

July 7, 2020 9:00 a.m.

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

*Physical in-person access to the Board of Supervisors meeting, which had been restricted since March 18, 2020 due to the COVID-19 public health emergency, is now permitted. In addition, meeting access continues to be provided by electronic video and audio streaming via remote meeting software, with audio only access also available by telephone.*

Moved by Zirkelbach seconded by Oswald to approve the minutes of the June 30, 2020 meeting. All aye. Motion carried.

Moved by Oswald seconded by Eaken to approve claims #2007-0001 through #2007-0159. All aye. Motion carried.

The Emergency Management Coordinator and Public Health Coordinator met with the Board to provide an update on emergency preparedness activities to address the COVID-19 public health emergency. The Emergency Management Coordinator noted no new information at this time. The Public Health Coordinator provided an update on the status of COVID-19 cases in Jones County, noting an increase in the number of cases and extensive amounts of time she and her staff are spending on contact tracing efforts.

The Auditor provided information regarding the need to amend the FY2020/2021 County Budget primarily due to the delay of the Courthouse window project into the new fiscal year, a new grant funded program, and staffing needs to address the COVID-19 public health emergency, noting that the overall amendment will reduce the budget, but that certain expenditure functions within the budget will be increased while other expenditure functions will be decreased.

Moved by Rohwedder seconded by Eaken to set a public hearing to amend the current county budget at 9:15 a.m. on July 28, 2020; said amendment decreases total revenues and other sources by \$720,346 and decreases total expenditures and other uses by \$663,762, with the Auditor directed to publish the amendment notice in the two official county newspapers. All aye. Motion carried.

Moved by Oswald seconded by Rohwedder to acknowledge receipt of a manure management plan update from TCCC Pork, LLC (facility #68600) for a facility located in Section 18 of Scotch Grove 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 Eaken seconded by Zirkelbach to approve, and place on file, the Auditor's, Recorder's, and Sheriff's Reports of Fees Collected for the quarter ending June 30, 2020. All aye. Motion carried. [2020-084, 2020-085, 2020-086]

Moved by Rohwedder seconded by Eaken to approve the FY2020 Senior Dining Financial Report as submitted by the Senior Dining Director. All aye. Motion carried.

The Auditor provided an update on the Courthouse window project.

Moved by Zirkelbach seconded by Rohwedder to open the public hearing at 9:18 a.m. on a proposal to rezone property in Section 19 of Fairview Township. On roll call vote: Oswald aye, Zirkelbach aye, Eaken aye, Rohwedder aye, Manternach aye. Motion carried.

The Land Use Administrator explained the rezoning proposal. Applicant Jeff Banowetz and property owner Laddie Nachazel were present to respond to inquiries regarding the proposal. No other persons present offered comments regarding the proposal.

Moved by Eaken seconded by Oswald to close the public hearing at 9:22 a.m. On roll call vote: Oswald aye, Zirkelbach aye, Eaken aye, Rohwedder aye, Manternach aye. Motion carried.

Moved by Rohwedder seconded by Oswald to suspend, with regard to Jones County, Iowa Ordinance 2020-02, the provisions of Iowa Code Section 331.302(6) which requires three

considerations of an ordinance prior to passage. On roll call vote: Oswald aye, Zirkelbach aye, Eaken aye, Rohwedder aye, Manternach aye. Motion carried.

Moved by Zirkelbach seconded by Oswald to approve the final consideration of, and to adopt, pass, and publish, Jones County, Iowa Ordinance 2020-02, to amend CHAPTER 3, JONES COUNTY ZONING ORDINANCE OF TITLE VI – PROPERTY & LAND USE. On roll call vote: Oswald aye, Zirkelbach aye, Eaken aye, Rohwedder aye, Manternach aye, whereupon the Chairman declared the final consideration approved, and the ordinance adopted.

*JONES COUNTY IOWA ORDINANCE 2020-02*

*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:*

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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 Lots 3 and 4 of Nachazel 1<sup>st</sup> Addition in the NE ¼ of Section 19 of Fairview Township (tax parcels 09 19 276 003 and 09 19 276 004) containing approximately 11.4 acres, from the A-Agricultural District to the C2-Highway Commercial 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 Board members discussed recent and upcoming committee meetings.

The Land Use Administrator provided a brief update on proposals to be heard by the Planning and Zoning Commission and Board of Adjustment at their meetings later in the month.

Moved by Zirkelbach seconded by Rohwedder to open the public hearing at 9:30 a.m. to review violations of the Jones County Nuisance Ordinance on property located at 8356 Slide Rock Rd., Anamosa, and owned by Shawn Walker. On roll call vote: Zirkelbach aye, Oswald aye, Eaken aye, Rohwedder aye, Manternach aye. Motion carried.

The Land Use Administrator provided details regarding the ordinance violation and noted that the property owner was notified by telephone and by mail, and that notice of the public hearing was published in the two official county newspapers the week of June 29, 2020.

Property owner Shawn Walker was not present for the hearing. No other persons present offered comments regarding the nuisance. [*See note below regarding the subsequent appearance of the property owner.*]

Moved by Oswald seconded by Eaken to close the public hearing at 9:35 a.m. On roll call vote: Zirkelbach aye, Oswald aye, Eaken aye, Rohwedder aye, Manternach aye. Motion carried.

Moved by Oswald seconded by Zirkelbach to authorize the Attorney and Land Use Administrator to proceed with the filing of a civil citation against Shawn Walker for property located at 8356 Slide Rock Rd., Anamosa, for a violation of Chapter 7, Jones County Nuisance Ordinance, of Title V – Public Order, Safety & Health, of the Jones County Code of Ordinances. All aye. Motion carried. [*See subsequent action below withdrawing the motion.*]

Property owner Shawn Walker contacted the Board via telephone at 9:50 a.m. reporting he was unable to gain physical access to the meeting at 9:30 a.m. due to COVID-19 restrictions. Walker was able to share his questions and concerns via audio conferencing with the Board regarding the nuisance violation and efforts he has made to address the nuisance.

Moved by Oswald seconded by Zirkelbach to withdraw the motion adopted earlier in the meeting regarding issuance of a civil citation against Shawn Walker for violation of the Jones County Nuisance Ordinance at 8356 Slide Rock Rd., Anamosa, and to postpone further action on the matter until the July 14, 2020 meeting. All aye. Motion carried.

The Engineer and Shop Foreman met with the Board to provide an update on the Shaw Rd. grading and resurfacing project; the delivery of a new crawler dozer and plans to use the dozer on projects on Eby's Mill Rd. and 30<sup>th</sup> St.; and to request approval for the purchase of a roadside mower based on pricing available through the Iowa Department of Transportation, without using the competitive bid procedures of the Purchasing Policy.

Moved by Zirkelbach seconded by Eaken to purchase a Schulte 12' roadside mower from Eldon C. Stutsman, Inc. in the amount of \$18,200, and to waive the provisions of the Jones County Purchasing Policy which requires competitive bidding for purchases of this nature, noting that the Engineer states the immediate need for the mower is an emergency due to the seasonal nature of the work to be performed and for safety reasons due to the condition of the existing roadside mower. All aye. Motion carried.

Moved by Oswald seconded by Eaken to adjourn at 10:23 a.m. All aye. Motion carried.

Attest: Janine Sulzner, Auditor

Wayne Manternach, Chairman