



AGENDA FOR THE REGULAR SESSION OF THE BLACK HAWK COUNTY BOARD OF SUPERVISORS, WATERLOO, IOWA; TO BE HELD AT 9:00 A.M. IN THE FRANK MAGSAMEN BOARD ROOM #201 OF THE BLACK HAWK COUNTY COURTHOUSE

**May 23, 2023**

**Black Hawk County - Governing for the Future**

### **2028 Vision**

Black Hawk County government is transforming itself with new capabilities for effective service to our citizens and greater-good decision making throughout the organization. We stay current with advances in technology and government to assure the best possible service to the public. We work in a culture of collaboration, learning from others' successes, and together, we anticipate and adapt to rapidly changing circumstances and demographics, both globally and locally. With others throughout our county and region, we form a safe, thriving community.

**Motivating Values - Black Hawk County is committed to being:**

Effective Responsible Collaborative Efficient Innovative Adaptable

**Vision Elements in a Rapidly Changing Future- Black Hawk County Government will strive to:**

Build Desirable Communities  
Promote Economic Vitality  
Achieve Environmental Sustainability  
Apply Technology to Serve  
Work Together

Revised by the Black Hawk County Board of Supervisors on November 26, 2013

### **GENERAL RULES FOR PUBLIC PARTICIPATION**

1. You may address any item on the agenda by stepping up to the podium. After recognition by the Chair, state your name, address, and group affiliation (if appropriate) and speak clearly into the microphone.
2. You may speak one (1) time per agenda item for a maximum of three (3) minutes.
3. The "Public Comments" section of the agenda is your opportunity to address items not on the agenda. A speaker may speak on one (1) issue per meeting for a maximum of three (3) minutes. Official action cannot be taken by the Board at that time but may be placed on a future agenda or referred to the appropriate department.
4. Keep comments germane and refrain from personal, impertinent, or slanderous remarks.
5. Questions concerning these rules, or any agenda item may be directed to the Board Office at 319-833-3003.
6. Please turn cell phones off during the board meeting.



EQUAL HOUSING  
OPPORTUNITY

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Black Hawk County is inviting you to a scheduled Zoom meeting.

Join Zoom Meeting

<https://us02web.zoom.us/j/86027224816?pwd=VOFMekprQUpXdUtPaVBZVDRxZEJnZz09>

Meeting ID: 860 2722 4816

Passcode: 704072

+1 312 626 6799 US (Chicago)

+1 646 558 8656 US (New York)

Find your local number: <https://us02web.zoom.us/u/kec3FltOfT>

**ROLL CALL**

**MOMENT OF SILENCE – To Reflect on Actions**

**PLEDGE OF ALLEGIANCE**

**1. AGENDA RECEIVED AS PROPOSED OR AS AMENDED**

**2. PUBLIC COMMENTS**

**3. CLAIMS AND PAYMENTS**

Resolution – 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.

**4. RECEIVE PROJECT UPDATES FROM DEPARTMENT HEADS/ELECTED OFFICIALS**

**5. MINUTES APPROVED – May 16, 2023**

**6. HEARINGS – Times are approximate.**

i. 9:05 a.m. Ordinance No. 77-279 Rezone Request by Sarah Behrends.

ii. 9:07 a.m. Hearing on the Proposed FY23 Budget Amendment.

iii. 9:09 a.m. Hearing on the Proposed Bond Issuance of not to exceed \$4,800,000 in GO Bonds – Solid Waste Management Commission

**7. CONSENT AGENDA**

The following items will be acted upon by a single **RESOLUTION**, without separate discussion, unless someone from the board or the public requests that a specific item be considered separately.

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

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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.
  2. The RECORDER'S REPORT OF FEES COLLECTED from Sandie L. Smith, County Recorder, for the period from April 1, 2023, through April 30, 2023.
- B. TO RECEIVE AND PLACE ON FILE WITH THE COUNTY AUDITOR

The electronic notice from the DNR for the electronic receipt and approval of the MANURE MANAGEMENT PLAN (MMP) update submitted by Black Dog Farms LLC d/b/a Hilltop Pork ID#69005 located at 6400 East Bennington Rd., Dunkerton, IA in Black Hawk County pursuant to 567 Iowa Administrative Code §455B.

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## **8. CONTRACTS AND AGREEMENTS**

- A. Resolution – that the STATEMENT OF COMPLETION and FINAL ACCEPTANCE OF WORK for Project L-7011, placement of revetment at bridge abutments, be approved and direct the Chair to sign for same and authorize and direct the Auditor to make final payment in the amount of \$4,823.05 with a total project cost of \$160,768.23 as recommended by Catherine Nicholas, County Engineer (Project contracted at \$183,900.00, with a contract completion date of June, 30, 2023, liquidated damages assessed - \$0 contractor, Peterson Contractors Inc., Reinbeck, Iowa).
- B. Resolution – that the BEST BID received from Bill Colwell Ford, Hudson, Iowa for the purchase of one (1) used 2015 Ford F550 Truck in Fiscal Year 2024 with a bid of \$54,952.49 for the Black Hawk County Secondary Roads Department be approved and to direct the Chair to sign the LETTER OF INTENT as recommended by Catherine Nicholas, County Engineer.
- C. Discussion - potential agreement between Black Hawk County and The SpyGlass Group, LLC to complete an audit of telecommunications invoicing.

## **9. OTHER BUSINESS**

- A. 9:05 a.m. Hearing on proposed Ordinance No. 77-279 Behrends Rezone.
  - i. Motion – to receive and place on file proof of publication of notice of public hearing (published May 15, 2023).
  - ii. Motion – to waive the first reading as notice was published on May 15, 2023, in the Waterloo Courier in accordance with requirements of the *Code of Iowa*

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and publication was approved on the request submitted by Sara Behrends to rezone 2.9 acres from "A" Agricultural District to "A-R" Agricultural-Residential District in order to construct one new single-family home at 8911 Taylor Road.

- iii. Motion – to close the hearing as oral and written comments were received and placed on file.
- iv. Resolution – to suspend the rules requiring the Board of Supervisors to consider and vote on the proposed ordinance at two prior meetings.
- v. Ordinance adoption – that "Ordinance Amending Ordinance No. 36 as Amended, the Black Hawk County, Iowa Agricultural Preservation Zoning Ordinance adopted February 2, 1999, by adding Subsection No. 279 to section VI (B), Rezoning Certain property" as described on the above request submitted by Sarah Behrends and to consider the same for adoption and if adopted would be known as Ordinance No. 77-279.

B. 9:07 a.m. Hearing on the Proposed FY23 Budget Amendment.

- i. Motion – to receive and place on file proof of publication of notice of public hearing (published May 11, 2023).
- ii. Hold Hearing – Request for oral or written comments.
- iii. Motion – to close the hearing (and place on file oral and written comments).
- iv. Resolution – that the FY2023 Budget amendment be adopted.

C. Resolution – that the Finance Director be directed to INCREASE/DECREASE APPROPRIATIONS for the fiscal year ending June 30, 2023, to various operating budgets for various county departments and offices as submitted on the attached Budget Amendment Summary.

D. Resolution - that AMENDMENT #1 to the Black Hawk County Fiscal Year 2023 Secondary Roads Budget, as included and approved May 23, 2023, in the Black Hawk County Budget Amendment as item #9B, be approved and direct the Chair to sign for same as recommended by Catherine Nicholas, County Engineer.

E. 9:09 a.m. HEARING on the proposed issuance of not to exceed \$4,800,000 of General Obligation Bonds of Black Hawk County, Iowa for essential county purposes in order to provide funds to pay the costs of financing works and facilities useful for the collection and disposal of solid waste, including the planning, acquisition, leasing, construction, reconstruction, extension, remodeling, improvement, repair, equipping, maintenance, and operation of those works and facilities, including the Cell W-3 Phase II Landfill Expansion Project at the Black Hawk County Landfill, for essential county purposes, which funds will be used and repaid by the Black Hawk County Solid Waste Management Commission.

- i. Motion – to receive and place on file the proof of publication of notice of public hearing (published May 12, 2023).
- ii. Hold Hearing – Request for oral or written comments.

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- iii. Motion – to close the hearing (and receive and place on file oral and written comments).
- iv. Resolution - instituting proceedings to take additional action for the issuance of not to exceed \$4,800,000 General Obligation Bonds.

**10. WORK SESSION**

Discussion/Possible Board Action – American Rescue Plan Act – County projects.

**11. CLOSED SESSION**

- A. Resolution – to proceed into closed session for discussion of information concerning physical and/or critical infrastructure, security, security procedures, and emergency preparedness where disclosure could reasonably be expected to jeopardize county property.
- B. Motion – to adjourn the Board of Supervisors meeting in CLOSED SESSION.

**12. ANY REPORTS OR INFORMATION FROM THE BOARD**

**13. ADJOURNMENT**

**PLEASE NOTE BOARD OF SUPERVISORS AGENDA DEADLINE IS THURSDAY AT NOON.**

FOR YOUR INFORMATION:

Board of Supervisors meetings can be seen on Mediacom Government Access Channel 79.2 in Waterloo on Tuesday at 2:00 PM and 8:00 PM, Wednesday at 2:30 AM and 6:30 AM, Saturday at 9:00 AM and Sunday at 8:00 PM.

To contact a supervisor with your comments or concerns:

Tavis Hall	833-3078	<a href="mailto:thall@blackhawkcounty.iowa.gov">thall@blackhawkcounty.iowa.gov</a>
Linda Laylin	833-3076	<a href="mailto:llaylin@blackhawkcounty.iowa.gov">llaylin@blackhawkcounty.iowa.gov</a>
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Our web site is: [www.blackhawkcounty.iowa.gov](http://www.blackhawkcounty.iowa.gov)