

The Cedar County Board of Supervisors met in regular session at 8:30 a.m. June 23, 2020 with the following members present: Smith, Bell, Gaul, and Chairperson Agne. Supervisor Kaufmann was absent. Members of the public were also present.

The Board viewed correspondence from various agencies.

The Board acknowledged receipt of the following correspondence from:

Dispatch Supervisor Brenda Johnson regarding Barbie Griswold, Dispatcher relieved of her duties her last day was June 18, 2020.

USDA Farm Service Agency regarding Notification of Base Acres, PLC Yields, Elections, HIP and CRP Reductions.

Manure Management Annual Updates submitted by:  
Jeff Salsbery #62843.

It was noted the following Handwritten Disbursement was issued on June 19, 2020 to the Cedar County Treasurer for Benefits, Inc. for an electronic deposit: #423853 for \$3,194.21-self funded medical claims.

Moved by Sup. Gaul seconded by Sup. Smith to approve the agenda.

Ayes: All

Absent: Kaufmann

Chairperson Agne addressed the public for comments. EMA Director Freet shared the flood outlook with the Board. It appears the Cedar River will crest in Cedar County on Thursday or Friday morning.

Moved by Sup. Bell seconded by Sup. Gaul to approve the Board Minutes of June 16, 2020.

Ayes: All

Abstain: Smith

Absent: Kaufmann

Moved by Sup. Gaul seconded by Sup. Smith to approve Payroll Disbursements #181893-182055 for the period ending June 13, 2020 and to be paid on June 19, 2020. Solid Waste and Conservation Comp time payout disbursements #182056-182067 to be paid on June 19, 2020.

Ayes: All

Absent: Kaufmann

The Board reported on Outreach/Committee Meetings they attended. Sup. Agne mentioned the Governor's visit and the partnership between the EMA and Public Health Departments.

Moved by Sup. Bell seconded by Sup. Gaul to approve the FY20/21 Salary letters.

Ayes: All

Absent: Kaufmann

Discussion was held regarding the tax collection still due. Auditor Dauber mentioned the transfer to Secondary Roads will be short due to the tax collection and sale will not be completed in this fiscal year. She requested after the tax sale a resolution be prepared to transfer the remaining monies to the Secondary Road Fund. The board requested the Treasurer Delaney to come into the board room. Sup. Bell asked how much tax dollars are still due. Treasurer Delaney did not have that information. Further discussion was held. Treasurer Delaney left the board room to obtain the requested information.

The agenda items regarding the COVID-19 Grant will be discussed next week due to further information was not available.

Auditor Dauber met with the Board to discuss the proposed job description for the IT Director. Sup. Bell mentioned a couple revisions to be made by the Auditor. Auditor Dauber emailed the proposed job description to other IT Directors and Mike Galloway for review. Auditor Dauber will post the job on the IT website, post on the bulletin board and in the newspapers.

Moved by Sup. Smith seconded by Sup. Agne to approve the IT Director job description.

Ayes: All

Absent: Kaufmann

Engineer Fangmann met with the Board to review the 2020 Bridge Embargo Resolution. Engineer Fangmann informed the board that HF 2502 relates to construction vehicles that would have to get permission from the County Engineer to run certain county roads. That part of the law was taken out therefore it opened it up all the bridges to the primary table rating. SF 356 was a compromise to only allow travel on the paved road system, which failed. Engineer has to analyze the bridges to the primary table rating. The max loads posting changed from 28-40-40 to 38-48-48. Engineer Fangmann tried to have the least impact on the county, he had Calhoun - Burns rate all the bridges. There are a total of 28 bridges impacted by the law change and of them, 21 have bridge postings. The citizens have the responsibility to abide by the law for the limit of the load to haul. The estimated cost to the county for the labor and signs will be \$25,000.

Moved by Sup. Smith seconded by Sup. Gaul to approve the 2020 Bridge Embargo Resolution. Sup. Bell does not agree with the law.

## **BRIDGE EMBARGO**

### **RESOLUTION**

WHEREAS: The Board of Supervisors is empowered under authority of Sections 321.236 Sub. (8), 321.471 to 321.473 to prohibit the operation of vehicles or impose limitations as to the weight thereof on designated highways or highway structures under their jurisdiction, and

WHEREAS: the Cedar County Engineer has caused to be completed the Structure Inventory and Appraisal of certain Bridge Inspection Standards and has determined (or it has been determined) that they are inadequate for two-lane legal loads at allowable operating stress.

NOW, THEREFORE, BE IT RESOLVED by the Cedar County Board of Supervisors that vehicle and load limits be established and that signs be erected advising of the permissible maximum weights thereof on the bridge listed.

Bridge number 101501 on 300<sup>th</sup> Street in Section 15, T79N, R1W of Farmington Township be limited as follows: 29-48-45 Tons

Bridge number 101540 on 310<sup>th</sup> Street in Section 19, T79N, R1W of Farmington Township be limited as follows: 31-48-47 Tons

Bridge number 101591 on 325<sup>th</sup> Street in Section 26, T79N, R1W of Farmington Township be limited as follows: 37-48-48 Tons

Bridge number 101602 on Union Avenue in Section 28, T79N, R1W of Farmington Township be limited as follows: 32-48-48 Tons

Bridge number 101701 on Newton Avenue in Section 5, T79N, R2W of Rochester Township be limited as follows: One Lane

Bridge number 101811 on 330<sup>th</sup> Street in Section 36, T79N, R2W of Sugar Creek Township be limited as follows: One Lane

Bridge number 101830 on Cemetary Road in Section 12, T79N, R3W of Rochester Township be limited as follows: 29-48-44 Tons and One Lane

Bridge number 102240 on 320<sup>th</sup> Street in Section 26, T79N, R4W of Springdale Township be limited as follows: 33-48-48 Tons and One Lane

Bridge number 102260 on 320<sup>th</sup> Street in Section 27, T79N, R4W of Springdale Township be limited as follows: 29-48-45 Tons

Bridge number 102301 on Buckeye Road in Section 29, T79N, R4W of Springdale Township be limited as follows: One Lane

Bridge number 102311 on Buckeye Road in Section 29, T79N, R4W of Springdale Township be limited as follows: 37-48-48 Tons

Bridge number 102320 on Adams Avenue in Section 30, T79N, R4W of Springdale Township be limited as follows: 32-48-48 Tons and One Lane

Bridge number 102360 on 330<sup>th</sup> Street in Section 35, T79N, R4W of Springdale Township be limited as follows: 26-48-46 Tons and One Lane

Bridge number 102470 on 230<sup>th</sup> Street in Section 12, T80N, R1W of Inland Township be limited as follows: 31-48-47 Tons

Bridge number 103231 on Charles Avenue in Section 16, T80N, R4W of Gower Township be limited as follows: 37-48-48 Tons

Bridge number 103240 on 240<sup>th</sup> Street in Section 18, T80N, R4W of Gower Township be limited as follows: 32-48-48 Tons and One Lane

Bridge number 103280 on Baker Avenue in Section 20, T80N, R4W of Gower Township be limited as follows: 34-48-48 Tons

Bridge number 103550 on 205<sup>th</sup> Street in Section 29, T81N, R1W of Springfield Township be limited as follows: One Lane

Bridge number 103791 on Jackson Avenue in Section 3, T81N, R3W of Red Oak Township be limited as follows: One Lane

Bridge number 103890 on King Avenue in Section 11, T81N, R3W of Red Oak Township be limited as follows: 32-48-48 Tons and One Lane

Bridge number 104170 on 185<sup>th</sup> Street in Section 14, T81N, R4W of Linn Township be limited as follows: 31-48-47 Tons

Bridge number 104241 on Delta Avenue in Section 22, T81N, R4W of Cass Township be limited as follows: 32-48-48 Tons

Bridge number 104331 on 120<sup>th</sup> Street in Section 14, T82N, R1W of Massillon Township be limited as follows: 29-48-45 Tons

Bridge number 104520 on Oxford Junction Road in Section 1, T82N, R2W of Dayton Township be limited as follows: One Truck Sign Series

Bridge number 104600 on Quincy Avenue in Section 11, T82N, R2W of Dayton Township be limited as follows: 34-48-48 Tons and One Lane

Bridge number 104610 on Oxford Junction Road in Section 12, T82N, R2W of Dayton Township be limited as follows: One Truck Sign Series

Bridge number 104690 on 130<sup>th</sup> Street in Section 22, T82N, R2W of Dayton Township be limited as follows: 38-48-48 Tons and One Lane

Bridge number 105010 on Delta Avenue in Section 22, T82N, R4W of Pioneer Township be limited as follows: 32-48-48 Tons and One Lane

Passed and approved this 23<sup>rd</sup> day of June, 2020.

Ayes: All

Absent: Kaufmann

Engineer Fangmann presented a utility permit for McCloud USA Telecommunication Services/Windstream for aerial work on X64. The \$100.00 fee applies.

Moved by Sup. Bell seconded by Sup. Smith to approve the McCloud USA Telecommunication Services/Windstream utility permit.

Ayes: All

Absent: Kaufmann

Engineer Fangmann discussed with the board regarding the certifications of the cranes. He does not want to spend any more money on the maintenance due to the minimum amount of use. The board's consensus was to allow the Engineer to sell them.

Treasurer Delaney updated the Board on the taxes due. As of today, \$340,228 is taxes still due. She informed the board that Mid-Water has not paid since 1985. General discussion was held regarding the process of certification of utilities. The board advised Treasurer Delaney to revisit with the County Attorney Renander for follow-up. Auditor Dauber advised Treasurer Delaney to contact the other taxing authorities and inform them of the amount of taxes due.

Chairperson Agne asked who the two callers were. Sup. Kaufmann stated he has been on the call since 9:05 a.m. and unable to talk. He will be in the meeting shortly. The other caller was Lori Elam.

Lori Elam, Eastern Iowa MH-DS CEO went over amendments that were added to the 28E Agreement. She plans on mailing the agreement to the State next week. Sup. Kaufmann joined the meeting at 9:36 a.m.

Moved by Sup. Smith seconded by Sup. Kaufmann to approve the amended 28E Agreement.  
Ayes: All

Auditor Dauber met with the Board for approval on the FY2020/2021 Resolutions.

Moved by Sup. Gaul seconded by Sup. Kaufmann to approve the issuance of weekly County checks for EFT self-funded health claims and adopt the following:

#### RESOLUTION

WHEREAS, Iowa Code Section 331.506, requires the County Auditor to prepare and sign county checks only after issuance of the check has been approved by the Board of Supervisors by recorded vote; and

WHEREAS, the Board of Supervisors normally approves claims on a weekly basis during a regular Tuesday board meeting; and

WHEREAS, the Board of Supervisors has entered into an agreement with Benefits, Inc. to administer a partially self-funded health insurance, and flex plan for Cedar County, effective July 1, 2020; and

WHEREAS, Benefits, Inc. will provide a check register of claims due to providers to the Cedar County Auditor each Wednesday via e-mail for approval and authorization; and

WHEREAS, Benefits, Inc. will not issue payment to vendors identified on the approved and authorized check register of claims, until they are in receipt of a county check in the amount approved; and

WHEREAS, the Board of Supervisors has determined it is in the best interest of the county to process and expedite payment in a timely manner,

IT IS HEREBY RESOLVED, the County Auditor is authorized and directed by the Board of Supervisors to execute a county check to Benefits, Inc. each week, in the amount approved by the Cedar County Auditor. Documentation reflecting each check issued shall be provided to the Board of Supervisors in a timely manner for notation in the official minutes of a board meeting.

Passed and approved this 23<sup>rd</sup> day of June 2020.

Ayes: All

Moved by Sup. Smith seconded by Sup. Agne to approve Property Tax Credits/Exemptions to be funded at 100% for Homestead, Disabled Veteran's Homestead, Elderly and Military and adopt the following:

#### RESOLUTION

Whereas, the State of Iowa has appropriated moneys for fiscal year July 1, 2020 through June 30, 2021, which moneys are sufficient to fund the various local property tax credits/exemptions fully,

And, whereas, Iowa Code Section 25B.7 requires local governments to extend to the taxpayers only those portions of the property tax credits/exemptions that are estimated by the Iowa Department of Revenue to be funded by the state appropriation,

And, whereas the Iowa Department of Revenue has estimated the percentages of funding for the affected property tax credits/exemptions as follows: Homestead Tax Credit - 100%, Elderly and Disabled Tax Credit - 100%, Military Service Property Tax Exemption - 100%,

Now, therefore, be it resolved pursuant to Iowa Code Section 25B.7 that the property tax credits/exemptions in Cedar County for fiscal year July 1, 2020 through June 30, 2021 shall be funded as follows:

<b>Homestead Credit</b>	<b>100%</b>
<b>Disabled Veteran's Homestead Credit</b>	<b>100%</b>
<b>Low-Income, Elderly, Disabled Credit</b>	<b>100%</b>
<b>Military Exemption</b>	<b>100%</b>

Passed and approved this 23<sup>rd</sup> day of June 2020.  
Ayes: All

General discussion was held regarding the appropriations by departments, due to the unknown of tax collections and COVID-19. Sup. Bell stated the intent is not to appropriate, just at this time they do not know.

Moved by Sup. Gaul seconded by Sup. Bell to approve the FY20/21 Departmental Appropriations funding at 90%.

#### APPROPRIATIONS RESOLUTION

WHEREAS, it is desired to make appropriations for each of the different officers and departments for the fiscal year beginning July 1, 2020, in accordance with Section 331.434, subsection 6, Code of Iowa.

NOW THEREFORE, be it resolved by the Board of Supervisors of Cedar County, Iowa, as follows:

Section 1. The amounts itemized by fund and by department or office on the attached schedule are hereby appropriated from the resources of each fund so itemized, to the department or office schedule.

Section 2. Subject to the provisions of other county procedures and regulations, and applicable state law, the appropriations authorized under Section 1 shall constitute authorization for the department or officer listed to make expenditures or incur obligations, from the itemized fund, effective July 1, 2020.

Section 3. In accordance with Section 331.437, Code of Iowa, no department or officer shall expend or contract to expend any money or incur any liability, or enter into any contract, which by its terms involves the expenditure of money for any purpose in excess of the amounts appropriated pursuant to this Resolution.

Section 4. If at any time during the 2020-2021 budget year the Auditor shall ascertain that the available resources of a fund for this year will be less than said fund's total appropriations, she shall immediately so inform the Board and recommend appropriate corrective action.

Section 5. The Auditor shall establish separate accounts for the appropriations authorized in Section 1, each of which account shall indicate the amount of the appropriation, the amounts charged thereto, and the unencumbered balance. The Auditor shall report the status of such accounts to the applicable departments and officers (monthly) during the 2020-2021 budget year.

Section 6. The appropriations authorized pursuant to this Resolution lapse at the close of business June 30, 2021.

The above and foregoing Resolution was adopted by the Board of Supervisors of Cedar County, Iowa, on June 23, 2020, the vote thereon being as follows:

Ayes: All

Auditor Dauber mentioned to the Board that at budget time she budgeted to operate her department at 100% appropriation. Sup. Kaufmann noted to revisit in September. Sup. Bell mentioned after the tax collections they will know more of where it stands.

Moved by Sup. Bell seconded by Sup. Kaufmann to approve the Rural Services Transfer to the Solid Waste Department and adopt the following:

## TRANSFER RESOLUTION

WHEREAS, it is desired to make transfers during fiscal year 2020-2021, from Rural Services Basic Fund to Solid Waste Fund in accordance with Section, 331.428 of the Code of Iowa;

NOW THEREFORE, be it resolved by the Board of Supervisors of Cedar County, Iowa, as follows:

- 1) A transfer in the amount of \$25,000 shall be made from the Rural Services Basic Fund to the Solid Waste Fund during the month of October, 2020.
- 2) A transfer in the amount of \$25,000 shall be made from the Rural Services Basic Fund to the Solid Waste Fund during the month of April, 2021.

The Auditor is hereby directed to correct her books accordingly and to notify the Treasurer of this operating transfer.

The above and foregoing Resolution was adopted by the Board of Supervisors of Cedar County, Iowa, on June 23, 2020, the vote thereon being as follows:

Ayes: All

Moved by Sup. Bell seconded by Sup. Kaufmann to approve the Rural Services Transfer to the Secondary Road Department and adopt the following:

### RESOLUTION FOR INTERFUND OPERATING TRANSFER

WHEREAS, it is desired to authorize the Auditor to periodically transfer sums from the General Basic and Rural Services Basic Funds to the Secondary Road Fund during the 2020-2021 budget year, and

WHEREAS, said transfers must be in accordance with Section 331.432, Code of Iowa,

NOW THEREFORE, be it resolved by the Board of Supervisors of Cedar County, Iowa, as follows:

Section 1. The total maximum transfer from the General Basic Fund to the Secondary Road Fund for the fiscal year beginning July 1, 2020 shall not exceed the sum \$0 and the total maximum transfer from the Rural Services Basic Fund to the Secondary Road Fund for the fiscal year beginning July 1, 2020 shall not exceed the sum of \$2,645,448.

Section 2. Within 30 days of being notified of the apportionment of current property taxes, to the General Basic or Rural Services Basic Fund, the Auditor shall order a transfer from said fund to the Secondary Road Fund.

Section 3. The amount of the transfer required by Section 2 shall be equal to the apportionment made under Section 2 to the General Basic or Rural Services Basic Fund, respectively, multiplied by the ratio of said fund's total current property tax levy.

Section 4. Notwithstanding the provisions of Section 2 and 3 of this Resolution, total transfers to the Secondary Road Fund shall not exceed the amounts specified in Section 1.

Section 5. Notwithstanding the provisions of Section 2 and 3, the amount of any transfer shall not exceed available fund balances in the transferring fund.

Section 6. The Auditor is directed to correct his/her books when said operating transfers are made and to notify the Treasurer and County Engineer of the amounts of said transfers.

The above and foregoing Resolution was adopted by the Board of Supervisors of Cedar County, Iowa, on June 23, 2020, the vote thereon being as follows:

Ayes: All

Auditor Dauber called Gary Crock, Transfer Station Director for clarification of the transfer. Director Crock stated the money would be used to purchase an end loader. Sup. Kaufmann asked him how things were going at the Transfer Station. Crock informed the board that the office is still closed, they took possession of the new trailer and it is in use and overall they are in pretty good shape.

Moved by Sup. Bell seconded by Sup. Smith to approve the Interfund Operating Transfer to Solid Waste Department and adopt the following:

#### RESOLUTION FOR INTERFUND LOAN

WHEREAS, it is desired to authorize the Auditor to transfer a sum from the General Basic Fund to the Solid Waste Fund during the 2020-2021 budget year, and

WHEREAS, said interfund loan transfer must be in accordance with Section 331.477(2), Code of Iowa,

NOW THEREFORE, be it resolved by the Board of Supervisors of Cedar County, Iowa, as follows:

The interfund loan transfer from the General Basic Fund to the Solid Waste Fund in the amount of \$175,000.00, with anticipated repayment will be no later than the end of 2023-2024 fiscal year, which will include two percent interest.

The Auditor is directed to correct her books when said loan transfers are made and to notify the Treasurer of the amount of the said transfer.

The above and foregoing Resolution was adopted by the Board of Supervisors of Cedar County, Iowa, on June 23, 2020, the vote thereon being as follows:

Ayes: All

CPC Director Tischuk met with the Board to discuss the resolution regarding amending the Eastern Iowa MHDS Region 28E Agreement to oppose pooling local tax revenues into one region fund and eliminating the funding for services at the individual county level.

Moved by Sup. Bell seconded by Sup. Agne to approve the following resolution.

#### RESOLUTION

WHEREAS, the Cedar County Board of Supervisors recognizes the changes made to the Eastern Iowa MHDS Region's Amended 28E Agreement, and

WHEREAS, the Cedar County Board of Supervisors recognize that in Section 2: PURPOSE AND GOALS of the 28E Agreement that the member counties entered into the 28E Agreement to create a mental health and disability service regional administrative entity as described in Iowa Code 331.338 et seq. to provide local access to mental health and disability services for adults and behavioral health services for children and to engage in any other related activity in with an Iowa 28E organization may lawfully be engaged.

WHEREAS, the Cedar County Board of Supervisors also recognizes that Section 7: REGION FINANCES, 7.0-Management & Expenditure of Funding outlines that the Governing Board through its budget adoption authorizes expenditures of funds at the county and regional level. The regional funds are used to fund crisis services, administrative services, new service programs, revenue shortfalls anticipated through the budget process by a member county and any other expenditure deemed appropriate by the Governing board. Each member county will prepare individual county budgets to determine their county's projected service, required fund balance and revenue levels.

NOW, THEREFORE, BE IT AGREED AND RESOLVED BY THE CEDAR COUNTY BOARD OF SUPERVISORS THAT:

The Cedar County Board of Supervisors favors continued use of a "hybrid method" of apportioning Region dollars that has a regionally managed account of pooled funds for region program development/region services while allowing individual counties to maintain funding and expenditures for services based on local tax revenues.

The Cedar County Board of Supervisors opposes pooling local tax revenues into one region fund and eliminating the funding for services at the individual county level.

PASSED AND APPROVED ON June 23, 2020

Ayes: All

CPC Director Tischuk asked the board for direction on the county vehicle her office utilizes. The board consensus was to email the Department Heads to see if anyone can use it. If not, it can be sold by sealed bid, Sharpless or Purple Wave. She can revisit with the board next week.

EMA Director Freet provided a COVID-19 update. The grant was approved for the temporary position, although she did not receive confirmation on what rate. She will follow up. Her office distributed approximately 2,400 newsletters.

Sup. Kaufmann informed the board that Engineer Fangmann did not give himself enough credit regarding the bill. He was really heavily involved in lobbying against the bill. Sup. Kaufmann stated the legislators did not hear from the Engineers statewide. This is not a good law.

Sup. Agne updated the board that an inspector is on the bridge north of Stanwood watching the drainage district.

Sup. Kaufmann asked the board if they would entertain a resolution being prepared to minimize the trees that will be removed between Lime City overpass and the Wilton interchange due to the Interstate 80 widening. The board members had no objection. Sup. Kaufmann will create a resolution.

Sup. Bell informed the board the delivery date of the glass has been changed to June 29<sup>th</sup>.

Moved by Sup. Smith seconded by Sup. Kaufmann to adjourn at 10:20 a.m., to June 30, 2020.  
Ayes: All

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Cari A. Dauber, Auditor

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Steve Agne, Chairperson