervisors Meeting
November 9, 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: none.

Schwickerath/Kamm moved to approve October 26 and November 1, 2021 minutes. Motion carried 3-0.

Kamm/Schwickerath moved to approve the claims presented: County #991-1122, Secondary Roads #21836-21867 and Drains #15037. Motion carried 3-0.

Update on Law Enforcement: Supv Kamm and Auditor Carr provided updates from yesterday's Owner-Architect-Contractor, Courthouse renovation and demolition plan review meetings and Herold-Reicks surveyors relocated the property line pins yesterday afternoon. Kamm/Schwickerath moved to approve Pay Ap #24 for \$135,676.46. Motion carried 3-0.

Schwickerath/Kamm moved to keep the normal hours of operation for the Saturday after Thanksgiving at the Collection Site. Motion carried 3-0.

Schwickerath/Kamm moved to approve the posting and job description for a full-time County Engineer position. Motion carried 3-0.

Kamm/Schwickerath moved to approve the posting for a Temporary County Engineer position. Motion carried 3-0.

The Board discussed a response from Assistant County Attorney Randy Tilton regarding an abatement of \$178 in property taxes on parcel #230-16-02-226-006-00 owned by Roger L and Tamara R Sutton. Tilton referenced two Attorney General opinions, 1979 Iowa Op. Atty. Gen 83 (Iowa A.G.) Opinion No. 79-4-18 and 1990 Iowa Op. Atty. Gen. 74 (Iowa A.G.) Opinion No. 90-5-1(L), both hold that the Board of Supervisors cannot abate property taxes claimed to be erroneously or illegally paid unless the taxpayer has first pursued remedies of appealing to the Board of Review and if not successful, appealing to the Property Assessment Appeals Board or District Court. Due to this information, the Board will not be taking action to do the partial abatement of taxes on the Sutton property but would like Tilton to respond to Sutton for the reason no action is taken by the Board.

Schwickerath/Kamm moved to approve Res #43-21* County Electronic Services System 28E Agreement: In 2005, the Supervisors entered into a County Electronic Services System 28E Agreement with the Iowa County Recorder's Association to implement electronic recording and electronic transactions and develop county and statewide internet web sites to provide electronic access to records and information, known as Iowa Land Records; the Association reported a need to modify the agreement to allow contracts to be managed through the 28E organization itself instead of the Association and sought unanimous permission through the Iowa General Assembly to make changes through House File 527, signed by the Governor in May 2021; the Association's Executive Board and the ESS Coordinating Committee provided an Amended and Substituted 28E Agreement executed by the Chair of the ESS Coordinating Committee and are now request all participating counties review and adopt the same; therefore, the Supervisors have reviewed and adopt the Amended and Substituted County Electronic Services System 28E Agreement, and authorize the Chair to sign said document. Motion carried 3-0.

Kamm/Schwickerath moved to approve Res #44-21* Set a Date for an Election on the Imposition of a Local Option Sales and Services Tax in the Unincorporated Area of Floyd County: Iowa Code 423B authorizes County Boards of Supervisors to impose a local option sales and services tax within incorporated cities and the unincorporated area of counties, following an election at which the registered voters in various jurisdictions vote in favor of such tax; a local option sales and services tax, approved on November 8, 2011, is currently being imposed in the unincorporated area of Floyd County, but said tax is scheduled for expiration on December 31, 2022; the Board intends that the local option sales and services tax be re-imposed within the unincorporated area of the County, such tax to take effect on January 1, 2023; it is resolve by the Board as follows: Section 1. March 1, 2022 is hereby set as the date for a special election within the unincorporated area of the County, for the purpose of presenting to the registered voters of such area the question of the imposition of a one-cent local option sales and

services tax, such tax to take effect on January 1, 2023. Section 2. In accordance with Iowa Code 423B.1, the Board hereby requests that the ballot proposition state that 100% of the revenues from such local option sales and services tax will be used to fund Secondary Roads, including rock, bridges and culvert repair and/or replacement and construction projects in the unincorporated county and 0% for direct property tax relief. Section 3. The County Auditor is hereby directed to file a copy of this resolution with the Floyd County Commissioner of Elections. Section 4. The County Commissioner of Elections is hereby authorized and directed to cause notice of the ballot proposition to be published in a legal newspaper of general circulation in the County, such notice to be published not less than sixty days prior to the date of the election. Section 5. All resolutions or parts thereof in conflict herewith are hereby repealed. Motion carried 3-0.

Schwickerath/Kamm moved to set a public hearing on December 28 at 1:15 p.m. for the FY22 County Budget Amendment. Motion carried 3-0.

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

Floyd County Board of Canvassers Meeting
November 9, 2021, 2:00 PM

The Floyd County Board of Supervisors/Canvassers met for the Tier 1 Canvass of the November 2, 2021 City-School Election at Floyd County Courthouse Assembly Room with the following in attendance: Supv Linda Tjaden, Supv Doug Kamm and Supv Roy Schwickerath.

Supv Tjaden announced the canvass and Auditor Carr presented the tally books for review.

Supv Schwickerath/Tjaden moved to approve Res #45-21* Certification of Floyd County Election Results, November 2, 2021 City-School Election – Tier 1 Canvass: Whereas, the City-School Election was held as prescribed by law on November 2, 2021, and the Board of Supervisors/Board of Canvassers have canvassed; Be it resolved that the Board hereby certifies the voter turnout, the Tier-1 Canvass and results for the City-School Election held November 2, 2021 and that no obvious clerical errors were identified during the canvass.

Turnout: A total of two thousand, four hundred twenty-seven (**2,427**) people voted. Two thousand, ninety two (2,092) people voted at the polls on election day. Three hundred thirty two (332) absentee ballots were accepted for counting. Two (2) of three (3) provisional ballots were accepted for counting.

Candidates elected by the voters of the respective cities located within Floyd County:

City of Charles City (1,175); Mayor: Dean Andrews (784); Council At-Large: DeLaine Freeseaman (952) and Patrick Lumley (912).

City of Colwell (8); Mayor, two-year term: Jeffrey Wright (8); Council At-Large, two-year term: Ryan Wegner (6), Mark Kirsch (5), Rachel Krause (5), Jennifer Cross (5) and Kim Isakson (4).

City of Floyd (65); Mayor, two-year term: Trevis O’Connell (59); Council At-Large: Charles Newman (55) and Kevin Krueger (54); Council At-Large To Fill A Vacancy, two-year term: Jeremy Stewart (53).

City of Marble Rock (71); Council At-Large: Tracy Merfeld (53), Todd Schriever (46) and Earl Keifer (29).

City of Nora Springs (232); Mayor (two-year term): Randy Hassman (220); Council At-Large: Andrew Bryant Hicok (156) and Steven Allen Bailey (147).

City of Rockford (178); Mayor (two-year term): Scott Johnson (159); Council At-Large: Jerome H Schlader (150), Sharon Enabnit (137) and Brent W Medlin (109).

City of Rudd (30); Mayor (two-year term): Jeff Buland (29); Council At-Large: Kaleb Roth (30) and Matthew Bouillon (24).

Be it further resolved that the Floyd County Auditor/Commissioner of Elections shall maintain the Official Canvass and Abstracts for the Tier 1 Canvass of the City-School Election. Motion carried 3-0.

The meeting concluded with the Floyd County Board of Canvassers signing the Official Canvass and Abstract of Votes to be attested by the Clerk to the Board of Supervisors. Control County abstracts and canvass materials include the Cities of Charles City, Colwell, Floyd, Marble Rock, Nora Springs, Rockford and Rudd. Non-control county abstracts and canvass materials include: Butler County (North Butler Community School District), Cerro Gordo County (North Iowa Community College), Chickasaw County (City of Nashua and Nashua-Plainfield Community School District), Mitchell County (Osage Community School District) and Worth County (Central Springs Community School District).

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
County Auditor/Commissioner of Elections

Linda Tjaden, Chair
Floyd County Board of Supervisors/Canvassers