

October 1, 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 Oswald seconded by Swisher to approve the minutes of the September 24, 2024 meeting. All aye. Motion carried.

Moved by Swisher seconded by Zirkelbach to approve the payroll for the period ending September 22, 2024, as certified by the department heads. All aye. Motion carried.

Karen Kurt and Alicia Presto with East Central Iowa Council of Governments met with the Board to give an update on current programs and to extend an invitation to be a part of the EPA Brownfield Assessment Coalition Grant.

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

Supervisor Swisher introduced the following resolution, seconded by Supervisor Oswald. On roll call vote: Zirkelbach aye, Schlarmann absent, 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 July 30, 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 August 26, 2024 notifying them of the delinquent accounts and that if the accounts remained delinquent on October 1, 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 March 1, 2024 through May 31, 2024.
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 March 1, 2024 through May 31, 2024.

Supervisor Zirkelbach introduced the following resolution, seconded by Supervisor Oswald. On roll call vote: Zirkelbach aye, Schlarmann absent, 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 July 30, 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 August 26, 2024 notifying them of the delinquent accounts and that if the accounts remained delinquent on October 1, 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 March 1, 2024 through May 31, 2024.
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 March 1, 2024 through May 31, 2024.
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	\$379.44 Services billed March 1, 2024 through May 31, 2024.
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 March 1, 2024 through May 31, 2024.
Jerome, Christine 12585 St. Paul St. Center Junction, IA 52212	Jerome, Christine 12585 St. Paul St. Center Junction, IA 52212	11 04 181 007 O.T. LOT 10 & E 32' LOT 9, BLK 13 CENTER JUNCTION	\$379.44 Services billed March 1, 2024 through May 31, 2024.

Moved by Swisher seconded by Zirkelbach to approve the hire of Wendy Bird as a substitute driver for Senior Dining effective October 3, 2024, at \$16.38 per hour. All aye. Motion carried.

The Land Use Administrator met with the Board to discuss four ongoing nuisance ordinance violations and to discuss the opportunity to potentially start researching an ordinance for data centers, cryptocurrency, and data mining.

Moved by Zirkelbach seconded by Oswald to issue a formal notice of violation of the Jones County Nuisance Ordinance to David & Pamela Leytem for properties located at 10636 & 10644 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 Swisher to set a public hearing on October 22, 2024, at 9:15 a.m. to discuss a violation of the Jones County Nuisance Ordinance on property owned by Matthew Mayberry and located at 9073 County Road E45, Wyoming. All aye. Motion carried.

Moved by Zirkelbach seconded by Oswald to authorize the Land Use Administrator to proceed with the filing of a civil citation against Judy Raymond, for a violation of the Jones County Nuisance Ordinance for property located at 12645 105th Ave, Center Junction, (tax parcel 1104181007, briefly described as O.T. Lot 10 & E 32' Lot 9, Blk 13). All aye. Motion carried.

Moved by Swisher seconded by Oswald to set a public hearing on October 29, 2024, at 9:15 a.m. to discuss a violation of the Jones County Nuisance Ordinance on property owned by Shawn Walker and located at 8356 Slide Rock Road, Anamosa. All aye. Motion carried.

During the discussion on an ordinance for data centers, cryptocurrency, and data mining, the Board asked the Land Use Administrator to get sample ordinances and to keep in touch with how Jackson County is proceeding with their ordinance.

The Engineer and Road Superintendent met with the Board to give an update on current road projects and for the items in the following motions.

Moved by Swisher seconded by Zirkelbach to approve a Fence Compensation Sub-Contract with Greg and Janet Holcomb for Project LFM-C-932--7X-53 on 215th Ave. All aye. Motion carried. [2024-140]

Moved by Zirkelbach seconded by Oswald to approve a contract with Kluesner Construction, Inc. in the amount of \$47,841.30 for project M-0625, a crack sealing project on 42.3 miles of various paved county roads. All aye. Motion carried. [2024-141]

Moved by Oswald seconded by Zirkelbach to approve change order no. 1 for project M-0625, to add crack sealing and HMA overlay to .25 mile of St. Paul Street, Center Junction at \$138/ton. All aye. Motion carried. [2024-142]

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

Resolution to Approve an Agreement for a LRTF 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 handheld sprayer kits up to the amount of \$1,101.06 and for a Straw Crimper up to the amount of \$3,656.00; now, therefore, be it

Resolved, that the Jones County Board of Supervisors approve the project development agreement 90-53-LR25-211 and 90-53-LR24-210. [2024-143, 2024-144]

Moved by Oswald seconded by Swisher to go into closed session at 10:09 a.m. per Iowa Code Section 21.5(1)c. to discuss pending litigation. On roll call vote: Zirkelbach aye, Swisher aye, Oswald aye, Rohwedder aye. Motion carried.

Moved by Oswald seconded by Zirkelbach to exit closed session at 10:35 a.m. On roll call vote: Zirkelbach aye, Swisher aye, Oswald aye, Rohwedder aye. Motion carried.

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

Moved by Swisher seconded by Oswald to adjourn at 10:44 a.m. All aye. Motion carried.

Attest: Whitney Hein, Auditor

Ned Rohwedder, Chairman