

TIPTON, IOWA

February 27, 2024

The Cedar County Board of Supervisors met in regular session at 8:30 a.m. February 27, 2024 with the following members present: Bixler, Barnhart, Gaul, Kaufmann, and Chairperson Bell. Members of the public were also present.

The Board viewed correspondence from various agencies.

The Board acknowledged receipt of the following correspondence from:

Veterans Affairs Service Officer Hamann approved January/February reports and approved minutes from December 13, 2023.

WTC Communications, F & B Communications and Clarence Telephone Company regarding fiber updates.

Teresa King, Auditor Clerk Notice of Voluntary Resignation effective 2/26/2024.

Manure Management Annual Updates submitted by:

Edward Pelzer #59732 for a site at 1511 250<sup>th</sup> Street, Tipton.

John Sander – Taylor Site #61913 for a site at 724 Taylor Avenue, Lowden.

John Sander Berry Site #68045 for a site at 761 Union Avenue, Lowden

It was noted the following Handwritten Disbursement was issued on 2/23/2024 to the Cedar County Treasurer for Benefits, Inc. for an electronic deposit: #437913 for \$139.75-self funded medical claims.

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

Ayes: All

Chairperson Bell addressed the public for comments. EMA Director Freet provided a letter to Board members that Cities and Townships received regarding upcoming meetings with MCM Consulting.

Moved by Sup. Barnhart seconded by Sup. Bixler to approve the Board Minutes of February 20, 2024.

Ayes: All

Moved by Sup. Gaul seconded by Sup. Kaufmann to approve Payroll Disbursements #196604-196756 for the period ending 2/17/24 and to be paid on 2/23/24.

Ayes: All

Moved by Sup. Bixler seconded by Sup. Kaufmann to approve a 12-month renewal for Cedar County Fair Class C Retail Alcohol license with Outdoor Service effective 4/1/2024.

Ayes: All

The Board reported on Outreach/Committee Meetings they attended.

Moved by Sup. Kaufmann seconded by Sup. Barnhart to elect Chairperson Bell to the Cedar County Radio Governance Board.

Ayes: All

Sup. Bell informed the Board that the new generator will need to be moved from where the permanent placement was set to be. The proposed area is further east due to wires going into the Courthouse. The Board left the Boardroom to view the proposed area. Bell said they had two options when hooking up the new generator. They could either rent a generator to power the building for 4-5 days with an estimated cost of \$5,600 or commission the new generator onsite in the parking lot to use until the permanent spot was ready with an estimated cost of \$1,500. Consensus of the Board was to commission the new generator onsite in the parking lot to use until permanent placement was completed.

Environmental and Zoning Director LaRue met with the Board to set public hearing dates for the following petition: Gary and Rita Burmeister, 1363 Rose Avenue, Tipton, IA, (Owners) - Requesting a change in zoning from A-1 Agricultural District to AR-1 Agricultural Recreational District for the purpose of constructing a recreational cabin at 313 150th St., Mechanicsville, IA,

on property located in the SW ¼, SW ¼, Section 27, T-82N, R-4W, in Pioneer Township. Said petition is to rezone 1.00 acres of a 19.5 acre tract.

Moved by Sup. Bixler seconded by Sup. Kaufmann to set public hearing dates at 9:30 a.m. on 3/12/2024 and 3/19/2024.

Ayes: All

Moved by Sup. Barnhart seconded by Sup. Bixler to approve following Resolution for permit fees effective 3/1/2024:

RESOLUTION

Whereas, the Cedar County Board of Supervisors pursuant to the Code of Iowa, 2023, Chapters 331.302(1), 335 and 354, may by resolution, establish fees for zoning permits, variances, appeals and petitions, in accordance with Ordinance No. 9, Subdivision Ordinance, Chapter 9.8 and Ordinance No. 10, Zoning Ordinance, Chapters 17.9 and 18.2, of the Cedar County Code of Ordinances.

Now, Therefore Be It Resolved by the Board of Supervisors of Cedar County, Iowa, that the following fees shall be charged and made payable to the Treasurer of Cedar County, Iowa at the time of filing of all zoning permits, variances, appeals and petitions in the Office of the Cedar County Zoning Administrator.

Chapter 17.9 Zoning Permit Fees:

Residential Dwelling	\$200.00
Residential Addition	\$150.00
Accessory Structure	\$100.00
Commercial Structure	\$300.00 + \$1.00 for every \$1,000.00 in construction costs over \$100,000.00
Commercial Communication Towers	\$1,000.00
C-WECS	\$1,000.00
US-SES	\$1,000.00

Chapter 17.8 Failure to acquire a permit prior to beginning construction doubles the application fee.

Special Use Permit	\$200.00
Home Occupation/Home Industry Permit	\$200.00
Variance Petition	\$200.00
Appeal	\$200.00

Chapter 18.2(1) Zoning Petitions \$200.00 + \$10.00 for each whole acre to be rezoned over 6 acres

Chapter 9.8 Subdivision Petitions \$200.00 Minor Subdivision \$300.00 Major Subdivision + \$10.00 per lot for any subdivision over 6 lots

The foregoing resolution having been adopted on the 1<sup>st</sup> day of March, 2024.

Ayes: All

EMA Director Freet met with the Board to update them on the BRIC grant. Due to a Federal error on the grant, we will have a \$5,500 shortfall. Freet said she could possibly apply for a Community Foundation grant to cover the shortfall.

Moved by Sup. Kaufmann seconded by Sup. Bixler to authorize EMA Director Freet to apply for Community Foundation grant for up to \$5,000.

Ayes: All

Moved by Sup. Barnhart seconded by Sup. Kaufmann to authorize and approve Resolution awarding project number STP-S-C016(117)--5E-16, resurfacing of X54 from Interstate 80 to the Muscatine County Line:

RESOLUTION

WHEREAS, the Board of Supervisors, hereafter referred to as "the Board", believes the STP-S-C016(117)-5E-16, hereafter referred to as "the project" is in the best interest of Cedar County, Iowa, and the residents thereof. The project is defined as HMA Resurfacing of X54 from the Muscatine County Line north 3.5 miles to Interstate 80; and

WHEREAS, the Board has sought appropriate professional guidance for the concept and planning for the project and followed the steps as required by the Code of Iowa for notifications, hearings, and bidding/letting; and

WHEREAS, The Board finds this resolution appropriate and necessary to protect, preserve, and improve the rights, privileges, property, peace, safety, health, welfare, comfort, and convenience of Cedar County and its citizens, all as provided for in and permitted by section 331.301 of the Code of Iowa; and

IT IS THEREFORE RESOLVED by Board to accept the bid from Manatt's Inc. in the amount of \$1,869,200.67 and awards the associated contract(s) to the same;

BE IT FURTHER RESOLVED that all other resolutions or parts of resolutions in conflict with this resolution are hereby repealed. If any part of this resolution is adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the resolution or action of The Board as a whole or any part thereof not adjudged invalid or unconstitutional. This resolution shall be in full force and effect from and after the date of its approval as provided by law; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Cedar County, Iowa, that after receiving the necessary contract documents, including but not limited to, the contractor's bond and certificate of insurance, Robert D. Fangmann, the County Engineer for Cedar County, Iowa, be and is hereby designated, authorized, and empowered on behalf of the Board of Supervisors of said County to execute the contracts in connection with the afore awarded construction project let through the DOT for this county.

Dated at Cedar County, Iowa, this 27th day of February, 2024.  
Ayes: All


Moved by Sup. Gaul seconded by Sup. Barnhart to approve a utility permit for McCloud/Windstream on 325<sup>th</sup> Street and waive the \$100 fee.  
Ayes: All

Engineer Fangmann gave project updates.

The Board recessed for five minutes.

Finance Director Dauber gave the Board updated fund balances and discussed levy rates. Dauber will be in next week to set public hearing dates for FY24/25 proposed property tax levy.

Moved by Sup. Gaul seconded by Sup. Barnhart to adjourn at 10:15 a.m. to March 5, 2024.  
Ayes: All

  
Stephanie Wiese, Auditor

  
Jon Bell, Chairperson