

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 215th 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:

Project Number Name Project ID	Project Location Description of Work	AADT Length Bridge ID	Type of Work Fund	Modifications	Total
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:

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 2nd 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.

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
Passenger Transp. Advisory	Regular Member	Jamie Ginter, Jones County JETS	12/31/24
Passenger Transp. Advisory	Regular Member	Lucia Herman, Jones County Community Services	12/31/25

Moved by Oswald seconded by Schlarmann to appoint Russ Dunn and Leah Neberhall 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 rd 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