

Waterloo, Iowa October 18, 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 Laylin, seconded by Trelka 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

28365	QUADIENT, INC	postage	10,000.00
28367	EBC	flex spend	1,412.84
28372	BICKLEY, MARK	svc	640.00
28374	BH RENTAL	eqp rent	1,260.00
28375	BMC AGGREGATES LC	supl	143.17
28377	BREMER CO SHERIFF	shlt	1,155.00
28380	CFU	util	347.50
28381	CFU	util	831.00
28383	CFU	util	85.00
28385	CONVERGE ONE INC	eqp	33,393.81
28386	CTS LANGUAGELINK	svc	86.99
28387	CUREMD.COM INC	svc	2,824.00
28388	DAN DEERY MOTOR CO INC	eqp rpr	6,337.16
28389	DAN DEERY MOTOR CO INC	eqp rpr	93.04
28390	DEBNER JULIE A	svc	42.00
28391	DEPT OF CORRECTIONAL SVCS	alloc	19,956.75
28392	EHRlich , BETH	svc	72.50
28393	EPM IA	rent	200.00
28394	ESRI INC	svc	6,433.60
28396	FASTENAL CO	supl	17.84
28397	FASTENAL CO	supl	312.20
28399	FULLER, ANGELA	svc	350.00
28400	GBM PROP MGMT LLC	rent	250.00
28402	JOHNSTONE SUPL	spl	111.30
28403	KEYSTONE LABS	svc	14.25
28405	LIMBLE SOLS	lics	644.59
28407	MARCO INC	svc	132.29
28408	MARTIN REALTORS INC	rent	1,200.00
28410	MENARDS CF	eqp	423.13
28411	MENARDS WLOO	skupl	9.98
28412	MENARDS WLOO	supl	65.20
28413	P&K MIDWEST	supl	45.46
28414	PEHL, KRISTIN	rent	200.00
28415	PER MAR SECURITY SVCS	svc	828.36
28417	RACOM CORP	supl	60.00
28418	SANDEE'S	supl	86.00
28419	SCHNEIDER GEOSPATIAL LLC	svc	1,104.00
28420	SCHROCK PROPS LLC	rent	400.00
28421	SCOTS SUPL CO INC	supl	158.65
28422	STRAND JEANNE CSR RPR	svc	203.50
28424	TAYLOR, BRADLEY J	svc	4,800.00
28426	WLOO VISITING NURSING ASSOC	reimb	1,846.43
28427	AMADOR, KELLY	fuel	4.00
28428	JOLLEY JARED	reimb	8.69
334616	ABD PROP MGMT	rent	225.00
334619	AMAZON CAPITAL SVCS INC	supl	178.73
334620	AQUATICS & EXOTICS OF WLOO	supl	7.00
334621	ARNOLD MOTOR SUPL	eqp	12.18
334622	BENTON BUILDING CTR	eqp	245.03
334623	BH CO LANDFILL	svc	139.43
334624	BH WASTE DISPOSAL	svc	305.26
334625	BOLIN JAMES E	rent	200.00

334626	CAMPBELL SUPL WLOO	svc	110.24
334627	CAPITAL SANITARY SUPL CO INC	supl	2,679.93
334630	CLEAN LAUNDRY	svc	113.85
334632	COMMUNITY ELECTRIC INC	supl	1,005.44
334634	CROSSROADS AUTO REPAIR	eqp rpr	534.72
334635	DIAMOND VOGEL PAINTS	supl	169.74
334637	DIMAGI INC	svc	120.00
334639	DUNKERTON CITY	util	59.09
334641	ECOLAB INC	supl	2,020.18
334642	ELEVATE PROPS LLC	rent	275.00
334643	FARM & HOME PUBLISHERS	supl	500.00
334644	FERGUSON ENTERPRISES INC	eqp	42.99
334645	FISCHELS, ANTHONY A	rent	225.00
334646	GALLS LLC	unif	136.54
334647	GLAXOSMITHKLINE	supl	950.17
334649	GREEN SOURCE MGMT-THE SHREDDER	svc	30.00
334650	HARRIS CLEANING SVC & SLS INC	svc	3,375.00
334651	HAWKEYE ALARM & SIGNAL CO	supl	135.00
334652	HAWKEYE VILLAGE APT	rent	225.00
334653	HOVEY BRAD	rent	325.00
334654	IA DEPT OF PUBLIC HEALTH	svc	400.00
334655	IDOT	cert	469.44
334656	IA EMPLOYMENT CONFERENCE	conf	975.00
334658	ILEA	training	10.00
334659	ILEA	training	13,300.00
334660	IA PRISON INDUSTRIES	supl	622.30
334662	KCVM 93.5 THE MIX	advrt	360.00
334663	L & G HARDWARE	supl	2.99
334664	LA PORTE MOTOR SUPL INC	eqp	115.85
334665	LIDDLES ECOWATER SYSTEMS INC	supl	3,593.00
334666	LINN CO	svc	46.50
334667	LOCKE FUNERAL HOME INC	svc	1,000.00
334669	MCCARTER JOHN L	svc	130.50
334670	MEDIACOM	util	140.73
334671	MEDIACOM	util	329.95
334672	MID AMERICAN ENERGY	util	67.87
334673	MID AMERICAN ENERGY	util	7,609.14
334674	MID AMERICAN ENERGY	util	12,294.22
334685	MID AMERICAN ENERGY	util	12.08
334686	MID AMERICAN ENERGY	util	130.07
334687	MID AMERICAN ENERGY	util	502.33
334688	NELSON LARRY	rent	250.00
334689	N IA JUV DETENTION SVCS	shlt	4,650.00
334692	ONE IA	training	750.00
334693	PAUL MELICK PROPS IV LLC	rent	300.00
334695	PITNEY BOWES GLOBAL FIN SVCS	postage	1,172.70
334696	PRESTO-X	svc	242.00
334699	R&S PROP MGMT INC	rent	250.00
334700	REGIONAL MEDICAL CTR OF NE IA	svc	300.00
334702	SAMS WHOLESALE CLUB	supl	204.29
334703	SCHUMACHER ELEVATOR CO	svc	1,555.00
334704	SERIOUS SANITATION INC	svc	265.00
334705	SOUTH VIEW OF WLOO	rent	225.00
334706	SPEE DEE DELIVERY SVC INC	svc	47.89
334707	STOKES SENIOR HOUSING VENTURES	rent	200.00
334708	STOREY KENWORTHY	supl	586.10
334709	STOREY KENWORTHY	supl	131.61
334710	TEDS HOME & HARDWARE	supl	6.46
334711	THE SHRED MASTER LLC	svc	194.20
334712	TOP PRIORITY PROP MGMT INC	rent	275.00
334713	TRACTOR SUPL CO	supl	17.98
334714	TRAETOW, MEGAN	rent	200.00
334716	USPO	postage	10,260.00
334720	US CELLULAR	util	1,535.00
334721	VARSITY CLEANERS	svc	14.99
334723	WASTE MGMT OF WI-MN	svc	2,851.97
334724	WATERFALLS CAR WASH	svc	52.85
334725	WLOO CITY	fuel	596.09

334726	WLOO WATER WORKS	util	200.00
334727	WERTJES UNIFORMS	unif	545.79
334728	WEST PAYMENT CTR	svc	2,369.68
334730	XPRESSIONS	svc	54.00
334731	TREINEN, MICHAEL	reimb	126.00

GENERAL SUPPLEMENTAL FUND

334633	CRITTENTON CTR	shlt	1,399.50
334636	DICKEYS PRINTING	svc	330.00
334689	N IA JUV DETENTION SVCS	alloc	33,610.37
334691	ODP BUSINESS SOLS LLC	supl	13.84
334708	STOREY KENWORTHY	supl	548.65
334715	ULINE	eqp	1,974.01

SECONDARY ROADS FUND

28371	ASPRO INC	svc	87,612.12
28375	BMC AGGREGATES LC	supl	32,335.52
28378	CF CITY OF	fuel	1,024.26
28382	CFU	util	75.00
28384	CONS ENERGY HARTLAND	fuel	1,696.48
28398	FIX TIRE CO	fuel	1,380.44
28401	INQUIREHIRE	svc	50.00
28404	KWIK TRIP INC	fuel	614.40
28406	MANATTS	svc	70,527.67
28409	MENARDS CF	supl	23.88
28423	SUPERIOR WELDING SUPL	eqp	426.20
334618	AIRGAS NORTH CENTRAL	eqp rent	423.32
334619	AMAZON CAPITAL SVCS INC	eqp	702.76
334624	BH WASTE DISPOSAL	svc	220.75
334628	CENTURYLINK	util	84.40
334629	CENTURYLINK	util	53.19
334638	DUMONT IMPLEMENT CO INC	eqp	180.53
334640	DUNKERTON COOP ELEVATOR	fuel	3,876.14
334648	GRACIOUS FOOD LLC	fuel	395.96
334664	LA PORTE MOTOR SUPL INC	supl	661.56
334677	MID AMERICAN ENERGY	util	14.71
334678	MID AMERICAN ENERGY	util	10.00
334679	MID AMERICAN ENERGY	util	15.98
334680	MID AMERICAN ENERGY	util	52.46
334681	MID AMERICAN ENERGY	util	18.21
334682	MID AMERICAN ENERGY	util	384.46
334683	MID AMERICAN ENERGY	util	30.20
334684	MID AMERICAN ENERGY	util	54.14
334690	N IA CONSTRUCTION	svc	4,066.80
334694	PHELPS UNIFORM SPECIALIST	svc	65.83
334701	SADLER POWER TRAIN INC	eqp	33.39
334718	UNITY POINT-ALLEN HOSP	svc	165.00
334722	VERIZON CONNECT NWF INC	util	689.79

JAIL COMMISSARY FUND

28376	BOB BARKER CO INC	supl	11,459.20
334702	SAMS WHOLESALE CLUB	food	389.40

CONSERVATION TRUST FUND

334660	IA PRISON INDUSTRIES	supl	18.60
334661	IA ST UNIVERSITY	svc	5,925.00
334697	PRINT INNOVATIONS	supl	136.00

ROADS & BRIDGES-CAP

28371	ASPRO INC	svc	87,612.12
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RURAL SEWER FUND

28425	URBAN SVCS LLC	ssvc	9,056.40
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INS TRUST FUND

28366	NAVITUS HEALTH SOLS	ins	16,769.82
28368	PREFERRED ONE INS CO	ins	132,049.34
28369	PREFERRED ONE INS CO	ins	94,317.02
28416	PERSPECTIVE CONSULTING PARTNERS LLC	ins	10,000.00

334615 IA ST ASSOC OF CO ins 1,733.75
 334657 IA INDIV HEALTH BENEFIT REINS ASSOC ins 9,246.00

E911 SVC COMMISSION FUND

28370 ALTORFER INC svc 8,534.00
 28373 BH CO TREASURER loan 25,625.00
 28379 CFU util 415.06
 28386 CTS LANGUAGELINK svc 30.78
 28395 FARMERS MUTUAL TELEPHONE CO util 120.76
 28417 RACOM CORP supl 7,250.00
 334631 COLOFF MEDIA LLC util 2,149.00
 334668 LPC CONNECT util 433.00
 334675 MID AMERICAN ENERGY util 333.35
 334676 MID AMERICAN ENERGY util 304.55
 334719 US CELLULAR util 3,036.77
 334729 WINDSTREAM IA COMM util 154.07

CONS COMM FUND

334617 ACCESS SYSTEMS LEASING svc 197.90
 334698 QUILL CORP supl 483.44
 334717 UNITY POINT-ALLEN HOSP svc 221.00

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

NAYS: None. Resolution adopted.

RECEIVE PROJECT UPDATES FROM DEPARTMENT HEADS/ELECTED OFFICIALS. County Engineer Cathy Nicholas said her crews have finished mowing ditches and placing mile rock. She hopes Lincoln Road will be open Wednesday. Little said callers are asking him why mile rock is being placed so close to snowfall. Nicholas said they try to do so many miles every year which sometimes has them placing it in October, and they hope that the ground freezes before any snowfall.

Veterans Affairs Director Yolando Loveless said that his staff and commissioners have been undergoing training. In Operation Winter Shield his office is distributing donated winter clothing. He outlined other events and gave a quarterly report.

Outgoing Health Department Director Nafissa Egbuonye showed a video for Breast Cancer Awareness Month, and then spoke about her experience and accomplishments at the Health Department. The supervisors thanked her for her service in restructuring her department, attaining accreditation, and being a community leader during the pandemic.

Human Resources Director Amanda Fesenmeyer said that the Health Department would be giving flu shots to employees at the courthouse today and a week from today. The HR Office will be closed on October 18 while the staff is gone for training. She thanked Dr. Egbuonye for her service in difficult times.

Moved by Laylin, seconded by Schwartz that the MINUTES of the Board Meeting held October 11, 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	3.99	GENERAL - DHS	3.99
GENERAL - VETERAN'S AFFAIRS	65.21	GENERAL - DHS	65.21
GENERAL - CONSERVATION	524.73	911 SERVICE COMMISSION	524.73
GENERAL - SHERIFF	8,628.90	911 SERVICE COMMISSION	8,628.90
ARP	46,459.38	RURAL SEWER	46,459.38
	55,682.21		55,682.21

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
AUDITOR, GRANT VEEDER				
HETH, BILLIE J	PAYROLL/ACCOUNTING MANAGER	\$ 35.78	10/2/2022	TEMPORARY ASSIGNMENT
SHERIFF, TONY THOMPSON				
BAUWENS, CHAD D	DEPUTY SHERIFF SERGEANT HOURLY	\$ 43.63	10/3/2022	TERMINATION PENDING
KEYS, JOSHUA	CIVILIAN DETENTION OFFICER	\$ 23.19	10/4/2022	COMPLETION OF PROBATION
NAI, ANTHONY T	DEPUTY SHERIFF SERGEANT HOURLY	\$ 41.02	10/2/2022	PROMOTION
NELSON, NICOLE A	DEPUTY SHERIFF	\$ 31.02	10/2/2022	SCHEDULE/SHIFT CHANGE
SCHILLING, JARAD D	DEPUTY SHERIFF	\$ 32.18	10/2/2022	SCHEDULE/SHIFT CHANGE
CONSOLIDATED COMMUNICATIONS, JUDY FLORES				
FORBES, KIMBERLY D	CIVILIAN DISPATCHER	\$ 24.04	10/2/2022	ANNUAL STEP INCREASE
ENGINEER, CATHERINE NICHOLAS				
ROGGE, CHAD D	LABORER / EQUIPMENT OPERATOR I B	\$ 22.89	10/10/2022	NEW HIRE

3. The Sheriff's MONTHLY REPORT of fees as of September 30, 2022.

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

1. The PERMIT FOR UTILITY WORK WITHIN THE RIGHT-OF-WAY for MidAmerican Energy Company, Waterloo, Iowa for placement of underground electric utility on County right-of-way on Kimball Ave as recommended by Catherine Nicholas, County Engineer.

AYES: Laylin, Little, Schwartz, White.

NAYS: None.

ABSENT: Trelka. Resolution adopted.

Trelka indicated that he had a difficult Zoom connection and left the meeting.

CONSENT AGENDA ENDS

Laylin moved the following resolution seconded by Schwartz.

BE IT HEREBY RESOLVED that the STATEMENT OF COMPLETION and FINAL ACCEPTANCE OF WORK for Project LFM-166--7X-07, Bridge Replacement, CCS on Cedar Wapsi Road be approved and direct the Chair to sign for same and authorize and direct the Auditor to make final payment in the amount of \$23,322.15 with a total project cost of \$777,405.14 as recommended by Catherine Nicholas, County Engineer.

Nicholas presented slides from the project.

AYES: Laylin, Little, Schwartz, White.

NAYS: None.

ABSENT: Trelka. Resolution adopted.

Moved by Little, seconded by Schwartz to direct the County Auditor to advertise for a PUBLIC HEARING/BID OPENING to be held at 9:05 a.m. on November 1, 2022, in Board Room 201 of the Black Hawk County Courthouse, 316 E. 5th Street, Waterloo, Iowa to open bids for the proposed purchase of steel to be used in the construction of Project L-1802 Rice Road Bridge 90-11-35-04-10.

Nicholas said that this would keep costs down. Motion carried, Trelka absent.

Laylin moved the following resolution seconded by Schwartz.

BE IT HEREBY RESOLVED to approve proposal for processing new American Rescue Plan (ARP) requests presented by the ARP Committee.

Assistant County Attorney and ARP Committee Chair Mike Treinen outlined the proposed process. Summarized, the Board of Supervisors will vote to initiate investigation to any project, the committee will guide projects through evaluation by Baker Tilly, the county's consultants; and the Board will make the final decision on whether to complete the project. The committee will keep records throughout.

AYES: Laylin, Little, Schwartz, White.

NAYS: None.

ABSENT: Trelka. Resolution adopted.

Little moved the following resolution seconded by Laylin.

BE IT HEREBY RESOLVED to approve the review of the Sheriff's Office Visitation Barrier by the ARP Committee.

Captain Nate Neff described the project, which would make space in the first-floor lobby for inmate visitation, spreading people out and lessening the chance for the spread of communicable diseases. It would also allow the fingerprinting of people for administrative purposes without requiring them to mix with arrestees in the inmate intake area. The current estimate is \$585,000.

Little asked why the plan didn't come to the Board before a \$20,000 study was conducted for it. Neff said that the original plan was to use commissary and 40% room-and-board money (see minutes of September 27 and October 4) and they didn't envision it being so costly a project. Little emphasized that this vote initiated the process and didn't approve the project.

AYES: Laylin, Little, Schwartz, White.

NAYS: None.

ABSENT: Trelka. Resolution adopted.

Moved by Little, seconded by Laylin that the APPOINTMENT of Steven Rosauer as a representative for the Black Hawk County Board of Adjustments be approved, effective October 18, 2022.

Little said he submitted Rosauer's name, and that it was important to fill this and other vacancies to assure that boards and committees would have quorums for their meetings. Motion carried, Trelka absent.

Moved by Little, seconded by Laylin that the APPOINTMENT of Michelle Weidner as the Finance Director of Black Hawk County effective October 26, 2022, with an annual salary of \$128,000. Motion carried, Trelka absent.

Laylin moved the following resolution seconded by Schwartz.

BE IT HEREBY RESOLVED that the SUSPENSION requested by Diana Olinger on taxes owed for 2022/2023 installments in the amount of \$1,664.00 for Parcel #8913-28-204-005 be approved pursuant to §427.8 of the Code of Iowa and the County Treasurer be authorized and directed to adjust her records accordingly.

AYES: Laylin, Little, Schwartz, White.

NAYS: None.

ABSENT: Trelka. Resolution adopted.

Little moved the following resolution seconded by Laylin.

BE IT HEREBY RESOLVED that the TAXES on submitted properties which have come into public ownership through community development efforts, public infrastructure improvement of public purpose acquisition be abated and to instruct the County Treasurer to adjust her records accordingly pursuant to §427.2 and §445.63 of the Code of Iowa in the total amount of \$4,792.63.

AYES: Laylin, Little, Schwartz, White.

NAYS: None.

ABSENT: Trelka. Resolution adopted.

Laylin moved the following resolution seconded by Schwartz.

BE IT HEREBY RESOLVED that the MINOR PLAT OF SURVEY submitted by Josh and Hanna Mixdorf to minor plat 1.5 acres located at 4844 Schenk Road to construct one new single-family home. The property in question is located approximately 400 feet east of the Schenk Road and E Dunkerton Road Intersection, 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 the request was approved unanimously by the Planning and Zoning Commission.

AYES: Laylin, Little, Schwartz, White.

NAYS: None.

ABSENT: Trelka. Resolution adopted.

At Nine-fifty-five o'clock (9:55) a.m., a public hearing was held as provided by law in Board Room 201 of the Black Hawk County Courthouse, 316 E. 5th Street, Waterloo, Iowa at which time all interested persons could appear to file objections on the proposed FY23 Revetment Project L-7011 in various locations throughout Black Hawk County.

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

Moved by Little, seconded by Laylin to close the hearing after oral/written comments are received. Motion carried, Trelka absent.

At nine-fifty-five (9:55) a.m. the Chair announced the time had arrived in accordance with prior action and as advertised, for the receiving and opening of bids for the proposed

The Board of Supervisors examined proof of publication of notice to bidders and determined that said notice had been published in the Waterloo Courier on October 3, 2022 in accordance with the requirements of the *Code of Iowa*. The Engineer's estimate was \$170,865.00.

The Chair announced the following sealed bids were all received by three o'clock (3:00) p.m. Monday October 17, 2022, as stated in the Notice to Bidders. The time of announcement being nine-fifty-five o'clock (9:55) a.m., the following bids were opened and read:

NAME	CITY	AMOUNT
Boulder Contracting, LLC	Grundy Center, IA	\$184,685.00
Cole Excavating, LLC	Greene, IA	\$238,660.00
Lodge Construction, Inc.	Clarksville, IA	\$195,660.00
Peterson Contractors, Inc.	Reinbeck, IA	\$183,900.00

Moved by Schwartz, seconded by Little that the Board of Supervisors receive and place on file the bids for the proposed FY23 Revetment Project L-7011 in various locations throughout Black Hawk County to allow time to review said bids as recommended by Catherine Nicholas, County Engineer. Motion carried, Trelka absent.

At nine-fifty-eight o'clock (9:58) 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 Chad and Trisha Brown at North of 809 N Holgate Road to rezone 2.86 acres from "A" Agricultural District to "A-R" Agricultural-Residential District to construct a new single-family home. The property is legally described as: *THAT PART OF THE SOUTHEAST QUARTER (SE ¼) OF SECTION FIFTEEN (15), TOWNSHIP EIGHTY-NINE NORTH (T89N), RANGE ELEVEN WEST (R11W), OF THE FIFTH PRINCIPAL MERIDIAN, BLACK HAWK COUNTY, IOWA, DESCRIBED AS FOLLOWS:*

COMMENCING AT THE SOUTHEAST CORNER OF AFORESAID SECTION FIFTEEN (15); THENCE S88°32'38"W FIVE HUNDRED SIX AND THIRTY-EIGHT HUNDREDTHS (506.38) FEET ALONG THE SOUTH LINE OF AFORESAID SOUTHEAST QUARTER (SE1/4) TO THE POINT OF BEGINNING; THENCE N01°28'38"W THREE HUNDRED THIRTY-TWO AND TWENTY-NINE HUNDREDTHS (332.29) FEET; THENCE N89°32'48"E ONE HUNDRED FIFTY AND NINETY-ONE HUNDREDTHS (150.91) FEET; THENCE N01°28'38"W THREE HUNDRED THIRTY-ONE AND SEVENTY-SEVEN HUNDREDTHS (331.77) FEET; THENCE S88°54'47"W THREE HUNDRED THIRTY AND FIFTY-EIGHT HUNDREDTHS (300.58) FEET; THENCE S01°28'38"E THREE HUNDRED THIRTY AND TWENTY-SEVEN HUNDREDTHS (330.27) FEET; THENCE N88°39'24"E ONE HUNDRED TWENTY-EIGHT AND TWENTY-EIGHT HUNDREDTHS (128.28) FEET; THENCE S01°28'38"E THREE HUNDRED THIRTY-THREE AND THREE HUNDREDTHS (333.03) FEET TO AFORESAID SOUTH LINE; THENCE N88°32'38"E FIFTY-ONE AND FORTY HUNDREDTHS (51.40) FEET ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING CONTAINING 2.90 ACRES INCLUDING 0.04 ACRES FOR RIGHT-OF-WAY PURPOSES OVER THE SOUTH SIDE THEREOF.

The Board of Supervisors examined proof of publication of notice and determined that the notice had been published on October 12, 2022 in the Courier in accordance with the requirements of the *Code of Iowa*.

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

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

Seth Hyberger of Planning and Zoning said the request was approved on a 4-1 by the Planning and Zoning Commission. He said that the parcel has a high Land Evaluation and Site Assessment (LESA) score, but it has not been in use for agricultural purposes.

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

Laylin moved the following resolution seconded by Schwartz.

WHEREAS, a public hearing was held on October 18, 2022, at nine-fifty-eight o'clock (9:58) (9:) a.m., on the request submitted by Chad and Trisha Brown at North of 809 N Holgate Road to rezone 2.86 acres from "A" Agricultural District to "A-R" Agricultural-Residential District 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. 270 to Section VI (B), Rezoning Certain Property" as described on the above request submitted by Chad and Trisha Brown and to consider same for adoption and if adopted would be known as Ordinance no. 77-270, 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, Little, Schwartz, White.

NAYS: None.

ABSENT: Trelka.

Resolution adopted.

Laylin moved the following ordinance seconded by Little.

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. 270 To Section VI (B), Rezoning Certain Property" as described on the above request submitted by Chad and Trisha Brown and to consider same for adoption and if adopted would be known as Ordinance No. 77-270, 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" Agricultural District to "A-R" Agricultural-Residential District, and the ordinance is hereby adopted and known as Ordinance No. 77-270.

AYES: Laylin, Little, Schwartz, White.

NAYS: None.

ABSENT: Trelka.

Ordinance adopted.

At ten-oh-seven-o'clock (10:07) 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 Mike and Tracy Gensler at West of 12806 Wellman Road to rezone 1.75 acres from "A" Agricultural District to "A-R" Agricultural-Residential District to construct a new single-family home. The property is legally described as: *THAT PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE 1/4 SE 1/4) OF SECTION NO. 11, TOWNSHIP NO. 87 NORTH, RANGE NO. 11 WEST OF THE FIFTH PRINCIPAL MERIDIAN, BLACK HAWK COUNTY IOWA, DESCRIBED AS FOLLOWS:*

COMMENCING AT THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER, POINT BEING A FOUND ½ REBAR WITH LICENSE #6505; THENCE ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER SOUTH 88°43¼' WEST A DISTANCE OF 158.55 FEET; THENCE SOUTH 03°03' EAST A DISTANCE OF 33.0 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF WELLMAN ROAD, ALSO BEING THE POINT OF BEGINNING; THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE NORTH 88°43¼' EAST A DISTANCE OF 170.1 FEET TO THE WEST LINE OF PARCEL "B" RECORDED IN FILE 2013- 00015151 DATED 01/18/2013 IN THE OFFICE OF THE BLACK HAWK COUNTY RECORDER; THENCE ALONG SAID WEST LINE SOUTH 03°03' EAST A DISTANCE OF 451.1 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL "B"; THENCE SOUTH 89°53¼' WEST A DISTANCE OF 170.2 FEET; THENCE NORTH 03°03' WEST A DISTANCE OF 447.6 FEET TO THE POINT OF BEGINNING.

The Board of Supervisors examined proof of publication of notice and determined that the notice had been published on October 12, 2022, in the Courier in accordance with the requirements of the *Code of Iowa*.

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

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

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

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

Little moved the following resolution seconded by Schwartz.

WHEREAS, a public hearing was held on October 18, ten-oh-seven o'clock (10:07) a.m., on the request submitted by Mike and Tracy Gensler at West of 12806 Wellman Road to rezone 1.75 acres from "A" Agricultural District to "A-R" Agricultural-Residential District 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. 271 to Section VI (B), Rezoning Certain Property" as described on the above request submitted by Mike and Tracy Gensler and to consider same for adoption and if adopted would be known as Ordinance no. 77-271, 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, Little, Schwartz, White.

NAYS: None.

ABSENT: Trelka.

Resolution adopted.

Laylin moved the following ordinance seconded by Little.

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. 271 To Section VI (B), Rezoning Certain Property" as described on the above request submitted by Mike and Tracy Gensler and to consider same for adoption and if adopted would be known as Ordinance No. 77-271, 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" Agricultural District to "A-R" Agricultural-Residential District, and the ordinance is hereby adopted and known as Ordinance No. 77-271.

AYES: Laylin, Little, Schwartz, White.

NAYS: None.

ABSENT: Trelka.

Ordinance adopted.

DISCUSSION/POSSIBLE BOARD ACTION – The purchase of FY23 Capital Items within the County Engineer's Office. White said that action on this and the originally scheduled closed session to discuss security matters should be delayed in the absence of Trelka. Laylin and Schwartz favored proceeding as planned. Little supported delay. Nicholas said discussion could wait as long as action is taken in the next two weeks. The Board decided to delay action.

On motion and vote the meeting adjourned.