

March 10, 2020 9:00 a.m.

The Jones County Board of Supervisors met in regular session. Present Chairman Manternach, Supervisors Eaken, Oswald (by speaker phone as indicated), Rohwedder (by speaker phone as indicated), and Zirkelbach.

Moved by Eaken seconded by Zirkelbach to convene as a Board of Canvassers at 9:00 a.m. to canvass the results of the March 3, 2020 City of Anamosa Special Election. All aye. Motion carried.

We, the Members of the Board of Supervisors and ex-officio Board of County Canvassers, for Jones County, hereby certify the following to be a true and correct abstract of the votes cast in Jones County, Iowa at the City of Anamosa Special Election held on the third day of March, 2020, as shown by the tally lists returned from the several election precincts.

### CITY OF ANAMOSA

**FOR THE OFFICE OF COUNCIL MEMBER AT LARGE – TO FILL VACANCY** (one to be elected) there were 358 votes cast as follows:

<u>CANDIDATES</u>	<u>VOTES RECEIVED</u>
GALEN J. CAPRON	315
SCATTERING	43

We therefore declare **GALEN J. CAPRON** duly elected to the office of **Council Member At Large for the residue of the term ending January 3, 2022.**

#### **UPON PUBLIC MEASURE A: Shall the following public measure be adopted?**

Shall the City of Anamosa, in Jones County, Iowa, enter into a loan agreement and issue its bonds in an amount not exceeding the amount of \$2,900,000 for the purpose of paying the costs, to that extent, of (a) (up to \$2,200,000) acquiring land for and constructing, furnishing and equipping a police station; and (b) (up to \$700,000) paying the costs, to that extent, of constructing, furnishing and equipping a fire station addition?

There were 417 votes cast as follows:

**FOR** the question there were 105 votes cast.

**AGAINST** the question there were 312 votes cast.

**We therefore declare PUBLIC MEASURE A not to be adopted.**

The Auditor reported there were two provisional ballots, with both being rejected, and no challenged ballots cast at the election.

Moved by Zirkelbach seconded by Eaken to approve the canvass of the March 3, 2020 City of Anamosa Special Election as stated above, and to adjourn as a Board of Canvassers and convene as a Board of Supervisors at 9:08 a.m. All aye. Motion carried.

Moved by Zirkelbach seconded by Eaken to approve the minutes of the March 3, 2020 meeting. All aye. Motion carried.

Moved by Eaken seconded by Zirkelbach to approve the payroll for the period ending March 1, 2020, as certified by the department heads. All aye. Motion carried.

Moved by Zirkelbach seconded by Eaken to approve a Class E Liquor License, with Class B Wine Permit, Class C Beer Permit (Carryout Beer), Class E Liquor License, and Sunday Sales privileges, for Casey's Marketing, doing business as Casey's General Store #3898, 23485 County Rd. E34, Anamosa, to be effective April 15, 2020. All aye. Motion carried. [2020-020]

Moved by Eaken seconded by Zirkelbach to approve a cigarette permit for Casey's Marketing, doing business as Casey's General Store #3898, 23485 County Rd. E34, Anamosa, to be effective April 15, 2020. All aye. Motion carried. [2020-021]

Moved by Eaken seconded by Zirkelbach to table action to approve the Iowa Certified Local Government 2019 Annual Report of the Jones County Historic Preservation Commission until the March 17, 2020 meeting to allow time for the members of the Board of Supervisors to review the report. All aye. Motion carried.

Supervisor Zirkelbach introduced the following resolution and moved its adoption, seconded by Supervisor Eaken. On roll call vote: Zirkelbach aye, Eaken aye, Manternach aye, whereupon the Chairman declared the resolution passed and adopted.

**RESOLUTION REPEALING A TAX LIEN FOR  
DELINQUENT WATER AND/OR SEWER UTILITY FEES**

Whereas, on January 2, 2020, the Jones County Board of Supervisors authorized the Jones County Treasurer to place a lien upon real estate owned by David and Josh Leytem in the amount of \$1,335.64 for delinquent water and/or sewer utility fees provided by the Eastern Iowa Regional Utility Service System; and

Whereas, at a meeting on February 26, 2020 the Eastern Iowa Rural Utility Service Board voted to waive the delinquent fees in the amount of \$1,335.64, and to reimburse Jones County for fees advanced to the Eastern Iowa Regional Utility Service Board for said delinquent fees as per the 28E agreement between Jones County, Iowa, and the Eastern Iowa Regional Utility Service System (EIRUSS), bearing the date of June 2, 2015;

Now therefore, be it resolved by the Jones County Board of Supervisors that the County Treasurer be authorized to remove the lien in the amount of \$1,335.64, plus costs, on property described as follows:

Name & Mailing Address of Delinquent Utility Account	Owner Name and Address of Property with Delinquent Utility Account	Tax Parcel and brief legal description	Delinquent Amount due
Leytem, David & Josh 10557 Main St. Center Junction IA 52212	Leytem, David & Josh 10557 Main St. Center Junction IA 52212	11 04 182 001 TR NW COR SE SE NW 4- 84-2	\$1,335.64 Services billed December 10, 2018 – October 30, 2019

Cindy Stevenson, Insurance Associates, Inc., met with the Board to review the recommendations from EMC Insurance Co. regarding the insured value of the Courthouse and options available for coverage. Action will be taken at a future meeting after all members of the Board of Supervisors have had an opportunity to review the options.

The Land Use Administrator met with the Board to review the status of a nuisance complaint at 8356 Slide Rock Rd. after the expiration of a forty-five courtesy notice to abate the nuisance.

Moved by Eaken seconded by Zirkelbach to authorize the Land Use Administrator to issue a formal notice of violation of the Jones County Nuisance Ordinance to Shawn Walker and Casey Brooks for property located at 8356 Slide Rock Rd., Anamosa, in Section 25 of Fairview Township, and providing thirty days to abate the nuisance or to request a hearing before the Board of Supervisors. All aye. Motion carried.

Moved by Eaken seconded by Zirkelbach to make of record the Conservation Board's appointment of Jake Pierce for seasonal employment at \$13.00 per hour, effective March 11, 2020, and Quinn Franklin for seasonal employment at \$11.00 per hour, effective April 13, 2020. All aye. Motion carried.

The Auditor provided an update on various facility matters, including increased sanitation measures being taken by the custodial staff.

Moved by Eaken seconded by Zirkelbach to accept quotes until March 31, 2020 at 9:00 a.m. from certified asbestos contractors to remove asbestos containing caulk in the east and west

Courthouse entrance doors in conjunction with the Courthouse window replacement project. All aye. Motion carried.

Moved by Zirkelbach seconded by Eaken to approve a revised change order with Meyer Mechanical in the amount of \$1,035 to provide for the added costs of performing construction activities in the evenings to avoid construction activity disruptions due to court activities, said change order replaces a change order previously approved on February 11, 2020 in the amount of \$5,175. All aye. Motion carried.

Moved by Zirkelbach seconded by Eaken to approve, and place on file, the Clerk's Report of Fees Collected for the month ending February 29, 2020. All aye. Motion carried. [2020-022]

The Board members provided updates from recent or upcoming committee meetings, and discussed locating the survey pins near Edinburgh Manor to determine the correct placement of boundary fencing.

The Engineer and Assistant to the Engineer met with the Board to discuss right of way negotiations and condemnation proceedings for the Lead Mine Rd. grading project; an upcoming meeting of the committee to address safety concerns at the intersection of Old Dubuque Rd. and U.S. Highway 151; provided an update on the Shaw Rd. grading project; an update on the proposal by Camp Courageous to install, at their own expense, a walkway underneath 190<sup>th</sup> Ave. to allow visitors to pass safely to Camp Courageous property on either side of 190<sup>th</sup> Ave.; an update on the final payment application to Boomerang Construction for the Wapsipinicon Trail Project and Shaw Rd. resurfacing; and presented his concerns with reductions to his proposed FY21 budget for salary and benefit reductions authorized by the Board.

Moved by Zirkelbach seconded by Eaken to approve a Partial Acquisition Contract with Angela A. Kramer (also known as Angela Hinrichs) for project No. L-C-855—73-53 (Lead Mine Rd.) in Fairview and Jackson Townships. All aye. Motion carried.

Supervisor Zirkelbach introduced the following resolution and moved its adoption, seconded by Supervisor Eaken. On roll call vote: Zirkelbach aye, Eaken aye, Manternach aye, whereupon the Chairman declared the resolution passed and adopted.

#### RESOLUTION TO COMMENCE CONDEMNATION PROCEEDINGS

WHEREAS, the Board of Supervisors of Jones County, Iowa, from reports and recommendations made by the Jones County Engineer, finds that certain parcels of land are necessary for the improvement of Lead Mine Road, Project No. L-C-855--73-53 in Jones County; and

WHEREAS, Jones County proposes to acquire the following described real estate, all located in Section 13, Township 84 North, Range 4 West of the 5<sup>th</sup> P.M., Jones County, Iowa:

A parcel of land located in part of the Swanson Survey which is part of Government Lot 1, and a parcel of land in part of Government Lot 1 all in Section 13, Township 84 North, Range 4 West of the 5<sup>th</sup> P.M., Jones County, Iowa (see attached legal descriptions-placed on file).

WHEREAS, the Jones County Engineer's Office has caused to be completed an Appraisal for said parcels for a recommendation estimate of "Just Compensation"; and

WHEREAS, a good faith effort to negotiate has taken place and negotiation has failed to provide the necessary easements;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of Jones County, Iowa, as follows:

1. A Final Offer shall be made to the property owners, Melissa J. Siebels & Tye J. Siebels, in the amount of sixteen thousand two hundred dollars (\$16,200.00) for 0.54 acres of land and damages.

2. Pursuant to Iowa Code Section 6B.2, the Jones County Attorney is hereby requested to commence condemnation proceedings to acquire an easement for roadway purposes in the described property on behalf of Jones County, Iowa. The Jones County Attorney may have the Jones County Engineer proceed with condemnation proceedings on behalf of the Jones County Attorney.
3. The proceedings hereby authorized shall be conducted pursuant to Chapters 6A and 6B of the Code of Iowa, and the Jones County Attorney is hereby authorized to act for and on behalf of Jones County and shall have authority to do all acts provided for and granted to the County under such statutes. The Jones County Attorney may delegate these duties to the Jones County Engineer. [2020-023]

Supervisors Oswald and Rohwedder joined the meeting at 10:23 a.m. by speaker phone.

Moved by Eaken seconded by Zirkelbach to open the hearing regarding the proposed maximum property tax dollars for the County's FY21 budget at 10:34 a.m. On roll call vote: Zirkelbach aye, Oswald aye, Rohwedder aye, Eaken aye, Manternach aye. Motion carried.

The Auditor explained the proposal, the legislation requiring the notice and hearing, and the Board's further discussion regarding the proposal after it was sent for publication. Two citizens were present for the hearing, with one citizen offering comments regarding the proposal.

Moved by Rohwedder seconded by Oswald to close the public hearing at 10:42 a.m. On roll call vote: Zirkelbach aye, Oswald aye, Rohwedder aye, Eaken aye, Manternach aye. Motion carried.

Supervisor Oswald introduced the following resolution and moved its adoption, seconded by Supervisor Rohwedder. On roll call vote: Zirkelbach aye, Oswald aye, Rohwedder aye, Eaken aye, Manternach aye whereupon the Chairman declared the resolution passed and adopted

**RESOLUTION OF APPROVAL OF FY21 MAXIMUM PROPERTY TAX DOLLARS**

WHEREAS, the Jones County Board of Supervisors have considered the FY21 maximum county property tax dollars for both General County Services and Rural County Services, and

WHEREAS, a notice concerning the proposed maximum county property tax dollars was published as required and posted on the county website, and

WHEREAS, a public hearing concerning the proposed maximum county property tax dollars was held on March 10, 2020,

NOW THEREFORE BE IT RESOLVED by the Jones County Board of Supervisors that the maximum county property tax dollars for General County Services and Rural County Services for FY21 shall not exceed the following:

General County Services: \$6,133,746, a 3.67% increase (Published: \$6,316,868, a 6.76% increase)

Rural County Services: \$2,203,753, a 7.36% increase, as published

The maximum property tax dollars requested for both General County Services and Rural County Services for FY21 represents an increase greater than 102% from the maximum property tax dollars requested for the prior year, FY20.

The Board and Auditor further discussed the proposed FY21 County budget and proposed FY20 County budget amendment.

Supervisor Eaken introduced the following Proposed Budget Resolution and moved its adoption, seconded by Supervisor Zirkelbach. On roll call vote: Zirkelbach aye, Oswald aye, Rohwedder aye, Eaken aye, Manternach aye whereupon the Chairman declared the resolution passed and adopted.

**FISCAL YEAR 2020/2021 PROPOSED BUDGET RESOLUTION**

BE IT RESOLVED BY THE JONES COUNTY BOARD OF SUPERVISORS that the Jones County Auditor publish, once in each of the two official County newspapers, the week of March 16, 2020, the proposed Fiscal Year 2020/2021 Jones County Budget Summary showing:

- gross taxes levied to be \$9,037,499
  - tax breakdown reflecting \$8,883,390 levied on property and \$154,109 as utility replacement taxes
  - \$51,000 of said levy is specifically designated for county facility capital improvements, major software updates, election equipment replacement, aerial tax map update, and other one-time projects deemed by the Board to be of beneficial service to the public
  - the proposed tax levy includes a Mental Health & Disability Services (MHDS) levy for Fiscal Year 2020/2021 at a level \$57,363 less than the statutory maximum levy, and is projected to be sufficient to meet the anticipated expenses from the fund
  - no debt service levy is included in the proposed budget
- total revenues of \$18,230,550 (including taxes, but net of interfund transfers)
- total expenditures of \$20,346,491 (net of interfund transfers)

and setting the public hearing at 9:15 a.m. on Tuesday, March 31, 2020 in the Board Room of the Jones County Courthouse.

Moved by Oswald seconded by Rohwedder to set a public hearing, as required by Iowa Code Section 331.434(6), at 9:20 a.m. on March 31, 2020 to receive public comment on proposed reductions to fiscal year 2020 departmental appropriations which are in excess of 10%, or \$5,000 (whichever is greater), of the original appropriation for the following departments:

- Court Activities-the original fiscal year appropriation was \$10,000, the total proposed reduction is \$6,500 (to reflect the savings in purchases for materials for the law library).
- Conservation Capital Projects – the original fiscal year appropriation was \$568,040, the total proposed reduction is \$297,884 (to reflect the change in construction activities for various major projects, including the MonMaq Dam project)
- Central Park Lake Project-the original fiscal year appropriation was \$47,458, the total proposed reduction is \$10,458 (to reflect the change in construction activities for rehabilitation of the Fremont Mill bridge in Central Park).
- Wapsipinicon Trail Project – the original fiscal year appropriation was \$520,000, the proposed reduction is \$449,793 (to reflect the delay in construction of phase 2 of the trail project to fiscal year 2021).

All aye. Motion carried.

Moved by Zirkelbach seconded by Eaken to set a public hearing to amend the current county budget at 9:25 a.m. on March 31, 2020; said amendment decreases total revenues and other sources by \$149,334 and decreases total expenditures and other uses by \$1,025,254, with the Auditor directed to publish the amendment notice in the two official county newspapers. All aye. Motion carried.

Supervisors Oswald and Rohwedder left the meeting at 10:50 a.m.

Moved by Eaken seconded by Zirkelbach to adjourn at 10:52 a.m. All aye. Motion carried.

Attest: Janine Sulzner, Auditor

Wayne Manternach, Chairman