

The Cedar County Board of Supervisors met in regular session at 8:30 a.m. February 23, 2021 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:
Brenda Johnson, Office Manager submitted a notice stating Megan P. Miller has been hired as a dispatcher effective February 22, 2021 at the rate of \$18.08 hourly.
Angela Knox, Home Health Division Manager submitted a voluntary separation for Robin Hetzler effective February 28, 2021.
Kent Rosenberg, CPCU Gallagher email correspondence inquiry on insured for Professional/Cyber Liability regarding the Acuity Scheduling software.
Chief Deputy Koranda submitted a notice of hiring Kendall Kray, Correctional Officer effective March 7, 2021 at the rate of \$18.08 hourly.

Manure Management Annual Updates submitted by:
Valley View Farms, Inc. for a site at 642 280th Street, West Branch.

It was noted the following Handwritten Disbursement was issued on February 19, 2021 to the Cedar County Treasurer for Benefits, Inc. for an electronic deposit: #426413 for \$2,637.34-self funded medical claims.

Moved by Sup. Kaufmann seconded by Sup. Smith to approve the agenda.
Ayes: All

Chairperson Agne addressed the public for comments and there were none.

Moved by Sup. Bell seconded by Sup. Gaul to approve the Board Minutes of February 16, 2021.
Ayes: All

Moved by Sup. Smith seconded by Sup. Bell to approve Claim Disbursements #426260 - #426412 paid on February 18, 2021.
Ayes: All

The Board reported on Outreach/Committee Meetings they attended.

CPC Director Tischuk met with the Board and provided an update on the Mental Health Region budget. All five counties have budgeted at the max levy rate. The Region is still in the budget process and have not set the levies. General discussion was held regarding current services and the projected ending fund balances for all the counties in the Region. Tischuk will provide an update to the Board on March 9th.

HIPAA Compliance Officer Tischuk met with the Board to provide additional information she received from Ann Smisek, Attorney for Ahlers Cooney P.C., regarding the revised Sanction Policy and how this would affect the union employees. Smisek advised Tischuk that she reviewed the collective bargaining agreements and saw no conflict or difference on how this policy would apply to union employees. None of the contracts have discipline or discharge provisions or transfer provisions so she believes this HIPAA policy could be applied the same to all county employees. Smisek agreed that the revised policy goes into greater detail on the process and sanctions.

Moved by Sup. Smith seconded by Sup. Bell to approve the Sanction Policy and the policy will be placed in the HIPAA Policy Manual and Employee Handbook.
Ayes: All

At 9:00 a.m. the public hearing for the Proposed Property Tax Levy was held. Chairperson Agne read the legal notice. There were no verbal or written comments.

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

Maximum Property Tax Dollars Resolution
Approval of FY2022 Maximum Property Tax Dollars

WHEREAS, the Cedar County Board of Supervisors have considered the proposed FY2022 county maximum property tax dollars for both General County Services and Rural County Services, and

WHEREAS, a notice concerning the proposed county maximum property tax dollars was published as required and posted on county web site and/or social media accounts if applicable,

WHEREAS, a public hearing concerning the proposed county maximum property tax dollars was held on February 23, 2021,

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Cedar County that the maximum property tax dollars for General County Services and Rural County Services for FY2022 shall not exceed the following:

General County Services- \$6,796,947
Rural County Services- \$2,816,261

The Maximum Property Tax dollars requested in General County Services for FY 2022 represents an increase of 102% from the Maximum Property Tax dollars requested for FY 2022.

The Maximum Property Tax dollars requested in Rural County Services for FY 2022 does not represent an increase of 102% from the Maximum Property Tax dollars requested for FY 2022.

Ayes: All

Maggie Burger, Sr. Vice President of Speer Financial met with the Board, via conference call to review the 10-, 12- and 15-year debt schedules for bonding. Sheriff Wethington and EMA Director Freet was in attendance. Burger informed the Board the bonds are sold in \$5,000 increments; the schedule is subject to change due to the interest rate will be set at the day of the bond sale and the schedules are conservative because they do not have increases valuation growth. Final schedules will be provided after the bond sale. Sup. Bell inquired about pre-paying the bonds. Burger informed the Board the bonds can be prepaid until after the 6th year of a 10-year schedule, 7th year of a 12-year schedule or the 8th year of a 15-year schedule. Sup. Kaufmann asked Burger what other small rural counties that are in the same predicament as Cedar are doing? Burger stated the majority of the counties have set the prepayment schedules to 12 or 15-year. Sup. Kaufmann stated the 10-year and 12-year are aggressive and he would consider the 15-year schedule due to the following factors: interest rates is low, potential growth in the valuation, option to prepay the bonds and it is less aggressive. Sup. Smith had concerns of the length of the 15-year schedule due to the life span, improvements and/or replacements of the radios before the bonds were paid off. Burger usually stated the useful life of a radio is 5-7 years and the estimated cost of the radios and pagers are \$1.3 million, therefore the radio portion of the debt will be paid for in the first 3-4 years. Discussion was held on the timeline of the mandatory public hearings and sale of the bonds. Burger informed the Board; at the public hearing you will want to set the not to exceed amount higher than the project cost to reflect the premium you will receive. The premium is the difference of the offering interest rate vs. the actual interest rate on the day of the bond sale, this affects the investors. Burger stated the not to exceed amount would be \$9,950,000 but the amount of borrowing would be the cost of the project not to exceed \$9,740,000. Burger informed the Board if you do not set the not to exceed to include the premium dollars the Board would have to set additional public hearings to spend the monies.

Moved by Sup. Bell seconded by Sup. Kaufmann to set the not to exceed \$9,950,000 and the not to exceed for borrowing public funds is \$9,740,000 for 15-years.

Ayes: All

At 9:30 a.m. Engineer Fangmann met with the Board and opened the bids for project L-202107—73-16, (Adams Avenue/Bunker Hill/Valley Forge Project). Barry Rhinehart, L.L. Pelling was present. Fangmann received one bid from L.L. Pelling at \$478,458.37. Fangmann budget estimate for the project was \$590,000. Fangmann will review the required documents and return to the Board room with his recommendation.

Engineer Fangmann informed the Board the final cost for the 310th project --- BROS-SWAP-C016(108)—FE-16 was \$488,409.51. Taylor Construction was \$429.50 over contract.

Moved by Sup. Bell seconded by Sup. Kaufmann to approve the final voucher for project BROS-SWAP-C016(108)—FE-16.

Ayes: All

Engineer Fangmann requested the Board approve and sign the following resolution awarding bridge project BROS-SWAP-C016(110)—SE-16 to Jim Schroeder Construction in the amount of \$629,906.27. Fangmann informed the Board the tentative start date of this project is June 14th. Fangmann budgeted \$700,000 and estimated the project cost at \$686,000.

Moved by Sup. Smith seconded by Sup. Gaul to approve the following resolution.

RESOLUTION

WHEREAS, the Board of Supervisors, hereafter referred to as “the Board”, believes the BROS-SWAP-C016(110)—SE-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 a bridge replacement near 1429 Red Star Road over a branch of Sugar Creek in Section 4 of Center Township; 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 Jim Schroeder Construction, Inc. in the amount of \$629,906.27 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.

Ayes: All

Moved by Sup. Bell seconded by Sup. Gaul to approve the utility permit for Alliant Energy to move power poles for the Red Star Road bridge project and waive the \$100.00 fee.

Ayes: All

EMA Director Freet met with the Board and provided a handout on the current COVID-19 grant status. Freet explained the county has received payment in full for the safety glass protective barriers and PPE. Freet is projecting receiving the Federal share, approximately \$5,100 for the temporary temperature screener within three weeks. This project was delayed due to an incorrect date. Freet advised the Board that Project 152062 for contract service expenses for the Public Health Department was submitted for the total amount of \$7,915.54. The county has received the Federal portion of \$5,936.36 and the State’s share is on hold due to documentation was not submitted per the adopted procurement policies. Freet explained she requested the required

documentation from Bonnie Butler, without any success. Freet provided written email documentation for review, if needed. The Board placed a call to Public Health Director Walker. Walker was not sure of this situation because it was before her time of hire. She also stated she was not aware those funds were not approved. Freet did state that Walker was included on the January 29th email, requesting this information. Walker informed the Board she will follow up on this matter. The Board requested Walker provide an update at the next board meeting. The call concluded. Further discussion was held. The Board requested Auditor Dauber email the Board of Health and ask them to attend the board meeting on March 2nd at 10:00 a.m. to discuss this situation. Freet explained this is a reflection on her integrity and in good faith she submitted the information for reimbursement. Sup. Bell is disappointing in the situation and understands Freet's position although he appreciates her work.

EMA Director informed the Board the Hazardous Mitigation Plan has been accepted and approved by FEMA. This plan is required for the county to be eligible for federal funds.

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

Resolution

Adopting the Cedar County Multi-Jurisdictional Local Hazard Mitigation Plan

Whereas, Cedar County, Iowa recognizes the threat that natural hazards pose to people and property within our community; and

Whereas, undertaking hazard mitigation actions will reduce the potential for harm to people and property from future hazard occurrences; and

Whereas, the U.S Congress passed the Disaster Mitigation Act of 2000 (“Disaster Mitigation Act”) emphasizing the need for pre-disaster mitigation of potential hazards; and

Whereas, the Disaster Mitigation Act made available hazard mitigation grants to state and local governments; and

Whereas, an adopted Local Hazard Mitigation Plan is required as a condition of future funding for mitigation projects under multiple FEMA pre- and post-disaster mitigation grant programs; and

Whereas, Cedar County, Iowa fully participated in the hazard mitigation planning process to prepare this Multi-Jurisdictional Local Hazard Mitigation Plan; and

Whereas, the Iowa Homeland Security and Emergency Management Division and the Federal Emergency Management Agency Region VII officials have reviewed the “Cedar County Multi-Jurisdictional Local Hazard Mitigation Plan,” and approved it contingent upon this official adoption of the participating governing body; and

Whereas, Cedar County, Iowa desires to comply with the requirements of the Disaster Mitigation Act and to augment its emergency planning efforts by formally adopting the Cedar County Multi-Jurisdictional Local Hazard Mitigation Plan; and

Whereas, adoption by the governing body for Cedar County, Iowa demonstrates the jurisdictions’ commitment to fulfilling the mitigation goals outlined in this Multi-Jurisdictional Local Hazard Mitigation Plan; and

Whereas, adoption of this legitimizes the plan and authorizes responsible agencies to carry out their responsibilities under the plan;

Now, therefore, be it resolved, that Cedar County, Iowa adopts the “Cedar County Multi-Jurisdictional Local Hazard Mitigation Plan” as an official plan; and

Be it further resolved, Cedar County, Iowa will submit this Adoption Resolution to the Iowa Homeland Security and Emergency Management Division and Federal Emergency Management Agency Region VII officials to enable the plan’s final approval.

Ayes: All

EMA Director Freet inquired whether the Board wishes to continue to provide an COVID-19 newsletter. Freet provided a graph showing the number of newsletters that were distributed and the number of locations. On April 24, 2020 there were 4,532 newsletters distributed to 28 different location sites. As of January 24, 2021, there was 370 newsletters distributed at 8 different location sites. Freet shared it was a great tool to provide the citizens that were not able to access information through the internet or social media. Although currently the citizens concern is the vaccine and due to the continuous changes regarding the vaccines the newsletter cannot provide the most current accurate data. The board requested Freet to email all department heads and ask them to provide her with any information for the last edition of the newsletter.

Moved by Sup. Bell seconded by Sup. Kaufmann to discontinue the newsletter after publication of the February newsletter.

Ayes: All

Engineer Fangmann returned to the Board room for approval on awarding contract for project L-202107—73-16.

Moved by Sup. Kaufmann seconded by Sup. Agne to award contract for project L-202107—73-16 to L.L. Pelling in the amount of \$478,458.37.

Ayes: All

At 10:28 a.m. Engineer Fangmann met with the Board to review the feasibility study and discussion was held all the various alternatives for the replacement of the Cedar River bridge located at Rochester. FHWA#018490. There were no public present in the board room or on the call-in conference phone line. Engineer stated Calhoun-Burns and Associates, Inc. was retained by Cedar County to perform a feasibility study of the Rochester Bridge. The Rochester Bridge existing structure is 1144' in total length the roadway width is 26' with a current load posted at 28, 40, 40 ton. The load posting and width of the structure creates significant restriction for truck and agricultural traffic. This bridge is a vital link for agricultural vehicles as many cannot travel on the interstate and the paved route detour is 20+ miles. Due to its important location, it carries a traffic volume of 820 vehicles per day, per Iowa DOT traffic data. The existing bridge width of 26' is less than the preferred minimum of 30' for new bridges, per the American Association of State Highway and Transportation Officials. It is the County's desire that the F44 route be listed as the official Interstate 80 emergency detour in this area as it provides a shorter detour for travelers, which in turn reduces the impact of the County maintained roads. Due to the current load posting and with restrictions of the bridge, this is not feasible.

An inspection of the bridge was completed on June 3, 2020 as part of the County's biennial bridge inspection program. Additionally, a fracture critical inspection was completed on July 7, 2020 and an unofficial underwater inspection was completed September 22, 2020. Engineer Fangmann provided partial copies of these inspection reports are included as Appendix B. The bridge was built in 1948. A bridge deck replacement was completed in 1984 and extensive PCC patching of the deck has been completed thereafter. It appears to be a continual maintenance issue for the County. Some cracking is present on the top of the deck. Leaching is visible on the underside of the deck which is a sign of salt intrusion into the concrete. Spot locations appear to have higher concentration of leaching. The presence of leaching is a good indicator that the steel reinforcement in the deck is corroding. The steel superstructure is in severe condition. Several cracks and holes are in the primary load carrying steel members. Additionally, spot locations exhibit severe corrosion with section loss of the member. These deficiencies attribute to the overall load carrying capacity of the bridge. The steel members were cleaned and painted in 1984. The foundations are in fair condition. There is cracking, spalling and general deterioration due to their age and being exposed to the elements during their lifetime. Additionally, multiple flood events causing scour around the piers led to significant scour/erosion repairs that were completed in 2014. Engineer Fangmann explained five alternatives to be considered:

- **Alternate 1, Rehabilitation:** As presented in the "Existing Conditions" section of this report the structure is in a state of deterioration. This is due to its 70 plus years of traffic, winter maintenance and exposure to the elements. The structural concrete is contaminated with salt, and the embedded reinforcing steel is corroded. The steel superstructure has holes, cracks and severe corrosion. These issues have reduced the structural capacity of the bridge and has led to the current three-truck sign load posting at 28, 40, 40 tons which restricts truck traffic. Due to the extensive nature of the deterioration, a significant portion of the bridge would need to be removed to complete rehabilitation. It would not be possible without major modifications to all components to meet the preferred 30' bridge width. At the completion of a rehabilitation, there would be minimal portions of the original structure remaining. Due to the need to remove and modify nearly the entire structure, rehabilitation is not a feasible option.
- **Alternate 2, No Action:** As noted in Alternate 1, this bridge has serious structural issues. If nothing is done to the bridge, the structural conditions will continue to worsen until such a time that the bridge needs to be closed to all traffic. As discussed earlier in this report, this bridge has an important impact as it connects residences and agricultural businesses to other parts of the road system. Therefore, permanent closure of this route is not desirable, and this is not a feasible option

- **Alternate 3, Relocation of the Existing Structure to an Alternate Site:** As noted in Alternate 1, this bridge has significant structural issues that will continue to worsen. The bridge roadway width is 26'-0", while the preferred width is 30'-0". Relocation to another site will not rectify these situations. In addition, the actual act of relocating the bridge would be quite complicated on this 1144' long bridge. The concrete deck would need to be removed to access the steel superstructure. The continuous steel through girder superstructure is made up of hundreds of corroded, riveted connections that would have to be manually dismantled. Additionally, the bridge is considered fracture critical. This means a significant amount of temporary shoring would need to be erected in the Cedar River to avoid collapse of the bridge while the connections are being dismantled. The two concrete abutments and seven concrete piers would not be able to be relocated due to their massive size and weight and many of them have driven timber piles which are encased in the footings. Transporting a bridge of this size dismantled into a multitude of individual members would take a significant amount of hauling equipment. It is very likely easements would need to be acquired just to allow for lay-down areas for the members. New abutments and piers would need to be constructed at the alternate site. Erection of the steel superstructure would require the hundreds of connections to be manually reassembled using either rivets or bolts. A new deck would need to be constructed. Permanent right-of-way may need to be purchased at the alternate site as well. Relocation of the existing bridge is not a feasible alternate.
- **Alternate 4A, Road Realignment - South Offset:** See Exhibit C for an aerial photograph indicating considered alternate alignments. Offsetting the proposed alignment to the south would involve permanent impacts to a large area of regulatory wetlands resulting in significant mitigation requirements. Bat habitat would also be negatively impacted. Additionally, a high capacity overhead electric line would need to be relocated, which would result in even greater environmental impacts.
- **Alternate 4B, Road Realignment- North Offset:** Offsetting the proposed alignment to the north would result in a significantly longer bridge with very poor channel alignment. The USA Corps of Engineers recently completed a stream bank protection repair project at the west end of the bridge, which could interfere with pier placement on a north offset realignment. Prime farmland would be lost at the northeast corner. Wetland, state-protected mussel species and shorebird nesting habitats could also be impacted as a result of a northern realignment.
- **Alternate 4C, Road Realignment - Original Alignment:** Relocating the alignment to the original 1930's alignment approximately 2000' upstream was considered. This would require major grading and paving. Acquisition of at least one residential home on the west side of the river would likely be required. Additionally, Madison St./285th St. in the town of Rochester would need to be widened and paved to accept highway traffic. Up to thirteen individual parcels in Rochester would be negatively impacted. Typical highway speeds would not be achievable through the town of Rochester, and it would be undesirable for agricultural equipment to travel through Rochester. For these reasons, traffic and goods would not be able to efficiently travel along F44. Realigning the road further to the north is not feasible as that would require extensive grading, paving and right-of-way acquisition.

 - In Alternates 4A and 4B, realignment of the west intersection would need to occur. In all realignment cases, significant permanent right-of-way would need to be purchased. Additionally, leaving the existing deteriorated bridge in place would leave the County with continued liability. Depending on the location of the realignment, F44 could be considered the official Interstate 80 emergency detour in the area.
- **Alternate 5, Replace the Bridge at its Current Location:** It is anticipated that a pretensioned prestressed concrete beam bridge, similar to the Interstate 80 crossing downstream, would be the most appropriate bridge replacement type as it allows for long spans and has been found to be more economical in the state of Iowa as compared to continuous steel I-beam bridges. Piers would likely be traditional concrete tee piers with both driven steel pile footings and spread footings as bedrock elevation varies at this site. Concrete stub abutments with driven steel piles would need to be utilized due to the length of the bridge. Approach paving would also be completed as part of this project. This option would require the elimination of the existing bridge, which would be an adverse effect. The new structure would be designed to current day vehicular loading requirements and incorporate current day safety features to protect the travelling public. For a new bridge, a 30' width would be required to meet current design criteria. If increased traffic volumes are anticipated due to removal of load and width restrictions, a

40' bridge width would be justified. With a new bridge in place, it is likely F44 could be considered the official Interstate 80 emergency detour in the area.

Moved by Sup. Kaufmann seconded by Sup. Bell to proceed with Alternate 5, replace the bridge at its current location at the recommendation of Engineer Fangmann.

Ayes: All

General discussion was held regarding the project and cost. Engineer Fangmann estimates a year and half to complete the project, although it depends on the river. If the county is awarded the grant it would not be in the construction phase until FY2022/2023. He stated the county needed to take advantage of this funding opportunity due to the county cannot financially afford to replace a \$7,000,000 bridge. Fangmann will continue to provide the board an update as the process moves forward.

Moved by Sup. Kaufmann seconded by Sup. Smith to adjourn at 10:55 a.m., to March 2, 2021.

Ayes: All

Cari A. Dauber, Auditor

Steve Agne, Chairperson