

The Cedar County Board of Supervisors met in regular session at 8:30 a.m. August 4, 2020 with the following members present: Smith, Bell, Gaul, Kaufmann and Chairperson Agne. Members of the public were also present.

The Board viewed correspondence from various agencies.

The Board acknowledged receipt of the following correspondence from:

Auditor Dauber regarding Stephanie Wiese, Clerk completing six-month probation effective August 3, 2020.

Veterans Affairs Service Officer Hamann approved July reports and minutes from June 24, 2020 meeting.

Iowa County Engineers Association regarding Review of Restoration of Agriculture Lands During and After Pipeline Construction, Docket No. RMU-2016-0013.

Lukas Gottschalk, Park Ranger Notice of Voluntary Resignation effective 7/24/2020.

Cedar County Planning & Zoning Commission minutes from July 15, 2020.

Manure Management Annual Updates submitted by:

Jeff Graves #66830 for a site at 2234 – 340th Street, Wilton.

Tom Whetstone #67457 for a site at 1633 300th Street, Wilton.

Nick Sander #71146 for a site at 1969 110th Street, Clarence.

It was noted the following Handwritten Disbursement was issued on 7/31/2020 to the Cedar County Treasurer for Benefits, Inc. for an electronic deposit: #424295 for \$1,865.02-self funded medical claims.

Moved by Sup. Gaul seconded by Sup. Smith to amend the agenda to remove the Action on Determination of Level of Review Environmental Review Record and add a resolution Residential Anti-Displacement & Relocation Assistance Plan.

Ayes: All

Absent: Kaufmann

Chairperson Agne addressed the public for comments: Mary Swan mentioned she is frustrated that the City Offices are not open.

Moved by Sup. Smith seconded by Sup. Bell to approve the Board Minutes of July 28, 2020.

Ayes: All

Absent: Kaufmann

Moved by Sup. Bell seconded by Sup. Gaul to approve Payroll Disbursements #182384 - #182539 for the period ending July 25, 2020 and to be paid on July 31, 2020.

Ayes: All

Absent: Kaufmann

Moved by Sup. Smith seconded by Sup. Agne to renew a 12-month Class C Beer Permit with Sunday Sales for Pilot Travel Center.

Ayes: All

Absent: Kaufmann

The Board reported on Outreach/Committee Meetings they attended. Sup. Kaufmann entered the meeting at 8:39 a.m.

At 8:45 a.m. Chairperson Agne opened the public hearing to solicit comments on the County's application to the Community Development Block Grant COVID-19 infectious disease response to the Iowa Economic Development Authority. Brian Wagner, City Administrator for the City of Tipton was present. The Board discussed the need to respond to the needs of the County resulting from the COVID-19 pandemic. The application proposes that the County acquire two power cots for the City of Mechanicsville and the City of Tipton. The application was submitted on April 9, 2020. The proposed project will be in the amount of \$89,356 including all activities. The County requested \$105,456 in CDBG funds. The program will meet the Urgent Need HUD national objective by meeting the urgent need of the County that resulted from the COVID-19 pandemic

and the percent of the funds benefitting low-to-moderate income persons may not be determined. By design, no displacement will occur. If displacement is necessary, the City will comply fully with the Uniform Relocation Act and Section 104(d). Chairperson Agne, closed the public hearing at 8:55 a.m. with no objections on file.

Other Comments during the hearing or after by board members as appropriate.

Moved by Sup. Smith seconded by Sup. Gaul to approve the resolution endorsing the CDBG application and submission and authorizing the Chairperson to sign the CDBG contract and related documents.

RESOLUTION

WHEREAS, the Iowa Economic Development Authority (IEDA) has invited applications for Community Development Block Grant (CDBG) funding to assist communities with necessary public services to support citizens in response to the COVID-19 virus; and

WHEREAS, Cedar County has identified the need for the Power Cots to assist with EMS; and

WHEREAS, Cedar County desires to acquire the Power Cots; and

NOW THEREFORE BE IT RESOLVED that Cedar County Supervisors do hereby endorse and support the CDBG Application and its submission and authorizes the Chairperson to sign the CDBG Application, contract, and related documents.

Ayes: All

Moved by Sup. Bell seconded by Sup. Kaufmann to approve and authorize Chairperson Agne to sign the Affirmative Fair Housing Policy.

Ayes: All

Moved by Sup. Gaul seconded by Sup. Smith to approve and authorize Chairperson Agne to sign the Code of Conduct Policy.

Ayes: All

Moved by Sup. Smith seconded by Sup. Bell to approve and authorize Chairperson Agne to sign the Equal Opportunity Policy Statement.

Ayes: All

Moved by Sup. Kaufmann seconded by Sup. Gaul to approve and authorize Chairperson Agne to sign the Policy Prohibiting the Use of Excessive Force Against Individuals Engaging in Non-Violent Civil Rights Demonstrations.

Ayes: All

Moved by Sup. Bell seconded by Sup. Smith to approve and authorize Chairperson Agne to sign the Procurement Policy.

Ayes: All

Moved by Sup. Bell seconded by Sup. Gaul to approve and authorize Chairperson Agne to sign the Residential Anti-Displacement and Relocation Assistance Plan.

Ayes: All

Moved by Sup. Kaufmann seconded by Sup. Agne to approve the following resolution:

RESOLUTION RESCINDING CONDITIONAL REZONING AGREEMENT

WHEREAS, a Conditional Rezoning Agreement and a change in zoning from A-1, Agricultural District to AR-1, Agricultural Recreational District for Dr. Gene V. Mueller and Elizabeth Mueller, and their assigns, heirs or successors in interest had been approved by the Cedar County Board of Supervisors in accordance with Chapter 18.2(3) of the Cedar County Zoning Ordinance, Number 10, and the Code of Iowa Chapter 335.7, on October 14, 1998, and

the Conditional Rezoning Agreement recorded in the office of the Cedar County Recorder, in Book 406, Pages 70-72, on October 16, 1998; and

WHEREAS, the parcels incorporated in the above-referenced Conditional Rezoning Agreement were sold by Dr. Gene V. Mueller to NOSO, LLC on July 9, 2020.

WHEREAS, Cedar County received written notice from Nate Orvis and Susan Orvis, members of NOSO, LLC on July 16, 2020, that the parcels are no longer utilized as a public golf course, thereby terminating the above-referenced Conditional Rezoning Agreement.

WHEREAS, the Conditional Rezoning should be rescinded, the property should re-zoned to A1 Agricultural District, and property should hereafter be used only in conformity with all the district regulations established by the Cedar County Zoning Ordinance, Number 10, for the district in which the property is located.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Cedar County, Iowa, that the Conditional Rezoning Agreement, for Dr. Gene V. Mueller and Elizabeth Mueller and their assigns, heirs or successors in interest, including NOSO, LLC, be rescinded on the part of Cedar County, Iowa, the property be rezoned to A1 Agricultural District, and the Official Zoning Map amended in accordance with Chapter 4.3, Ordinance Number 10, this 4th day of August, 2020.

Passed and approved this 4th day of August, 2020

Ayes: All

Abstain: Bell

Auditor Dauber informed the Board she will follow up with Attorney Bob Josten regarding the Urban Renewal Area and TIF District. Sup. Bell mentioned the possibility of revising the Urban Renewal Area. Dauber stated she will find out the details and report back to the Board.

At 9:00 a.m. the Department Head meeting was held with the following department heads present in the board room or called into the meeting and provided a departmental update. Chief Deputy Sheriff Koranda, Engineer Fangmann, CPC Tischuk, Auditor Dauber, E&Z Director LaRue, Recorder Bahnsen, Conservation Director Dauber, Treasurer Delaney, Attorney Renander, Interim Public Health Director Butler, and Veteran Affairs Officer Hamann. Discussion was held regarding retaining the visitor logs. Consensus of the board was to retain for 28 days and to have the log be kept at the check in desk instead of by each department.

At 9:30 a.m. a public hearing was held on the following petitions: Jerry Rogers, 1319 240th St., Tipton, IA (Owner) – Requesting a change in zoning from A-1 Agricultural District to R-1 Suburban Residential District for the purpose of allowing construction of a single-family dwelling on property located in Lot 3, in the E ½ SW ¼ Section 8, T-80N, R-2W, in Center West Township. Said petition is to rezone 1.93 acres of a 21.59 acre tract. Environmental and Zoning Director LaRue and Jerry Rogers were in attendance. There were no written or verbal objections on file. Review and discussion was held.

Moved by Sup. Kaufmann seconded by Sup. Smith to approve the petition as defined above.

Ayes: All

Matt Moore, 1343 Baker Ave., West Branch, IA (Owner) – Requesting a change in zoning from A-1 Agricultural District to R-1 Suburban Residential for the purpose of allowing construction of a single-family dwelling on property described as Lot 1, Turkey Hollow First Addition, located in the NW ¼ NE ¼ Section 7, T-80N, R-4W, in Gower Township. Said petition is to rezone 1.45 acres of a 9.11 acre tract. Environmental and Zoning Director LaRue and Matt Moore were in attendance. There were no written or verbal objections on file. Review and discussion was held.

Moved by Sup. Kaufmann seconded by Sup. Gaul to approve the petition as defined above.

Ayes: All

The board discussed the application for the Zoning Commission that was submitted to E & Z Director LaRue by James Knox. It was the consensus of the Board that action will not be taken at this time. The Board will continue to accept applications for these vacancies.

At 10:00 a.m. the Board took a five-minute recess. The Board reconvened at 10:05 a.m.

Auditor Dauber met with the Board to discuss applications for the IT Director.

Moved by Sup. Bell seconded by Sup. Smith to go into close session pursuant to the Code of Iowa 21.5(1i) to discuss IT Director positions.

Ayes: All

Moved by Sup. Kaufmann seconded by Sup. Smith to go out of close session at 10:40 a.m.

Ayes: All

No decisions were made.

Moved by Sup. Bell seconded by Sup. Gaul to adjourn at 10:45 a.m., to August 11, 2020.

Ayes: All

Cari A. Dauber, Auditor

Steve Agne, Chairperson