

Waterloo, Iowa July 6, 2010

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:

Craig White, Chair; Scott Jordan, Tom Little and Frank Magsamen.

Absent: John Miller.

Unless otherwise noted, all actions were approved unanimously, Miller absent.

Moved by Jordan, seconded by Magsamen that the AGENDA be received and place on file with the County Auditor as amended. Motion carried.

The Board of Supervisors acknowledged Julie Protsman of the Auditor's office with thirty-five years of service, Koleen Schipper of the Community Service office with twenty years of service and Tracey Shannon of the Sheriff's office with twenty years of service to Black Hawk County.

RECEIVE PROJECT UPDATES FROM DEPARTMENT HEADS/ELECTED OFFICIALS. County Engineer Cathy Nicholas said that recent rains have caused minor flooding, and she urged driving with caution on county roads, especially in the northeast part of the county. She said Ansborough and East Dunkerton Roads should now be open, and that deck replacement of the Cedar Wapsi Road bridge will now commence, with the detour sending traffic to Dunkerton Road, and that work will begin this week on the Hess Road bridge.

Moved by Little, seconded by Jordan that the MINUTES of the Board Meeting held June 29, 2010 be and are hereby approved as submitted. Motion carried.

Jordan moved the following resolution seconded by Magsamen.

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 WARRANTS**, against the various settlement of such claims as allowed:

AYES: Jordan, Little, Magsamen, White.

NAYS: None.

ABSENT: Miller. Resolution adopted.

CONSENT AGENDA - BY MOTION

Moved by Magsamen, seconded by Jordan to approve the following **MOTIONS**:

A. TO RECEIVE, PLACE ON FILE WITH THE COUNTY AUDITOR:

The MANURE MANAGEMENT PLAN (MMP) update submitted by Rick Phillips (ID # 64788) located in Fox Township, Section 16 in Black Hawk County pursuant to 567 Iowa Administrative Code 455B

B. TO APPROVE AND DIRECT THE CHAIR TO SIGN:

The NEW Application for an Outdoor Service Area (Class C approved March 23, 2010) submitted by Mo's One More Lounge, 4515 E. Washburn Rd., Washburn, IA
Motion carried.

CONSENT AGENDA ENDS.

Little moved the following resolution seconded by Jordan.

BE IT HEREBY RESOLVED that the PROPOSAL received from Site Services, Algona, IA for asbestos abatement services in the amount of \$21,675.00 for four (4) properties (5030 Weiden Rd., 9915 Winslow Rd., 6611 Sunnyside Rd., 7909 Finchford Rd.) acquired by Black Hawk County as part of the 2008 Flood Buyout Program be and is hereby approved and the Chair be authorized and directed to sign for same as recommended by Kyle Durant, Disaster Recovery Planner, Iowa Northland Regional Council of Governments (INRCOG).

AYES: Jordan, Little, Magsamen, White.

NAYS: None.

ABSENT: Miller. Resolution adopted.

Jordan moved the following resolution seconded by Magsamen.

BE IT HEREBY RESOLVED that the BUSINESS ASSOCIATE AGREEMENT between Black Hawk County and McGladrey & Pullen, LLP, Davenport, IA for auditing services for Fiscal Year 2010 be and is hereby approved and the Chair be authorized and directed to sign for same as recommended by James Bronner, Finance Director.

Mr. Bronner said that this is the last year of the six-year agreement with McGladrey & Pullen, and that the service will be bid in January of 2011.

AYES: Jordan, Little, Magsamen, White.

NAYS: None.

ABSENT: Miller. Resolution adopted.

Little moved the following resolution seconded by Magsamen.

BE IT HEREBY RESOLVED that the CONTRACT between Black Hawk County and Peterson Contractors, Inc., Reinbeck, IA in the amount of \$1,105,670.01 for Project LFM-1106-7X-07 Voorhies and Gibson Roads Culvert Replacement, Grading and HMA Resurfacing be and is hereby approved, to receive and place on file with the County Auditor the Certificate of Insurance and Contractor's Bond for same, and to authorize and direct the Chair to sign for same as recommended by Cathy Nicholas, County Engineer.

AYES: Jordan, Little, Magsamen, White.

NAYS: None.

ABSENT: Miller. Resolution adopted.

Magsamen moved the following resolution seconded by Jordan.

BE IT HEREBY RESOLVED that the BEST BID received from Murphy Tractor and Equipment, Waterloo, IA (bids opened June 29, 2010) in the amount of \$224,995.00 be and is hereby approved as recommended by Cathy Nicholas, County Engineer.

AYES: Jordan, Little, Magsamen, White.

NAYS: None.

ABSENT: Miller. Resolution adopted.

Little moved the following resolution seconded by Jordan.

BE IT HEREBY RESOLVED that the Iowa Purchase of Social Services Agency CONTRACT #30-07-015 between Black Hawk County (Youth Shelter) and Iowa Department of Human Services (DHS) effective July 1, 2010 for emergency shelter care services be and is hereby approved and the Chair be authorized and directed to sign as recommended by Amy Landers Jones, Youth Shelter Director.

AYES: Jordan, Little, Magsamen, White.

NAYS: None.

ABSENT: Miller. Resolution adopted.

Jordan moved the following resolution seconded by Magsamen.

BE IT HEREBY RESOLVED by the Board of Supervisors of Black Hawk County, Iowa to approve the following amendment to the list of financial institutions to be depositories of Black Hawk County Funds in conformance with all applicable provisions of §12B and 12C of the *Code of Iowa* in amounts not to exceed the maximum deposits approved for each respective financial institution as set out below:

<u>DEPOSITORY</u>	<u>CHARTER STATE</u>	<u>MAXIMUM DEPOSIT UNDER OLD RESOLUTION</u>	<u>MAXIMUM DEPOSIT UNDER THIS RESOLUTION</u>	<u>CHANGE</u>
TREASURER				
Liberty Bank	IA	\$ 2,000,000.00	\$10,000,000.00	increase amt
MidwestOne Bank	IA	\$ 2,000,000.00	\$10,000,000.00	increase amt

AYES: Jordan, Little, Magsamen, White.

NAYS: None.

ABSENT: Miller. Resolution adopted.

Little moved the following resolution seconded by Jordan.

BE IT HEREBY RESOLVED by the Board of Supervisors of Black Hawk County, Iowa, that we do hereby designate the following named financial institutions as 2010 DEPOSITORIES of Black Hawk County funds in conformance with all applicable provisions of §12B and 12C of the *Code of Iowa* in amounts not to exceed the maximum approved for each respective financial institution as set out below:

<u>DEPOSITORY</u>	<u>CHARTER STATE</u>	<u>MAXIMUM DEPOSIT UNDER FORMER RESOLUTION</u>	<u>MAXIMUM DEPOSIT UNDER THIS RESOLUTION</u>	<u>CHANGE</u>
COMMUNITY SERVICES				
Veridian Credit Union	IA	\$ 350,000.00	\$ 350,000.00	none
COUNTRY VIEW				
Wells Fargo Bank, IA	CA	\$ 25,000.00	\$ 25,000.00	none
Wells Fargo Bank, IA	CA	\$ 100,000.00	\$ 100,000.00	none
Regions Financial Corp, Wloo	AL	\$ 7,500.00	\$ 7,500.00	none
Regions Financial Corp, Wloo	AL	\$ 1,000,000.00	\$ 1,000,000.00	none

Lincoln Savings Bank, Wloo	IA	\$ 10,000.00	\$ 10,000.00 none
Lincoln Savings Bank, Wloo	IA	\$ 125,000.00	\$ 125,000.00 none
RECORDER			
Community National Bank	IA	\$ 1,500,000.00	\$ 1,500,000.00 none
SHERIFF			
Community National Bank	IA	\$ 1,500,000.00	\$ 1,500,000.00 none
TREASURER			
Bank Iowa, Waterloo	IA	\$10,000,000.00	\$10,000,000.00 none
Community National Bank	IA	\$10,000,000.00	\$10,000,000.00 none
Farmers State Bank, Raymond	IA	\$80,000,000.00	\$80,000,000.00 none
First Security State Bank, Evansdale	IA	\$10,000,000.00	\$10,000,000.00 none
Liberty Bank	IA	\$ 2,000,000.00	\$10,000,000.00 increase amt
Lincoln Savings Bank, Waterloo	IA	\$20,000,000.00	\$20,000,000.00 none
Marquette Bank	IA	\$ 400,000.00	\$ 400,000.00 none
MidwestOne Bank	IA	\$ 2,000,000.00	\$10,000,000.00 increase amt
Public Employees Credit Union	IA	\$ 100,000.00	\$ 100,000.00 none
Regions Financial Corp, Wloo	AL	\$30,000,000.00	\$30,000,000.00 none
US Bank, NA, Waterloo	OH	\$60,000,000.00	\$60,000,000.00 none
Veridian Credit Union	IA	\$20,000,000.00	\$20,000,000.00 none
Wells Fargo Bank, NA, Waterloo	CA	\$75,000,000.00	\$75,000,000.00 none
Wells Fargo Investments, SCI, Wloo	IA	\$10,000,000.00	\$10,000,000.00 none

AYES: Jordan, Little, Magsamen, White.

NAYS: None.

ABSENT: Miller. Resolution adopted.

Moved by Magsamen, seconded by Jordan to appoint Kim Burger of the Cedar Falls Tourism and Visitors Bureau and Aaron Buzza of the Waterloo Convention and Visitors Bureau as the Director and Alternate respectively to represent Black Hawk County to the Eastern Iowa Tourism Association (EITA) for Fiscal Year 2010. Motion carried.

Moved by Little, seconded by Jordan that the Board minutes of November 24, 2009 be amended to read: that the CONTRACT between Black Hawk County and Michael Painting & Decorating, Inc., Waterloo, IA in the amount of \$122,189.00 (not \$122,089.00) (bids opened November 17, 2009) for painting services for Black Hawk Courthouse, Pinecrest Office Building, Juvenile Court Services, Youth Shelter and Country View facilities be and is hereby approved, to receive and place on file with the County Auditor the Certificate of Insurance, performance and Payment Bond and to authorize and direct the Chair to sign for same as recommended by Louis Cutwright, Building Superintendent. Motion carried.

Moved by Little, seconded by to authorize and direct the County Auditor to advertise for a public hearing/bid opening at 9:15 a.m. on July 27, 2010 in the Board Room 201 of the Black Hawk County Courthouse, Waterloo, IA on the Pinecrest Boiler Replacement Project.

Superintendent of Maintenance Rory Geving said that an alternate will be included in the bid to repair the boiler's foundation of concrete, which is largely deteriorated. He said his timeline to finish the job is September 30. Motion carried.

ANY REPORTS OR INFORMATION FROM THE BOARD. Jordan offered condolences in the passing of Don Lentz and Joseph Kremer.

The Board of Supervisors recessed at about 9:15 am, and reconvened at 9:25 pm.

At nine-twenty-five o'clock (9:25) a.m., a public hearing was held as provided by law in the Board Room 201 of the Black Hawk County Courthouse, Waterloo, IA at which time all interested persons could appear to file objections to the proposed adoption of an Ordinance to be known as ORDINANCE #109 entitled Amending Ordinance No. 36, as amended, the Black Hawk County Agricultural Preservation Zoning Ordinance adopted February 2, 1999. The amendment would create multiple updates to the floodplain regulations, including updating the definition of floodplain terms, and creating new standards for floodplain development, including requiring that new and substantially improved structures be elevated a minimum of three feet above the 100-year floodplain, providing minimum standards for how a structure is elevated, and placing limitations on the amount of fill that can be used to elevate a structure (changes in this ordinance were identified at the meeting of June 15, 2010 to increase the minimum elevation for building from two feet to three feet above the flood plain, and this change has been incorporated for the second hearing and reading today.)

Moved by Little, seconded by Magsamen to waive the second and final reading of ORDINANCE #109 entitled Amending Ordinance No. 36, as amended, the Black Hawk County Agricultural Preservation Zoning Ordinance adopted February 2, 1999 as notice was published in The Courier on June 4, 2010 and copies were available for public inspection in the Black Hawk County Auditor's Office, Room 213, and the Board of Supervisors Office, Room 203, of the Black Hawk County Courthouse. Motion carried.

There were no oral or written objections. Magsamen said he supported the three-foot minimum, and noted that evidence shows a trend toward increased precipitation. Jordan asked if there had been any opposition expressed to this proposed ordinance. Shane Graham of Planning and Zoning said there had not been, and said the process was covered in the *Waterloo Courier*.

Moved by Magsamen, seconded by Little that the hearing be closed after written and oral comments were received. Motion carried.

Magsamen moved the following resolution seconded by Jordan.

WHEREAS, a public hearing was held on July 6, 2010 at nine-twenty-five o'clock (9:25) a.m. on the reading of ORDINANCE #109 entitled Amending Ordinance No. 36, as amended, the Black Hawk County Agricultural Preservation Zoning Ordinance adopted February 2, 1999, and

WHEREAS, changes in the ordinance were identified at the meeting of June 15, 2010 to increase the minimum elevation for building from two feet to three feet above the flood plain, and

this change was incorporated for the second hearing and reading today, and

WHEREAS, there were no corrections in the ordinance as proposed, now therefore
BE IT HEREBY RESOLVED that said ORDINANCE #109 entitled Amending Ordinance No. 36, as amended, the Black Hawk County Agricultural Preservation Zoning Ordinance adopted February 2, 1999 be and is hereby approved.

AYES: Jordan, Little, Magsamen, White.

NAYS: None.

ABSENT: Miller. Ordinance adopted.

On motion and vote the meeting adjourned.

Due to space and format limitations, these minutes do not include the listings of claims approved for payment (approved weekly) or payroll adjustments (approved biweekly). The lists are included in the official publications of the minutes printed in the Waterloo Cedar Falls Courier, the LaPorte City Progress Review and the Hudson Herald. The lists also may be found in the county minute books located in the County Auditor's Office.