



AGENDA FOR THE REGULAR SESSION OF THE BLACK HAWK COUNTY BOARD OF SUPERVISORS, WATERLOO, IOWA; TO BE HELD AT 9:00 A.M. IN BOARD ROOM 201 OF THE BLACK HAWK COUNTY COURTHOUSE

**March 5, 2019**

**Black Hawk County – Governing for the Future**

**2028 Vision**

Black Hawk County government is transforming itself with new capabilities for effective service to our citizens and greater-good decision making throughout the organization. We stay current with advances in technology and government to assure the best possible service to the public. We work in a culture of collaboration, learning from others' successes, and together, we anticipate and adapt to rapidly changing circumstances and demographics, both globally and locally. With others throughout our county and region, we form a safe, thriving community.

**Motivating Values - Black Hawk County is committed to being:**

Effective Responsible Collaborative Efficient Innovative Adaptable

**Vision Elements in a Rapidly Changing Future- Black Hawk County Government will strive to:**

Build Desirable Communities  
Promote Economic Vitality  
Achieve Environmental Sustainability  
Apply Technology to Serve  
Work Together

Revised by the Black Hawk County Board of Supervisors on November 26, 2013

**GENERAL RULES FOR PUBLIC PARTICIPATION**

1. You may address any item on the agenda by stepping up to the podium. After recognition by the Chair, state your name, address and group affiliation (if appropriate) and speak clearly into the microphone.
2. You may speak one (1) time per agenda item for a maximum of three (3) minutes.
3. The "Public Comments" section of the agenda is your opportunity to address items not on the agenda. A speaker may speak on one (1) issue per meeting for a maximum of three (3) minutes. Official action cannot be taken by the Board at that time, but may be placed on a future agenda or referred to the appropriate department.
4. Keep comments germane and refrain from personal, impertinent or slanderous remarks.
5. Questions concerning these rules or any agenda item may be directed to the Board Office at 319-833-3003.
6. Please turn cell phones off during the board meeting.



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**ROLL CALL**

**MOMENT OF SILENCE – To Reflect on Actions**

**PLEDGE OF ALLEGIANCE**

**1. AGENDA RECEIVED AS PROPOSED OR AS AMENDED**

**2. PUBLIC COMMENTS**

**3. YEARS OF SERVICE AWARD – to employee (s) with twenty or more years of service**

**4. CLAIMS AND PAYMENTS**

- A. Resolution-that the Board of Supervisors APPROVE EXPENDITURES, and that the County Auditor be authorized and directed to ISSUE CHECKS, against the various settlement of such claims as allowed.
- B. Resolution-that the Board of Supervisors APPROVE EXPENDITURES, and that the Country View Care Facility be authorized and directed to ISSUE CHECKS, against the various settlement of such claims as allowed.

**5. RECEIVE PROJECT UPDATES FROM DEPARTMENT HEADS/ELECTED OFFICIALS**

**6. MINUTES APPROVED – February 26, 2019**

**7. CONSENT AGENDA**

The following items will be acted upon by voice vote on a single **RESOLUTION**, without separate discussion, unless someone from the board or the public requests that a specific item be considered separately.

**A. TO APPROVE, RECEIVE, PLACE ON FILE WITH THE COUNTY AUDITOR**

- 1. The Board of Supervisors APPROVE INTERGOVERNMENTAL JOURNAL ENTRIES, and that the County Auditor be authorized and directed to TRANSFER monies within the various funds as submitted.
- 2. The CERTIFICATE OF INSURANCE for Aspro Inc., Cedar Valley Cyclists Inc., Hawkeye Alarm & Signal Co., Roger Smith Construction, and Union Pacific Railroad Company.

**B. TO RECEIVE AND PLACE ON FILE WITH THE COUNTY AUDITOR**

- 1. The MANURE MANAGEMENT PLAN (MMP) update submitted by Dean McKenna d/b/a McKenna Farms Inc. Facility ID# 62913 located in Clark Township, Section Three (3) at 3145 170<sup>th</sup> Street, Dysart, in Tama County with application in Black Hawk County pursuant to 567 Iowa Administrative Code §455B.

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2. The MANURE MANAGEMENT PLAN (MMP) update submitted by Phillip McKenna Facility ID# 65184 located in Clark Township, Section Ten (10) at 3110 170<sup>th</sup> Street, Dysart, in Tama County with application in Black Hawk County pursuant to 567 Iowa Administrative Code §455B.

## C. TO APPROVE AND DIRECT THE CHAIR TO SIGN

1. The RENEWAL APPLICATION for a Class “B” LIQUOR LICENSE (BB) submitted by Cedar Falls Motorsports Park, 7227 Waverly Road, Cedar Falls, Iowa.
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## 8. REPORTS

- A. Motion-that the RECORDER'S REPORT OF FEES COLLECTED from Sandie L. Smith, County Recorder, for the period from January 1, 2019 through January 31, 2019 be received and placed on file with the County Auditor.

## 9. CONTRACTS AND AGREEMENTS

- A. Resolution – that the LOWEST REASONABLE BID received from All Star Plumbing and Heating, Hudson, IA, for the sally port drain repair at the Jail with a bid of \$16,980.00 be approved as recommended by Rory Geving, Maintenance Superintendent.

## 10. OTHER BUSINESS

- A. Resolution – that the REQUEST FOR PURCHASE OF CAPITAL EQUIPMENT submitted by Catherine Nicholas, County Engineer, be approved and direct the Chair to sign for same: to purchase a portable hand-held P25 radio at the cost of \$1,549.00 from Racom, Marshalltown, IA.
- B. Resolution-to direct the Board of Supervisors to approve and sign the application for a Special Permit requested by FTC Tower Company to construct a 300 foot tall guyed communications tower located NW of 13630 Holmes Road as recommended by Seth Hyberger, Zoning Administrator.
- C. Motion- to direct the County Auditor to advertise for a PUBLIC HEARING/BID OPENING to be held at 9:05 a.m. on March 19, 2019 in Board Room 201 of the Black Hawk County Courthouse, 316 E. 5<sup>th</sup> Street, Waterloo, Iowa on the proposed FY20 Sealcoat at various locations in Black Hawk County.
- D. Motion-to direct the County Auditor to advertise for a public hearing to be held at 9:07 a.m. on Tuesday, March 19, 2019 in Board Room 201 of the Black Hawk County Courthouse, 316 E. 5<sup>th</sup> Street, Waterloo, Iowa on the proposed Ordinance No. 77-224 from a request submitted by Johnathan and Leslie Brundrett at 7233 Wagner Road to rezone 2.69 acres from “A” Agriculture District to “A-R” Agricultural-Residential District to build a new single family home.
- E. Resolution-that the TAXES DUE AND PAYABLE of the submitted persons, as indicated, including special assessments, and rates or charges, including interest, fees and cost, in

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accordance with the provision of §427.9 of the Code of Iowa, be suspended and that future property taxes on property owned by the persons will be suspended for such time as the persons remains the owner of the parcels, and during the period the persons receives assistance as described in §427.9 of the *Code of Iowa*.

- F. Motion-that the REVISION to the FMLA Policy adding the following sentence “While on approved intermittent leave, it is the employees’ responsibility to assert they are using their FMLA when calling in sick” be approved as recommended by the Policy Review Committee.
- G. Motion-that the REVISION to the Military Leave Policy removing outdated legal references and the five year maximum leave rule as it is no longer an absolute under USERRA be approved as recommended by the Policy Review Committee.
- H. Motion - to approve the PERSONNEL REQUISITION submitted for an Equipment Operator II (full-time, replacement) effective April 22, 2019 as recommended by Catherine Nicholas, County Engineer.

## **11. CLOSED SESSION**

- A. Resolution-that pursuant to the provisions of the Iowa Open Meetings Law, the Black Hawk County Board of Supervisors shall proceed into CLOSED SESSION AT 9:05 A.M., with attorney to discuss strategy with counsel regarding the potential litigation with United Health Care pursuant to Iowa Code §21.5(1c).
- B. Motion-to adjourn the Board of Supervisors meeting in CLOSED SESSION.
- C. Resolution-that the Board of Supervisors approve the acceptance of the settlement offer of \$394,559 from United Health Care with respect to PMI claims from April 1<sup>st</sup>, 2016 to July 23, 2017 and for the chair to sign the settlement agreement after review and approval of the County Attorney.

## **12. ANY REPORTS OR INFORMATION FROM THE BOARD**

## **13. ADJOURNMENT**

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**PLEASE NOTE BOARD OF SUPERVISORS AGENDA DEADLINE IS WEDNESDAY AT 4:00 P.M.**

FOR YOUR INFORMATION:

Board of Supervisors meetings can be seen on Mediacom Government Access Channel 79.2 in Waterloo on Tuesday at 2:00 PM and 8:00 PM, Wednesday at 2:30 AM and 6:30 AM, Saturday at 9:00 AM and Sunday at 8:00 PM.

To contact a supervisor with your comments or concerns:

|                |          |  |
|----------------|----------|--|
| Chris Schwartz | 833-3074 | <a href="mailto:cschwartz@co.black-hawk.ia.us">cschwartz@co.black-hawk.ia.us</a> |
| Tom Little     | 833-3075 | <a href="mailto:tlittle@co.black-hawk.ia.us">tlittle@co.black-hawk.ia.us</a>     |
| Linda Laylin   | 833-3076 | <a href="mailto:llaylin@co.black-hawk.ia.us">llaylin@co.black-hawk.ia.us</a>     |
| Dan Trelka     | 833-3077 | <a href="mailto:dtrelka@co.black-hawk.ia.us">dtrelka@co.black-hawk.ia.us</a>     |
| Craig White    | 833-3078 | <a href="mailto:cwhite@co.black-hawk.ia.us">cwhite@co.black-hawk.ia.us</a>       |

**Our web site is: [www.co.black-hawk.ia.us](http://www.co.black-hawk.ia.us)**