

January 2, 2024 9:00 a.m.

The Jones County Board of Supervisors met in regular session. Present Supervisors Zirkelbach, Oswald, Rohwedder, Schlarmann, and Swisher.

Moved by Rohwedder seconded by Schlarmann to approve the minutes of the December 19, 2023, December 21, 2023, and December 22, 2023 meetings. All aye. Motion carried.

Moved by Oswald seconded by Schlarmann to approve claims #2401-0001 through #2401-0121. All aye. Motion carried.

Moved by Zirkelbach seconded by Oswald to appoint Supervisor Rohwedder as Chairman and Supervisor Schlarmann as Vice-Chairman of the Jones County Board of Supervisors for calendar year 2024 and until their successors are appointed. All aye. Motion carried.

Moved by Swisher seconded by Oswald to appoint the Jones County Supervisors to the following committees. All aye. Motion carried.

JEFF SWISHER

Jones County 911 Service Board  
Jones County Emergency Management Agency  
Jones County Integrated Roadside Vegetation Management Committee  
Jones County Resource Enhancement and Protection (R.E.A.P.)  
Jones County Solid Waste Commission  
Jones County Courthouse & Public Building Security Committee  
Resource Conservation & Development Commission (R.C. & D.)

NED ROHWEDDER - CHAIRMAN

Jones County Emergency Medical Services Assn.  
Jones County Mental Health Advisory Board  
Jones County Solid Waste Commission  
Jones County Tourism Association  
Abbe Mental Health Center  
Cedar/Jones Early Childhood Iowa Board  
Federal Emergency Management Association (F.E.M.A.)  
H.A.C.A.P. – District  
Heritage Agency on Aging Task Force  
MH/DS of the East Central Region Board

JOE OSWALD

Advancement Services of Jones County  
D.H.S. Service Area Advisory Board  
Maquoketa River Watershed Authority  
Sixth Judicial District Dept. of Corrections  
Workforce Development  
Eastern Iowa Regional Utility Service System (E.I.R.U.S.S.)

JON ZIRKELBACH

Jones County Integrated Roadside Vegetation Management Committee  
Jones County Wapsipinicon Trail Committee  
Area Substance Abuse Council  
East Central Iowa Council of Governments (E.C.I.C.O.G.)  
East Central Iowa Housing Fund  
Region 10 Transportation Policy Committee  
Jones County Economic Development Commission  
Jones County Safe & Healthy Youth Coalition

JOHN SCHLARMANN – VICE CHAIRMAN

Jones County Board of Health  
Jones County Decategorization/CPPC  
Jones County Fair Board  
Jones County G.I.S. Committee  
Jones County Safety Committee  
Heritage Agency on Aging

**Further, each Jones County Supervisor is appointed as an alternate to the following boards and commissions if they are not designated above as a primary appointee:**

Jones County 911 Service Board  
Jones County Board of Health  
Jones County Economic Development Commission  
Jones County Emergency Management Agency  
Jones County Fair Board  
Jones County Integrated Roadside Management Committee  
Jones County Mental Health Advisory Board  
Jones County Safety Committee  
Jones County Solid Waste Commission  
Abbe Mental Health Center  
Area Substance Abuse Council (A.S.A.C.)  
East Central Iowa Council of Governments (E.C.I.C.O.G.)  
Eastern Iowa Regional Utility Service System

(E.I.R.U.S.S.)  
H.A.C.A.P. – District  
MH/DS of the East Central Region Board  
Region 10 Transportation Policy Committee  
Resource Conservation & Development Commission  
(R.C. & D.)  
Sixth Judicial District Dept. of Corrections

Moved by Oswald seconded by Schlarmann to appoint the Anamosa Journal-Eureka and Monticello Express as the official Jones County newspapers for county legal publications for the 2024 calendar year. All aye. Motion carried.

Moved by Swisher seconded by Schlarmann to appoint Dr. Michael Weston, Anamosa, as Medical Examiner, Kevin Weber, Anamosa, as Medical Examiner Investigator, Victoria Weston, Anamosa, as Medical Examiner Investigator, Brandon Kent, Anamosa, as Medical Examiner Investigator, and Alesha Weber, Anamosa, as Medical Examiner Investigator for calendar year 2024. All aye. Motion carried.

Moved by Zirkelbach seconded by Schlarmann to table the appointment of representatives to the East Central Iowa Council of Governments, including Region 10 Transportation Committees. All aye. Motion carried.

Moved by Oswald seconded by Schlarmann to not appoint anyone to the Eastern Iowa Regional Housing Authority Board. All aye. Motion carried.

Moved by Zirkelbach seconded by Swisher to appoint Wes Gibbs as Weed Commissioner for calendar year 2024. All aye. Motion carried.

Moved by Schlarmann seconded by Swisher to table the appointment of three members to the Pioneer Cemetery Commission. All aye. Motion carried.

Moved by Oswald seconded by Schlarmann to table the appointment of three members to the Historic Preservation Committee. All aye. Motion carried.

Moved by Swisher seconded by Oswald to appoint Dennis Coon and Debra Oldham to the Jones County Board of Health for a three-year term expiring December 31, 2026. All aye. Motion carried.

Moved by Schlarmann seconded by Zirkelbach to table the appointment of the County Compensation Commission for Eminent Domain Proceedings. All aye. Motion carried.

Moved by Zirkelbach seconded by Swisher to approve an update to the County's Title VI Non-Discrimination Agreement with the Iowa Department of Transportation reflecting an update to the named Board Chairman. All aye. Motion carried.

Moved by Zirkelbach seconded by Oswald to re-appoint John Slater to the Olin Benefited Fire District Board for a three-year term. All aye. Motion carried.

Moved by Zirkelbach seconded by Swisher to appoint Ryan Wiedenhoff to fill a vacancy on the Olin Benefited Fire District Board. All aye. Motion carried.

The Community Services Director met with the Board to give a department update and discuss hiring a Community Services Assistant position.

The Auditor met with the Board for approval of the various items as noted in the motions below, to discuss the FY25 budget calendar, and to give an update on the ARCA Search scanning project.

Moved by Oswald seconded by Zirkelbach to place on file the recommendations as stated below from the Jones County Compensation Board for salaries for the elected officials for fiscal year 2025. All aye. Motion carried.

COUNTY OFFICIAL	RECOMMENDED INCREASE
Attorney	7%
Sheriff	7%
Auditor	7%
Treasurer	7%
Recorder	7%
Supervisors	7%

Moved by Swisher seconded by Oswald to deny a wage increase for the Senior Dining Director. All aye. Motion carried.

Moved by Zirkelbach seconded by Swisher to adopt the following schedule for holidays to be observed by county employees during calendar year 2024:

New Year's Day 2024	Monday, January 1, 2024
President's Day	Monday, February 19, 2024
Memorial Day	Monday, May 27, 2024
Independence Day	Thursday, July 4, 2024
Labor Day	Monday, September 2, 2024
Veteran's Day	Monday, November 11, 2024
Thanksgiving Holiday	Thursday, November 28, 2024 and Friday, November 29, 2024
Christmas Holiday	Tuesday, December 24, 2024 and Wednesday, December 25, 2024
New Year's Day 2025	Wednesday, January 1, 2025

All aye. Motion carried.

The Engineer met with the Board to approve a Temporary Easement Contract, to request additional funding for rock, and to give a general update.

Moved by Swisher seconded by Zirkelbach to approve a Temporary Easement Contract with Barbara Kos & James Kos on 215<sup>th</sup> Ave. All aye. Motion carried. [2024-001]

The Board gave brief reports on past and future committee meetings.

Moved by Schlarmann seconded by Swisher to adjourn the meeting at 10:27 a.m. All aye. Motion carried.

Attest: Whitney Hein, Auditor

Ned Rohwedder, Chairman

January 11, 2024, 9:00 a.m.

The Jones County Board of Supervisors met in regular session. Present Chairman Rohwedder, Supervisors Oswald, Schlarmann, Swisher and Zirkelbach.

Moved by Swisher seconded by Zirkelbach to approve the minutes of the January 2, 2024 meeting. All aye. Motion carried.

Moved by Oswald seconded by Schlarmann to approve payroll for the period ending December 31, 2023. All aye. Motion carried.

The Engineer met with the Board for the approval of a partial acquisition contract, approval for the modification to the FY24 Five Year Road Construction Program, and to announce the retirement of the Maintenance Superintendent.

Moved by Swisher seconded by Zirkelbach to approve a Partial Acquisition Contract with Kipp J. Haverly and Kim K. Haverly for right-of-way along 215<sup>th</sup> Ave. for Grading Project No. LFM-C-932--7X-53 in Fairview Township. All aye. Motion carried. [2024-002]

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

**2024 County Five Year Program Modification Resolution  
Jones County Secondary Roads**

Unforeseen circumstances have arisen since adoption of the approved Secondary Road Five Year Program and previous revisions, requiring changes to the sequence, funding, and timing of the proposed work plan.

The Board of Supervisors of Jones County, Iowa, in accordance with Iowa Code section 309.22, initiates and recommends modification of the following project(s) in the accomplishment year (State Fiscal Year 2024), for approval by the Iowa Department of Transportation (Iowa DOT), per Iowa Code 309.23 and Iowa DOT Instructional Memorandum 2.050.

The following projects shall be MODIFIED as follows:

<b>Project Number Name Project ID</b>	<b>Project Location Description of Work</b>	<b>AADT Length Bridge ID</b>	<b>Type of Work Fund</b>	<b>Modifications</b>	<b>Total</b>
FM-TSF-C053(94)--5B-53 C-930 35761	On CO RD X64, from Cedar County Line to MASSILLON RD	400 4.500 miles	367 PCC Paving Special	Project Location updated removed 3,000,000 FM dollars from 2024 added 3,250,000 FM dollars to 2025 removed 500,000 Special dollars from 2024 added 500,000 Special dollars to 2025	\$3,750,000

[2024-003]

The Land Use Administrator met with the Board for a public hearing on a rezoning request and for the approval of the annual Construction Evaluation Resolution.

Moved by Zirkelbach seconded by Schlarmann to open the public hearing at 9:18 a.m. on a proposal to rezone property in Section 20 of Fairview Township from the C1-Commercial Zoning District to C2-Highway Commercial Zoning District. All aye. Motion carried.

The Land Use Administrator explained the rezoning proposal. Applicant and property owner Jason Gideon (Energy Consultants Group) was present and offered comments on the proposal. No other persons present offered comments regarding the proposal.

Moved by Schlarmann seconded by Swisher to close the public hearing at 9:23 a.m. All aye. Motion carried.

Moved by Zirkelbach seconded by Swisher to suspend, with regard to Jones County, Iowa Ordinance 2024-01, the provisions of Iowa Code Section 331.302(6) which requires three considerations of an ordinance prior to passage. On roll call vote: Schlarmann aye, Zirkelbach aye, Swisher aye, Oswald aye, and Rohwedder aye, whereupon the Chairman declared the motion passed.

Moved by Swisher seconded by Zirkelbach to approve the final consideration of, and to adopt, pass, and publish, Jones County, Iowa Ordinance 2024-01, to amend CHAPTER 3, JONES COUNTY ZONING ORDINANCE OF TITLE VI – PROPERTY & LAND USE. On roll call vote: Schlarmann aye, Zirkelbach aye, Swisher aye, Oswald aye, Rohwedder aye, whereupon the Chairman declared the final consideration approved, and the ordinance adopted.

*JONES COUNTY IOWA ORDINANCE 2024-01*

*An ordinance amending the code of ordinances of the County of Jones, State of Iowa.*

*Be it enacted by the Board of Supervisors of Jones County, Iowa as follows:*

*Section 1: The purpose of this ordinance is to amend CHAPTER 3, JONES COUNTY ZONING ORDINANCE OF TITLE VI – PROPERTY & LAND USE by amending the zoning map.*

*Section 2: The Chapter will be amended as follows:*

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Amend SECTION 5. BOUNDARIES AND OFFICIAL ZONING MAP, of ARTICLE IV – GENERAL REGULATIONS AND PROVISIONS by amending the zoning of property briefly described as Energy Consultants Group 2<sup>nd</sup> ADD Lot 1 Section 20, Township 84, North, Range 4,(tax parcel 0920252017) containing approximately 2.97 acres, from the C1-Commercial Zoning District to the C2-Highway Commercial Zoning District.

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*Section 3. When Effective*

*This ordinance shall be in full force and effect from and after its final passage, approval, and publication as provided by law.*

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

**CONSTRUCTION EVALUATION RESOLUTION**

**2024**

**WHEREAS**, Iowa Code section 459.304(3) sets out the procedure if a board of supervisors wishes to adopt a “construction evaluation resolution” relating to the construction of a confinement feeding operation structure; and

**WHEREAS**, only counties that have adopted a construction evaluation resolution can submit to the Department of Natural Resources (DNR) an adopted recommendation to approve or disapprove a construction permit application regarding a proposed confinement feeding operation structure; and

**WHEREAS**, only counties that have adopted a construction evaluation resolution and submitted an adopted recommendation may contest the DNR’s decision regarding a specific application; and

**WHEREAS**, by adopting a construction evaluation resolution the board of supervisors agrees to evaluate every construction permit application for a proposed confinement feeding operation structure received by the board of supervisors between February 1, 2024 and January 31, 2025 and submit an adopted recommendation regarding that application to the DNR; and

**WHEREAS**, the board of supervisors must conduct an evaluation of every construction permit application using the master matrix created in Iowa Code section 459.305, but the board’s recommendation to the DNR may be based on the final score on the master matrix or may be based on reasons other than the final score on the master matrix;

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF JONES COUNTY** that the Board of Supervisors hereby adopts this construction evaluation resolution pursuant to Iowa Code section 459.304(3). [2024-004]

The Community Services Director met with the Board to discuss the hiring of a joint Community Services Assistant/MHDS Assistant position due to a vacancy in the position. Discussion took place regarding being budget conscious and the needs of the community.

Moved by Swisher seconded by Schlarmann to approve the posting notice of the Community Services Assistant position and the MHDS Assistant position as two separate roles and to not allow the hiring of the same person in both of those roles. All aye. Motion carried.

The Auditor met with the Board for the approval of the various items as noted in the motions below and to give an update on the conceptual design plan for the Courthouse first floor bathroom remodel and FY25 health insurance renewal rates.

Moved by Schlarmann seconded by Swisher to re-affirm the appointment of Derek Lumsden, Jones County Economic Development Executive Director, and Jeremiah Hoyt, Anamosa City Administrator, to the East Central Iowa Council of Governments (ECICOG) Board of Directors for a three year term expiring December 31, 2024, with Lumsden serving as a citizen representative, and to affirm Supervisors Joe Oswald, Ned Rohwedder, John Schlarmann, and Jeff Swisher as alternates. All aye. Motion carried.

Moved by Schlarmann seconded by Rohwedder to appoint Doug Wortman to the East Central Iowa Council of Governments Revolving Loan Fund Committee for a one-year term expiring December 31, 2024 and to appoint, and/or re-affirm the appointments of, the following persons to the Region 10 Transportation Committees. All aye. Motion carried.

<u>Committee</u>	<u>Position</u>	<u>Name</u>	<u>Term Expiring</u>
Policy	Regular Member	Wayne Peach, Mayor of Monticello	12/31/25
Policy	Regular Member	Jon Zirkelbach, Jones County Supervisor	12/31/24
Policy	Alternate Member	John Schlarmann, Jones County Supervisor	12/31/24
Policy	Alternate Member	Joe Oswald, Jones County Supervisor	12/31/24
Policy	Alternate Member	Jeff Swisher, Jones County Supervisor	12/31/24
Policy	Alternate Member	Ned Rohwedder, Jones County Supervisor	12/31/24
Technical Advisory	Regular Member	Todd Postel, Jones County Asst. to the Engineer	12/31/25
Technical Advisory	Regular Member	Brenda Leonard, Jones County Emergency Mgmt.	12/31/24
Technical Advisory	Regular Member	Derek Snead, Jones County Engineer	12/31/25
Trails Advisory	Regular Member	Lisa McQuillen, Anamosa	12/31/25
Trails Advisory	Regular Member	Brad Mormann, Jones County Conservation	12/31/24
Trails Advisory	Alternate Member	Brad Hatcher, Anamosa	12/31/25
Trails Advisory	Alternate Member	Jacob Oswald, Monticello	12/31/25

Moved by Oswald seconded by Schlarmann to appoint Russ Dunn and Leah Nebergall to the Jones County Pioneer Cemetery Commission for a three-year terms expiring December 31, 2026 and to acknowledge that there is a remaining seat vacant on the commission at this time. All aye. Motion carried.

Moved by Zirkelbach seconded by Schlarmann to appoint Joyce Fishwild, Rosalie Ahrendsen, and Dean Zimmerman to the Historic Preservation Commission for a three-year terms expiring December 31, 2026. All aye. Motion carried.

Moved by Swisher seconded by Oswald to approve the re-hire of Alice Harper as a kitchen substitute for Senior Dining effective January 3, 2024, at \$15.90 per hour and the hire of Patricia Pauley as a substitute driver for Senior Dining effective January 8, 2024, at \$15.90 per hour. All aye. Motion carried.

Moved by Oswald seconded by Zirkelbach to approve, and place on file, the Auditor's Report of Fees and Recorder's Report of Fees collected for the quarter ending December 31, 2023. All aye. Motion carried. [2024-005, 2024-006]

Moved by Schlarmann seconded by Swisher to approve, and place on file, the Clerk's Report of Fees Collected for the month ending December 31, 2023. All aye. Motion carried. [2024-007]

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

**RESOLUTION ASSESSING COSTS  
OF DELINQUENT SEWER UTILITY FEES**

Whereas, pursuant to the authority granted in Chapter 5, the Private and Public Sewage Disposal Systems Rules, of Title V – Public Order, Safety & Health, of the Jones County Code of Ordinances, and further granted in 28E and 28F of the Code of Iowa, and in accordance to the 28E agreement between Jones County, Iowa, and the Eastern Iowa Regional Utility Service System (EIRUSS), bearing the date of November 4, 2009, the EIRUSS has certified a notice to the Jones County Board of Supervisors, dated October 16, 2023, reflecting delinquent user fees for the Fairview sanitary sewer system; and

Whereas, said notice certifies the account holder(s) identified below as having failed to satisfy the account balance(s) shown below for sanitary sewer user fees after having been mailed monthly notices by the EIRUSS, and said accounts remain past due and unsatisfied; and

Whereas, the owners of said properties were mailed notices by the Jones County Auditor on October 16, 2023 notifying them of the delinquent accounts and that if the accounts remained delinquent on November 21, 2023 the Jones County Board of Supervisors would consider action to place a lien on the respective properties.

Now therefore, be it resolved that the Jones County Board of Supervisors do hereby certify the delinquent account holder(s) and premise(s) shown below to the County Treasurer for the imposition of a lien upon said real estate so that same may be collected in the same manner as property taxes.

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
Bluff Ridge Contracting 23131 County Rd. E34 Anamosa IA 52205	Weber, Theodore J. 23131 County Rd. E34 Anamosa IA 52205	09 17 480 003 FAIRVIEW LOTS 1,2,7,8 BLK 16 & 1.5A SE COR SE SE	\$330.00 Services billed June 1, 2023 through August 31, 2023.
Gerst, Linda J. & Robert 1226 Sandhurst Dr. Buffalo Grove IL 60089	Gerst, Linda J. & Robert 23111 Co. Rd. E34 Anamosa IA 52205	09 17 479 009 FAIRVIEW BLK 23, 24, 25, 26 LOTS 3-6, BLK 16, LOTS 3-4 BLK 27	\$330.00 Services billed June 1, 2023 through August 31, 2023.
Robinson, Patty 23043 Co. Rd. E34 Anamosa, IA 52205	Robinson, Patty 23043 Co. Rd. E34 Anamosa, IA 52205	09 17 477 003 SPIERS ADD S 124' N 224' LOT 2	\$425.00 Services billed June 1, 2023 through August 31, 2023.

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

**RESOLUTION ASSESSING COSTS  
OF DELINQUENT WATER AND/OR SEWER UTILITY FEES**

Whereas, in accordance with the 28E agreement between Jones County, Iowa, and the Eastern Iowa Regional Utility Service System (EIRUSS), bearing the date of June 2, 2015, the EIRUSS has certified a notice to the Jones County Board of Supervisors, dated October 16, 2023, reflecting delinquent user fees for the Center Junction water and sanitary sewer systems; and

Whereas, said notice certifies the account holder(s) identified below as having failed to satisfy the account balance(s) shown below for water and/or sanitary sewer user fees after having been mailed monthly notices by the EIRUSS, and said accounts remain past due and unsatisfied.

Whereas, the owners of said properties were mailed notices by the Jones County Auditor on October 16, 2023 notifying them of the delinquent accounts and that if the accounts remained delinquent on November 21, 2023 the Jones County Board of Supervisors would consider action to place a lien on the respective properties.

Now therefore, be it resolved that the Jones County Board of Supervisors do hereby certify the delinquent account holder(s) and premise(s) shown below to the County Treasurer for the imposition of a lien upon said real estate so that same may be collected in the same manner as property taxes.

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 PO Box 22 Center Junction IA 52212	Leytem, David & Pamela 12601 Prospect St. Center Junction IA 52212	11 04 178 010 O.T. S ½ LOTS 16, 17, 18, 19, 20, BLK 29 CENTER JUNCTION	\$375.20 Services billed June 1, 2023 through August 31, 2023.
Stingley, Tom PO Box 47 Center Junction IA 52212	Stingley, Tom 10702 S. Midland St Center Junction IA 52212	11 04 102 004 COM 35' E OF ST PUAL ST ON S LINE R.R. TH N 335' NWLY 154' S 304' W 112' S 55'E	\$375.20 Services billed June 1, 2023 through August 31, 2023.
Leytem, David PO Box 22 Center Junction IA 52212	Leytem, David & Pamela 10643 1st St. Center Junction IA 52212	11 04 179 001 O.T. LOTS 6-10, BLK 34 CENTER JUNCTION	\$375.20 Services billed June 1, 2023 through August 31, 2023.



Willcoxson, Jerry 10657 Main St. Center Junction IA 52212	Willcoxson, Jerry 10657 Main St. Center Junction IA 52212	11 04 161 003 O.T. LOT 4 & 5, BLK 28 CENTER JUNCTION	\$375.20 Services billed June 1, 2023 through August 31, 2023.
Kunde, Aaron 329 W. 3 <sup>rd</sup> St. Monticello, IA 52310	Kunde, Aaron 12471 St. Paul St. Center Junction IA 52212	11 04 303 005 O.T. LOT 1, BLK 43 CENTER JUNCTION	\$482.44 Services billed May 1, 2023 through August 31, 2023.
Jerome, Christine 12585 St. Paul St. Center Junction IA 52212	Jerome, Christine 12585 St. Paul St. Center Junction, IA 52212	11 04 158 006 O.T. LOT 4-5, BLK 36 CENTER JUNCTION	\$375.20 Services billed June 1, 2023 through August 31, 2023.

Supervisor Swisher introduced the following APPROPRIATION RESOLUTION 2023/2024-02 and moved its adoption, seconded by Supervisor Oswald. On roll call vote: Schlarmann aye, Zirkelbach aye, Swisher aye, Oswald aye, Rohwedder aye, whereupon the Chairman declared the resolution passed and adopted.

APPROPRIATION RESOLUTION 2023/2024-02

BE IT RESOLVED by the Jones County Board of Supervisors that the following changes in departmental spending appropriations for fiscal year 2023/2024 be adopted:

05	Sheriff	decrease by	\$10,000	from	\$3,793,410	to	\$3,783,410
08	Juvenile Court Services	increase by	\$25,000	from	\$25,100	to	\$50,100
23	Public Health	decrease by	\$15,000	from	\$215,566	to	\$200,566

The Board gave brief reports on past and future committee meetings.

During the public comment period, Sherri Hunt gave comments on the Health and Human Services realignment at the state level.

Moved by Schlarmann seconded by Swisher to adjourn the meeting at 10:50 a.m. All aye. Motion carried.

Attest: Whitney Hein, Auditor

Ned Rohwedder, Chairman

January 16, 2024 9:00 a.m.

The Jones County Board of Supervisors met in regular session. Present Supervisors Rohwedder, Oswald, Schlarmann, Swisher, and Zirkelbach.

Moved by Zirkelbach seconded by Swisher to approve the minutes of the January 11, 2024 meeting. All aye. Motion carried.

Moved by Oswald seconded by Schlarmann to approve claims #2401-0122 through #2401-0349. All aye. Motion carried.

The Auditor met with the Board for approval of the various items as noted in the motions below.

Moved by Oswald seconded by Zirkelbach to authorize the Chairman to sign and place on file a two-year Actuarial Services Agreement with HUB International Great Plains, Omaha, NE, to comply with the provisions of Governmental Accounting Standards Board (GASB) statement

#75 for calculating of other post-employment benefits (OPEB) for financial reporting purposes. All aye. Motion carried. [2024-008]

Moved by Schlarmann seconded by Zirkelbach to approve a Class C Retail Alcohol License, with Living Quarters, and Outdoor Service privileges, for Schramerica LLC, doing business as The Grove Bar & Grill, 11668 County Rd. E-17, Scotch Grove, to be effective February 1, 2024. All aye. Motion carried. [2024-009]

The Board gave brief reports on past and future committee meetings.

Representatives from the Riverview Center met with the Board to present a funding request for FY25.

During the public comment period, the Engineer discussed the major winter storms in the past week and gave an update on snow removal. The Engineer also notified the Board of a job posting for the Road Superintendent position.

Also, during the public comment period, Ed Luedtke thanked the secondary road department for their snow removal efforts in the past week and Derek Lumsden, Economic Development Executive Director, notified the Board of an upcoming legislative forum in Monticello.

Moved by Schlarmann seconded by Zirkelbach to adjourn the meeting at 9:28 a.m. All aye. Motion carried.

Attest: Whitney Hein, Auditor

Ned Rohwedder, Chairman

January 19, 2024 10:30 a.m.

The Jones County Board of Supervisors met in special session. Present Supervisors Rohwedder, Oswald, Schlarmann, Swisher, and Zirkelbach.

The Board met with the following department heads to review their proposed FY25 budgets and re-estimated FY24 budgets:

- Paula Hart, Environmental Health
- Brad Knudson, Public Health
- Lisa Mootz, IT
- Kristi Aitchison, GIS
- Kristofer Lyons, County Attorney
- Whitney Hein, budgets for Board of Supervisors and non-personnel departments
- Amy Picray, Treasurer
- Lucia Herman, Community Services
- Lisa Tallman, Senior Dining

Discussion was held with the various department heads regarding salaries, changes in their current budget, the proposed budget for their department, and proposed expenditures that could be reduced or revenues increased. No action was taken on the budget proposals.

Rohwedder left the meeting at 1:20 p.m.

Moved by Swisher seconded by Zirkelbach to adjourn at 2:15 p.m. All aye. Motion carried.

Attest: Whitney Hein, Auditor

Ned Rohwedder, Chairman

January 23, 2024, 9:00 a.m.

The Jones County Board of Supervisors met in regular session. Present Chairman Rohwedder, Supervisors Oswald, Schlarmann, Swisher and Zirkelbach.

Moved by Zirkelbach seconded by Schlarmann to approve the minutes of the January 16, 2024, and January 19, 2024 meetings. All aye. Motion carried.

Moved by Oswald seconded by Swisher to approve payroll for the period ending January 14, 2024. All aye. Motion carried.

The Board met with Shive-Hattery to determine the scope of work and the schedule for the Courthouse 1<sup>st</sup> floor bathroom remodel project.

Derek Lumsden with Jones County Economic Development met with the Board to give a program update and present a FY25 budget request.

Sherri Hunt with Early Childhood Iowa met with the Board to give a program update and present a FY25 budget request.

Lucas Gobeli, Great Jones County Fair, met with the Board to give an annual update and present a FY25 budget request.

The Auditor met with the Board for approval of the various items as listed in the motions below and to discuss a potential hiring freeze.

Moved by Oswald seconded by Zirkelbach to approve a 28E agreement with Buchanan County for a shared Mental Health Advocate. All aye. Motion carried. [2024-010]

Moved by Schlarmann seconded by Zirkelbach to appoint Mareda Pierce to the Jones County Pioneer Cemetery Commission for a three-year term expiring December 31, 2026. All aye. Motion carried.

Moved by Swisher seconded by Schlarmann to approve the Sheriff's Report of Fees collected for the quarter ending December 31, 2023. All aye. Motion carried. [2024-011]

Moved by Oswald seconded by Zirkelbach to put in place a hiring guideline that any open job position must be reviewed with the Board before the job can be posted, effective January 23, 2024. On roll call vote: Schlarmann aye, Zirkelbach aye, Swisher aye, Oswald aye, Rohwedder aye. Motion carried.

The Land Use Administrator met with the Board for approval of the various items as listed in the motions below and to discuss a hazardous pipeline ordinance.

Moved by Oswald seconded by Zirkelbach to set a public hearing on February 13, 2024 at 9:15 a.m. to rezone Parcel 2008-129 containing 2.73 acres located in Section 20 of Fairview Township, located at 23381 County Rd E34, Anamosa, from the R-Residential to the C2- Highway Commercial District. All aye. Motion carried.

Supervisor Schlarmann introduced the following resolution, seconded by Supervisor Zirkelbach. On roll call vote: Schlarmann aye, Swisher aye, Rohwedder aye, Oswald aye, Zirkelbach aye, whereupon the Chairman declared the resolution passed and adopted.

**RESOLUTION APPROVING PRELIMINARY SUBDIVISION PLAT**

WHEREAS, a preliminary plat of Wapsi Ridge 2<sup>nd</sup> Addition, a subdivision proposed to contain three (3) lots, located in Section 15, Township 84 North, Range 4 West of the 5<sup>th</sup> P.M., has

been approved by the Jones County Planning and Zoning Commission, and filed with the Jones County Board of Supervisors,

IT IS THEREFORE RESOLVED BY THE BOARD OF SUPERVISORS OF JONES COUNTY, IOWA that they concur with the recommendation from the Jones County Planning and Zoning Commission for approval of the preliminary plat, and that variances to the Jones County Subdivision Ordinance may be considered upon receipt of the final plat; said variances are recommended to streets and access point requirements, interior street standards, storm water pollution prevention plan, soil erosion control plan, and drainage control plan, AND,

FURTHER, that the developer may proceed with preparation and submission of a final plat in accordance with the Jones County Subdivision Ordinance.

The Engineer met with the Board to approve a resolution to set a public hearing date and to discuss sand and salt supply and the hiring of a new Road Maintenance Superintendent.

Supervisor Swisher introduced the following resolution, seconded by Supervisor Oswald. On roll call vote: Schlarmann aye, Swisher aye, Rohwedder aye, Oswald aye, Zirkelbach aye, whereupon the Chairman declared the resolution passed and adopted.

**RESOLUTION FOR A PUBLIC HEARING  
FOR THE PROPOSED SALE OF UNUSED RIGHT OF WAY**

Whereas, the Jones County Board of Supervisors is empowered under the authority of Iowa Code Section 306.22 through 306.26 to dispose of unused right-of-way, and

Whereas, a request has been received by the Jones County Engineer requesting the sale of a portion of unused right-of-way, and

Whereas, the Board of Supervisors proposes the sale of unused right-of-way described as:

That portion of unused road right-of-way located within Parcel 98-80 (Parcel 98-80 being a parcel located in the NE  $\frac{1}{4}$  NE  $\frac{1}{4}$  of Section 2, and in the NW  $\frac{1}{4}$  NW  $\frac{1}{4}$  of Section 1, all in Township 84 North, Range 4 West of the 5<sup>th</sup> Principal Meridian, Jones County, Iowa, as shown in the Plat of Survey recorded in Plat Book N, Page 8 and containing 0.45 acres.

Now therefore be it resolved, that a public hearing for the proposed sale of unused right-of-way, be held in the Board Room, Jones County Courthouse, Anamosa, Iowa, at 9:45 a.m. on Tuesday, February 6, 2024 in accordance with Iowa Code Chapter 331. [2024-012]

The Board gave brief reports on past and future committee meetings.

During the public comment period, the Auditor reminded the Board of the budget meeting on January 24, 2024.

Moved by Schlarmann seconded by Swisher to adjourn the meeting at 10:59 a.m. All aye. Motion carried.

Attest: Whitney Hein, Auditor

Ned Rohwedder, Chairman

January 24, 2024 10:30 a.m.

The Jones County Board of Supervisors met in special session. Present Supervisors Rohwedder, Oswald, Schlarmann, Swisher, and Zirkelbach.

The Board met with the following department heads to review their proposed FY25 budgets and re-estimated FY24 budgets:

- Susan Yario, Veteran Affairs
- Whitney Hein, Auditor, including budgets for the Auditor and Land Use
- Jackson Snyder, General Services
- Greg Graver, Sheriff
- Derek Snead, Engineer
- Whitney Hein, Auditor, including budgets for non-personnel departments.

Discussion was held with the various department heads regarding salaries, changes in their current budget, the proposed budget for their department, and proposed expenditures that could be reduced or revenues increased. No action was taken on the budget proposals.

Swisher left the meeting at 3:40 p.m.

Moved by Oswald seconded by Schlarmann to adjourn at 3:49 p.m. All aye. Motion carried.

Attest: Whitney Hein, Auditor

Ned Rohwedder, Chairman

January 30, 2024 9:00 a.m.

The Jones County Board of Supervisors met in regular session. Present Chairman Rohwedder, Supervisors Oswald, Schlarmann, Swisher, and Zirkelbach.

Moved by Zirkelbach seconded by Schlarmann to approve the minutes of the January 23, 2024 meeting. All aye. Motion carried.

Moved by Oswald seconded by Swisher to approve claims #2401-0350 through #2401-0462. All aye. Motion carried.

The Senior Dining Director met with the Board for approval of the Heritage Area Agency on Aging FY25 funding request and to discuss the recent hiring guideline put in place by the Board.

Moved by Schlarmann seconded by Swisher to approve the Heritage Area Agency on Aging FY25 funding request. All aye. Motion carried. [2024-013]

The Deputy Auditor met with the Board for approval of the various items as noted in the motions below.

Moved by Zirkelbach seconded by Schlarmann to approve a five-day Class F Retail Alcohol License for Scotch Grove Coon Hunters Club to be effective February 1, 2024. All aye. Motion carried. [2024-014]

Moved by Zirkelbach seconded by Swisher to make of record the Conservation Board's appointment of Dillon Peyton as Natural Resource Manager starting at \$55,500, effective February 5, 2024. All aye. Motion carried.

The Treasurer met with the Board to present the Semi-Annual and Quarterly Investment Reports and to discuss proposed legislation.

Moved by Zirkelbach seconded by Swisher to place on file the Treasurer's Semi- Annual Report for the period of July 1, 2023 through December 31, 2023 and to approve the Quarterly Investment Report for the quarter ending December 31, 2023. All aye. Motion carried. [2024-015, 2024-016]

Kristine Bulluck with Kirkwood Workplace Learning Connection met with the Board to give a program update and present a FY25 budget request.

Heather Weers, Jones County Family Council and Every Child Reads, met with the Board to give program updates and present FY25 budget requests.

Jennifer Husmann, Jones County Safe & Healthy Youth Coalition, met with the Board to give a program update and present a FY25 budget request.

Leanna Husmann, United Way/Jones County Volunteer Services, met with the Board to give a program update and present a FY25 budget request.

Tracey Achenbach, East Central Iowa Council of Governments, met with the Board to give a program update and present a FY25 budget request.

The Engineer met with the Board for the approval of a partial acquisition contract and for approval of final plans for a grading project.

Moved by Zirkelbach seconded by Swisher to approve a Partial Acquisition Contract with Bob Lacey & Becky Lacey for right-of-way along 215<sup>th</sup> Ave. for Grading Project No. LFM-C-932--7X-53. All aye. Motion carried. [2024-017]

Moved by Zirkelbach seconded by Oswald to approve Final Plans for Project No. LFM-C-932--7X-53, a grading project along 215<sup>th</sup> Ave. All aye. Motion carried.

Board members gave brief updates on past and future committee meetings.

Moved by Schlarmann seconded by Swisher to adjourn the meeting at 11:05 a.m. All aye. Motion carried.

Attest: Ashley Kurt, Deputy Auditor

Ned Rohwedder, Chairman

February 6, 2024, 9:00 a.m.

The Jones County Board of Supervisors met in regular session. Present Chairman Rohwedder, Supervisors Oswald, Schlarmann, Swisher and Zirkelbach.

Moved by Zirkelbach seconded by Oswald to approve the minutes of the January 30, 2024 meeting. All aye. Motion carried.

Moved by Schlarmann seconded by Swisher to approve payroll for the period ending January 28, 2024. All aye. Motion carried.

The Treasurer met with the Board for the approval to abate the taxes on five manufactured homes that have either been relocated to other counties or demolished.

Supervisor Oswald introduced the following resolution, seconded by Supervisor Schlarmann. On roll call vote: Schlarmann aye, Zirkelbach aye, Swisher aye, Oswald aye, Rohwedder aye, whereupon the Chairman declared the resolution passed and adopted.

#### **TAX ABATEMENT RESOLUTION**

BE IT RESOLVED BY THE BOARD OF SUPERVISORS that the Jones County Treasurer shall, pursuant to Iowa Code Sections 435.25, and 445.16, abate all taxes, interest, and cost and strike from the tax book references to the following tax parcels:

<u>Name</u>	<u>Parcel/Description</u>	<u>Assessment Years</u>	<u>Total Tax</u>
Snyder, Melissa	ANACO INFLP76A06106AT 1994 Fleetwood VIN: INFLP76A06106AT	2013-2016 Tax Sale Certificate 190508 (County Held)	\$1,164.00

Per management at the manufactured home community, the homeowner was evicted in late 2020/early 2021 and the home was later demolished.

Rosson, Michael	LOVMO M603073 1975 Holly Park VIN: M603073	2021-2023 Tax Sale Certificate 220504 (County Held)	\$444.00
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Per management at the manufactured home community, the home was abandoned and disposed of.

Valentine, Douglas	ANACO 2965 1977 North American VIN: 2965	2023	\$148.00
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Douglas Valentine stated the home was demolished. Management at the manufactured home community verified the home was removed from the community.

TGC	WAYAN 0631200900 2003 Fortune Building on Leased Land VIN: FHIN102350R	2020-2021	\$1,164.00
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Building was purchased by TGC with the intent to move it to Benton County. He was not able to find anyone to move the home due to the pandemic. He then sold the home to a manufactured home community in Illinois. The home has been removed from Jones County.

Franklin, Janis	ANACO INFLS76A09599AU13 1996 Fleetwood VIN: INFLS76A09599AU13	2023-2024	\$296.00
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This manufactured home was destroyed by a fire on November 21, 2022. The owner of the home paid the taxes through December 2022.

The Auditor met with the Board for approval of the various items as listed in the motions below and to give an update on the Courthouse first floor bathroom remodel project and state audit report.

Moved by Oswald seconded by Schlarmann to acknowledge receipt of a manure management plan from Valley Brothers LLC, facility #59825, for a facility located in Dubuque County with manure application in Sections 22, 23, 26 and 27 of Washington Township and

Sections 24 and 25 of Lovell Township, with the County Auditor to retain the document in a temporary file for public access for one year. All aye. Motion carried.

Moved by Swisher seconded by Zirkelbach to authorize the chairman to sign the Occupational Safety and Health Administration (OSHA) 2023 Report. All aye. Motion carried. [2024-018]

The Board gave brief reports on past and future committee meetings.

Jane Drapeaux with HACAP met with the Board to provide a program update and present a funding request for the FY25 budget.

Kaileen Weaver with Jones County Tourism met with the Board to provide a program update and present a funding request for the FY25 budget.

The Engineer met with the Board for a public hearing to dispose of unused right-of-way, and to give an update on current road maintenance projects.

Moved by Zirkelbach seconded by Swisher to open the public hearing at 9:49 a.m. to receive public comment on the disposal of unused right-of-way adjacent to former Military Rd. in Section 2 of Fairview Township. All aye. Motion carried.

The Engineer explained that there is no longer a need for the unused right-of-way in this area. This particular piece of right-of-way was deeded to the County from the Iowa DOT.

Jeff Hinz, adjacent landowner to the unused right-of-way, was present and is interested in the bidding process for the property.

Moved by Oswald seconded by Zirkelbach to close the public hearing at 10:10 a.m. All aye. Motion carried.

The GIS Coordinator met with the Board to discuss using ARPA funds for a software migration/data conversion project and to approve an agreement with Pictometry International for additional GIS tiles at no additional cost.

Moved by Swisher seconded by Schlarman to approve a contract with Sidwell for a software migration/data conversion project in the amount of \$34,370 and to use ARPA funds for the project. All aye. Motion carried. [2024-019]

Moved by Zirkelbach seconded by Oswald to approve an agreement with Pictometry for additional GIS tiles at no additional cost to the county. All aye. Motion carried. [2024-020]

The Board met with the following department heads to review their proposed FY25 budgets and re-estimated FY24 budgets:

- Sheri Jones, Recorder
- Jamie Ginter, JETS
- Brad Mormann, Conservation

Discussion was held with the various department heads regarding salaries, changes in their current budget, the proposed budget for their department, and proposed expenditures that could be reduced or revenues increased. No action was taken on the budget proposals.

The Auditor further discussed the overall FY25 budget and discussed steps to review at the next meeting including salary increases, and other various agency funding requests.

Moved by Schlarman seconded by Swisher to adjourn the meeting at 12:22 p.m. All aye. Motion carried.

Attest: Whitney Hein, Auditor

Ned Rohwedder, Chairman



February 13, 2024 9:00 a.m.

The Jones County Board of Supervisors met in regular session. Present Vice-Chairman Schlarmann, Supervisors Oswald, Swisher, and Zirkelbach. Absent Chairman Rohwedder.

Moved by Zirkelbach seconded by Oswald to approve the minutes of the February 6, 2024 meeting. All aye. Motion carried.

Moved by Swisher seconded by Oswald to approve claims #2402-0001 through #2402-0205. All aye. Motion carried.

Tim Fay, Historic Preservation Commission member met with the Board for the approval of the Certified Local Government annual report.

Moved by Swisher seconded by Oswald to authorize the Vice-Chairman to sign the Certified Local Government Annual Report from the Jones County Historic Preservation Commission. All aye. Motion carried. [2024-021]

The Board gave brief updates on past and future committee meetings.

The Land Use Administrator met with the Board for a public hearing on a rezoning request and to give an update on the upcoming Planning and Zoning meeting.

Moved by Oswald seconded by Zirkelbach to open the public hearing at 9:15 a.m. on a proposal to rezone property in Section 20 of Fairview Township from the R- Residential Zoning District to C2-Highway Commercial Zoning District. All aye. Motion carried.

The Land Use Administrator explained the rezoning proposal. No persons present offered comments regarding the proposal.

Moved by Oswald seconded by Swisher to close the public hearing at 9:16 a.m. All aye. Motion carried.

Moved by Swisher seconded by Zirkelbach to suspend, with regard to Jones County, Iowa Ordinance 2024-02, the provisions of Iowa Code Section 331.302(6) which requires three considerations of an ordinance prior to passage. On roll call vote: Zirkelbach aye, Swisher aye, Oswald aye, and Schlarmann aye, whereupon the Vice-Chairman declared the motion passed.

Moved by Zirkelbach seconded by Swisher to approve the final consideration of, and to adopt, pass, and publish, Jones County, Iowa Ordinance 2024-02, to amend CHAPTER 3, JONES COUNTY ZONING ORDINANCE OF TITLE VI – PROPERTY & LAND USE. On roll call vote: Zirkelbach aye, Swisher aye, Oswald aye, Schlarmann aye, whereupon the Vice-Chairman declared the final consideration approved, and the ordinance adopted.

*JONES COUNTY IOWA ORDINANCE 2024-02*

*An ordinance amending the code of ordinances of the County of Jones, State of Iowa.*

*Be it enacted by the Board of Supervisors of Jones County, Iowa as follows:*

*Section 1: The purpose of this ordinance is to amend CHAPTER 3, JONES COUNTY ZONING ORDINANCE OF TITLE VI – PROPERTY & LAND USE by amending the zoning map.*

*Section 2: The Chapter will be amended as follows:*

\*\*\*\*\*

Amend SECTION 5. BOUNDARIES AND OFFICIAL ZONING MAP, of ARTICLE IV – GENERAL REGULATIONS AND PROVISIONS by amending, subject to the terms of a contractual development agreement, the zoning of property briefly described Parcel 2008-129 IN SW NE Section 20, Township 84, North, Range 4, (tax parcel 0920252012) containing

approximately 2.73 acres, from the R-Residential Zoning District to the C2-Highway Commercial Zoning District.

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Section 3. When Effective

*This ordinance shall be in full force and effect from and after its final passage, approval, and publication as provided by law.*

The Auditor met with the Board for approval of the various items as noted in the motions below.

Moved by Oswald seconded by Zirkelbach to approve the amended Exhibit A to the memorandum of understanding regarding reimbursement from MHDS of the East Central Region for county employees for FY24 which reflects a change in the MHDS Assistant position. All aye. Motion carried. [2024-022]

Moved by Zirkelbach seconded by Oswald to approve the FY25 memorandum of understanding regarding reimbursement from MHDS of the East Central Region for county employees. All aye. Motion carried. [2024-023]

Moved by Oswald seconded by Swisher to hire Brenda Broulik as an on-call substitute for Senior Dining with a starting wage of \$15.90 per hour effective February 5, 2024. All aye. Motion carried.

Moved by Zirkelbach seconded by Swisher to approve, and place on file, the Clerk's Report of Fees Collected for the month ending January 31, 2024. All aye. Motion carried. [2024-024]

Supervisor Zirkelbach introduced the following resolution and moved its adoption, seconded by Supervisor Swisher. On roll call vote: Swisher aye, Zirkelbach aye, Oswald aye, Schlarman aye, whereupon the Vice-Chairman declared the resolution passed and adopted.

A RESOLUTION TO APPROVE DISBURSEMENT OF FUNDS FOR THE AMERICAN RESCUE PLAN ACT

WHEREAS, on March 11, 2021, President Biden signed the 109 trillion-dollar American Rescue Plan Act and,

WHEREAS, Jones County applied for and has been received funds for the American Rescue Plan Act totaling \$4,017,042.00.

WHEREAS, the Jones County Board of Supervisors classified all American Rescue Plan Act funds as lost revenue on April 18, 2022 pursuant to the final rule on State and Local Fiscal Recovery Funds (SLFRF) issued by the U.S. Department of Treasury.

WHEREAS, based on the distribution guidelines from the US Department of Treasury, the following project has been approved for the use of said funds:

- For GIS data conversion from Sidwell in the amount of \$34,370.00.

BE IT RESOLVED that the Jones County Board of Supervisors endorses the disbursement of American Rescue Plan Act Funds for the item listed and authorizes the Auditor to make these payments as they are presented. [2024-025]

Supervisor Swisher introduced the following resolution and moved its adoption, seconded by Supervisor Oswald. On roll call vote: Swisher aye, Zirkelbach aye, Oswald aye, Schlarmann aye, whereupon the Vice-Chairman declared the resolution passed and adopted.

**A RESOLUTION TO APPROVE DISBURSEMENT OF FUNDS FOR THE  
AMERICAN RESCUE PLAN ACT**

WHEREAS, on March 11, 2021, President Biden signed the 109 trillion-dollar American Rescue Plan Act and,

WHEREAS, Jones County applied for and has been received funds for the American Rescue Plan Act totaling \$4,017,042.00.

WHEREAS, the Jones County Board of Supervisors classified all American Rescue Plan Act funds as lost revenue on April 18, 2022 pursuant to the final rule on State and Local Fiscal Recovery Funds (SLFRF) issued by the U.S. Department of Treasury.

WHEREAS, based on the distribution guidelines from the US Department of Treasury, the following project has been approved for the use of said funds:

- Purchase new IT equipment including two new SAN devices and three new switches in the amount of \$226,340.34.

BE IT RESOLVED that the Jones County Board of Supervisors endorses the disbursement of American Rescue Plan Act Funds for the item listed and authorizes the Auditor to make these payments as they are presented. [2024-026]

The Engineer and assistant to the Engineer met with the Board for the approval of a notice to bidders, to set a bid letting date for unused right-of-way, and for the approval of a final voucher.

Moved by Zirkelbach seconded by Oswald to approve the final voucher for project number C-943, a culvert replacement project on County Road X64. All aye. Motion carried. [2024-027]

Supervisor Zirkelbach introduced the following resolution and moved its adoption, seconded by Supervisor Swisher. On roll call vote: Schlarmann aye, Zirkelbach aye, Oswald aye, Schlarmann aye, whereupon the Vice-Chairman declared the resolution passed and adopted.

**RESOLUTION TO COLLECT OFFERS FOR THE PROPOSED SALE OF  
UNUSED RIGHT OF WAY**

Whereas, the Jones County Board of Supervisors is empowered under the authority of Iowa Code Section 306.22 through 306.26 to dispose of unused right-of-way, and

Whereas, a request has been received by the Jones County Engineer requesting the sale of a portion of unused right-of-way, and

Whereas, the Board of Supervisors proposes the sale of unused right-of-way described as:

That portion of unused road right-of-way located within Parcel 98-80 (Parcel 98-80 being a parcel located in the NE ¼ NE ¼ of Section 2, and in the NW ¼ NW ¼ of Section 1, all in Township 84 North, Range 4 West of the 5<sup>th</sup> Principal Meridian, Jones County, Iowa, as shown in the Plat of Survey recorded in Plat Book N, Page 8 and containing 0.45 acres, and

Whereas, Appraisal Associates Company has determined the fair market value of the 0.45 acre parcel of unused right-of-way to be \$6,000, and

Whereas, after notice was provided, as required by Section 306.23 of the Code of Iowa, to all adjacent property owners, and,

Whereas, the Jones County Board of Supervisors find they have no further use of said unused right-of-way and find it in the best interest of the public to sell said unused right-of-way, and

Now therefore be it resolved that the Board of Supervisors shall collect bids on the 0.45 acre parcel of unused right-of-way until 9:30 a.m. on Tuesday, April 9, 2024. Bids will be collected by the County Auditor at the Jones County Courthouse, Anamosa, Iowa. Adjacent landowners, or their representatives, may appear before the Board on April 9, 2024, during the regular board meeting to increase their bid amount to exceed any other amount received. [2024-028]

Moved by Swisher seconded by Oswald to approve a bid notice and set a bid letting date of April 9, 2024 at 9:30 a.m., for project LFM-C-932-7X-53, a grading project on 215<sup>th</sup> Avenue. All aye. Motion carried. [2024-029]

During the public comment period, the Recorder gave an update on the record digitization project and gave an update on the Recorder's Association advocating for higher recording fees.

During the budget review portion of the meeting, the Board and Auditor discussed ideas to reduce the expenditures from the general fund including a change in health insurance plans, salary increases, and agency funding. ARPA funds and a department head meeting were also discussed.

Moved by Swisher seconded by Oswald to adjourn the meeting at 11:45 a.m. All aye. Motion carried.

Attest: Whitney Hein, Auditor

John Schlarmann, Vice-Chairman

February 20, 2024, 9:00 a.m.

The Jones County Board of Supervisors met in regular session. Present Vice-Chairman Schlarmann, Supervisors Oswald, Swisher and Zirkelbach. Absent Chairman Rohwedder.

Moved by Zirkelbach seconded by Oswald to approve the minutes of the February 13, 2024 meeting. All aye. Motion carried.

Moved by Swisher seconded by Oswald to approve payroll for the period ending February 11, 2024. All aye. Motion carried.

The Auditor met with the Board for approval of the various items as listed in the motions below and to give an update on the Courthouse first floor bathroom remodel project.

Supervisor Swisher introduced the following resolution, seconded by Supervisor Oswald. On roll call vote: Zirkelbach aye, Swisher aye, Oswald aye, Schlarmann aye, whereupon the Vice-Chairman declared the resolution passed and adopted.

**RESOLUTION ASSESSING COSTS  
OF DELINQUENT SEWER UTILITY FEES**

Whereas, pursuant to the authority granted in Chapter 5, the Private and Public Sewage Disposal Systems Rules, of Title V – Public Order, Safety & Health, of the Jones County Code of Ordinances, and further granted in 28E and 28F of the Code of Iowa, and in accordance to the 28E agreement between Jones County, Iowa, and the Eastern Iowa Regional Utility Service System (EIRUSS), bearing the date of November 4, 2009, the EIRUSS has certified a notice to the Jones

County Board of Supervisors, dated January 16, 2024, reflecting delinquent user fees for the Fairview sanitary sewer system; and

Whereas, said notice certifies the account holder(s) identified below as having failed to satisfy the account balance(s) shown below for sanitary sewer user fees after having been mailed monthly notices by the EIRUSS, and said accounts remain past due and unsatisfied; and

Whereas, the owners of said properties were mailed notices by the Jones County Auditor on January 17, 2024 notifying them of the delinquent accounts and that if the accounts remained delinquent on February 20, 2024 the Jones County Board of Supervisors would consider action to place a lien on the respective properties.

Now therefore, be it resolved that the Jones County Board of Supervisors do hereby certify the delinquent account holder(s) and premise(s) shown below to the County Treasurer for the imposition of a lien upon said real estate so that same may be collected in the same manner as property taxes.

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
Bluff Ridge Contracting 23131 County Rd. E34 Anamosa IA 52205	Weber, Theodore J. 23131 County Rd. E34 Anamosa IA 52205	09 17 480 003 FAIRVIEW LOTS 1,2,7,8 BLK 16 & 1.5A SE COR SE SE	\$330.00 Services billed September 1, 2023 through November 30, 2023.
Gerst, Linda J. & Robert 1226 Sandhurst Dr. Buffalo Grove IL 60089	Gerst, Linda J. & Robert 23111 Co. Rd. E34 Anamosa IA 52205	09 17 479 009 FAIRVIEW BLK 23, 24, 25, 26 LOTS 3-6, BLK 16, LOTS 3-4 BLK 27	\$330.00 Services billed September 1, 2023 through November 30, 2023.

Robinson, Patty 23043 Co. Rd. E34 Anamosa, IA 52205	Robinson, Patty 23043 Co. Rd. E34 Anamosa, IA 52205	09 17 477 003 SPIERS ADD S 124' N 224' LOT 2	\$330.00 Services billed September 1, 2023 through November 30, 2023.
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Supervisor Zirkelbach introduced the following resolution, seconded by Supervisor Oswald. On roll call vote: Zirkelbach aye, Swisher aye, Oswald aye, Schlarmann aye, whereupon the Vice-Chairman declared the resolution passed and adopted.

**RESOLUTION ASSESSING COSTS  
OF DELINQUENT WATER AND/OR SEWER UTILITY FEES**

Whereas, in accordance with the 28E agreement between Jones County, Iowa, and the Eastern Iowa Regional Utility Service System (EIRUSS), bearing the date of June 2, 2015, the EIRUSS has certified a notice to the Jones County Board of Supervisors, dated January 16, 2024, reflecting delinquent user fees for the Center Junction water and sanitary sewer systems; and

Whereas, said notice certifies the account holder(s) identified below as having failed to satisfy the account balance(s) shown below for water and/or sanitary sewer user fees after having been mailed monthly notices by the EIRUSS, and said accounts remain past due and unsatisfied.

Whereas, the owners of said properties were mailed notices by the Jones County Auditor on January 17, 2024 notifying them of the delinquent accounts and that if the accounts remained delinquent on February 20, 2024 the Jones County Board of Supervisors would consider action to place a lien on the respective properties.

Now therefore, be it resolved that the Jones County Board of Supervisors do hereby certify the delinquent account holder(s) and premise(s) shown below to the County Treasurer for the imposition of a lien upon said real estate so that same may be collected in the same manner as property taxes.

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 PO Box 22 Center Junction IA 52212	Leytem, David & Pamela 12601 Prospect St. Center Junction IA 52212	11 04 178 010 O.T. S ½ LOTS 16, 17, 18, 19, 20, BLK 29 CENTER JUNCTION	\$379.44 Services billed September 1, 2023 through November 30, 2023.
Stingley, Tom PO Box 47 Center Junction IA 52212	Stingley, Tom 10702 S. Midland St Center Junction IA 52212	11 04 102 004 COM 35' E OF ST PUAL ST ON S LINE R.R. TH N 335' NWLY 154' S 304' W 112' S 55'E	\$379.44 Services billed September 1, 2023 through November 30, 2023..
Leytem, David PO Box 22 Center Junction IA 52212	Leytem, David & Pamela 10643 1st St. Center Junction IA 52212	11 04 179 001 O.T. LOTS 6-10, BLK 34 CENTER JUNCTION	\$435.24 Services billed September 1, 2023 through November 30, 2023.
Willcoxson, Jerry 10657 Main St. Center Junction IA 52212	Willcoxson, Jerry 10657 Main St. Center Junction IA 52212	11 04 161 003 O.T. LOT 4 & 5, BLK 28 CENTER JUNCTION	\$379.44 Services billed September 1, 2023 through November 30, 2023.
Kunde, Aaron 329 W. 3 <sup>rd</sup> St. Monticello, IA 52310	Kunde, Aaron 12471 St. Paul St. Center Junction IA 52212	11 04 303 005 O.T. LOT 1, BLK 43 CENTER JUNCTION	\$379.44 Services billed September 1, 2023 through November 30, 2023.
Jerome, Christine 12585 St. Paul St. Center Junction IA 52212	Jerome, Christine 12585 St. Paul St. Center Junction, IA 52212	11 04 158 006 O.T. LOT 4-5, BLK 36 CENTER JUNCTION	\$379.44 Services billed September 1, 2023 through November 30, 2023.

Dirks, Amanda 10664 1 <sup>st</sup> St. Center Junction, IA 52212	Dirks, Amanda 10664 1 <sup>st</sup> St. Center Junction, IA 52212	11 04 161 010 O.T. LOTS 20-22 & W ½ LOT 23, BLK 28 CENTER JUNCTION	\$716.46 Services billed July 1, 2023 through November 30, 2023.
Raymond, Judy 12401 105 <sup>th</sup> Ave Center Junction, IA 52212	Raymond, Judy 12645 105 <sup>th</sup> St. Center Junction, IA 52212	11 04 181 007 O.T. LOT 10 & E 32' LOT 9, BLK 13 CENTER JUNCTION	\$984.12 Services billed April 1, 2023 through November 30, 2023.
Lakeview Loan Servicing LLC 4425 Ponce DE Leon Mailstop Ms 5/251 Coral Gables, FL 33146	Lakeview Loan Servicing LLC 12450 St. Paul St. Center Junction, IA 52212	11 04 304 004 O.T. LOT 4, BLK 44 CENTER JUNCTION	\$379.44 Services billed September 1, 2023 through November 30, 2023.

The Engineer met with the Board to give an update on current road projects including clearing and grubbing County Road X31 and repairing potholes.

The Board gave brief reports on past and future committee meetings.

During the comment period, the Treasurer explained that the Courthouse postage meter may need to be upgraded due to new requirements from the postal service.

During the budget review portion of the meeting, the Board and Auditor discussed ideas to reduce the expenditures from the general fund including a change in health insurance plans, salary increases, and agency funding.

A department head and elected official meeting was held. The Auditor went over the total proposed FY25 budget and explained that there needs to be reductions in proposed expenditures in the General fund due to HF718 limiting the amount of property tax revenue. The county's independent legal counsel also joined the meeting to give input on what other counties and cities are doing to reduce expenditures. Department heads and elected officials were given the opportunity to ask questions and propose ideas on how to cut expenditures.

Moved by Swisher seconded by Oswald to adjourn the meeting at 11:05 a.m. All aye. Motion carried.

Attest: Whitney Hein, Auditor

John Schlarmann, Vice-Chairman

February 27, 2024 9:00 a.m.

The Jones County Board of Supervisors met in regular session. Present Chairman Rohwedder, Supervisors Schlarmann, Oswald, Swisher, and Zirkelbach.

Moved by Zirkelbach seconded by Schlarmann to approve the minutes of the February 20, 2024, meeting. All aye. Motion carried.

Moved by Oswald seconded by Swisher to approve claims #2402-0206 through #2402-0337. All aye. Motion carried.

Liz Rodriguez, Iowa Workforce Development Board Director met with the Board to present a local plan for Iowa Workforce Development.

Jeremiah Hoyt, Anamosa City Administrator met with the Board to discuss the current condition of the Dillon Military Bridge.

The Auditor met with the Board for approval of the various items as noted in the motions below.

Moved by Oswald seconded by Zirkelbach to make of record the Conservation Board's appointment of the following seasonal employees Troy Olson at \$19.69 per hour, effective March 4, 2024; Emelie Ahrendsen at \$15.75 per hour effective March 18, 2024; Josie Beitz at \$15.75 per hour effective March 18, 2024; and Rebecca Close at \$15.75 per hour effective June 10, 2024. Ayes: Rohwedder, Schlarmann, Oswald, Zirkelbach. Nay: Swisher. Motion carried.

Moved by Zirkelbach seconded by Schlarmann to approve a five-day Class C Retail Alcohol License for Scotch Grove Coon Hunters Club to be effective March 14, 2024. All aye. Motion carried. [2024-030]

Moved by Zirkelbach seconded by Oswald to approve a letter of support for an Aureon Charity Grant for the Midland Ambulance Service. All aye. Motion carried. [2024-031]

Moved by Oswald seconded by Schlarmann to set a bid opening date of March 26, 2024, at 9:00 a.m. for the Courthouse first floor bathroom remodel project. All aye. Motion carried.

Moved by Zirkelbach seconded by Schlarmann to void check #191958 in the amount of \$454.00, dated February 27, 2024, made payable to Iowa Weed Commissioners Association; and corresponding claim # 2402-0221, submitted by Secondary Roads, with reason being that one employee is unable to attend training and payment is non-refundable. All aye. Motion carried.

The Land Use Administrator met with the Board for approval of a final subdivision plat.

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

#### RESOLUTION APPROVING PLAT

WHEREAS, a final plat of Wheels of Progress Addition to Jones County, Iowa, a subdivision containing three (3) lots, and an Outlot A, located in Section 34, Township 86, North Range 3 West of the 5<sup>th</sup> P.M., has been filed with the Jones County Board of Supervisors, and after consideration, the same is found to be correct and in accordance with the ordinances of Jones County, Iowa in relation to platting and the subdivision of land, with the exception of the following:

- lot size requirements found in Section 5 of Article IV, Subdivision Design, of the Jones County Subdivision Ordinance
- access point, interior road width, and road association requirements found in Section 2 of Article V, Minimum Improvements, of the Jones County Subdivision Ordinance
- interior street standards found in Section 3 of Article V, Minimum Improvements, of the Jones County Subdivision Ordinance, and
- storm water pollution prevention plan requirements found in Section 7 of Article V, Minimum Improvements, of the Jones County Subdivision Ordinance

IT IS THEREFORE RESOLVED BY THE BOARD OF SUPERVISORS OF JONES COUNTY, IOWA that said final plat of Wheels of Progress Addition to Jones County, Iowa, be approved, with

1. Variance to Section 4. Article IV Subdivision Design – Parcel is listed in the Flood Hazard Area (1% probability flood, or one (100) hundred year flood) According to page 2, a permit is required before proceeding.
2. Variance to Section 2. Streets and Access Points, of Article V, Minimum Improvements of the Jones County Subdivision Ordinance;
  - There are no streets or road association agreement.
  - There shall be no less than two access points. Access points are not noted on the plat so it is unclear whether two access points exist for this subdivision.
3. Variance to Section 3. Interior Street Standards, of Article V, Minimum Improvements of the Jones County Subdivision Ordinance;
  - There is no interior road or cul-de-sac.
4. Variance to Section 7. Storm Water Pollution Prevention Plan, of Article V, Minimum Improvements, of the Jones County Subdivision Ordinance.
  - If more than one acre is disturbed, a Storm Water Pollution Prevention Plan will be required.

AND, the same is hereby acknowledged on the part of Jones County, Iowa,

AND, the Chairman and County Auditor are hereby directed to certify this Resolution of Approval and affix the same to the plat as provided by law. In approving the plat, Jones County is expressly not accepting any responsibility for the roadways set forth on said plat.

The Engineer, Assistant to the Engineer, and Road Superintendent met with the Board for approval of the various items as noted in the motions below and to discuss the proposed 2025



County Five Year Program, to discuss a joint project with Linn County on the Martelle Road, and to discuss the future of the chief inspector position.

Moved by Schlarmann seconded by Zirkelbach to approve the hire of Wes Gibbs as a Secondary Roads Superintendent effective February 26, 2024, at \$38.46 per hour. All aye. Motion carried.

Moved by Zirkelbach seconded by Oswald to amend the 2024 County Five Year Road program. All aye. Motion carried. [2024-032]

Moved by Zirkelbach seconded by Oswald to approve a Fence Compensation Sub-Contract with Milton Luckstead for Project LFM-C-932--7X-53 on 215<sup>th</sup> Ave. All aye. Motion carried. [2024-033]

During the budget review portion of the meeting, the Board and several elected officials discussed ideas to reduce expenditures from the general fund including a change in health insurance plans, salary increases, and agency funding.

Moved by Zirkelbach seconded by Oswald leave the total levy rate at 9.65152 for budgetary purposes for the proposed property tax hearing notice. All aye. Motion carried.

Moved by Zirkelbach seconded by Swisher to use the time and date of 8:30 a.m. on April 2, 2024, as the public hearing time for the HF718 Proposed Property Tax Levy public hearing. Ayes: Schlarmann, Zirkelbach, Swisher, Oswald. Nay: Rohwedder. Motion carried.

Moved by Swisher seconded by Schlarmann to approve a 4.75% wage increase and no change to health insurance for FY25 budget preparation purposes only. On roll call vote: Schlarmann aye, Zirkelbach aye, Swisher aye, Oswald aye, Rohwedder nay. Motion carried.

The Board gave brief reports on past and future committee meetings.

Moved by Zirkelbach seconded by Oswald to recess at 11:37 a.m. until the precast cement building tour in Dubuque County at 1:00 p.m. All aye. Motion carried.

The Board toured two precast cement buildings in Dubuque County from 1:00 p.m. to 3:06p.m. The meeting was adjourned at 3:06 p.m.

Attest: Whitney Hein, Auditor

Ned Rohwedder, Chairman

March 5, 2024, 9:00 a.m.

The Jones County Board of Supervisors met in regular session. Present Chairman Rohwedder, Supervisors Schlarmann, Oswald, Swisher, and Zirkelbach.

Moved by Zirkelbach seconded by Oswald to approve the minutes of the February 27, 2024 meeting. All aye. Motion carried.

Moved by Swisher seconded by Schlarmann to approve payroll for the period ending February 25, 2024. All aye. Motion carried.

The Community Services Director met with the Board for approval of the hiring of a MHDS Assistant/Community Services Office Coordinator.

Moved by Schlarmann seconded by Oswald to hire Cindy Behrends as part-time MHDS Assistant/Community Services Office Coordinator starting at \$20.46 per hour effective March 11, 2024. All aye. Motion carried.

The Recorder met with the Board to discuss advertising for a vacant part-time clerk position.

Moved by Swisher seconded by Schlarmann to advertise to hire an on-call clerk position at 10-15 hours per week. All aye. Motion carried.

The Land Use Administrator met with the Board to review violations of the nuisance ordinance and to discuss a pipeline ordinance.

Moved by Oswald seconded by Zirkelbach to issue a formal notice of violation of the Jones County Nuisance Ordinance to Faron Fritz for a property located at 24052 Ridge Rd. E28, Anamosa, and providing thirty days to abate the nuisance or to request a hearing before the Board of Supervisors. All aye. Motion carried.

The Engineer met with the Board for approval of the various items as noted below and to give an update on the grading of roads.

Moved by Zirkelbach seconded by Schlarmann to approve a 28E agreement for a Bridge Investment Program Grant Project for the Landis Bridge. All aye. Motion carried. [2024-034]

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

Resolution In Support of the Joint BIP Grant Agreement & Letter of Support for the 2023-2024  
Bridge Investment Program (BIP) Grant Project

Whereas, Jones County, Iowa bridge FHWA number: 207520, has been identified as being part of a joint Bridge Investment Program (BIP) Grant Project, and

Whereas, it is desired by and in the interest of Jones County to participate fully in the BIP project activities as a Sub-recipient and provide all requisite information necessary to bring to completion all project phases through final completion, and

Whereas, we are in support of Washington County providing Lead-recipient roles and duties, and

Whereas, we understand and accept the Sub-recipient roles and responsibilities as defined in the “28E Cooperative Agreement for a Bridge Investment Program (BIP) Grant Project”, and

Whereas, each County Bridge Owner as shown in Section 4, paragraph A-F shall be responsible for all local matching funds and accepts any costs exceeding the funds requested in the BIP Grant application for their respective structure.

THEREFORE BE IT RESOLVED that the Board of Supervisors of Jones County, Iowa hereby approves and directs the Chair to sign this Letter of Support for the 2023-2024 Bridge Investment Program (BIP) Grant Project and the 28E Cooperative Agreement for a Bridge Investment Program (BIP) Grant Project, and to provide all pertinent correspondence and project information to:

Attn: Jacob Thorius, P.E.  
Washington County Engineer  
210 W Main St., Ste. 2  
Washington, IA 52353-1723  
(319)653-7731

[2024-035]

Moved by Zirkelbach seconded by Schlarmann to approve a letter of support for the Iowa County Bridge Bundle application for federal funding dollars through the USDOT's FY24 Bridge Investment Program. All aye. Motion carried.

The Auditor met with the Board for the approval of various items as listed in the motions below and to give an update on the pre-bid meeting for the first-floor bathroom remodel project and to discuss the FY25 budget.

Moved by Swisher seconded by Oswald to approve Bikers Against Child Abuse to display pinwheels on the courthouse lawn for one week in April. All aye. Motion carried.

Moved by Zirkelbach seconded by Schlarmann to hire Matthew Brady as a full-time jail officer starting at \$20.10 per hour effective March 11, 2024. All aye. Motion carried.

Moved by Zirkelbach seconded by Schlarmann to set a Proposed Property Tax Levy public hearing per HF718 at 8:30 a.m. on April 2, 2024. All aye. Motion carried.

Moved by Swisher seconded by Schlarmann to approve a 2% wage increase for the Board of Supervisors for FY25 budget preparation purposes only. On roll call vote: Rohwedder aye, Schlarmann aye, Zirkelbach aye, Swisher aye, Oswald aye. Motion carried.

Walt Laetare, Jones County Soil & Water Conservation District met with the Board to discuss FY25 funding.

Andy Peterson, Wyoming Fair met with the Board to discuss FY25 funding.

Lucas Gobeli, Great Jones County Fair met with the Board to discuss FY25 funding.

The Conservation Director met with the Board to discuss the FY25 budget.

The Engineer met with the Board to discuss the revised FY25 budget.

Moved by Schlarmann seconded by Zirkelbach to not fund Every Child Reads, fund Jones County Soil & Water Conservation District funding to \$1,250, and to cut various organizations' FY25 funding requests by 50% including Jones County Fair, Wyoming Fair, Jones County Safe and Healthy Youth Coalition, Early Childhood Iowa, Jones County Family Council, Volunteer Services and Kirkwood Workplace Learning. On roll call vote: Schlarmann aye, Zirkelbach aye, Swisher aye, Oswald nay, Rohwedder nay. Motion carried.

The Board gave brief updates on past and future committee meetings.

Moved by Schlarmann seconded by Swisher to adjourn the meeting at 11:38 a.m. All aye. Motion carried.

Attest: Whitney Hein, Auditor

Ned Rohwedder, Chairman

March 12, 2024 9:00 a.m.

The Jones County Board of Supervisors met in regular session. Present Chairman Rohwedder, Supervisors Oswald, Swisher, and Zirkelbach. Absent Supervisor Schlarmann.

Moved by Zirkelbach seconded by Oswald to approve the minutes of the March 5, 2024, meeting. All aye. Motion carried.

Moved by Swisher seconded by Oswald to approve claims #2403-0001 through #2403-0169. All aye. Motion carried.

The Jones County Amateur Radio Club met with the Board to discuss a land lease agreement for a radio tower.

Moved by Swisher seconded by Zirkelbach to draw up a land lease agreement with Jones County Amateur Radio Club for a radio tower with the lease expiring when the radio club no longer needs the land. All aye. Motion carried.

The Land Use Administrator and County Attorney met with the Board to discuss a recommendation from the Planning and Zoning Commission on a pipeline ordinance for Jones County.

The Assistant to the Engineer met with the Board for approval of a request for bids for 2024 Contract Rock and to give an update on the 5 year road plan and the X64 paving project.

Moved by Oswald seconded by Zirkelbach to accept bids until 9:30 a.m. on March 26, 2024 for contract road rock and placement. All aye. Motion carried. [2024-036]

The Auditor met with the Board for approval of the various items as listed below and to give an update on the courthouse bathroom remodel project.

Moved by Oswald seconded by Swisher to approve the Clerk's Report of Fees collected for the month ending February 2024. All aye. Motion carried. [2024-037]

Moved by Swisher seconded by Oswald to approve a letter of support for the Maquoketa Fire Department in pursuit of a community project funding endorsement. All aye. Motion carried. [2024-038]

Moved by Swisher seconded by Zirkelbach to re-hire Kevin Steele as an On-Call Deputy Sheriff effective March 5, 2024 at \$36.62 per hour. All aye. Motion carried.

During the budget review portion of the meeting, the Attorney met with the Board to discuss changes to the FY25 budget.

Moved by Swisher seconded by Oswald to approve the County Attorney's proposed budget changes for FY25 including a wage of \$64,370 per year for the County Attorney Secretary which is higher than the previously approved 4.75% increase. All aye. Motion carried.

Moved by Oswald seconded by Zirkelbach to set a public hearing, as required by Iowa Code Section 331.434(6), at 9:00 a.m. on April 2, 2024, to receive public comment on proposed reductions to fiscal year 2024 departmental appropriations which are in excess of 10%, or \$5,000 (whichever is greater), of the original appropriation for the following departments:

- Public Health- the original fiscal year appropriation was \$200,566, the total proposed reduction is \$26,823 or 13.37% (to reflect a reduction in staff)
- Land Use- the original fiscal year appropriation was \$47,769, the total proposed reduction is \$14,798 or 30.98% (to reflect a change in staffing from full time to part time)
- Conservation Derecho Fund- the original fiscal year appropriation was \$150,000, the total proposed reduction is \$59,842 or 39.89% (to reflect a change in project timelines)
- Substance Abuse - the original fiscal year appropriation was \$21,100, the total proposed reduction is \$9,500 or 45.02% (to reflect a reduced need for services)
- Mental Health Servies - the original fiscal year appropriation was \$25,000 the total proposed reduction is \$8,938 or 35.75% (to reflect accurate expenditures for CASI payments)
- COAP Diversion Grant - the original fiscal year appropriation was \$100,000 the total proposed reduction is \$59,478 or 40.52% (to reflect a reduction in services)
- Budget Holding - the original fiscal year appropriation was \$5,615 the total proposed reduction is \$5,615 or 100%.

All aye. Motion carried.

Moved by Zirkelbach seconded by Swisher to set a public hearing to amend the current county budget at 9:05 a.m. on April 2, 2024; said amendment increases total revenues and other sources by \$501,456 (accounting for an increase of \$23,658 operating transfers in) and decreases total expenditures and other uses by \$741,356 (accounting for an increase of \$23,658 of operating transfers out) with the Auditor directed to publish the amendment notice in the two official county newspapers. All aye. Motion carried.

The Board gave brief reports on past and future committee meetings.

During the Elected Official comment period, the Recorder gave an update on the digitizing project.

During the Public Comment period, Mary Melchert thanked the Board for their work on the pipeline ordinance and Sherrie Thurston asked questions about the FY25 budget and wage increases.

Moved by Swisher seconded by Oswald to adjourn the meeting at 10:15 a.m. All aye. Motion carried.

Attest: Whitney Hein, Auditor

Ned Rohwedder, Chairman

March 19, 2024, 9:00 a.m.

The Jones County Board of Supervisors met in regular session. Present Chairman Rohwedder, Supervisors Schlarmann, Oswald, Swisher, and Zirkelbach.

Moved by Zirkelbach seconded by Oswald to approve the minutes of the March 12, 2024 meeting. All aye. Motion carried.

Moved by Swisher seconded by Schlarmann to approve payroll for the period ending March 10, 2024. All aye. Motion carried.

The Land Use Administrator met with the Board to discuss a pipeline ordinance and review setback maps.

The Engineer and Assistant to the Engineer met with the Board for approval of a notice to bidders for a painting project, approval of the County Five Year Road program and to discuss potential changes to the current sick leave donation policy.

Moved by Oswald seconded by Schlarmann to approve a notice to bidders for Project M-0125 to paint County Wide Pavement Markings with a bid letting date of 9:30 a.m. on April 2, 2024. All aye. Motion carried. [2024-039]

Moved by Zirkelbach seconded by Swisher to approve the Jones County Five Year Construction Program. All aye. Motion carried. [2024-040]

The Auditor met with the Board to void a check and to discuss the HF718 mailing and discuss changes to the county website.

Moved by Swisher seconded by Schlarmann to void check #191330 in the amount of \$3,500, dated January 2, 2024, made payable to Lynn Allen Hansel Estate and corresponding claim #2401-0019, submitted by Secondary Roads, with reason being that the check is past 60 days from issue. All aye. Motion carried.

The Board gave brief updates on past and future committee meetings.

During the elected official comment period, the Sheriff notified the Board of a vacant dispatch position, and the Treasurer gave an update on HF674.

Moved by Schlarmann seconded by Swisher to adjourn the meeting at 10:34 a.m. All aye. Motion carried.

Attest: Whitney Hein, Auditor

Ned Rohwedder, Chairman

March 26, 2024 9:00 a.m.

The Jones County Board of Supervisors met in regular session. Present Chairman Rohwedder, Supervisors Oswald, Schlarmann, Swisher, and Zirkelbach.

Moved by Zirkelbach seconded by Oswald to approve the minutes of the March 19, 2024 meeting. All aye. Motion carried.

Moved by Swisher seconded by Oswald to approve claims #2403-0170 through #2403-0349. All aye. Motion carried.

Moved by Zirkelbach seconded by Schlarmann to open bids at 9:03 a.m. for the Courthouse first floor bathroom remodel project. All aye. Motion carried.

One bid was received from the following:

- King-Knutson Construction, Inc., Cedar Rapids, IA in the amount of \$325,000

Shive-Hattery was present via ZOOM for the bid opening and advised the Board that this was substantially over the Engineer estimate. The Board did not take any action on the bid.

The Auditor met with the Board for approval of the various items as listed below.

Moved by Zirkelbach seconded by Swisher to approve a Class C Retail Alcohol License, with Outdoor Service, for Wapsipinicon Country Club, 21309 E-34, Anamosa to be effective April 1, 2024. All aye. Motion carried. [2024-041]

Moved by Oswald seconded by Zirkelbach to make of record the Conservation Board's appointment of Quintin Fort for seasonal employment at \$15.44 per hour, effective April 1, 2024, Hunter Hasenbank for seasonal employment at \$15.44 per hour, effective May 6, 2024, and Emily Schmidt for seasonal employment at \$15.44 per hour, effective May 15, 2024. All aye. Motion carried.

Moved by Zirkelbach seconded by Oswald to approve, and authorize the Chairman to sign, a FY2025 Transit Purchase of Service Contract between Jones County JETS and ECICOG. All aye. Motion carried. [2024-042]

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

A RESOLUTION TO APPROVE DISBURSEMENT OF FUNDS FOR THE  
AMERICAN RESCUE PLAN ACT

WHEREAS, on March 11, 2021, President Biden signed the 109 trillion-dollar American Rescue Plan Act and,

WHEREAS, Jones County applied for and has been received funds for the American Rescue Plan Act totaling \$4,017,042.00.

WHEREAS, the Jones County Board of Supervisors classified all American Rescue Plan Act funds as lost revenue on April 18, 2022 pursuant to the final rule on State and Local Fiscal Recovery Funds (SLFRF) issued by the U.S. Department of Treasury.

WHEREAS, based on the distribution guidelines from the US Department of Treasury, the following project has been approved for the use of said funds:

- Purchase real estate for the future site of the Public Safety Storage facility in the amount of \$105,000.

BE IT RESOLVED that the Jones County Board of Supervisors endorses the disbursement of American Rescue Plan Act Funds for the item listed and authorizes the Auditor to make these payments as they are presented. [2024-043]

Moved by Swisher seconded by Oswald to approve a lease agreement with the Jones County Amateur Radio Club for a 6 foot by 6 foot piece of land for the radio club to place a 40 ft free standing radio tower. All aye. Motion carried. [2024-044]

Moved by Zirkelbach seconded by Schlarmann to set a bid opening date of April 30, 2024 at 9:00 a.m. for annual audit services. All aye. Motion carried. [2024-045]

Moved by Zirkelbach seconded by Oswald to set a public hearing date of April 16, 2024 at 9:15 a.m. to get public input on the proposed sale of county property generally located at 12653 Davenport St., Center Junction. All aye. Motion carried.

Moved by Oswald seconded by Schlarmann to approve the purchase of an e-notification system for the county website in the amount of \$1,000 and to be installed by Neapolitan Labs. All aye. Motion carried.

Moved by Schlarmann seconded by Swisher to approve an amendment to the county's Sick Leave Donation Policy which includes allowing employees to request sick leave donations after being employed at least 30 days and have worked no less than 160 hours and to approve an amendment to the County Handbook allowing employees to use sick leave accumulations after being employed for at least 30 days and have worked no less than 160 hours. All aye. Motion carried. [2024-046]

The Conservation Director met with the Board to discuss increasing the campground fees for 2024 and committing the fee increase to future campground improvements.

Moved by Oswald seconded by Zirkelbach to commit camping fee increase to future campground improvements. All aye. Motion carried.

The Engineer and Assistant to the Engineer met with the Board for the items listed in the motions below.

Moved by Oswald seconded by Swisher to open bids for contract rock to be placed on approximately 150 miles of county roadways at 9:31 a.m. All aye. Motion carried.

Bids were received from the following:

- Bard Materials
- River City Stone
- Weber Stone
- Wendling Quarries

Moved by Zirkelbach seconded by Schlarmann to approve the final plans for project no. FM-TSF-CO53(94)—5B-53, a PCC Overlay on County Road X64 from the Cedar County line to Massillon Road. All aye. Motion carried.

Moved by Schlarmann seconded by Swisher to approve a fence compensation sub-contract in the amount of \$6,975.00 to remove a fence with Daniel Rickels for project number LFM-C-932—7X-53 on 215<sup>th</sup> Ave. All aye. Motion carried. [2024-047]

Moved by Oswald seconded by Schlarmann to approve the FY25 DOT budget for the Secondary Roads department. All aye. Motion carried. [2024-048]

The Land Use Administrator met with the Board for violations of the Jones County Zoning and Nuisance Ordinances and for an appointment to the Board of Adjustment.

Moved by Oswald seconded by Swisher to authorize the Land Use Administrator to issue a formal notice of violation of the Jones County Zoning Ordinance Article XIX to Affordable Heating and Cooling for a property located at 9525 US Hwy 151, Anamosa, and providing forty-five days to abate the nuisance or request a hearing before the Board of Supervisors. All aye. Motion carried.

Moved by Swisher seconded by Oswald to authorize the Land Use Administrator to issue a formal notice of violation of the Jones County Nuisance Ordinance to Michael Alexander and Alexa Tullar for a property located at 8478 Slide Rock Road, Anamosa, and providing thirty days to abate the nuisance or request a hearing before the Board of Supervisors. All aye. Motion carried.

Moved by Oswald seconded by Zirkelbach to appoint Kathy McDonell to the Board of Adjustment for the remainder of the term expiring June 30, 2027. All aye. Motion carried.

The Board gave brief reports on past and future committee meetings.

During the Public Comment period, Sherrie Thurston asked questions about the pipeline ordinance.

Moved by Schlarmann seconded by Swisher to adjourn the meeting at 10:12 a.m. All aye. Motion carried.

Attest: Whitney Hein, Auditor

Ned Rohwedder, Chairman

April 2, 2024 8:30 a.m.

The Jones County Board of Supervisors met in special session. Present Supervisors Rohwedder, Oswald, Schlarmann, Swisher, and Zirkelbach.

Moved by Zirkelbach seconded by Oswald to open the public hearing on the FY25 Proposed Property Tax Levy per Iowa Code Section 24.2A at 8:30 a.m. On roll call vote: Schlarmann aye, Zirkelbach aye, Swisher aye, Oswald aye, Rohwedder aye. Motion carried.

There were 12 public citizens present for the public hearing and numerous public citizens on ZOOM. The Auditor did provide a Proposed Property Tax Levy summary. Numerous citizens provided comment and questions on assessed values, levy rate increases, creating a five year plan, limiting wage increases for county employees, and proposed different ideas on how to cut back spending including reducing services and using own trucks to transport rock for gravel roads.



Moved by Zirkelbach seconded by Oswald to close the public hearing at 9:20 a.m. On roll call vote: Schlarmann aye, Zirkelbach aye, Swisher aye, Oswald aye, Rohwedder aye. Motion carried.

Moved by Oswald seconded by Schlarmann to adjourn at 9:20 a.m. All aye. Motion carried.

Attest: Whitney Hein, Auditor

Ned Rohwedder, Chairman

April 2, 2024, 9:00 a.m.

The Jones County Board of Supervisors met in regular session. Present Chairman Rohwedder, Supervisors Schlarmann, Oswald, Swisher, and Zirkelbach.

Moved by Schlarmann seconded by Zirkelbach to approve the minutes of the March 26, 2024 meeting. All aye. Motion carried.

Moved by Oswald seconded by Swisher to approve payroll for the period ending March 24, 2024. All aye. Motion carried.

Moved by Oswald seconded by Swisher to open the public hearing at 9:22 a.m., as required by Iowa Code section 331.434(6), on the matter of proposed reductions to fiscal year 2024 departmental appropriations which are in excess of 10% or \$5,000 (whichever is greater) of the original appropriations for the following departments:

- Public Health - the original fiscal year appropriation was \$200,566, the total proposed reduction is \$26,823 or 13.37% (to reflect a reduction in staff)
- Land Use - the original fiscal year appropriation was \$47,769, the total proposed reduction is \$14,798 or 30.98% (to reflect a change in staffing from full time to part time)
- Conservation Derecho Fund - the original fiscal year appropriation was \$150,000, the total proposed reduction is \$59,842 or 39.89% (to reflect a change in project timelines)
- Substance Abuse - the original fiscal year appropriation was \$21,100, the total proposed reduction is \$9,500 or 45.02% (to reflect a reduced need for services)
- Mental Health Servies - the original fiscal year appropriation was \$25,000 the total proposed reduction is \$8,938 or 35.75% (to reflect accurate expenditures for CASI payments)
- COAP Diversion Grant - the original fiscal year appropriation was \$100,000 the total proposed reduction is \$59,478 or 40.52% (to reflect a reduction in services)
- Budget Holding - the original fiscal year appropriation was \$5,615 the total proposed reduction is \$5,615 or 100%.

On roll call vote: Schlarmann aye, Zirkelbach aye, Swisher aye, Oswald aye, Rohwedder aye. Motion carried.

11 citizens were physically present for the hearing. However, an unknown number of persons were viewing the hearing remotely by internet or audio access. No objections to, nor comments in favor of, the proposed departmental adjustments were received.

The Auditor provided an overview of the reductions.

Moved by Schlarmann seconded by Zirkelbach to close the public hearing at 9:24 a.m. On roll call vote: Schlarmann aye, Zirkelbach aye, Swisher aye, Oswald aye, Rohwedder aye. Motion carried.

Moved by Schlarmann seconded by Zirkelbach to open the public hearing to amend the FY2024 County Budget at 9:24 a.m. On roll call vote: Schlarmann aye, Zirkelbach aye, Swisher aye, Oswald aye, Rohwedder aye. Motion carried.

There were no objections to, nor comments in favor of, the proposed budget from the public. The Auditor did provide comment on the budget amendment.

Moved by Oswald seconded by Schlarmann to close the public hearing at 9:26 a.m. On roll call vote: Schlarmann aye, Zirkelbach aye, Swisher aye, Oswald aye, Rohwedder aye. Motion carried.

Supervisor Schlarmann introduced the following 2023/2024 JONES COUNTY BUDGET AMENDMENT RESOLUTION #2 and moved its adoption, seconded by Supervisor Zirkelbach. On roll call vote: Schlarmann aye, Zirkelbach aye, Swisher aye, Oswald aye, Rohwedder aye. Motion carried. whereupon the Chairman declared the resolution passed and adopted.

2023/2024 JONES COUNTY BUDGET AMENDMENT RESOLUTION #2

IT IS HEREBY RESOLVED by the Jones County Board of Supervisors that the 2023/2024 Jones County budget be amended as published March 20 and 21, 2024, in the official County newspapers. Said budget after amendment shows \$23,029,826 of total revenues and other sources (which includes \$20,102,332 revenues and \$2,927,494 of interfund operating transfers in), and \$25,909,225 of total expenditures and other uses (which includes \$22,981,731 expenditures and \$2,927,494 of interfund operating transfers out).

Supervisor Oswald introduced the following APPROPRIATION RESOLUTION 2023/2024-03 and moved its adoption, seconded by Supervisor Zirkelbach. On roll call vote: Schlarmann aye, Zirkelbach aye, Swisher aye, Oswald aye, Rohwedder aye, whereupon the Chairman declared the resolution passed and adopted.

APPROPRIATION RESOLUTION 2023/2024 -03

BE IT RESOLVED by the Jones County Board of Supervisors that the following changes in departmental spending appropriations for fiscal year 2023/2024 be adopted:

Department	current	change	amended
01 Board Of Supervisors	from 341,946	(200)	to 341,746
02 Auditor	from 664,536	(27,983)	to 636,553
03 Treasurer	from 689,644	(11,124)	to 678,520
04 County Attorney	from 460,434	6,675	to 467,109
05 Sheriff	from 3,783,410	18,266	to 3,801,676
06 Court Activities	from 6,000	-	to 6,000
07 Recorder	from 239,037	(3,831)	to 235,206
08 Juvenile Court	from 50,100	24,900	to 75,000
15 JETS	from 661,034	51,451	to 712,485
17 Environmental Health	from 220,113	(2,216)	to 217,897
20 Secondary Road	from 10,450,000	(1,000,000)	to 9,450,000
21 Veterans Affairs	from 76,763	(618)	to 76,145
22 Conservation	from 869,231	14,366	to 883,597
23 Public Health	from 200,566	(26,823)	to 173,743
24 Land Use	from 47,769	(14,798)	to 32,971
25 General Assistance	from 58,695	(5,425)	to 53,270
28 Medical Examiner	from 50,000	10,000	to 60,000
29 Township	from 9,320	345	to 9,665
30 Conservation Capital Improvement	from 133,836	19,120	to 152,956
32 Economic Development Commission	from 50,000	-	to 50,000
33 Libraries	from 149,427	-	to 149,427
34 Historic Preservation/Tourism	from 40,000	-	to 40,000
35 Co Conservation Special Purpose	from 150,000	(59,842)	to 90,158
38 Human Services	from 50	-	to 50
39 Fairs	from 23,661	-	to 23,661
40 Memorial Hall	from 9,050	-	to 9,050
51 General Services	from 410,883	8,000	to 418,883
52 Data Processing	from 399,548	(19,875)	to 379,673

53	G.I.S. Services	from	153,183	(14,875)	to	138,308
54	Solid Waste Disposal Co. Share	from	45,500	-	to	45,500
58	Substance Abuse Services	from	21,100	(9,500)	to	11,600
60	Mental Health Services	from	25,000	(8,938)	to	16,062
62	Mental Health Administration	from	393,543	(3,484)	to	390,059
65	DCAT/CPPC/ECI	from	40,060	1,517	to	41,577
67	Senior Dining	from	345,616	(12,349)	to	333,267
71	Emergency Mgmt County Share	from	141,160	-	to	141,160
81	Employee Wellness	from	5,000	-	to	5,000
82	Employee Safety Committee	from	10,000	-	to	10,000
91	COAP Grant	from	100,000	(40,522)	to	59,478
94	Environmental Restoration	from	10,000	-	to	10,000
95	Capital Projects	from	50,000	-	to	50,000
96	Budget Reduction Holding	from	5,615	(5,615)	to	-
99	Nondepartmental	from	2,155,915	348,364	to	2,504,279
	Total	from	23,746,745	(765,014)	to	22,981,731

and, BE IT FURTHER RESOLVED that the Auditor post all 2023/2024 amended expenditures into budgeted expenditure amounts, even if there is no change in net departmental budgeted amounts.

The Riverview Center met with the Board to declare April as Sexual Assault Awareness Month.

Moved by Schlarmann seconded by Swisher to declare April as Sexual Assault Awareness Month. All aye. Motion carried. [2024-049]

The Auditor met with the Board for approval of the various items as listed below.

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

#### FISCAL YEAR 2024/2025 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 April 8, 2024, the proposed Fiscal Year 2024/2025 Jones County Budget Summary showing:

- gross taxes levied to be \$11,403,161.
  - tax breakdown reflecting \$11,213,186 levied on property and \$189,975 as utility replacement taxes.
  - \$61,000 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.
  - no debt service levy is included in the proposed budget.
- total revenues of \$20,586,994 (including taxes, but net of interfund transfers)
- total expenditures of \$23,986,469 (net of interfund transfers)

and setting the public hearing at 9:00 a.m. on Tuesday, April 23, 2024, in the Board Room of the Jones County Courthouse.

Moved by Schlarmann seconded by Oswald to hire Richard Rulla as an on-call substitute transporter for Senior Dining with a starting wage of \$15.90 per hour effective April 3, 2024. All aye. Motion carried.

Moved by Swisher seconded by Oswald to reject the bid from King Construction for the Courthouse first floor bathroom remodel project. All aye. Motion carried. [2024-050]

The Engineer met with the Board for approval of the various items as listed below.

Moved by Schlarmann seconded by Swisher to open bids for project M-0125, a county wide pavement marking project. All aye. Motion carried.

Four bids were received as follows:

- KAM Line in the amount of \$96,390.54
- LL Pelling in the amount of \$100,925.18
- Iowa Plains Signing in the amount of \$181,620.10
- Vogel in the amount of \$102,185.57

Moved by Schlarmann seconded by Zirkelbach to accept a bid from KAM Line in the amount of \$96,390.54 to furnish and apply 4,748.10 gallons of pavement marking paint on County roads. All aye. Motion carried.

Moved by Oswald seconded by Schlarmann to approve rock contracts for Bard Materials, Inc. in the amount of \$32,439.70, River City Stone a Division of Mathy Construction Co. Inc. in the amount of \$40,113.50, Wendling Quarries, Inc. in the amount of \$401,229.50, and Weber Stone Co. in the amount of \$493,415.00. All aye. Motion carried. [2024-051, 2024-052, 2024-053, 2024-054]

Moved by Oswald seconded by Swisher to not participate in a project replacing twin crossroad pipes on Linn-Jones Rd. Ayes: Schlarmann, Rohwedder, Oswald, Swisher. Nay: Zirkelbach. Motion carried.

The Land Use Administrator met with the Board for approval of a preliminary and final plat for Brad Stephen's Third Addition.

Supervisor Schlarmann introduced the following resolution, seconded by Supervisor Oswald. On roll call vote: Schlarmann aye, Swisher aye, Rohwedder aye, Oswald aye, Zirkelbach aye, whereupon the Chairman declared the resolution passed and adopted.

#### RESOLUTION APPROVING PRELIMINARY SUBDIVISION PLAT

WHEREAS, a preliminary plat of Brad Stephen's Third Addition, a subdivision of one (1) lot, located in the Northwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of Section 34, Township 86 North, Range 3 West of the 5<sup>th</sup> P.M., has been approved by the Jones County Planning and Zoning Commission, and filed with the Jones County Board of Supervisors,

IT IS THEREFORE RESOLVED BY THE BOARD OF SUPERVISORS OF JONES COUNTY, IOWA that they concur with the recommendation from the Jones County Planning and Zoning Commission for approval of the preliminary plat, and that variances to the Jones County Subdivision Ordinance may be considered upon receipt of the final plat; said variances are recommended to streets and access point requirements, interior street standards, storm water pollution prevention plan, soil erosion control plan, and drainage control plan, AND,

FURTHER, that the developer may proceed with preparation and submission of a final plat in accordance with the Jones County Subdivision Ordinance.

Supervisor Oswald introduced the following resolution, seconded by Supervisor Swisher. On roll call vote: Schlarmann aye, Swisher aye, Rohwedder aye, Oswald aye, Zirkelbach aye, whereupon the Chairman declared the resolution passed and adopted.

#### RESOLUTION APPROVING PLAT

WHEREAS, a final plat of Brad Stephen's Third Addition to Jones County, Iowa, a subdivision, located in the Northwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of Section 34, Township 86, North

Range 3 West of the 5<sup>th</sup> P.M., has been filed with the Jones County Board of Supervisors, and after consideration, the same is found to be correct and in accordance with the ordinances of Jones County, Iowa in relation to platting and the subdivision of land, with the exception of the following:

- lot size requirements found in Section 5 of Article IV, Subdivision Design, of the Jones County Subdivision Ordinance
- access point, interior road width, and road association requirements found in Section 2 of Article V, Minimum Improvements, of the Jones County Subdivision Ordinance
- interior street standards found in Section 3 of Article V, Minimum Improvements, of the Jones County Subdivision Ordinance, and
- storm water pollution prevention plan requirements found in Section 7 of Article V, Minimum Improvements, of the Jones County Subdivision Ordinance

IT IS THEREFORE RESOLVED BY THE BOARD OF SUPERVISORS OF JONES COUNTY, IOWA that said final plat of Brad Stephen's Third Addition to Jones County, Iowa, be approved, with

5. Variance to Section 2. Streets and Access Points, of Article V, Minimum Improvements of the Jones County Subdivision Ordinance.
  - There is not two public access points, however there are two proposed common access easements.
    - The proposed easement will be a 60'x75' located on the NW corner of this two-acre section.
    - The second proposed easement will be 60'x200.36' running along the eastern part of this two-acre section from Pontiac Drive.
6. Variance to Section 3. Interior Street Standards, of Article V, Minimum Improvements of the Jones County Subdivision Ordinance.
  - There are no proposed interior streets. Therefore, there are no cul-de-sacs, bus turnarounds or street names.

The IT Director and Sheriff met with the Board to discuss upgrading the current camera system.

The Board gave brief reports on past and future committee meetings.

During the Elected Official comment period the Sheriff and Jail Administrator met with the Board to discuss advertising and hiring another jail officer.

During the public comment period the Emergency Management Director shared blizzard and drought information with the Board.

Moved by Schlarmann seconded by Swisher to adjourn the meeting at 11:14 a.m. All aye. Motion carried.

Attest: Whitney Hein, Auditor

Ned Rohwedder, Chairman

April 9, 2024, 9:00 a.m.

The Jones County Board of Supervisors met in regular session. Present Chairman Rohwedder, Supervisors Schlarmann, Swisher, and Zirkelbach. Absent Supervisor Oswald.

Moved by Zirkelbach seconded by Schlarmann to approve the minutes of the April 2, 2024 meetings. All aye. Motion carried.

Moved by Swisher seconded by Schlarmann to approve claims #2404-0001 through #2404-0177. All aye. Motion carried.

The Deputy Auditor met with the Board for approval of the various items as listed below.

Moved by Swisher seconded by Zirkelbach to void check #185749 in the amount of \$5,250.00, dated October 11, 2022, made payable to Jones County Economic Development; and corresponding claim #2210-0129, with reason being that the check was lost or never received. All aye. Motion carried.

Moved by Schlarmann seconded by Zirkelbach to approve the Clerk's Report of Fees collected for month ending March 2024. All aye. Motion carried. [2024-055]

Moved by Zirkelbach seconded by Swisher to amend a Class C Retail Alcohol License for Wapsipinicon Country Club to add outdoor service privileges effective April 1, 2024. All aye. Motion carried. [2024-056]

Moved by Schlarmann seconded by Zirkelbach to acknowledge a receipt of a manure management plan from Bryan Britt for a facility located in Section 36 of Castle Grove township. All aye. Motion carried.

The Board gave brief reports on past and future committee meetings.

The Engineer and Assistant to the Engineer met with the Board for the items listed in the motions below and to give an update on contract rock.

Moved by Zirkelbach seconded by Swisher to award a bid for project number M-0125, a county wide pavement marking project, to KAM Line Highway Markings, in the amount of \$96,390.54. All aye. Motion carried. [2024-057]

Moved by Swisher seconded by Zirkelbach to open bids at 9:30 a.m. for project no. LFM-C-932-7X-53. All aye. Motion carried.

Nine bids were received as follows:

- Jay R Construction in the amount of \$1,083,496.73
- Shift Construction in the amount of \$1,284,910.21
- Connolly Construction in the amount of \$909,539.77
- Pirc-Tobin Construction in the amount of \$1,260,376.25
- Boomerang Corporation in the amount of \$947,633.00
- Peterson Contractors in the amount of \$1,122,452.28
- Steger Construction in the amount of \$872,695.22
- B&J Hauling & Excavation in the amount of \$876,522.00
- Top Grade Excavating in the amount of \$1,202,747.13

Moved by Zirkelbach seconded by Swisher to open bids at 9:44 a.m. for a 0.45 acre parcel of unused right-of-way located in NE ¼ NE ¼ of Section 2 and in the NW ¼ NW ¼ of Section 1, all in Fairview township a portion of former Military Rd and US 151. All aye. Motion carried.

Two bids were received as follows:

- Jeff Hinz in the amount of \$6,100.00
- Bullnose LLC in the amount of \$6,500.00

Jeff Hinz declined the opportunity to raise his bid.

Moved by Schlarmann seconded by Zirkelbach to accept a bid from Bullnose LLC in the amount of \$6,500.00 for a 0.45 acre parcel of unused right-of-way. All aye. Motion carried. [2024-057]

The Board continued giving brief reports on past and future committee meetings.

During the elected official comment period, the Recorder gave an update on the record digitization project.

Moved by Zirkelbach seconded by Swisher to adjourn the meeting at 9:51 a.m. All aye. Motion carried.

Attest: Ashley Kurt, Deputy Auditor

Ned Rohwedder, Chairman

April 16, 2024, 9:00 a.m.

The Jones County Board of Supervisors met in regular session. Present Chairman Rohwedder, Supervisors Schlarmann, Oswald, Swisher, and Zirkelbach.

Moved by Schlarmann seconded by Zirkelbach to approve the minutes of the April 9, 2024 meeting. All aye. Motion carried.

Moved by Oswald seconded by Swisher to approve payroll for the period ending April 7, 2024. All aye. Motion carried.

The Auditor met with the Board to give an update on an invoice received from an attorney to represent in a guardianship case. The Board did agree that the fees were much higher than previous invoices and would like the County Attorney to file an objection. The Auditor also met with the Board for approval of the motion listed below.

Moved by Oswald seconded by Zirkelbach to approve, and place on file, the Auditor's Report of Fees and Recorder's Report of Fees collected for the quarter ending March 31, 2024. All aye. Motion carried. [2024-059, 2024-060]

The Board gave brief reports on past and future committee meetings.

Moved by Zirkelbach seconded by Swisher to open the public hearing at 9:15 a.m. on the sale of a real estate parcel generally located at 12653 Davenport St., Center Junction, to which Jones County holds an interest by way of tax deed. On roll call vote: Schlarmann aye, Zirkelbach aye, Swisher aye, Oswald aye, Rohwedder aye. Motion carried.

There were no comments from the public regarding the proposed sale of the property. The Treasurer and Board members did get comment on the property.

Moved by Zirkelbach seconded by Oswald to close the public hearing at 9:20 a.m. on the sale of a real estate parcel generally located at 12653 Davenport St., Center Junction, to which Jones County holds an interest by way of tax deed. On roll call vote: Schlarmann aye, Zirkelbach aye, Swisher aye, Oswald aye, Rohwedder aye. Motion carried.

Moved by Zirkelbach seconded by Swisher to set a bid opening date of May 21, 2024, at 9:15 a.m. for the sale of county property located at 12653 Davenport St., Center Junction and to hold a public hearing on May 21, 2024, at 9:30 a.m. for comment on said sale of property. All aye. Motion carried.

The Land Use Administrator met with the Board to discuss the next steps and review the proposed pipeline ordinance. The Board directed that they would like to see the ordinance on the agenda for action next week.

The Assistant to the Engineer met with the Board for the various items as noted in the motions below.

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

Resolution

Executive Agreement No. 2025-TS-013 for (TSIP) Project FM-TSF-C053(98)—5B-53

Iowa Department of Transportation Agreement for Traffic Safety Improvement Program

Funding (TSIP) for Jones County Project: PCC Overlay 4.4 Miles from Cedar County Line to Massillon Road

Be It Resolved, by the Jones County Board of Supervisors, as follows:

Section 1: That said agreement no. 2025-TS-013 between the Iowa Department of Transportation, and Jones County, Iowa for the total amount not exceeding \$500,000.

Section 2: That the chair be authorized to sign the said agreement on behalf of the board.

Section 3: That this resolution shall take effect immediately. [2024-061]

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

Resolution

Award of bid for project LFM-C-932—7X-53

215<sup>th</sup> Avenue: From ¼ mile South of 70<sup>th</sup> Street to US Hwy 151

Grading 2.826 Miles for Granular Surfacing

Be It Resolved, by the Jones County Board of Supervisors, as follows:

Section 1: That bid for LFM-C-932—7X-53 be awarded to the low bidder, Steger Construction, Inc., Dyersville, IA for the total cost of \$872,695.22.

Section 2: That the chair be authorized to sign the contract documents on behalf of the board.

Section 3: That this resolution shall take effect immediately. [2024-062]

Moved by Zirkelbach seconded by Oswald to approve a Fence Compensation Sub-Contract with Joan Hinrichsen for Project LFM-C-932--7X-53 on 215<sup>th</sup> Ave. All aye. Motion carried. [2024-063]



During the public comment period, Rachael Anderson, district representative for U.S. Representative Miller-Meeks, introduced herself.

Moved by Schlarmann seconded by Swisher to adjourn the meeting at 9:57 a.m. All aye. Motion carried.

Attest: Whitney Hein, Auditor

Ned Rohwedder, Chairman

April 23, 2024, 9:00 a.m.

The Jones County Board of Supervisors met in regular session. Present Supervisors Schlarmann, Oswald, Swisher, and Zirkelbach. Absent Supervisor Rohwedder.

Moved by Zirkelbach seconded by Oswald to approve the minutes of the April 16, 2024 meetings. All aye. Motion carried.

Moved by Swisher seconded by Oswald to approve claims #2404-0178 through #2404-0391. All aye. Motion carried.

Moved by Zirkelbach seconded by Swisher to open the public hearing on the Fiscal Year 2024/2025 Jones County Budget at 9:01 a.m. On roll call vote: Zirkelbach aye, Swisher aye, Oswald aye, Schlarmann aye. Motion carried.

Four citizens were physically present for the hearing however an unknown number of persons were viewing the hearing remotely by internet or audio access. No objections to, nor comments in favor of, the proposed budget, were received.

The County Auditor provided a summary of the proposed budget, including tax rates, the major sources of revenues and major expenditure functions, included in the proposed budget.

Moved by Oswald seconded by Zirkelbach to close the public hearing at 9:08 a.m. On roll call vote: Zirkelbach aye, Swisher aye, Oswald aye, Schlarmann aye. Motion carried.

Supervisor Zirkelbach introduced the following FISCAL YEAR 2024/2025 ELECTED OFFICIALS' SALARY RESOLUTION, and moved its adoption, seconded by Supervisor Swisher. On roll call vote: Zirkelbach aye, Swisher aye, Oswald aye, Schlarmann nay, whereupon the Vice-Chairman declared the resolution duly passed and adopted.

#### FISCAL YEAR 2024/2025

#### ELECTED OFFICIALS' SALARY RESOLUTION

WHEREAS, the Jones County Compensation Board meets annually to recommend a compensation schedule for elected officials for the fiscal year immediately following, in accordance with Iowa Code Sections 331.905 and 331.907, and

WHEREAS, the Jones County Compensation Board met on December 18, 2023, and made the following salary recommendations for the following elected officials for the fiscal year beginning July 1, 2024:

COUNTY OFFICIAL	CURRENT SALARY	PROPOSED INCREASE		RECOMMENDED ANNUAL COMPENSATION
Attorney	\$127,810.50	7%	\$8,946.74	\$136,757.24
Sheriff	\$131,158.16	7%	\$9,181.07	\$140,339.23

Auditor	\$81,113.49	7%	\$5,677.94	\$86,791.43
Treasurer	\$79,601.27	7%	\$5,572.09	\$85,173.36
Recorder	\$76,782.59	7%	\$5,374.78	\$82,157.37
Supervisors	\$33,875.16	7%	\$2,371.26	\$36,246.42

THEREFORE, BE IT RESOLVED that the Jones County Board of Supervisors hereby reduces by 32.14% the salary increases recommended by the Jones County Compensation Board for Attorney, Auditor, Recorder, Sheriff, and Treasurer and reduces by 71.43% the salary increase recommended by the Jones County Compensation Board for the Board of Supervisors to reflect the salary increases noted below for the fiscal year beginning July 1, 2024:

COUNTY OFFICIAL	CURRENT SALARY	PROPOSED INCREASE	RECOMMENDED ANNUAL COMPENSATION
Attorney	\$127,810.50	4.75%	\$133,881.50
Sheriff	\$131,158.16	4.75%	\$137,388.17
Auditor	\$81,113.49	4.75%	\$84,966.39
Treasurer	\$79,601.27	4.75%	\$83,382.33
Recorder	\$76,782.59	4.75%	\$80,429.76
Supervisors	\$33,875.16	2.00%	\$34,552.66

Supervisor Oswald introduced the following FISCAL YEAR 2024/2025 ADOPTION OF BUDGET and CERTIFICATION OF TAXES RESOLUTION, and moved its adoption, seconded by Supervisor Zirkelbach. On roll call vote: Zirkelbach aye, Swisher aye, Oswald aye, Schlarmann aye, whereupon the Chairman declared the resolution duly passed and adopted.

**FISCAL YEAR 2024/2025 ADOPTION OF BUDGET  
& CERTIFICATION OF TAXES RESOLUTION**

IT IS HEREBY RESOLVED by the Jones County Board of Supervisors that the Fiscal Year 2024/2025 Jones County proposed budget and tax levies be adopted as published. Said budget will reflect:

- total expenditures of \$23,986,469 (net of interfund transfers)
- total revenues of \$20,586,994 (including taxes, but net of interfund transfers)
- a county-wide tax levy of \$8,528,777 (\$8,382,371 property tax plus \$146,406 utility replacement tax) against a \$1,298,791,946 valuation (including gas and electric utilities) which produces a rate per \$1,000 of \$6.56670; said county-wide tax levy does not include a debt service levy
- a rural tax levy of \$2,874,384 (\$2,830,815 property tax plus \$43,569 utility replacement tax) against a \$931,783,371 valuation (including gas and electric utilities) which produces a rate per \$1,000 of \$3.08482.

BE IT FURTHER RESOLVED that the Board has designated portions of the projected June 30, 2024 unreserved fund balance as follows:

- General Basic Fund – for the purposes of county facility improvements, replacements, additions, and capital repairs, major software upgrades, and equipment which cannot be absorbed in the general operating budget of any department, all subject to Board approval, \$41,000 will be added in fiscal 2024 to the previously designated balance for said purposes. Amounts so designated may be subsequently reduced by the amounts spent for those purposes, as authorized by the Board, during the fiscal year. The amount of unused funds accumulated for those purposes at June 30 shall be established by resolution as committed fund balance.
- General Supplemental Fund – \$20,000 will be added to a fund for future voting equipment replacement. The amount of unused funds accumulated for those purposes at June 30 shall be established by resolution as committed fund balance.
- Secondary Road Fund – unused local option sales tax designated per ballot measure for roads and bridges. The amount of unused funds accumulated for those purposes at June 30 shall be established by resolution as committed funds within the restricted Secondary Road Fund.
- These designations of committed and restricted fund balances indicate that Jones County prefers to use available financial resources for the specific purposes set forth above, and although committed, the funds are to remain an integral part of the spendable or appropriate resources of Jones County for cash flow purposes.

The Treasurer met with the Board to present the quarterly investment report for the county and for Jones County Solid Waste.

Moved by Oswald seconded by Swisher to approve the Treasurer’s Quarterly Investment Report for the quarter ending March 31, 2024. All aye. Motion carried. [2024-064]

The Auditor met with the Board for various items as noted in the motions below.

Supervisor Oswald introduced the following resolution and moved its adoption, seconded by Supervisor Swisher. On roll call vote: Zirkelbach aye, Swisher aye, Oswald aye, Schlarmann aye, whereupon the Vice-Chairman declared the resolution passed and adopted.

**A RESOLUTION TO APPROVE DISBURSEMENT OF FUNDS FOR THE AMERICAN RESCUE PLAN ACT**

WHEREAS, on March 11, 2021, President Biden signed the 109 trillion-dollar American Rescue Plan Act and,

WHEREAS, Jones County applied for and has been received funds for the American Rescue Plan Act totaling \$4,017,042.00.

WHEREAS, the Jones County Board of Supervisors classified all American Rescue Plan Act funds as lost revenue on April 18, 2022 pursuant to the final rule on State and Local Fiscal Recovery Funds (SLFRF) issued by the U.S. Department of Treasury.

WHEREAS, based on the distribution guidelines from the US Department of Treasury, the following project has been approved for the use of said funds:

- Courthouse first floor bathroom remodel project asbestos testing in the amount of \$1,500.00.

BE IT RESOLVED that the Jones County Board of Supervisors endorses the disbursement of American Rescue Plan Act Funds for the item listed and authorizes the Auditor to make these payments as they are presented. [2024-065]

Moved by Swisher seconded by Oswald 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 July 1, 2024. All aye. Motion carried. [2024-066]

Moved by Zirkelbach seconded by Swisher to acknowledge receipt of manure management plan update from Bryan Britt facility #68933, for a facility located in Section 36 of Castle Grove Township with the County Auditor to retain the documents in a temporary file for public access for one year. All aye. Motion carried.

Supervisor Zirkelbach introduced the following resolution, seconded by Supervisor Oswald. On roll call vote: Zirkelbach aye, Swisher aye, Oswald aye, Schlarmann aye, whereupon the Chairman declared the resolution passed and adopted.

#### RESOLUTION

#### JONES COUNTY BOARD OF SUPERVISORS DISPOSAL OF JONES COUNTY PROPERTY OBTAINED AT TAX SALE

WHEREAS, Jones County, Iowa, holds an interest by way of tax deed to a certain parcel of real estate in Jones County, Iowa, described as follows:

Tax Parcel ID 1104153004, described as LOTS 7, 8, 9 and 10; LOT 11 EXCEPT THE SOUTH 12 FEET THEREOF, BLOCK 18, TOWN of CENTER JUNCTION, JONES COUNTY, which is generally located at 12653 Davenport St., Center Junction, IA 52212.

WHEREAS, Jones County has no need for said property and said property should be disposed of, and

WHEREAS, the Board of Supervisors having found that a public hearing should be held on the proposal to sell real estate as set forth above, said public hearing on the sale of the above-described real estate obtained at tax sale by Jones County is set for the 21st day of May, 2024, at 9:15 a.m. at the Jones County Courthouse, Anamosa, Iowa, and that notice thereof should be published as required by law, and

WHEREAS, following said publication, sealed bids shall be submitted to the Jones County Auditor's Office; that said bids shall be in writing with 10% earnest money enclosed; that said bids shall indicate the specific names and addresses of parties to be included on Quit Claim deeds; that sealed bidding shall end on the 21st day of May, 2024 at 9:15 a.m.; and that following the public hearing on the proposed sale of said property said sealed bids shall be opened. Bidders that are physically present during the bid opening will have the opportunity to increase their bid after all bids are opened and after the highest bid is determined. The Jones County Board of Supervisors reserves the right to reject any and all bids.

NOW, THEREFORE, BE IT RESOLVED by the Jones County Board of Supervisors, Jones County, Iowa, this date met in lawful session to set public hearing on the sale of the above-described real estate obtained at tax sale by Jones County. [2024-067]

The Land Use Administrator met with the Board for discussion and approval of an amendment to the Jones County Zoning Ordinance which would add pipeline regulations to the ordinance.

Moved by Swisher seconded by Zirkelbach to suspend, with regard to Jones County, Iowa Ordinance 2024-03, the provisions of Iowa Code Section 331.302(6) which requires three considerations of an ordinance prior to passage and to approve the final consideration of, and to adopt, pass, and publish, Jones County, Iowa Ordinance 2024-03, to amend CHAPTER 3, JONES COUNTY ZONING ORDINANCE OF TITLE VI – PROPERTY & LAND USE. On roll call vote: Zirkelbach aye, Swisher aye, Oswald aye, Schlarmann aye, whereupon the Vice-Chairman declared the final consideration approved, and the ordinance adopted.

JONES COUNTY IOWA ORDINANCE 2024-03

An ordinance amending the code of ordinances of the County of Jones, State of Iowa.

Be it enacted by the Board of Supervisors of Jones County, Iowa as follows:

Section 1: The purpose of this ordinance is to amend CHAPTER 3, JONES COUNTY ZONING ORDINANCE OF TITLE VI - PROPERTY & LAND USE by adding additional definitions and replacing ARTICLE XVII RESERVED FOR FUTURE USE with ARTICLE XVII HAZARDOUS LIQUID PIPELINES.

Section 2: The Chapter will be amended as follows:

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Amend ARTICLE III DEFINITIONS by inserting after existing subsection MMMMM, the following new subsection:

NNNNN. "Public Utilities" means a public utility as defined in Iowa Code § 476.1, and shall also include waterworks, municipally owned waterworks, joint water utilities, rural water districts incorporated under chapter 357A or chapter 504, cooperative water associations, and electric transmission owners as defined in Iowa Code § 476.27 primarily providing service to public utilities as defined in Iowa Code § 476.1. For purposes of this Ordinance, "public utility" includes private water systems and sewer systems that are used in common by multiple parties if the parties using the common system consent.

OOOOO. Hazardous Liquid Pipelines - No person or property owner shall use land in any area or district in this county for purposes of transporting hazardous liquid through a hazardous liquid pipeline except under the conditions and restrictions provided hereinafter in ARTICLE XVII HAZARDOUS LIQUID PIPELINES. For purposes of the Jones County Zoning Ordinance, "hazardous liquid" and "hazardous liquid pipeline" shall have the meanings defined in ARTICLE XVII HAZARDOUS LIQUID PIPELINES.

Add ARTICLE XVII HAZARDOUS LIQUID PIPELINES as follows (this amendment replaces the title of ARTICLE XVII RESERVED FOR FUTURE USE with ARTICLE XVII HAZARDOUS LIQUID PIPELINES)

**ARTICLE XVII HAZARDOUS LIQUID PIPELINES**

**SECTION 1. PURPOSES**

This Article prescribes and imposes the appropriate conditions and setbacks when using land in this County for purposes of a Hazardous Liquid Pipeline. The purposes of the regulations provided in this Article are:

- A. To lawfully regulate and restrict the use of land in the County for the transport of Hazardous Liquid through a Hazardous Liquid pipeline in a manner that is in accordance with the County's current comprehensive plan and that is designed to:
  1. secure safety from fire, flood, panic, and other dangers;
  2. protect health and general welfare; and
  3. facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements.
- B. To implement subsection A. with regard to the community planning and land use goals of the County, including cities, as contemplated in the County's Comprehensive Plan and as provided in Iowa Code Chapter 335. In particular, the purpose of this Article is to further the following specific goals of the County to:
  1. Ensure the maintenance and improvement of the environmental quality of the soil, air, water, and land for all residents, present and future, living in the county;
  2. Protect the present and future soil quality from wind and water erosion;
  3. Minimize to the greatest possible extent the number of injuries and/or loss of life associated with all identified hazards;
  4. Reduce or eliminate property damage due to the occurrence of disasters;
  5. Return the community to either pre-disaster or improved conditions in a timely manner in the wake of a disaster;
  6. Develop strategies that can be used to reduce the community's overall risk to the negative effects of natural, technological, and man-made disasters;
  7. Ensure the protection and conservation of land and other natural, human, and economic resources in Jones County including energy, that are the basis of the rural community, economy, and lifestyle;

8. Continue to provide and support strong public services;
  9. Support diversity in the type and density of housing in Jones County, while protecting prime agricultural lands, environmentally sensitive areas, public health, safety, and quality of life;
  10. Maintain the protection of agricultural operations and the preservation of the productivity, availability, and use of agricultural lands; thus assuring the maintenance of agriculture as a major sector in the county's economy;
  11. Encourage coordination and cooperation between Jones County and the incorporated cities within the county, especially within the two-mile radius around each city where powers and responsibilities are shared through 28E agreements; and
  12. Only agricultural uses or those uses incidental to agriculture shall be allowed on prime agricultural land.
- C. To implement subsection A. with regard to the County's legal obligation to engage in emergency response and hazard mitigation planning, including furthering the comprehensive plan's goals and objectives for hazards, emergencies, and disasters and including the need to protect the health and welfare of both residents and emergency response personnel.
- D. To implement subsection A. in a manner that is not inconsistent with or preempted by federal or state law, including the United States Constitution, the federal Pipeline Safety Act at 49 U.S.C. § 60101 et seq., the Iowa Constitution, and Iowa Code chapters 29C, 479B, 331, and 335.
- E. To implement subsection A. in a manner that treats all Hazardous Liquid Pipelines in a similar manner, to the extent they are similarly situated, and to utilize to the greatest extent feasible the land use and zoning regulations and processes already utilized in the County.
- F. To implement subsection A. in a manner:
1. That facilitates the approval of a permit by the Iowa Utilities Board, in whole or in part upon terms, conditions, and restrictions, as to location and route that are "just and proper",
  2. That creates a process that allows a Hazardous Liquid Pipeline operator to work with local county officials to obtain all local permits or approvals prior to the construction of the pipeline.

## SECTION 2. DEFINITIONS

For purposes of this Article, unless the context otherwise requires:

- A. Affected Person: The same as defined in Iowa Administrative Code [199] 13.1(3) and, unless otherwise defined in that rule, means any person with a legal right or interest in the property, including but not limited to a landowner, a contract purchaser of record, a Person possessing the property under a lease, a record lienholder, and a record encumbrancer of the property.
- B. Applicant: A Pipeline Company or a Property Owner who applies for a Conditional Use Permit for a Hazardous Liquid Pipeline pursuant to this Section.
- C. Application: The documents and information an Applicant submits to the County for purposes of obtaining a Conditional Use Permit as well as the related process and procedures for considering the application pursuant to this Section.
- D. Blast Zone: The geographic area in the County that would be subject to a shock wave from rupture of a Hazardous Liquid Pipeline, including of a Carbon Dioxide Pipeline, that could harm or kill persons or animals due solely to physical trauma, for example from flying debris or the physical impact of a pressure wave resulting from a rupture.
- E. Board of Adjustment: The Jones County Board of Adjustment established pursuant to Iowa Code chapter 335 and ARTICLE XXIV of this Jones County Zoning Ordinance.
- F. Carbon Dioxide Pipeline: A Hazardous Liquid Pipeline intended to transport liquified carbon dioxide and includes a Pipeline of 4 inches or more in diameter to transport liquid or supercritical fluid comprised of 50 percent or more of carbon dioxide (CO<sub>2</sub>).
- G. Conditional Use Permit: A special exception, conditional use, use exception, or use limitation authorized and approved by the Board of Adjustment in the manner and according to the standards provided in ARTICLE XXV of this Zoning Ordinance.
- H. Confidential Information: Information or records allowed to be treated confidentially and withheld from public examination or disclosure pursuant to Iowa Code chapter 22 or other applicable law.
- I. Conservation Area: A County park, natural resource area, wildlife area, or similar areas established or designated for such purposes by the County prior to the effective date of this Section.
- J. County: or the County: Jones County, Iowa.
- K. Emergency: The same as defined in Iowa Administrative Code [199]



9.1(2) and, unless otherwise defined in that rule, means a condition involving clear and immediate danger to life, health, or essential services, or a risk of potentially significant loss of property.

- L. Facility: Is any structure incidental or related to the Hazardous Liquid Pipeline and any space, resource, or equipment necessary for the transport, conveyance, or pumping of a Hazardous Liquid through a Hazardous Liquid Pipeline located in the County, including all related substations and emergency shut off valves.
- M. Fatality Zone: The geographic area in the County in which residents of the County would face a significant risk of loss of life due to a rupture of a Hazardous Liquid Pipeline, taking into consideration, in the case of a Carbon Dioxide Pipeline, the dispersion of CO<sub>2</sub> from a rupture, taking into consideration CO<sub>2</sub> concentration and duration of exposure.
- N. Hazard Zone: In the case of a Carbon Dioxide Pipeline, the geographic area in the County in which residents of the County would likely become intoxicated or otherwise suffer significant adverse health impacts due to a rupture of a Carbon Dioxide Pipeline, taking into consideration the dispersion of CO<sub>2</sub> from a rupture, and taking into consideration CO<sub>2</sub> concentration and the duration of the exposure.
- O. Hazardous Liquid: The same as defined in Iowa Code § 479B.2 and, unless otherwise defined there, means crude oil, refined petroleum products, liquified petroleum gases, anhydrous ammonia, liquid fertilizers, liquified carbon dioxide, alcohols, and coal slurries.
- P. Hazardous Liquid Pipeline: A Pipeline intended to transport Hazardous Liquids, and also includes Class 3, Class 6, Class 8, or Class 9 hazardous materials, as defined by 49 C.F.R. § 173.120. et seq., with any portion proposed to be located within the County.
- Q. In-service date: Is the date any Hazardous Liquid is first transported through any portion of a Pipeline located in the County.
- R. Independent Agreement: Alternative provisions regarding land restoration or Line Location contained in agreements independently executed by a Pipeline Company and a Landowner or a Property Owner as described in Iowa Code § 479B.20(10).
- S. IUB: The Iowa Utilities Board created within the Iowa Department of Commerce pursuant to Iowa Code chapter 474.
- T. Landowner: The same as defined in Iowa Code §§ 479B.4(4) and 479B.30(7), and, unless otherwise defined there, means a Person listed on the tax assessment rolls as responsible for the payment of real estate taxes imposed on the property and includes a farm tenant.
- U. Line Location: The location or proposed location or route of a Pipeline on a Landowner's property.

- V. Occupied Structure: A Building or Structure that has been inhabited or used for residential, commercial, industrial, or agricultural purposes at any time during the twelve (12) months preceding an application for a Conditional Use Permit pursuant to this Article.
- W. PHMSA: Pipeline and Hazardous Materials Safety Administration of the United States Department of Transportation.
- X. Person: The same as defined in Iowa Administrative Code [199] 13.1(3) and, unless otherwise defined in that rule, means an individual, a corporation, a limited liability company, a government or governmental subdivision or agency, a business trust, an estate, a trust, a partnership or association, or any other legal entity as defined in Iowa Code § 4.1(20).
- Y. Pipeline: The same as defined in Iowa Code § 479B.2 and, unless otherwise defined there, means an interstate pipe or pipeline and necessary appurtenances used for the transportation or transmission of hazardous liquids.
- Z. Pipeline Company: The same as defined in Iowa Code § 479B.2 and, unless otherwise defined in that rule, means any Person engaged in or organized for the purpose of owning, operating, or controlling Pipelines for the transportation or transmission of any Hazardous Liquid or underground storage facilities for the underground storage of any Hazardous Liquid.
- AA. Pipeline Construction: The same as defined in Iowa Administrative Code [199] 9.1(2) and, unless otherwise defined in that rule, means activity associated with installation, relocation, replacement, removal, or operation or maintenance of a pipeline that disturbs agricultural land, but shall not include work performed during an emergency, tree clearing, or topsoil surveying completed on land under easement with written approval from the landowner.
- BB. Property Owner: The owner or owners, together with his, her, its or their heirs, successors and/or assigns, of the land or property over, under, on, or through which, a Pipeline, or any part of it, including any related facilities, may be located and which is subject to the regulations and restrictions of this Zoning Ordinance. Property Owner includes a Landowner and also includes a Person with whom a Pipeline Company negotiates or offers to execute an Independent Agreement with respect to a Pipeline.
- CC. Reclamation: The restoration and repair of damaged real property, personal property, land or other areas, through which a Pipeline is constructed or from where it is removed as close as reasonably practicable to the condition, contour, and vegetation that existed prior to the construction or prior to the removal or the Pipeline, as applicable.

- DD. Reclamation Cost: The cost of Reclamation and includes the cost to restore or repair roads, bridges, or county property as well as the cost to restore or repair all real and personal property of Property Owners and Affected Persons.
- EE. Sensitive Area: Any area designated for inclusion in Jones County's Flood Plain Management Ordinance, Chapter 1 of Title VI - Property & Land Use.
- FF. Zoning Ordinance or the Zoning Ordinance: The collection of land use and zoning regulations known as the Jones County, Iowa, Zoning Ordinance, Chapter 3 of Title VI - Property & Land Use as provided and made effective in the Jones County, Iowa, Code of Ordinances.

SECTION 3. CONDITIONAL USE CLASS CREATED AND USE LIMITATIONS IMPOSED ON HAZARDOUS LIQUID PIPELINES

- A. All land in the County must be used in accordance with the Jones County Zoning Ordinance. Pursuant to Iowa Code chapter 335, the County may establish a use or class of uses that have conditions or use limitations, and the Board of Adjustment may authorize a use exception or permit various uses upon conditions or other use limitations as may be initiated, considered, and approved pursuant to ARTICLE XXV of this Zoning Ordinance. Such conditions or use limitations are established in order to protect the health, safety, and welfare of the public and to preserve property values.
- B. The County hereby establishes a class of use for Hazardous Liquid Pipelines, and no land or property interest in this County, regardless of the zone or area, shall be used for purposes of a Hazardous Liquid Pipeline except in conformity with this Article.

SECTION 4. CONDITIONAL USE PERMITS REQUIRED

- A. A Pipeline Company that has filed a verified petition with the IUB asking for a permit to construct, maintain, and operate a new Pipeline along, over, or across land in this County shall submit an Application to the County Zoning Administrator for a Conditional Use Permit. The Pipeline Company shall submit the application for a Conditional Use Permit within seven (7) days of filing the petition with the IUB, unless the petition was filed with the IUB prior to the effective date of this Article in which case the Pipeline Company shall submit an application for a Conditional Use Permit under this Article within seven (7) days of the effective date of this Article. The Zoning Administrator may extend the time for filing the Application for good cause shown. However, any extension of more than 30 days must be approved by the Board of Adjustment.
- B. A Property Owner that intends to negotiate, convey, or sell an

easement to a Pipeline Company by means of an Independent Agreement shall submit an application to the County Zoning Administrator for a Conditional Use Permit before executing the Independent Agreement with the Pipeline Company. If a Property Owner executes an Independent Agreement with a Pipeline Company after the effective date of this Article without obtaining a Conditional Use Permit, the County may exercise all lawful remedies, including the remedies provided elsewhere in this Zoning Ordinance.

- C. Upon receiving an Application for a Conditional Use Permit from a Pipeline Company or from a Property Owner, the County Zoning Administrator and the Board of Adjustment shall consider the Application according to the process and standards set forth in this Article.

#### SECTION 5: SEPARATION REQUIREMENTS

The use of land for purposes of transporting Hazardous Liquids through Pipelines poses a threat to the public health and welfare, to the productivity of agricultural lands, and to the property values of residential, commercial, and industrial Property Owners in the County. The separation requirements of this Article are designed to further the goals and objectives of the County's comprehensive zoning plan, including to protect public health and welfare, to preserve existing infrastructure and future development, and to maintain property values.

A Hazardous Liquid Pipeline shall not be constructed, used, sited, or located, in violation of the separation requirements listed below. In addition, the terms of an Independent Agreement regarding a Line Location shall conform to the separation requirements listed below. All distances shall be measured from centerline of the proposed Hazardous Liquid Pipeline to the portion of the existing use nearest the centerline of the proposed Hazardous Liquid Pipeline.

The minimum separation distances for a Hazardous Liquid Pipeline are:

- A. From the city limits of an incorporated city, not less than 2 miles.
- B. From a church, school, nursing home, long-term care facility, or hospital, not less than 2460 feet.
- C. From a public park, Conservation Area, Sensitive Area, or public recreation area, not less than 2460 feet.
- D. From any Occupied Structure, not less than 1000 feet.
- E. From any animal feeding operation or facility, not less than 1000 feet.
- F. From an electric power generating facility with a nameplate capacity of 5 MW or more, an electric transmission substation, a public drinking water treatment plant, or a public wastewater treatment

plant, not less than 1000 feet.

- G. From any public water system or any nonpublic water supply well subject to the rules of the Iowa Department of Natural Resources pursuant to 567 IAC chapter 43 or 567 IAC chapter 49, not less than 200 feet. Private water supply wells, not less than 200 feet.

SECTION 6: PERMIT APPLICATION REQUIREMENTS FOR PIPELINE COMPANIES

A Pipeline Company applying for a Conditional Use Permit for a Hazardous Liquid Pipeline pursuant to this Article shall submit the following documents and information to the County Zoning Administrator.

- A. The information required for a Conditional Use Permit as described in this Article of the Zoning Ordinance, including all required forms prescribed by the County Zoning Administrator.
- B. A complete copy of the application for a permit filed with the IUB pursuant to Iowa Code chapter 479B. This requirement is an ongoing requirement, and as the application for the IUB permit is amended or changed, the Pipeline Company shall provide updated information and documents to the County.
- C. A map identifying each proposed crossing of a County road or other County property and a map identifying each crossing of Conservation Areas or Sensitive Areas.
- D. A map and a list containing the names and addresses of all Affected Persons in the County. The map and list shall include all Property Owners who have executed an Independent Agreement or who have been or will be contacted about the execution of an Independent Agreement.
- E. A set of plans and specifications showing the dimensions and locations of the Pipeline, including plans and specifications for all related facilities and above-ground structures, such as pumps, lift-stations, or substations.
- F. A copy of the standard or template Independent Agreement the Pipeline Company proposes to execute with property Owners in the County. The standard or template for the Independent Agreement shall include terms and conditions that comply with the Abandonment, Discontinuance, and Removal requirements of this Article.
- G. The emergency response and hazard mitigation information, as required pursuant to Subsection L of this Article.
- H. All applicable fees required pursuant to this Article.

- I. A statement identifying any Confidential Information in the Application and a request, if any, to withhold such information from public examination or disclosure as provided in, and to the extent permitted by, Iowa Code chapter 22. A failure to identify Confidential Information in the Application may result in the County treating such information as public record.

SECTION 7: PERMIT APPLICATION REQUIREMENTS FOR PROPERTY OWNERS

A Property Owner applying for a Conditional Use Permit for a Hazardous Liquid Pipeline pursuant to this Article shall submit the following documents and information to the County Zoning Administrator:

- A. The information required for a Conditional Use Permit as described in Article XXV of this Zoning Ordinance, including all required forms prescribed by the County Zoning Administrator.
- B. A copy of the Independent Agreement the Property Owner proposes to execute with the Pipeline Company, including a map and a legal description of the proposed Line Location and a statement of verification of compliance with the separation requirements of this Article.
- C. All applicable fees required pursuant to this Article.

SECTION 8: FEES

The following fees and charges apply to a Conditional Use Permit for a Hazardous Liquid Pipeline pursuant to this Article:

- A. A Pipeline Company seeking a Conditional Use Permit shall pay the following fees and assessments:
  1. An application fee in the amount of \$100 for each Affected Person identified in the Application.
  2. An annual fee in the amount of \$116.92 per mile of Pipeline proposed to be constructed, operated, and maintained in the County, or an amount equal to the most current user fee assessed to the operators of Hazardous Liquid Pipelines by PHMSA, whichever is greater. This fee shall be due each year on the anniversary of the Pipeline's In-Service Date, and the County shall apply this fee towards its emergency planning and hazard mitigation costs, including expenses for law enforcement and emergency response personnel.
  3. All other applicable user or permit fees required for crossing County roads or using the public right-of-way in the County.

## SECTION 9: PUBLIC HEARING REQUIREMENTS AND PERMIT APPROVAL

- A. Upon receipt of an application for a Conditional Use Permit by a Pipeline Company, the County Zoning Administrator shall verify that the Pipeline Company permit application requirements of this Article are met and shall make a report to the Board of Adjustment recommending approval, denial, or modification of the Application. Upon the verification and report of the County Zoning Administrator, the Board of Adjustment shall set the date of one or more public hearings in the County on the question of granting a Conditional Use Permit to the Pipeline Company. Once the public hearing dates have been set, the Board of Adjustment shall publish a notice in the local newspaper(s) pursuant to Iowa Code § 331.305, and the Pipeline Company shall send notice of each scheduled public hearing to each Affected Person identified in the Application by United States Mail. Copies of the proof mailing to each Affected Person shall be provided to the County Zoning Administrator not later than five days prior to the scheduled public hearing.
- B. A public hearing shall not be required in the case of Property Owner applying for a Conditional Use Permit. Upon receipt of an application for a Conditional Use Permit from a Property Owner, the County Zoning Administrator shall make a report to the Board of Adjustment recommending approval, denial, or modification of the Application. Upon the verification and report of the County Zoning Administrator, the Board of Adjustment shall consider the application at a regular meeting of the Board of Adjustment.
- C. Once the application, public hearing, and other requirements of this Article are met, the Board of Adjustment shall consider each application for a Conditional Use Permit according to the standards set forth in Articles XXIV and XXV of this Zoning Ordinance regarding the powers of the Board of Adjustment and the standards and findings required for use exceptions. The Board of Adjustment shall issue a permit if the Board of Adjustment finds all applicable standards are met. The burden of establishing that all applicable standards are met shall be on the Applicant for the Conditional Use Permit.
- D. A Conditional Use Permit granted to a Pipeline Company pursuant to this Article is not transferrable to any Person or Entity. A Pipeline Company, or its successors in interest, shall apply for a new Conditional Use Permit whenever the Hazardous Pipeline is transferred or its use is materially or substantially changed or altered, including any changes or alteration in the route of the Pipeline.

## SECTION 10: APPEALS AND VARIANCES

A Pipeline Company or Property Owner may appeal an adverse determination on a Conditional Use Permit or may seek special exception or variance from the Board of Adjustment, as provided in Articles XXIV and XXV of this Zoning

Ordinance.

SECTION 11: APPLICABILITY AND COMPLIANCE

- A. The permit requirement in Section 6. and the separation requirements of Section 5. of this Article shall not apply to:
1. A Hazardous Liquid Pipeline that is already permitted, constructed, and placed in-service on or before the effective date of this Article; however, a Pipeline Company shall comply with the abandonment, reclamation, and decommissioning requirements for a Pipeline that is decommissioned on or after the effective date of this Article.
  2. A Pipeline owned and operated by a Public Utility that is furnishing service to or supplying customers in the County; or
  3. A Property Owner that has already executed an Independent Agreement with a Pipeline Company prior to the effective date of this Article.
- B. If an Owner has executed an Independent Agreement prior to the effective date of this Article and the Independent Agreement does not meet the separation requirements of this Article, then notwithstanding the Independent Agreement, the Pipeline Company shall comply with the separation requirements of this Article.
- C. If a Property Owner has executed an Independent Agreement prior to the effective date of this Article and the Independent Agreement provides for separation requirements that are greater than the separation requirements in this Article, then the Pipeline Company shall comply with the terms of the Independent Agreement with the Property Owner.

SECTION 12: EMERGENCY RESPONSE AND HAZARD MITIGATION PLANS FOR HAZARDOUS LIQUID PIPELINES

This section is intended to implement local zoning regulations in a manner designed to facilitate the comprehensive plan's goals and objectives for assessing ongoing mitigation, evaluating mitigation alternatives, and ensuring there is a strategy for implementation. This goal is consistent with the County's legal obligation under Iowa Code chapter 29C to engage in emergency response and hazard mitigation planning and with the need to protect the health and welfare of both residents and emergency response personnel. For these reasons, the County requires Hazardous Liquid Pipelines to provide information to assist the County in its emergency response and hazard mitigation planning as required by Iowa Code Chapter 29C. The requirement to provide emergency response and hazard mitigation information pursuant to this section is not intended to constitute a safety standard and is not intended to conflict with



any PHMSA safety standards applicable to a Pipeline Company which regulate the design, installation, inspection, emergency plans and procedures, testing, construction, extension, operation, replacement, and maintenance of pipeline facilities.

A. If an Applicant for a permit pursuant to this Article is a Pipeline Company and if the proposed pipeline is a Carbon Dioxide Pipeline, then the Applicant shall provide the following information to the County for purposes of assisting the County with its emergency response and hazard mitigation planning efforts:

1. A map and legal description of the proposed route for a Carbon Dioxide Pipeline showing all human occupied structures and animal husbandry facilities, by type, within two miles of the centerline of the proposed route including addresses.
2. A description of the health risks resulting from exposure of humans and animals to carbon dioxide released from a pipeline, considering the concentrations of carbon dioxide in the air near to a rupture, the duration in the time of exposure, and the presence of other harmful substances released from a rupture. The description shall identify the exposure level and duration of time that may cause a fatality of persons or animals, and the exposure level and duration that may cause intoxication or other significant adverse health effects.
3. An estimate of the worst-case discharge of carbon dioxide released in metric tons and standard cubic feet from a rupture of a pipeline considering the interior volume of the pipeline, the location of emergency valves that limit release of carbon dioxide, the location of crack arrestors, operating pressure, operating temperatures, and other relevant factors.
4. A rupture dispersion modeling report containing the results of computational fluid dynamic computer model estimates of the maximum geographic ranges of the Fatality Zone and Hazard Zone for the Carbon Dioxide Pipeline in the event of its rupture in a range of weather conditions and representative topography in the County, as well as in low elevation areas of the County where released carbon dioxide may settle.
5. A computer model report showing the Blast Zone for the Carbon Dioxide Pipeline in its proposed location.
6. A list of structures and facilities within the Hazard Zone, Fatality Zone, and Blast Zone for the proposed route of a Carbon Dioxide Pipeline that in the preceding year have contained humans or livestock, and an estimate of the number of persons and livestock in each structure and facility.

7. A list of High Consequence Areas. A High Consequence Area is any area within the Hazard Zone, the Fatality Zone, or the Blast Zone where a single rupture would have the potential to adversely affect 10 or more persons or a facility with livestock.
8. A description of the potential adverse impacts of a rupture of a Carbon Dioxide Pipeline on the humans, livestock, and other real and personal property within the Hazard Zone, the Fatality Zone, and the Blast Zone for the route of the Carbon Dioxide Pipeline.
9. Identification of alternative routes through the County designed to minimize risks to humans and animals from a rupture of the Carbon Dioxide Pipeline within the County, and an analysis of the risks of these alternative routes relative to the proposed route.
10. All information needed by County first responders, emergency response personnel, and law enforcement personnel in order to engage in local emergency management and hazard mitigation planning, equipment, and training needs. Such information includes but is not limited to:
  - a. A Material Safety Data Sheet/Safety Data Sheet for the materials transported in the Carbon Dioxide Pipeline;
  - b. Agency specific response plans for law enforcement, emergency medical responders, and other response agencies;
  - c. Carbon dioxide detectors and evacuation plans for each Affected Person and human occupied structure;
  - d. Response equipment needs for emergency response personnel, such as carbon dioxide and other chemical detectors, closed circuit self-contained breathing apparatus, personal protective equipment; communications equipment; road barriers and traffic warning signs; and non-internal combustion engine evacuation vehicles;
  - e. A Carbon Dioxide Pipeline rupture emergency response training program to ensure safe and effective response by County and municipal law enforcement, emergency medical services, and other responders during the operational life of the Carbon Dioxide Pipeline.
  - f. A map and list showing the location of all Pipeline

facilities located in the County, including emergency valves.

11. Identification of residential and business emergency response needs, including but not limited to:

- a. A Mass Notification and Emergency Response Messaging System;
- b. Evacuation plans;
- c. Evaluation equipment needs especially for mobility impaired individuals;
- d. Carbon dioxide detectors, and self-contained breathing apparatus.

B. If an Applicant for a permit pursuant to this Article is a Pipeline Company and if the proposed pipeline is a type other than a Carbon Dioxide Pipeline, then the Applicant shall provide (1) a draft emergency response plan or facility response plan for the proposed pipeline; and (2) a detailed description of how the Pipeline Company will work with the County's law enforcement, emergency management personnel, and first responders in the event of a spill, lead, rupture, or other emergency or disaster related to pipeline.

C. The Board of Adjustment may include a condition in a Conditional Use Permit granted pursuant to this Article that requires an applicant to reimburse the County for all costs and expenses incurred for purposes of emergency response or hazard mitigation planning, equipment acquisition or repair, training, and communications if such costs and expenses are reasonably related to the Pipeline.

SECTION 13: ABANDONMENT, DISCONTINUANCE, AND REMOVAL OF HAZARDOUS LIQUID PIPELINES

In addition to the requirements set by Iowa Code § 479B.32, a Hazardous Liquids Pipeline in the County that is abandoned shall comply with the requirements of this section. A Hazardous Liquid Pipeline shall be deemed abandoned for purposes of this section whenever the use of the Hazardous Liquid Pipeline has been discontinued such that there is no longer regulatory oversight of the Pipeline by PHMSA.

For purposes of the land restoration standards of Iowa Code § 479B.20, the term "construction" includes the removal of a previously constructed pipeline, and the County will treat the removal of a pipeline in the same manner as the Pipeline's original construction for purposes of the County's obligations under Iowa Code chapter 479B.

A. A Pipeline Company granted a Conditional Use Permit pursuant to this Article shall by certified mail notify the County and all Affected Person in the County of the Pipeline Company's intent to discontinue

the use of the Pipeline. The notification shall state the proposed date of the discontinuance of use.

- B. Upon abandonment or discontinuance of use, the Pipeline Owner shall offer to each Property Owner the option to have the Pipeline and all related facilities physically dismantled and removed, including both the below and above ground facilities. The removal of the Pipeline and the related Reclamation and Reclamation Costs shall be the Pipeline Company's responsibility and shall be completed within one-hundred eighty (180) days from the date of abandonment or discontinuation of use unless a Property Owner agrees to extend the date of removal. Such an extension must be by written agreement between the Pipeline Company and the Property Owner, and the agreement shall be filed at the Jones County Recorder's office and a copy delivered to the County by the Pipeline Owner.
- C. A Property Owner shall not be required to have the Pipeline removed, but if the Property Owner agrees to the removal and Reclamation, the Property Owner shall allow the Pipeline Company reasonable access to the property.
- D. Upon removal of the Pipeline and the Reclamation, the Pipeline Owner shall restore the land according to the requirements of Iowa Code § 479B.20 and the rules adopted thereunder at Iowa Administrative Code [199]-9.1(479,479B). including all amendments thereto.

*SECTION 4. REPEALER. All Ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.*

*SECTION 5. SEVERABILITY CLAUSE. If any section provision or part of this ordinance shall be adjudged invalid or unconstitutional such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.*

*SECTION 6. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval, and publication as provided by law.*

The Engineer met with the Board for the approval of temporary seasonal help and to give an update on contract rock and increased sign vandalism.

Moved by Zirkelbach seconded by Oswald to hire Lauren Bader as seasonal office technician effective May 13, 2024 at \$17.00 per hour and Calvin Prull as seasonal laborer effective May 13, 2024 at \$16.00 per hour. All aye. Motion carried.

The Board gave brief reports on past and future committee meetings.

Moved by Swisher seconded by Oswald to adjourn the meeting at 9:53 a.m. All aye. Motion carried.

Attest: Whitney Hein, Auditor

John Schlarmann, Vice-Chairman

April 30, 2024, 9:00 a.m.

The Jones County Board of Supervisors met in regular session. Present Chairman Rohwedder, Supervisors Schlarmann, Oswald, Swisher, and Zirkelbach.

Moved by Zirkelbach seconded by Schlarmann to approve the minutes of the April 23, 2024 meeting. All aye. Motion carried.

Moved by Swisher seconded by Oswald to approve payroll for the period ending April 21, 2024. All aye. Motion carried.

Moved by Oswald seconded by Swisher to open bids at 9:01 a.m. for annual audit services. All aye. Motion carried.

One bid was received and was from the Auditor of State. Below are the bids for the next three fiscal years.

-FY24 amount not to exceed \$68,950.

-FY25 amount not to exceed \$72,335.

-FY26 amount not to exceed \$75,950.

Joel McAnulty, 6<sup>th</sup> District Department of Corrections Director, and Damian Teymer, Probation Officer met with the Board to give an update on probation activities in Jones County.

Sherri Hunt, Cedar/Jones Early Childhood Iowa, met with the Board for approval of the FY25 Employer of Record Agreement.

Moved by Zirkelbach seconded by Oswald to approve employer of record agreement for Cedar/Jones Early Childhood Iowa for FY25. All aye. Motion carried. [2024-068]

Mary Melchert and Keith Stamp, Jones County Migrant Inclusion Group, met with the Board to present information on their new program in Jones County geared toward helping migrants have access to health care, jobs, housing, and education on the English language.

The Engineer met with the Board for the approval of a contract for a grading project on 215<sup>th</sup> Avenue, and to give an update on contract rock, dust control, and a worker's comp injury.

Moved by Swisher seconded by Zirkelbach to approve a contract for a grading project on 215<sup>th</sup> Avenue, project number LFM-C-932—7X-53, with Steger Construction, Inc., in the amount of \$872,695.22. All aye. Motion carried. [2024-069]

Supervisor Oswald left the meeting at 10:06 a.m.

The Auditor met with the Board for approval of items listed in the motions below.

Moved by Swisher seconded by Zirkelbach to hire Anthony Gerbino as the head cook for Senior Dining with a starting wage of \$16.25 per hour effective April 24, 2024. All aye. Motion carried.

Moved by Schlarmann seconded by Swisher to approve, and place on file, the Sheriff's Report of Fees collected for the quarter ending March 31, 2024. All aye. Motion carried. [2024-070]

Moved by Zirkelbach seconded by Swisher to acknowledge receipt of a manure management plan from M & M Norman, LLC, facility #68995, for a facility located in Section 33 of Oxford Township, with the County Auditor to retain the document in a temporary file for public access for one year. All aye. Motion carried.

Moved by Schlarmann seconded by Zirkelbach to set a bid opening date of May 21, 2024, at 9:00 a.m. for the Courthouse first floor bathroom remodel project. All aye. Motion carried.

Moved by Swisher seconded by Schlarmann to set a public hearing date of May 28, 2024 at 9:00 a.m. to receive public comment on the Courthouse first floor bathroom remodel project. All aye. Motion carried.

Moved by Schlarmann seconded by Swisher to set a public hearing to amend the current county budget at 9:15 a.m. on May 21, 2024; said amendment increases total operating transfers in by \$6,345 and increases total expenditures and other uses by \$47,958 (accounting for an increase of \$6,345 of operating transfers out) with the Auditor directed to publish the amendment notice in the two official county newspapers. All aye. Motion carried.

During the comment period, Swisher stated that he has been getting requests to move the Courthouse drop box to a location where citizens can drop their documents into it without having to get out of the vehicle.

Moved by Swisher seconded by Schlarmann to adjourn the meeting at 10:32 a.m. All aye. Motion carried.

Attest: Whitney Hein, Auditor

Ned Rohwedder, Chairman

May 7, 2024, 9:00 a.m.

The Jones County Board of Supervisors met in regular session. Present Supervisors Rohwedder, Schlarmann, Oswald, Swisher, and Zirkelbach.

Moved by Schlarmann seconded by Oswald to approve the minutes of the April 30, 2024 meetings. All aye. Motion carried.

Moved by Swisher seconded by Zirkelbach to approve claims #2405-0001 through #2405-0124. All aye. Motion carried.

Sherri Hunt, Cedar/Jones Early Childhood Iowa, met with the Board for approval of a proclamation for Childcare Provider Appreciation Day on May 10, 2024.

Moved by Swisher seconded by Zirkelbach to approve the following proclamation, as requested by Cedar/Jones Early Childhood Iowa. All aye. Motion carried.

#### Child Care Provider Appreciation Day

WHEREAS, the Jones County Board of Supervisors along with other organizations throughout our community are recognizing May 10th, 2024 as Child Care Provider Appreciation Day; and WHEREAS, Child Care Providers play an important role in supporting and educating young children in a warm and loving environment preparing children for school and lifelong success; and WHEREAS, in Jones County 85% of families with children under of the age of 6 have all parents working outside of the home and these children spend an extended period of time in childcare arrangements on a weekly basis, during the most critical time of their lives in which 90% of their brain is developed;

WHEREAS, Jones County recognizes child care providers, which are mostly small businesses, as essential workers for our economy that allow our families access to the care needed so they can work; and

WHEREAS, our future depends on the quality of the early childhood experiences provided to young children today and support for high-quality childcare represents a worthy commitment to our children's future.

THEREFORE, we, the Jones County Board of Supervisors, hereby proclaim May 10th, 2024, as Child Care Provider Appreciation Day and urge all citizens to recognize Child Care Providers for

their important work and dedication in supporting our youngest resource and the efforts of those providers who work tirelessly to uplift Jones County families. [2024-071]

The Recorder met with the Board for the hire of a clerk.

Moved by Schlarmann seconded by Swisher to hire Stephanie Herrig as an on-call clerk for the Recorder with a starting wage of \$17.50 per hour effective May 15, 2024. All aye. Motion carried.

The Auditor met with the Board for the various items as noted in the motions below and to discuss becoming a member county of Central Iowa Juvenile Detention and to give an update on the Courthouse First Floor Bathroom remodel project timeline.

Moved by Oswald seconded by Schlarmann to approve the revised Right-To-Use Lease Asset Policy that adds a useful life of 2 to 20 years for lease assets and a useful life of 5 to 20 years for subscription assets. All aye. Motion carried. [2024-072]

Moved by Zirkelbach seconded by Swisher to approve an agreement between the County and Auditor of State for annual audit services for the following fiscal years

- FY24 amount to not exceed \$68,950
- FY25 amount to not exceed \$72,335
- FY26 amount to not exceed \$75,950

All aye. Motion carried. [2024-073]

Moved by Swisher seconded by Schlarmann to approve a gathering permit for Midwest Hillclimbers Association for a semi-pro motorcycle hill climb and swap meet event to be held June 2, 2024 (rain date June 23, 2024) and September 9, 2024 (rain date September 22, 2024) at 10277 Shaw Rd., Anamosa. All aye. Motion carried. [2024-074]

Moved by Oswald seconded by Zirkelbach to approve, and place on file, the Clerk's Report of Fees Collected for the month ending April 30, 2024. All aye. Motion carried. [2024-075]

The IT Director met with the Board to discuss quotes for a surveillance camera system upgrade as the current software is going end of life.

Moved by Zirkelbach seconded by Swisher to approve a quote of \$65,329.29 for a server, surveillance camera software, five cameras and camera licenses including installation from Radio Communications and to use ARPA funds for the purchase. All aye motion carried. [2024-076]

The EMA Director, Sheriff, and Auditor met with the Board to discuss a potential future Public Safety Storage Building. The Sheriff explained that this type of building would serve and support the all-emergency services in the county and that he has already been seeing support for such building. The EMA Director, Sheriff, and Auditor have been meeting to discuss what should be included in the building and talking with other counties who have done similar projects. This building would help alleviate storage limitations at the Courthouse and current two stall Sheriff garage. This would be a project that could be funded by the remaining ARPA funds.

Moved by Zirkelbach seconded by Swisher to approve an RFP for Architect/Engineering Services for the proposed Public Safety Storage building and to set a bid opening date of June 4, 2024 at 9:00 a.m. All aye. Motion carried. [2024-077]

The Land Use Administrator met with the Board to discuss violations of the Jones County Nuisance Ordinance and to discuss the procedures for re-occurring nuisance violations.

Moved by Oswald seconded by Swisher to issue a formal notice of violation of the Jones County Nuisance Ordinance to Shawna Bechthold for a property located at 12595 Davenport St.,

Center Junction and providing thirty days to abate the nuisance or to request a hearing before the Board of Supervisors. All aye. Motion carried.

Moved by Swisher seconded by Oswald to set a public hearing on May 28, 2024 at 9:30 a.m. to discuss a violation of the Jones County Nuisance Ordinance on property owned by Michael R. Alexander and Alexa A. Tullar and located at 8478 Slide Rock Rd., Anamosa. All aye. Motion carried.

Moved by Oswald seconded by Schlarmann to set a public hearing on June 4, 2024 at 9:30 a.m. to discuss a violation of the Jones County Nuisance Ordinance on property owned by Faron Fritz and located at 24052 Ridge Rd., Anamosa. All aye. Motion carried.

Harold Weber, citizen, and his daughter, Linda, met with the Board to discuss dedicating a portion of County Road X40 from Mechanicsville to Hwy 151 in memory of Dennis Lee Weber who lost his life in the Vietnam War. The family of Dennis Lee Weber offered to be responsible for the cost of the signage. Currently, the County does not have a policy on road dedications.

The Engineer and Road Superintendent met with the Board to give an update on current road projects including contract rock and ditching projects and a state road project on Hwy 136. The Engineer, Board, and County Attorney also discussed an article in the Anamosa Journal-Eureka outlining action that the Anamosa City Council has taken on getting an inspection of the Dillon Military Bridge. Per the 28E Agreement the County has with the City, the County will not be responsible for a portion of the cost unless it was authorized in writing to the City. The County Attorney will work with the Auditor to draft a letter to send to the City inquiring on the project.

Moved by Schlarmann seconded by Swisher to go in to closed session at 11:23 a.m. per Iowa Code section 21.5 (1)g. to avoid disclosure of specific law enforcement matters, such as current or proposed investigations or inspection or auditing techniques or schedules, which if disclosed would enable law violators to avoid detection. On roll call vote: Schlarmann aye, Zirkelbach aye, Swisher aye, Oswald aye, Rohwedder aye. Motion carried.

Moved by Swisher seconded by Zirkelbach to exit closed session at 11:45 a.m. On roll call vote: Schlarmann aye, Zirkelbach aye, Swisher aye, Oswald aye, Rohwedder aye. Motion carried.

Moved by Swisher seconded by Schlarmann to adjourn the meeting at 11:45 a.m. All aye. Motion carried.

Attest: Whitney Hein, Auditor

Ned Rohwedder, Chairman



