

Waterloo, Iowa April 12, 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, Chris Schwartz, Dan Trelka and Craig White, Chair.

Absent: Tom Little.

Unless otherwise noted, all actions were approved unanimously, Little absent.

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

Laylin 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

26792	IA DEPT OF REV	state pay	26,343.34
26793	IPERS	ipers	221,952.98
26794	COLLECTION SVC CTR	oth pay	937.08
26795	IRS	fed pay	63,372.98
26796	NATIONWIDE RETIREMENT	def comp	3,222.50
26797	NATIONWIDE RETIREMENT SOLUTIONS	def comp	3,241.66
26798	SSI	fica	101,959.86
26800	BHC LAW ENFORCEMENT ASSOC	oth pay	343.75
26801	CEDAR VALLEY UNITED WAY	oth pay	40.00
26802	EBC	flex sp	1,507.68
26803	FIDELITY SECURITY LIFE INS CO	ins	2,597.70
26805	MADISON NATL LIFE INS	ins	764.86
26807	PECU	oth pay	23,211.63
26808	A TECH/FREEMAN ALARM	svc	410.00
26809	BICKLEY, MARK	svc	1,420.00
26810	BHC SHERIFF	trans	171.70
26814	BMC AGGREGATES LC	supl	668.55
26816	BRUSTKERN MICHAEL J	rent	225.00
26817	CDW GOVERNMENT INC	supl	903.74
26820	CFU	util	919.41
26821	CFU	util	187.80
26822	CFU	util	362.65
26826	DEPT OF CORRECTIONAL SVCS	alloc	22,415.19
26827	FASTENAL CO	supl	1,729.44
26828	FIRESTONE PAYMENT CTR	eqp rpr	912.41
26830	FRESH START CLEANING SOLS INC	svc	19,166.66
26831	GBM PROPERTY MGMT LLC	rent	250.00
26832	HERNANDEZ , JASON	svc	945.00
26835	INTERSTATE BATTERY SYSTEM OF UPPER IA	supl	81.95
26836	IA REGIONAL UTILS ASSOC	util	180.25
26839	LOCKSPERTS INC	eqp rpr	130.00
26840	MARTIN REALTORS INC	rent	200.00
26842	MENARDS CF	supl	468.67
26843	MENARDS WLOO	supl	244.70
26844	NAPHCARE INC	svc	113,704.11
26845	NORTHERN SAFETY CO INC	supl	333.84
26846	P&K MIDWEST	supl	171.90
26847	PER MAR SECURITY SVCS	svc	5,410.08
26849	PPG ARCHITECTURAL FINISHES INC	supl	39.78
26850	SANDEES LIMITED	supl	1,063.75
26851	STOREY KENWORTHY	supl	1,862.98
26852	THE SCOOP FEED & SUPPLY	supl	352.30
26855	WEX BANK	fuel	520.82
331564	COMMUNITY HEALTH CHARITIES IA	oth pay	2.00
331565	LEGALSHIELD	oth pay	197.90
331566	30 SOMETHING REAL ESTATE	rent	250.00
331567	ABD PROPERTY MGMT	rent	225.00
331568	AMAZON CAPITAL SVCS INC	supl	117.12
331571	CAMPBELL SUPPLY WLOO	supl	110.24
331575	COMMUNITY ELECTRIC INC	eqp rpr	4,142.94

331577	COURIER THE	publ	726.93
331578	CRANDELL, MOLLY	reimb	150.00
331579	DOLLESLAGER RICK	svc	500.00
331581	ELECTRICAL ENGINEERING & EQUIP CO	evc	998.85
331582	FEDEX	svc	183.16
331583	FERGUSON ENTERPRISES INC	supl	2,343.10
331584	GALLS LLC	unif	151.11
331585	HAWKEYE ALARM & SIGNAL CO	eqp rpr	2,100.00
331586	HOME DEPOT CREDIT SVCS	supl	71.22
331587	HUDSON PRINTING CO INC	publ	1,217.91
331588	IA DEPT OF TRANS	supl	110.16
331589	IA PRISON INDUSTRIES	eqp	569.00
331590	IA PUBLIC HEALTH ASSOC	conf	3,415.00
331591	JOHNSON COUNTY	svc	2,054.00
331592	L & G HARDWARE	supl	24.57
331593	L-TRON CORP	eqp	345.45
331595	LPC CONNECT	util	166.40
331596	MERCYONE	trams	416.00
331597	MERCYONE	svc	834.00
331598	MESSINGHAM SNOW PLOWING,	svc	1,150.00
331601	MID AMERICAN ENERGY/SPEC ACCT	util	75.00
331602	NAPA AUTO PARTS	supl	113.64
331603	NATL ELEVATOR INSPECTION SVCS INC	svc	400.00
331604	NORTH IA JUVENILE DETENTION SVCS	shltr	525.00
331607	PITNEY BOWES INC	postage	1,172.70
331608	POWESHIEK WATER ASSOC	util	321.70
331609	PROSHIELD FIRE PROTECTION	svc	1,112.50
331610	RAY O'HERRON CO INC	supl	205.00
331612	SAMS WHOLESALE CLUB	supl	161.18
331614	STAPLES CONTRACT & COMMERCIAL INC	supl	113.11
331615	STOKES WELDING	supl	148.90
331616	SUMMIT FOOD SVC, LLC	food	11,015.49
331617	T&S PROPERTY MGMT LLC	rent	200.00
331618	THE SHRED MASTER LLC	svc	148.12
331620	UNITED STATES PLASTIC CORP	supl	644.59
331622	US CELLULAR	util	1,536.08
331623	UTILITY EQUIP CO	svc	59.52
331626	WASTE MGMT OF WI-MN	svc	2,878.82
331627	WLOO OIL CO	fuel	2,907.20
331628	WLOO WATER WORKS	util	52.76
331630	WITHAM AUTO CTR	eqp rpr	20.80

GENERAL SUPPLEMENTAL FUND

26792	IA DEPT OF REV	state pay	247.00
26793	IPERS	ipers	2,073.40
26795	IRS	fed pay	415.64
26797	NATIONWIDE RETIREMENT SOLUTIONS	def comp	500.00
26798	SSI	fica	932.72
26803	FIDELITY SECURITY LIFE INS CO	ins	8.36
331604	N IA JUVENILE DETENTION SVCS	oth pay	35,455.00

CO SVCS FUND

26792	IA DEPT OF REV	state pay	119.00
26793	IPERS	ipers	851.75
26795	IRS	fed pay	237.28
26796	NATIONWIDE RETIREMENT	def comp	75.00
26798	SSI	fica	396.04
26803	FIDELITY SECURITY LIFE INS CO	ins	8.36
26805	MADISON NATL LIFE INS	ins	1.50

RURAL BASIC FUND

26792	IA DEPT OF REV	state pay	1,780.75
26793	IPERS	ipers	16,753.28
26794	COLLECTION SVC CTR	oth pay	872.80
26795	IRS	fed pay	4,786.36
26796	NATIONWIDE RETIREMENT	def comp	37.50
26798	SSI	fica	6,736.82

26800	BH CO LAW ENFORCEMENT ASSOC	oth pay	76.25
26803	FIDELITY SECURITY LIFE INS CO	ins	158.83
26805	MADISON NATL LIFE INS	ins	8.70
26807	PECU	oth pay	2,568.87

SECONDARY ROADS FUND

26792	IA DEPT OF REV	state pay	3,663.91
26793	IPERS	ipers	29,562.72
26795	IRS	fed pay	7,694.88
26796	NATIONWIDE RETIREMENT	def comp	430.00
26797	NATIONWIDE RETIREMENT SOLS	def comp	25.00
26798	SSI	fica	13,466.68
26801	CEDAR VALLEY UNITED WAY	oth pay	28.00
26803	FIDELITY SECURITY LIFE INS CO	ins	439.78
26805	MADISON NATL LIFE INS	ins	124.55
26807	PECU	oth pay	1,547.50
26818	CFU	util	7.25
26824	CLAPSADDLE-GARBER ASSOCS INC (CGA)	svc	6,425.00
26825	CONSOLIDATED ENERGY HARTLAND	fuel	1,700.14
26829	FIX TIRE CO	fuel	524.25
26833	HUDSON CITY OF	oth pay	35.58
26853	THOMAS JAMES LLC	svc	19.00
26856	DOEPKE, CHRISTOPHER	reimb	579.60
331572	CENTURYLINK	util	52.56
331573	CENTURYLINK	util	56.69
331574	CERTIFIED POWER INC	eqp rpr	561.62
331580	DUNKERTON COOP ELEVATOR	fuel	1,685.33
331594	LA PORTE MOTOR SUPPLY INC	supl	801.87
331602	NAPA AUTO PARTS	supl	270.75
331606	PHELPS UNIFORM SPECIALIST	svc	55.75
331611	SAM ANNIS & CO	fuel	798.23
331613	SEILER INSTRUMENT & MFG CO INC	supl	1,880.00
331619	THOMPSON TRUCK & TRAILER	eqp rpr	1,816.64

RESOURCE/ENHANCE/PROTECT

26813	BLACK HAWK RENTAL	eqp rent	4,827.25
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JAIL COMMISSARY FUND

26792	IA DEPT OF REV	state pay	105.00
26793	IPERS	ipers	1,130.10
26795	IRS	fed pay	156.28
26798	SSI	fica	469.60
26803	FIDELITY SECURITY LIFE INS CO	ins	19.23
26815	BOB BARKER CO INC	supl	5,911.17
26837	KEEFE SUPPLY CO	food	17.52
26841	MCKEE FOODS	food	140.30
26843	MENARDS WLOO	supl	59.92
26851	STOREY KENWORTHY	supl	139.50
331612	SAMS WHOLESALE CLUB	food	1,518.29

CONSERVATION TRUST FUND

26842	MENARDS CF	supl	1,218.28
331576	COOK'S OUTDOORS	supl	7.50

ARP FUND

26851	STOREY KENWORTHY	supl	3,254.12
331568	AMAZON CAPITAL SVCS INC	eqp	8,599.80
331605	ORIGIN DESIGN CO	supl	94,672.50
331624	VIKEN DETECTION CORP	supl	23,460.00

RURAL SEWER FUND

26823	CEDAR VALLEY PUMP LLC	svc	8,587.38
26838	KEYSTONE LABS INC	svc	33.25
26854	URBAN SVCS LLC	svc	2,445.00

INS TRUST FUND

26799	NAVITUS HEALTH SOLUTIONS	ins	15,025.96
26804	MADISON NATL LIFE INS	ins	1,017.32
26806	PREFERRED ONE INS CO	ins	73,000.31
26848	PERSPECTIVE CONSULTING PARTNERS LLC	ins	10,000.00

SOLID WASTE ADMIN

26792	IA DEPT OF REV	state pay	213.00
26793	IPERS	ipers	1,394.14
26795	IRS	fed pay	548.12
26798	SSI	fica	665.28
26805	MADISON NATL LIFE INS	ins	27.85

E911 SVC COMM FUND

26811	BHC TREASURER	loan	25,625.00
26819	CFU	util	305.91
331595	LPC CONNECT	util	328.94
331599	MID AMERICAN ENERGY	util	227.82
331600	MID AMERICAN ENERGY	util	176.33
331621	US CELLULAR	util	2,919.97
331625	VISA	svc	503.25
331629	WINDSTREAM IA COMM	util	154.07

EMERGENCY MGMT FUND

26792	IA DEPT OF REV	state pay	126.00
26793	IPERS	ipers	846.90
26795	IRS	fed pay	271.74
26798	SSI	fica	394.44
26803	FIDELITY SECURITY LIFE INS CO	ins	8.36
26805	MADISON NATL LIFE INS	ins	15.00
331569	AT&T MOBILITY	util	127.31
331570	BERGANKDV TECHNOLOGY & CONSULTING	svc	6.00

CONS COMM FUND

26792	IA DEPT OF REV	state pay	2,293.00
26793	IPERS	ipers	20,372.41
26794	COLLECTION SVC CTR	oth pay	607.37
26795	IRS	fed pay	4,871.41
26796	NATIONWIDE RETIREMENT	def comp	200.00
26797	NATIONWIDE RETIREMENT SOLS	def comp	50.00
26798	SSI	fica	9,176.60
26800	BHC LAW ENFORCEMENT ASSOC	oth pay	65.00
26803	FIDELITY SECURITY LIFE INS CO	ins	214.87
26805	MADISON NATL LIFE INS	ins	91.50
26807	PECU	oth pay	852.00

CO ASSESSOR FUND

26792	IA DEPT OF REV	state pay	1,160.00
26793	IPERS	ipers	9,091.10
26795	IRS	fed pay	4,013.93
26796	NATIONWIDE RETIREMENT	def comp	1,395.00
26797	NATIONWIDE RETIREMENT SOLS	def comp	325.00
26798	SSI	fica	5,399.26
26803	FIDELITY SECURITY LIFE INS CO	ins	57.69
26805	MADISON NATL LIFE INS	ins	89.49
26807	PECU	oth pay	2,925.00
26812	BHC TREASURER	svc	5,000.00
26834	INQUIREHIRE	svc	25.00
331565	LEGALSHIELD	svc	30.70

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 there are some very minor frost boils on gravel roads, but she expects potholes after the heavy rains forecast for this evening. Dust control vendors, who are listed on the county website, may charge extra fees for people who are late in contacting them. Health Department Director Nafissa Cisse-Egbounye said that the community COVID level is still low, with 54 new cases. The vaccination rate of 5-11-year-olds increased slightly to 12.5%. Second booster shots are now available to those who qualify.

Moved by Schwartz, seconded by Laylin that the MINUTES of the Board Meeting held April 5, 2022 be and are hereby approved as submitted. Motion carried.

CONSENT AGENDA

Schwartz moved the following RESOLUTION seconded by Laylin.

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 - DHS	13,540.70	GENERAL - MAINTENANCE	13,540.70
	13,540.70		13,540.70

2. The Sheriff's MONTHLY REPORT of fees as of March 31, 2022.

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

1. The MANURE MANAGEMENT PLAN (MMP) update submitted by Clark Even Facility ID #67178 located in Fox Township, Section Thirty-two (32) at 9339 Jubilee Road, La Porte City, in Black Hawk County pursuant to 567 Iowa Administrative Code §455B.
2. The PERMIT FOR UTILITY WORK WITHIN THE RIGHT-OF-WAY for MidAmerican Energy Company, Waterloo, Iowa for placement of overhead electric utility on County right-of-way along Ansborough Ave as recommended by Catherine Nicholas, County Engineer.
3. The PERMIT FOR UTILITY WORK WITHIN THE RIGHT-OF-WAY for Aureon (INS), West Des Moines, Iowa for placement of an underground fiber utility on County right-of-way along Gilbertville Rd and Indian Creek Road as recommended by Catherine Nicholas, County Engineer.

AYES: Laylin, Schwartz, Trelka, White.

NAYS: None.

ABSENT: Little. Resolution adopted.

CONSENT AGENDA ENDS

Moved by Schwartz, seconded by Laylin to direct the County Auditor to advertise for a public hearing to be held at 9:05 a.m. on Tuesday, April 26, 2022, in Board Room 201 of the Black Hawk County Courthouse, 316 E. 5th Street, Waterloo, Iowa on the proposed Ordinance No. 77-264 from a request submitted by Harrold and Marilyn Even at North of 4902 S Raymond Road to rezone 4.54 acres from "A" Agriculture District to "A-R" Agricultural-Residential District to build two (2) new single family homes. Motion carried.

Schwartz moved the following resolution seconded by Laylin.

BE IT HEREBY RESOLVED that the EMERGENCY REPAIR of the transfer switch at Pinecrest, work performed by Community Electric, Inc., Waterloo, IA, in amount of \$5,961.94 be approved as recommended by Rory Geving, Maintenance Superintendent.

Geving said a squirrel disabled the generator transfer switch, but it was repaired without replacing the whole switch. The generator is up and running.

AYES: Laylin, Schwartz, Trelka, White.

NAYS: Little.

ABSENT: Little. Resolution adopted.

Trelka moved the following resolution seconded by Schwartz.

BE IT HEREBY RESOLVED that the proposal for Courthouse elevator repairs to be performed by Schumacher Elevator Company, Denver, IA, in amount of \$7,680.00 be approved as recommended by Rory Geving, Maintenance Superintendent.

Geving said the latest state inspection found rusty springs in the pit that needed to be replaced.

AYES: Laylin, Schwartz, Trelka, White.

NAYS: None.

ABSENT: Little. Resolution adopted.

Schwartz moved the following resolution seconded by Laylin.

BE IT HEREBY RESOLVED that the Alternate 1 - Buy-Up Plan RENEWAL AGREEMENT between Black Hawk County and Delta Dental for dental plan administration, effective July 1, 2023, with a 3-year fixed administration fees schedule (FY23 \$4.92 PEPM, FY24 \$5.02 PEPM and FY25 \$5.12 PEPM) and no increase to rates for FY23 to the Single Buy-Up Option and to Family Buy-Up Option be approved, and the Chair be directed to sign the financial exhibit, as recommended by Amanda Fesenmeyer, Human Resources Director.

Fesenmeyer said that there was no change in the buy-up renewal agreement but that administrative fees rose by 2.75%, compared to a 2.92% increase last time.

AYES: Laylin, Schwartz, Trelka, White.

NAYS: None.

ABSENT: Little. Resolution adopted.

Schwartz moved the following resolution seconded by Trelka.

BE IT HEREBY RESOLVED that the Alternate 1 - Base Plan RENEWAL AGREEMENT between Black Hawk County and Delta Dental for dental plan administration, effective July 1, 2023, with a 3-year fixed administration fees schedule (FY23 \$4.92 PEPM, FY24 \$5.02 PEPM and FY25 \$5.12 PEPM) and no increase to rates for FY23 to the Single Base Option and to the Family Base

Option be approved and the Chair be directed to sign the financial exhibit, as recommended by Amanda Fesenmeyer, Human Resources Director.

Fesenmeyer said that after a market study by the county's consultants and a review by herself, the Financial Director and the Auditor's Office, she recommends that preventive care (cleanings, etc.) be covered 100% by the county rather than 80%. She said the financial impact would be a relatively minor \$14,000 increase, and that the reserve fund is performing well.

AYES: Laylin, Schwartz, Trelka, White.

NAYS: None.

ABSENT: Little. Resolution adopted.

Moved by Laylin, seconded by Schwartz to approve the PERSONNEL REQUISITION for a Laborer/Equipment Operator III (full-time, replacement) with a start date no sooner than May 2, 2022, as recommended by Catherine Nicholas, County Engineer. Motion carried.

At Nine-twenty-four o'clock (9:24) 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 9.05.010 pertaining to engine brakes and compression brakes.

The Board of Supervisors examined proof of publication of notice and determined that the notice had been published on March 28, 2022 in the Courier in accordance with the requirements of the *Code of Iowa*.

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

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

Trelka said that the Sheriff told him that this would make the ordinance easier to enforce. Schwartz and Laylin also indicated support.

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

Schwartz moved the following resolution seconded by Trelka.

WHEREAS, a public hearing was held on April 12, 2022 at Nine-oh- o'clock (9:) a.m., on the proposed amendment of Ordinance Section 9.05.010 pertaining to engine brakes and compression brakes, and

WHEREAS, "An Ordinance Amending Section 9.05.010 pertaining to engine brakes and compression brakes, by removing the phrase "or assist" before the word "device" in subsection A of the existing ordinance. The anticipated proposed amendment would also remove the phrase "more than 80 decibels of noise when it drives by, as measured at 50 feet" from the existing ordinance, and replace that phrase with "loud, unusual, explosive, or otherwise disturbing noise, 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 Schwartz.

WHEREAS, "An Ordinance Amending Section 9.05.010 pertaining to engine brakes and compression brakes, by removing the phrase "or assist" before the word "device" in subsection A of the existing ordinance. The anticipated proposed amendment would also remove the phrase "more than 80 decibels of noise when it drives by, as measured at 50 feet" from the existing ordinance, and replace that phrase with "loud, unusual, explosive, or otherwise disturbing noise, 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 Section 9.05.010 pertaining to engine brakes and compression brakes, by removing the phrase "or assist" before the word "device" in subsection A of the existing ordinance. The anticipated proposed amendment would also remove the phrase "more than 80 decibels of noise when it drives by, as measured at 50 feet" from the existing ordinance, and replace that phrase with "loud, unusual, explosive, or otherwise disturbing noise.

AYES: Laylin, Schwartz, Trelka, White.

NAYS: None.

ABSENT: Little. Ordinance adopted.

ANY REPORTS OR INFORMATION FROM THE BOARD. Laylin said that she talked to the county's outside auditors about how they would be evaluating the county's use of American Rescue Plan funds, and she wants them to speak to the full Board about it. The supervisors tentatively set May 3 as the date.

On motion and vote the meeting adjourned.