

Floyd County Board of Supervisors Meeting
July 28, 2023, 9:00 a.m.

The Floyd County Board of Supervisors met at Floyd County Courthouse EOC/Training Room with the following in attendance: Supv Mark Kuhn, Supv Dennis Keifer and Supv Jim Jorgensen.

Keifer/Jorgensen moved to approve the agenda as presented. Motion carried 3-0.

Public comment: None

Jorgensen/Keifer moved to approve the July 24, 2023 minutes. Motion carried 3-0.

Keifer/Jorgensen moved to approve the claims presented: County #186. Motion carried 3-0.
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Updates on various boards/commissions/activities: Supv Keifer attended the Owner-Architect-Contractor and Area Development Corp (ADC) Strategic Planning meetings and visited with NextEra representatives about their windfarm projects. Supv Kuhn attended County Social Services and ADC monthly and annual meetings.

Updates on Law Enforcement Center/Courthouse Project: Contractors continue working on punch list items. Kuhn would like to transition to using the new board room and the new public entrance by August 7; there would need to be new signage in the atrium and the elimination of public and ADA access at the north courthouse door. The light switch in the Assessor's office still isn't functioning correctly. Scott Andrews inquired about having a special investigative audit on the project and would like the fiduciary duties of all elected officials; Kuhn responded that there will be a complete accounting done inhouse on the project. Keifer/Jorgensen moved to approve PCO #148 Stairwell Plaster on Walls Coming Off for \$42,399.89. Motion carried 3-0.

Tyler Conley, Bolton & Menk engineer, presented the Project Manual for the Main Open Ditch Repair for Drainage District #3 with plans for two publications in newspapers, bids due and reviewed August 24, board approval on August 28 and project completed by September 30, 2024 because of fall grass seeding season. The project includes an estimated cost of \$590,000, bid security of 5%, liquidated damages set at \$500 per day, and a performance bond for one year after completion for failure due to negligence. The Board will need to set interest rate on warrants and set no less than 10 and no more than 20 years for installments for assessments over \$500.

Kuhn questioned what the impact would be if the board delayed action today to allow time for property owners to review the specifications; Conley commented 10 days on the from front side of the project rather than the end of the project has less impact and publication notice is required for contractor purposes, not to property owners. Conley mentioned the only changes made to the plans from the engineer's report previously filed is they are cleaner, finished, details are higher level and property owner comments are noted in the plans, such as riparian CRP areas, tree removal, a well, a concrete lane not being used and lawns be avoided if possible.

Keifer mentioned he would like the money spent on the project to stay locally, within 30 miles. Discussion included competitive bid processes, breaking out the project to allow for two or more contracts or likelihood of getting a more competitive bid with one contractor, Bolton & Menk's project oversight, and change orders, although typically small, and pay applications are approved by the Board.

Merlyn Schweizer commented that Iowa Code 468.126(3) references a district does not pay for private tile replacement and the lateral tile lines that go into the open ditch are to be paid for by the lateral property owners. Conley explained the plans call for replacing 20 feet of the private and lateral tiles as part of the repair project to ensure facility lines and entrance pipes serve as a working function for the protection of a facility and so as to not cause erosion or a rippling effect down the ditch that could lead to increased or accelerated aging. Conley said it is common to assess the landowners in the open ditch area for this tile replacement part of the project but if there were significant work beyond the 20 feet, it should be assessed to the respective private tile and lateral landowners. If the Board were to change the tile extension plans, specifications would need to be modified.

Kuhn/Jorgensen moved to table action on DD #3 project specifications and to send notices to the property owners of action to be considered at a special meeting on Tuesday, August 8 at 9 a.m. with the notice to include that specifications can be reviewed in the auditor's office prior to the meeting. Motion carried 3-0.

Keifer commented on a bill received from Tom Ramker for hired excavating costs to clean out part of the ditch. Auditor Carr cautioned the Board on landowners hiring work to be done in a mutual drainage district without coming to the trustees first and in this situation Ramker had attended two meetings, was aware of the

project and chose to hire an excavator without following the proper process. Conley mentioned the specifications do not identify a number beaver dams or debris to remove so upon review of the contractors, that will be less to note to be done. Keifer stated that Ramker is being a good steward of the land and shouldn't be penalized for hiring the work to be done. Ramker mentioned he took the beaver dam removal project on his own after three or four years of reporting it to Secondary Roads and nothing being done; the project took about six to seven hours, the water level dropped about four to six feet, and everything was working fine. Jorgensen mentioned he sees both sides but as trustees they have follow procedures. Kuhn suggested addressing the invoice at the August 8 meeting.

Heidi Kuhl, Northland Securities representative, congratulated the county on receiving a Standard and Poors AA- rating to be used to go to the market for bonding of the communications tower project. Kuhl shared comments received from S&P following the interview including the county's good financial practices, low debt ratios, good liquidity, exceeding 25% carryover in funds, and for the size of Floyd County, a AA- rating is the highest to receive. The true interest cost rate the county will be receiving is 3.47% as compared to what was projected previously of 3.65%. Kuhl reviewed the 10-year bond period with an early call date, loan amount, reoffering premiums, interest payments, underwriters discount, and cost of issuance.

Keifer/Jorgensen moved to approve Res #31-23*, Resolution Approving a Bond Purchase Agreement for the Sale of General Obligation Emergency Communications Bonds, Series 2023A: The Board proposed to enter into a General Obligation Emergency Communications Loan Agreement and to borrow money in a principal amount not to exceed \$5,100,000, pursuant to the provisions of Iowa Code Sections 331.402 and 331.441(2)(b)(17) for the purpose of paying the cost of acquiring and installing improvements to the E911 emergency communications system and pursuant to law and duly published notice of the proposed action, has held a hearing thereon on July 10, 2023; and, a Preliminary Official Statement has been prepared to facilitate the sale of General Obligation Emergency Communications Bonds, Series 2023A to be issued in evidence of the County's obligation under the Loan Agreement, and the County has made provision for the approval of the P.O.S. and has authorized its use by Northland Securities, Inc. as underwriter of the issuance of the Bonds; and, a Bond Purchase Agreement has been prepared to set forth the terms of the Bonds and the understanding between the County and the Underwriter, and it is now necessary to make provision for the approval of the Bond Purchase Agreement; Be It Resolved by the Board as follows: Section 1. The Bond Purchase Agreement is hereby approved in substantially the form as presented to this Board. The Chair and Auditor are hereby authorized and directed to execute and deliver the Bond Purchase Agreement to the Underwriter. Section 2. Further action with respect to the issuance of the Bonds and the approval of the Loan Agreement is hereby adjourned to the next meeting on August 7, 2023. Section 3. All resolutions and orders or parts thereof in conflict with the provisions of this resolution, to the extent of such conflict, are hereby repealed. Section 4. This resolution shall be in full force and effect immediately upon its adoption and approval, as provided by law. Roll call: Ayes-Keifer, Jorgensen, Kuhn; motion carried 3-0. Kuhn signed the Northland Security Bond Contract for the project. Carr updated the Board on sections of the Motorola contract which will be reviewed by the 911 Board next week.

Jorgensen/Keifer moved to approve a contract for the low bid with Minnowa Construction, Inc of Harmony, MN for \$1,699,701.65 on the Victory Avenue Bridge Replacement project. Motion carried 3-0.

Jorgensen/Keifer moved to pay \$8,500 to Zimmermans Digging & Demo, LLC for the cost of the Tesch property clean up out of the General Services department. Motion carried 3-0. Carr informed the Board that County Attorney Todd Prichard said the next step is for the Auditor to certify the cost to the Treasurer as a special assessment to the property owner.

Jorgensen/Keifer moved to approve the 28E Agreement for Emergency Ambulance Services between the Floyd County Medical Center, City of Charles City and Floyd County. Motion carried 3-0.

The Board noted the Floyd County Medical Center's notice of no longer providing medical examiner services after November 1 but Carr was able to secure the current four appointees through their one year appointment. Discussion included seeing if other physicians would agree to serve in this capacity, sharing with another county, utilizing certified investigators, and having a plan in place by the January organizational meeting.

Bernie Solomon, IT Director, updated the Board on projects including transitioning to a different firewall, plans to roll out dual authentication, connecting county employees at the Cedar Valley Transportation Center to the county network, updating the phone system, seeking quotes on a new phone system, completing an inventory on equipment, getting all employees on Office 365, back-billing by Solutions on licensing, setting up licensing on a server for the Sheriff's office, getting quotes on wireless access points, purchasing a used vinyl cutter for signage,

setting up the new board room for meetings, and working with Perry Novak on the Public Health generator, getting quotes on cameras and a key fob entrance on doors at the Hospice building.

Future agenda items: pipeline inspection, wind turbine projects, drainage utility resolution, and overpayment of wages to former employee.

Jorgensen/Keifer 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

Mark A. Kuhn, Chair
Floyd County Board of Supervisors