

Waterloo, Iowa, May 2, 2023

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, and electronically via Zoom, 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: Tavis Hall, Tom Little, Chris Schwartz, Dan Trelka and Linda Laylin, Chair.

Absent: None.

Unless otherwise noted, all actions were approved unanimously.

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

PUBLIC COMMENTS. Tim Youngblut said his neighbor has not complied with various directives of the Planning and Zoning Commission and code enforcement officials, the latter of whom won't enforce proper regulations. Little said that Seth Hyberger of Planning and Zoning wasn't present to defend himself, and he (Little) would like to discuss the matter at the end of the meeting.

The Board of Supervisors acknowledged the following employees for years of service: Bryan Snook of the Sheriff's Office for 35 years of service; and Chad Wurzer of the Engineer's Office for 25 years of service.

Schwartz moved the following resolution seconded by Trelka.

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

29992	EBC	flex spend	217.77
29995	EBC	flex spend	945.94
29997	ACES	svc	1,022.00
29998	AECOM	svc	9,932.34
29999	B&B LOCK & KEY INC	eqp	31.40
30000	BICKLEY, MARK	svc	1,270.00
30001	BMC AGGREGATES LC	supl	37.22
30003	CDW GOVERNMENT INC	svc	530.66
30007	ESRI INC	svc	200.00
30008	FIRESTONE PAYMENT CTR	eqp rpr	496.56
30010	FORD JILL S	svc	7.00
30011	FULLER, ANGELA	svc	650.00
30013	KEYSTONE LABS	svc	43.00
30014	MARCO INC	svc	230.53
30015	MENARDS CF	supl	105.10
30016	MENARDS WLOO	supl	18.48
30017	MENARDS WLOO	supl	88.72
30020	P&K MIDWEST	supl	70.54
30021	PER MAR SECURITY SVCS	svc	814.32
30022	ROCK STAR REAL EST LLC	rent	475.00
30023	SANDEE'S	supl	15.25
30024	TOPHAT AUTOMOTIVE SYNDICATE	svc	600.00
30026	BECK, STEPHANIE L	training	38.00
30027	BOESCHEN REINHARD	training	38.00
30028	FENSKE, RENAE	training	38.00
30029	MEE, NA	training	19.00
337858	ABD PROP MGMT	rent	275.00
337860	ADVANCE AUTO PARTS	supl	6.29
337861	AMAZON CAPITAL SVCS INC	supl	477.09
337862	AQUATICS & EXOTICS OF WLOO	supl	3.50
337864	ARNOLD MOTOR SUPL	supl	75.46
337865	AT&T	util	77.26
337867	BEALS ENTERPRISES INC	eqp	4,400.00
337868	BOECKMANN, DENNON	svc	228.00
337869	CAMPBELL SUPL WLOO	supl	1,148.95
337870	CAPITAL SANITARY SUPL CO INC	supl	494.55
337872	CEDAR VALLEY REPORTING LLC	svc	831.40
337875	CENTURYLINK	util	147.46
337876	CENTURYLINK	util	92.52
337877	CENTURYLINK	util	448.36
337879	COOK'S OUTDOORS	supl	4.25
337880	COOLEY PUMPING	svc	205.00
337881	CRF RENTALS	rent	250.00
337882	DICKEYS PRINTING	supl	1,500.00

337883	FEDEX	svc	70.38
337886	GREEN SOURCE MGMT-THE SHREDDER	svc	128.35
337887	GREENHILL POINT	rent	250.00
337888	HARRIS CLEANING SVC & SLS INC	svc	40.00
337889	HERITAGE HOMES APTS	rent	200.00
337890	HILL CREST APTS	rent	200.00
337891	HOTEL PRESIDENT PARTNERS LP	rent	379.00
337892	IA DEPT OF PUBLIC SAFETY	svc	300.00
337893	IA ST CO TREASURERS	fees	40.00
337894	IA ST MEDICAL EXAMINER	svc	17,090.37
337895	JAYTECH INC	supl	266.20
337896	JOHNSON CO	svc	2,546.00
337897	L & G HARDWARE	supl	8.09
337898	LAMAR CO	advrt	3,500.00
337899	LEXISNEXIS MATTHEW BENDER	svc	1,757.94
337901	LOCKE FUNERAL HOME INC	svc	1,200.00
337903	MAIL SVCS LLC	svc	4,761.08
337904	MALAISE SUSAN	svc	29.50
337905	MCCARTER JOHN L	svc	180.00
337906	METRO INVESTMENTS LLC	rent	300.00
337907	MID AMERICAN ENERGY	util	3,504.56
337908	MID AMERICAN ENERGY	util	12.09
337928	MID AMERICAN ENERGY	util	20.87
337929	MID AMERICAN ENERGY/SPEC ACCT	util	75.00
337930	MIDWEST DEFENSE SOLS	svc	1,046.40
337931	MOSLEY LEON OR KATHY	rent	250.00
337932	MOTEL 6	rent	735.00
337933	NTL ENVIRONMENTAL HEALTH	svc	655.00
337934	NELSON LARRY	rent	775.00
337936	ODP BUSINESS SOLS LLC	supl	511.10
337938	ORTMAN, HOLLY	svc	8.00
337939	PAGE CO SHERIFF	svc	32.00
337940	PATHWAYS BEHAVIORAL SVCS	svc	10,085.40
337941	PENGAD INC	supl	22.35
337943	PITNEY BOWES GLOBAL FINANCIAL SVCS	svc	1,153.08
337944	PRESTO-X	svc	32.00
337945	PROSECUTING ATTORNEYS TRAINING COORD	supl	660.00
337946	R&S PROP MGMT INC	rent	300.00
337948	RICOH USA INC	svc	2,510.23
337950	SPEE DEE DELIVERY SVC INC	svc	29.01
337951	STAPLES CREDIT PLAN	supl	58.87
337953	STOREY KENWORTHY	supl	1,075.65
337954	SUMMIT FOOD SVC, LLC	food	25,655.09
337955	THE SHRED MASTER LLC	svc	359.60
337956	TOP PRIORITY PROP MGMT INC	rent	200.00
337957	TRACTOR SUPL CO	supl	13.99
337959	TSP COURT REPORTING	svc	198.00
337962	UNITY POINT-ALLEN HOSPITAL	svc	440.00
337964	US CELLULAR	util	1,454.46
337965	US CREMATION SOCIETY	svc	1,000.00
337966	UTIL EQUIP CO	eqp rpr	39.99
337968	VERIZON WIRELESS	util	213.14
337970	WLOO INDELIBLE HOUSING LLC	rent	200.00
337971	WLOO WATER WORKS	util	6,770.59
337972	WLOO WATER WORKS	util	300.00
337973	WEBSTER CO SHERIFF	svc	70.00
337975	WINDSTREAM IA COMM	util	583.27

GENERAL SUPPLEMENTAL FUND

337935	N IA JUVENILE DETENTION SVCS	alloc	35,060.00
337961	UNITED STS POST OFFICE	fees	1,440.00
337975	WINDSTREAM IA COMM	util	3.93

SECONDARY ROADS FUND

30004	CFU	util	8.50
30005	CFU	util	51.36
30006	D&D TIRE INC	rep rpr	2,160.00

30009	FIX TIRE CO	eqp rpr	103.60
30012	IA REGIONAL UTILS ASSOC	util	51.37
30018	NORTHLAND PRODUCTS CO	supl	3,158.00
30019	P&K MIDWEST	supl	77.51
30025	WERMERSKIRCHEN, RICHARD	reimb	240.00
337861	AMAZON CAPITAL SVCS INC	supl	1,556.93
337863	ARNOLD MOTOR SUPL	supl	44.10
337878	CENTURYLINK	util	183.94
337884	GIERKE ROBINSON CO	eqp rent	176.55
337885	GILBERTVILLE CITY OF	util	73.54
337900	LIBERTY TIRE RECYCLING LLC	svc	1,160.78
337902	LPC CONNECT	util	39.26
337923	MID AMERICAN ENERGY	util	19.90
337924	MID AMERICAN ENERGY	util	10.43
337925	MID AMERICAN ENERGY	util	15.62
337926	MID AMERICAN ENERGY	util	208.79
337927	MID AMERICAN ENERGY	util	11.28
337937	ORIGIN DESIGN CO	svc	1,316.00
337942	PHELPS UNIFORM SPECIALIST	svc	67.12
337949	RYDELL CHEVROLET INC	eqp rpr	439.18
337958	TRUCK CTR CO	supl	105.97
337963	UNITY POINT-ALLEN HOSP	svc	171.00
337967	VERIZON WIRELESS	util	155.51
337974	WENDLING QUARRIES INC	supl	247.42
337975	WINDSTREAM IA COMM	util	7.47

JAIL COMMISSARY FUND

30002	BOB BARKER CO INC	supl	1,067.00
337960	TURNKEY CORRECTIONS	food	2,408.08

CONSERVATION TRUST FUND

30015	MENARDS CF	supl	43.27
337871	CAYLIN JAYDE	supl	1,750.00
337952	STONE PATH ENGINEERING LLC	svc	1,676.00
337957	TRACTOR SUPL CO	eqp	109.99

ARP FUND

337866	BAKER TILLY MUNICIPAL ADVISORS LLC	svc	9,537.50
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RURAL SEWER FUND

337909	MID AMERICAN ENERGY	util	17.46
337910	MID AMERICAN ENERGY	util	25.18
337911	MID AMERICAN ENERGY	util	23.81
337912	MID AMERICAN ENERGY	util	24.00
337913	MID AMERICAN ENERGY	util	20.37
337914	MID AMERICAN ENERGY	util	15.96
337915	MID AMERICAN ENERGY	util	17.59
337916	MID AMERICAN ENERGY	util	19.36
337917	MID AMERICAN ENERGY	util	22.51
337918	MID AMERICAN ENERGY	util	15.40
337919	MID AMERICAN ENERGY	util	17.85
337920	MID AMERICAN ENERGY	util	13.56
337921	MID AMERICAN ENERGY	util	18.73
337922	MID AMERICAN ENERGY	util	16.01

INS TRUST FUND

29993	EMPLOYEE BENEFITS CORPORATION	flex spend	132.30
29994	NAVITUS HEALTH SOLS	ins	28,904.84
29996	PREFERRED ONE INS CO	ins	89,652.80
337857	DELTA DENTAL PLAN OF IA	ins	26,175.67

EMERGENCY MGMT FUND

337859	ACCESS SYSTEMS LEASING	svc	80.21
337873	CENTURYLINK	util	494.44
337874	CENTURYLINK	util	73.78
337947	RAPIDS REPRODUCTIONS INC	eqp	110.00
337969	WLOO FIRE RESCUE	util	1,686.33

CONS COMM CENT FUND

337875 CENTURYLINK util 1,622.04

CO ASSESSOR FUND

337975 WINDSTREAM IA COMM util 14.51

Little said he would like to have a separate resolution in future for the Sheriff's 60-40 fund.

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

NAYS: None. Resolution adopted.

RECEIVE PROJECT UPDATES FROM DEPARTMENT HEADS/ELECTED OFFICIALS. County Engineer Cathy Nicholas reported on construction projects for Poyner Road bridge, Dysart Road bridges, and Beaver Valley Road and Washburn Road pavement. Traffic at the landfill on Washburn Road will be one way for five to six weeks. She said the Cedar Wapsi Road crossing of the Iowa Northern Railroad will be resurfaced.

Conservation Director Mike Hendrickson said that the Black Hawk County Gaming Commission has awarded a \$200,000 grant for the Casey Lake restoration at Hickory Hills Park.

Finance Director Michelle Weidner said she has had applicants for the Administrative Aide III position and she would like the Board to be involved in interviewing the finalists. She asked if the Board would like to extend the expiring contract with CLA for independent auditing services. Little said since the services haven't been bid out for six years a request for proposal should be prepared. Laylin said the matter would be put on the agenda.

Moved by Schwartz, seconded by Trelka that the MINUTES of the Board Meeting held April 25, 2023 be and are hereby approved as submitted. Motion carried.

**CONSENT AGENDA**

Little 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. (None)
2. The PAYROLL ADJUSTMENTS submitted by the various departments and the County Auditor be authorized and directed to adjust his records accordingly.

**BOARD OF SUPERVISORS**

WEIDNER, MICHELLE	FINANCE DIRECTOR	\$61.54	4/26/2023	PROBATION COMPLETE
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**SHERIFF, TONY THOMPSON**

BRIGGS, ANDREW	DEPUTY SHERIFF	\$33.98	4/16/2023	STATUS CHANGE
DENTON, MICHAEL	MASTER CONTROL TECHNICIAN	\$24.64	4/16/2023	ANNUAL INCREMENT INCREASE
MCLAUGHLIN, MACI	BOOKING CLERK	\$24.04	4/16/2023	ANNUAL INCREMENT INCREASE
REDD, ALICIA	BOOKING CLERK	\$23.19	4/24/2023	NEW HIRE
SCROGGINS, CHRISTIAN	DEPUTY SHERIFF	\$31.02	4/16/2023	STATUS CHANGE
THORN, DYLAN	CIVILIAN DETENTION OFFICER	\$24.64	4/26/2023	RETURN FROM LEAVE
TIMM, ERIN	MASTER CONTROL TECHNICIAN	\$23.79	4/24/2023	PROBATION COMPLETE
WUBBEN, DERRICK	CIVILIAN DETENTION OFFICER	\$23.79	4/20/2023	TERMINATION PENDING

**ENGINEER, CATHERINE NICHOLAS**

SNELL, ANTHONY	LABOR/EQUIP. OPR. II	\$27.75	4/16/2023	ANNUAL INCREMENT INCREASE
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B. TO RECEIVE AND PLACE ON FILE WITH THE COUNTY AUDITOR

1. The SALE OF EQUIPMENT from the Engineer's Office for the following equipment: #82 2003 Ford F250, Asset number 6050-18 and #86 2003 Ford F250, Asset number 6050-17.
2. The PERMIT FOR UTILITY WORK WITHIN THE RIGHT-OF-WAY for Iowa Regional Utility Association of Newton, Iowa for placement of underground water utility on County right-of-way under East Tama Road as recommended by Catherine Nicholas, County Engineer.
3. The certificate of insurance, performance bond, and contract from Nagle Signs approved by the Board of Health.
4. The MANURE MANAGEMENT PLAN (MMP) update submitted by Harold Sorensen d/b/a Harold Sorenen, Facility ID#65330 located in Black Hawk Township, Section eight (8) at 7305 Ranchero Road, Cedar Falls, in Black Hawk County pursuant to 567 Iowa Administrative Code §455B.
5. The MANURE MANAGEMENT PLAN (MMP) update submitted by Pork Haven Farms, LLP d/b/a Hudson Site Facility ID#60634 located in Lincoln Township, Section one (1) at 9115 Holmes Road, Hudson, in Black Hawk County pursuant to 567 Iowa Administrative Code §455B.
6. The electronic notice from the DNR for the electronic receipt and approval of the MANURE MANAGEMENT PLAN (MMP) update submitted by D.A. Pork LLC, d/b/a D.A. Pork, LLC ID#71502 located at 6450 E. Mt. Vernon Road, Dunkerton, IA 50626 in Black Hawk County pursuant to 567 Iowa Administrative Code §455B.
7. The electronic notice from the DNR for the electronic receipt and approval of the MANURE MANAGEMENT PLAN (MMP) update submitted by Clark Even d/b/a Clark Even ID#67178 located at 9339 Jubilee Road, LaPorte City, IA 50651 in Black Hawk County pursuant to 567 Iowa Administrative Code §455B.

C. TO APPROVE AND DIRECT THE CHAIR TO SIGN

The Iowa Department of Natural Resources, National Pollutant Discharge Elimination System (NPDES) permit application (permit number 0700904) for the Washburn area sewer treatment plant.

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

NAYS: None. Resolution adopted.

**CONSENT AGENDA ENDS**

Moved by Trelka, seconded by Schwartz to direct the County Auditor to advertise for a public hearing to be held at 9:05 a.m. on Tuesday, May 23, 2023, in Board Room 201 of the Black Hawk County Courthouse, 316 E. 5th Street, Waterloo, Iowa on the proposed Ordinance No. 77-279 from a 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. Motion carried.

Moved by Hall, seconded by Schwartz to direct the Finance Director to advertise for a public hearing to be held at 9:07 a.m. on Tuesday, May 23, 2023, in Board Room 201 of the Black Hawk County Courthouse, 316 E. 5th Street, Waterloo, Iowa on the proposed FY23 budget amendment. Motion carried.

Moved by Schwartz, seconded by Trelka that the GROUNDS USE REQUEST for Hawkeye Community College to use the Black Hawk County Courthouse parking lot on the following Saturdays in 2023: May 6, May 27, August 26, and October 7, for Forklift Training and Certification, be approved and to receive and place on file the Certificate of Insurance for same and direct the Chair to sign the permission letter for same. If a session is cancelled due to illness or weather, it will be made up the following Saturday. Motion carried, Little dissenting.

Moved by Trelka, seconded by Schwartz to approve release of the Request for Proposal for Network Switches, to be paid for with American Rescue Plan funds. Motion carried.

Discussion/Possible Board Action – American Rescue Plan Act (ARPA) – County projects. The Board discussed the Big Woods Park wireless infrastructure project. Assistant County Attorney and ARPA Committee Chair Mike Treinen said that he is puzzled that Baker Tilly doesn't think the project is eligible for pandemic-related category expense, and while he and Conservation officials have asked them to consider the use of the park to prevent the spread of disease, the decreasing availability of the county's health-related ARPA funds convinces him that the county should just use ARPA replacement revenue, which needs no health-related justification. Little wondered why the county employs Baker Tilly to evaluate its ARPA projects if it argues with their evaluations. Treinen said the county typically takes their advice but sometimes wants them to take a second look. He said Baker Tilly is instrumental in providing necessary documentation. Schwartz said they may be ending their usefulness, and after the Health Department project is evaluated, the county may no longer need Baker Tilly's services. Little asked about the cost. Treinen said of \$100,000 budgeted for Baker Tilly about \$70,000 has been spent.

Trelka moved the following resolution seconded by Schwartz.

BE IT HEREBY RESOLVED to approve the Big Woods Park Wireless Infrastructure project using ARPA replacement revenue.

AYES: Hall, Schwartz, Trelka, Laylin.

NAYS: Little. Resolution adopted.

The Board discussed the Sheriff's evidence intake facility project. Trelka said he opposed the project because it would have continuing electronic equipment expenses as technology improves, that 60-40 funds initially identified for such expenses won't be available, that other communities have indicated to him that they will not use the facility, and he didn't think it was a necessity. He supported providing funding to smaller communities in the county trying to fund public safety facilities. Schwartz said he wouldn't consider the project until the Health Department project is finalized. Laylin said she was more supportive before it became apparent that there were higher priority projects to be considered. Captain Nathan Neff said his understanding was that the Waterloo Police Department supported the project and would use the facility. He said it was a need for the Sheriff's Office to process evidence, and waiting for the availability of facilities at remote locations is problematic. Laylin said a joint project with Waterloo should be considered. Hall said the Board asked Captain Mark Herbst to follow up some alternatives and it should wait another week for his report. Schwartz agreed. Little said the Board has been delaying action and should vote now, and he opposed funding other communities while there were county needs.

Trelka moved the following resolution seconded by Little.

BE IT HEREBY RESOLVED to remove the Sheriff's Evidence Intake Facility from the list of ARPA projects.

AYES: Little, Trelka, Laylin.

NAYS: Hall, Schwartz. Resolution adopted.

Superintendent of Maintenance Rory Geving gave progress reports on other projects. Gilbertville Mayor Pro Tem Scott Becker reviewed their request for funding for a public safety facility (see minutes of March 28, 2023). Trelka supported some amount of funding for Gilbertville and he assumed La Porte City would warrant support for a similar project. Little opposed it. Schwartz said he would like to review it after the Health Department project is finalized.

ANY REPORTS OR INFORMATION FROM THE BOARD. Schwartz said there is a recurring issue of code enforcement that should be addressed. Trelka referenced the situation on Gilbertville Road (see above in Public Comments) and sympathized with residents. Little said that since the county contracts for planning and zoning services from the city of Waterloo, the county's issues will always take second place to city issues. He said the county can't afford its own code enforcement staff, but maybe it could check with Cedar Falls. Little suggested that other supervisors should review the billing received from the city. County Auditor Grant Veeder noted that the issue was not on the agenda for discussion. Trelka said it could be put on the May 9 agenda and asked that the Sheriff's 60-40 fund be put on the agenda as well.

On motion and vote the meeting adjourned.

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Linda Laylin, Chair, Board of Supervisors

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Grant Veeder, County Auditor