

Unapproved Minutes Emmet County Board of Supervisor Minutes
August 31, 2021 at 9:00 a.m.
Regular Meeting
Board Room, Courthouse

Present: Jeff Quastad, Chair
Tim Schumacher, Vice-Chair
John Pluth
Todd Glasnapp
Lisa K. Hansen

Absent:

Meeting ID: 868 3428 0974

Passcode: 521659

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Quastad, Chair, called the meeting to order. All in attendance recited the Pledge of Allegiance. Motion by Schumacher, second by Hansen to approve the minutes from last week's meeting with corrections, also approving them for publication. All ayes, motion carried.

During public forum, Quastad reported on a meeting with Jacobsen Westergard regarding the ED 3 drainage project. Supervisor Pluth would like to see a total before making any decisions.

Quastad reported on an ECCOG meeting he attended.

Supervisor Pluth attended the Sioux Rivers Mental Health Region meeting last week and the Board discussed the YES Center and stand by their decision to not participate on the Board of the YES Center.

Supervisor Hansen reported on an Early Childhood meeting she attended.

Emmet County Auditor, Amy M. Sathoff reported that the August 31, 2021 American Rescue Plan report is complete, however she is working with NACo and the US Treasury to be able to certify due to technical issues with US Treasury Portal.

Emmet County HR Director, Heidi Goebel joined the meeting to update the Board on Human Resource items. She reported that the Dental Insurance enrollment was up 24% after the change made to the County's Dental Insurance. She also shared that Emmet County's turnover rate is 12% and higher than similar entities. The turnover rate does include retirements and separations.

Goebel is presently working with Allison Fisher on Emmet County's Worker's Compensation Insurance Audit and reported that the COVID sick leave paid will not be included in Emmet County's Salary Base.

Goebel reminded the Board that the newly formed Healthcare Committee will be meeting on September 2, 2021 at 8:30 a.m. in the Board Room.

Goebel has been asked by Public Health to ask for approval of Emmet County's Fall Wellness Clinic and Influenza Vaccination clinic. Last year's clinic was funded out of the Health Insurance Trust Fund and cost the County \$1,385. Motion by Pluth, second by Hansen to approve the fall clinic costs. All ayes, motion carried.

Goebel presented a HR form for approval. Goebel has been working with Assistant County Attorney Pam Dettmann on the form. It is a form required by IA Code 22.15 notifying an employee who resigns in lieu of termination, is discharged or demoted due to disciplinary action that that form is public record. Motion by Hansen, second by Glasnapp to approve usage of the form. All ayes, motion carried.

Goebel reported that she had received a UNUM Life Insurance Broker disclosure letter that stated that Secure Benefits as Broker for Emmet County received between 10% and 15% of insurance premiums in commission fees. Currently all UNUM mandatory paperwork is taken care of in the Auditor's office. Goebel contacted UNUM and asked if a Broker was needed and what the process was of terminating a Broker. The County and Emmet County employees would see a yearly savings of approximately \$2,000 to \$2,400 by terminating the Broker. Motion by Glasnapp, second by Pluth to terminate Secure Benefits as the Broker for UNUM Insurance. All ayes, motion carried.

At 9:35 the Emmet County Board of Supervisors opened the Public Hearing on the new FEMA Flood Plain Maps. Present for the Public Hearing: Emmet County Zoning Administrator, Barb Bohm, Emmet County Auditor, Amy M. Sathoff, Emmet County EMA Director, Travis Sheridan and Mike Tidemann from the media.

Bohm presented an Ordinance that would replace Emmet County's current flood plain ordinance as follows:

Flood Plain Ordinance – Chapter 85 of Ordinance No. 2016-1

AN ORDINANCE AMENDING CHAPTER 85 – FLOODPLAIN MANAGEMENT ORDINANCE OF THE EMMET COUNTY CODE REGULATING FLOOD PLAIN MANAGEMENT, REPEALING ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE AND PROVIDING FOR AN EFFECTIVE DATE.

ABSTRACT

This is a summary of the Ordinance. This Ordinance replaces the current **CHAPTER 85 – FLOODPLAIN MANAGEMENT ORDINANCE** of the Emmet County Code.

- It establishes new definitions for Floodplain Management, including replacing the term "100 year Flood" with "Base Flood" defined as "The flood having one (1) percent chance of being equaled or exceeded in any given year. (Also commonly referred to as the "100- year flood")."
- It establishes new Flood Insurance Rate Maps as the basis for floodplain determination. The Flood Insurance Rate Map (FIRM) for Emmet County and Incorporated Areas, dated September 24, 2021, which was prepared as part of the Flood Insurance Study for Emmet County, is (are) hereby adopted by reference and declared to be the Official Floodplain Zoning Map. The Emmet County Flood Insurance Study is hereby adopted by reference and is made a

part of this ordinance for the purpose of administering floodplain management regulations.

- It establishes a Floodplain (Overlay) District in the areas shown on the FIRM and appoints the Zoning Officer as the responsible party for maintaining zoning regulations in this district.
- It establishes standards for acceptable development in a floodplain, including providing for escape routes during a flood and proper elevation and design of structures.
- It establishes the Board of Adjustment as the entity designated to hear appeals of the requirements in this chapter regarding floodplain development and denotes the Board's powers and responsibilities.
- It codifies rules for non-conforming uses and the conditions under which the non-conforming use is discontinued.
- It sets penalties for violations of the Ordinance:
 - 85.12 - PENALTIES FOR VIOLATION: Violations of the provisions of this Ordinance or failure to comply with any of the requirements (including violations of conditions and safeguards established in connected with grants of Variances) shall constitute a misdemeanor. Any person who violates this Ordinance or fails to comply with any of its requirements shall upon conviction thereof be fined not more than \$500.00 (five hundred dollars) or imprisoned for not more than 30 (thirty) days. Each day such violation continues shall be considered a separate offense. Nothing herein contained prevent Emmet County from taking such other lawful action as is necessary to prevent or remedy violation.
- The Ordinance will become effective upon publication on Tuesday, September 7, 2021.

The full text of the Ordinance can be found online at www.emmetcounty.iowa.gov or by contacting the Emmet County Courthouse, 609 1st Avenue North, Estherville, IA 51334) at 712-362-2609 between the hours of 8:00 a.m. and 4:30 p.m. or by emailing bbohm@emmetcounty.iowa.gov to request a copy.

Bohm reported that the ordinance presented meets all federal requirements and that no public comments were received.

Motion by Schumacher, second by Hansen to close the Public Hearing at 9:42 a.m. Roll Call Vote: Ayes: Glasnapp, Pluth, Hansen, Schumacher and Quastad. Nays: None.

Motion by Glasnapp, second by Hansen to repeal Emmet County's present Flood Plain Ordinance and adopt the new flood plain ordinance as presented, publish the ordinance and waive the second and third readings of the ordinance. Roll Call Vote: Ayes: Glasnapp, Pluth, Hansen, Schumacher and Quastad. Nays: None. Motion carried.

Emmet County Conservation is asking to adjust the Conservation Trust Fund FY22 Appropriation to \$60,000. Motion by Pluth, second by Schumacher to approve the adjustment. All ayes, motion carried.

The Board reviewed a copy of the letter from Iowa Department of Management to the City of Gruver. Gruver has not applied for American Rescue Plan funds from the State of Iowa.

Supervisor Hansen shared legislative updates she received at the ISAC Annual Conference.

The Board discussed the ED 3 drainage project.

Emmet County Engineer, Walter Davis-Oeth joined the meeting. Davis-Oeth does not have a utility permit for today's meeting.

Motion by Pluth, second by Schumacher to go into closed session pursuant to Iowa Code 21.5 (j). Roll Call Vote: Ayes: Glasnapp, Pluth, Hansen, Schumacher and Quastad. Nays: None.

Motion by Pluth, second by Glasnapp to come out of closed session at 10:20 a.m. Roll Call Vote: Ayes: Glasnapp, Pluth, Hansen, Schumacher and Quastad. Nays: None.

No decisions were made during closed session.

Davis-Oeth presented a gravel easement with Terry Osher for 5.41 acres in exchange for \$1.00. Motion by Pluth, second by Hansen, to approve the easement as presented. All ayes, motion carried.

Davis-Oeth presented a purchase agreement for the purchase of Egeland Gravel Pit. The pit encompasses 89.64 acres and would cost \$392,000. Motion by Glasnapp, second by Pluth to approve the purchase as presented. All ayes, motion carried.

Davis-Oeth requested that the Board commit \$300,000 in L.O.S.S.T. funds for the purchase of the Egeland Gravel Pit. Motion by Pluth, second by Pluth to commit \$300,000 of L.O.S.S.T. funds to be reimbursed to Secondary Road Funds at Budget Amendment time. All ayes, motion carried.

Davis-Oeth reported that crews will start graveling and ditch cleaning after recent heavy rains.

The Board reviewed the following Manure Management Plans:

Owner	Facility	Facility ID#
James Boyer	Boyer James Site 2	#62465
Summit Pork II, LLP	Jack Creek 26	#70408
James Boyer	Boyer James Site 1	#58213
West Swan Swine Care, LLC	West Swan Swine Care	#69123
Prestage Farms of Iowa LLC	PI 298 Finisher	#65437

The Board reviewed a letters from the Iowa Department of Natural Resources authorizing the use of the Denmark 18 Site and Jack Creek 23 Site.

Motion by Glasnapp, second by Hansen to adjourn the meeting at 10:36 a.m. All ayes, motion carried.