

Waterloo, Iowa July 13, 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 Little that the AGENDA be received and place on file with the County Auditor as approved. Motion carried.

RECEIVE PROJECT UPDATES FROM DEPARTMENT HEADS/ELECTED OFFICIALS. County Engineer Cathy Nicholas said that Secondary Road crews would be retrieving rock washed off gravel roads by recent flooding, and had begun sealcoating roads in the county. She said bridge projects were ongoing on Bennington, Cedar Wapsi, and Hess Roads, and noted that all road and bridge closings are on the county's website (www.co.black-hawk.ia.us). Jordan asked for an estimate of the flood damage. Ms. Nicholas said that it was mostly erosion damage on gravel roads and washing out shoulders on paved roads, with repair involving labor and hauling rock. She thought it would cost from \$15,000 to \$20,000. Little thanked Ms. Nicholas and her staff for helping address water problems in Washburn.

Emergency Management Coordinator Lorie Glover said that Governor Culver had declared the county a disaster area on July 9. That applications for assistance can be had at the Emergency Management Agency (EMA) office, the Department of Human Services (DHS) office, or on the DHS website, but since EMA have to sign off on all applications to say that that the applicants are Black Hawk County residents, it may be easiest to get them at the EMA office. That 168 people seeking referrals through phoning 2-1-1, 127 from Waterloo, sixteen from Evansdale, and sixteen from unincorporated Black Hawk County, forty-three of whom were requesting cleanup assistance. That she would attend a meeting of Community Organization Active in Disaster (COAD) to discuss the faith-based and non-profit community response, and had been working closely with Hawkeye Valley Area Agency on Aging (HVAAA). Magsamen advised calling 2-1-1 even if aid was no longer needed in order to have a more complete database. He asked about funds available through the state, which he understood was available up to \$5,000 per applicant. Ms. Glover said it was available to owners and renters, and said she understood it was a reimbursement program, and worried that many people would be left out because they didn't have the means to make the initial payment for repairs. She said volunteers should contact the Volunteer Center of Cedar Valley (272-2087).

Finance Director James Bronner showed the Board the recently-received Government Finance Officers Association audit award, the county's fifth consecutive.

Moved by Jordan, seconded by Magsamen that the MINUTES of the Board Meeting held July 6, 2010 be and are hereby approved as submitted. Motion carried.

Little moved the following resolution seconded by Jordan.

BE IT HEREBY RESOLVED that the Finance Director be and is hereby authorized and directed to TRANSFER APPROPRIATIONS to the various operating budgets for FY10 for the following offices as set out below and as shown upon the records in the office of the Finance Director with such changes being made pursuant to §331.434.6 of the Code of Iowa:

<u>GENERAL BASIC FUND</u>	<u>INCREASE</u>	<u>DECREASE</u>
<u>SERVICE AREA 3 – PHYSICAL HEALTH & SOCIAL SERVICES</u>		
Juvenile Court Services		\$ 25,000
Country View	\$ 100,000	
Health Department		\$ 100,000

GENERAL SUPPLEMENTAL FUND

<u>SERVICE AREA 3 – PHYSICAL HEALTH & SOCIAL SERVICES</u>		
Youth Shelter	\$ 25,000	

MENTAL HEALTH FUND

<u>SERVICE AREA 4 – MENTAL HEALTH, MR & DD</u>		
Country View	\$ 150,000	
Community Services/CPC		\$ 150,000

AYES: Jordan, Little, Magsamen, White.

NAYS: None.

ABSENT: Miller.

Resolution adopted.

CONSENT AGENDA - BY RESOLUTION

Moved by Jordan, seconded by Magsamen to approve the following RESOLUTIONS:

A. TO APPROVE AND DIRECT THE CHAIR TO SIGN:

The allowable/disallowable HOMESTEAD CREDIT LIST on 2011 valuations for taxes payable in 2012-2013 as submitted by Tami McFarland, County Assessor, in accordance with §425.3 of the Code of Iowa.

The allowable/disallowable MILITARY SERVICE TAX EXEMPTION LIST on 2011 valuations for taxes payable in 2012-2013 as submitted by Tami McFarland, County Assessor, in accordance with §426.A.14 of the Code of Iowa.

The allowable/disallowable FAMILY FARM CREDIT LIST on 2010 valuations for taxes payable in 2011-2012 as submitted by Tami McFarland, County Assessor, in accordance with §425A.4 of the Code of Iowa.

AYES: Jordan, Little, Magsamen, White.

NAYS: None.

ABSENT: Miller.

Resolution adopted.

CONSENT AGENDA - BY MOTION

A. TO APPROVE AND DIRECT THE CHAIR TO SIGN:

The AGREEMENT between Black Hawk County and Ronald J. Myers, employee, effective July 6, 2010, for consideration of law enforcement training provided by Black Hawk County and reimbursement of same if employment terminates

The Fireworks Permit Requests submitted by Kathryn Rewerts for July 17, 2010 to be held at 2905 Cherrywood Lane, Waterloo, IA

Motion carried.

CONSENT AGENDA ENDS.

Magsamen moved the following resolution seconded by Jordan.

BE IT HEREBY RESOLVED that the Exhibit D Disbursement Request Form for grant reimbursement in the amount of \$187,791.00 from the Iowa-Jobs Program/Iowa Finance Authority for the Black Hawk County Conservation Board New Shop Building, 1346 W. Airline Highway, Waterloo, IA be and is hereby approved and to authorize and direct the Chair to sign for same.

Finance Director James Bronner said the grant paid for all but \$9,000 of the project. Magsamen said the overall project cost more than \$700,000, including purchase and renovation of the Conservation Office building and the maintenance garage.

AYES: Jordan, Little, Magsamen, White.

NAYS: None.

ABSENT: Miller.

Resolution adopted.

At nine-fourteen o'clock (9:14) 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 #110 entitled Area Service "B" Road Maintenance Ordinance. The proposed Ordinance establishes and classifies certain roads on the area service system in Black Hawk County to provide for a reduced level of maintenance, the Board of Supervisors is empowered under authority of Iowa Code §309.57 to provide for a reduced level on maintenance on roads so designated.

Moved by Little, seconded by Jordan to waive the first reading of ORDINANCE #110 entitled Area Service "B" Road Maintenance Ordinance as notice was published in The Courier on July 2, 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. Little asked if these ordinances were related to the discussion of the proposed vacations of North Pilot Grove and Weiden Roads (see minutes of June 8, 2010). County Engineer Cathy Nicholas said they were, but that these were procedural ordinances and didn't affect specific roads.

Moved by Little, seconded by Jordan 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 13, 2010 at nine-fourteen o'clock (9:14) a.m., on the reading of ORDINANCE #110 entitled Area Service "B" Road Maintenance Ordinance.

WHEREAS, there were no corrections in the ordinance as proposed, now therefore

BE IT HEREBY RESOLVED that said ORDINANCE ##110 entitled Area Service "B" Road Maintenance Ordinance be and is hereby approved.

AYES: Jordan, Little, Magsamen, White.

NAYS: None.

ABSENT: Miller.

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, IA at which time all interested persons could appear to file objections to the proposed adoption of an Ordinance to be known as ORDINANCE #111 entitled Area Service "C" Road Maintenance Ordinance. The proposed Ordinance establishes and classifies certain roads on the area service system in Black Hawk County to provide for a reduced level of maintenance, the Board of Supervisors is empowered under authority of Iowa Code §309.57 to provide for a reduced level on maintenance on roads so designated.

Moved by Little, seconded by Jordan to waive the first reading of ORDINANCE #111 entitled Area Service "C" Road Maintenance Ordinance as notice was published in The Courier on July 2, 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.

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

Jordan moved the following resolution seconded by Little.

WHEREAS, a public hearing was held on July 13, 2010 at nine-eighteen o'clock (9:18) a.m., on the reading of ORDINANCE #111 entitled Area Service "C" Road Maintenance Ordinance.

WHEREAS, there were no corrections in the ordinance as proposed, now therefore
BE IT HEREBY RESOLVED that said ORDINANCE #111 entitled Area Service "C" Road Maintenance Ordinance
be and is hereby approved.

AYES: Jordan, Little, Magsamen, White.

NAYS: None.

ABSENT: Miller.

Resolution adopted.

At nine-twenty o'clock (9:20) a.m., a public hearing/bid opening 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 Project L-1016-73-07 Grading and HMA paving of Bishop Road from approximately the east corporate limit line of La Porte City easterly to King Road from Bishop Road northerly to the entrance of McFarland Park, located just south of the Cedar River.

There were no oral or written objections.

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

At nine-twenty o'clock (9:20) a.m. the Chair announced the time had arrived in accordance with prior action and as advertised, for the receiving and opening of bids on the proposed Project L-1016-73-07 Grading and HMA paving of Bishop Road from approximately the east corporate limit line of La Porte City easterly to King Road from Bishop Road northerly to the entrance of McFarland Park, located just south of the Cedar River.

The Board of Supervisors examined proof of publication of notice to bidders and determined therefore that said notice had been published in accordance with the requirements of the Code of Iowa, Publication was approved. County Engineer said the project cost estimate was \$2,194,932. She said that bid notices had been sent to fifteen contractors.

The Chair announced the following sealed bids were all received by nine o'clock (9:00) a.m., July 13, 2010, as stated in the Notice to Bidders. The time of announcement being nine twenty o'clock (9:20) a.m., the following bids were opened and read:

NAME	CITY	AMOUNT
Moyna, CJ & Sons	Elkader, IA	\$2,391,719.95
Vieth Construction Corp.	Cedar Falls, IA	\$2,103,442.56
Peterson Contractors	Reinbeck, IA	\$2,226,587.49
Stickfort Construction	Hudson, IA	\$2,275,097.10

Action was deferred to allow time to review bids.

Jordan moved the following resolution seconded by Magsamen.

BE IT HEREBY RESOLVED that the Chair be authorized and directed to sign for inclusion in the Class Action Lawsuit Settlements with Ford Motor Co. for vehicles currently owned by Black Hawk County as recommended by Debi Bunger, Purchasing and Asset Management Specialist.

AYES: Jordan, Little, Magsamen, White.

NAYS: None.

ABSENT: Miller.

Resolution adopted.

Moved by Magsamen, seconded by Jordan to authorize the appointment of Meagan Willhour to assist the county medical examiner, as recommended by Mark L. Bickley, D.O. and Chief Medical Examiner, Black Hawk County. Motion carried.

The Board of Supervisors discussed Washburn issues. Little said that sewage pumps had to be purchased on an emergency basis, largely due to people pumping gray water through them which burns them up. He said that there were four confirmed cases of this. He said with costs rising to about \$2,400 per pump, people should realize this is costing them more in the long run. He said that the Board should come up with two or three options with their costs and see what Washburn residents think should be done. He said the County Engineer should seek bids on cleaning the drainage ditch, starting at Highway 218 and working backward. He didn't think the ground would be dry enough to do the work until September or October. He said the Washburn Drainage Ditch fund has only about \$14,400, so if bids for the cleanup exceed that, the county will have to go back to the residents. White said that residents need to keep the portion of the ditch near their property clean so that water can flow unimpeded. He said a county engineer employee had some ideas for solutions. He brought up the illegal pumping of gray water through sewer pumps. Little said that if it continues to be a problem, the county should look into assessing fines. Magsamen said that using the expertise of the Engineer's Office was a good first step, and that the county needed to raise some options so the residents can be a part of the decision-making. Little said that Assistant County Attorney Peter Burk was reviewing the Iowa Code regarding how the Board of Supervisors, currently the overseers of the Washburn Drainage District, may appoint a commission for that purpose.

Moved by Little, seconded by Jordan to direct the County Engineer to seek bids to clean out the Washburn Drainage District ditch.

County Engineer Cathy Nicholas said that she will try to find what the original depth of the ditch was, noting that excavation may be required to make it function properly. Little cautioned against digging so deep that the high water table is broached. Ms. Nicholas said she would need to work with the Department of Transportation and the railroads.

Motion carried.

Moved by Little, seconded by Magsamen to approve the purchase of eight new pumps at approximately \$2,400 each and three new pump extensions for approximately \$350 each for the Washburn Sanitary Sewer System as recommended by Brian Delagardelle, Washburn Sanitary Sewer Operator. Motion carried.

Moved by Magsamen, seconded by Jordan to amend the Board minutes of May 25, 2010 to read: that the (informal) BEST BID received from WBC Mechanical, Inc. Waterloo, IA in the amount of \$45,030.00 (\$39,900.00 for piping replacement and \$5,130.00 for step installation) for the Country View Boiler Piping Replacement Project be and is hereby approved, to authorize and direct the Chair to sign and receive and place on file with the County Auditor (not Attorney) the Certificate of Insurance for same as recommended by Rory Geving, Superintendent of Maintenance. Motion carried.

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.