

Floyd County Board of Supervisors Meeting
November 20, 2023, 9:00 a.m.

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

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

Public comment: none.

Keifer/Jorgensen moved to approve the November 13, 2023 regular and canvass meeting minutes. Motion carried 3-0.

Jorgensen/Keifer moved to approve the claims presented: County #1084-1132 and Engineer/Secondary Roads #10292-10303. Motion carried 3-0.

Updates on various boards/commissions/activities: Supv Jorgensen attended a meeting regarding medical examiner/medical examiner investigators. Supv Keifer attended FMC Landfill, Design Review of Communications Tower Project and North Cedar Aviation Authority meetings. Supv Kuhn attended NIACOG and the annual County Social Services meetings and had extensive discussions regarding instituting a moratorium.

Updates on Law Enforcement Center/Courthouse Project: Supv Keifer had a water softener company onsite for considerations of installing a water softener to address lime buildup issues and also visited with Steve Diers, Charles City-City Administrator to see if the city can do more with softening the water. Auditor Carr provided an update on the walkthrough last week with Jason McLendon, Samuels Group project manager, and Young Plumbing representatives to review unfinished work that they intend to address. Last week, McLendon was going to put a 72-hr notice on Dean Snyder Company regarding a response to their commitment to installing a bollard. Keifer commented on having no success finding a Company on plaster repair work.

Supv Kuhn presented the resolution on the moratorium and mentioned people he has worked with on the resolution including former State House Representative and Bright Future representative Swati Dandekar, former State Senator and House Representative and Invenergy representative Merlin Bartz, Policy for Local Government Rand Fisher, and County Attorney Todd Prichard. Kuhn suggested amending the proposed resolution changing references of July 15 to July 1 and splitting the one paragraph in section 2 into two paragraphs with the first paragraph ending with the moratorium being in effect until an amendment to the ordinance is approved by the board and the second paragraph ending with the moratorium being in effect until a development agreement is approved by the board with a wind development company or companies. Jorgensen questioned which supersedes if the Zoning Commission does not have an ordinance in place and the county is working on development agreement which one governs if an ordinance is proposed after the date; Kuhn responded if the Commission wants to continue to meet, the Board would take that up and his preferred choice would be to have this done in an ordinance rather than a development agreement. Kuhn's goal is to get the Commission to have an ordinance in the time period requested and if they don't, it gives the Board the option to move forward with development agreements or extend the moratorium if deemed necessary. Boyd Campbell questioned if there will be no permits issued during the moratorium if it prohibits the companies from engaging in easements with property owners and references to issues with wind turbines nationally; Kuhn clarified the board cannot stop a wind-energy company and a landowner from entering into a voluntary easement and public educational meetings will the Commission and the Board will be starting on November 28. Kuhn mentioned the companies are at least two years out before applying for local permits and referenced a list from MidAmerican Energy of various permits required before a permit could be issued at the county level; Isaac Lamppa, Invenergy representative, and Tom Treharne, Nextera representative, both said they would not be ready to issue permits in the proposed moratorium time period. Dandekar mentioned the resolution is directing the Commission to get their work done or the Board will have the ability to negotiate with companies on items like setbacks; Kuhn agreed and mentioned the time period should allow the Commission to recommend an ordinance by July 1. Bartz provided his overview of a development agreement.

Kuhn/Jorgensen moved to amend Resolution #44-23 with references to dates of July 15 to July 1. Motion carried 3-0. Jorgensen/Keifer moved to approve Res #44-23 as amended, A Resolution Instituting a Moratorium on Accepting, Approving Applications or Issuing Permits for Utility-Scale Wind Energy Systems, and Battery Storage Installations Under the Provisions of Ordinance No. 2011-2, Zoning Ordinance of Floyd County, Iowa, as Amended: Iowa Code Chapter 335 grants counties the ability to adopt Zoning Ordinances to regulate land use

within its jurisdictional boundaries; on December 27, 2011, Ordinance #2011-2 Zoning Ordinance for Floyd County, Iowa was adopted by the Board and has been periodically amended to regulate land use within the county's boundaries; Section VII.X Large Wind Energy Systems of the Ordinance regulates the use, height, and area regulations of such things as wind generators, towers, and buildings or other structures associated with large wind energy systems; from time to time, it is necessary and prudent to review and study said Ordinance for necessary updates to ensure proper regulation; the Board will require time to further study, consult experts, and conduct the revision process to complete amendments to the Ordinance; the Board has entered into an agreement with the NIACOG to assist the Commission and the Board in amending the Ordinance for utility-scale wind energy conversion systems and battery storage systems. Be it resolved by the Board: SECTION 1. INSTITUTION OF MORATORIUM - Upon the effective date of this Resolution, no application for a Conditional Use Permit or Zoning Permit shall be accepted by Floyd County specifically for utility-scale wind energy systems and battery storage installations as provided for and regulated under Ordinance 2011-2 Zoning Ordinance as amended, nor shall any permit be used for the same. However, applications may continue to be accepted and permits may be issued for any other legally permitted uses, including communication and radio towers, substations, electrical conversion stations, meteorological towers used for research or weather conditions, or any other public utility structures which this Resolution does not specifically address. SECTION 2. PERIOD OF TIME EFFECTIVE - This Resolution shall be effective for a period of six consecutive months from the date it becomes effective until May 20, 2024. If more time is needed by the Commission to complete their review and make a recommendation to the Board, the moratorium shall be extended by Resolution of the Board until July 1, 2024. If the Commission has not made a recommendation to the Board by July 1, 2024, then this Resolution instituting a moratorium or any extension thereof shall thereafter not prohibit the Board from engaging in negotiations during an official meeting and entering into a development agreement with a wind development company or companies. SECTION 3. - REPEALER - All ordinances or parts of ordinances in conflict with the provisions of this Resolution are hereby repealed. SECTION 4. SEVERABILITY CAUSE - If any section, provision, or part of this Resolution shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the resolution as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional. SECTION 5. EFFECTIVE DATE - This Resolution shall be in effect from the day it is passed and approved by the Board. Roll call vote: Ayes- Jorgensen, Keifer, Kuhn; motion carried 3-0.

The Board recessed at 11 a.m. and reconvened at 11:06 a.m.

John Gohr, Communications/Dispatch Supervisor, and Keifer discussed a quote for a recording system with an Eventide Logger and Motorola equipment including firewall, switches, archiving interface server, etc. that was not in the project scope of the new Communications Tower project. Gohr and Jason Webster, Emergency Management Coordinator, referenced expenses that will be taken out of the project including repeaters that are not needed at an estimated savings of \$149,000, not ordering radios for EMS/AMR with an estimated savings of 25,000 and another credit of \$45,000 credit. Other options would be to enter into an agreement with another county to record our calls. If the county has its own recorder, recording for other counties would be a revenue source to us. Keifer/Jorgensen moved to approve a quote for \$139,618 for an Eventide Logger, Motorola equipment and service costs to install and integrate for the Communications Tower project. Motion carried 3-0.

Jorgensen and Auditor Carr updated the Board on a meeting held last week with Dr. David Schrodt and Dawn Staudt, AMR representative, regarding medical examiner (ME) and medical examiner investigator (MEI) services. Schrodt has verbally agreed to be appointed as ME and Staudt has three people interested in being MEIs, including herself. Discussion included the proposed annual budget will likely increase from \$40,000 to \$60-80,000. The hospital is not interested in having a role in the ME services and a contract with AMR does not seem feasible at this time. Carr is scheduling a meeting with Mike Galloway, Ahlers-Cooney attorney, to discuss employee relationships, contacts, and payment.

The Board discussed the State's recent decision to grant their employees two additional holidays for 2023, including Wednesday, November 22 and Thursday, December 26. Consensus of the Board was to not give county employees one or both of the additional holidays granted by the state.

Jorgensen/Keifer moved to approve the 2024 Holiday Schedule for New Year's Day January 1, Martin Luther King, Jr for January 15, February 19, Memorial Day May 27, Independence Day July 4, Labor Day September 2, Veterans Day November 11, Thanksgiving Day November 28 and Friday after Thanksgiving November 29 and Christmas Day December 25. Motion carried 3-0. Keifer/Kuhn moved to give an additional half day holiday starting at noon on Christmas Eve in 2024. Motion carried 3-0.

The Board discussed pay increases for Jennifer Bauer and Alexis Gallup, Auditor Clerks, increasing from \$21.00 and \$20.50 per hour respectively to \$23.00/hr following successful 6-month performance reviews. Carr's recommendation is based on obtaining 3 to 5-year goal, pending performance, for wages to match the two highest paid clerks in the Treasurer's office who are currently at \$27.01/hr. The Board would like Carr to provide other Floyd County staff wages for the next meeting; Carr will also provide comparable wages from staff in other counties.

Future agenda items: medical examiner/medical examiner investigators, board/commission appointments.

Keifer/Jorgensen moved to adjourn. Motion carried 3-0.

ATTEST: _____

Gloria A. Carr
Floyd County Auditor

Mark A. Kuhn, Chair
Floyd County Board of Supervisors

Floyd County Board of Canvassers Meeting
November 20, 2023, 12:30 p.m.

The Floyd County Board of Supervisors/Canvassers met for the Tier 2 Canvass of the November 7, 2023 City-School Election at Floyd County Courthouse Board Room with the following in attendance: Supv Mark Kuhn, Supv Dennis Keifer and Supv Jim Jorgensen.

Supv Kuhn announced the canvass and Auditor Carr presented the Tier 2 Abstracts from the following counties: Floyd County, Cerro Gordo County, Chickasaw County, and Mitchell County for review.

Keifer/Jorgensen moved to approve Res #45-23* Certification of Floyd County Election Results, November 7 City-School Election – Tier 2 Canvass: The CITY-SCHOOL ELECTION was held as prescribed by law on November 7, 2023; Rachel Krause was elected to the office of Colwell Council Member At-Large as a write-in candidate and declared a winner of the position by draw of a five-vote tie with Taylor Isakson at the Tier 1 Canvass held on November 13, 2023 and Krause has subsequently provided notice to the Colwell City Clerk of her resignation of the position within 10-days of the canvass per Iowa Code 376.11(1), and the Board canvassed the vote of said elections in accordance with Iowa Code 50.24. Be it resolved that the Board hereby re-certify the results of the canvass for the City Council race for the City of Colwell and now declare Taylor Isakson as the next highest vote-getter for the position with write-in five votes.

Be it also resolved that the Board hereby certify the combined voter turnout, the Tier-2 Canvass and results for the CITY-SCHOOL ELECTION held November 7, 2023 and that no obvious clerical errors were identified during the canvass.

TURNOUT: Charles City Community School District - Floyd County had 2,432 voters and Chickasaw County had 50 voters. Rudd-Rockford-Marble Rock Community School District - Floyd County had 440 voters, Cerro Gordo County had 16 voters and Mitchell County had 0 voters.

CANDIDATES ELECTED BY THE VOTERS OF THE RESPECTIVE SCHOOL DISTRICTS FOR THE COMBINED COUNTIES: [Races are a 4-year term. Total votes excludes over/undervotes.]

Charles City Community School District (2,482 voters): Director At-Large / Vote for 2 / 4,215 total votes: Dara Jaeger (1,444) and Bruce Koebrick (1,660)

Rudd-Rockford-Marble Rock Community School District (456 voters): Director At-Large / Vote for 3 / 1,036 total votes: Dustin Servantez (308), Callie Hillman (371) and Bobbi Hinrichsen (350)

PUBLIC MEASURES:

Charles City Community School District: Public Measure HR (60% to pass): Yes-1,051 votes; No-1,427 votes; did not pass

Rudd-Rockford-Marble Rock Community School District: Public Measure HQ (60% to pass): Yes-234 votes; No-213 votes; did not pass and Public Measure HS (50% to pass): Yes-225 votes; No-206 votes; passed.

Be it further resolved that the County Auditor/Commissioner of Elections shall maintain the Official Canvass and Abstracts for the Tier 2 Canvass of the CITY-SCHOOL ELECTION. Roll call vote: Ayes-Keifer, Jorgensen, Kuhn; motion carried 3-0.

The meeting concluded with the Board signing the Official Canvass, Abstract of Votes and winner certificates.

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
County Auditor/Commissioner of Elections

Mark A. Kuhn, Chair
Floyd County Board of Supervisors/Canvassers