

COUNTY BOARD MINUTES
APRIL 6, 2020

The Board convened on Monday, April 6, 2020, at 9:00 AM with all members present Byrne, Geerts, Tilkes, and Hackman in the Courtroom located on the third floor of the Courthouse, New Hampton, Iowa and electronically with the following member Supervisor Zoll. Courthouse is closed to the public. The meeting was called to order by Chairman Hackman. Also, electronically from the public were Rick Holthaus, Marty Hemann, Mark Huegel, Mark Zaccone, Ray Armel, and Jeff Bernatz.

Motion by Geerts, Seconded by Tilkes to approve agenda for April 6, 2020. Roll Call: All Ayes. Motion Carried.

Electronically from the public was Jennifer Schwickerath.

Motion by Byrne, Seconded by Tilkes to approve Board minutes for March 30, 2020 as amended. Roll Call: All Ayes. Motion Carried.

No Public comment.

Ray Armel met with the Board to review and approve the 2020 Slough Bill applications for property tax exemption through the Soil Conservation Slough Bill approval process. Iowa law allows a 10% increase each year with the first year starting at 3,000 acres (in 1986). The County has 4,593.88 acres as of January 1, 2020 versus an acre count of 4,980.61 as of January 1, 2019. This is a decrease of 387.00 acres. The present number of acres that are allowed in the county is 5,314 acres. Mr. Armel also presented to the Board 2020 Non approved Slough Bill Application of which there was 291.95 acres.

Motion by Byrne, Seconded by Tilkes to approve the list as presented for 2020 slough bill applications and authorize Chairman Signature to sign notifications and 2020 non approved slough bill applications. Roll Call: All Ayes. Motion Carried.

Motion by Geerts, Seconded by Tilkes to open the public hearing at 9:30 AM on the ordinance providing for the Special Assessment of Wind Energy Conversion Property VI-5. Roll Call: All Ages. Motion Carried.

No written comment from the public. Verbal comments from the public (Rick Holthaus) were addressed.

Motion by Geerts, Seconded by Tilkes to close the public hearing at 9:41 AM. Roll Call: All Ayes. Motion Carried.

Motion by Byrne, Seconded by Tilkes to suspend and waive the two considerations before final passage of the adoption of an Ordinance VI-5. Comes Now, a member of the Chickasaw County, Iowa, Board of Supervisors, and hereby moves for the suspension of the second and third readings, considerations and voting of the adoption of an Ordinance VI-5, which will hereafter be referred to as Ordinance No VI-5. The purpose of said motion is to allow the vote on the adoption of Ordinance VI-5 on this 6th day of April 2020. Roll Call: All Ages. Motion Carried.

Motion by Geerts. Seconded by Byrne to adopt Chickasaw County Ordinance No. VI-5. Roll Call: All Ages. Motion Carried. **CHICKASAW COUNTY ORDINANCE VI-5 AN ORDINANCE PROVIDING FOR THE SPECIAL ASSESSMENT OF WIND ENERGY CONVERSION PROPERTY *Be it enacted by the Board of Supervisors of Chickasaw County, Iowa: SECTION 1. Purpose.*** The purpose of this ordinance is to provide for the special valuation of wind energy conversion property pursuant to Iowa Code Chapter 427B.26. **SECTION 2. Definitions.** For use in this ordinance, certain terms and words used herein shall be interpreted or defined as follows: (a) "NET ACQUISITION COST" means the acquired cost of the property Including all foundations and installation costs less any excess cost adjustments. (b) "WIND ENERGY CONVERSION PROPERTY" means the entire wind plant Including, but not limited to, and wind charger, windmill, wind turbine, tower, electrical equipment, pad mount

transformers, power lines and substation. **SECTION 3. Authority to Establish.** The Chickasaw County Board of Supervisors is authorized, pursuant to Iowa Code Chapter 427B.26 to provide by ordinance for the special valuation of wind energy conversion property as provided in Section 4.

SECTION 4. Establishment. Pursuant to Iowa Code Chapter 427B.26, a special valuation of wind energy conversion property is allowed in lieu of the valuation assessment provisions in Iowa Code Chapter 441.21(8)(b) and (c), and Iowa Code Chapters 428.24 through 428.29. The special valuation shall only apply to wind energy conversion property first assessed on or after January 1, 1994 and on or after the effective date of this ordinance. **SECTION 5. Amount of Valuation.** Wind energy conversion property first assessed on or after the effective date of this ordinance shall be valued by the county assessor for property tax purposes as follows: (a) For the first assessment year, at zero percent (0%) of the net acquisition cost. (b) For the second through sixth assessment years, at a percent of the net acquisition cost which rate increases by five percent (5%) each assessment year. (c) For the seventh and succeeding years, at thirty percent (30%) of the net Acquisition cost. **SECTION 6. Declaration of Special**

Valuation. The taxpayer shall file with the Chickasaw County Assessor by February 1 of the assessment year in which the wind energy conversion property is first assessed for property tax purposes, a declaration of intent to have the property assessed at the value determined under Section 5 in lieu of the valuation assessment provisions in Iowa Code Chapter 441,21(9)(b) and (c), and Iowa Code Chapters 428.24 through 428.29. **SECTION 7. Reporting Requirements.** The following reports shall be filed annually with the Chickasaw County Assessor by the property owner/taxpayer, in the first year, with the declaration of intent as prescribed in Section 6; and by February 1 of each year thereafter: (a) A copy of the asset ledger sheet filed with the IRS; (b) A complete engineering breakdown of component parts: (c)

The tower numbering system; (d) Contact information including name, phone number, email, FAX number, and mailing address. (e) A report of all leased equipment, the lessor name(s) of the company(s), and the agreement between the lessor and lessee regarding who is responsible for the property tax on the leased equipment. **SECTION 8. Repeal of Special Valuation.** If in the opinion of the Chickasaw County Board of Supervisors continuation of the special valuation provided under Section 4 ceases to be of benefit to Chickasaw County, the Board of Supervisors may repeal the ordinance. Property specially valued under Section 4 prior to repeal of the ordinance shall continue to be valued under Section 4 until the end of the nineteenth (19th) assessment year following the assessment year in which the property was first assessed. **SECTION 9. Repealer.** All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed. **SECTION 10. Severability Clause.** If any section, provision, or other part of this ordinance shall be adjudged invalid or unconstitutional, said adjudication shall not affect the validity of the ordinance as a whole or any section, provision, or other part thereof not adjudged invalid or unconstitutional. **SECTION 11. When Effective.** This ordinance shall be in effect upon its final passage, publication and approval as provided by law. Passed and approved this 6th day of April 2020. Chickasaw County Board Supervisors /ss/ Jacob Hackman, Chairman, Tim Zoll, member, David Tilkes, member, Steve Geerts, member, Jason Byrne, member ATTEST: /ss/ Joan E. Knoll, Chickasaw County Auditor

Sue Breitbach present at 9:35 AM.

Shirley Troyna present at 9:39 AM.

Marty Hemann met with the Board for a department update.

One application was received to fill vacancy on the Civil Service Commission.

Motion by Geerts, Seconded by Byrne to appoint Michael K. Kennedy to the Civil Service Commission to fill vacancy (term expires December 31, 2024.) Roll Call: All Ayes. Motion Carried.

The Board discussed and reviewed vehicle bids for vehicle purchase form the FY 2020 budget.

Motion by Tilkes, Seconded by Geerts to purchase 2020 Dodge Durango from Vern Laures Auto Center in the amount of \$28,900.00 for the sheriff's department as per the recommendation of the County Sheriff. Roll Call: Ayes: Tilkes, Geerts, Byrne, and Hackman. Nays: Zoll. Motion Carried.

Mark Huegel left at 10:35 AM.

The Board received four requests for proposal for Union Negotiations. Bids received from Hopkins & Huebner, P.C.; Paul Greufe & Associates; Ahlers & Cooney P.C. and Lynch- Dallas

Ahlers & Cooney P.C. –Flat rate is \$550.00 per month plus mileage and copying.

Lynch Dallas, P.C.-Hourly rate is as follows: Shareholder/Senior Associate Attorney \$180.00 per hour; Junior Associate Attorney \$165.00 per hour; Paralegal \$125.00 per hour. These rates would be for advice and services including but not limited to preparation for union negotiations, union negotiations, grievance processing, medication and arbitration, or other contract related activities. A reduced hourly rate of \$125.00 for all attorneys and \$75.00 for all legal assistants for driving time. Flat fee set rate for services for union negotiations and contract administration for contract going into effect July 1, 2021 to June 30, 2022 is \$2,000 for IUOE Local 234 Roads Unit Contract; \$2,000 for the Teamsters Local 238 Mixed Unit Contract; \$5,000 for the teamsters Local 238 Sheriff's Unit Contract. This flat fee includes all travel, advice and services rendered for preparation for union negotiations, union negotiations, grievance processing up to a demand for arbitration, and other collective bargaining and/or union related activities but does not include any preparation time for time spent for any grievance arbitration hearings and/or interest arbitration hearings which will be billed at the hourly rate above.

Hopkins & Huebner, P.C. Hourly rate is as follows: Shareholder attorney \$180.00 per hour, Associate Attorney \$150.00; Paralegal \$100.00 per hour plus mileage (IRS rate), fees for court filings, fees for expert witnesses, subpoena fees, bulk photocopying by an outside vendor, and express mail and delivery services.

PJ Greufe & Associates, LLC- Hourly rate \$125.00 per hour.

Flat rate of \$4,500 .00 per union contract including negotiations, mediation, and contract administration. (No additional cost for mileage, hotel accommodation, food, or copies.

Discussion followed. The Board postponed until a later date.

The Board reviewed the FY 2020-2021 Library Contract.

Motion by Geerts, Seconded by Byrne to approve and authorize Chairman Signature on the FY 2020-2021 Library Contract. Roll Call: All Ayes. Motion Carried.

Motion by Geerts, Seconded by Byrne to approve Plum Creek Golf Course Association Liquor License. Roll Call: All Ayes. Motion Carried.

Motion by Zoll, Seconded by Geerts to approve Old Bradford Pioneer Village Gift Shop Liquor (wine) License. Roll Call: All Ayes. Motion Carried.

The Board discussed the Credit Card Policy. The Credit card policy was adopted on November 6, 2007. The Board will further research the matter before making any decisions.

Motion by Geerts, Seconded by Byrne to appoint Jacob Hackman to the Floyd-Mitchell-Chickasaw Decaratorization Board (term expires December 31, 2020). Roll Call: All Ayes. Motion Carried.

Motion by Tilkes, Seconded by Byrne to recess at 10:45 AM.

Sue Breitbart and Shirley Troyna left at 10:45 AM.

The Board reconvened at 11:00 AM electronically with the following member Supervisor Zoll. Also present were Sue Breitbart and Shirley Troyna. Also, electronically from the public were Rick Holthaus and Jeff Bernatz.

Update on the Coronavirus-COVID 19. The Board reviewed the Infectious Disease Action Plan-COVID-19 Pandemic effective April 6, 2020.

Motion by Geerts, Seconded by Tilkes to approve the Infectious Disease Action Plan-COVID-19 Pandemic effective April 6, 2020 as presented. Roll Call: All Ayes. Motion Carried. The County Auditor will e-mail all Department Heads/Elected Officials the Infectious Disease Action Plan-COVID-19 Pandemic effective April 6, 2020 to distribute to their employees.

Sue Breitbach left at 11:14 AM.

Ray Armel and Shirley Troyna left at 11:15 AM.

Dusty Rolando present at 11:18 AM.

Update on the Radio Communication Project.

Motion by Geerts, Seconded by Tilkes to acknowledge and receipt of the Letter of Support to Winneshiek County EMA regarding 6 County Regional testing Lab site and authorize Chairman Signature. Roll Call: All Ayes. Motion Carried.

Motion by Tilkes, Seconded by Geerts to approve Resolution for Noxious Weeds Must Be Destroyed. Roll Call: All Ayes. Motion Carried. RESOLUTION NO. 04-06-20-27 NOTICE TO THE PUBLIC NOXIOUS WEEDS MUST BE DESTROYED Notice is hereby given pursuant to the 2017 Code of Iowa, Chapter 317, Weeds. All owners, occupants, agents and public officials in charge of lands in Chickasaw County, Iowa shall destroy or eradicate noxious weeds standing, being or growing on such lands by effective cutting, tillage cropping or treating with chemicals or a combination thereof, as often as may be required to prevent the weed from blooming and maturing seeds on or before the dates according to the following tables: Group 1 – By June 30 Leafy Spurge, Sour Dock, Smooth Dock, Hoary Cress, Red Sorrel, Musk Thistle, Buckthorn, Perennial Pepper Grass Group 2 – By July 1 Canada Thistle, Russian Knapweed, Wild Mustard, Buckthorn Plantain Group 3 – By July 15 Field Bindweed, Wild Carrot, Multiflora Rose, Quack Grass, Teasel, Velvet Leaf, Puncture Vine, Cocklebur, Bull Thistle, Wild Sunflower, Perennial Sow Thistle, Horse Nettle, Palmar Amaranth, Plumeless Thistle Upon failure to observe this notice, the Weed Commissioner is required to proceed pursuant to the law and have the weeds destroyed, the expense of which shall constitute a lien and be entered as a tax against the land and be collected as other real estate taxes are collected. ADOPTED AND PASSED by the Chickasaw County Board of Supervisors this 6th day of April 2020 A.D. /ss/ Jacob Hackman, Chairman, Chickasaw County Board of Supervisors ATTEST: /ss/ Joan E. Knoll, Chickasaw County Auditor

The Board reviewed the claims.

Motion by Tilkes, Seconded by Byrne to approve the claims in the amount of \$349,426.99. Roll Call: All Ayes. Motion Carried.

Update on the Building/Renovation Project at 516 S. Linn Avenue in New Hampton. Supervisor Geerts informed the Board that he is continuing to work with Mr. Sumner regarding the plans for the building/renovation project.

Supervisor Byrne informed the Board on a meeting held with Juvenile Detention

Motion by Tilkes, Seconded by Byrne to adjourn at Noon. Roll Call: All Ayes. Motion Carried.

Board of Supervisors

ATTEST:

Joan E. Knoll, Auditor