

Waterloo, Iowa February 12, 2019

The Board of Supervisors of the County of Black Hawk, in the State of Iowa, met in regular adjourned meeting at the Courthouse in Waterloo, County Seat of said County, at nine o'clock (9:00) a.m., pursuant to law, to the rules of said Board, and to adjournment. The meeting was called to order and on roll call there were present: Linda Laylin, Chris Schwartz, Dan Trelka, Craig White and Tom Little, Chair.

Absent: None. Laylin and Schwartz attended telephonically.

Unless otherwise noted, all actions were approved unanimously.

Moved by White, seconded by Trelka that the AGENDA be received and place on file with the County Auditor as approved. Motion carried.

White moved the following resolution seconded by Trelka.

BE IT HEREBY RESOLVED by the Board of Supervisors of Black Hawk County, 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:

GENERAL BASIC FUND

17726	IA DEPT OF REV	state pay	27,178.69
17731	IPERS	ipers	268,358.66
17733	AHLERS & COONEY	svc	1,870.00
17735	BICKLEY, MARK	svc	670.00
17739	C&S REAL ESTATE	rent	550.00
17740	CBM MANAGED SVCS	food	9,958.54
17741	CITY OF CEDAR FALLS	fuel	55.70
17743	CHIEF	supl	84.99
17744	COURIER	publ	454.55
17745	CTS LANGUAGELINK	svc	379.74
17746	DEBNER JULIE A	svc	29.00
17747	DEPT OF CORRECTIONAL SVCS	svc	16,840.48
17748	EMSL ANALYTICAL INC	svc	814.28
17751	FULLER, ANGELA	svc	210.00
17755	LA PORTE CITY PRINTING & DESIGN	publ	1,712.70
17756	LAW OFFICE OF CHRISTINA SHRIVER	svc	330.00
17758	MATT PARROTT/STOREY KENWORTHY	supl	54.15
17760	MEDLINE INDUSTRIES INC	supl	93.98
17761	MENARDS WLOO	eq	127.86
17762	MIDWEST AUTOMATED TIME SYSTEMS	svc	228.50
17763	PER MAR SECURITY SVCS	svc	1,890.36
17764	PLUNKETTS PEST CONTROL INC	svc	271.50
17765	PTS OF AMERICA	svc	2,217.00
17766	RITE PRICE OFFICE SUPL INC	supl	451.98
17767	WLOO COMM SCHOOLS	supl	40.51
17768	WEBER PAPER CO	supl	1,029.00
17769	WEX BANK	fuel	67.73
17770	WHOLE EXCAVATION	svc	1,908.75
312474	ABT WATER MGMT	util	100.00
312479	C&C WELDING & SAND BLASTING	eq	15.00
312480	CAMPBELL SUPL WLOO	supl	490.98
312481	CANON FINANCIAL SVCS INC	svc	455.58
312482	CEDAR BEND HUMANE SOCIETY INC	alloc	2,251.32
312485	CF UTILITIES	data	770.33
312486	CF UTILITIES	util	45.57
312487	CF UTILITIES	util	115.67
312488	CF UTILITIES	data	357.06
312489	CENTURYLINK	tel	62.40
312494	COUNTRY TERRACE	rent	250.00
312496	D&J PROPERTIES	rent	200.00
312497	DATASPEC INC	maint	1,745.00
312500	DOORS INC	supl	30.99
312503	EILERS MURIEL M	rent	225.00
312505	GORDON LYNN A	svc	19.00
312508	HUDSON PRINTING CO INC	publ	1,747.71
312509	IA ASSOC OF CO COMMISSIONERS & VETERAN	educ	120.00

312510	IA CO ATTORNEYS ASSOC	educ	1,050.00
312512	ISAC	educ	380.00
312513	U OF IA	svc	751.00
312514	U OF IA	svc	1,740.00
312515	JIM LIND SVC	eq	8.58
312516	KH PROPERTIES	rent	225.00
312519	LEAHY RENTALS	rent	200.00
312520	LOCKE FUNERAL HOME INC	svc	1,000.00
312521	LPC CONNECT	data	163.89
312522	MHP 2216 LINCOLN ST	rent	275.00
312523	MID AMERICAN ENERGY	util	7,968.67
312527	MID AMERICAN ENERGY	util	150.95
312531	NATL ENVIRONMENAL HLTH	supl	3,800.00
312532	NELSON LARRY	rent	425.00
312533	NICHOLS RONALD L	rent	250.00
312534	N IA JUV DETENTION SVCS	svc	7,300.00
312535	NORTH STAR REALTORS	svc	250.00
312538	PEOPLES COMMUNITY HLTH	svc	2,500.00
312539	PITNEY BOWES	svc	3,000.00
312540	POWESHIEK WATER ASSOC	wtr	152.90
312541	PROFESSIONAL OFFICE SVCS	supl	201.85
312544	SAILER LAW	svc	120.00
312546	SANDERS FUNERAL SVC	svc	2,500.00
312548	SHRED MASTER INC	svc	45.78
312549	SPRINT LEGAL COMPLIANCE	svc	3,250.00
312551	STEW HANSEN DODGE	mtr veh	57,185.00
312553	SUCCESSLINK	svc	2,211.71
312554	TEDS HOME AND HARDWARE	supl	42.91
312557	VAN WYNGARDEN & ABRAHAMSON INC	svc	368.00
312558	VERIZON WIRELESS	svc	40.01
312559	WASTE MGMT OF WI-MN	svc	2,157.20
312560	WATERFALLS CAR WASH	lbr	54.80
312561	CITY OF WATERLOO	misc	1,156.42
312562	WLOO WATER WORKS	wtr	42.35
312563	WINTERS ANGELA	rent	225.00
312564	XEROX CORP	svc	140.59
312565	KATCHER JAMES J	mil	31.32
312566	SMITH, TRACI	mil	16.77
312567	HOSTETLER GRIMM, DAIN	mil	126.36

GENERAL SUPPLEMENTAL FUND

17726	IA DEPT OF REV	state pay	239.00
17731	IPERS	ipers	1,854.22
17758	MATT PARROTT/STOREY KENWORTHY	supl	45.50
312504	ELECTION SOURCE	supl	403.56
312536	OFFICE DEPOT	supl	27.99

COUNTY SERVICES FUND

17726	IA DEPT OF REV	state pay	954.81
17731	IPERS	ipers	6,851.70
17757	LEISTIKOW, ASHLEY	mil	39.39
312547	SHELTON, BECKY	mil	223.08

RURAL BASIC FUND

17726	IA DEPT OF REV	state pay	2,205.50
17731	IPERS	ipers	21,515.08

SECONDARY ROADS FUND

17726	IA DEPT OF REV	state pay	3,613.00
17731	IPERS	ipers	27,524.00
17734	ANTON SALES	eq	205.79
17737	BLACKSTRAP INC	supl	22,502.06
17738	BMC AGGREGATES	supl	4,048.02
17741	CITY OF CEDAR FALLS	svc	45.84
17750	FIX TIRE CO	fuel	217.53
17752	HOUSBY HEAVY EQUIP	eq rpr	2,950.83
17753	CITY OF HUDSON	util	33.15
312475	AMAZON CAPITAL SVCS INC	eq	35.39
312477	ARNOLD MOTOR SUPL	supl	117.75
312478	BLACK HAWK WASTE DISPOSAL	svc	120.96
312483	CF UTILITIES	util	6.98
312484	CF UTILITIES	util	75.00
312489	CENTURYLINK	tel	44.95
312490	CENTURYLINK	tel	45.95
312491	CINTAS CORP	svc	28.70
312493	CONSOLIDATED ENERGY HARTLAND	fuel	1,089.70
312495	CROSS DILLON TIRE	eq	1,675.00
312498	DICKEYS PRINTING	svc	252.00
312499	DONS TRUCK SALES INC	e	2,239.49
312501	DUNKERTON COOP ELEVATOR	fuel	3,717.21
312502	E CENTRAL IA COOP	fuel	13,398.80
312506	HOTSY EQUIPMENT CO INC	prts	200.50
312507	HUDSON MUNICIPAL ELECTRIC UTIL	util	254.49
312511	IOWA PRISON INDUSTRIES	eq	4,313.89
312517	KW ELECTRIC INC	eq rpr	1,963.78
312518	LA PORTE MOTOR SUPL INC	prts	128.56
312521	LPC CONNECT	tel	38.40
312525	MID AMERICAN ENERGY	util	20.59
312526	MID AMERICAN ENERGY	util	42.27
312528	MURPHY TRACTOR & EQUIP CO	prts	272.84
312529	MUTUAL WHEEL CO	prts	118.20
312530	NAPA AUTO PARTS	prts	550.26
312537	OVERHEAD DOOR CO OF WLOO INC	eq	4,890.50
312542	QUAD CITY TESTING LAB INC	svc	1,020.00
312543	SADLER POWER TRAIN INC	prts	71.61
312545	SAM ANNIS & CO	fuel	1,080.43
312550	STETSON BLDG PRODUCTS	svc	118.32
312552	STOKES WELDING	eq	482.43

JAIL COMMISSARY FUND

17726	IA DEPT OF REV	state pay	33.00
17731	IPERS	ipers	383.94
17754	KEEFE SUPL CO	food	14.94
17759	MCKEE FOODS	food	70.56

RURAL SEWER FUND

17742	CEDAR VALLEY PUMP	eq rpr	2,914.97
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INSURANCE TRUST FUND

17727	NAVITUS HEALTH SOLUTIONS	ins	18,082.89
17729	PREFERRED ONE INS CO	ins	105,700.87
17730	PREFERRED ONE INS CO	ins	59,192.19
312472	DELTA DENTAL PLAN OF IA	ins	32,868.33
312473	MADISON NATL LIFE INS	ins	842.17

FLEXIBLE SPENDING FUND

17728 EMPLOYEE BENEFITS CORP flx sp 1,124.42

SOLID WASTE ADMIN FUND

17726 IA DEPT OF REV state pay 229.00
 17731 IPERS ipers 1,323.12

E911 SERVICE COMMISSION FUND

17749 FARMERS MUTUAL TELEPHONE CO tel 120.76
 312476 AMERICAN TOWER CORP eq rent 2,059.40
 312489 CENTURYLINK tel 65.57
 312492 COLOFF MEDIA eq rent 1,909.00
 312521 LPC CONNECT tel 254.28
 312524 MID AMERICAN ENERGY util 245.87

EMERGENCY MANAGEMENT FUND

17726 IA DEPT OF REV state pay 165.00
 17731 IPERS ipers 1,199.48
 17732 ADVANCED SYSTEMS INC svc 27.40
 17758 MATT PARROTT/STOREY KENWORTHY supl 75.72
 312556 US BANK misc 184.88

COUNTY ASSESSOR FUND

17726 IA DEPT OF REV state pay 1,049.00
 17731 IPERS ipers 8,741.50
 17736 BHC TREASURER svc 10,901.73
 17744 COURIER publ 79.88
 312555 TYLER TECHNOLOGIES sftwr 125.00

AYES: Laylin, Schwartz, Trelka, White, Little.
 NAYS: None. Resolution adopted.

RECEIVE PROJECT UPDATES FROM DEPARTMENT HEADS/ELECTED OFFICIALS. County Engineer Cathy Nicholas said that all trucks and graders were out plowing snow and would operate between 5:00 am and 5:00 pm unless visibility becomes too poor. She said that a public meeting would be held at the Rotary Reserve at 6:00 pm on February 21 to discuss the resurfacing of Turkey Foot Heights in 2020.

Moved by Laylin, seconded by Trelka that the MINUTES of the Board Meeting held February 5, 2019 and February 7, 2019 be and are hereby approved as submitted. Motion carried.

CONSENT AGENDA

White moved the following RESOLUTION seconded by Trelka.

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.

Transfer from Fund	Amount	Transfer to Fund	Amount
SECONDARY ROADS	11,380.20	HEALTH INSURANCE TRUST FUND	11,380.20
SOCIAL SERVICES	17.15	GENERAL FUND - DHS	17.15
SOCIAL SERVICES	1,161.06	GENERAL FUND - MAINTENANCE	1,161.06
SOCIAL SERVICES	136.39	GENERAL FUND - DHS	136.39

2. The PAYROLL ADJUSTMENTS submitted by the various departments and the County Auditor be authorized and directed to adjust his records accordingly.

DEPT., NAME	POSITION	FROM	TO	DATE	CHANGE
SHERIFF, Tony Thompson					
BARRON, ELIZABETH	CIVILIAN DETENTION OFFICER	18.69	19.34	1/27/2019	ANNUAL STEP INCREASE
JOEBGEN, MICHAEL J	DEPUTY SHERIFF	28.46	29.59	1/27/2019	UNIT 5 - 3 YEAR STEP
SKILLING, CRAIG A	BOOKING CLERK	18.69	18.69	1/28/2019	NEW HIRE
SPAULDING, BRANDON	DEPUTY SHERIFF	24.83	26.56	1/27/2019	ANNUAL STEP INCREASE

ATTORNEY, Brian Williams					
HUDSON, MICHAEL S.A.	ASSISTANT COUNTY ATTORNEY	34.26	35.91	1/27/2019	ANNUAL STEP INCREASE

3. The Sheriff's MONTHLY REPORT of fees as of January 31, 2019.
 - B. TO RECEIVE AND PLACE ON FILE WITH THE COUNTY AUDITOR
 1. The MANURE MANAGEMENT PLAN (MMP) update submitted by Gene Anderson d/b/a Hawkeye Star Farm Facility ID# 58374 located in Barclay Township, Section Seven-teen (17) at 1465 S Canfield Road, Dunkerton, in Black Hawk County pursuant to 567 Iowa Administrative Code §455B.
 2. The MANURE MANAGEMENT PLAN (MMP) update submitted by Greg Beierschmitt ID# 58517 located in Lester Township, Section One (1) at 9504 Goeller Road, Fairbank, in Black Hawk County pursuant to 567 Iowa Administrative Code §455B.
 - C. 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*.
- AYES: Laylin, Schwartz, Trelka, White, Little.
NAYS: None. Resolution adopted.

CONSENT AGENDA ENDS

Moved by White, seconded by Trelka that the 2018 Black Hawk County Wage Listing be received and placed on file and to direct the County Auditor to publish in the Waterloo Courier. Motion carried.

Moved by White, seconded by Trelka that the IOWA INDIVIDUAL HEALTH BENEFIT REINSURANCE PROGRAM 2018 Annual Reporting Form be approved and direct the Chair to sign for same as recommended by Helen Steffen, Systems/Real Estate Taxation Manager. Motion carried.

Moved by White, seconded by Trelka that the PERSONNEL REQUISITION for the Paralegal/Court Debt Recover Officer, (full time) in the County Attorney's Office be approved, as recommended by Brian Williams, County Attorney. Williams said that this was to fill a vacancy due to retirement. Motion carried.

Moved by Laylin, seconded by Schwartz that the PERSONNEL REQUISITION for the Temporary Summer Helper/Intern position with no job offer to be extended until the budget has been approved and only after the adoption of the FY20 budget on July 1, 2019 in the County Engineer Department be approved, as recommended by Cathy Nicholas, County Engineer. Nicholas said that this position exposes students to civil engineering. Funds are approved for FY19 but not yet for FY20. Motion carried.

Moved by Laylin, seconded by Schwartz that the TRAVEL REQUEST submitted by Debi Bungler, Human Resources Director, be approved and direct the Chair to sign for same: \$988.00 for Marianne Kurtenbach and Amanda Fesenmeyer to attend the Iowa Employment Law Spring conference in Altoona, IA scheduled for April 3rd - 4th, 2019. Motion carried.

Moved by White, seconded by Trelka to direct the Finance Director to advertise for a PUBLIC HEARING on the proposed Black Hawk County Budget for the Fiscal Year 2019-2020 to be held on March 5, 2019 at 9:05 a.m. in Board Room 201 of the Black Hawk County Courthouse, Waterloo, Iowa. Motion carried.

White moved the following resolution seconded by Trelka.
BE IT HEREBY RESOLVED to DISSOLVE the Black Hawk County Country View Board of Advisors.
AYES: Laylin, Schwartz, Trelka, White, Little.
NAYS: None. Resolution adopted.

At Nine-twelve o'clock (9:12) a.m., a public hearing was held as provided by law in the Board Room 201 of the Black Hawk County Courthouse, Waterloo, Iowa at which time all interested persons could appear to file objections on the request submitted by William and Abby Herkelman at South of 8902 Dysart Road to rezone 5.18 acres from "A" Agriculture District to "A-R" Agricultural-Residential District to build two single family home. The property is legally described as: REZONE AREA NORTH: THE NORTH 375 FEET OF THE EAST 350 FEET OF THE NE ¼ OF THE NE ¼ OF SECTION 1, TOWNSHIP 87 NORTH, RANGE 13 WEST, BLACK HAWK COUNTY, IOWA, EXCEPT THE EAST 50 FEET THEREOF. REZONE SOUTH AREA: THE SOUTH 375 FEET OF THE NORTH 1,200 FEET OF THE EAST 350 FEET OF THE NE ¼ OF THE NE ¼ OF SECTION 1, TOWNSHIP 87 NORTH, RANGE 13 WEST, BLACK HAWK COUNTY, IOWA, EXCEPT THE EAST 50 FEET THEREOF.

The Board of Supervisors examined proof of publication of notice and determined that the notice had been published on February 1, 2019 in the Courier in accordance with the requirements of the *Code of Iowa*.

Moved by seconded by to receive and place on file proof of publication of notice of public hearing. Motion carried.

Moved by seconded by to waive the first reading. Motion carried.

Seth Hyberger of Planning and Zoning said that a motion at the Planning and Zoning Commission meeting to deny the request failed on a 2-2 vote. The commissioners opposing the request said that the land has a high Land Evaluation Site

Assessment value. The commissioners supporting the request said the land had not been farmed for over 30 years, it was not conducive for production due to parcel size or shape, and the rezoning was compatible with surrounding uses by reason of similar adjacent uses. Laylin asked if the request could be sent back to the commission considering three members were not in attendance. Assistant County Attorney Peter Burk said no, the matter is properly before the supervisors. Laylin said two prior requests involving the same property had been denied. Burk said that the configuration (5.18 acres rather than 17.49 acres) was different, so a new vote is warranted. County Auditor Grant Veeder asked if a supermajority would be required to approve the request given that the request did not receive an affirmative vote by the commission. Burk said that it would. Little wished to be recorded as disagreeing with this interpretation. Laylin asked if Trelka had a conflict of interest in the matter since William Herkelman is one of his employees. Burk said that Herkelman is an employee of the city of Waterloo, not of Waterloo Police Chief Trelka, and no conflict exists. Herkelman said that he addressed all of the concerns of a neighboring farmer, and that no house would be built in the parcel between the two building sites because he was installing a pond there.

Moved by White, seconded by Trelka to close the hearing and oral and written comments were received and placed on file. Motion carried.

White moved the following resolution seconded by Trelka.

WHEREAS, a public hearing was held on February 12, 2019 at Nine-oh- o'clock (9:) a.m., on the request submitted by William and Abby Herkelman at South of 8902 Dysart Road to rezone 5.18 acres from "A" Agriculture District to "A-R" Agricultural-Residential District to build two single family home, and

WHEREAS, "An Ordinance Amending Ordinance No. 36, as Amended, the Black Hawk County, Iowa, Agricultural Preservation Zoning Ordinance Adopted February 2, 1999, by adding Subsection No. 223 to Section VI (B), Rezoning Certain Property" as described on the above request submitted by William and Abby Herkelman and to consider same for adoption and if adopted would be known as Ordinance no. 77-223, and

WHEREAS, §331.302(5) of the Code of Iowa allows the Board of Supervisors to suspend by majority vote the requirement to consider and vote on a proposed ordinance at two meetings of the board prior to the meeting at which it is to be fully passed, and

WHEREAS, there were no corrections to the ordinance,

NOW THEREFORE BE IT HEREBY RESOLVED that the rules requiring the Board of Supervisors to consider and vote on a proposed ordinance at two prior meetings be suspended.

AYES: Laylin, Schwartz, Trelka, White, Little.

NAYS: None.

Resolution adopted.

White moved the following ordinance seconded by Trelka.

WHEREAS, "An Ordinance Amending Ordinance No. 36, as Amended, the Black Hawk County, Iowa, Agricultural Preservation Zoning Ordinance Adopted February 2, 1999, by adding Subsection No. 223 To Section VI (B), Rezoning Certain Property" as described on the above request submitted by William and Abby Herkelman and to consider same for adoption and if adopted would be known as Ordinance No. 77-223, and

WHEREAS, pursuant to §331.302(5) of the Code of Iowa, the Board of Supervisors has suspended by majority vote the requirement to consider and vote on a proposed ordinance at two meetings of the board prior to the meeting at which it is to be finally passed, and

NOW THEREFORE BE IT HEREBY RESOLVED that the same is hereby zoned acres from "A" Agriculture District to "A-R" Agricultural-Residential District, and the ordinance is hereby adopted and known as Ordinance No. 77-223.

AYES: Schwartz, Trelka, White, Little.

NAYS: Laylin.

Ordinance adopted.

The Board discussed amending Ordinance No. 85, Snow and Ice Removal. Little suggested that a committee be formed, with representatives from the Board, Secondary Roads, and the Sheriff, to bring back a recommendation. County Engineer Cathy Nicholas said that she felt she needed a part-time on-call employee to be available in emergency weather situations. Little said that he thought this could be accomplished with current staff by staggering shifts. Nicholas said that all staff was working 5am-5pm and then had to be up to plow again at 5am. She said the public and the Sheriff have high expectations of efficiency. The main change sought in the ordinance was a more effective way to treat ice. Nicholas said that with a changing environment, more icy road events are expected, and she wants to be proactive. Little asked that the committee bring a recommendation to the Board soon.

ANY REPORTS OR INFORMATION FROM THE BOARD. Trelka reviewed various problematic areas of the budget and said that it is a harder process than most people realize. He said all five supervisors have put their heart and soul into the process.

On motion and vote the meeting adjourned.

Tom Little, Chair, Board of Supervisors

Grant Veeder, County Auditor