

Board of Supervisors Minutes
June 12, 2023

The Tama County Board of Supervisors met at 8:30 a.m. June 12, 2023. Present: 1st District Supervisor, Curt Hilmer; 2nd District Supervisor, Bill Faircloth and 3rd District Supervisor, Dan Anderson.

8:30 – 9:00 Employee/Department Head Time

9:00-9:30 Public Comment Time The Pledge of Allegiance was recited.

Present: Supervisors Hilmer, Faircloth, Anderson. Also Assistant Auditor Karen Rohrs, several members of the public. Deputy Sheriff Killian was also present. Lynn Cizek informed the board of how many solar panels can be placed on an acre of land. The board was asked how much has been spent on legal fees. Karen Rohrs stated \$58,222 has been spent so far in legal fees. A couple of people voiced concerns about combining the weed commissioner, sanitarian, and zoning administrator positions and sharing them with Marshall County. They feel the three combined positions would be too much for one person. The detailed notes are available in the County Auditor's office.

9:31 Motion by Anderson, seconded by Hilmer to approve the minutes of the June 5th regular meeting. All voted aye. Motion carried

The Board met with Ben Daleske, Tama County Engineer, to get a road projects report. He asked the Supervisors to approve IDOT Agreement for County Bridge Federal-Aid SWAP Funding #1-22-HBP-SWAP-023. Motion by Hilmer, seconded by Anderson. All voted aye. Motion carried. He also was going to present an updated Dust Control Policy for approval but would like more time to look at the policy and make changes. It was tabled to approve an updated Dust Control Policy until the next meeting.

The Board met with Amanda Kriegel, County Treasurer, to discuss changing banks for the main County account from The State Bank of Toledo to The Lincoln Savings Bank, Tama. This recommendation is due to an offer of higher interest rates and low fees. Motion by Anderson, Seconded by Hilmer to approve changing banks for the County's main account to Lincoln Savings Bank. All voted aye. Motion carried.

At 10:00 the Board held the first public hearing/reading on Ordinance #V.13 RAGBRAI Sale of Food and Other Merchandise:

ORDINANCE NO. V.13
RAGBRAI

SALE OF FOOD AND OTHER MERCHANDISE

SECTION 1 - PURPOSE: The purpose of this ordinance is to provide rules, regulations and restrictions concerning the sale of food, merchandise and alcoholic beverages in the unincorporated areas of Tama County on July 27 and 28, 2023, on which dates Tama County anticipates receiving 16,000 to 20,000 visitors participating in the RAGBRAI event. This ordinance and the provisions contained therein, is enacted for the protection of the health, safety and welfare of both the participants in the RAGBRAI event as well as the citizens of Tama County, Iowa. In addition, this ordinance is intended to assist in economic development and tourism pursuant to Iowa Code Section 23A.2(10)(d).

SECTION 2 - DEFINITION: Food and other merchandise shall include, but not be limited to, any and all types of prepared food, finger food, purchased snacks, soda pop, alcohol and any other forms of liquid for consumption by human beings.

SECTION 3 - FOOD OR MERCHANDISE VENDOR: No person shall provide or sell food and other merchandise to the public in the unincorporated areas of Tama County, Iowa on July 27 or July 28, 2023, unless the person shall have first obtained a vendor's permit from the County of Tama acting by and through the local Tama Toledo Chamber of Commerce Event Committee. An exemption to this requirement is provided in Section 8.

SECTION 4 - VENDOR FEES: The fee for a Food or Merchandise Vendor's Permit shall be established by the local Tama Toledo Chamber of Commerce Event Committee. A food vendor's permit shall be granted on the condition that the food vendor locate his or her sale stand at a location to be determined by the County of Tama, acting through local Tama Toledo Chamber of Commerce Event Committee. All food vendors shall comply with all laws, rules and regulations promulgated by the Iowa Department of Health Rules and Regulations relating to and governing the sale of food for consumption.

SECTION 5 - TEMPORARY STAND: Temporary stands for the sale of food or other merchandise in the unincorporated areas of Tama County shall be permitted only at locations designated by the County of Tama acting through the local Tama Toledo Chamber of Commerce Event Committee. This provision does not apply to those persons or businesses, having a temporary stand on their licensed property, that are excepted from following this ordinance as set forth in Section 8 of this ordinance.

SECTION 6 - NUISANCE: The sale of food or other merchandise or the location of a temporary stand for the sale of food or merchandise or the sale of beverages without a permit is hereby declared to be a nuisance, unless the vendor is exempt as defined in Section 8 of this ordinance. Any member of the Tama County Law Enforcement, or its designees, are hereby empowered to cause any offending food stand or temporary stand where food or other merchandise or beverages are being dispensed in violation of this ordinance to be immediately dismantled and removed without notice.

SECTION 7 - MISDEMEANOR: It shall be a simple misdemeanor for any person to sell or supply food or other merchandise in the unincorporated areas of Tama County, Iowa on July 27 and July 28, 2023, without first having obtained a food vendor permit through the local Tama Toledo Chamber of Commerce Event Committee.

SECTION 8 - EXCEPTION: It shall not be a violation of this ordinance, and no vendor's permit shall be required for any person to sell or supply food or other merchandise in the unincorporated areas of Tama County, Iowa on July 27 and July 28, 2023 Tama Toledo Chamber of Commerce Event Committee on his or her previously licensed premises, provided that the person was in possession of a current Iowa Permit for the sale of food for consumption or merchandise or the sale of alcohol for consumption.

SECTION 9 - REPEALER: Any ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 10 - SEVERABILITY CLAUSE: If any sections, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

SECTION 11 - EFFECTIVE DATE: This Ordinance shall become effective after its final passage, approval, and publication as provided by law.

There were some public comments but no complaints about the ordinance. At 10:11 am Chairman Faircloth closed the public hearing/reading. Motion by Hilmer, seconded by Anderson to approve the first reading of Ordinance #V.13. All voted aye. Motion carried. Katherine Ollendieck, Tama County Economic Developer, asked the board if they would waive the second and third reading of the ordinance. Motion by Anderson, seconded by Hilmer to waive the second and third reading of Ordinance #V.13. All voted aye. Motion carried.

Backpocket Brewing, LLC requested a temporary liquor license for RAGBRAI. Per Ordinance #V.13 that was just approved a vendor permit must be obtained from the Tama Toledo Chamber of Commerce Event Committee. The board tabled approval of the liquor license until Backpocket Brewing, LLC can show proof of a vendor's permit.

The Board met with Judi Hamaker, Heartland Insurance Risk Pool, and Mary Griffin, Holmes Murphy, to discuss the renewal for fiscal year 2023-24.

Motion by Anderson, seconded by Hilmer to approve the claims for payment as presented. All voted aye. Motion carried.

Chairman Faircloth adjourned the meeting at 10:20 a.m.