

PROCEEDINGS OF THE BOARD OF SUPERVISORS  
November 15, 2022

The Board of Supervisors of Cerro Gordo County, Iowa, met in regular session pursuant to adjournment. Present: Chairman Chris Watts, Vice Chairman Tim Latham, Supervisor Casey Callanan, and various members of the public.

Chairman Watts called the meeting to order at 10:00 a.m.

Latham moved with Callanan seconding, to approve today's agenda and minutes for November 8, 2022 regular session and November 9, 2022 special session. Motion passed unanimously.

Public comment session was held.

Latham moved with Callanan seconding, to approve claims. Motion passed unanimously.

Callanan moved with Latham seconding, to approve the payroll register for period ending 11/05/2022. Motion passed unanimously.

Chairman Watts opened the public hearing on the proposed Ordinance 67- An Ordinance Readopting the Existing County Code.

Callanan moved with Latham seconding, to close the public hearing. Motion passed unanimously.

Latham moved with Callanan to adopt Ordinance 67, An Ordinance Readopting the Existing County Code Be It Enacted by the Board of Supervisors of Cerro Gordo County, Iowa:

SECTION I. Purpose. Code of Iowa Section 331.302, subsection nine, requires that once every five years a county shall compile its Code of Ordinances. This Ordinance re-adopts ordinances already in effect and repeals any ordinance deemed no longer necessary to the operation of Cerro Gordo County, Iowa or to the health, safety and welfare of its citizens.

SECTION II. Re-adoption of Current Code. The following ordinances have been previously adopted and enacted into law and were duly published as the law provides. They are stated herein by number and subject matter and by the authority of the Cerro Gordo County Board of Supervisors comprise Cerro Gordo County Code of Ordinances:

No.	Title	Adopted
1	Home Rule Ordinance	Feb. 13, 1979
4	Prohibiting Unfair or Discriminatory Housing Practices	Nov. 25, 1980
11B	Health Nuisance Ordinance	Nov. 2, 2008
13	Uniform Rural Address System Ordinance of Cerro Gordo County	Apr. 25, 1989
13A	Amending Ordinance No. 13, The Uniform Rural Address Ordinance of Cerro Gordo County	Jan. 18, 1999
14	Prescribing the General Relief Program of Cerro Gordo County	Jan. 9, 1990
15	Cerro Gordo County Zoning Ordinance	Feb. 20, 1990
16A	Amended Pawnshop Ordinance	Apr. 9, 1991
17	Providing for the Exemption from Property Taxation of a Portion of New Construction of Industrial Real Estate in Cerro Gordo County	Jan. 21, 1991
18	Hazardous Substance Ordinance of Cerro Gordo County	Apr. 9, 1991
20B	Contractor's License Ordinance	May 31, 2022
21G	Amended Ordinance Establishing a Local Option Sales and Services Tax Applicable to transactions within the incorporated areas of Mason City, Clear Lake, Dougherty, Meservey, Plymouth, Rock Falls, Rockwell, Swaledale, Thornton and Ventura of Cerro Gordo County and in	Oct. 25, 2022

	the unincorporated area of Cerro Gordo County	
22	Land Subdivision Ordinance	Feb. 25, 1995
23	Assessment of Wind Energy Conversion Property Ordinance	Feb. 28, 1995
23A	Amended Assessment of Wind Energy Conversion Property Ordinance	Mar. 13, 2007
24A	Snow Ordinance	Jan. 26, 2021
25D	Establishing rates and charges for the use and service of the County Sanitary Sewer Utility located in Swaledale	Nov. 30, 2021
27B	Amended Private Sewage Disposal Systems	July 7, 2009
28C	Nonpublic Water Supply Wells Ordinance	June 28, 2022
30	Body Piercing Ordinance	Nov. 23, 1999
31	Establishing Permanent Grades on Portions of Various Streets in Oakwood Park	Apr. 4, 2000
34	Ordinance for Building Sewers	Sept. 18, 2001
35	Sewer Use Ordinance of the City of Meservey	Sept. 18, 2001
36C	Establishing Rates and Charges for the Use and Service of the Municipal Sanitary Sewer Utility for the City of Meservey	Feb. 25, 2020
38A	Amended Influenza Preparedness and Response Ordinance	July 26, 2005
39A	Disaster Recovery Ordinance	May 30, 2017
41	Grade Ordinance for Patriarchs Militant I.O.O.F. Park Paving Improvements	July 23, 2002
43	Establishing Permanent Grades on Portions of Various Streets	Sept. 24, 2002
45A	Amended Lead Ordinance	July 19, 2005
47A	Isolation and Quarantine Ordinance	Feb. 11, 2020
50	Establishing Cerro Gordo County Board of Supervisor Districts	Feb 8, 2022
51	Social Host and Underage Consumption Ordinance	Oct. 27, 2009
51A	Amended Social Host and Underage Consumption Ordinance	Nov. 19, 2013
51B	Amended Social Host and Underage Consumption Ordinance	June 14, 2016
52A	Establishing Election Precincts in Cerro Gordo County	Dec. 28, 2021
53A	Amended Ordinance Providing that General Property Taxes Levied and Collected within the Cerro Gordo County Corridor Urban Renewal Area to be paid to a Special Fund (TIF)	Apr. 17, 2012
55	Regulating Usage of Golf Carts in Unincorporated Areas	Nov. 20, 2012
56A	Dangerous Dog Ordinance	Feb. 16, 2016
57	Urban Revitalization Plan	Aug. 25, 2015
58	Fireworks	June 13, 2017
58A	Amended Fireworks Ordinance	May 8, 2018
58B	Amended Fireworks Ordinance	May 7, 2019
59	Area Service System Road Classifications	Aug. 15, 2017
61	Designating Certain Areas of Cerro Gordo County, Iowa as Urban Revitalization Areas	Dec. 5, 2017
62	Setting the Hotel/Motel Tax for the County of Cerro Gordo, Iowa	July 24, 2018

63	Establishing Permanent Grades on Portions of Kingbird Avenue	Aug. 28, 2018
64	Authorizing the Operation of All-Terrain Vehicles and Off-Road Utility Vehicles in the Unincorporated Areas of Cerro Gordo County, Iowa	Feb. 26, 2019
65	Designating Certain Areas of Cerro Gordo County, Iowa as Urban Revitalization Areas	Oct. 20, 2020
66	Designating Certain Areas of Cerro Gordo County, Iowa as Urban Revitalization Areas	Oct. 26, 2021
67	Readopting the Existing County Code	Nov. 15, 2022

SECTION III. Repeal of County Laws. The following ordinances are deemed by the Board of Supervisors to be of no further value to the operation of Cerro Gordo County or to the health, safety and welfare of its citizens are hereby repealed.

No.	Title	Adopted
20	Contractor's License Ordinance	June 3, 1992
20A	Contractor's License Ordinance	Mar 15, 2022
21E	Amended Ordinance Establishing a Local Option Sales and Services Tax Applicable to transactions within the incorporated areas of Mason City, Clear Lake, Dougherty, Meservey, Plymouth, Rock Falls, Rockwell, Swaledale, Thornton and Ventura of Cerro Gordo County and in the unincorporated areas of Cerro Gordo County	June 18, 2013
21F	Amended Ordinance Establishing a Local Option Sales and Services Tax Applicable to transactions within the incorporated areas of Mason City, Clear Lake, Dougherty, Meservey, Plymouth, Rock Falls, Rockwell, Swaledale, Thornton and Ventura of Cerro Gordo County and in the unincorporated areas of Cerro Gordo County	Dec. 18, 2018
24	Snow Ordinance	Jan 16, 1996
25C	Establishing Rates and Charges for the Use and Service of the County Sanitary Sewer Utility located in Swaledale	Aug 26, 2008
36B	Establishing Rates and Charges for the Use and Service of the Municipal Sanitary Sewer Utility for the City of Meservey	Aug 26, 2008
47	Isolation and Quarantine Ordinance	Sept 20, 2005
52	Establishing Election Precincts and Supervisor Districts in Cerro Gordo County	Oct. 11, 2011
60	Readopting the Existing County Code	Nov 28, 2017

SECTION IV. Code of Ordinances. Copies of the code of ordinances as adopted herein shall be on file and available for public inspection in the office of the County Auditor.

SECTION V. When Effective. This ordinance shall be effective after its final passage, approval and publication as provided by law. Roll call vote: Callanan- Aye; Latham- Aye; Watts- Aye. Motion passed unanimously.

Callanan moved with Latham seconding, to waive the second and third considerations of Ordinance 67. Roll call vote: Callanan- Aye; Latham- Aye; Watts- Aye. Motion passed unanimously.

Latham moved with Callanan seconding, to adopt Resolution 2022-97, A RESOLUTION OF THE CERRO GORDO COUNTY BOARD OF SUPERVISORS

OPTING OUT OF THE COLORADO PAID FAMILY AND  
MEDICAL LEAVE INSURANCE PROGRAM

WHEREAS, in November 2020, Colorado voters approved Proposition 118 to create the Paid Family and Medical Leave Insurance ("FAMLI") Program; and WHEREAS, the FAMLI Program requires employers to remit to the FAMLI Division premiums in the form of 0.9% of all employee wages beginning January 1, 2023, and allows employers to require that employees pay for one-half of this premium; and WHEREAS, the FAMLI Program allows local governments to decline to participate in the program while allowing employees to individually opt into the program; and WHEREAS, Cerro Gordo County provides paid time off to full-time employees in the form of vacation leave, sick leave and personal leave; and WHEREAS, certain employees of Cerro Gordo County are also eligible for job-protected leave under the federal Family and Medical Leave Act ("FMLA"); and WHEREAS Cerro Gordo County believes that employees are in the best position to determine whether they individually wish to opt into the FAMLI Program, and WHEREAS, pursuant to 7 CCR 1107-2 Section 2.6(A)(2), Cerro Gordo County posted notice of the meeting at which this Resolution was considered in the same manner as any other business before the Board of Supervisors and additionally provided written notice to all affected County Employees regarding the vote process and the opportunity to submit comments; and WHEREAS, all affected County employees were notified of their right to individually opt into the program under C.R.S. Section 8-13.3-514 and that more information for the FAMLI Program can be found at <https://famli.colorado.gov/>; and WHEREAS, prior to consideration of this Resolution, the Cerro Gordo County Board of Supervisors read into the record any written comments regarding this Resolution received prior to the meeting and oral comments at the meeting; and WHEREAS, the Cerro Gordo County Board of Supervisors has determined that declining to participate in the FAMLI Program is in the best interest of Cerro Gordo County. NOW, THEREFORE, BE IT RESOLVED by the Cerro Gordo County Board of Supervisors that:

Section 1. The Cerro Gordo County Board of Supervisors hereby decline to participate in the Colorado Paid Family and Medical Leave Insurance ("FAMLI") Program.

Section 2. The Cerro Gordo County Board of Supervisors hereby directs the County Auditor's Office to notify the FAMLI Division of this decision. Motion passed unanimously.

County Engineer Billings provided an update.

Callanan moved with Latham seconding, to authorize the Chair to sign Perpetual Water Main Easement with the City of Mason City. Motion passed unanimously.

Latham moved with Callanan seconding, to adjourn at 10:12 a.m. Motion passed unanimously.

Various tabulations, reports, correspondence, and other documents that were presented at today's meeting are placed on file with the supplemental minutes.

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Chairman Chris Watts  
Board of Supervisors

ATTEST:

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Adam V. Wedmore, Auditor  
Cerro Gordo County