

History of Black Hawk County Courthouse and Jail

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Cedar Valley Historical Society

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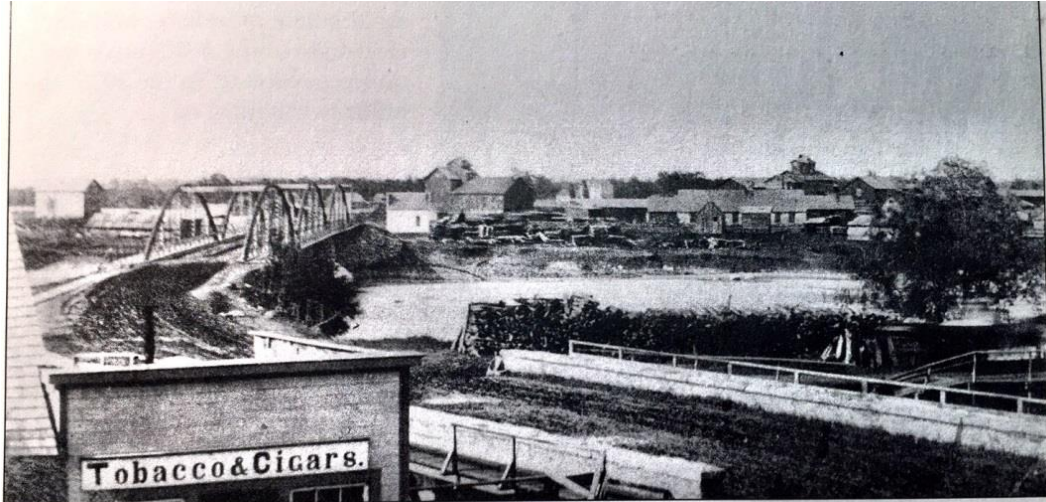


The borders of Black Hawk County were formed in 1843, when Iowa was still a territory. But there were virtually no white settlers there at that time, so it was under the administrative control, successively, of Delaware, Benton and Buchanan Counties.

In 1853 Black Hawk County was allowed to organize. The location of the county seat became a big controversy. The people of Cedar Falls wanted it put to a vote of the people, while Waterloo wanted the legislature to appoint a commission to determine the location. Waterloo won that round. The legislators passed a law naming a three-member commission, who surveyed the situation. They surprised everyone by selecting Cedar Falls as the county seat.

Cedar Falls had had a dam, a millrace and a mill for five years already. Waterloo had none of these yet. Since Cedar Falls was the prospering community at the time, it was chosen for county seat.

There were of course no county buildings yet, so county records were held at the first store built in the county, Andrew Mullarky's Black Hawk Store.



This is a view looking north over the Cedar River from the corner of First and Main Streets. In the foreground is the bridge over the millrace. Farther down is the old iron Main Street Bridge, built in 1872 at a cost of \$20,000. This view was taken about 1875.

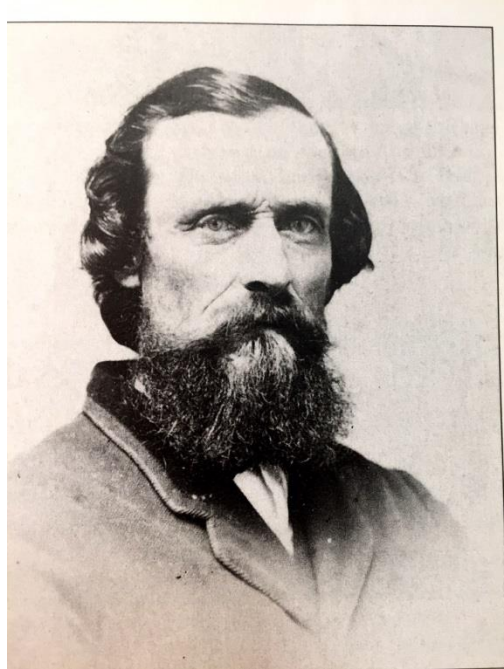
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It was on the corner of 1st and Main Streets In Cedar Falls, next to the mill race. It was probably where this “Tobacco & Cigars” store was, although not likely in the same building.



Here's that site today.

So where should they build the courthouse?



John Overman, one of the businessmen who built the dam and the millrace and the first mill, donated what he called Court Square Park to the community for a courthouse. It's called Overman Park now.



Meanwhile, Waterloo was rapidly growing. It was an ideal place to cross the Cedar because of the rock bottom below the rapids, so people were settling there. They were going to have a dam soon, and they were closer to the middle of the county, so they still thought they should have the county seat.

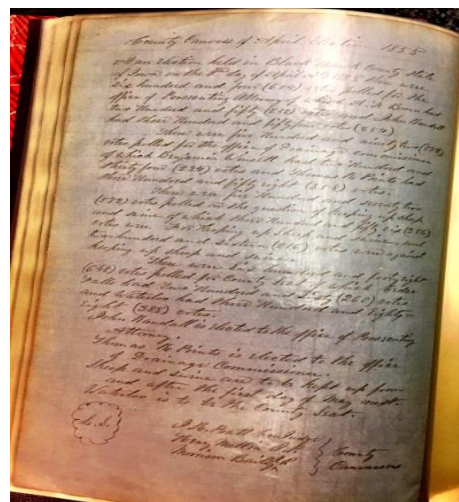
Now, these were rather rambunctious times out on the frontier, so I don't know how much we should judge, but apparently one night in June of 1854 some Waterluvians got drunk up and decided to sneak over to Cedar Falls and take those county records out of Andrew Mullarky's store and whisk them away to Waterloo.



Image courtesy of Grout Museum

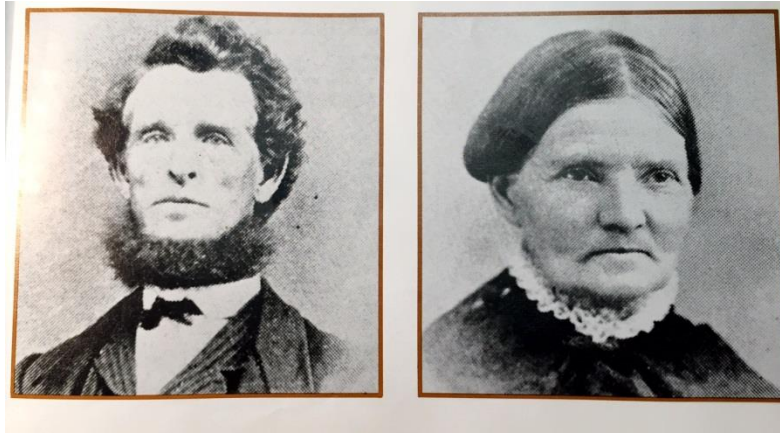
But the Cedar Falls folks caught on, and they repelled the attack, reportedly with rotten eggs. They probably figured something like this was going to happen, so they had the rotten eggs just in case.

But West Side Waterloo businessmen still had influence at the state capital, and they got the legislature to pass *another* law in 1855, which this time said Black Hawk County will have an election to determine the county seat.



By now Waterloo had more people, so in the election held on April 2, 1855, Waterloo was chosen as county seat, 388-260, and the county government was supposed to shift there on July 4, 1855.

Where will the courthouse be now? There was already an East Side – West Side rivalry in Waterloo.



Charles Mullan was Waterloo's first postmaster and first surveyor. He and his wife America gifted the West Side "Public Square" to the State of Iowa for a Black Hawk County courthouse.



That property is now Washington Park. But who will make the location decision?

There were no Boards of Supervisors at that time in Iowa. Each county had a county judge, who had an incredible amount of authority. Jonathan Pratt was Black Hawk County Judge in 1855, and he said the "Public Square" on the *East* Side will be the courthouse site.



THAT Public Square is now Lincoln Park. But unfortunately, Judge Pratt was very ill at the time, and he died on June 1, 1855, the day after he signed his proclamation.

Cedar Falls was seething about Waterloo finagling an election out of the legislature, and they got a judge to issue an injunction to stop the shift, so it didn't take place on July 4. But Waterloo got the injunction dissolved, and the seat of government moved July 27, 1855 to Julius Hubbard's store.



Image courtesy of Grout Museum

This was near the corner of West 5th and Commercial Streets, and was apparently the first brick building in Waterloo. It would have been located roughly here, where the Russell Lamson building now stands:

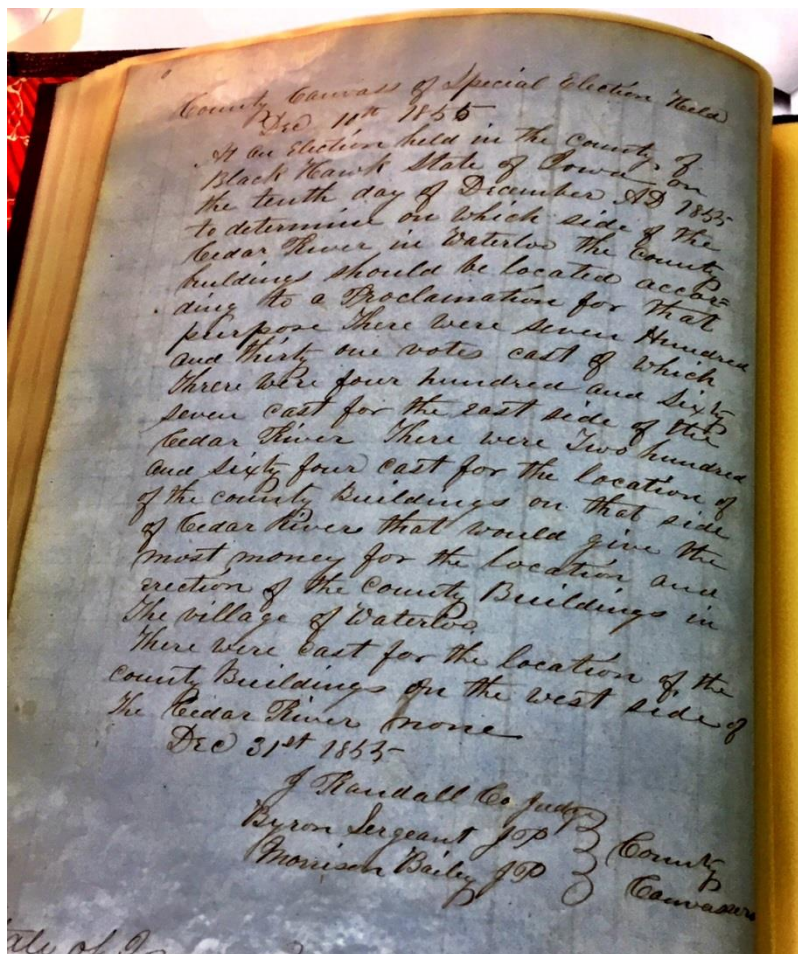


But the courthouse is going to go in Lincoln Park, right? Not so fast. Former Prosecuting Attorney John Randall was appointed county judge upon the demise of Judge Pratt, at least until the November election. The West Side still thought they should get the courthouse, and remember, these are strong-willed people, and they aren't ready to throw in the towel. They were the ones with the influence in the legislature to change the rules on naming the county seat. To gain popularity before the election, Judge Randall said to heck with Judge Pratt's order, I'm judge now. If you let me keep my seat, I will hold an *election* to determine which side of the river the courthouse will be on. He won his election as County Judge, 343-263, and immediately called for a vote for December 10, 1855 on determining the site of the courthouse.

So the election was held with the choices on the ballot as follows: Locate the county buildings on the East Side of the Cedar River, or locate the county buildings *on that side of the Cedar River that would give the most money for the location and erection of the county buildings in the village of Waterloo*. Rather an odd wording, but that's what Judge Randall decreed. The side with the money, where the mills were being built, was the West Side.

While Cedar Falls folks didn't like Waterloo at all, they especially didn't like the West Side, since it used its influence in Iowa City to move the county seat. So in the election, according to La Porte City pioneer landlord "Uncle Billy" Fox, "...the people of Cedar Falls threw their strength for the east side, and declared they would vote to a man to move the courthouse to Frenchtown rather than allow West

Waterloo to get it." "Frenchtown" is what people used to call Gilbertville because it was settled by French Canadians.



In the end, says the official canvass book (above), "there were 731 votes cast of which there were 467 cast for the east side of the Cedar River. 264 cast for the location of the county buildings on that side of Cedar River that would give the most money for the location and erection of the county buildings in the village of Waterloo." And then the book says, "There were cast for the location of the county buildings on the west side of the Cedar River none." That wasn't a choice on the ballot - was it some sort of editorial comment by the clerk?

Cedar Falls voted for the East Side just to spite the West Side, and the East Side won. So the courthouse is going to be in Lincoln Park, right? Not so fast.

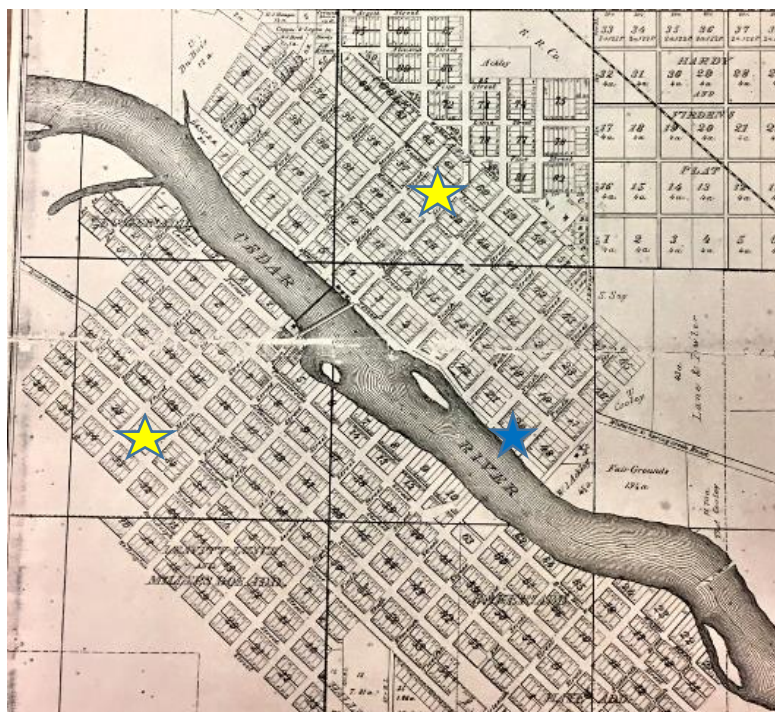
There were some shenanigans going on. Rumors were going around about influence peddling. On March 3, 1856 Judge Randall ordered the building of the courthouse for no more than \$13,000; on March 7 he signed a contract with Giles Tinker to build the courthouse on Block 20 on the East Side for \$12,746.61. It's way out on the corner of Water and E. 10th Streets.



Image courtesy of Grout Museum

By May 24, 1857 the courthouse is completed and occupied – final price, \$27,000! That’s more than double the contract price! So what’s going on? The courthouse isn’t close to the business district, and it’s costing a fortune. And all those rumors. Judge Randall is becoming unpopular.

The next time the county judge was on the ballot was August 1857. Julius Hubbard, the guy who owned the store that was serving as a temporary courthouse, was elected county judge. John Randall, “of fragrant memory,” as one history put it, was not on ballot, and shortly after the election he left for Wisconsin.



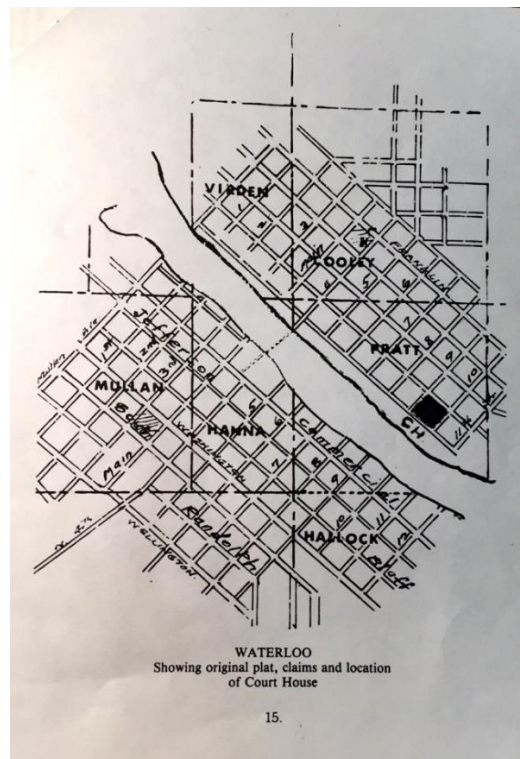
People wanted to know why Randall built the courthouse so far from the thriving heart of the city. The “Public Squares,” Washington and Lincoln Parks (gold stars above), made sense, because they were both

on Main Street – or what used to be Main Street. It ended up being Park Avenue. But why was the courthouse down on 10th and Water Streets (blue star)? It never did become part of downtown – Here is that site, then and now:



Image Courtesy of Grout Museum

For the answer to that question, it helps to look at this map:



It shows the property claims of some of the early settlers. Downriver on the West Side is property owned by Lewis Hallock. He had been trying since before Waterloo was named the county seat to get a ferry at 10th Street. Shortly after the county seat vote, he got his ferry license. He obviously would have liked to see more business at this end of town.



A few years later, Hallock died, and his wife became the administrator of his estate. She shortly received a communication from a bank in Wisconsin. They were filing for collection a promissory note for \$1,000 that had been endorsed to them by James Randall. In the note, Lewis Hallock promised to pay \$1,000 to former County Judge Randall. Mrs. Hallock asked her lawyer, noted pioneer attorney H.B. Allen, what she should do. Allen asked if she could explain what the note was about. She said her husband gave the note, plus considerable real estate, to Judge Randall, on the condition that the courthouse be built on the lower East Side. She told him that other businessmen on the East Side had contributed a "like amount." Allen wrote the bank saying the note was illegal and against the public interest. They weren't paying it.

So that's why the courthouse was way out on the edge of town.



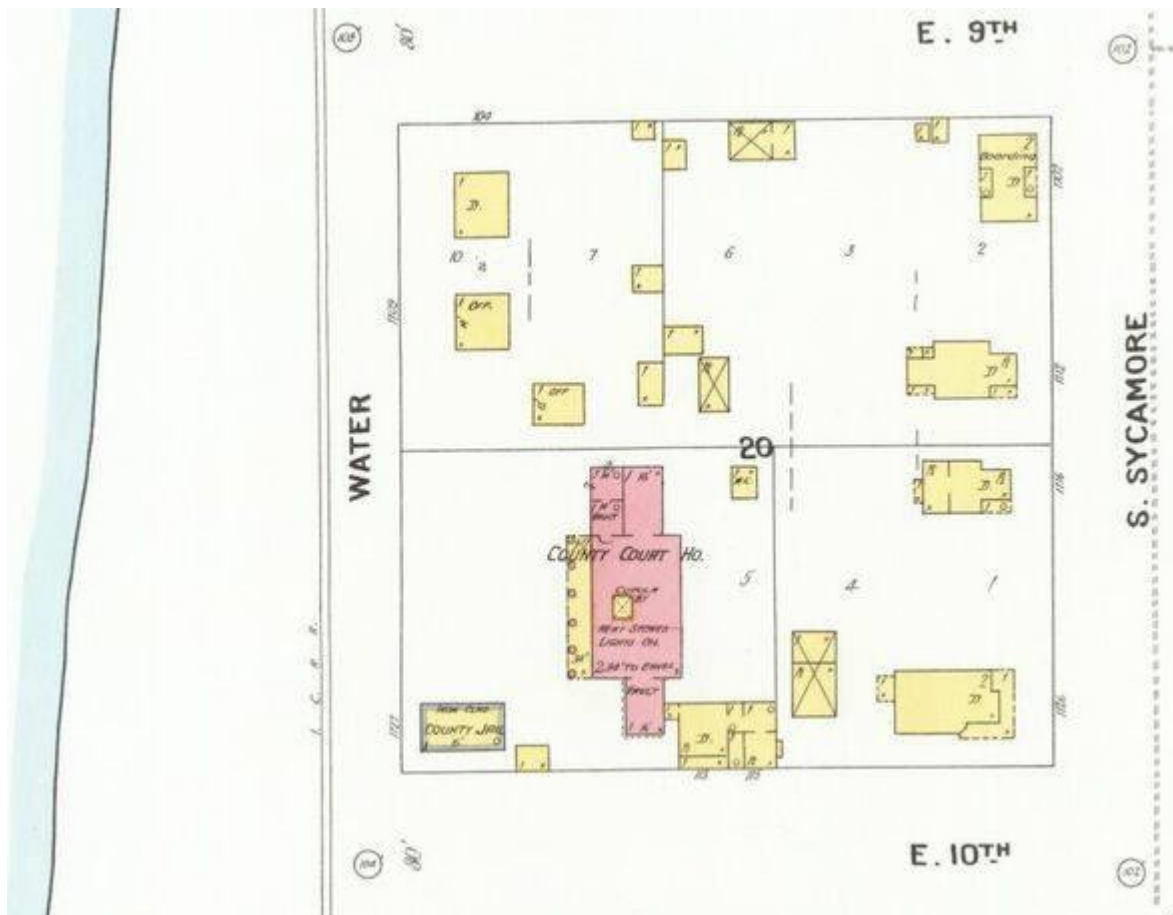
So we have the courthouse at E. 10th and Water Streets. It faced the river, and was about where the tree on the left is in the picture above. So they had a nice view of the river at least. But the county was growing quickly and public needs became greater. An 1886 history of Black Hawk County predicted as

follows: "It is probable that in a few years a new and more commodious structure will be erected in a more central location, as the present building is very much crowded." Easy for them to say. A more commodious structure was fifteen years away.

Let's talk about the county jail. There was supposed to be one built in courthouse basement. Because of the huge cost overruns, it was left out of the final construction plan. In 1860, Iowa law got rid of the county judge system (for obvious reasons) and created county boards of township supervisors. One supervisor from each township served on the board. At the first meeting of the newly constituted Black Hawk County Board in January, 1861, the supervisors appropriated \$400 (amended from \$600) for a jail in the courthouse basement "as originally contemplated for that purpose." The Board's Buildings and Property Committee reported on September 2, 1861 that two jail cells and an outer room were installed in the basement, final cost \$391.48.

From here on the minutes of the Board of Supervisors are difficult to interpret. At some point (at least by 1866) they built a jail outside. But there's also evidence that there was still a jail in the basement. My guess is that once they built a jail outside they kept using the one in the basement, at least for a while.

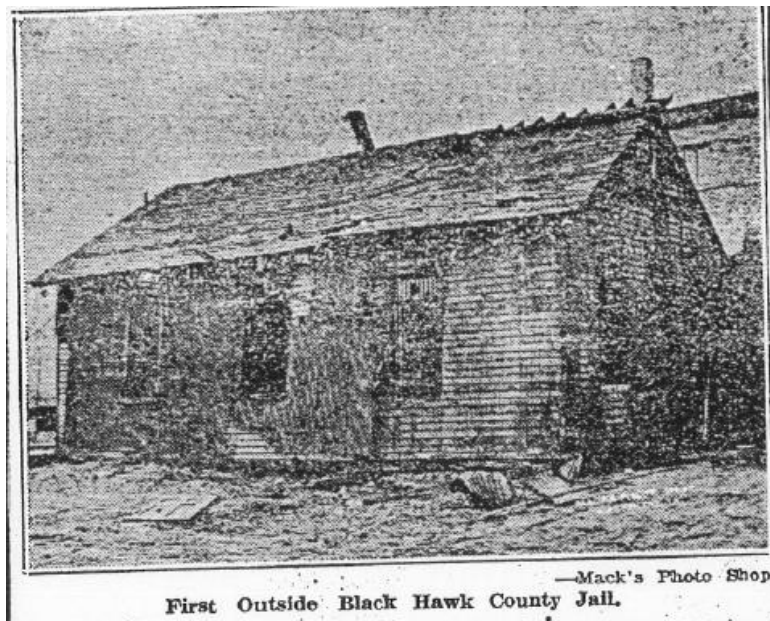
This undated map (no earlier than 1868) shows the outdoor jail to be in the front of the courthouse.



Here's what I've gleaned from the minutes:

January 4, 1866: "The committee on County buildings and property respectfully report as follows to wit: "After a careful examination of the County buildings & property we find that there has been a new roof put upon the Court House which we find to be ample & sufficient. That we find all the county buildings & property in good condition **except the courthouse outbuildings & jail** are somewhat endangered by reason of hay & other combustible materials being placed on the county courthouse yard within a very short distance of the said court house outbuildings & fuel..."

Here's a photo of the jail:



Anyway, it was moved that the sheriff be requested to remove his haystacks further from the court house, and the motion carried.

Then from time to time there were discussions reported in the minutes about what should be done with the jail, and the sheriff's residence, which was attached to the courthouse (see above map). Then I found this:

June 12, 1868: "Your committee have personally reviewed the Poor House and Jail and find that the Jail needs ventilation. We would recommend that there be an iron pipe not less than six inches in diameter inserted in the back side of the jail cells **near the ceiling of said cells and passing under the courthouse floor and having its outlet on the south west side of the courthouse.** We would recommend that a fence, not less than eight feet high, built of timbers set on end and inserted into the ground not less than three feet, the timbers not less than six inches thick faced on one side and set close together, **be built around the jail** in such a manner as to make it more secure against intruders and also prevent the escape of prisoners.

It sounds to me like there's both a jail in the basement and one outside. But can they just say "the jail in the *basement* needs a ventilation pipe and the *outside jail* needs a fence"? No.

Action was also taken at that time to build a house for the sheriff near the jail, to be located "in the east corner of the Court House lot," and said house was completed in December, 1868.



That would put it around the far end of the parking lot in the picture above. The courthouse faced Water Street (the gravel road here), and the jail was on the corner facing 10th Street.

The Board decided to buy new cells for the jail in 1878. The Buildings and Property Committee recommended engaging P.J. Pauley and Bros. Patent Jail Cells to provide the following: "...three cells holding four prisoners each with five feet corridor, four window guards for insane and female cells, one iron entrance door with basket and two iron doors for female and insane rooms, all complete for \$4000..."

Supervisor McQuilkin moved to adopt a resolution approving the purpose, giving the following justification: "Whereas the Jail of this County has for the past year been considered unhealthy, unsafe and insecure, and the Grand Jury of this County have several times condemned the same, and Whereas the increase in population and consequent increase of inmates demand better and more ample Jail Room," therefore be it resolved etc.

(By the way, the law for county governance changed again in 1871. Black Hawk County went to a three-member Board of Supervisors, and then three years later expanded it to seven members. Each member represented a different district.)

There's a quaint entry from January 5, 1886. The report of the Grand Jury included the following: "...Also we would represent that we visited the County Jail and found one unfortunate lonely inmate and everything clean, fresh painted, and in good order.

“We feel satisfied that the Sheriff, W.W. Edgington does everything in his power to restrain and make comfortable the unfortunate beings whom the law may place in his custody. The building is well heated and ventilated. All of which is respectfully submitted.”

In 1893 the Board decided to procure “steel cages to be placed in a suitable building to be built by the City of Cedar Falls, Iowa, for the purpose of securing prisoners, that would have to be transported to the Jail at Waterloo and then returned to Cedar Falls for trial, or until they can be turned over to the Sheriff.” What prompted that? Probably not the story I’m about to tell, but you never know.



HIRAM B. HOXIE AND FAMILY

The sheriff at the time was Hiram B. Hoxie. His son Wirt (one of the strapping fellows on the right, I presume) was interviewed for the article about the demolition of the jail that included the picture I showed earlier (unfortunately it is not dated). “Wirt P. Hoxie, who was deputy sheriff in the administration of his father, H.B. Hoxie, recounted many interesting reminiscences of the jail today. Mr. Hoxie took his office Jan. 1, 1888. It was in his administration that three horse thieves captured in Grundy county and brought here for safekeeping, assaulted him when he took them their supper. They escaped and were not afterwards apprehended.” Are you sure Wirt didn’t say something *nice* about his pa?

The article also says: “The jail was built in the administration of W.F. Brown, sheriff, more than 40 years ago. [I don’t know when this article was written, but Brown was sheriff 1861-73. Wirt Hoxie was county attorney 1908-14, so the article likely appeared during that time.] It was a one-story structure of wooden construction. When an attempt was made to burn the edifice while a banker of Cedar Falls was incarcerated there, the county board arranged to have it covered with corrugated sheet metal.” That should be in the minutes somewhere but I was unable to find it. “The jail was about 22x32 feet in dimensions. There was a steel cage, with four cells, which is now doing duty in the present county jail.”



Image courtesy of Grout Museum

Meanwhile, the courthouse had rooms added on as the county grew in population and splendor, and the leaky roof was repaired, and the cupola, and the front porch. Nellie Law Parrott, daughter of Sheriff William M. Law (1895-1903), remembers county officials and lawyers playing croquet, which was all the rage then, on the lawn. But like the 1886 historian said, they were running out of room.

In January of 1895, Supervisor Brandhorst moved for a special election to vote on the question of issuing bonds to the extent of \$75,000 for the purpose of building a new Court house, \$15,000 for purchasing a site therefor, and \$10,000 for the purpose of erecting a new County Jail. The motion was laid over till the April session. In April, action on the motion was postponed indefinitely. Three years later they tried again. Supervisor Rownd made this report: "To the Honorable Board of Supervisors: Whereas the courthouse of Black Hawk co is in such condition that the public records are not safe. Neither has it the conveniences for transacting the present business of this Co. therefore, be it resolved that this board invite propositions from different localities for the erection of a building to cost not less than seventy five thousand dollars (\$75,000) for the permanent location of the same." Rownd's motion was laid over from the June, 1898 session to the September session, when it was taken up in earnest.

Supervisor Stilson attempted to amend the motion to specify that the courthouse be built on the East Side. His amendment failed, 3-4. But the main motion passed, and the proposition for a new courthouse went on the ballot in November of 1898. It was defeated, 2909-953. According to the

Waterloo Courier a few years later, “The fact that the supervisors refused to declare for a location for the building aided materially in swamping the proposition.”

The situation at the old courthouse became more acute. At the January, 1900 session, Supervisor Matthias presented the following Resolution and moved its adoption:

“Resolved: The committee on County Buildings be directed to enlarge the office room now occupied by the County Treasurer and the County Recorder by uniting said office room with the Sheriffs present office and making such other changes therein as may be advisable and necessary and that the Committee be further directed to provide a new suitable room for the Sheriff in the hall or lobby of the Court House. This change to be made without further delay.” The resolution was adopted.

Later that year, another attempt was made to get the voters’ approval. From the *Courier*: “This time, the county supervisors made their position plain. They proposed \$80,000 in bonds for the courthouse, \$10,000 for a jail and sheriff’s residence and \$25,000 for property bounded by E. Park Ave., Lafayette, Sycamore and E. Third Sts.”

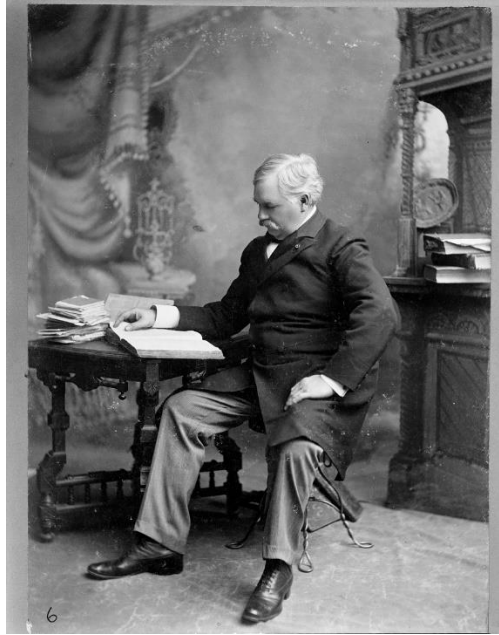
Cedar Falls still held out hope. It offered free land and a \$50,000 grant for a new courthouse. But the courthouse had to be located in the county seat, and the Board of Supervisors didn’t have the authority to change the county seat. The courthouse was going to be in Waterloo. But would the whole county support the East Side site? To persuade the West Side to vote yes, 1,300 business leaders signed a petition saying they would request a federal building for the West Side if the new East Side courthouse vote passed.

The November, 1900 vote did pass. So what did the West Side get?



They got a fancy building at W. Park and Commercial Streets. In *Waterloo: A Pictorial History* the story is described thus: “The marble edifice represents the ‘great Waterloo compromise of 1900.’ Because the east side was awarded the courthouse, the west was counterbalanced with the new Post Office-Federal Building. The compromise was effected by Third District Congressman D.B. Henderson. (‘The building

will go up even if I go down.’) The congressman also accomplished the impossible by obtaining \$150,000 in federal appropriations which allowed for the extra expense of the marble façade. The building was constructed in 1904...” Henderson (below) may have “accomplished the impossible,” but it probably didn’t hurt that he was Speaker of the U.S. House of Representatives at the time – Iowa’s only representative to achieve that distinction. In 1938 the Post Office/Federal Building was replaced by a new one at the same site, which became the Waterloo Public Library in 1979.



The 1900 bond election was divided into three separate questions, all of which were successful:

- \$80,000 for courthouse: Yes 4,223; No 2,469
- \$25,000 for property as specified: Yes 4,018; No 2,615
- \$10,000 for jail and sheriff house: Yes 4,052; No 2,548

Now, FINALLY, there was a courthouse on Main Street. Except it wasn’t Main Street any more, it was Park Avenue. The cornerstone was laid on June 14, 1901.



Image courtesy of Grout Museum

The keynote speaker on that occasion was H.B. Allen – Lewis Hallock’s wife’s attorney. (He had also had a law practice in Waterloo with Horace Boies, who became the only Waterluvian elected governor of Iowa.)



The new courthouse was ready for occupancy in August of 1902. How close did it come to the \$115,000 estimated cost? Courthouse - \$110,463.32. Jail & Sheriff's Residence - \$13,668.94. Property - \$25,858.89. Total \$149,991.15. Oh well.

And the old courthouse? It may have been too small, but it didn't sound like it was in such a bad condition, according to the *Waterloo Times-Tribune* in June of 1902: "There is no doubt but what the building with a little remodeling would make one of the finest hospitals in the state and everybody would receive a benefit if such a change was made." In the event, it was used as an ice house for a while and then demolished in 1907.

What most people remember about the Park Avenue courthouse is the statues that stood over the entrance. According to the *Courier's* Pat Kinney in 2014, "Artist Robert De Glass created six copper allegorical figures that were placed atop the old Black Hawk County Courthouse...in 1907. About eight feet in height, they represented Industry [standing], Agriculture, Justice, Knowledge, Science [all seated] and Peace [standing]." Changing color due to oxidation, the statues became known as the Green Goddesses.



Image courtesy of Grout Museum

This 1918 photo taken from the top of the Black's Building has a great view of the courthouse, the river beyond, the arrangement of the statues, and for good measure the side of the Sheriff's House/Jail. Let's talk about the new jail.

Former Deputy Sheriff Jeffrey Schmidt's grandfather was also a deputy sheriff for 30 years. Jeff wrote about the jail in *The County Line* newsletter in July 1995:

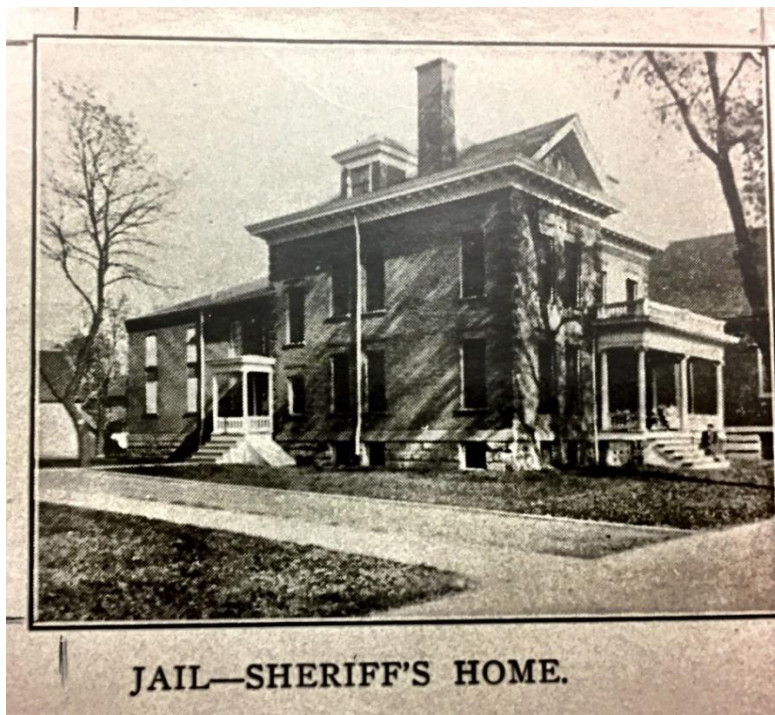


Image courtesy of Grout Museum

“Now this NEW jail was two stories high and held 25-30 inmates. The Sheriff and his family lived in the front, while the inmates lived in the rear separated by one steel door. The jail had no storage or laundry facility. This meant that the jail trustees came into the Sheriff’s kitchen to cook for the inmates. This is while the Sheriff’s wife was cooking for her family. The jail also shared the basement to store their food and to do laundry...”

I’m not sure when his grandfather was there, but in 1927, the jail was razed and a new jail built in its place. Since they were building on the site of the demolished jail, they had to put the prisoners somewhere. The supervisors took action to put them in the building on the County Farm – “for the confinement of as many prisoners as may be necessary until the new jail structure is completed and until further action of this Board.”

One can tell from comparing earlier and later pictures that the jail alone must have been rebuilt, because the building in front remains the same.



After another 30 years, it was the courthouse that was having problems. From a 1955 issue of the *Waterloo Courier*: “The Black Hawk County board of supervisors moved swiftly Friday to protect the public and county employees from the hazards of serious structural defects found in the courthouse building.” The Board received a report from a panel of engineers and contractors that said, “The deterioration of the materials used on the structure, combined with inadequate original design, has caused a serious hazard.” The panel recommended an immediate departure of county departments from the building, and in the meantime, “large crowds should be prohibited from occupying the present structure; and that unless the move can be made immediately, temporary shoring be placed in the critical areas.” The supervisors considered a temporary move virtually impossible, due to the mountains of documents that needed to be stored in fire-proof vaults.

Once again the Black Hawk County Board of Supervisors had to come up with an acceptable plan for a new courthouse. It put to a vote on November 6, 1956 the proposition of erecting a City-County building in Lincoln Park.



Image courtesy of Grout Museum

The county's share of the cost would be \$2,700,000. "Probably because of the Lincoln Park location, many voted against it and the proposition lost," says a commemorative booklet produced when the eventual courthouse was completed. The Board tried again in 1958, and while a 57% majority favored selling \$1.8 million in bonds for a new building, they fell short of the 60% needed for a bond issue. "Once again the location – or rather the lack of a definite site – brought defeat," says the booklet.

Next was a plan to build an "L"-shaped courthouse around the current building on Park Avenue for \$2,000,000. This June 6, 1960 proposition succeeded with 60.3% of the vote. So there's going to be another courthouse on "Main" Street, right? Not so fast. The booklet: "While the architects were preparing the plans for the new 'L' shaped building, opposition developed to such a building because of its shape and its lack of parking facilities. A civic committee, headed by Mr. Carl Bluedorn, presented to the Board of Supervisors the proposition of purchasing approximately 80% of the property in a square block" where the courthouse now stands. They said it could be purchased for \$450,000, so the Board ran up another referendum for June 29, 1961 to approve bonds in that amount.

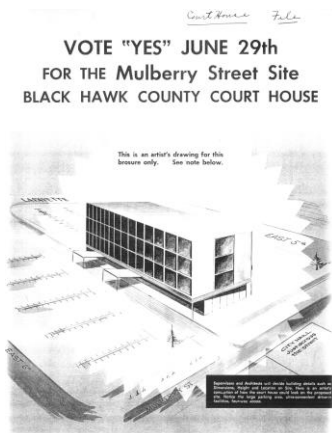


Image courtesy of Grout Museum

The now-acquiescent electorate passed it with 82% of the vote.

Plans were drawn up and on June 21, 1962, bids were opened. None of them fell within the \$2 million limit. What to do? Shades of 1857, they cut out the jail. Work began on the new jail-less courthouse structure.



Images courtesy of Grout Museum

However, the necessity of a jail prompted another referendum. On April 16, 1963, voters were asked to approve an expenditure of \$200,000 from the County General Fund for the addition of a jail as a partial fourth floor on the courthouse. The question passed easily.

We weren't quite finished – the unpurchased 20% of the block, on the corner of E 6th and Lafayette, appeared more and more necessary. With construction nearly finished, a June 1, 1964 vote approved spending \$150,000 for the corner lot, using funds from the sale of the old courthouse property.



The booklet: "By August 10, 1964, the building was practically complete. The removal from the old Court House to the new Court House had begun and within one week all departments were operating in the new, modern, air conditioned building that will serve the public for many years to come.

"All Black Hawk County can well be proud of its new Court House and the adequate parking area provided at the rear of the building." Adequate my foot.

The old courthouse, despite its crumbling condition, stood another two years. The property was purchased by the Waterloo Urban Renewal Commission for \$280,000 (more than was needed for the corner lot!), and the courthouse was demolished in April, 1966.



Image courtesy of Grout Museum



Image courtesy of Grout Museum

The building was replaced by a parking lot, as the article says, but also by an addition to the Northwestern Bell building.

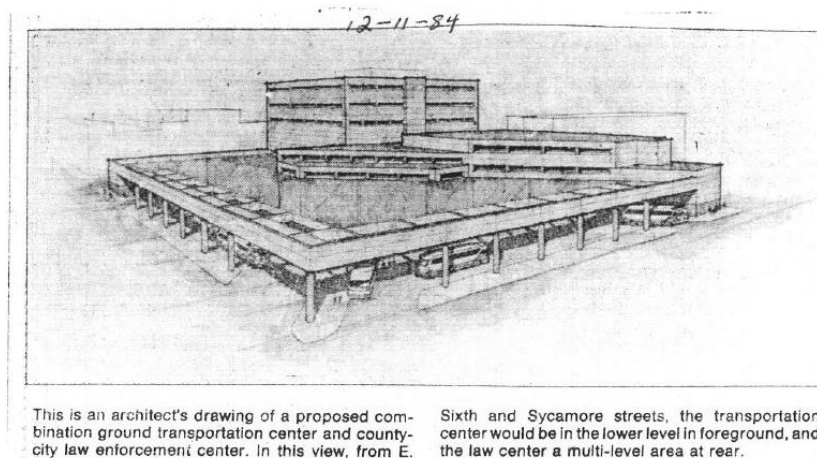


And what became of the Green Goddesses? According to Pat Kinney, "In 1957, one of the goddesses [Industry] toppled from its perch when a rusted stabilizing pipe gave out..." After the building went, "the goddess Peace was leased to Upper Iowa University in Fayette. The goddess Industry was lost or destroyed. The remaining four were moved to the Waterloo Recreation Center, now the Waterloo Center for the Arts, until the early 1980s," when they were moved to the newly renovated old YMCA, now the River Plaza Building.



And what of the jail? It was finished with the courthouse in 1964. Engineered Equipment, Inc. of Waterloo fabricated the jail cells. It was built to hold 96 inmates, but by the 1980s, state and federal rules limited it to 64. However, it continued to average about 90, and some mornings the population exceeded 100, with inmates sleeping on mattress pads on the floor.

Talk of a new or improved jail began as soon as the late 1970s and continued through the '80s. Various ideas were broached: For several years, the idea was floated for a joint city/county law enforcement center. This notion was finally dropped when both the Police Department and the Sheriff's Office indicated that if the police and the sheriff's deputies shared locker rooms, there would certainly be fights breaking out. Another plan was to build a jail in the current courthouse parking lot. Yet another idea was for a combination law enforcement center/ground transportation center on the eventual site of the new jail, an attempt to bring federal funds into the project.



Developers planning joint jail, ground transportation facility

The supervisors kept talking about it, but they were reluctant to bring it to a vote. The '80s saw Rath Packing Company close, and many more jobs were lost via John Deere cutbacks. Property taxes would have to be raised to build a jail, which was a hard sell in tough economic times.

But we couldn't ignore that we were in violation of state and federal standards, so the Board formed a new jail planning committee in 1989. It reached two main conclusions: The county should build a direct supervision jail, and it should be large enough to accommodate an increasing number of inmates.

In a direct supervision jail, there's a common area, but prisoners have individual sleeping quarters that are all in view of the jailer. Staffing ratios are reduced, and so are prisoner-on-prisoner attacks. There were fifty around the country at the time, but none in Iowa.

As for size, whenever county officials visited new jails elsewhere, they were always told, "Don't build it too small like we did." Cities and counties that allowed for a small or modest growth in inmate population in their new jails quickly found that they were overcrowded. The committee recommended building a jail with a capacity for 222 prisoners, with an incomplete pod that could accommodate 50 more if needed.

A referendum was held June 26, 1990 to approve \$14,500,000 in general obligation bonds to erect and equip a new jail. The referendum passed, 6,882 to 4,048. Only 16% of the registered voters participated.

There was lots of opposition to building a new jail, even after the referendum passed. One effort to overturn the results ended up as a lawsuit saying the Board violated the Iowa Open Meetings Law in some of its discussions about the jail. After protracted and bitter wrangling, the Board settled out of court without admitting wrongdoing.

FRIDAY, DECEMBER 18, 1992 Waterloo, Iowa

County jail construction stuck in the ground

■ Project still within budget, but unforeseen problems arise.

By TIM JAMISON
Courier Staff Writer

The Black Hawk County Jail project is still within budget, but officials are having trouble moving the action above ground.

Problems with soil and groundwater contamination continue to dog county officials, who are eager to begin building the new jail approved by voters 2 1/2 years ago in a \$14.5 million bond referendum.

"I don't recall a project where we've had more problems develop and more issues with regard to the soil ... and contamination," said project architect Bob Brosnar. "There's a certain level of frustration on the part of the team that's mobilized for construction."

Brosnar and attorney Syd Thomas, who is handling contamination issues for the county, updated the Board of Supervisors Thursday on the project's progress.

Demolition crews have cleared the jail site — the block near the courthouse bordered by Lafayette, Sycamore, East Fifth and East Sixth streets. But construction crews have been forced to wait while a number of "underground" issues are resolved.

Those include the possible need for a system to extract contaminated soil gas, the feasibility of a deep well to provide water for the cooling system, and a design

change in the building's pilings.

Brosnar said the supervisors will be asked next week to approve a study on whether a "soil gas extraction system" is needed.

The Iowa Department of Natural Resources and the county's environmental consulting firm have both recommended the system of perforated pipes be installed as part of the project. The system — estimated to cost between \$50,000 and \$100,000 — would prevent the gas from seeping into the jail basement.

But Thomas said some have questioned whether the amount of contamination remaining on the site warrants such a system. Soil gas could be a liability for the county if inmates contend their health was adversely affected by fumes.

The county has a duty to seek a "second opinion" on the issue, he added.

Another new problem has surfaced surrounding a proposed well that will pump water through the jail's cooling system before being dumped into the city's storm sewer.

Brosnar said the subcontractor hired to construct the well is concerned it would suck contamination from other areas of downtown onto the jail site. That contaminated water could not be discharged into the storm sewer.

There are a number of similar wells downtown, Brosnar said. "We're not the only one competing for contaminants," he said.

Thomas added that Black Hawk County may have a bigger problem with the well because the

county was "under the DNR microscope right now."

The final problem involves possibly changing the design of the pilings, which will support the weight of the jail and keep it from sinking into the earth.

The blueprints originally called for auger cast pilings to be installed. But Brosnar said the first test piling failed, and it may be necessary to switch to more expensive driven pilings.

It will cost an estimated \$106,000 more if future test results require the change in the design, he added.

Brosnar said the additional expenses could be absorbed in the \$1 million project contingency fund that was included in the budget. The proposed jail opening in June 1994 also remains unchanged, he said.

The project has experienced numerous delays because of the soil contamination discovered during property acquisition. Most recently the county has been hauling away 200 tons of earth contaminated with fuel oil and removing four storage tanks that were discovered during demolition.

Supervisor John Roof expressed frustration over the latest developments.

"It seems like every time we almost get ready to put a hole in the ground over there something else surfaces," he said.

Supervisor Leon Mosley said county officials experienced a great deal of euphoria when construction bids came in well below estimates. He asked Brosnar, "Is it still going to be a good deal?"

"Yes," said Brosnar, but added the county would have been in a lot of trouble if the bids hadn't come in so low.



Architectural sketch of new county jail

The county had to test the soil before building, and it found contaminants. This meant a long ordeal with the Iowa Department of Natural Resources. Most of the property acquisition went smoothly, but there were lawsuits with two of the property owners. It was found that the demolition of the Ellis Hotel had not been done properly, so the contractor had to re-excavate the site.

Meanwhile, prisoners brought a class-action lawsuit that forced Sheriff Mike Kubik to hold his jail population to 64 inmates. The county found a partial stopgap when it made an agreement to use the City of Waterloo's then-dormant lockup in City Hall, which could house seventeen inmates.

The Board opened bids on September 29, 1992. The supervisors were slightly stunned when the bids were low enough to allow the inclusion of several originally recommended features that had been discarded due to cost: plans for the skywalk over Lafayette Street went forward, a full basement (future home of the multi-jurisdictional Consolidated Communications Center) was built, and instead of waiting to see if it was needed, they filled out the fifty-bed pod, making the jail a 272-bed facility.

Actual construction began early in 1993 and continued for two years. The focus shifted to staffing. Sheriff Kubik insisted that sworn deputies be used as jailers. Supervisor Jack Roehr said lower-paid civilian jail security officers were just as appropriate as deputies. The sheriff said that deputies could be used in other divisions of the department, that their training was more extensive, and their background

checks were more detailed, and included polygraph examinations. Kubik ultimately compromised by agreeing that the booking clerks and master control technicians (who monitor the building by videocamera and electronically control the flow of traffic) could be civilians.



Construction concluded in 1995. Various issues continued. Within ten or twelve years, flaws were discovered. For instance, the brick facing had to be replaced on a large portion of the building. People started to say that maybe the bids were so low for a reason.

Fast forward to the present. In January 2016 Sheriff Tony Thompson, in his FY17 budget presentation, revealed plans to replace, by attrition, deputy jailers with civilian jailers. NOT because he thought deputies and civilians were on a par, but because of the difficulty in attracting and keeping new deputies. All new deputies first go to work in the jail, when they'd rather be out in a squad car. Advancement is slow, so many deputies end up taking law enforcement jobs elsewhere. Civilian jailers don't require the extensive (and expensive) training that deputies get, and they won't be lured away by police departments.

Meanwhile we're still using our 1964 courthouse with its beautiful entrance.



However, due to a building security plan started in the late 1990s, nobody can use the front door any more. Everyone goes through parking lot entrance...



...and gets to see this lovely aspect of the edifice.

So that brings us up to date. Here are the connected facilities now. The sun is always shining on the Black Hawk County Courthouse and Jail.



Well, almost always. From time to time you might say there has been a bit of a cloud over the jail. I saw this Ghostbusters-looking cloud over it one day. It makes you wonder: What is really buried under that jail?



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