

Waterloo, Iowa September 17, 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: Chris Schwartz, Dan Trelka, Craig White and Linda Laylin, Chair pro-tem.

Absent: Tom Little.

Little was absent due to jury duty, but joined the meeting at 9:16 am.

Unless otherwise noted, all actions were approved unanimously, Little absent, until Little joined the meeting at 9:16 am (see below).

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

White moved the following resolution seconded by Schwartz.

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

19451	IRS	fed pay	64,919.03
19452	NATIONWIDE RETIREMENT SOLUTIONS	def com	15,460.00
19453	NATIONWIDE RETIREMENT SOLUTIONS	def com	2,522.50
19454	SSA	fica	103,782.00
19455	COLLECTION SVC CTR	oth pay	965.77
19456	CEDAR VALLEY UNITED WAY	oth pay	82.50
19460	ACCESS SYSTEMS	prts	253.51
19461	ADVANCED SYSTEMS INC	svc	28.55
19463	B&B LOCK & KEY INC	eq	34.86
19464	BDH TECHNOLOGY	svc	250.00
19465	BDI	prts	87.12
19466	BICKLEY, MARK	svc	1,475.00
19469	C&S REAL ESTATE	rent	475.00
19473	COURIER	publ	96.60
19474	DAN DEERY MOTOR CO INC	prts/lbr	3,749.93
19475	DEPT OF CORRECTIONAL SVCS	svc	17,875.06
19476	DUNCAN, TARA	svc	910.00
19477	DWD INVESTMENTS	rent	300.00
19478	EHRlich , BETH	svc	16.00
19479	EMSL ANALYTICAL INC	supl	13.49
19481	FISCHELS, ROBERT	rent	250.00
19483	FULLER, ANGELA	svc	840.00
19484	GBM PROPERTY MGMT	rent	1,000.00
19486	HALTOM JENNIFER	svc	24.00
19489	KAYSER, MIKE	prts/lbr	1,110.00
19491	KLENK, BRENDA L B	svc	11.00
19492	KRUSE DAVID	rent	350.00
19494	LA PORTE CITY PRINTING & DESIGN	publ	1,542.46
19495	MARCO INC	svc	193.79
19496	MATT PARROTT/STOREY KENWORTHY	supl	1,427.90
19499	MENARDS WLOO	supl	50.70
19500	METRO INVESTMENTS MULTI UNIT	rent	425.00
19501	NAPHCARE INC	svc	107,602.80
19502	NORTHLAND PRODUCTS CO	supl	100.50
19503	OWL INVESTMENTS	rent	500.00
19504	P&M REAL ESTATE	rent	200.00
19505	PER MAR SECURITY SVCS	svc	1,890.36
19506	RIVERSIDE INVESTMENTS	rent	225.00
19507	SANDEES LTD	supl	20.85
19508	SHAHNAZ CORP	rent	275.00
19510	VISITING NURSING ASSOC	reimb	2,403.70
19511	WEBER PAPER CO	supl	153.45
19513	STOCKS, NICHOLAS	misc	68.00
316244	BHC LAW ENFORCEMENT ASSOC	oth pay	477.50

316245	COMMUNITY HEALTH CHARITIES IA	oth pay	8.00
316246	LEGALSHIELD	oth pay	245.45
316247	MADISON NATL LIFE INS	ins	87.70
316249	PECU	oth pay	23,897.00
316250	30 SOMETHING REAL ESTATE	rent	200.00
316251	ABD PROPERTY MGMT	rent	1,575.00
316252	AC INVESTMENTS	rent	200.00
316253	ADVANCED SYSTEMS INC	eq lse	693.07
316255	AMAZON CAPITAL SVCS INC	supl	61.05
316256	ANDREWS BRIAN	rent	375.00
316261	BHC EXTENSION	misc	1,500.00
316262	BLACK HAWK WASTE DISPOSAL	eq rent	62.72
316264	BROWN, JOSEPH C	rent	200.00
316265	CAMPBELL SUPL WLOO	supl	98.46
316266	CEDAR BEND HUMANE SOCIETY INC	alloc	2,273.83
316269	CF UTILITIES	svc	337.50
316270	CF UTILITIES	svc	1,168.50
316272	CF UTILITIES	data	85.00
316274	CENTURYLINK	tel	54.56
316278	CORINTHIAN SVCS OF IA	svc	1,000.00
316279	DEN HERDER VETERINARY HOSP	svc	18.45
316280	DICKEYS PRINTING	supl	125.00
316281	DIGITAL OFFICE SOLUTIONS	svc	153.98
316285	EASTGATE ESTATES	rent	200.00
316286	ECHO GROUP INC	eq	449.00
316287	EMBARC	misc	36,357.02
316288	ENCORE ENERGY SVCS INC	svc	1,494.23
316289	EPM IOWA	rent	275.00
316291	FIRESTONE PAYMENT CTR	prts/lbr	457.26
316292	GILGEN, ALBERT	rent	225.00
316293	GRAYBILL BRETT	rent	275.00
316294	GREEN SOURCE MGMT D/B/A THE SHREDDER	svc	132.40
316295	GREENWAY	svc	2,231.67
316296	HAGARTY WAYCHOFF GRARUP FUNERAL SVC	svc	1,000.00
316297	HAWKEYE COMMUNITY COLLEGE	educ	220.00
316298	HAWKEYE VILLAGE APT	rent	200.00
316299	HAWTHORNE RENTALS	rent	675.00
316301	IACE FIVE SEASONS MOBILE HOME PARK	rent	225.00
316302	IOWA CO ATTORNEYS ASSOC	educ	75.00
316303	ISAC	educ	70.00
316304	JONES , MICHAEL K	rent	425.00
316305	JUNKMAN KNOEBEL CTR	rent	400.00
316306	KIESLER POLICE SUPL	supl	2,248.00
316308	KOBLISKA VINCE M	rent	475.00
316309	LOCKE FUNERAL HOME INC	svc	2,500.00
316311	MAKEDONSKI JERRY	rent	200.00
316312	MALAISE SUSAN	svc	165.50
316313	MEDIACOM	svc	338.95
316314	MERCYONE NE IA CLINIC	svc	416.00
316315	MID AMERICAN ENERGY	util	60.94
316316	MID AMERICAN ENERGY	util	9,367.71
316317	MID AMERICAN ENERGY	util	14,575.25
316319	MID AMERICAN ENERGY	util	241.00
316322	MID AMERICAN ENERGY	util	11.68
316329	MID AMERICAN ENERGY	util	305.97
316330	MID AMERICAN ENERGY/SPEC ACCT	util	2,317.92
316334	N IA JUVENILE DETENTION SVCS	svc	3,955.00
316335	NORTH STAR REALTORS	rent	250.00
316337	ON TARGET AMMUNITION	supl	3,187.26
316338	PEACH BASKET RENTALS	rent	250.00
316339	PEOPLES COMMUNITY HEALTH	meds	167.67
316340	PITNEY BOWES	svc	3,000.00
316341	POLK CO SHERIFF	svc	47.76
316342	PRESERVE AT CROSSROADS	rent	250.00

316343	RIDENOUR, KIMIE	rent	500.00
316344	RODENBURGH MARK	rent	225.00
316345	SACRED HEART CHURCH	rent	150.00
316349	SUMMIT FOOD SVC	food	9,924.90
316350	TANGEN DOMINIC L	rent	225.00
316351	TEDS HOME AND HARDWARE	eq	47.63
316352	SHRED MASTER	svc	367.30
316353	THOMPSON PROPERTY MGMT	rent	200.00
316354	US POST OFFICE	svc	71.82
316356	US CELLULAR	svc	1,159.92
316358	WATERFALLS CAR WASH	lbr	12.95
316359	CITY OF WATERLOO	fuel	358.60
316360	WLOO WATER WORKS	util	100.00
316361	WLOO WATER WORKS	wtr	991.95
316362	WERTJES UNIFORMS	supl	1,048.67
316363	WEST PAYMENT CTR	svc	1,851.34
316364	WILKEN PROPERTIES	rent	250.00
316366	XEROX CORP	svc	144.39
316367	XL INVESTMENTS	rent	250.00
316369	ADAMSON, BRIAN	reimb	228.18
316370	FLORES JUDY	reimb	102.57

GENERAL SUPPLEMENTAL FUND

19451	IRS	fed pay	391.03
19453	NATIONWIDE RETIREMENT SOLUTIONS	def com	405.00
19454	SSA	fica	871.68
19496	MATT PARROTT/STOREY KENWORTHY	supl	52.73
316303	ISAC	educ	50.00
316334	N IA JUVENILE DETENTION SVCS	svc	21,380.00
316336	OFFICE DEPOT	supl	134.80
316368	YOUTH AND SHELTER SVCS INC	svc	1,212.90

COUNTY SERVICES FUND

19451	IRS	fed pay	1,668.05
19452	NATIONWIDE RETIREMENT SOLUTIONS	def com	195.00
19454	SSA	fica	3,119.38
19456	CEDAR VALLEY UNITED WAY	oth pay	10.00
316294	GREEN SOURCE MGMT D/B/A THE SHREDDER	svc	27.60

RURAL BASIC FUND

19451	IRS	fed pay	5,189.29
19452	NATIONWIDE RETIREMENT SOLUTIONS	def com	125.00
19454	SSA	fica	7,820.38
19455	COLLECTION SVC CTR	oth pay	76.03
19496	MATT PARROTT/STOREY KENWORTHY	supl	62.35
316244	BHC LAW ENFORCEMENT ASSOC	oth pay	97.50
316249	PECU	oth pay	4,379.00

SECONDARY ROADS FUND

19451	IRS	fed pay	7,734.13
19452	NATIONWIDE RETIREMENT SOLUTIONS	def com	330.00
19453	NATIONWIDE RETIREMENT SOLUTIONS	def com	125.00
19454	SSA	fica	13,444.38
19456	CEDAR VALLEY UNITED WAY	oth pay	25.00
19462	ALTORFER INC	eq	2,300.00
19468	BMC AGGREGATES	supl	58,090.75

19470	CITY OF CEDAR FALLS	svc	108.89
19471	CEDAR VALLEY AUTO GLASS INC	svc	175.00
19482	FIX TIRE CO	fuel	109.04
19487	HARMS OIL CO	fuel	14,280.00
19488	INVISION ARCHITECTURE	svc	2,590.00
19493	KWIK TRIP INC	fuel	1,152.02
19498	MENARDS CF	supl	25.97
19499	MENARDS WLOO	prts	21.36
19512	NICHOLAS CATHERINE	reimb	30.00
316247	MADISON NATL LIFE INS	ins	29.00
316249	PECU	oth pay	1,602.50
316254	AIRGAS NORTH CENTRAL	eq rent	9.30
316255	AMAZON CAPITAL SVCS INC	svc	39.52
316257	BENTONS READY MIXED CONCRETE INC	supl	833.00
316262	BLACK HAWK WASTE DISPOSAL	svc	155.96
316263	BREITBACH, FRED	supl	176.00
316271	CF UTILITIES	svc	75.00
316275	CINTAS CORP	svc	4.56
316277	COOLEY PUMPING	svc	85.00
316282	DONS TRUCK SALES INC	prts	34.38
316283	DUMONT IMPLEMENT CO INC	prts	691.82
316284	DUNKERTON COOP ELEVATOR	fuel	1,229.30
316290	FAYETTE CO HIGHWAY DEPT	svc	2,471.88
316300	HUDSON MUNICIPAL ELECTRIC UTIL	util	76.60
316307	KIRK GROSS CO	eq	380.94
316318	MID AMERICAN ENERGY	util	729.80
316323	MID AMERICAN ENERGY	util	73.28
316324	MID AMERICAN ENERGY	util	23.24
316325	MID AMERICAN ENERGY	util	74.55
316326	MID AMERICAN ENERGY	util	10.62
316327	MID AMERICAN ENERGY	util	18.93
316328	MID AMERICAN ENERGY	util	294.73
316331	MID COUNTRY MACHINERY INC	eq	8,360.40
316332	MID-IOWA COOP	fuel	11,756.19
316333	NAPA AUTO PARTS	supl	366.75
316346	SADLER POWER TRAIN INC	prts	75.06
316348	SHUCK BRITSON INC	svc	831.00
316357	UTILITY EQUIP CO	supl	134.30
316359	CITY OF WATERLOO	fuel	785.85

JAIL COMMISSARY FUND

19451	IRS	fed pay	99.47
19454	SSA	fica	203.36
19490	KEEFE SUPL CO	food	2,469.68
19497	MCKEE FOODS	food	96.62
316347	SAMS WHOLESALE CLUB	food	1,083.21

RURAL SEWER FUND

19472	CEDAR VALLEY PUMP	eq rpr	2,381.12
19509	URBAN SVCS	svc	1,830.00

INSURANCE TRUST FUND

19450	NAVITUS HEALTH SOLUTIONS	ins	20,749.11
19458	PREFERRED ONE INS CO	ins	49,242.69
19459	PREFERRED ONE INS CO	ins	55,248.46
316248	MADISON NATL LIFE INS	ins	1,037.76

SELF-INSURED/OFFICE EQ REP FUND

19461	ADVANCED SYSTEMS INC	eq rpr	153.25
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FLEXIBLE SPENDING FUND

19457	EMPLOYEE BENEFITS CORP	flx sp	4,004.02
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SOLID WASTE ADMIN FUND

19451	IRS	fed pay	504.76
19454	SSA	fica	611.92
316247	MADISON NATL LIFE INS	ins	25.86

E911 SERVICE COMMISSION FUND

19480	FARMERS MUTUAL TELE CO	tel	124.76
19485	GRAINCOMM III	eq rent	5,463.64
316259	BERGEN PLBG HEATING & COOLING INC	maint	582.36
316267	CF UTILITIES	util	320.00
316268	CF UTILITIES	util	550.00
316273	CENTURYLINK	tel	69.37
316276	COLOFF MEDIA	eq rent	1,967.00
316310	LPC CONNECT	tel	261.19
316320	MID AMERICAN ENERGY	util	367.16
316321	MID AMERICAN ENERGY	util	379.15
316355	US CELLULAR	eq rent	2,699.67
316365	WINDSTREAM IA COMMUNICATIONS	tel	154.07

EMERGENCY MANAGEMENT FUND

19451	IRS	fed pay	355.88
19452	NATIONWIDE RETIREMENT SOLUTIONS	def com	50.00
19454	SSA	fica	594.06
19456	CEDAR VALLEY UNITED WAY	oth pay	3.00
316258	BERGANKDV TECHNOLOGY & CONSULTING	svc	14.00
316260	BHC EMS ASSOC	dues	50.00
316359	CITY OF WATERLOO	misc	100.80

COUNTY ASSESSOR FUND

19451	IRS	fed pay	2,173.85
19452	NATIONWIDE RETIREMENT SOLUTIONS	def com	2,245.00
19453	NATIONWIDE RETIREMENT SOLUTIONS	def com	145.00
19454	SSA	fica	4,397.12
19456	CEDAR VALLEY UNITED WAY	oth	1.00
19467	BHC TREASURER	misc	11,736.67
316246	LEGALSHIELD	oth pay	61.40
316247	MADISON NATL LIFE INS	ins	26.62
316249	PECU	oth	2,421.00
316359	CITY OF WATERLOO	misc	179.47

AYES: Schwartz, Trelka, White, Laylin.

NAYS: None.

ABSENT: Little.

Resolution adopted.

RECEIVE PROJECT UPDATES FROM DEPARTMENT HEADS/ELECTED OFFICIALS. County Engineer Cathy Nicholas described the remaining tasks for the completion of the Cedar Wapsi Road pavement project and said it should be done September 27, weather permitting. Motor grader operators have met goals in placing mile rock in all but two districts, which she thought was excellent considering the challenges this year. She hopes that five or six districts will get an extra mile or two. White asked if the operators were still working overtime. Nicholas said they haven't since mid-August.

Maintenance Superintendent Rory Geving said that the Veterans Community Center project is moving forward, and he estimates that interior work will be done in mid-February, and exterior work (mostly sidewalk work) will be done by May. He thought the Veterans Affairs office could start moving in once the interior work is finished.

Moved by Trelka, seconded by Schwartz that the MINUTES of the Board Meeting held September 10, 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
GENERAL - DHS	11,490.84	GENERAL - MAINTENANCE	11,490.84
SOCIAL SERVICES	7.55	GENERAL	7.55
SOCIAL SERVICES	144.10	GENERAL	144.10
SOCIAL SERVICES	1,737.88	GENERAL	1,737.88
GENERAL	3,050.00	E911	3,050.00

2. The CERTIFICATE OF INSURANCE for Holbach Enterprises d/b/a Randalls.

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

1. The MANURE MANAGEMENT PLAN (MMP) update submitted by Jim Thoma Facility ID #67422 located at 11345 Fox Road, Jesup, in Black Hawk County pursuant to 567 Iowa Administrative Code §455B.
2. Approve 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 Waverly Road as recommended by Catherine Nicholas, County Engineer.

**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: Schwartz, Trelka, White, Laylin.

NAYS: None.

ABSENT: Little. Resolution adopted.

**CONSENT AGENDA ENDS**

Schwartz moved the following resolution seconded by White.

BE IT HEREBY RESOLVED that September is proclaimed as Hunger Action Month.

Barbara Prather, Executive Director of the Northeast Iowa Foodbank said that 14% of Black Hawk County residents are food insecure, and 17% of kids lack access to an adequate supply of food. She reviewed the services provided by the Food Bank, and warned that the proposed rule change for the Supplemental Nutrition Assistance Program (SNAP) would make more people food insecure. Schwartz read the resolution.

AYES: Schwartz, Trelka, White, Laylin.

NAYS: None.

ABSENT: Little. Resolution adopted.

Moved by White, seconded by Trelka 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 one (1) excavator mounted hydraulic plate compactor in the amount of \$11,678.42 from Murphy Tractor & Equipment Company, Waterloo, Iowa.

Nicholas said that the item had been budgeted for \$14,000. Motion carried.

Schwartz 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 one (1) overhead door in the amount of \$3,475.00 from Overhead Door Co. of Waterloo, Inc., Waterloo, Iowa.

Nicholas said a door at the La Porte City shop was damaged by wind, and while no funds were budgeted for its replacement, four other overhead doors had been budgeted, and wants to replace this one out of that money.

AYES: Schwartz, Trelka, White, Laylin.

NAYS: None.

ABSENT: Little. Resolution adopted.

Let the record show that Tom Little was present at 9:16, and resumed the duties of chairperson.

Moved by White, seconded by Schwartz that the PERSONNEL REQUISITION for an Equipment Operator II (full-time, replacement) as recommended by Catherine Nicholas, County Engineer. Motion carried.

Trelka moved the following resolution seconded by Schwartz.

BE IT HEREBY RESOLVED that the SUSPENSION requested by Diana Olinger on taxes owed for 2019/2020 installments in the amount of \$1,522.00 for Parcel #8913-28-204-005 be approved pursuant to §427.8 of the Code of Iowa and the County Treasurer be authorized and directed to adjust her records accordingly.

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

NAYS: None.

Resolution adopted.

White moved the following resolution seconded by Laylin.

BE IT HEREBY RESOLVED that the SUSPENSION requested by Beverly A. Beaumont on taxes owed for 2019/2020 installments in the amount of \$535.00 for Parcel #8913-13-151-012 be approved pursuant to §427.8 of the Code of Iowa and the County Treasurer be authorized and directed to adjust her records accordingly.

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

NAYS: None. Resolution adopted.

White moved the following resolution seconded by Laylin.

BE IT HEREBY RESOLVED that the SUSPENSION requested by Rebecca L. Caughron on taxes owed for 2019/2020 installments in the amount of \$1,588.00 for Parcel #8913-28-403-035 be approved pursuant to §427.8 of the Code of Iowa and the County Treasurer be authorized and directed to adjust her records accordingly.

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

NAYS: None. Resolution adopted.

Moved by White, seconded by Schwartz to direct the County Finance Director to advertise for a public hearing to be held at 9:07 a.m. on Tuesday, October 1, 2019 in Board Room 201 of the Black Hawk County Courthouse, 316 E. 5th Street, Waterloo, Iowa on the proposed additional action for the issuance of not to exceed \$9,100,000 General Obligation Bonds, for essential county purposes, to provide funds to pay the costs of works and facilities useful for the collection and disposal of solid waste. Motion carried.

Schwartz moved the following resolution seconded by Trelka.

BE IT HEREBY RESOLVED to formalize Black Hawk County's procedure for funding of 501(c)(3) projects by placing the requirements, instructions, and applications on the County website to be effective October 1, 2019.

AYES: Laylin, Schwartz, Trelka, Little.

NAYS: White Resolution adopted.

The Board of Supervisors discussed compensation for the time worked in dual positions by Helen Steffen and Billie Jo Heth as interim co-finance directors. (See minutes of September 10.) Laylin proposed that the amounts be calculated by applying what would be a time-and-a-half rate based on the Finance Director mid-range hourly rate of \$43.00, or \$64.50. She also proposed that an additional 5% be added, based on the policy for interim department heads. These calculations amounted to \$2,133.34 for Heth (based on 31.5 hours) and \$1,178.42 for Steffen (based on 17.4 hours).

Moved by Schwartz, seconded by Trelka to compensate Billie Jo Heth and Helen Steffen for time worked in dual positions in the amounts of \$2,133.34 and \$1,178.42, respectively.

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

NAYS: None. Motion carried.

Schwartz moved the following resolution seconded by Trelka.

BE IT HEREBY RESOLVED to direct the Chair to sign a letter opposing changes to the Supplemental Nutrition Assistance Program (SNAP) program, and to encourage individual supervisors to send letters as well.

Schwartz said that the volume of mail sent is important, so each supervisors should send a letter, as well as members of the public. He said the planned rule change would lower the income threshold for SNAP by \$1,000 to about \$1,300 a month, which would mean that 1,500 children in Black Hawk County could lose access to a lunch. Barbara Prather said that the mail has to be received by the Department of Agriculture by September 23 to be considered.

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

NAYS: None. Resolution adopted.

The Board further discussed the proposed county solar energy project. (See minutes of September 10.) Maintenance Superintendent Rory Geving said that he had answers to some but not all of the questions he couldn't answer the prior week. He said that PDCM insurance estimated an increase of \$1300 a year to cover all eight proposed projects with the special circumstances of each. Little said a fence would be needed for the Pinecrest panel array on the ground, and asked what kind and what cost. Geving said it would have to be factored into a request for proposal, and he would expect either a four- or six-foot chain link fence. Little asked if all local ordinances have been considered. Geving said that the construction would have to follow the city's permitting process. Little asked if the county owned the land by Pinecrest needed for the panels. Geving said yes. He said that Conservation has removed a number of ash trees, which had to be removed due to disease. He said he was still trying to determine the basis for expecting a 40-year life span for the panels. He also was looking into a possible change in the financing of the arrays that might help on the rates the county would pay back to a vendor for a power purchase agreement.

Little suggested that the item be put on the agenda every other week in anticipation of new information coming to light. Laylin said the Board should discuss financing options, including using the money available from the sale of Country View or debt financing. Little said the Country View purchase should first be looked at in terms of offsetting capital projects to keep the tax rate down. Schwartz said he initially leaned toward a cash purchase, but it may be prudent to take advantage of low interest rates. Laylin asked Trelka what he meant in the prior meeting by diversification of energy supply. Trelka said he didn't want to see a building totally dependent on solar power, which would not be constant, so a hybrid solution should be pursued. He wanted the Board to have a thorough discussion, keep the public informed, and look for tax savings. Schwartz hoped they could make these decisions in a month's time, but agreed that all aspects need to be reviewed.

At Nine-forty o'clock (9:40) 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 Robert Mills at 438 Elk Run Road to rezone 2.14 acres from "C-M" Commercial-Manufacturing District to "A" Agricultural District in order to separate a dog boarding facility from existing home. The property is legally described as:

*A PART OF THE SOUTH ONE-HALF OF THE SOUTH ONE-HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (S 1/2, S 1/2, SE 1/4, NE 1/4) OF SECTION 28, TOWNSHIP 89 NORTH (T89N), RANGE 12 WEST (R12W), OF THE FIFTH PRINCIPAL MERIDIAN (5TH P.M.), IN BLACK HAWK COUNTY, STATE OF IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID NE 1/4; THENCE N88°40'40"38"W, 60.02 FEET, ALONG THE SOUTH LINE OF SAID NE 1/4, TO THE POINT OF BEGINNING, OF PARCEL "B"; THENCE CONTINUING N88°40'40"38"W, 315.08 FEET, ALONG THE SOUTH LINE OF SAID NE 1/4, TO A POINT; THENCE N00°00'49"W, 332.34 FEET, ALONG A LINE PARALLEL TO AND NORMALLY DISTANT FROM THE EAST LINE OF SAID NE 1/4; THENCE S88°40'40"38"E, 315.08 FEET, ALONG THE*

NORTH LINE OF THE S 1/2 OF THE S 1/2 OF SAID NE 1/4, TO A POINT ON THE WEST RIGHT OF WAY LINE OF SOUTH ELK RUN ROAD; THENCE S00°00'49"E, 332.40 FEET, ALONG THE WEST RIGHT OF WAY LINE OF SOUTH ELK RUN ROAD, TO THE POINT OF BEGINNING, CONTAINING 104,697.0 SQUARE FEET, OR 2.403 ACRES, EXCEPT COMMENCING AT THE EAST QUARTER CORNER OF AFORESAID SECTION TWENTY-EIGHT (28); THENCE N01°20'43"W ONE HUNDRED FORTY-FOUR AND SEVENTY-THREE HUNDREDTHS (144.73) FEET ALONG THE EAST LINE OF AFORESAID NORTHEAST QUARTER (NE 1/4); THENCE S87°56'58"W EIGHTY-SIX AND TWENTY-ONE HUNDREDTHS (86.21) FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S87°56'58"W ONE HUNDRED THIRTY-EIGHT AND FIFTY-FOUR HUNDREDTHS (138.54) FEET; THENCE N01°35'06"W EIGHTY-THREE AND NINETY-SIX HUNDREDTHS (83.96) FEET; THENCE N89°49'57"E ONE HUNDRED THIRTY-EIGHT AND SEVENTY HUNDREDTHS (138.70) FEET; THENCE S01°29'51"E SEVENTY-NINE AND FORTY HUNDREDTHS (79.40) FEET TO THE POINT OF BEGINNING CONTAINING 11,321 SQUARE FEET.

The Board of Supervisors examined proof of publication of notice and determined that the notice had been published on September 6, 2019 in the Courier in accordance with the requirements of the *Code of Iowa*.

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

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

Seth Hyberger of Planning and Zoning – said the plan is to return some of the land rezoned earlier as Commercial-Manufacturing back to Agricultural. Margaret Mills said this was the way they wanted in in the first place, but had been given contrary advice.

Moved by White, seconded by Laylin 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 September 17, 2019 at Nine-oh- o'clock (9:) a.m., on the request submitted by Robert Mills at 438 Elk Run Road to rezone 2.14 acres from "C-M" Commercial-Manufacturing District to "A" Agricultural District in order to separate a dog boarding facility from existing 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. 232 to Section VI (B), Rezoning Certain Property" as described on the above request submitted by Robert Mills and to consider same for adoption and if adopted would be known as Ordinance no. 77-232, 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 Laylin.

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. 232 To Section VI (B), Rezoning Certain Property" as described on the above request submitted by Robert Mills and to consider same for adoption and if adopted would be known as Ordinance No. 77-232, 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 "C-M" Commercial-Manufacturing District to "A" Agricultural District, and the ordinance is hereby adopted and known as Ordinance No. 77-232.

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

NAYS: None. Ordinance adopted.

At Nine-forty-six o'clock (9:46) 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 Richard Conner on behalf of Jeff Thode at 8734 Waverly Road to rezone 5.1 acres from "A" Agriculture District to "A-R" Agricultural-Residential District in order to construct two new single family homes and legally described as:

#### REZONE AREA 1

THE NORTH HALF OF THE SOUTH 575 FEET OF THE SOUTH 1,727 FEET OF THE EAST 334 FEET OF THE WEST 367 FEET OF THE NORTHWEST ¼ OF SECTION 12, TOWNSHIP 90 NORTH, RANGE 14 WEST OF THE 5<sup>TH</sup> PRINCIPAL MERIDIAN, BLACK HAWK COUNTY, IOWA.

#### REZONE AREA 2

THE SOUTH 378 FEET OF THE NORTH 938 FEET OF THE SOUTH 1,727 FEET OF THE EAST 334 FEET OF THE WEST 367 FEET OF THE NORTHWEST ¼ OF SECTION 12, TOWNSHIP 90 NORTH, RANGE 14 WEST OF THE 5<sup>TH</sup> PRINCIPAL MERIDIAN, BLACK HAWK COUNTY, IOWA.

The Board of Supervisors examined proof of publication of notice and determined that the notice had been published on September 6, 2019 in the Courier in accordance with the requirements of the *Code of Iowa*.

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

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



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

Seth Hyberger of Planning and Zoning said that the Planning and Zoning Commission voted 4-2 to approve the request, with the two dissenting commissioners expressing concerns about reducing agricultural land. He said that previous requests were denied by the Board of Supervisors in 1994, 1995 and 1996 due to high traffic on Waverly Road, which was then Highway 218, before the four-lane 218 was built to the east. He said one neighbor attended the P&Z hearing and expressed opposition to the request.

Neighbor William Heth said that he and other neighboring farmers are concerned that residential dwellers in the area will complain about odors and dust and the spraying of chemicals on crops. He said that there is a large area of rare and extremely fertile Wiota soil on the property, according to a soil survey map, which should be used for agriculture. Attorney Pat Galles said that he represented the farmers to the west of the property, and that he was also involved when the 1994-96 requests were denied. He said that despite the relocation of Highway 218, there is considerable local traffic on Waverly Road, especially large agricultural machinery, which creates traffic hazards. He said a rezoning would set a precedent, and encourage farm owners to let their property grow wild so that they can justify residential rezonings.

Jeff Thode said that he would be building on one of the parcels, and he lived much of his life there, and has no complaints about traffic and dust. He said his family had never farmed the area in question, and to return it to agriculture would mean removing a wooded area, which would greatly displace the soil. He said the best use of the land is the least destruction of trees.

Motion carried.

Laylin moved the following resolution seconded by White.

WHEREAS, a public hearing was held on September 17, 2019 at Nine-oh- o'clock (9:) a.m., on the request submitted by Richard Conner on behalf of Jeff Thode at 8734 Waverly Road to rezone 5.1 acres from "A" Agriculture District to "A-R" Agricultural-Residential District in order to construct two new single family homes, 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. 233 to Section VI (B), Rezoning Certain Property" as described on the above request submitted by Richard Conner on behalf of Jeff Thode and to consider same for adoption and if adopted would be known as Ordinance no. 77-233, 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.

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. 233 To Section VI (B), Rezoning Certain Property" as described on the above request submitted by Richard Conner on behalf of Jeff Thode and to consider same for adoption and if adopted would be known as Ordinance No. 77-233, 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. 77-233.

AYES: None.

NAYS: Laylin, Schwartz, Trelka, White, Little. Ordinance failed.

At Ten-twelve o'clock (10:12) 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 Jim Bosier at 6410 N Butler Road to rezone 1.6 acres from "A" Agriculture District to "A-R" Agricultural-Residential District in order to split off a home that was originally built on 35 acres legally described as:

*THE WEST 275 FEET OF THE EAST 665 FEET OF THE SOUTH 255 FEET OF THE NORTH 470 FEET OF THE NORTHWEST ¼ OF THE SOUTHWEST ¼ OF SECTION 18, TOWNSHIP 90 NORTH, RANGE 14 WEST OF THE 5<sup>TH</sup> PRINCIPAL MERIDIAN, BLACK HAWK COUNTY, IOWA.*

The Board of Supervisors examined proof of publication of notice and determined that the notice had been published on September 6, 2019 in the Courier in accordance with the requirements of the *Code of Iowa*.

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

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

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

Seth Hyberger of Planning and Zoning said that the Planning and Zoning Commission voted unanimously to recommend approval of the request. Motion carried.

White moved the following resolution seconded by Schwartz.

WHEREAS, a public hearing was held on September 17, 2019 at Nine-oh- o'clock (9:) a.m., on the request submitted by Jim Bosier at 6410 N Butler Road to rezone 1.6 acres from "A" Agriculture District to "A-R" Agricultural-Residential District in order to split off a home that was originally built on 35 acres, 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. 234 to Section VI (B), Rezoning Certain Property" as described on the above request submitted by Jim Bosier and to consider same for adoption and if adopted would be known as Ordinance no. 77-234, 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. 234 To Section VI (B), Rezoning Certain Property" as described on the above request submitted by Jim Bosier and to consider same for adoption and if adopted would be known as Ordinance No. 77-234, 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. 77-234.

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

NAYS: None. Ordinance adopted.

ANY REPORTS OR INFORMATION FROM THE BOARD. Schwartz congratulated Trelka on his retirement as Waterloo Police Chief on November 30, after thirty years in law enforcement.

On motion and vote the meeting adjourned.

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Linda Laylin, Chair Pro-tem, Board of Supervisors

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Grant Veeder, County Auditor

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Tom Little, Chair, Board of Supervisors