

May 23, 2023 9:00 a.m.

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

Moved by Zirkelbach seconded by Rohwedder to approve the minutes of the May 16, 2023 meetings. All aye. Motion carried.

Moved by Schlarmann seconded by Oswald to approve claims #2305-0139 through #2305-0372. All aye. Motion carried.

The Facilities Maintenance Director met with the Board to give an update on current and potential projects including a landscaping project at Broadway Place Annex, perimeter lighting at the Courthouse, and the need for a new push lawn mower.

The Auditor met with the Board for approval of various administrative items as noted in motions below and to give updates on the May 31, 2023 employee training, the May 25, 2023 special session with the Conservation Board, and various board appointments expiring on June 30, 2023.

Moved by Schlarmann seconded by Rohwedder to open the public hearing at 9:17 a.m. to review violations of the Jones County Nuisance Ordinance on property owned by Jerry Willcoxson located at 10657 Main St., Center Junction. On roll call vote: Schlarmann aye, Rohwedder aye, Oswald aye, Zirkelbach aye, Swisher aye. Motion carried.

The Land Use Administrator gave an update on the property and provided current photos. Property owner Jerry Willcoxson was present and offered comments regarding the clean-up.

Moved by Oswald seconded by Zirkelbach to close the public hearing at 9:23 a.m. On roll call vote: Schlarmann aye, Rohwedder aye, Oswald aye, Zirkelbach aye, Swisher aye. Motion carried.

Moved by Schlarmann seconded by Rohwedder to authorize the Land Use Administrator to issue a fourteen-day extension for a nuisance abatement to Jerry Willcoxson for a property located at 10657 Main St., Center Junction and the Board of Supervisors will review the property again on June 6, 2023. All aye. Motion carried.

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

#### RESOLUTION APPROVING PLAT

WHEREAS, a final plat of Country Side Acres, a subdivision containing two (2) lots, located in Section 7, Township 84 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:

- access point requirement 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,
- 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 Country Side Acres be approved, with

1. a variance granted to the access point requirement of Section 2 of Article V, Minimum Improvements, of the Jones County Subdivision Ordinance, said variance:
  - a. permits Country Side Acres lots to have a single access point from the county road;
  - b. permits the subdivision to be approved without a Road Association Agreement;
  
2. a variance granted to the interior street standards of Section 3 of Article V, Minimum Improvements, of the Jones County Subdivision Ordinance, said variance:
  - a. permits the subdivision to have no interior road;
  
3. a variance granted to the storm water pollution prevention plan requirements of Section 7 of Article V, Minimum Improvements, of the Jones County Subdivision Ordinance, said variance provides that a storm water pollution prevention plan for the subdivision shall be submitted thirty days prior to commencement of construction if the area to be disturbed is more than one acre,

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.

Moved by Zirkelbach seconded by Rohwedder to authorize the Land Use Administrator to issue a formal notice of violation of the Jones County Nuisance Ordinance to Janet Lemmer for a property located at 10516 Main 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 Oswald seconded by Zirkelbach 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 Rd., Anamosa, and providing thirty days to abate the nuisance or to request a hearing before the Board of Supervisors. All aye. Motion carried.

Moved by Zirkelbach seconded by Rohwedder to sign a letter of support for the Wyoming Development Committee to apply for a grant to update the light poles in downtown Wyoming. All aye. Motion carried. [2023-076]

Supervisor Zirkelbach introduced the following resolution and moved its adoption, seconded by Supervisor Schlarmann. On roll call vote: Schlarmann aye, Zirkelbach aye, Rohwedder aye, Oswald aye, Swisher 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 April 18, 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 April 18, 2023 notifying them of the delinquent accounts and that if the accounts remained delinquent on May 23, 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 December 1, 2022 through February 28, 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 December 1, 2022 through February 28, 2023.
Robinson, Patty 23043 County Rd. E34 Anamosa, IA 52205	Robinson, Patty 23043 County Rd. Anamosa IA 52205	09 17 477 003 17 84 4 SPEIRS ADD S 124' N 224' LOT 2	\$535.00 Services billed September 1, 2022 through February 28, 2023.

Supervisor Zirkelbach introduced the following resolution and moved its adoption, seconded by Supervisor Oswald. On roll call vote: Schlarmann aye, Zirkelbach aye, Rohwedder aye, Oswald aye, Swisher 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 April 18, 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 April 18, 2023 notifying them of the delinquent accounts and that if the accounts remained delinquent on May 23, 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
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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	\$366.72 Services billed December 1 1, 2022 through February 28, 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	\$366.72 Services billed December 1, 2022 through February 28, 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	\$366.72 Services billed December 1, 2022 through February 28, 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	\$366.72 Services billed December 1, 2022 through February 28, 2023.
Valentine, Nate 12450 St. Paul St. Center Junction IA 52212	Valentine, Nate 12450 St. Paul St. Center Junction IA 52212	11 04 304 004 O.T. LOT 4, BLK 44 CENTER JUNCTION	\$366.72 Services billed December 1, 2022 through February 28, 2023.

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

#### TAX ABATEMENT RESOLUTION

BE IT RESOLVED that the Jones County Treasurer shall, pursuant to Section 445.63 of the Code of the Iowa, abate property taxes on property acquired by the City of Monticello, in the amount shown below, and any applicable interest and cost, and make appropriate notations on the tax list for the parcels listed below: [2023-077]

MONCO 0216300043	\$62.00 (2021 CT)	Briefly described as: Lot A in Northridge Estates Third Addition
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Moved by Zirkelbach seconded by Oswald to approve the revised physical access and authorization security policy. All aye. Motion carried. [2023-078]

Moved by Rohwedder seconded by Schlarmann to void check #188368 in the amount of \$180.81, dated May 9, 2023, made payable to Nathan Koppes, submitted by Secondary Roads, with reason being it was submitted with the incorrect dollar amount. All aye. Motion carried.

Moved by Zirkelbach seconded by Schlarmann to approve a Class C Retail Alcohol License with Outdoor Service privileges for Little Bear Recreation Club, 9036 Hwy 136, Wyoming, to be effective May 24, 2023. All aye. Motion carried. [2023-079]

Moved by Zirkelbach seconded by Rohwedder to acknowledge receipt of a manure management plan from Harvest Hills, Inc, facility #61361, for a facility located in Section 25 and 26 of Richland Township and a manure management plan from Hogan Brothers, facility #62710, for a facility located in Section 18 of Castle 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 Oswald seconded by Schlarmann to make of record the Conservation Board's appointment of Ian Taylor for seasonal employment at \$15.00 per hour, effective May 22, 2023 and Rebecca Close for seasonal employment at \$15.00 per hour, effective June 12, 2023. All aye. Motion carried.

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

- Record digitization project for Auditor and Recorder records in the amount of \$171,847.00.

**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. [2023-080]

The Engineer and Assistant to the Engineer met with the Board to give an update on the placement of contract rock, County Road E34 start date, the potential sale of the old county shop located in the City of Monticello, and for a repair project on the intersection of County Road X31 and D62.

Moved by Zirkelbach seconded by Oswald to approve an intersection repair project at County Road X31 and County Road D62 in the amount of \$38,099.75. All aye. Motion carried.

The Senior Dining Director and Heritage Agency on Aging met with the Board to give an update on the annual review.

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

Moved by Schlarmann seconded by Oswald to adjourn the meeting at 10:30 a.m. All aye. Motion carried.

Attest: Whitney Hein, Auditor

Jeff Swisher, Chairman