

MINUTES OF APRIL 11 and 14, 2016
DUBUQUE COUNTY BOARD OF SUPERVISORS
Present: Daryl Klein and Jay Wickham
Vice-Chair Klein called the meeting to order at 8:10 a.m.

WORKSESSION - COUNTY ENGINEER

County Engineer Anthony Bardgett presented his report.

EAST FLANNAGAN ROAD, WEST FLANNAGAN ROAD, PLUM CREEK ROAD AND PFEILER ROAD BRIDGES

Schroeder Construction is planning to start construction on all four structures sometime in July.

MAINTENANCE

Maintenance crews are working on finishing up brush cutting on Mud Lake Road. Work will, also, be taking place on Circle Ridge Road replacing crossroad culverts.

EMBARGOES ON MONASTERY AND NORTH CASCADE ROADS

Bardgett reported that he met with Roger Simon of Simon's Trucking about the removal of the embargo on Monastery Road and North Cascade Roads. The group discussed the issue.

CHANGE IN SPEED LIMIT ON SHERRILL ROAD

Sherrill Mayor Dave Berringer requested an increase in the speed limit on Sherrill Road from 45 to 50 mph. Bardgett will look at other possible changes around the county.

Supervisor Demmer arrived at 8:27 a.m. following his attendance at a legislative breakfast.

Bardgett presented information requested by Supervisor Klein regarding the entrance permit for the proposed fertilizer plant north of Dyersville. He noted that the County and IDOT use the same rating parameters. Bardgett spoke with the IDOT staff and learned that the permit was approved for a previous owner, not the current owners.

The group discussed other opportunities for additional revenue for the secondary road system.

Motion by Klein, seconded by Wickham, carried unanimously, to recess at 8:46 a.m. until 9:00 a.m.

Chair Demmer re-convened the meeting at 9:00 a.m.

APPROVAL OF MINUTES OF MARCH 28 AND APRIL 8, 2016

Motion by Klein, seconded by Wickham, carried unanimously, to approve the minutes of March 28 and April 8, 2016, as amended.

CONSENT AGENDA

IDNR Manure Management Plan Annual Update from Recker Farm South, IDNR Manure Management Plan Annual Update from Recker Farm North, Allowances and Disallowances of 2015 Business Property Tax Credit from Dubuque County Assessor, IDNR Manure Management Plan Annual Update from Ronald Miller, Quarterly Report of the Auditor, Class BW Beer permit for Massey Marina - Patricia Marks, Renewal of Class BB beer permit for Derby Grange Golf, Inc., Renewal of Class LC liquor license for Fillmore Bar & Grill - Pamela Lynch, Quarterly report of the Recorder, Quarterly report of the Sheriff

Motion by Klein, seconded by Wickham, carried unanimously, to approve the above listed consent items.

Class LC liquor license for Living for Breecken - Daniella Hosch-Dupont

Motion by Wickham, seconded by Klein, carried unanimously, to deny the consent item.

PROOFS OF PUBLICATION - PUBLIC HEARINGS

Motion by Motion by Klein, seconded by Wickham, carried unanimously, to receive and file the proofs of publication for Notices of Public Hearing on Amendments to the Zoning Ordinance - ZC # 02-09-16 - Jeffrey & Wanda Pape and Three Rivers FS Company - A-1 Agricultural to M-2 Heavy Industrial; ZC # 03-11-16 - Lelia Valentine & Greg Valentine - A-1 Agricultural to A-2 Agricultural Residential; ZC # 3-12-16 - Dwayne Beecher & Mary Jo Pancratz - A-1 Agricultural to R-1 Rural Residential - Conditional; ZC # 3-13-16 - Doris Rubel Declaration of Trust & Crystal Lake Cave Mining, LLC & Pablo & Julie Ramirez - R-2 Single Family Residential to B-2 Highway Business; ZC # 03-14-16 - Jerald & Richard Reiter - A-1 Agricultural to M-1 Industrial; Court House HVAC upgrade project.

PUBLIC HEARING - AMENDMENT TO ZONING ORDINANCE - ZC # 02-09-16 - JEFFREY AND WANDA PAPE AND THREE RIVERS FS COMPANY - A-1 AGRICULTURAL TO M-2 HEAVY INDUSTRIAL

Chair Demmer opened the public hearing.

County Engineer Anthony Bardgett explained the approval of the entrance permit. He contacted the IDOT and was told that the permit was approved as a farm entrance to the owner two landowners prior to current owner. County and IDOT standards, including sight distance, are the same.

Zoning Administrator Anna O'Shea explained the applicants are requesting to rezone from A-1 Agricultural to M-2 Heavy Industrial, 10.44 acres more or less, to allow for mixing of fertilizers for farming use. The property is located 0.40 miles north of the City of Dyersville along Highway 136.

Jeff Pape, 31406 Floyd Road, Dyersville, explained and addressed concerns in favor of the request.

Alan Manternach, 7912 Eagle View Drive, Cascade, expressed a concern that LP was added to the approved conditions and wasn't included in the notice for the Zoning Commission hearing, that a farm well will not be able to keep up in the occurrence of a large spill, and that other property with conditional rezoning did not revert back to ag zoning when the use changed.

Dale Hefel, Three Rivers FS, 1200 Field of Dreams Way, Dyersville, explained the company's business intentions at the property requested to be rezoned. They anticipate 2-30,000 gallon anhydrous ammonia tanks and will sell 700 - 1,200 tons of product. There is the possibility of moving the LP tank from within the City of Dyersville to this property in the future.

Mick Michel, Dyersville City Administrator, 340 1st Avenue East, Dyersville, explained that a letter from the Dyersville Fire Chief was discussed at the last City Council meeting and it was clarified that the Fire Chief was not recommending the proposed site. The Mayor requested he clarify that the recommendation letter in the presented in the packet which was signed by Councilmember Teresa Boeckenstedt was not representative of the Council. The Dyersville Zoning plan shows the area with residential and commercial growth, and if the County wants the City's input it could come through the platting process which could have been done prior to the re-zoning.

Matt Mescher, 29217 Lansing Road, Dyersville, questioned if the site is actually in the planned annexation area, and noted that Mr. Michel was speaking for the Mayor only.

Kory Manternach, 14521 Route 136, Dyersville, explained that 66 trucks were in and out of the property during the last week.

Jordan Kirsch, 14374 Route 136, Dyersville, spoke in opposition to the request.

Duane Gravel, 14510 Route 136, Dyersville, spoke in opposition to the request.

Ray Kirsch, 308 2nd Avenue SW, Dyersville, noted that the County smart plan states that it will support residential areas from encroachment and expressed concern about dust and noise from the facility.

Jacque Rahe, Dyersville Economic Development Inc, 30254 Golf Course Road, Dyersville, stated that the development group is willing to work with FS on possible locations. She has had only one conversation with Mr. Hefel.

Dennis Schmidt, 29426 Dyersville East Road, Dyersville, reminded the Board of the tanker accident on Gillespie Hill.

Joan Esch, 1303 1st Street SW, Dyersville, explained that as a prior owner she is opposed to the placement of the facility in the area.

Doug Recker, 14106 Route 136, Dyersville, spoke in opposition,

Kevin Saliga, 1151 Woodland Drive, spoke in opposition.

Supervisor Klein asked the Zoning Administrator about moving the plat through the process prior to acting on the rezoning to allow the City of Dyersville input in the process.

Jerald Reiter, 25473 Reiter Road, Dyersville, explained the problems he has living next to a similar business in Cascade.

Kory Manternach presented a map of severe accidents in the area.

Jeff Pape addressed the traffic from the site and stated that the City has placed its industrial parks near residential areas.

Supervisor Demmer expressed concern about the traffic in the area.

Supervisor Klein expressed a desire to continue the public hearing.

Supervisor Wickham stated that he grew up near FS and that they are a good neighbor and business. This issue is local and he appreciates local input.

Supervisor Demmer inquired of Zoning Administrator O'Shea if the company can continue to operate. O'Shea stated that they are allowed to operate while trying to become compliant.

Motion by Klein, seconded by Wickham, carried unanimously, to continue the hearing until the April 25th meeting.

Motion by Wickham, seconded by Klein, carried unanimously, to receive and file the additional information presented during the hearing.

PUBLIC HEARING - AMENDMENT TO ZONING ORDINANCE - ZC # 03-11-16 - LELIA VALENTINE & GREG VALENTINE - A-1 AGRICULTURAL TO A-2 AGRICULTURAL RESIDENTIAL

Chair Demmer opened the public hearing.

Zoning Administrator O'Shea explained that the applicants are requesting to rezone, from A-1 Agricultural to A-2 Agricultural Residential, 3 Acres more or less, to allow the existing farm home and out buildings to be separated from the rest of the farm property for estate purposes and for her son to obtain the new lot with the house & buildings as his residence. The property is located 1.97 miles east of the City of Bernard along Creek Branch Lane.

Craig Valentine, 2210 Jaeger Drive, Dubuque further explained and spoke in favor of the rezoning.

Motion by Wickham, seconded by Klein, carried unanimously, to close the public hearing.

AMENDMENT TO ZONING ORDINANCE - ZC # 03-11-16 - LELIA VALENTINE & GREG VALENTINE - A-1 AGRICULTURAL TO A-2 AGRICULTURAL RESIDENTIAL

The following amendment to the Dubuque County Zoning Ordinance is proposed.

ZC # 03-11-16 - Lelia Valentine & Greg Valentine - A-1 Agricultural to A-2 Agricultural Residential

The applicants are requesting to rezone from A-1 Agricultural to 2 Agricultural Residential 3 Acres more or less, to allow the existing farm home and out buildings to be separated from the rest of the farm property for estate purposes and for her son to obtain the new lot with the house & building as his residence. The property is located 1.97 miles east of the City of Bernard along Creek Branch Lane and is legally described as Lot 2 NW NW & Lot 1 SW NW Section 31, (T87N R2E) Washington Township, Dubuque County, Iowa.

That 3 acres more or less around the home and buildings be rezoned to A2, Agricultural/Residential for one home only and the remainder will stay A-1, Agricultural.

That the balance of the parcel is not allowed to have another dwelling unless the property is rezoned for that use.

A report on the proposed amendment has been received from the Dubuque County Zoning Commission ; notice of the public hearing has been published as required by law; and a public hearing has been held on **Monday, April 11, 2016**.

Motion by Wickham, seconded by Klein, carried unanimously, to approve the rezoning.

Motion by Wickham, seconded by Klein, carried unanimously, to suspend the requirement that this amendment be considered and voted on for passage at two prior meetings.

Motion by Wickham, seconded by Klein, carried unanimously, that the amendment be adopted and that the zoning administrator be directed to enter the appropriate changes on the official zoning map and that the Auditor be directed to arrange for the publication of the amendment and portion of the official zoning map as amended in the official county newspapers as required by law.

PUBLIC HEARING - AMENDMENT TO ZONING ORDINANCE - ZC# 03-12-16 DEWAYNE BEECHER & MARY JO PANCRATZ - A-1 AGRICULTURAL TO R-1 RURAL RESIDENTIAL-CONDITIONAL

Chair Demmer opened the public hearing.

Zoning Administrator Anna O'Shea explained that the applicants are requesting to rezone from A-1 Agricultural to R-1 Rural Residential 3 acres more or less, to allow for a future single family home site and to bring an existing home into compliance, conditional for one new home only. The property is located 3.97 miles northwest of the City of Bernard along Raysford Lane.

Dwayne Beecher, 20332 Raysford Lane spoke in favor of the request and explained that he donated right-of-way for the upgrade of Raysford Lane.

Tim McDermott, 20553 Raysford Lane explained that he built the upgrade to Raysford Lane and he is opposed the request.

Gary Conrad, 21652 Kings Row, Dubuque, spoke in favor of the rezoning.

Motion by Klein, seconded by Wickham, carried unanimously, to close the public hearing.

AMENDMENT TO ZONING ORDINANCE - ZC# 03-12-16 DEWAYNE BEECHER & MARY JO PANCRATZ - A-1 AGRICULTURAL TO R-1 RURAL RESIDENTIAL-CONDITIONAL

The following amendment to the Dubuque County Zoning Ordinance is proposed.

ZC # 03-12-16 - Dewayne Beecher & Mary Jo Pancratz - A-1 Agricultural to R-1 Rural Residential - Conditional

The applicants are requesting to rezone from A-1 Agricultural to R-1 Rural Residential 3 acres more or less, to allow for a future single family home site and bring an existing home into compliance, conditional for one new home only. The property is located 3.97 miles northwest of the City of Bernard along Raysford Lane and is legally described as Lot 1 & Lot 3 of Beecher's Place Section 07, (T87N R1E) Prairie Creek Township, Dubuque County, Iowa.

1. That only one new home will be allowed to be built on this property.
2. That the property cannot be further subdivided beyond the two lots being surveyed and sold.

A report on the proposed amendment has been received from the Dubuque County Zoning Commission; notice of the public hearing has been published as required by law; and a public hearing has been held on **Monday, April 11, 2016**.

Motion by Klein, seconded by Wickham, carried unanimously, that the amendment be denied.

PUBLIC HEARING - AMENDMENT TO ZONING ORDINANCE - ZC # 03-13-16 - DORIS RUBEL DECLARATION OF TRUST & CRYSTAL LAKE CAVE MINING, LLC & PABLO & JULIE RAMIREZ - Z-2 SINGLE FAMILY RESIDENTIAL TO B-2 HIGHWAY BUSINESS

Chair Demmer opened the public hearing.

Zoning Administrator Anna O'Shea explained that the applicants are requesting to rezone from R-2 Single Family Residential to B-2 Highway Business 4.5 acres more or less, to add an 18 Hole Miniature Golf Course to the Crystal Lake Cave Business. The property is located 2.60 miles east of the City of Dubuque along Crystal Lake Cave Drive.

Pablo Ramirez, 6840 Crystal Lake Cave Road, explained and spoke in favor of the request. He agreed, with no objection, to the addition of no lighting to the conditions.

Motion by Wickham, seconded by Klein, carried unanimously, to close the public hearing.

AMENDMENT TO ZONING ORDINANCE - ZC # 03-13-16 - DORIS RUBEL DECLARATION OF TRUST & CRYSTAL LAKE CAVE MINING, LLC & PABLO & JULIE RAMIREZ - Z-2 SINGLE FAMILY RESIDENTIAL TO B-2 HIGHWAY BUSINESS

The following amendment to the Dubuque County Zoning Ordinance is proposed.

ZC # 03-13-16 - Doris Rubel Declaration of Trust & Crystal Lake Cave Mining LLC & Pablo & Julie Ramirez - R-2 Single Family Residential to B-2 Highway Business - Conditional

The applicants are requesting to rezone from R-2 Single Family Residential to B-2 Highway Business 4.5 acres more or less, to add an 18 Hole Miniature Golf Course to the Crystal Lake Cave Business. The property is located 2.60 miles east of the City of Dubuque along Crystal Lake Cave Drive and is legally described as Lot 2 SE NW & Lot 2-1-1 SW Section 16 (T88N R3E) Mosalem Township, Dubuque County, Iowa.

1. That the property is conditional to the Crystal Lake Cave business with an 18 hole miniature golf course.
2. That no alcohol will be permitted to be sold on the property.
3. That the business must be closed by 6:00 p.m.

A report on the proposed amendment has been received from the Dubuque County Zoning Commission; notice of the public hearing has been published as required by law; and the public hearing has been held on **Monday, April 11, 2016**.

Motion by Wickham, seconded by Klein, carried unanimously, to approve the rezoning with the additional condition that no lights will be installed.

PUBLIC HEARING - AMENDMENT TO ZONING ORDINANCE - ZC # 03-14-16 - JERALD & RICHARD REITER - A-1 AGRICULTURAL TO M-1 INDUSTRIAL-CONDITIONAL

Chair Demmer opened the public hearing.

Zoning Administrator Anna O'Shea explained that the applicants are requesting to rezone from A-1 Agricultural to M-1 Industrial 0.26 acres more or less, to sell and repair vintage cars. The property is located 0.05 miles north of the City of Cascade along Reiter Road.

Jerald Reiter, 25473 Reiter Road, Cascade, explained and spoke in favor of the rezoning.

Motion by Wickham, seconded by Klein, carried unanimously, to close the public hearing.

AMENDMENT TO ZONING ORDINANCE - ZC # 03-14-16 - JERALD & RICHARD REITER - A-1 AGRICULTURAL TO M-1 INDUSTRIAL-CONDITIONAL

The following amendment to the Dubuque County Zoning Ordinance is proposed.

ZC # 03-14-16 - Jerald & Richard Reiter - A-1 Agricultural to M-1 Industrial - Conditional

The applicants are requesting to rezone from A-1 Agricultural to M-1 Industrial 0.26 acres more or less, to sell and repair vintage cars. The property is located 0.05 miles north of the City of Cascade along Reiter Road and is legally described as SE SW Section 29, (T87N R1W) White Water Township, Dubuque County, Iowa.

1. That the property is conditional for the repair and sale of vintage cars.
2. That if the business closes or the property changes hands the zoning will revert back to A-1, Agricultural

A report on the proposed amendment has been received from the Dubuque County Zoning Commission; notice of public hearing has been published as required by law; and a public hearing has been held on **Monday, April 11, 2016**.

Motion by Wickham to approve the rezoning. Motion died for lack of a second.

Motion by Klein, seconded by Demmer that the amendment be denied. Motion carried with Demmer & Klein voting aye, and Wickham voting nay.

PUBLIC HEARING - COURT HOUSE HVAC UPGRADE PROJECT

Chair Demmer called the hearing to order.

Demmer described the project.

Motion by Klein, seconded by Wickham, carried unanimously, to close the public hearing.

PROOFS OF PUBLICATION - PROCUREMENT PROCEDURES

Motion by Klein, seconded by Wickham, carried unanimously, receive and file the proofs of publication for receipt of bids for culvert replacements on Mud Lake Road/Circle Ridge Road, Project L-C16(04)-73-31 and grading and paving on Farley Road (Y13) Project LOST-17(02)-73-31.

RECEIPT OF BIDS - CULVERT REPLACEMENTS ON MUD LAKE ROAD/CIRCLE RIDGE ROAD, PROJECT L-C16(04)-73-31

The following bids were received and read into the record:

<u>VENDOR</u>	<u>BID AMOUNT</u>
<u>Gansen Excavating</u> Dubuque, Iowa	\$ 243,659.33
Horsfield Construction Inc. Epworth, Iowa	\$ 225,003.71
<u>McClain Excavating Co., Inc.</u> Peosta, Iowa	\$ 179,345.88
Tom Kueter Construction Peosta, Iowa	\$ 176,716.51

Motion by Klein, seconded by Wickham, carried unanimously, to receive and refer the bids to the County Engineer for a recommendation.

RECEIPT OF BIDS - GRADING AND PAVING ON FARLEY ROAD (Y13) PROJECT LOST-17(02)-73-31

The following bids were received and read into the record:

<u>VENDOR</u>	<u>BID AMOUNT</u>
<u>Cedar Valley Corp</u> Waterloo, Iowa	\$ 5,828,614.47 (PCC concrete)
<u>Concrete Foundations</u> New Hampton, Iowa	\$ 5,072,682.80 (PCC concrete)
<u>Flynn Company, Inc.</u> Dubuque, Iowa	\$ 5,416,520.35 (PCC concrete)
<u>Horsfield Construction, Inc.</u> Epworth, Iowa	\$ 5,105,164.34 (PCC concrete)
<u>Streb Construction</u> Iowa City, Iowa	\$ 5,524,956.12 (PCC concrete)
<u>River City Paving</u> Dubuque, Iowa	\$ 3,721,536.11 (HMA asphalt)

Motion by Wickham, seconded by Klein, carried unanimously, to receive and refer the bids to the County Engineer for a recommendation.

NOTICE TO BIDDERS - CULVERT REPLACEMENTS ON COTTINGHAM ROAD, PROJECT L-C16(01)-73-31

Motion by Klein, seconded by Wickham, carried unanimously, to advertise for a bid opening to be held on Monday, April 25, 2016 at 5:30 p.m. for culvert replacements on Cottingham Road.

REQUEST FOR QUOTES - ONE CURRENT MODEL YEAR HEAVY DUTY MECHANICAL FOUR WHEEL DRIVE RUBBER TIRED BOOM MOWER TRACTOR FOR THE DUBUQUE COUNTY HIGHWAY DEPARTMENT

Motion by Wickham, seconded by Klein, carried unanimously, to advertise for a quotes to be opened on Monday, April 25, 2016 at 5:30 p.m. for the above-mentioned mower tractor.

REQUEST FOR QUOTES - ONE CURRENT MODEL YEAR HEAVY DUTY TANDEM AXLE TRUCK FOR THE DUBUQUE COUNTY HIGHWAY DEPARTMENT

Motion by Klein, seconded by Wickham, carried unanimously, to advertise for quotes to be opened on Monday, April 25, 2016 at 5:30 p.m. for the above-mentioned tandem axle truck.

NOTICE TO BIDDERS - DUBUQUE COUNTY COURT HOUSE HVAC UPGRADE PROJECT

Motion by Wickham, seconded by Klein, carried unanimously, to advertise for a bid opening to be held on Wednesday, May 4, 2016 at 2:00 p.m. for the HVAC upgrade project for the Dubuque County Court House.

RESOLUTION 16-088 - FINAL PLAT OF VALENTINE HOMESTEAD - SECTION 31 - WASHINGTON TOWNSHIP

WHEREAS, there has been presented to the Dubuque County Board of Supervisors a Final Plat of Survey for, VALENTINE HOMESTEAD, comprised of Lot 2 of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ and Lot 1 of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ all in Section 31, T87N, R2E, of the 5th PM, Washington Township, Dubuque County, Iowa; and

WHEREAS, said final plat will replat two (2) lots into two (2) new lots, namely Lot 1 and

Lot 2 of Valentine Homestead in Section 31, Washington Township, Dubuque County, Iowa;
and

WHEREAS, said final plat has been examined by the Dubuque County Planning and Zoning Commission, Dubuque County Board of Health, Dubuque County Engineer, Dubuque County Treasurer and the Dubuque County Plats Officer and has their approval endorsed thereon; and

WHEREAS, said final plat has been examined by the Board of Supervisors of Dubuque County, Iowa, and they find the same conforms to the statutes and other regulatory ordinances and resolutions.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of Dubuque County, Iowa:

Section 1. That the above described property is within the A-1, Agricultural and A-2, Agricultural Residential districts, thus subject to all the requirements of those districts.

Section 2. That the above described final plat be and is hereby approved and the Chairperson of the Board of Supervisors is authorized and directed to endorse the approval of Dubuque County, Iowa upon said final plat.

Motion by Klein, seconded by Wickham, carried unanimously, to approve and authorize the Chair to sign Resolution 16-088.

RESOLUTION 16-089 - FINAL PLAT OF STOFFEL-WOLF ADDITION - SECTION 23 - CONCORD TOWNSHIP

WHEREAS, there has been presented to the Dubuque County Board of Supervisors a Final Plat of Survey for, STOFFEL-WOLF ADDITION, comprised of Lot 1-1 of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ and Lot 1-2-2 of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ all in Section 23, T90N, R1W, of the 5th PM, Concord Township, Dubuque County, Iowa; and

WHEREAS, said final plat will replat two (2) lots into two (2) new lots, namely Lot 1 and Lot 2 of Stoffel-Wolf Addition in Section 23, Concord Township, Dubuque County, Iowa;
and

WHEREAS, said final plat has been examined and approved by the City of Rickardsville;
and

WHEREAS, said final plat has been examined by the Dubuque County Planning and Zoning Commission, Dubuque County Board of Health, Dubuque County Engineer, Dubuque

County Treasurer and the Dubuque County Plats Officer and has their approval endorsed thereon; and

WHEREAS, said final plat has been examined by the Board of Supervisors of Dubuque County, Iowa, and they find the same conforms to the statutes and other regulatory ordinances and resolutions.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of Dubuque County, Iowa:

Section 1. That the above described property is within the A-1, Agricultural district, thus subject to all the requirements of that district.

Section 2. That the above described final plat be and is hereby approved and the Chairperson of the Board of Supervisors is authorized and directed to endorse the approval of Dubuque County, Iowa upon said final plat.

Motion by Wickham, seconded by Klein, carried unanimously, to approve and authorize the Chair to sign Resolution 16-089.

RESOLUTION 16-090 - APPOINTMENT OF DEPUTIES, ASSISTANTS AND CLERKS

WHEREAS, position vacancies have been approved for the following appointments by the Board of Supervisors through the Personnel Requisition Process.

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors approves and certifies the following appointments to the Auditor for payroll implementation:

DEPARTMENT	POSITION	DATE APPROVED	NAME	PAY RATE
Secondary Roads	TPT Maintenance Helper	03-14-16	Dylan Ambrosy	\$11.50
Secondary Roads	TPT Maintenance Helper	03-14-16	Collin Koerperich	\$11.50
Treasurer	PFT Clerk Cashier	03-14-16	Michele Jaeger	\$16.39
Sunnycrest	PFT Clinical RN Manager	02-19-16	Karie Kuntz	\$23.14
Elections	TPT Election Clerk	03-14-16	Terri Lyons	\$13.50
Elections	TPT Election Clerk	03-14-16	Linda Kressig	\$14.00
Elections	TPT Election Clerk	03-14-16	Ann Correll-Haas	\$15.00

Motion by Klein, seconded by Wickham, carried unanimously, to approve and authorize the Chair to sign Resolution 16-090.

DAMAGE CLAIM - CHRIS FROMMELT

Motion by Wickham, seconded by Klein, carried unanimously, to receive and refer the claim to the County Attorney.

RESOLUTION 16-091 - APPROVE FINANCIAL INSTITUTIONS FOR DEPOSITORIES OF DUBUQUE COUNTY FUNDS AS RECOMMENDED BY THE DUBUQUE COUNTY TREASURER

BE IT RESOLVED that the Dubuque County Board of Supervisors approves the following list of financial institutions to be depositories of the Dubuque County funds in conformance with all applicable provisions of Iowa Code Chapters 12B and 12C of the current code.

The County Treasurer is hereby authorized to deposit the Dubuque County funds in amounts not to exceed the maximum approved for each respective financial institution, as set out below:

DEPOSITORY NAME	LOCATION	MAX BALANCE UNDER THIS RESOLUTION
American Trust & Savings Bank	Dubuque	55,000,000
Dubuque Bank & Trust	Dubuque	60,000,000
Dupaco Community Credit Union	Dubuque	10,000,000
East Dubuque Savings Bank	Dubuque	10,000,000
Fidelity Bank & Trust	Dyersville	5,000,000
Liberty Bank	Dubuque	10,000,000
US Bank	Dubuque	30,000,000
New Vienna Savings Bank	New Vienna	2,000,000
Peaks Investments	Colorado	500,000
Security State Bank	Cascade	4,000,000
Premier Bank	Dubuque	20,000,000
State Bank	Worthington	6,000,000
Tri-County Bank & Trust	Cascade	1,000,000
Wells Fargo	Des Moines	15,000,000

Motion by Klein, seconded by Wickham, carried unanimously, to approve and authorize the Chair to sign Resolution 16-091.

RESOLUTION 16-092 - REQUEST FOR PAYMENT # 5 FOR CAREER LINK GRANT - CDBG #14-CRL-001

WHEREAS, the East Central Intergovernmental Association (ECIA) is administering Career Link Grant CDBG #14-CRL-001; and

WHEREAS, the signature of the Chair of the Dubuque County Board of Supervisors is required on the draw for the grant; and

WHEREAS, Draw # 5 in the amount of \$ 6,300 has been prepared for the Chair's signature.

NOW THEREFORE BE IT RESOLVED that the Dubuque County Board of Supervisors hereby approves and authorizes the Chair to sign Draw # 5 for CDBG #14-CRL-001.

Motion by Wickham, seconded by Klein, carried unanimously, to approve and authorize the Chair to sign Resolution 16-092.

RESOLUTION 16-093 - APPROVE THE MERCY MEDICAL CENTER DAILY PER DIEM RATE FOR INVOLUNTARY COMMITMENTS EFFECTIVE JULY 1, 2016

BE IT RESOLVED that the Dubuque County Board of Supervisors approves the daily per diem rate of \$784 with Mercy Medical Center - Dubuque for inpatient substance abuse commitments as defined in Iowa Code Section 125.78 and 125.80 for those who would be responsible for costs of the hospitalization prior to the hearing. This rate becomes effective July 1, 2016.

Motion by Klein, seconded by Wickham, carried unanimously, to approve and authorize the Chair to sign Resolution 16-093.

RESOLUTION 16-094 - APPROVE 28E AGREEMENT WITH THE CITY OF DUBUQUE FOR GRADING AND PAVING RECONSTRUCTION PROJECT ON KEY WEST DRIVE

WHEREAS, Dubuque County and the City of Dubuque have agreed to partner on the grading and paving reconstruction of Key West Drive, Dubuque County Project No. LOST-17(01)-73-31, and

WHEREAS, it is necessary for Dubuque County and the City of Dubuque to enter into a 28E Agreement detailing the responsibilities and funding obligations of each entity regarding said project,

THEREFORE BE IT RESOLVED that the Board of Supervisors of Dubuque County, Iowa

hereby approve and direct the Chair to sign the 28E Agreement with the City of Dubuque for the Key West Drive grading and paving reconstruction project.

Motion by Wickham, seconded by Klein, carried unanimously, to approve and authorize the Chair to sign Resolution 16-094.

RESOLUTION 16-095 - APPROVE NECESSARY CONTRACT DOCUMENTS WITH TOP GRADE EXCAVATING, INC. FOR THE GRADING, PAVING AND RECONSTRUCTION ON KEY WEST DRIVE

WHEREAS, bids were received on March 28, 2016 for the grading, paving and reconstruction project on Key West Drive, a joint project between Dubuque County Project LOST-17(01)-73-31, and the City of Dubuque, Project CIP #7402954, and Top Grade Excavating, Inc., Farley, Iowa submitted the low bid of \$1,765,543.93 for Dubuque County's portion and \$856,909.33 for the City of Dubuque's portion for a combined project total of \$2,622,453.26; and

WHEREAS, the Dubuque County Engineer has reviewed the bids and recommends accepting the bid submitted by Top Grade Excavating, Inc.,

THEREFORE BE IT RESOLVED that the Board of Supervisors of Dubuque County, Iowa hereby approve and direct the Chair to sign the necessary contract documents with Top Grade Excavating, Inc. for the grading, paving & reconstruction on Key West Drive.

Motion by Klein, seconded by Wickham, carried unanimously, to approve and authorize the Chair to sign Resolution 16-095.

RESOLUTION 16-096 - APPROVE NECESSARY RIGHT OF WAY DOCUMENTS FOR THE CULVERT REPLACEMENTS ON COTTINGHAM ROAD, PROJECT L-C16(01)-73-31

WHEREAS, it is necessary to secure additional right-of-way for the culvert replacements on Cottingham Road, Project L-C16(01)-73-31.

THEREFORE BE IT RESOLVED that the Board of Supervisors of Dubuque County, Iowa, hereby approve and direct the Chair to sign the necessary right-of-way documents with property owners for the Cottingham Road project.

Motion by Wickham, seconded by Klein, carried unanimously, to approve and authorize the Chair to sign Resolution 16-096.

RESOLUTION 16-097 - APPROVE PLANS AND SPECIFICATION FOR THE CULVERT REPLACEMENTS ON COTTINGHAM ROAD, PROJECT L-C16(01-73-31

WHEREAS, plans and specifications have been prepared by Dubuque County and approved by the Dubuque County Engineer for the culvert replacements on Cottingham Road, Project L-16(01)--73-31,

WHEREAS, this project will be let locally by Dubuque County, subject to the Dubuque County Board of Supervisors approval and signature on the plans,

THEREFORE BE IT RESOLVED that the Board of Supervisors of Dubuque County, Iowa hereby approve the plans and specifications for said project.

Motion by Klein, seconded by Wickham, carried unanimously, to approve and authorize the Chair to sign Resolution 16-097.

RESOLUTION 16-098 - APPROVE NECESSARY DOCUMENTS WITH JIM SCHROEDER CONSTRUCTION, INC, FOR THE BRIDGE REPLACEMENT ON SOUTH MOUND ROAD, PROJECT L-B17(01)-73-31

WHEREAS, bids were received on March 28, 2016 for the bridge replacement on South Mound Road, Project L-B17(01)--73-31 and Jim Schroeder Construction, Inc., Bellevue, Iowa submitted the low bid of \$361,994.14, and

WHEREAS, the Dubuque County Engineer has reviewed the bids and recommends accepting the bid submitted by Jim Schroeder Construction, Inc.,

THEREFORE BE IT RESOLVED that the Board of Supervisors of Dubuque County, Iowa hereby approve and direct the Chair to sign the necessary contract documents with Jim Schroeder Construction, Inc. for the bridge replacement on South Mound Road.

Motion by Wickham, seconded by Klein, carried unanimously, to approve and authorize the Chair to sign Resolution 16-098.

RESOLUTION 16-099 - APPROVE NECESSARY DOCUMENTS WITH JIM SCHROEDER CONSTRUCTION, INC FOR THE BRIDGE REPLACEMENT ON LEUCHS ROAD, PROJECT L-B17(02)-73-31

WHEREAS, bids were received on March 28, 2016 for the bridge replacement on Leuchs Road, Project L-B17(02)--73-31 and Jim Schroeder Construction, Inc., Bellevue, Iowa submitted the low bid of \$235,090.20, and

WHEREAS, the Dubuque County Engineer has reviewed the bids and recommends accepting the bid submitted by Jim Schroeder Construction, Inc.,

THEREFORE BE IT RESOLVED that the Board of Supervisors of Dubuque County, Iowa hereby approve and direct the Chair to sign the necessary contract documents with Jim Schroeder Construction, Inc. for the bridge replacement on Leuchs Road.

Motion by Klein, seconded by Wickham, carried unanimously, to approve and authorize the Chair to sign Resolution 16-099.

RESOLUTION 16-100 - APPROVE NECESSARY DOCUMENTS WITH TAYLOR CONSTRUCTION, INC., FOR THE BRIDGE REPLACEMENT ON CLEAR CREEK ROAD, PROJECT L-B17(03)-73-31

WHEREAS, bids were received on March 28, 2016 for the bridge replacement on Clear Creek Road, Project L-B17(03)-73-31 and Taylor Construction, Inc., New Vienna, Iowa submitted the low bid of \$437,395.30, and

WHEREAS, the Dubuque County Engineer has reviewed the bids and recommends accepting the bid submitted by Taylor Construction, Inc.,

THEREFORE BE IT RESOLVED that the Board of Supervisors of Dubuque County, Iowa hereby approve and direct the Chair to sign the necessary contract documents with Taylor Construction, Inc. for the bridge replacement on Clear Creek Road.

Motion by Wickham, seconded by Klein, carried unanimously, to approve and authorize the Chair to sign Resolution 16-100.

RESOLUTION 16-101 - APPROVE NECESSARY DOCUMENTS WITH MAINLINE EXCAVATING CO FOR CULVERT REPLACEMENT ON SLEEPY HOLLOW ROAD, PROJECT L-C17(02)-73-31

WHEREAS, bids were received on March 28, 2016 for the bridge replacement with culverts on Sleepy Hollow Road, Project L-C17(02)-73-31 and Mainline Excavating Co., Dubuque, Iowa submitted the low bid of \$40,000.00, and

WHEREAS, the Dubuque County Engineer has reviewed the bids and recommends accepting the bid submitted by Mainline Excavating Co.,

THEREFORE BE IT RESOLVED that the Board of Supervisors of Dubuque County, Iowa hereby approve and direct the Chair to sign the necessary contract documents with Mainline

Excavating Co. for the bridge replacement with culverts on Sleepy Hollow Road.

Motion by Klein, seconded by Wickham, carried unanimously, to approve and authorize the Chair to sign Resolution 16-101.

RESOLUTION 16-102 - APPROVE NECESSARY DOCUMENTS WITH MATHY CONSTRUCTION D/B/A RIVER CITY PAVING FOR THE HMA RESURFACE/COLD-IN-PLACE RECYCLE PROJECT ON ASBURY ROAD (FROM FIVE POINTS ROAD WEST 4.7 MILES) PROJECT STP-S-C031(77)-5E-31

WHEREAS, bids were received at the Iowa Department of Transportation State Letting on March 15, 2016 for Project STP-S-C031(77)-5E-31, the HMA resurface/cold-in-place recycle project on Asbury Road (from Five Points Road west 4.7 miles), and Mathy Construction D/B/A River City Paving of Dubuque, Iowa submitted the low bid of \$1,440,626.22, and

WHEREAS, the Iowa Department of Transportation and Mathy Construction D/B/A River City Paving have submitted the necessary contract documents,

THEREFORE BE IT RESOLVED that the Board of Supervisors of Dubuque County, Iowa hereby approve and direct the Chair to sign the necessary contract documents for said project.

Motion by Wickham, seconded by Klein, carried unanimously, to approve and authorize the Chair to sign Resolution 16-102.

RESOLUTION 16-103 - APPROVE NECESSARY DOCUMENTS WITH MATHY CONSTRUCTION D/B/A RIVER CITY PAVING FOR THE HMA RESURFACE/COLD-IN-PLACE RECYCLE PROJECT ON MUD LAKE ROAD/CIRCLE RIDGE ROAD (FROM SHERRILL ROAD NORTHERLY 6.8 MILES TO CIRCLE RIDGE ROAD AND EAST TO THE CORPORATE LIMITS OF SHERRILL) PROJECT STP-S-C031(78)5E-31

WHEREAS, bids were received at the Iowa Department of Transportation State Letting on March 15, 2016 for Project STP-S-C031(78)-5E-31, the HMA resurface/cold-in-place recycle project on Mud Lake Road/Circle Ridge Road (from Sherrill Road northerly 6.8 miles to Circle Ridge Road and east corporate limits of Sherrill), and Mathy Construction D/B/A River City Paving of Dubuque, Iowa submitted the low bid of \$2,751,773.47, and

WHEREAS, the Iowa Department of Transportation and Mathy Construction D/B/A River City Paving have submitted the necessary contract documents,

THEREFORE BE IT RESOLVED that the Board of Supervisors of Dubuque County, Iowa

hereby approve and direct the Chair to sign the necessary contract documents for said project.

Motion by Klein, seconded by Wickham, carried unanimously, to approve and authorize the Chair to sign Resolution 16-103.

RESOLUTION 16-104 - APPROVE FY2017 SUBSTANCE ABUSE PREVENTION GRANT APPLICATION WITH THE IOWA DEPARTMENT OF PUBLIC HEALTH

WHEREAS, Dubuque County has been presented with a FY2017 County Substance Abuse Prevention Grant Application which would, if accepted by the Iowa Department of Public Health, provide \$10,000 to fund the FY17 Dubuque County D.A.R.E. Program to provide substance abuse prevention and related services for Dubuque County,

NOW, THEREFORE, BE IT RESOLVED, that the Dubuque County Board of Supervisors hereby approves and authorizes the Chairperson to sign the FY2017 County Substance Abuse Prevention Grant Application with the Iowa Department of Public Health which would provide \$10,000 to fund the FY17 Dubuque County D.A.R.E. Program to provide substance abuse prevention and related services for Dubuque County.

Motion by Wickham, seconded by Klein, carried unanimously, to approve and authorize the Chair to sign Resolution 16-104.

PROOFS OF PUBLICATION - ZONING CASES

- 1) ZC# 02-10-16 - WILLIAM & JANE HEIAR & DOUG HEIAR - A-1 AGRICULTURAL TO M-1 INDUSTRIAL
- 2) ZC #02-08-16 - GLEN & RONNA BROWN & MARK & JERICA SCHOCKEMOEHL - A-1- AGRICULTURAL TO A-2 AGRICULTURAL RESIDENTIAL

Motion by Wickham, seconded by Klein, carried unanimously, to receive and file the proofs.

COMMUNICATION - TO DUBUQUE COUNTY DEPUTY SHERIFF'S ASSOCIATION REGARDING DUBUQUE COUNTY'S INITIAL RESPONSE AND COLLECTIVE BARGAINING PROPOSAL

Motion by Klein, seconded by Wickham, carried unanimously, to approve the communication.

APPOINTMENT - CENTER TOWNSHIP TRUSTEE

Motion by Klein, seconded by Wickham, carried unanimously, to appoint Daniel Launspach to a four (4) year term ending December 31, 2018.

PERSONNEL REQUISITIONS

Motion by Wickham, seconded by Klein, carried unanimously, to approve the personnel requisition for the Secondary Road department for a permanent, full-time maintenance worker I.

Motion by Wickham, seconded by Klein, carried unanimously, to recess at 12:23 p.m. for five (5) minutes.

WORKSESSION WITH STAFF REGARDING DUBUQUE COUNTY HEALTH INSURANCE COMMITTEE'S RECOMMENDATIONS FOR FY17 HEALTH INSURANCE

Upon reconvening at 12:28 p.m., the Board met with Sara Dickinson and Mike Johns of Cottingham and Butler and Administrative Assistant Mary Ann Specht regarding the FY17 health insurance costs. Following the presentation of the cost of renewing the current plan there was discussion of an increase in the deductible which the County covers.

GENERAL ASSISTANCE HEARINGS

Motion by Klein, seconded by Wickham, carried unanimously, to enter executive session with General Assistance Caseworker Doug Slaats regarding Case W-6-46.

Upon returning to regular session, motion by Klein, seconded by Wickham, carried unanimously, to approve one month's rent if the landlord is willing to work with the client for Case W-6-46.

Motion by Klein, seconded by Wickham, carried unanimously, to deny assistance for Case W-6-47.

Motion by Klein, seconded by Wickham, carried unanimously, to enter executive session with General Assistance Caseworker Doug Slaats regarding Case R-5-28.

Upon returning to regular session, motion by Wickham, seconded by Klein, carried unanimously, to deny assistance for Case R-5-28.

Motion by Klein, seconded by Demmer, carried unanimously, to enter executive session with General Assistance Caseworker Doug Slaats regarding Case H-10-4.

Upon returning to regular session, motion by Klein, seconded by Demmer, carried unanimously, to approve assistance for Case H-10-4.

WORKSESSION - OFFICE SPACE

Motion by Wickham, seconded by Klein, carried unanimously, to enter executive session with consultant Gordy Mills, Dave Kubicek & Matt Hektoen of Simmons, Perrine and Administrative Assistant Mary Ann Specht.

No action was taken upon returning to regular session.

WORKSESSION WITH CITY STAFF REGARDING CITY OF DUBUQUE FUEL AGREEMENT

The Board met with Director Don Vogt and Kevin Fernwell of the City Public Works division, Chief Deputy Sheriff Greg Egan, and Captain Dale Snyder regarding the agreement with the City of Dubuque for the purchase of fuel for the Sheriff's vehicles.

No action was taken and additional information was requested from the City staff.

CANVASS OF APRIL 4TH FARLEY CITY COUNCIL ELECTION (50.24)

The Board canvassed the special city council election in the City of Farley that was held on April 5, 2016.

The following votes were cast:

Janet Hingtgen	79
Joe Erion	80

Joe Erion was declared elected to a four year term to fill the council vacancy.

WORKSESSION WITH ZONING ADMINISTRATOR

ENTRANCE PERMITS

The Board met with Zoning Administrator Anna O'Shea regarding a request from Richard and Maureen Smith for a new residential entrance off Cedar Ridge Road for the construction of a new home. Richard Smith was present for the worksession.

Motion by Klein, seconded by Wickham, carried unanimously, to approve the variance as

recommended by the County Engineer.

Zoning Administrator Anna O'Shea met with the Board regarding a request from Tom and Kathy Ehrlich to upgrade an existing residential entrance to provide better access for a new garage. Tom Ehrlich was present for the worksession.

Motion by Wickham, seconded by Klein, carried unanimously, to approve the variance as recommended by the County Engineer.

The Board met with Donald Schmitt and Zoning Administrator Anna O'Shea regarding a request for an entrance permit variance for Tom & Jean Cook and Donald Schmitt. Mr. Schmitt explained that he owns A-1 agricultural property off Finley's Landing and Balltown Roads. He is requesting to install a new field entrance to access his property across the Cook's property to eliminate the necessity of accessing off Balltown Road.

Motion by Wickham, seconded by Klein, carried unanimously, to approve the variance as recommended by the County Engineer.

The Board met with Zoning Administrator Anna O'Shea regarding an entrance permit variance for Justin & Stacy Schmitt for a new residential entrance off Balltown Road. Justin Schmitt was present for the worksession. Following discussion, the Board requested Mr. Schmitt contact the homeowners along Panoramic View Road to gain access to the property.

The Board met with Zoning Administrator Anna O'Shea and Leon Dupont regarding an entrance permit variance for a new residential entrance off South Mound Road.

Motion by Klein, seconded by Wickham, carried unanimously, to approve the variance as recommended by the County Engineer.

No action was taken on the entrance permit variance request of Ron and Geraldine Weitz as no one was in attendance to present the request.

RECOMMENDATION REGARDING PROPOSED ZONING FEES

Zoning Administrator O'Shea presented the Board with recommendations for fees charged by the Zoning department. She, also, presented a comparison with fees in other counties and a table of the time staff spends working on each type of permit/fee as justification for the fees.

DISCUSSION OF CEDAR CREST SUBDIVISION WATER RUNOFF ISSUES

The Board met with Zoning Administrator Anna O'Shea and Eric Schmeichel, Administrator of the Erosion Control & Stormwater ordinance, regarding the runoff issues

in the Cedar Crest subdivision.

Following discussion, motion by Klein, seconded by Wickham, carried unanimously, to request the Administrative Assistant inquire of the County Attorney what the County can do to enforce the runoff policy and how to proceed.

Motion by Klein, seconded by Wickham, carried unanimously, to recess at 5:40 p.m. until Thursday, April 14, 2016 at 9:30 a.m.

The Board reconvened on Thursday, April 14, 2016 at 9:30 a.m.

RESOLUTION 16-105 - APPOINTMENT OF DEPUTIES, ASSISTANTS AND CLERKS

WHEREAS, position vacancies have been approved for the following appointments by the Board of Supervisors through the Personnel Requisition Process.

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors approves and certifies the following appointments to the Auditor for payroll implementation:

DEPARTMENT	POSITION	DATE APPROVED	NAME	PAY RATE
Sunnycrest	PPT Food Service Worker	03-02-16	Mariyah Taylor	\$ 9.74
Elections	TPT Election Clerk	03-14-16	Tina Smith	\$ 13.50
Conservation	TPT Conservation Aide	02-24-16	Tyler Decker	\$ 10.00
Conservation	TPT Conservation Aide	02-24-16	Kristopher Mueller	\$ 9.00

Motion by Klein, seconded by Wickham, carried unanimously, to approve and authorize the Chair to sign Resolution 16-105.

RESOLUTION 16-106 - APPROVE REBATE AGREEMENT FOR PROCUREMENT CARD PROGRAM

WHEREAS, Dubuque County has obtained procurement cards through Dubuque Bank & Trust; and

WHEREAS, the procurement card program includes a rebate; and

WHEREAS, Dubuque Bank & Trust has presented a commercial card payment solutions rebate agreement.

NOW, THEREFORE BE IT RESOLVED that the Dubuque County Board of Supervisors approves the rebate agreement.

Motion by Wickham, seconded by Klein, carried unanimously, to approve and authorize the Chair to sign Resolution 16-106.

WORKSESSION WITH COTTINGHAM & BUTLER REGARDING FY17 HEALTH INSURANCE

The Board met with Sara Dickinson of Cottingham and Butler, Budget Director Michelle Patzner and Assistant to the Board Mary Ann Specht regarding the FY17 health insurance.

There was discussion about the premiums paid by retirees and the increased risk from the county covering increased deductibles. No action was taken.

WORKSESSION - OFFICE SPACE

Motion by Klein, seconded by Wickham, carried unanimously, to enter executive session with Brian Coller of Bergan KDV, Dave Kubicek of Simmons, Perrine, consultant Gordy Mills, and Assistant to the Board Mary Ann Specht regarding office space per 21.5(1)(j).

Upon returning to regular session, motion by Klein, seconded by Wickham, carried unanimously, to adjourn at 11:44 a.m. until 5:30 p.m. on Monday, April 25, 2016.

Wayne Demmer, Chair
Board of Supervisors

ATTEST:

Denise M. Dolan
Dubuque County Auditor