

Waterloo, Iowa, January 31, 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 Schwartz, seconded by Hall that the AGENDA be received and place on file with the County Auditor as approved. Motion carried.

Little moved the following resolution seconded by Schwartz.

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

29283	IA DEPT OF REV	st pay	204.22
29284	IA DEPT OF REV	st pay	122.57
29285	AFLAC	oth pay	1,111.37
29286	COLLECTION SVC CTR	oth pay	1,415.96
29287	IRS	fed pay	61,989.09
29288	NATIONWIDE RET	def comp	2,442.50
29289	NATIONWIDE RET SOLS	def comp	3,145.00
29290	SSI	fica	107,118.77
29292	CEDAR VALLEY UNITED WAY	oth pay	7.00
29293	EBC	flex spend	1,806.55
29295	PECU	oth pay	21,871.39
29296	AECOM	svc	5,935.81
29298	B&B LOCK & KEY	svc	18.50
29299	BICKLEY, MARK	svc	900.00
29300	BLACK HAWK RENTAL	eqp rent	94.50
29302	CF CITY OF	svc	13.00
29305	CFU	util	1,205.68
29306	CFU	util	46.56
29308	CONS ENERGY HARTLAND	supl	568.03
29309	FAR REACH TECH	svc	122.31
29310	GORDON FLESCH CO	svc	30.36
29312	IA NORTHLAND REGIONAL COUNCIL OF GOVTS	svc	96.10
29314	KARENS PRINT RITE	svc	115.05
29316	MARCO	svc	85.44
29317	MARCO	svc	135.00
29318	MARTIN REALTORS	rent	400.00
29319	MENARDS CF	supl	240.13
29320	MENARDS WLOO	svc	80.35
29321	MENARDS WLOO	supl	248.94
29322	METRO INVESTMENTS MULTI UNIT	rent	200.00
29323	PEHL, KRISTIN	rent	200.00
29324	PER MAR SECURITY SVCS	svc	3,861.00
29325	ROCK STAR REAL ESTATE	rent	275.00
29326	ROSE, KEVIN & MICHELLE	rent	200.00
29327	SANDEE'S	supl	46.00
29328	SCHROCK PROPS	rent	400.00
29330	SLED SHED	supl	199.93
29331	US BANK	lics	13,383.50
29332	WBC MECHANICAL	eqp rpr	248.00
29333	AMADOR, KELLY	reimb	38.00
29334	HEINEN ERIC	reimb	38.00
29335	LYNDA HINTZMAN	reimb	131.04
29336	MAINS, JUSTIN	reimb	110.00
29337	EBC	flex spend	221.34
336490	ABD PROPERTY MGMT	rent	1,125.00
336493	AMAZON CAPITAL SVCS	eqp	958.79
336494	AQUATICS & EXOTICS OF WLOO	supl	14.98
336495	ARNOLD MOTOR SUPL	supl	350.58
336496	AT-SCENE	svc	4,500.00

336497	BABIC PROPS	rent	200.00
336498	BRUNSON, JENNIFER	rent	325.00
336499	CALIBER GROUP PROPERTY MGMT CO	rent	225.00
336500	CAPITAL SANITARY SUPL CO	supl	2,808.83
336501	CEDAR VALLEY MEDICAL SPEC	svc	2,500.00
336503	CENTURYLINK	util	148.12
336505	CHRISTIE DOOR CO	eqp rpr	461.25
336506	D&C MGMT	rent	250.00
336508	DICKEYS PRINTING	supl	225.00
336509	DIVE RESCUE INTL	supl	1,312.53
336511	ECHO GROUP	su8pl	166.80
336513	EVANSDALE MUNICIPAL HOUSING	rent	275.00
336514	FAYETTE CO SHERIFF	svc	75.50
336515	FISCHELS HOLDINGS	rent	200.00
336516	GILBERTVILLE CITY OF	util	82.91
336517	GRAINGER	eqp	1,360.41
336518	GREEN SOURCE MGMT-THE SHREDDER	svc	238.35
336519	GREENRIDGE APARTMENTS	rent	200.00
336520	HAWKEYE ALARM & SIGNAL CO	eqp rpr	33.00
336521	HAWKEYE VILLAGE APT	rent	250.00
336522	HERITAGE HOMES APARTMENTS	rent	200.00
336523	IACE FIVE SEASONS MOBILE HOME PARK	rent	275.00
336524	IBM CORP	svc	4,272.00
336525	IN THE LOOP PROPS	rent	225.00
336526	INTOXIMETERS	eqp	415.00
336527	IA UNIVERSITY OF	supl	263.50
336528	JASPER CO SHERIFF	svc	33.00
336530	LEXISNEXIS MATTHEW BENDER	svc	198.10
336532	LINN CO	svc	2,083.33
336533	LOCKE FUNERAL HOME	svc	1,200.00
336535	MCCARTER JOHN L	svc	63.00
336536	MCKINLEY BERNARD	rent	225.00
336537	MERCYONE	svc	416.00
336538	MESSINGHAM SNOW PLOWING,	svc	2,100.00
336540	MID AMERICAN ENERGY	util	13.38
336560	MID AMERICAN ENERGY	util	8.59
336561	MILLER BETTY L	rent	275.00
336563	MORGAN JANE	reimb	225.00
336564	MOTEL 6	rent	582.00
336567	ODONNELL ACE HARDWARE	supl	13.38
336568	ODP BUSINESS SOLS	supl	685.08
336569	OREILLY AUTOMOTIVE STORES	supl	5.35
336570	PAKOR	supl	559.41
336572	PILLAR PROPS	rent	275.00
336574	POLK CO SHERIFF	svc	88.99
336575	POLK CO TREASURER	svc	469.54
336576	PRESTO-X	svc	32.00
336579	RESTORATION SVCS	eqp rpr	241.85
336580	RUSSELL LAMSON LTD PARTNERSHIP	rent	200.00
336582	SCHNEIDER, GREG	rent	200.00
336583	SHERWIN WILLIAMS	supl	289.11
336584	SOUTH VIEW OF WLOO	rent	300.00
336585	STAPLES CREDIT PLAN	supl	215.88
336586	STOREY KENWORTHY	supl	3,059.92
336587	SUMMIT FOOD SVC,	food	24,938.57
336588	SUNNYSIDE RENTALS	rent	200.00
336589	TEDS HOME & HARDWARE	supl	4.30
336590	THE SHRED MASTER	svc	138.22
336591	UNITY POINT-ALLEN HOSPITAL	svc	100.00
336593	US CELLULAR	util	278.52
336594	VERIZON WIRELESS	util	93.49
336595	WLOO CITY OF	fuel	1,784.83
336596	WINDSTREAM IA COMM	fuel	4,133.21
336597	YOUNG PLUMBING & HEATING CO	eqp rpr	21,070.00

GENERAL SUPPLEMENTAL FUND

29287	IRS	fed pay	418.95
29289	NATIONWIDE RET SOLS	def comp	550.00
29290	SSI	fica	975.04
336492	ALERE TOXICOLOGY SVCS.	svc	15.91

RURAL BASIC FUND

29285	AFLAC	oth pay	133.79
29286	COLLECTION SVC CTR	oth pay	872.80
29287	IRS	fed pay	5,107.40
29288	NATIONWIDE RET	def comp	37.50
29290	SSI	fica	7,138.15
29295	PECU	oth pay	2,977.61
336595	WLOO CITY OF	svc	9,142.74

SECONDARY ROADS FUND

29285	AFLAC	oth pay	65.70
29287	IRS	fed pay	7,029.12
29288	NATIONWIDE RET	def comp	430.00
29289	NATIONWIDE RET SOLS	def comp	25.00
29290	SSI	fica	12,849.14
29295	PECU	oth pay	1,790.00
29297	ALTORFER	svc	295.97
29303	CFU	util	8.50
29304	CFU	util	53.54
29307	CONS ENERGY HARTLAND	fuel	2,884.37
29311	HARMS OIL CO	fuel	31,602.36
29313	IA REGIONAL UTILITIES ASSOC	util	60.78
29329	SCOTS SUPL CO	supl	147.52
29331	US BANK	supl	2,530.70
336491	AIRGAS NC	eqp rent	273.31
336493	AMAZON CAPITAL SVCS	eqp rent	1,265.98
336504	CENTURYLINK	util	185.38
336510	DONS TRUCK SALES	supl	144.69
336512	EUROFINS ENVIRONMENT TESTING NC	svc	157.50
336516	GILBERTVILLE CITY OF	util	73.54
336531	LIBERTY TIRE RECYCLING	util	265.90
336539	MID AMERICAN ENERGY	util	3,095.91
336555	MID AMERICAN ENERGY	util	21.70
336556	MID AMERICAN ENERGY	util	10.44
336557	MID AMERICAN ENERGY	util	16.31
336558	MID AMERICAN ENERGY	util	974.26
336559	MID AMERICAN ENERGY	util	11.53
336565	MURPHY TRACTOR & EQUIP CO	eqp rpr	544.32
336566	NAPA AUTO PARTS	supl	163.20
336571	PHELPS UNIFORM SPECIALIST	svc	53.90
336581	SADLER POWER TRAIN	svc	68.62
336596	WINDSTREAM IA COMM	util	67.23

RESOURCE/ENHANCE/PROTECT FUND

29331	US BANK	svc	2,235.20
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RECORDER'S RECORD MGT FUND

336586	STOREY KENWORTHY	supl	(394.20)
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JAIL COMMISSARY FUND

29287	IRS	fed pay	119.03
29290	SSI	fica	437.42
29301	BOB BARKER CO	supl	23.25
29331	US BANK	svc	10.69
336529	KIRK GROSS CO	eqp	5,986.86
336592	US CELLULAR	util	640.06

CONSERVATION TRUST FUND

29331	US BANK	svc	379.98
336493	AMAZON CAPITAL SVCS	supl	1,248.82
336562	MILLETT, KATLYN	svc	50.00
336573	PLASTIC RECYCLING OF IA FALLS	eqp	465.00
336577	PRINT INNOVATIONS	svc	35.00

E911-CAPITAL FUND

29331	US BANK	svc	8,044.10
336507	DELL MARKETING LP	eqp	21,599.82

CAPITAL IMPROVE PLAN - NON BOND FUND

336578	QUALITY PUMP & CONTROL	svc	11,815.00
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RURAL SEWER FUND

29315	KEYSTONE LABS	svc	33.25
336541	MID AMERICAN ENERGY	util	18.23
336542	MID AMERICAN ENERGY	util	26.41
336543	MID AMERICAN ENERGY	util	24.87
336544	MID AMERICAN ENERGY	util	25.51
336545	MID AMERICAN ENERGY	util	21.11
336546	MID AMERICAN ENERGY	util	15.78
336547	MID AMERICAN ENERGY	util	17.88
336548	MID AMERICAN ENERGY	util	20.54
336549	MID AMERICAN ENERGY	util	23.54
336550	MID AMERICAN ENERGY	util	15.51
336551	MID AMERICAN ENERGY	util	17.82
336552	MID AMERICAN ENERGY	util	13.49
336553	MID AMERICAN ENERGY	util	18.92
336554	MID AMERICAN ENERGY	util	16.21

INS TRUST FUND

29291	NAVITUS HEALTH SOLS	ins	24,275.14
29294	PREFERRED ONE INS CO	ins	102,020.36
29338	EBC	ins	151.20
336489	DELTA DENTAL PLAN OF IA	ins	23,699.91

SOLID WASTE ADMIN FUND

29287	IRS	fed pay	536.36
29290	SSI	fica	685.44

EMERGENCY MGMT FUND

29287	IRS	fed pay	227.31
29290	SSI	fica	377.78
336502	CENTURYLINK	util	488.44

CONS COMM CENT FUND

29285	AFLAC	oth pay	238.90
29286	COLLECTION SVC CTR	oth pay	607.37
29287	IRS	fed pay	5,148.66
29288	NATIONWIDE RET	def comp	125.00
29289	NATIONWIDE RET SOLS	def comp	50.00
29290	SSI	fica	9,157.74
29295	PECU	oth pay	852.00
336503	CENTURYLINK	util	1,629.30

CO ASSESSOR FUND

29287	IRS	fed pay	2,273.53
29288	NATIONWIDE RET	def comp	1,395.00
29289	NATIONWIDE RET SOLS	def comp	325.00
29290	SSI	fica	4,348.68
29292	CEDAR VALLEY UNITED WAY	oth pay	1.00
29295	PECU	oth pay	2,225.00
29331	US BANK	postage	10.85
336534	MARCO	supl	185.23
336596	WINDSTREAM IA COMM	util	128.29

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

NAYS: None. Resolution adopted.

PRESENTATION – Northeast Iowa Food Bank Executive Director Barbara Prather said that the cessation of COVID-related government programs along with inflation has caused Food Pantry usage to increase 60%. She said a bill in the Iowa legislature would greatly reduce eligibility for the Supplemental Nutrition Assistance Program (SNAP), which Schwartz said is mean-hearted and cruel and feeds into the narrative that the working poor are lazy.

RECEIVE PROJECT UPDATES FROM DEPARTMENT HEADS/ELECTED OFFICIALS. County Engineer Cathy Nicholas said paved roads are in good condition, there are still motor graders on gravel roads, and several trucks are running to the sand quarry and distributing sand to various secondary road shops.

Moved by Schwartz, seconded by Hall that the MINUTES of the Board Meeting held January 24, 2023; January 26, 2023, am Budget Session, January 26, 2023, pm Work Session. 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 CERTIFICATE OF INSURANCE for Johnson Plumbing and Heating Co., Hawkeye Alarm & Signal Co., Code Publishing, LLC, Waste Management Holdings, Inc., MP Nexlevel, LLC, Taylor Construction, Inc. etal, Trinity Health Corporation Covenant Medical Center, Inc./ dba MercyOne Waterloo Medical Center, Gierke Robinson Co. Inc., JC Plumbing & Heating Co., Bolton and Menk, Inc., David Hanson/dba David Hanson, HRS LLC.
3. The 2023 General Contractor Bond list with Certificate of Insurance as submitted by Iowa Northland Regional Council of Governments (INRCOG).
4. The SALE OF EQUIPMENT from the Conservation Office for the following equipment: 2010 Chevrolet Equinox, LF26, Asset number 6216-30.

B. TO APPROVE AND DIRECT THE CHAIR TO SIGN

1. The RENEWAL APPLICATION for a Class “E” LIQUOR LICENSE (LE) submitted by Fratzke, Inc., d/b/a Pronto BP, 7305 LaPorte Road, Washburn, Iowa.
2. The NEW APPLICATION for a Class “C” LIQUOR LICENSE submitted by La Porte City Golf Club, 9699 Bishop Road, La Porte City, Iowa.

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

NAYS: None. Resolution adopted.

CONSENT AGENDA ENDS

Schwartz moved the following resolution seconded by Hall.

BE IT HEREBY RESOLVED that the LOWEST REASONABLE BID received from Tyler Technologies, Dallas, TX, for ARPA Project PH-IT05 for an Electronic Time Keeping System with a bid of \$44,413.00 be approved as recommended by Al Yu, Information Technology Director.

Yu said a committee made its decision based on scoring matrix. Little asked if the county has experience with Tyler. Yu said the county uses its financial and real estate software.

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

NAYS: None. Resolution adopted.

Discussion – Cedar Bend Humane Society (CBHS) contract. Little said CBHS doesn’t do anything after regular working hours so the county ends up doing much of the work and pays \$2,100-\$2,200 a month for nothing. He said he was unable to get through by phone to discuss it. Laylin suggested emailing an invitation to a Board meeting.

Discussion/Possible Board Action – Windstream contract options. Superintendent of Maintenance Rory Geving said a missed communication caused the county to have its out-of-date service temporarily decommissioned last fall. Working with provider Windstream, he has identified a two-phased, cloud-based solution using session initiation protocol (SIP) which runs the phone system over an internet connection. He sent three contracts to the Board to review, the only difference being the one-, two-

or three-year terms. He said with the three-year contract he would be able to lock phase one into a rate similar to what the county pays now, with an annual increase around \$7,000. Little asked the cost of phase two. Geving said it was approved as an American Rescue Plan project for not to exceed \$100,000, and it would include a mass notification feature through phone handsets, which would not have to be replaced.

Schwartz moved the following RESOLUTION seconded by Little.

BE IT HEREBY RESOLVED that the Board of Supervisors approve a three-year contract with Windstream for phone services.

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

NAYS: None. Resolution adopted.

Discussion – with Perspective Consulting Partners, LLC, regarding the implementation and transition plan for the county's third-party administrator (tpa) for health coverage due to the acquisition of PreferredOne by United Healthcare (UHC). Stacy Wanderscheid of Perspective said UHC requires that the county transition now to its tpa, UMR, and Perspective will make sure the county will continue to get the same services as under PreferredOne through the duration of its current agreement. Schwartz said that UHC is an unscrupulous company that has cost lives and destroyed companies and that the county had to threaten court action to get it to pay out for about \$500,000 in claims for Country View, and he didn't want the county to have anything to do with them. Wanderscheid said the county is self-funded for health insurance so that any money not paid out would be the county's, but if the Board wishes, Perspective could start a request for proposal (RFP) process on a fast track. Human Resources Director Amanda Fesenmeyer said they could come back next week to discuss the viability of an RFP, noting that otherwise the terms of the county's agreement with PreferredOne will be honored through June 30, 2025. She wanted to be sure that all elements of the county's strong health benefit plan would be covered in an RFP. Laylin said it would be on the February 7 agenda.

Moved by Little, seconded by Hall to approve the updated Eminent Domain Commission List for 2023. Motion carried.

Moved by Hall, seconded by Schwartz to approve the updated Various Committees List. Motion carried.

Moved by Schwartz, seconded by Hall to appoint Supervisor Hall, Supervisor Schwartz, and Finance Director Michelle Weidner to a committee with Sheriff Thompson to study long-term healthcare plans for the jail and to start the planning process for a Request for Proposal for healthcare services for the jail as the current contract for services will expire January 31, 2024.

Thompson said if the committee is going to explore an RFP as well as a local partnership it would need to consider both simultaneously. He thought they could complete their work before July. Motion carried.

Moved by Schwartz, seconded by Hall to direct the County Auditor to advertise for a public hearing to be held at 9:05 a.m. on Tuesday, February 14, 2023 in Board Room 201 of the Black Hawk County Courthouse, 316 E. 5th Street, Waterloo, Iowa on the proposed Ordinance No. 77-276 from a request submitted by Dr. Brad Boswell to rezone 4.0 acres from "A" Agricultural District to "A-R" Agricultural-Residential District in order to construct two new single family homes at East of 6225 Ford Road.. Motion carried.

Moved by Hall, seconded by Schwartz to direct the County Auditor to advertise for a public hearing to be held at 9:07 a.m. on Tuesday, February 07, 2023, in Board Room 201 of the Black Hawk County Courthouse, 316 E. 5th Street, Waterloo, Iowa on the proposed Black Hawk County Jail Lobby Remodel project. Motion carried.

Schwartz moved the following resolution seconded by Hall.

BE IT HEREBY RESOLVED that that the MINOR PLAT OF SURVEY submitted by Michelle Bond to plat 1.51 acres in order to construct a new single family home at North of 5334 Big Woods Road, and is legally described as: The North 325 feet of the East 202 feet of the North 776.65 feet of the West 235.0 feet of the Northwest Fractional Quarter of the Southeast Quarter (NW FRL ¼ SW ¼) of Section (30), Township Ninety (90) North, Range Thirteen (13) West of the 5th P.M., Black Hawk County, Iowa (Contains 1.51 Acres). and if approved that the County Auditor be directed to certify a copy of this Resolution for the Black Hawk County Recorder.

Seth Hyberger of Planning and Zoning said that the Planning and Zoning Commission approved the request unanimously.

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

NAYS: None. Resolution adopted.

At Nine-fifty-six o'clock (9:56) 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 John Morgan on behalf of Monarch Farms LLC, to rezone 1.51 acres from "A" Agricultural District to "C" Commercial District in order to construct a 41" X 44" (1,804 square feet) store/restaurant which will feature on-site and locally grown produce, and host weddings and other small events at 530 E Eagle Road. The property is legally described as: *The North 275 feet of the West 240 feet of the parcel described below:*

A part of the Northwest Quarter of the Northeast Quarter of Section 22, Township 87 North, Range 13 West of the Fifth Principal Meridian in Black Hawk County, Iowa bounded as follows: Beginning at the intersection of the East line of the Iowa State Highway No. 21 with the South line of County Road D-46; thence East 450 feet along the South line of said County Road; thence South 380 feet parallel with the East line of said Highway No. 21; thence West 450 feet parallel with the South line of said County Road; thence North 380 feet along the East line of Highway No. 21 to the point of beginning. Contains 1.51 acres more or less.

The Board of Supervisors examined proof of publication of notice and determined that the notice had been published on January 20, 2023 in the Courier in accordance with the requirements of the *Code of Iowa*.

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

Moved by Little, seconded by Hall to waive the first reading. Motion carried.

Seth Hyberger of Planning and Zoning said that the Planning and Zoning Commission approved the request by a 5-1 vote. Neighbor Deb Van Auken said that she didn't think the proposed use of the property is compatible with the area, that it would bring a lot of traffic and she had moved to the country to get away from that. She said it would negatively affect the value of her property.

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

Schwartz moved the following resolution seconded by Hall.

WHEREAS, a public hearing was held on January 31, 2023 at Nine-oh- o'clock (9:) a.m., on the request submitted by John Morgan on behalf of Monarch Farms LLC, to rezone 1.51 acres from "A" Agricultural District to "C" Commercial District in order to construct a 41" X 44" (1,804 square feet) store/restaurant which will feature on-site and locally grown produce, and host weddings and other small events at 530 E Eagle Road, 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. 275 to Section VI (B), Rezoning Certain Property" as described on the above request submitted by John Morgan and to consider same for adoption and if adopted would be known as Ordinance no. 77-275, 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: Hall, Little, Schwartz, Trelka, Laylin.

NAYS: None. Resolution adopted.

Schwartz moved the following ordinance seconded by Hall.

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. 275 To Section VI (B), Rezoning Certain Property" as described on the above request submitted by John Morgan and to consider same for adoption and if adopted would be known as Ordinance No. 77-275, 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 same is hereby zoned acres from "A" Agriculture District "C" Commercial District, and the ordinance is hereby adopted and known as Ordinance No. 77-275.

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

NAYS: None. Ordinance adopted.

Little moved the following resolution seconded by Trelka.

BE IT HEREBY RESOLVED by the Board of Supervisors of Black Hawk County, that pursuant to the provisions of the Iowa Open Meetings Law, the Black Hawk County Board of Supervisors shall proceed into CLOSED SESSION at 10:15 am with attorney to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation pursuant to Iowa Code §21.5(c).

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

NAYS: None. Resolution adopted.

Moved by Hall, seconded by Schwartz to end the closed session at 10:58 am. Motion carried.

DISCUSSION- Consideration of all aspects of the FY24 Black Hawk County Budget.

Assistant County Attorney Mike Treinen reviewed a Mahaska County district court decision that may affect the decision of the Emergency Management Commission (EMC) to oblige the Board to include an Emergency Management tax levy in the county's general fund in order to fund the Consolidated Communications Center. He said the decision opines that it is illegal for the EMC to pay for E911 services through its budget without agreement from the Board of Supervisors, the joint 911 service board, and the EMC. The supervisors agreed that a draft 28E agreement addressing the status of the dispatch center would provide a basis for discussion. Treinen said he would have a draft ready for the February 2 meeting with the EMC.

County Attorney Brian Williams and County Sheriff Tony Thompson gave budget presentations.

Supervisor Hall left at 12:00 noon and Supervisors Little and Trelka left from Zoom attendance at indeterminate times. Absent a quorum the Board was no longer officially in session and took no action.

Linda Laylin, Chair, Board of Supervisors

Grant Veeder, County Auditor