

Waterloo, Iowa August 23, 2022

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: Linda Laylin, Tom Little, Chris Schwartz, Dan Trelka and Craig White, Chair.

Absent: None.

Unless otherwise noted, all actions were approved unanimously.

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

Trelka moved the following resolution seconded by Laylin.

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

27919	IA DEPT OF REV	st pay	28,087.88
27922	EBC	flex sp	4,017.29
27924	B&B LOCK & KEY INC	supl	11.64
27925	BICKLEY, MARK	svc	870.00
27929	CFU	util	64.13
27935	CO SOCIAL SVCS	reimb	7,150.00
27937	DUNCAN, TARA	svc	500.00
27939	ECONOLODGE INN & SUITES	rent	275.00
27940	ESRI INC	svc	27,500.00
27943	FULLER, ANGELA	svc	250.00
27944	GORDON FLESCH CO INC	svc	541.26
27945	GORDON FLESCH CO INC	svc	57.55
27946	KRUSE DAVID	rent	300.00
27949	MARCO INC	svc	105.58
27950	MARTIN BROS DIST CO	eqp	300.00
27951	MCKESSON MEDICAL SURGICAL	supl	1,978.86
27952	METRO INVESTMENTS MULTI UNIT LLC	rent	225.00
27953	PER MAR SECURITY SVCS	svc	2,471.04
27954	RAY MOUNT WRECKER SVC	svc	60.00
27955	SANDEE'S	supl	35.00
27956	TIPTOWN HOMES LLC	rent	325.00
27958	WLOO COMMUNITY SCHOOLS	svc	233.00
27959	HORN, CONNER	reimb	110.00
27960	ROTTINGHAUS LORI	supl	73.97
333742	HUNGRY CHARLIE'S FOOD TRUCK LLC	food	233.00
333744	AIA SVCS LLC	supl	2,621.12
333745	AMAZON CAPITAL SVCS INC	supl	1,386.24
333746	ARTISAN CEILING SYSTEMS	supl	144.64
333748	BLACK HAWK WASTE DISPOSAL	eqp rent	75.26
333749	BUCHANAN CO PUBLIC HEALTH DEPT	supl	211.35
333750	CAMPBELL SUPPLY WLOO	supl	110.24
333758	CONTROL SOLUTIONS	svc	255.00
333759	COURIER	publ	849.14
333760	CROSSROADS SQUARE	rent	200.00
333761	DICKEYS PRINTING	supl	165.00
333764	ECHO GROUP INC	supl	99.42
333765	ECOLAB INC	supl	2,020.18
333767	FAT DOG 18 LLC	rent	225.00
333768	FEDEX	svc	185.08
333769	FIFTH STREET TIRE INC	eqp rpr	21.55
333770	FISCHELS, ANTHONY A	rent	200.00
333771	GALLS LLC	unif	195.95
333773	GRAYBILL BRETT	rent	200.00
333775	HY VEE FOOD STORES #1318	training	4,245.44
333776	IA CANCER CONSORTIUM	conf	60.00
333777	IA DEPT OF NATURAL RESOURCES	permit	25.00
333780	JAI OLIVE LLC	svc	350.00
333781	JOHNSON CLARK	rent	200.00
333782	LEXISNEXIS RISK SOLUTIONS	lics	390.00

333783	LINN CO	svc	2,083.33
333785	MID AMERICAN ENERGY	util	35.27
333788	MID AMERICAN ENERGY	util	11.52
333792	MID AMERICAN ENERGY	util	169.50
333793	MID AMERICAN ENERGY/SPEC ACCT	util	375.00
333794	MULDER, COLLETTE	rent	200.00
333795	NATURALLY EBONIE	svc	1,280.00
333797	NELSON LARRY	rent	225.00
333799	OPERATION THRESHOLD	rent	250.00
333802	PRESTO-X	svc	32.00
333803	R&S PROPERTY MGMT INC	rent	225.00
333804	RUSSELL LAMSON LTD PARTNERSHIP	rent	200.00
333805	SHERMAN SPECIALTY CO INC	supl	68.05
333807	SPEE DEE DELIVERY SVC INC	supl	36.84
333809	STOREY KENWORTHY	supl	1,719.32
333810	SUMMIT FOOD SVC, LLC	food	10,339.17
333811	THE SHRED MASTER LLC	svc	175.66
333813	TYLER TECHNOLOGIES	svc	1,000.00
333814	USPO	postage	176.25
333815	UNIVERSITY OF NEBRASKA MED CTR	tuit	2,200.00
333816	US CELLULAR	util	2,109.90
333818	US CELLULAR	util	1,660.00
333820	US CELLULAR	util	278.52
333821	US CREMATION SOCIETY	svc	1,000.00
333823	WALTEMEYER GENE	rent	250.00
333824	WASTE MGMT OF WI-MN	svc	1,366.75
333825	WATERFALLS CAR WASH	svc	164.50
333826	WLOO INDELIBLE HOUSING LLC	rent	200.00
333827	WLOO WATER WORKS	util	200.00
333828	WERTJES UNIFORMS	unif	93.00
333829	WILSON RESTAURANT SUPPLY INC	eqp rpr	197.50
333831	WOODLY HOLDINGS LLC	rent	425.00

GENERAL SUPPLEMENTAL FUND

27919	IA DEPT OF REV	st pay	256.00
27942	FOUR OAKS INC	shlt	1,399.50
27948	LUTHERAN SVCS OF IA	shlt	699.75
333756	CLERK OF DISTRICT COURT	restit	3,285.36
333766	EKSTROM, DANIEL	svc	360.00
333796	NAZETTE, MARNER, NATHANSON & SHEA LLP	svc	1,578.34

RURAL BASIC FUND

27919	IA DEPT OF REV	st pay	2,114.12
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SECONDARY ROADS FUND

27919	IA DEPT OF REV	st pay	3,670.00
27927	BMC AGGREGATES LC	svc	57,838.58
27931	CFU	util	71.54
27932	CFU	util	5.25
27933	CFU	util	8.50
27934	CFU	util	8.50
27938	EAST CENTRAL IA RURAL ELEC	util	23.75
27947	KWIK TRIP INC	fuel	871.20
333747	BENTONS READY MIXED CONCRETE	supl	5,200.00
333748	BLACK HAWK WASTE DISPOSAL	svc	220.75
333751	CEMCAST PIPE & PRECAST	svc	25,288.04
333755	CITY & NTL EMPLOYMENT	svc	658.02
333762	DICKS PETROLEUM CO	eqp rpr	1,036.70
333772	GIERKE ROBINSON CO	eqp rent	176.55
333778	IA PRISON INDUSTRIES	spl	570.90
333789	MID AMERICAN ENERGY	util	12.46
333790	MID AMERICAN ENERGY	util	36.56
333791	MID AMERICAN ENERGY	util	78.86

333798	NEW CENTURY FS	fuel	337.16
333801	PHELPS UNIFORM SPECIALIST	supl	59.93
333808	STOKES WELDING	supl	186.00
333822	VERIZON CONNECT NWF INC	util	689.79

JAIL COMMISSARY FUND

27919	IA DEPT OF REV	st pay	90.00
27928	BOB BARKER CO INC	supl	1,344.00
333812	TURNKEY CORRECTIONS	food	5,757.26
333817	US CELLULAR	util	865.05

ARP FUND

333800	ORIGIN DESIGN CO	svc	44,018.00
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RURAL SEWER FUND

27957	URBAN SVCS LLC	eqp	17,461.52
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INS TRUST FUND

27920	NAVITUS HEALTH SOLUTIONS	ins	12,578.37
27921	NAVITUS HEALTH SOLUTIONS	ins	2,574.00
27923	PREFERRED ONE INS CO	ins	110,953.84

SELF-INSUR/LIAB,PROP ETC FUND

27957	URBAN SVCS LLC	eqp rpr	7,356.52
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SOLID WASTE ADMIN FUND

27919	IA DEPT OF REV	st pay	213.00
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E911 SVC COMMISSION FUND

27926	BHC TREASURER	loan	25,625.00
27930	CFU	util	1,200.00
27936	CTS LANGUAGELINK	svc	8.10
27941	FARMERS MUTUAL TELEPHONE CO	util	120.76
333752	CENTURYLINK	util	162.96
333753	CENTURYLINK	util	77.51
333757	COLOFF MEDIA LLC	util	2,149.00
333763	DUNKERTON TELEPHONE COOP	util	726.02
333784	LPC CONNECT	util	433.00
333786	MID AMERICAN ENERGY	util	285.65
333787	MID AMERICAN ENERGY	util	449.19
333819	US CELLULAR	util	2,919.97
333830	WINDSTREAM IA COMM	util	154.07

EMERGENCY MGMT FUND

27919	IA DEPT OF REV	st pay	129.00
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CONSOLIDATED COMM CENT FUND

27919	IA DEPT OF REV	st pay	2,665.00
333743	ACCESS SYSTEMS LEASING	svc	223.90
333754	CENTURYLINK	util	63.29
333759	COURIER	publ	40.40
333774	HAWKEYE ALARM & SIGNAL CO	svc	1,153.00
333806	SHRED-IT USA	svc	52.00

ASSESSOR FUND

27919 IA DEPT OF REV st pay 1,122.00
 333779 IA ST ASSOC OF ASSESSORS edu 650.00

AYES: Laylin, Schwartz, Trelka, White.
 NAYS: None.
 ABSENT: Little. Resolution adopted.

RECEIVE PROJECT UPDATES FROM DEPARTMENT HEADS/ELECTED OFFICIALS. County Engineer Cathy Nicholas said that she and the Grundy County engineer were planning an open house for the completing of the Grundy Road project, and it will probably be at the nearby church on September 7 or 8. Paving on Eagle Road will be finished this week, ending the construction season.

Moved by Laylin, seconded by Trelka that the MINUTES of the Board Meeting held August 16, 2022 be and are hereby approved as submitted. Motion carried.

CONSENT AGENDA

Laylin 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.

Transfer from Fund	Amount	Transfer to Fund	Amount
GENERAL - GENERAL ASSISTANCE	2.81	GENERAL - DHS	2.81
	2.81		2.81

2. The PAYROLL ADJUSTMENTS submitted by the various departments and the County Auditor be authorized and directed to adjust his records accordingly.

NAME	TITLE	TO	DATE	CHANGE
SHERIFF, TONY THOMPSON				
BECK, STEPHANIE L	OFFICE SPECIALIST	\$ 17.75	8/15/2022	NEW HIRE
SAMPSON, DILLON	DIVILIN DETENTION OFFICER	\$ 23.19	8/7/2022	COMPLETION OF PROBATION
SNOOK, BRYAN L	NETWORK ADMINISTRATOR	\$ 42.26	8/7/2022	BUDGET CODING
STOCKS, NICHOLAS R	DEPUTY SHERIFF SERGEANT HOURLY	\$ 42.88	8/7/2022	ANNUAL STEP INCREASE
WERSINGER, KAREN L	OFFICE SPECIALIST	\$ 20.24	8/7/2022	ANNUAL STEP INCREASE
ENGINEER, CATHERINE NICHOLAS				
CARY, HANNAH D	CIVIL ENG TECH AIDE, SEASONAL	\$ 17.00	8/11/2022	TERMINATION PENDING
ZIPSE, JERRY L	ACCOUNT SPECIALIST	\$ 18.51	8/10/2022	NEW HIRE
ELECTIONS, KAREN SHOWALTER				
GUETZLAFF, JENNIFER M	ELECTION CLERK II	\$ 13.84	8/18/2022	TERMINATION PENDING

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

1. The MANURE MANAGEMENT PLAN (MMP) update submitted by Ron & Peggy Hoskins d/b/a Hoskins Hog Finisher Facility ID# 68310 located in Orange Township, Section twenty-six (26) at 1125 East Schrock Road, Waterloo, in Black Hawk County pursuant to 567 Iowa Administrative Code §455B.

C. TO APPROVE AND DIRECT THE CHAIR TO SIGN

1. The AGREEMENT between Black Hawk County, and Thomas Flaherty, employee, effective August 1, 2022, for consideration of law enforcement training provided by Black Hawk County and reimbursement for same if employment terminates.

AYES: Laylin, Schwartz, Trelka, White.
 NAYS: None.
 ABSENT: Little. Resolution adopted.

CONSENT AGENDA ENDS

Laylin moved the following resolution seconded by Schwartz.

BE IT HEREBY RESOLVED that the AMENDMENT to strike item 7, 'State will protect and hold harmless CSS and County from liability arising from any actions, errors, or omissions of State providing services to CSS and County clients. CSS and County will hold State harmless from any liability arising from any actions, errors, or omissions of CSS and County clients.' within the AGREEMENT between Black Hawk County Social Services and the State of Iowa Judicial Branch for reimbursement to the Judicial Hospitalization Referee for services to be approved and direct the Chair to sign.

Assistant County Attorney Mike Treinen said that the Department of Labor has ruled that that portion of such agreements is not allowable.

AYES: Laylin, Schwartz, Trelka, White.
 NAYS: None.
 ABSENT: Little. Resolution adopted.

Laylin moved the following resolution seconded by Schwartz.

BE IT HEREBY RESOLVED that the Board of Supervisors authorizes the establishment of a Special Revenue Fund, known as Fund 166, Local Government Opioid Abatement Fund, effective immediately as recommended by James Perry, Director of Finance.

Perry said the amount is \$89,417, and the fund creation will segregate these monies from the American Rescue Plan funds. Attorney Treinen said there will be additional payments, and that the money must be used for certain opioid abatement or treatment services.

AYES: Laylin, Schwartz, Trelka, White.

NAYS: None.

ABSENT: Little. Resolution adopted.

Laylin moved the following resolution seconded by Schwartz.

BE IT HEREBY RESOLVED to approve the release of the Classification and Compensation Study RFP as recommended by Amanda Fesenmeyer, Human Resources Director.

AYES: Laylin, Schwartz, Trelka, White.

NAYS: None.

ABSENT: Little. Resolution adopted.

At Nine-oh-eight o'clock (9:08) 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 Artamenko at East of 5117 E Mt. Vernon Road to rezone 2.00 acres from "A" Agricultural District to "A-R" Agricultural-Residential District construct a new single-family home. The property is legally described as: *THAT PART OF THE WEST HALF OF THE SOUTHWEST QUARTER (W 1/2 SW 1/4) OF SECTION NO. 23, TOWNSHIP NO. 90 NORTH, RANGE NO. 12 WEST OF THE FIFTH PRINCIPAL MERIDIAN, BLACK HAWK COUNTY, IOWA, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID WEST HALF OF THE SOUTHWEST QUARTER, POINT BEING A FOUND 5/8" REBAR WITH ALUMINUM CAP #22468; THENCE ALONG THE SOUTH LINE OF SAID WEST HALF OF THE SOUTHWEST QUARTER SOUTH 89°56¾' EAST A DISTANCE OF 1,302.0 FEET; THENCE NORTH 00°05½' EAST A DISTANCE OF 83.0 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89°56¾' WEST A DISTANCE OF 304.7 FEET; THENCE NORTH 06°03¼' WEST A DISTANCE OF 266.3 FEET; THENCE NORTH 87°18¾' EAST A DISTANCE OF 333.6 FEET; THENCE SOUTH 00°05½' WEST A DISTANCE OF 280.75 FEET TO THE POINT OF BEGINNING. CONTAINING 2.00 ACRES.*

NOTE: THE SOUTH LINE OF SAID WEST HALF OF THE SOUTHWEST QUARTER IS ASSUMED TO BEAR NORTH 89°56¾' WEST FOR THIS DESCRIPTION.

The Board of Supervisors examined proof of publication of notice and determined that the notice had been published on August 15, 2022 in the Courier in accordance with the requirements of the *Code of Iowa*.

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

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

Seth Hyberger of Planning and Zoning said that the Planning and Zoning Commission voted unanimously to deny the request based on the high agricultural value of the land, which had a Land Evaluation Site Assessment (LESA) score of 276. Mr. Artamenko said he inherited the land and split it in thirds before realizing that he needed a minimum of 40 acres to be able to build a house without a rezoning. He said he wanted to build a house for his nephew, and he wasn't hurting anyone's land. Rick Kayser of Raymond said that he bought some of the land from Artamenko and his siblings, and that Artamenko told him he wanted to keep four acres the graze his horses on, and his long-range plan was to sell the property and move to California. Kayser said there is a tile that runs through the property, leading to the question of where the runoff from the fields will go once a house is built there. Neighbor Jim Fettkether said good farmland should be in production, and it needs good drainage for quality crops. Artamenko said the tile wasn't where they thought it was.

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

Trelka moved the following resolution seconded by Laylin.

WHEREAS, a public hearing was held on August 23, 2022 at Nine-oh-eight o'clock (9:08) a.m., on the request submitted by Robert Artamenko at East of 5117 E Mt. Vernon Road to rezone 2.00 acres from "A" Agricultural District to "A-R" Agricultural-Residential District in order to construct a new single-family 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. 269 to Section VI (B), Rezoning Certain Property" as described on the above request submitted by Robert Artamenko and to consider same for adoption and if adopted would be known as Ordinance no. 77-269, 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.

NAYS: None.

ABSENT: Little. Resolution adopted.

Trelka moved the following resolution 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. 269 To Section VI (B), Rezoning Certain Property" as described on the above request submitted by Robert Artamenko and to consider same for adoption and if adopted would be known as Ordinance No. 77-269, 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 request be denied. same is hereby zoned acres from "A" Agricultural District to "A-R" Agricultural-Residential District, and the ordinance is hereby adopted and known as Ordinance No. 77-269.

AYES: Laylin, Schwartz, Trelka, White.

NAYS: None.

ABSENT: Little. Resolution adopted.

At Nine-twenty-one o'clock (9:21) 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 proposed amendment of Ordinance Section 12.25.080 pertaining to the cost of Rural Address Markers

The Board of Supervisors examined proof of publication of notice and determined that the notice had been published on August 15, 2022, in the Courier in accordance with the requirements of the *Code of Iowa*.

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

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

Nicholas reviewed the reasons for raising the fee for signs to be erected by the county and by the property owner.

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

Laylin moved the following resolution seconded by Schwartz.

WHEREAS, a public hearing was held on August 23, 2022, at Nine-twenty-one o'clock (9:21) a.m., on the proposed amendment of Ordinance Section 12.25.080 pertaining to the cost of Rural Address Markers, and

WHEREAS, "An Ordinance Amending Ordinance Section 12.25.080 pertaining to the cost of Rural Address Markers, changing the cost of address markers installed by Secondary Roads from \$50.00 to \$60.00, the cost of address markers purchased for owner installation from \$20.00 to \$25.00, and requiring payment in advance of pickup or installation of signs, and that pickup of completed signs will be as directed by the County Engineer's office, 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.

NAYS: None.

ABSENT: Little. Resolution adopted.

Trelka moved the following ordinance seconded by Laylin.

WHEREAS, "An Ordinance Amendment pertaining to the cost of Rural Address Markers, changing the cost of address markers installed by Secondary Roads from \$50.00 to \$60.00, the cost of address markers purchased for owner installation from \$20.00 to \$25.00, and requiring payment in advance of pickup or installation of signs, and that pickup of completed signs will be as directed by the County Engineer's office, 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 to amend Ordinance Section 12.25.080 pertaining to the cost of Rural Address Markers, changing the cost of address markers installed by Secondary Roads from \$50.00 to \$60.00, the cost of address markers purchased for owner installation from \$20.00 to \$25.00, and requiring payment in advance of pickup or installation of signs, and that pickup of completed signs will be as directed by the County Engineer's office.

AYES: Laylin, Schwartz, Trelka, White.

NAYS: None.

ABSENT: Little. Ordinance adopted.

ANY REPORTS OR INFORMATION FROM THE BOARD. White said the annual vigil honoring Black Hawk County veterans who died in Vietnam will be held from 10 am September 9 through noon on September 11, and people may volunteer for three-hour shifts.

On motion and vote the meeting adjourned.

Craig White, Chair, Board of Supervisors

Grant Veeder, County Auditor