

September 10, 2019 9:00 a.m.

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

Moved by Oswald seconded by Zirkelbach to approve the minutes of the September 3, 2019 meeting. All aye. Motion carried.

Moved by Manternach seconded by Oswald to approve the payroll for the period ending September 1, 2019, as certified by the department heads. All aye. Motion carried.

Moved by Manternach seconded by Zirkelbach to approve, and place on file, the Clerk's Report of Fees Collected for the month ending August 31, 2019. All aye. Motion carried. [2019-103]

Supervisor Manternach provided an update on a meeting with the Wyoming City Council in regard to the city's interest in acquiring county-owned property at 311 W. Main St., Wyoming.

Moved by Oswald seconded by Zirkelbach to approve and authorize the Chairman to sign a construction agreement with Affordable Concrete Construction, Inc. in the amount of \$40,500.00 to re-set the steps on the east and south entrances to the courthouse, including associated work as per the bid specifications, and to issue a Notice to Proceed for the project upon receipt of a performance bond. All aye. Motion carried. [2019-104]

The Board members provided updates on recent and upcoming committee meetings.

Moved by Zirkelbach seconded by Oswald to open a public hearing at 9:15 a.m. to review violations of the Jones County Nuisance Ordinance on property located at 12653 Davenport St., Center Junction, and owned by Randy Williams (deceased). On roll call vote: Oswald aye, Zirkelbach aye, Manternach aye, Rohwedder aye. Motion carried.

The Land Use Administrator provided details regarding the ordinance violation, and noted that the spouse of the deceased property owner of record, and her attorney, were notified by telephone and by certified mail (receipt documented), and that notice of the public hearing was published in the two official county newspapers the week of August 26, 2019. The County Attorney and Land Use Administrator reported on previous communications with the spouse of the deceased property owner of record, and her attorney. The Land Use Administrator noted only minimal efforts were made by the parties involved to abate the nuisance.

Three citizens from Center Junction were present at the meeting to offer comments regarding the nuisance. Options for abatement of the nuisance were discussed.

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

Moved by Manternach seconded by Oswald to allow the spouse of the deceased owner (Randy Williams) of the property located at 12653 Davenport St., Center Junction in Section 4 of Madison Township, fourteen days to abate the nuisance or the County will proceed with filing a civil citation pursuant to Section 8, of Article II, of the Jones County Nuisance Ordinance, as per the recommendation of the County Attorney, and to authorize the Land Use Administrator to notify the spouse of the deceased property owner of the Board's decision. All aye. Motion carried.

The Land Use Administrator provided updates on violations of the Nuisance Ordinance at 24453 Highway 151, Cascade, and 24052 Ridge Rd., Anamosa, following the September 1, 2019 deadline for extensions granted by the Board to abate the nuisances, and provided an update from the September 9, 2019 Planning and Zoning Commission meeting and the Commission's intention to conduct a public hearing in October on proposed amendments to the Zoning Ordinance.

Moved by Zirkelbach seconded by Oswald to grant an extension until September 23, 2019 for Patricia O'Shea Moore to provide proof of satisfactory abatement of a nuisance at property located at 24453 Hwy 151, Cascade in Section 4 of Richland Township. All aye. Motion carried.

Moved by Zirkelbach seconded by Oswald to set a public hearing at 9:15 a.m. on September 24, 2019 to review violations of the Jones County Nuisance Ordinance on property owned by Faron Fritz at 24052 Ridge Rd. E28, Anamosa, in Section 31 of Cass Township. All aye. Motion carried.

The Engineer met with the Board to present a construction contract and alteration of right of way permit for approval; to request approval of resolutions approving grant agreements with the Living Roadway Trust Fund for various pieces of equipment; to provide an update on the installation of the new fueling system at the Anamosa road maintenance shop; and to provide updates on various road and bridge maintenance projects.

Moved by Oswald seconded by Zirkelbach to approve a contract, and contractor's bond, with Kluesner Construction in the amount of \$287,458.26 (\$282,500.58 for five secondary road resurfacing projects, and \$4,957.68 for the Broadway Place Annex driveway project). All aye. Motion carried. [2019-105]

Moved by Manternach seconded by Zirkelbach to approve an Alteration of Public Right of Way permit with Sarah and Steve Webber to allow the Webbers to pave a 1,035' long by 22' wide section of Butterfield Rd. from approximately 200 feet south of 24782 Butterfield Rd. north to the intersection with 248<sup>th</sup> St. per specifications established by the Jones County Engineer, with the landowner paying 100% of the costs listed on a separate document. All aye. Motion carried. [2019-106]

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

RESOLUTION TO APPROVE AN AGREEMENT FOR A  
LRTF (LIVING ROADWAY TRUST FUND) GRANT

Whereas the County Secondary Road Department is responsible for the Integrated Roadside Vegetation Management program, and

Whereas the Iowa Department of Transportation provides funding assistance through the Living Roadway Trust Fund (LRTF) for some expenses related to these responsibilities, and

Whereas the County has been awarded a Living Roadway Trust Fund grant for a UTV Dedicated Spray Unit in an amount up to \$1,832.00;

Now, Therefore, Be It Resolved, that the Jones County Board of Supervisors approve the project development agreement 90-53-LR20-307.

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

RESOLUTION TO APPROVE AN AGREEMENT FOR A  
LRTF (LIVING ROADWAY TRUST FUND) GRANT

Whereas the County Secondary Road Department is responsible for the Integrated Roadside Vegetation Management program, and

Whereas the Iowa Department of Transportation provides funding assistance through the Living Roadway Trust Fund (LRTF) for some expenses related to these responsibilities, and

Whereas the County has been awarded a Living Roadway Trust Fund grant for a UTV Dedicated Fire Unit in an amount up to \$2,316.00;

Now, Therefore, Be It Resolved, that the Jones County Board of Supervisors approve the project development agreement 90-53-LR20-306.

Todd Happel, Anderson-Bogert Engineering, met with the Board and Engineer to discuss the possible approval of a Statement of Completion, and a change order with Boomerang Construction allowing an additional seventeen working days on the Wapsipinicon Trail/Shaw Rd. resurfacing project. Brad Hatcher, Wapsipinicon Trail Committee, was also present for the discussion. After much discussion regarding the request to approve the additional seventeen working days, and additional construction administration costs incurred by Anderson-Bogert Engineering, Happel offered to bring additional information back to the Board after meeting with the Wapsipinicon Trail Committee.

Jim Carlson and Barb Paulsen offered comments on the condition of County Rd. X40.

The County Attorney met with the Board to discuss the property appraisal provided by Jeff Hinz for unused right of way adjacent to his property near Old Dubuque Rd., Anamosa, that he wants to acquire from Jones County.

Moved by Zirkelbach seconded by Oswald to authorize the County Attorney to proceed with the notification procedures required by Iowa Code Section 306.23 to sell unused right of way described as: That portion of unused road right of way located within Parcel 94-06 (*PARCEL 94-06 BEING A PARCEL LOCATED IN PART OF THE NE ¼ NE ¼ OF SECTION 2 AND PART OF NW ¼ NW ¼ SECTION 1 IN TOWNSHIP 84 NORTH, RANGE 4, WEST OF THE 5<sup>TH</sup> P.M., AS SHOWN IN THE PLAT OF SURVEY RECORDED IN PLAT BOOK K, PAGE 167 (AND IN BOOK 361, PAGE 350) OF THE JONES COUNTY, IOWA RECORDS*) and containing .14 acres. All aye. Motion carried.

The County Attorney and Engineer met with the Board to discuss the area commonly referred to as the “Hula Hoop Tree” on E23 County Home Rd. west of Amber, and the liability and safety concerns resulting from numerous persons parking on the edge of the road and walking onto the travelled portion of the roadway and into the road ditch/road right of way for photo opportunities and other activities. Several citizens and the Sheriff were present for the discussion and offered various comments.

The Engineer was directed to determine by using survey equipment and road records whether the trunk of the dead tree was in the road right of way or whether it is located on private property, and that when that information was determined the Board would discuss the matter further.

Steve Davis and Chris Nelson, Shive-Hattery Architecture and Engineering, met with the Board to present a staffing assessment of the Jones County Jail. Participating in the discussion were the Sheriff, County Attorney, Chief Deputy Sheriff, and Jail Administrator. Davis noted the results of the assessment were that the jail should be staffed with two jailers per shift, twenty-four hours per day, seven days per week, in addition to the Jail Administrator, and noted that the same minimum staffing level would be needed whether the County were staffing the current jail in the courthouse or a new jail facility.

The Sheriff and Jail Administrator provided a rough estimate of the cost to house Jones County’s inmates in other county jails, which did not include the cost of transporting inmates for court appearances and medical services. The Sheriff requested the Board consider approval of a plan of action to work towards meeting the minimum staffing level as recommended by Shive-Hattery Architecture and Engineering. Sources of funding for the recommended additional five full-time jail staff was also discussed, with the Auditor noting the costs would come from the

General Fund, with the fund balance absorbing only the additional costs incurred in the current fiscal year.

Moved by Oswald seconded by Manternach to authorize the addition of two full-time jail officers, effective immediately. All aye. Motion carried.

Moved by Zirkelbach seconded by Oswald to approve the final consideration of Jones County, Iowa Ordinance 2019-06, an ordinance amending the rates in CHAPTER 5, THE PRIVATE AND PUBLIC SEWAGE DISPOSAL SYSTEMS RULES of TITLE V - PUBLIC ORDER, SAFETY & HEALTH. On roll call vote: Oswald aye, Zirkelbach aye, Manternach aye, Rohwedder aye, whereupon the Chairman declared the final consideration approved, and the ordinance adopted.

*JONES COUNTY IOWA ORDINANCE 2019-06*

*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 5, THE PRIVATE AND PUBLIC SEWAGE DISPOSAL SYSTEMS RULES of TITLE V – PUBLIC ORDER, SAFETY & HEALTH.*

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

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Amend item A. of SECTION 5. PUBLIC SEWAGE DISPOSAL SYSTEM USER RATES.

A. Sewer Rates and Other Charges for the Fairview Community Public Sewage Disposal System:

1. The minimum charge shall be ~~\$75.00~~ **\$80.00** per household or business building per billing month as of the ~~July, 2018~~ **October, 2019** billing. A \$1.00 discount will be awarded for use of “Auto Pay.”
2. Service to establishments with more than the normal household use will have rates based upon multiples of household usage. The following specific rates are hereby established:
  - a. Convenience Store ~~and Supper Club~~ - ~~\$225.00~~ **\$240.00**(3 equivalents) as of the ~~July, 2018~~ **October, 2019** billing.
  - b. Fairview Terrace Mobile Home Park (FTAMHP): The monthly rate for the FTMHP ~~is calculated per Fairview Terrace Mobile Home Park Wastewater Services Agreement with EIRUSS~~ **\$1,523.90 per billing month as of the October, 2019 billing.**
3. There shall be an additional charge of \$10.00 per household or business per billing month for use of a grinder pump. Such funds to be set aside for repair and replacement of the pumps.

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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 reported on a September 4, 2019 meeting with Supervisors Rohwedder and Zirkelbach and representatives of Shive-Hattery Architecture and Engineering to review the design plans for the courthouse HVAC retrofit and window replacement project. A special meeting with

the full Board has been requested for later in the week to review the plans and to obtain further clarity on materials testing reports. The Board agreed to a September 13, 2019 meeting for that purpose.

During the public comment period Arlene Sellers offered concerns regarding the impact the increase in jail staffing on property taxes.

Moved by Zirkelbach seconded by Manternach to adjourn at 11:45 a.m. All aye. Motion carried.

Attest: Janine Sulzner, Auditor

Ned Rohwedder, Chairman