

Waterloo, Iowa July 16, 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 and Tom Little, Chair.

Absent: Craig White.

Unless otherwise noted, all actions were approved unanimously.

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

Schwartz 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 the County Auditor be authorized and directed to ISSUE CHECKS, against the various settlement of such claims as allowed:

GENERAL BASIC FUND

18973	A TECH/FREEMAN ALARM	svc	1,830.00
18975	AHLERS & COONEY	svc	1,983.80
18976	ALTORFER INC	svc	2,142.00
18979	BOB BARKER CO INC	eq	720.48
18980	BREMER CO SHERIFF	svc	47.10
18981	CDW GOVERNMENT INC	eq	1,677.48
18983	COURIER	svc	164.99
18984	DEBNER JULIE A	svc	334.00
18985	DEPT OF CORRECTIONAL SVCS	svc	22,786.48
18986	EHRlich , BETH	svc	198.50
18987	EMSL ANALYTICAL INC	supl	121.55
18988	FORD JILL S	svc	25.50
18989	HALTOM JENNIFER	svc	14.00
18990	HOLZAPFEL SUZANNE	svc	24.00
18991	JOHNSTONE SUPL	supl	38.36
18993	MARTIN BROS DIST CO	supl	141.99
18994	MATT PARROTT/STOREY KENWORTHY	supl	1,733.51
18995	MEADOW RIDGE WLOO	rent	200.00
18996	MENARDS WLOO	eq	69.98
18998	PER MAR SECURITY SVCS	svc	1,886.36
18999	PTS OF AMERICA	svc	1,500.00
19001	WLOO COMM SCHOOLS	supl	3,888.20
19002	EGBUONYE, NAFISSA	reimb	216.46
19003	HETH, BILLIE	reimb	95.94
19004	HOWARD, KIMBERLY	mil	534.29
19005	NORTHLAND AMY	reimb	38.00
315167	ADNET TECHNOLOGIES	svc	3,005.40
315168	ADVANCED SYSTEMS INC	svc	635.31
315169	AEGIS SCIENTIFIC	svc	4,517.18
315171	AMAZON CAPITAL SVCS INC	svc	137.83
315172	AMERICAN ACADEMY OF PEDIATRICS	supl	3,557.29
315173	ASSOC OF AMERICAN LUNG	supl	800.00
315174	BANKERS ADVERTISING CO	supl	1,896.37
315177	BLACK HAWK WASTE DISPOSAL	eq rent	62.72
315178	BOUND TREE MEDICAL	supl	4,036.67
315179	CANON FINANCIAL SVCS INC	svc	455.58
315180	CEDAR BEND HUMANE SOCIETY INC	svc	2,277.07
315181	CF UTILITIES	util	337.50
315182	CF UTILITIES	util	580.00
315184	CF UTILITIES	data	85.00
315185	CENTURYLINK	tel	202.86
315189	COAST TO COAST COMPUTER PRODUCTS	supl	579.98
315190	COOL RUNNINGS JAMAICAN FOOD TRUCK	ref	250.00
315192	DEPT OF CORRECTIONS	alloc	35,000.00
315193	DON GARDNER CONSTRUCTION CO	svc	17,144.00
315196	EASTGATE ESTATES	rent	450.00

315197	ENCORE ENERGY SVCS INC	fuel	1,636.22
315198	FARM & HOME PUBLISHERS	supl	600.00
315199	FAYETTE CO SHERIFF	svc	106.16
315200	GARDEN CEMETERY & MAUSOLEUM	svc	500.00
315201	GIBSON SPECIALTY CO	supl	28.00
315202	GORDON LYNN A	svc	91.00
315203	HAWKEYE ALARM & SIGNAL CO	svc	331.00
315204	HONEYWELL INC	svc	31,547.26
315206	INOUYE, ROBERT	svc	1,507.58
315207	IA DIV OF LABOR SVCS	svc	320.00
315208	ISAC	dues	1,750.00
315209	IA STORMWATER EDUC PARTNERSHIP	dues	227.00
315210	U OF IA	educ	2,515.00
315211	JAN PROPERTIES	rent	200.00
315213	KCVM 93.5 THE MIX	svc	400.00
315214	KIESLER POLICE SUPL	supl	7,165.00
315215	KNOWLEDGE CAPITAL ALLIANCE	svc	5,020.00
315217	MCCARTER JOHN L	svc	244.82
315218	MCDONALD SUPL	supl	1,138.70
315219	MID AMERICAN ENERGY	util	200.00
315220	MID AMERICAN ENERGY	util	61.52
315221	MID AMERICAN ENERGY	util	7,656.99
315222	MID AMERICAN ENERGY	util	16,487.35
315224	MID AMERICAN ENERGY	util	11.61
315225	MID AMERICAN ENERGY	util	744.31
315226	MID AMERICAN ENERGY/SPEC ACCT	util	150.00
315227	MIDWEST BUILDINGS INC	svc	412.00
315229	NEYEN, KELLY	svc	95.50
315230	N IA JUV DETENTION SVCS	svc	2,750.00
315231	OREILLY AUTO STORES	prts	89.23
315233	PEDERSEN DOWIE CLABBY MCCAUSLAND INS	ins	15,855.56
315234	PITNEY BOWES	eq rent	777.36
315235	POLICE LEGAL SCIENCES INC	svc	2,640.00
315236	RENNER, STEVEN	ref	105.28
315237	RICOH USA INC	maint	722.12
315239	SAMS WHOLESALE CLUB	supl	1,143.30
315240	SHERWIN WILLIAMS	supl	120.47
315241	SHIELD TECHNOLOGY CORP	svc	16,920.00
315242	SPAHN AND ROSE LUMBER CO	supl	1,208.66
315243	STEPHENS PECK INC	supl	90.00
315244	STRATEGIC IMAGING	supl	3,406.00
315245	SUCCESSLINK	svc	6,171.69
315247	TEDS HOME AND HDWR	prts	108.62
315248	US POST OFFICE	supl	55.00
315249	UNITY POINT - ALLEN HOSP	svc	241.00
315250	VAN WYNGARDEN & ABRAHAMSON INC	svc	956.80
315252	WLOO WATER WORKS	wtr	400.00
315253	WEBSTER CO SHERIFF	svc	32.76
315254	WOOLVERTON PRINTING CO	svc	270.00
315255	XEROX CORP	svc	258.17
315256	YOUNG PLBG & HEATING CO	svc	2,392.00
315257	FLORES JUDY	reimb	335.88
315258	KATCHER JAMES J	reimb	42.35
315259	RAPIEN, CORY	reimb	126.00
315260	VEEDER KIM	reimb	539.76
315261	WESTENDORF JEREMY	reimb	43.10

SECONDARY ROADS FUND

18974	ACCESS SYSTEMS	supl	254.99
18977	ASPRO INC	supl	382.64
18978	BMC AGGREGATES	supl	25,403.56
18982	CITY OF CEDAR FALLS	fuel	1,271.26

18996	MENARDS WLOO	prts	18.25
18997	NORTHLAND PRODUCTS CO	supl	1,216.21
315166	1ST AYD CORP	eq	258.69
315170	AIRGAS NORTH CENTRAL	eq rent	9.00
315171	AMAZON CAPITAL SVCS INC	supl	163.77
315175	BENTONS READY MIXED CONCRETE INC	svc	1,510.50
315177	BLACK HAWK WASTE DISPOSAL	svc	120.96
315183	CF UTILITIES	util	75.00
315186	CENTURYLINK	tel	66.18
315187	CENTURYLINK	tel	46.36
315188	CINTAS CORP	svc	32.64
315191	DENCO HIWAY CONSTRUCTION CORP	svc	7,549.75
315194	DONS TRUCK SALES INC	eq	160.19
315195	E CENTRAL IA COOP	fuel	12,490.20
315205	IIW ENGINEERS & SURVEYORS	svc	423.75
315216	KRUEGER AUTO & TRUCK VILLA INC	prts	13.91
315223	MID AMERICAN ENERGY	util	701.00
315228	NAPA AUTO PARTS	prts	256.79
315232	PAUL NIEMANN CONSTRUCTION	supl	39,353.61
315238	SADLER POWER TRAIN INC	prts	205.08
315246	SWARTZROCK IMPL CO - CNH CAPITAL	prts	575.00
315251	VERIZON CONNECT NWF INC	svc	781.50

JAIL COMMISSARY FUND

315239	SAMS WHOLESALE CLUB	food	665.52
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RURAL SEWER FUND

18992	KEYSTONE LABS INC	svc	30.00
19000	URBAN SVCS	svc	3,760.00

INSURANCE TRUST FUND

18970	NAVITUS HEALTH SOLUTIONS	ins	16,836.04
18972	PREFERRED ONE INS CO	ins	138,765.22

SELF-INSURED/LIAB, PROP ETC FUND

315212	JOHNS AUTO BODY	svc	974.90
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FLEXIBLE SPENDING FUND

18971	EMPLOYEE BENEFITS CORP	flx sp	2,858.29
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EMERGENCY MANAGEMENT FUND

315176	BERGANKDV TECHNOLOGY & CONSULTING	svc	14.00
315208	ISAC	educ	210.00

AYES: Laylin, Schwartz, Trelka, Little.

NAYS: None.

ABSENT: White

Resolution adopted.

RECEIVE PROJECT UPDATES FROM DEPARTMENT HEADS/ELECTED OFFICIALS

County Engineer Catherine Nicholas showed a picture of the new (used) crane that arrived last week from Ohio along with a service technician who worked with employees on how to operate the crane. This is an 80 ton crawler crane that will be used for our smaller county bridge projects. She updated the board on the construction work on Raymond Road/US Hwy 20 overpass. This is an Iowa Department of Transportation project with the County replacing about 100 feet on all four ramps. That part of the project is almost finished. The concrete on Raymond Road extending about 3,000 feet on both sides of bridge is also being

replaced. It will still be 2-3 more weeks for the contactor to finish this project. Mile rock still being replaced with staff working until 4:30 every day weather permitting. Schwartz asked if they will be able to get all of the road rock work completed. Nicholas said no and that will be part of the work session discussion next week. Little asked if we have a trailer to haul the crane. Nicholas said no and they will be renting one from local contractors for roughly \$700-\$800 round trip to the work site.

Moved by Laylin, seconded by Trelka that the MINUTES of the Board Meeting held July 9, 2019 be and are hereby approved as submitted. Motion carried.

CONSENT AGENDA

Trelka moved the following RESOLUTION seconded by Schwartz.

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
GENERAL - SHERIFF	56,612.00	GENERAL - CONSOLIDATED COMMUNICATIONS CENTER	56,612.00
SOCIAL SERVICES	1,060.92	GENERAL - MAINTENANCE	1,060.92
SECONDARY ROADS	272,369.09	SECONDARY ROADS	272,369.09
GENERAL-CONS. COMMUNICATIONS CENTER	2,632.35	GENERAL - MAINTENANCE	2,632.35

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					
HARRIS, MATTHEW R	DEPUTY SHERIFF	32.24	32.24	7/1/2019	TERMINATION PENDING
JOLLEY, JEREMY D	DEPUTY SHERIFF	32.24	32.24	7/2/2019	TERMINATION PENDING
SMEINS, KIMBERLY A	OFFICE SPECIALIST	16.28	16.28	7/8/2019	NEW HIRE

MAINTENANCE, Rory Geving					
DANIELS, KENDALL R	PROPERTY MAINTENANCE ASSISTANT	16.87	18.05	6/30/2019	ANNUAL STEP INCREASE

ENGINEER, Cathy Nicholas					
EHLERS, SHANE R	GIS-ASSET TECHNICIAN	23.52	23.52	7/1/2019	NEW HIRE

3. The CERTIFICATE OF INSURANCE for Iowa Northland Regional Council of Governments.

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

1. The PROTEST ON PROPERTIES assessed for five million dollars are more as submitted by T.J. Koenigsfeld, Black Hawk County Assessor.
2. The MANURE MANAGEMENT PLAN (MMP) update submitted by Robert Cooper d/b/a RWC Farms Inc. Facility ID #61142 located at 8504 Garling Road, La Porte City, in Black Hawk County pursuant to 567 Iowa Administrative Code §455B.
3. The PERMIT FOR UTILITY WORK WITHIN THE RIGHT-OF-WAY for Grundy County Rural Electric Cooperative, Grundy Center, Iowa for placement of underground electric utility on County right-of-way along Acker Road as recommended by Catherine Nicholas, County Engineer.
4. The PERMIT FOR UTILITY WORK WITHIN THE RIGHT-OF-WAY for Cedar Falls Utilities, Cedar Falls, Iowa for placement of underground fiber utility on County right-of-way along W. Ridgeway Avenue as recommended by Catherine Nicholas, County Engineer.
5. The PERMIT FOR UTILITY WORK WITHIN THE RIGHT-OF-WAY for Cedar Falls Utilities, Cedar Falls, Iowa for placement of underground fiber/electric utility on County right-of-way along N. Butler Road as recommended by Catherine Nicholas, County Engineer.
6. The PERMIT FOR UTILITY WORK WITHIN THE RIGHT-OF-WAY for Windstream Iowa Communications, Little Rock, Arkansas for placement of underground fiber utility on County right-of-way along Waverly Road as recommended by Catherine Nicholas, County Engineer.

C. TO APPROVE AND DIRECT THE CHAIR TO SIGN

1. The FIREWORKS PERMIT request by Flashing Thunder Fireworks for July 20, 2019 to be held at the Cedar Falls Speedway, 7227 Waverly Road, Cedar Falls, Iowa with Pyrotechnics done by Thomas Meier.

AYES: Laylin, Schwartz, Trelka, Little.

NAYS: None.

ABSENT: White Resolution adopted.

CONSENT AGENDA ENDS

Schwartz moved the following resolution seconded by Trelka.

BE IT HEREBY RESOLVED that the TERMINATION of the CONTRACT DCAT2-19-090 between Black Hawk County, Iowa Department of Human Services, and the Black Hawk County Decategorization Board for the purpose of providing transportation of Delinquent Youth for the First District Counties effective July 1, 2019 through June 30, 2020 be approved.

AYES: Laylin, Schwartz, Trelka, Little.

NAYS: None.

ABSENT: White Resolution adopted.

Moved by Schwartz, seconded by Laylin that the PERSONNEL REQUISITION for the Office Specialist (Full Time, replacement) in the County Social Services Office be approved, as recommended by Karen Dowell, County Social Services Chief Operating Officer. Motion carried.

Moved by Laylin, seconded by Trelka that the PERSONNEL REQUISITION for the Office Specialist (Full Time, new budgeted) in the County Treasurer's Office be approved, as recommended by Rita Schmidt, County Treasurer. Little asked if this was actually approved during budget. Laylin and Trelka confirmed that. Schmidt explained that the new software program for dealer title work. The work is now being done by supervisors so we need to have them train office specialists to do this. Little asked if this is a forever thing or just a catchup. Schmidt said it will expand to all dealers in the state and both new and used vehicles so it will be a used going forward. Schwartz said this is something handed down from the State and that this position is needed to maintain the high quality of services your office provides. Motion carried.

Schwartz moved the following resolution seconded by Laylin.

BE IT HEREBY RESOLVED that the TAX SALE CERTIFICATE ASSIGNMENT for a vacant lot (Parcel 9014-03-178-008) located in Janesville, Iowa, pursuant to §446.31 of the Code of Iowa be approved and said Certificate of Purchase of Tax sale be assigned to Lonny and Mary Mallon with a TAX SALE assignment fee of \$10.00 and the tax payment of \$102.00 as recommended by Rita Schmidt, County Treasurer. Schmidt said this is a little strip of land right next to theirs. The likely next step would be to combine it with theirs to clean it up and eliminate the same situation with any future sale of the property.

AYES: Laylin, Schwartz, Trelka, Little.

NAYS: None.

ABSENT: White Resolution adopted.

At Nine-eighteen o'clock (9:18) 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 proposed ordinance adopting the reformatted, indexed, and republished Black Hawk County Code of Ordinances.

The Board of Supervisors examined proof of publication of notice and determined that the notice had been published on July 5, 2019 in the Courier in accordance with the requirements of the *Code of Iowa*.

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

Moved by Laylin, seconded by Schwartz to waive the first reading. Motion carried.

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

Laylin moved the following resolution seconded by Schwartz.

WHEREAS, a public hearing was held on July 16, 2019 at Nine-eighteen o'clock (9:18) a.m., on the proposed ordinance adopting the reformatted, indexed, and republished Black Hawk County Code of Ordinances

and

WHEREAS, the ordinance adopting the reformatted, indexed, and republished Black Hawk County Code of Ordinances" be known as Ordinance No. 143, 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, Little.

NAYS: None.

ABSENT: White Resolution adopted.

Laylin moved the following ordinance seconded by Schwartz.

WHEREAS, the ordinance adopting the reformatted, indexed, and republished Black Hawk County Code of Ordinances" be known as Ordinance No. 143, 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 ordinance is hereby adopted and known as Ordinance No. 143.

AYES: Laylin, Schwartz, Trelka, Little.

NAYS: None.

ABSENT: White Ordinance adopted.

At Nine-twenty o'clock (9:20) 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 Blaine and Chi-Ying Sage at NE of 1428 E. Bennington Road to rezone 2.1 acres from "A" Agriculture District to "A-R" Agricultural-Residential District to build a new single family home and legally described as:

THE PART OF THE SOUTHWEST QUARTER (SE ¼) OF SECTION NO. 18, TOWNSHIP NO. 90 NORTH, RANGE NO. 12 WEST OF THE FIFTH PRINCIPAL MERIDIAN, BLACK HAWK COUNTY IOWA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER, THENCE ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER DUE NORTH AT DISTANCE OF 710.0 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID WEST LINE DUE NORTH A DISTANCE OF 310.0 FEET, THENCE DUE EAST A DISTANCE OF 300 FEET; THENCE DUE SOUTH A DISTANCE OF 310.0 FEET; THENCE DUE WEST A DISTANCE OF 300.0 FEET TO THE POINT OF BEGINNING. CONTAINING 2.1 ACRES.

The Board of Supervisors examined proof of publication of notice and determined that the notice had been published on July 5, 019 in the Courier in accordance with the requirements of the *Code of Iowa*.

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

Moved by Laylin, seconded by Trelka to waive the first reading. Motion carried.

Moved by Schwartz, seconded by Laylin to close the hearing and oral and written comments were received and placed on file. County Planning & Zoning Administrator Seth Hyberger read the specifics of the rezoning request. The parcel has remnants of a foundation. Blaine Sage said this property had been in his family for 154 years and he would like to continue that heritage. Motion carried.

Laylin moved the following resolution seconded by Schwartz.

WHEREAS, a public hearing was held on July 16, 2019 at Nine-twenty o'clock (9:20) a.m., on the request submitted by Blaine and Chi-Ying Sage at NE of 1428 E. Bennington Road to rezone 2.1 acres from "A" Agriculture District to "A-R" Agricultural-Residential District to build a new 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. 228 to Section VI (B), Rezoning Certain Property" as described on the above request submitted by Blaine and Chi-Ying Sage and to consider same for adoption and if adopted would be known as Ordinance no. 77-228, 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, Little.

NAYS: None.

ABSENT: White

Resolution adopted.

Laylin moved the following ordinance seconded by Schwartz.

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. 228 To Section VI (B), Rezoning Certain Property" as described on the above request submitted by Blaine and Chi-Ying Sage and to consider same for adoption and if adopted would be known as Ordinance No. 77-228, 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. 77-228.

AYES: Laylin, Schwartz, Trelka, Little.

NAYS: None.

ABSENT: White

Ordinance adopted.

ANY REPORTS OR INFORMATION FROM THE BOARD

Trelka said he would update the board on some specific individuals regarding courthouse security. Schwartz is working on the 2020 census. For the 2010 census, grants were available but it doesn't look like that will happen this time. He will be creating social media for Black Hawk County. We have had no contact from census bureau staff, so our work will be important based on the lackluster effort from the Federal Government. The Middle Cedar Watershed Committee had our technical review of the plan and have submitted the plan to the company contracted to develop the plan. This is close to being finalized.

On motion and vote the meeting adjourned at 9:29 am.

Tom Little, Chair, Board of Supervisors

Helen R. Steffen, Systems/Real Estate Tax Manager