



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

October 15, 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. 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.

4. PRESENTATION

- A. Elk Run Heights Veterans Memorial presentation by Lisa Smock.
- B. Connect Count Committee progress regarding the 2020 Census presented by Brian Schoon from INRCOG.

5. RECEIVE PROJECT UPDATES FROM DEPARTMENT HEADS/ELECTED OFFICIALS

6. MINUTES APPROVED – October 8, 2019

7. HEARINGS – Times are approximate

- i. 9:05 a.m. Ordinance No. 77-235 Rezone Request by George Jorgensen and Jerry Harris

8. 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 BerganKDV Ltd., Capitol Vending, Cott Systems Inc., CureMD.com Inc., IIW PC, Jaytech Inc., and Waverly Health Center.
- 3. The Auditor’s QUARTERLY REPORT of fees collected from July 1, 2019 through September 30, 2019.

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4. The RECORDER'S REPORT OF FEES COLLECTED from Sandie L. Smith, County Recorder, for the period from May 1, 2019 through July 31, 2019.
 5. The SALE OF EQUIPMENT from the Conservation Office for the following equipment: 2006 Wood Boiler; Central Boiler Model #CL6048; Serial #57684.
- B. TO APPROVE AND DIRECT THE CHAIR TO SIGN
1. The allowable/disallowable HOMESTEAD CREDIT LIST as submitted by the County Assessor's Office, in accordance with §425.3 of the *Code of Iowa*.
 2. The allowable/disallowable MILITARY SERVICE TAX EXEMPTION LIST as submitted by the County Assessor's Officer, in accordance with §426.A.14 of the *Code of Iowa*.
 3. The allowable/disallowable FAMILY FARM CREDIT LIST as submitted by the County Assessor's Officer, in accordance with §426.A.14 of the *Code of Iowa*.
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9. CONTRACTS AND AGREEMENTS

- A. Resolution – that the BEST BID received from Encore Energy, Dubuque, Iowa, for natural gas transportation services for the Jail, effective November 1, 2019 through October 31, 2020 and to hedge gas from November through April at the fixed rate not to exceed \$3.75/mmBTU be approved and for the Chair to sign the contract upon receipt as recommended by Rory Geving, Maintenance Superintendent.
- B. Resolution-that the BEST BID received from Kidder Construction, Waterloo, Iowa for the Veteran Affairs remodel project in the Pinecrest facility for the amount of \$90,467.00 be approved and for the Chair to sign the contract, conditional to the receipt of the certificate of insurance and performance bond, as recommended by Rory Geving, Maintenance Superintendent.

10. OTHER BUSINESS

- A. Resolution – that the EMERGENCY PURCHASE OF CAPITAL EQUIPMENT submitted by Ben Delagardelle be retroactively approved: to purchase and repair a failed meter in Washburn in the amount of \$4,210.09 in order to report daily flows into the lagoon in accordance with the NPDES permit with the Iowa Department of Natural Resources.
- B. Motion- that the PERSONNEL REQUISITION for an Equipment Operator I (full-time, replacement) effective October 16, 2019 as recommended by Catherine Nicholas, County Engineer.
- C. Resolution-that the TAXES on submitted properties which have come into public ownership through community development efforts, public infrastructure improvement of public purpose acquisition be abated and to instruct the County Treasurer to adjust her records accordingly pursuant to §427.2 and §445.63 of the *Code of Iowa* in the total amount of \$7,582.06.

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- D. Resolution-that the TAXES on submitted properties be abated under §445.16 of the *Code of Iowa* as the Black Hawk County Treasurer has determined that it is impractical to pursue collection of the total amounts due through the tax sale and personal judgment remedy and has little recourse for collection of taxes and to authorize the County Treasurer to strike from the tax lists the reference to the past due amounts in the amount of \$4,579.28.
- E. Resolution-that the appointment of Jordan C. Rouse as Assistant County Attorney effective September 30, 2019 through December 31, 2022 be approved and direct the Chair to sign for same as recommended by Brian J. Williams, Black Hawk County Attorney.
- F. Resolution- that the REVISIONS to the Building and Grounds Policy effective October 15, 2019 be approved as recommended by the Policy Review Committee.
- G. Resolution- that the REVISION to the Conflict of Interest Policy changing the public contracts of political subdivision threshold from \$1,500.00 to \$6,000.00 effective July 1, 2019 be approved as recommended by the Policy Review Committee.
- H. Resolution- that the REVISIONS to the Non-bargaining Compensation Policy effective October 15, 2019 be approved as recommended by the Policy Review Committee.
- I. 9:05 a.m. Hearing on proposed Ordinance No. 77-235 Jorgensen/Harris Rezone
 - i. Motion-to receive and place on file proof of publication of notice of public hearing.
 - ii. Motion-to waive the first reading as notice was published on October 4, 2019 in the Waterloo Courier in accordance with requirements of the *Code of Iowa* and publication was approved on the request submitted by George Jorgensen and Jerry Harris at 7911 and 7915 W 1st Street to rezone 5.8 acres from “A” Agriculture District to “A-R” Agricultural-Residential District in order to split off a home that was built on 35 acres.
 - iii. Motion-to close the hearing as oral and written comments were received and placed on file.
 - iv. Resolution-to suspend the rules requiring the Board of Supervisors to consider and vote on the proposed ordinance at two prior meetings.
 - v. Ordinance adoption-that “Ordinance Amending Ordinance No. 36 as Amended, the Black Hawk County, Iowa Agricultural Preservation Zoning Ordinance adopted February 2, 1999, by adding Subsection No. 235 to section VI (B), Rezoning Certain property” as described on the above request submitted by George Jorgensen and Jerry Harris and to consider the same for adoption and if adopted would be known as Ordinance No. 77-235.
- J. Resolution-that the MINOR PLAT OF SURVEY submitted by George Jorgensen and Jerry Harris to minor plat 6.12 acres located at 7911 and 7915 W 1st Street into two lots. A 5.8 acres parcel zoned “A-R” Agriculture-Residential District and a 0.32 acre parcel is zoned “A” Agricultural District. The property in question is located at 7911 and 7915 W 1st Street, approximately 3/4 of a mile west of the W 1st Street and N Union Road intersection, and if approved that the County Auditor be directed to certify a copy of this Resolution for the Black Hawk County Recorder.

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- K. DISCUSSION – setting permanent parking pass criteria for the Courthouse parking lot and other updates to the Parking Ordinance.
- L. DISCUSSION – update on the solar project as recommended by the Alternative Energy Committee.

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 in the matter of Grant and Annette Duncan vs. Black Hawk County pursuant to Iowa Code §21.5(1c).
- B. Motion-to adjourn the Board of Supervisors meeting in CLOSED SESSION.
- C. Resolution-to (proceed/not proceed) with proposed litigation.

12. ANY REPORTS OR INFORMATION FROM THE BOARD

13. ADJOURNMENT

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:

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Our web site is: www.co.black-hawk.ia.us