

Waterloo, Iowa March 5, 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 (via phone), Dan Trelka, Craig White and Tom Little, Chair.

Absent: None.

Unless otherwise noted, all actions were approved unanimously.

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

The Board of Supervisors acknowledged the following employees for years of service: Anthony J. Meyer, Harold I Oliver, Brian L. Sebilsky, and Anthony T. Thompson of the Sheriff's Office for 25 years of service; Wayne A. Sidles of the Sheriff's Office for 20 years of service.

Laylin 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

17887	COLLECTION SVC CTR	oth pay	1,114.02
17888	IRS	fed pay	60,201.82
17889	SSA	fica	97,962.34
17893	CEDAR VALLEY UNITED WAY	oth pay	184.50
17896	ACES	svc	20,404.00
17898	B&B LOCK & KEY INC	eq	30.36
17902	BRUSTKERN MICHAEL J	rent	200.00
17903	C&S REAL ESTATE	rent	300.00
17904	CBM MANAGED SVCS	food	10,139.20
17905	CDW GOVERNMENT INC	eq	911.05
17906	CITY OF CEDAR FALLS	fuel	77.44
17907	CHIEF	supl	282.98
17908	COTT SYSTEMS	svc	3,300.00
17909	COURIER	publ	1,293.61
17910	DATA BUSINESS EQUIPMENT INC	supl	40.55
17911	DWD INVESTMENTS	rent	275.00
17912	HARTMAN DONALD W	rent	275.00
17913	IA REGIONAL UTILITIES ASSOC	wtr	169.89
17915	KHAN PROPERTIES	rent	250.00
17916	KUCHENBERG, RANDALL	rent	275.00
17918	MAIL SVCS	svc	4,078.51
17919	MATT PARROTT/STOREY KENWORTHY	supl	272.25
17921	MENARDS WLOO	misc	240.34
17922	NEOPOST USA INC	supl	33.00
17923	O'KEEFE ELEVATOR CO INC	svc	1,015.00
17924	OWL INVESTMENTS	rent	200.00
17925	P&M REAL ESTATE	rent	200.00
17926	RACOM CORP	svc	1,200.00
17927	RITE PRICE OFFICE SUPL INC	supl	211.05
17928	T&C CLEANING INC	svc	19,166.66
17930	WEBER PAPER CO	supl	567.04
312761	AFSCME IOWA COUNCIL 61	oth pay	670.96
312762	BHC LAW ENFORCEMENT ASSOC	oth pay	477.50
312763	COMMUNITY HEALTH CHARITIES IA	oth pay	8.00
312765	IUPAT DISTRICT COUNCIL 81	oth pay	650.26
312766	LEGALSHIELD	oth pay	200.35
312767	MADISON NATL LIFE INS	ins	70.41
312768	NATIONWIDE RETIREMENT SOLUTIONS	def com	5,335.00
312769	NATIONWIDE RETIREMENT SOLUTIONS	def com	1,537.50
312770	PECU	oth pay	24,588.00
312771	RADIUS GLOBAL SOLUTIONS	oth pay	225.83
312772	TRANSWORLD SYSTEMS INC	oth pay	165.74
312773	30 SOMETHING REAL ESTATE	rent	225.00

312774	ABC EMBROIDERY	svc	490.00
312775	ABD PROPERTY MGMT	rent	200.00
312777	APCO INTERNATIONAL INC	educ	380.00
312778	BOUBIN MUFFLER	prts/lbr	564.19
312779	BURLINGTON TRAILWAYS	svc	168.50
312780	CAMPBELL SUPL WLOO	supl	6.48
312783	CF UTILITIES	svc	717.04
312784	CELLEBRITE USA INC	svc	699.34
312785	CENTRAL IA JUV DETENTION CTR	svc	1,680.00
312792	CENTURYLINK	svc	88.12
312795	COHESIVE CREATIVE AND CODE INC	svc	2,500.00
312796	CO VETERAN SVC OFFICERS OF NE	svc	375.00
312797	CREATIVE IMPACT CO	supl	6.00
312798	D&M INVESTMENTS	rent	250.00
312799	EPM IOWA	rent	250.00
312800	EVELAND JOHN	rent	225.00
312801	FEDEX	svc	309.24
312802	GALE MOTE ASSOCIATES	svc	562.14
312803	GALLS LLC	supl	72.94
312805	HAWKEYE PROPERTY MGMT	rent	200.00
312806	HAWKEYE VILLAGE APT	rent	400.00
312807	HAWTHORNE RENTALS	rent	80.00
312808	IA ASSOC OF CO COMMISSIONERS & VETERAN	educ	60.00
312810	IOWA PRISON INDUSTRIES	svc	324.39
312811	U OF IA	educ	8.00
312812	JONES , MICHAEL K	rent	200.00
312813	JUNKMAN KNOEBEL CTR	rent	200.00
312814	KA INVESTMENTS	rent	275.00
312816	KRUSE PHILLIPS FUNERAL HOME	svc	403.53
312818	LEAHY RENTALS	rent	200.00
312819	LINN CO	svc	1,875.00
312820	LOCKE FUNERAL HOME INC	svc	2,500.00
312821	MARCOTTE, KIM	rent	200.00
312822	METRO INVESTMENTS	rent	310.00
312825	MID AMERICAN ENERGY	svc	12.83
312843	MID AMERICAN ENERGY	util	8.59
312844	MINGO ENTERPRISES	rent	225.00
312846	MOTEL 6	rent	443.00
312847	NATL CO ASSOC OF CO VETERANS SVC OFFICERS	dues	50.00
312848	NATL ELEVATOR INSPECTION SVCS INC	svc	375.00
312849	NATL EMERGENCY NUMBER	educ	190.00
312851	OSTBY, LISA	rent	275.00
312852	PITNEY BOWES	supl	246.49
312853	REHABMART	supl	391.94
312854	RUSSELL LAMSON LTD PARTNERSHIP	rent	400.00
312855	SACRED HEART CHURCH	rent	150.00
312857	SANDERS FUNERAL SVC	svc	1,000.00
312858	SCOTT PHARMACY	meds	22.80
312859	SPEEDPRO IMAGING VISUAL SOLUTIONS	supl	560.00
312860	STEW HANSEN DODGE	mtr vehs	46,800.00
312861	STRATEGIC IMAGING	svc	2,949.35
312862	US POST OFFICE	svc	99.19
312863	UNITY SQ TOWNHOUSES	rent	300.00
312866	VISA	misc	4.80
312868	VOSHELL MICHAEL	rent	200.00
312869	WLOO WATER WORKS	util	5,776.81
312870	WLOO WATER WORKS	wtr	527.28
312871	WERTJES UNIFORMS	supl	705.30
312872	HAHN KATHLEEN	dues	270.00

GENERAL SUPPLEMENTAL FUND

17888	IRS	fed pay	366.87
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17889	SSA	fica	838.80
17917	LUTHERAN SVCS OF IA	svc	2,519.10
312769	NATIONWIDE RETIREMENT SOLUTIONS	def com	330.00
312809	IOWA PRECINCT ATLAS CONSORTIUM	svc	1,000.00
312850	N IA JUV DETENTION SVCS	svc	33,766.00
312873	FOUR OAKS INC	svc	2,752.35

COUNTY SERVICES FUND

17888	IRS	fed pay	1,619.46
17889	SSA	fica	2,922.20
17893	CEDAR VALLEY UNITED WAY	oth pay	13.00
17927	RITE PRICE OFFICE SUPL INC	supl	120.18
312765	IUPAT DISTRICT COUNCIL 81	oth pay	27.11
312768	NATIONWIDE RETIREMENT SOLUTIONS	def com	152.50
312770	PECU	oth pay	25.00

RURAL BASIC FUND

17888	IRS	fed pay	4,788.71
17889	SSA	fica	7,548.54
312762	BHC LAW ENFORCEMENT ASSOC	oth pay	97.50
312768	NATIONWIDE RETIREMENT SOLUTIONS	def com	125.00
312770	PECU	oth pay	4,386.50

SECONDARY ROADS FUND

17888	IRS	fed pay	9,795.08
17889	SSA	fica	15,448.44
17893	CEDAR VALLEY UNITED WAY	oth pay	25.00
17896	ACES	svc	22.50
17899	BLACKSTRAP INC	supl	9,016.57
17900	BMC AGGREGATES	supl	3,702.15
17913	IA REGIONAL UTILITIES ASSOC	wtr	55.09
312767	MADISON NATL LIFE INS	ins	29.00
312768	NATIONWIDE RETIREMENT SOLUTIONS	def com	580.00
312769	NATIONWIDE RETIREMENT SOLUTIONS	def com	25.00
312770	PECU	oth pay	1,958.00
312782	CF UTILITIES	util	76.60
312793	CENTURYLINK	tel	181.14
312794	CINTAS CORP	svc	28.70
312804	CITY OF GILBERTVILLE	util	68.54
312815	KELCHEN, KORY	reimb	50.00
312817	LA PORTE CITY UTILITIES	util	470.07
312840	MID AMERICAN ENERGY	util	10.37
312841	MID AMERICAN ENERGY	util	10.70
312842	MID AMERICAN ENERGY	util	12.40
312845	MITCHELL1	svc	220.00
312856	SAM ANNIS & CO	fuel	774.35
312865	VERIZON WIRELESS	svc	561.13

JAIL COMMISSARY FUND

17888	IRS	fed pay	85.94
17889	SSA	fica	184.40
17901	BOB BARKER CO INC	supl	3,939.55
17914	KEEFE SUPL CO	food	5,292.30
17920	MCKEE FOODS	food	36.88

CONSERVATION TRUST FUND

312776	AMAZON CAPITAL SVCS INC	supl	43.98
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RURAL SEWER FUND

17929	URBAN SVCS	svc	1,045.00
312826	MID AMERICAN ENERGY	util	15.15
312827	MID AMERICAN ENERGY	util	28.15
312828	MID AMERICAN ENERGY	util	23.84
312829	MID AMERICAN ENERGY	util	30.01
312830	MID AMERICAN ENERGY	util	19.35
312831	MID AMERICAN ENERGY	util	18.01
312832	MID AMERICAN ENERGY	util	15.37
312833	MID AMERICAN ENERGY	util	16.50
312834	MID AMERICAN ENERGY	util	19.41
312835	MID AMERICAN ENERGY	util	13.18
312836	MID AMERICAN ENERGY	util	24.06
312837	MID AMERICAN ENERGY	util	12.02
312838	MID AMERICAN ENERGY	util	16.44
312839	MID AMERICAN ENERGY	util	13.26

INSURANCE TRUST FUND

17890	NAVITUS HEALTH SOLUTIONS	ins	22,118.19
17891	EMPLOYEE BENEFITS CORP	ins	126.00
17895	PREFERRED ONE INS CO	ins	100,993.60
312764	DELTA DENTAL PLAN OF IA	ins	17,286.74

FLEXIBLE SPENDING FUND

17892	EMPLOYEE BENEFITS CORP	flx sp	241.40
17894	EMPLOYEE BENEFITS CORP	flx sp	2,015.61

SOLID WASTE ADMIN FUND

17888	IRS	fed pay	427.73
17889	SSA	fica	651.44
312767	MADISON NATL LIFE INS	ins	26.75

E911 SERVICE COMMISSION FUND

17909	COURIER	publ	58.86
17926	RACOM CORP	svc	867.00
312781	CF UTILITIES	util	273.10
312788	CENTURYLINK	tel	1,180.10
312789	CENTURYLINK	tel	33.21
312790	CENTURYLINK	tel	94.69
312791	CENTURYLINK	tel	44.28
312823	MID AMERICAN ENERGY	util	183.01
312824	MID AMERICAN ENERGY	util	197.19
312864	US CELLULAR	eq rent	2,595.84

EMERGENCY MANAGEMENT FUND

17888	IRS	fed pay	343.27
17889	SSA	fica	576.82
17893	CEDAR VALLEY UNITED WAY	oth pay	3.00

17897	ADVANCED SYSTEMS INC	svc	15.00
312768	NATIONWIDE RETIREMENT SOLUTIONS	def com	50.00
312786	CENTURYLINK	tel	59.64
312787	CENTURYLINK	tel	413.41

COUNTY ASSESSOR FUND

17888	IRS	fed pay	1,868.81
17889	SSA	fica	3,970.38
17893	CEDAR VALLEY UNITED WAY	oth pay	1.00
312766	LEGALSHIELD	oth pay	57.20
312767	MADISON NATL LIFE INS	ins	25.84
312768	NATIONWIDE RETIREMENT SOLUTIONS	def com	1,445.00
312769	NATIONWIDE RETIREMENT SOLUTIONS	def com	145.00
312770	PECU	oth pay	2,291.00
312867	VISA	educ	227.92

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

NAYS: None. Resolution adopted.

White moved the following resolution seconded by Laylin.

BE IT HEREBY RESOLVED by the Board of Supervisors of Black Hawk County, that the Board of Supervisors APPROVE EXPENDITURES, and that Country View Care Facility be authorized and directed to ISSUE CHECKS, against the various settlements of such claims as allowed:

COUNTRY VIEW ENTERPRISE FUND

23352	ALLEN OCCUPATIONAL HEALTH SVCS	svc	39.00
23353	IOWA QUALITY CTR	svc	150.00
23354	LIDDLES ECOWATER SYSEMS	supl	359.25

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

NAYS: None. Resolution adopted.

RECEIVE PROJECT UPDATES FROM DEPARTMENT HEADS/ELECTED OFFICIALS: County Engineer Catherine Nicholas reported that the paved roads are good and gravel roads are being graded to push the snow. This will be done until weather gets warm and roads get too soft. She alerted the board to a bill in the legislature, SF184 allowing the Iowa Department of Transportation to issue permits for up to 130,000 pounds of raw forest products that can exceed some of our county bridge limits. The County Engineers Association is concerned and will be following the item.

Moved by White, seconded by Laylin that the MINUTES of the Board Meeting held February 26, 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. (None 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 170th Street, Dysart, in Tama County with application in Black Hawk County pursuant to 567 Iowa Administrative Code §455B.
 - 2. The MANURE MANAGEMENT PLAN (MMP) update submitted by Phillip McKenna Facility ID# 65184 located in Clark Township, Section Ten (10) at 3110 170th 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.

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

NAYS: None. Resolution adopted.

CONSENT AGENDA ENDS

Moved by White, seconded by Trelka 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. Motion carried.

Laylin moved the following resolution seconded by Trelka.

BE IT HEREBY RESOLVED 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. Geving said this is to repair the existing drain that has collapsed.

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

NAYS: None. Resolution adopted.

Laylin moved the following resolution seconded by Trelka.

BE IT HEREBY RESOLVED 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. Nicholas said new radios were purchased in the current fiscal year that piggy back on the Sheriff's radio system. At that time they discarded the old base station in the office that allowed them to hear what was happening out in the county, but now feel the need to have that back. This radio is \$1000 cheaper than a base station and could also be used by staff if needed or on a vehicle as a spare. This expense will be covered by FY19 capital funds of which \$2,700 was not used for the shelving purchased.

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

NAYS: None. Resolution adopted.

Laylin moved the following resolution seconded by Trelka.

BE IT HEREBY RESOLVED 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. Hyberger said the Planning and Zoning Commission approved this request unanimously. This tower is part of the FirstNet Partners across the State of Iowa to be used by emergency first responders. Schwartz asked if there was any opposition from neighbors. Hyberger said mostly questions not concerns from the homeowner located at 13630 Holmes Rd. who did attend the Planning and Zoning meeting.

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

NAYS: None. Resolution adopted.

Moved by White, seconded by Trelka 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. 5th Street, Waterloo, Iowa on the proposed FY20 Sealcoat at various locations in Black Hawk County. Motion carried.

Moved by Laylin, seconded by Trelka 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. 5th 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. Motion carried.

White moved the following resolution seconded by Laylin.

BE IT HEREBY RESOLVED 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 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*.

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

NAYS: None. Resolution adopted.

Moved by Laylin, seconded by Trelka 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. Motion carried.

Moved by Trelka, seconded by White 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. Motion carried.

Moved by White, seconded by Trelka 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. Nicholas said this is to replace long time employee who will be leaving in April. Motion carried.

CLOSED SESSION

White moved the following resolution seconded by Trelka.

BE IT HEREBY RESOLVED that pursuant to the provisions of the Iowa Open Meetings Law, the Black Hawk County Board of Supervisors shall proceed into CLOSED SESSION AT 9:20 A.M., with attorney to discuss strategy with counsel regarding the potential litigation with United Health Care pursuant to Iowa Code §21.5(1c).

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

NAYS: None. Resolution adopted.

Moved by White seconded by Trelka to adjourn the Board of Supervisors meeting in CLOSED SESSION at 9:40 A.M. Motion carried.

On motion and vote the meeting adjourned at 9:41 A.M.