

MINUTES OF MAY 9, 2016  
DUBUQUE COUNTY BOARD OF SUPERVISORS  
Present: Daryl Klein and Jay Wickham  
Absent: Wayne Demmer  
Vice-Chair Klein called the meeting to order at 8:00 a.m.

#### WORKSESSION WITH COUNTY ENGINEER

The Board met with County Engineer Anthony Bardgett and Engineering Tech Russ Weber.

##### ENGINEER'S REPORT -

- Schroeder Construction is looking at moving up the start date to around the first part of June for the East Flannagan Road, West Flannagan Road, Plum Creek Road and Pfeiler Road bridges.
- Taylor Construction closed the Clear Creek Road bridge last Wednesday and is working on removing the bridge deck.
- Top Grade Excavating anticipates starting work on the Key West Drive paving project around the first of June. The plan is to start work on one half of the road and shift all traffic to the other half to help maintain through traffic. The contractor will be responsible for all public access.
- Maintenance crews are working on the road slopes on Mud Lake Road.

#### GENERAL ROAD DEPARTMENT DISCUSSION

Bardgett explained planned crack sealing projects on asphalt roads. There was also discussion about a meeting with IIW and IDOT about the settling on Herber Road near the bridge. He, also, discussed the use of liquid calcium chloride on county roads. He has included this option on the permit form.

Motion by Wickham, seconded by Klein, carried unanimously, to recess at 8:35 a.m. until 9:00 a.m.

The Board, with all Supervisors present, reconvened at 9:00 a.m.

#### PROCLAMATION 16-001 - NICC 50<sup>TH</sup> ANNIVERSARY

NOW, THEREFORE, BE IT RESOLVED that the Dubuque County Board of Supervisors congratulates the Northeast Iowa Community College administration, students, faculty and staff, the Board of Trustees, the College Foundation Board, and the College district as they celebrate 50 years of educational excellence.

Motion by Wickham, seconded by Klein, carried unanimously, to adopt Proclamation 16-001. NICC President Wee accepted the proclamation.

#### APPROVAL OF MINUTES OF MEETING OF APRIL 25 AND MAY 2, 2016

Motion by Klein, seconded by Wickham, carried unanimously, to approve the minutes of the April 25 and May 2, 2016 meetings.

#### CONSENT ITEMS

IDNR Manure Management Plan/Update from Demmer Family Farm, LLC; Renewal of Class BB Beer Permit - Mid-Mart; Renewal of Class WCN native wine permit - Park Farm Winery, Inc.

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

#### PROOF OF PUBLICATION - PUBLIC HEARING

Motion by Wickham, seconded by Klein, carried unanimously, to receive and file the proofs of publication for Amendments to Zoning Ordinance - ZC # 04-15-16 - Nicholas & Marjorie Gindorff & Nancy Wahlert Declaration of Trust - A-1 Agricultural to R-1 Rural Residential; ZC # 04-16-16 - Dale & Charlene Rolwes - A-1 Agricultural to A-2 Agricultural Residential; ZC # 04-17-16 - Wayne Demmer Revocable Trust Etal & Joan Demmer Revocable Trust - A-1 Agricultural to A-2 Agricultural Residential.

#### PUBLIC HEARING - AMENDMENT TO ZONING ORDINANCE - ZC # 04-15-16 - NICHOLAS & MARJORIE GINDORFF & NANCY WAHLERT DECLARATION OF TRUST - A-1 AGRICULTURAL to R-1 RURAL RESIDENTIAL

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 24.35 acres more or less, to reconfigure 2 lots into 2 new lots.

Dave Schneider, Schneider Surveying, 906 1<sup>st</sup> St N., Farley, spoke in favor of the request.

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

AMENDMENT TO ZONING ORDINANCE - ZC # 04-15-16 - NICHOLAS & MARJORIE GINDORFF & NANCY WAHLERT DECLARATION OF TRUST - A-1 AGRICULTURAL to R-1 RURAL RESIDENTIAL

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

ZC#04-15-16 Nicholas & Marjorie Gindorff & Nancy Wahlert Declaration of Trust A-1 Agricultural to R-1 Rural Residential

The applicants are requesting to rezone from A-1 Agricultural to R-1 Rural Residential 24.35 acres more or less, to reconfigure 2 lots into 2 new lots. The property is located 3.73 miles south of the City of Peosta along Monastery Road and is legally described as Lot 1-1 Sub SE SW (Exc W 24')-Section 36, (T88N R1E) Vernon Township, Dubuque County, Iowa and Lot 2-1 SE SW (Exc W 24')- Section 36, (T88N R1E) Vernon Township, Dubuque County, Iowa.

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 May 9, 2016.

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

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

Motion by Klein, seconded by Wickham, 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 # 04-16-16 - DALE & CHARLENE ROLWES - A-1 AGRICULTURAL TO A-2 AGRICULTURAL RESIDENTIAL

Chair Demmer opened the public hearing.

Zoning Administrator Anna O'Shea explained that the applicants are requesting to rezone from A-1 Agricultural to A-2 Agricultural Residential 1.69 acres more or less, to allow the existing farm home and out buildings to be separated from the rest of the farm property to allow for the son to move into the home and assist with the farming operation. Motion by Wickham, seconded by Klein, carried unanimously, to close the public hearing.

AMENDMENT TO ZONING ORDINANCE - ZC # 04-16-16 - DALE & CHARLENE ROLWES - A-1 AGRICULTURAL TO A-2 AGRICULTURAL RESIDENTIAL

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

ZC#04-16-16 Dale & Charlene Rolwes A-1 Agricultural to A-2 Agricultural Residential  
The applicants are requesting to rezone from A-1 Agricultural to A-2 Agricultural Residential 1.69 acres more or less, to allow the existing farm home and out buildings to be separated from the rest of the farm property to allow for the son to move into the home and assist with the farming operation. The property is located 1.64 miles south of the City of Farley along Farley Road. and is legally described as Lot 1-1NE NW Section 25, (T88N R2W) Dodge Township, Dubuque County, Iowa.

1. That 1.69 acres more or less around the home be rezoned to A-2, Agricultural/Residential for one home only and the remainder will stay A-1, Agricultural.
2. 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 May 9, 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 # 04-17-16 - WAYNE DEMMER REVOCABLE TRUST ETAL & JOAN DEMMER REVOCABLE TRUST - A-1 AGRICULTURAL TO A-2 AGRICULTURAL RESIDENTIAL

Chair Demmer opened the public hearing.

Zoning Administrator Anna O'Shea explained that the applicants are requesting to rezone from A-1 Agricultural to A-2 Agricultural Residential 2.26 acres more or less, to remove the crop land from the farm home.

Chair Demmer spoke in favor of the request.

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

AMENDMENT TO ZONING ORDINANCE - ZC # 04-17-16 - WAYNE DEMMER REVOCABLE TRUST ETAL & JOAN DEMMER REVOCABLE TRUST - A-1 AGRICULTURAL TO A-2 AGRICULTURAL RESIDENTIAL

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

ZC#04-17-16 Wayne Demmer Revocable Trust Etal & Joan Demmer Revocable Trust A-1 Agricultural to A-2 Agricultural Residential

The applicants are requesting to rezone from A-1 Agricultural to A-2 Agricultural Residential 2.26 acres more or less, to remove the crop land from the farm home. The property is located 1.38 miles Southeast of the City of Epworth along Lone Pine Road and is legally described as Lot 1 Demmer Farm Sub Section 18, (T88N R1E) Vernon Township, Dubuque County, Iowa.

1. That 2.26 acres more or less around the home be rezoned to A-2, Agricultural/Residential for one home only and the remainder will stay A-1, Agricultural.
2. 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 May 9, 2016

Motion by Klein, seconded by Wickham to approve the rezoning. Motion carried with Klein and Wickham voting aye and Demmer abstaining.

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

Motion by Klein, seconded by Wickham 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. Motion carried with Klein and Wickham voting aye and Demmer abstaining.

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

Chair Demmer announced the continuation of the public hearing.

Zoning Administrator Anna O'Shea explained that any information provided to the Zoning Office has been provided to the Board.

Dale Hefel, Three Rivers FS, 1200 Field of Dreams Way, Dyersville, explained that the company has looked for solutions as requested. 75 - 80 people attended the public awareness open house. He, also, explained the possibility of an easement through the Kirsch property.

David Meyer, Burrington Group, 105 West Main Street, Manchester, addressed the possible easement.

Ray Kirsch, 308 2<sup>nd</sup> Avenue SW, Dyersville, spoke in opposition. He stated that after a meeting with his attorney, a letter has been sent to Three Rivers FS notifying them that they are not to use the easement.

Supervisor Wickham questioned O'Shea on the normal process for rezoning and platting. O'Shea explained that for properties in the county rezoning is completed before the platting process, so access and frontage requirements are known.

Joan Esch, 1303 1<sup>st</sup> Street SW, Dyersville, spoke in opposition to the project.

Alan Manternach, 7912 Eagle View Drive, Cascade, spoke in opposition to the project and commented that the public hearing notification did not specify that anhydrous ammonia and LP would be part of the uses.

Supervisor Wickham stated that Three Rivers is a good neighbor and that he grew up near their Epworth facility.

Kevin Saliga, 1151 Woodland Drive, Dyersville address the release of pressure valves and the danger of anhydrous ammonia near homes and cattle.

Carla Ries, 27651 North Bankston Road, New Vienna, spoke in opposition to the location and requested that the Board act today and not continue the public hearing.

Kevin Saliga, also, requested the Board to take action today.

Ray Kirsch explained that he is not willing to make changes to the easement for commercial purposes.

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

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

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

ZC#02-09-16 Jeffrey & Wanda Pape & Three Rivers F.S Company A-1 Agricultural to M-2 Heavy Industrial-Conditional

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 and is legally described as Lot 3 Esch Estates Section 20, (T89N R2W) New Wine Township, Dubuque County, Iowa.

1. That the property is conditional to the mixing of fertilizer and for the storage and sale of Anhydrous Ammonia and propane only.
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 the public hearing has been published as required by law; and a public hearing has been held on Monday April 11, 2016, Monday April 25, 2016 and Monday May 9, 2016.

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

**NOTICE OF PUBLIC HEARING - FY16 BUDGET AMENDMENT # 3  
NOTICE OF PUBLIC HEARING - DECREASE IN DEPARTMENTAL APPROPRIATIONS  
NOTICE OF PUBLIC HEARING - EQUIPMENT FOR WIRELESS NETWORK AT  
SUNNYCREST MANOR**

Motion by Wickham, seconded by Klein, carried unanimously, to advertise for public hearings to be held on Monday, May 23, 2016 at 5:30 p.m. for the above-mentioned budget amendment, decrease in departmental appropriations and equipment for wireless network at Sunnycrest Manor.

**PROOFS OF PUBLICATION - PROCUREMENT PROCEDURES**

Motion by Wickham, seconded by Klein, carried unanimously, to receive and file the proofs of publication for Request for Proposals - Supply and deliver maintenance rock for

the Dubuque County Highway Department; Request for Bids - HMA resurfacing/cold-in-place recycling: Div I - on Rupp Hollow Road; Div II - on North Bankston Road; Div. II - on Clear Creek Road, Project LOST-17(04)-73-31.

RECEIPT OF PROPOSALS - SUPPLY AND DELIVER MAINTENANCE ROCK FOR THE DUBUQUE COUNTY HIGHWAY DEPARTMENT

The following bids were received and read into the record:

<u>VENDOR</u>		<u>BID AMOUNT</u>
<u>Bard Materials</u>	M-2	\$ 8.09
Dyersville, Iowa	M-5	7.25
	M-6	8.19
	M-9	7.49
	M-13	7.35
<u>C. J. Moyna &amp; Sons, Inc.</u>	M-2	\$ 8.39
Elkader, Iowa	M-4	7.49
	M-5	9.11
<u>Horsfield Materials</u>	M-2	\$ 10.25
Epworth, Iowa	M-5	10.00
	M-6	10.55
	M-9	10.45
<u>River City Stone</u>	M-2	\$ 7.24
Dubuque, Iowa	M-3	7.09
	M-4	7.39
	M-5	7.24
	M-6	7.39
	M-7	7.24
	M-9	7.49
	M-13	7.09
<u>Wendling Quarries, Inc.</u>	M-3	\$ 6.73
DeWitt, Iowa	M-7	9.95

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

REQUEST FOR PROPOSALS - EQUIPMENT FOR WIRELESS NETWORK AT SUNNYCREST MANOR

Motion by Wickham, seconded by Klein, carried unanimously, to advertise for proposals to be opened on Wednesday, June 1, 2016 at 1:00 p.m. regarding equipment for wireless network at Sunnycrest Manor.

RECEIPT OF BIDS - HMA RESURFACING/COLD-IN-PLACE RECYCLING: DIV I - ON RUPP HOLLOW ROAD; DIV. II - ON NORTH BANKSTON ROAD; DIV II - ON CLEAR CREEK ROAD, PROJECT LOST-17(04)-73-31

<u>VENDOR</u>	<u>BID AMOUNT</u>
<u>River City Paving</u> Dubuque, Iowa	\$ 1,868,408.92

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

RECOMMENDATION OF MAINTENANCE SUPERINTENDENT FOR COURT HOUSE HVAC PROJECT

Motion by Wickham, seconded by Klein, carried unanimously, to table until recommendation is received.

RESOLUTION 16-122 - APPROVING FINAL PLAT FOR HIDDEN MEADOWS SUBDIVISION NO. 2; SECTION 23, CENTER TOWNSHIP

WHEREAS, there has been presented to the Dubuque County Board of Supervisors a Final Plat of Survey for, HIDDEN MEADOWS SUBDIVISION NO. 2, comprised of the Replat of Lot 4 and Lot 5 of Hidden Meadows Subdivision in Section 23, T89N, R1E, of the 5<sup>th</sup> PM, Center 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 Hidden Meadows Subdivision No. 2 Section 23, Center Township, Dubuque County, Iowa; and

WHEREAS, said final plat has been examined and approved by the City of Asbury and the City of Asbury Planning and Zoning Commission; 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 R-2, Single Family Residential 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, approve and authorize the Chair to sign Resolution 16-122.

#### RESOLUTION 16-123 - APPROVING FINAL PLAT OF K & N ACRES, SECTION 18, PERU TOWNSHIP

WHEREAS, there has been presented to the Dubuque County Board of Supervisors a Final Plat of Survey for K & N ACRES, comprised of Lot 2 OF Spoerl Place in Section 18, T90N, R2E, of the 5<sup>th</sup> PM, Peru Township, Dubuque County, Iowa; and

WHEREAS, said final plat will create two (2) lots, namely Lot 1 and Lot 2 of K & N Acres Section 18, Peru Township, Dubuque County, Iowa; and

WHEREAS, said final plat has been examined and approved by the City of Sherrill; 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 16-123.

**RESOLUTION 16-124 - 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
Conservation	PFT Naturalist	03-14-16	Kaytlan Moeller	\$16.17
Sunnycrest	PPT Food Service Worker	04-28-16	Michael Belanger	\$ 9.74
Sunnycrest	PPT Food Service Worker	04-29-16	Heather Sauser	\$ 9.74
Sunnycrest	PFT RN	03-22-16	Katie Flores	\$21.27

Motion by Wickham, seconded by Klein, carried unanimously, to approve and authorize the Chair to sign Resolution 16-124.

**RESOLUTION 16-125 - REQUEST FOR PAYMENT # 6 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 # 6 in the amount of \$ 4,200 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 # 6 for CDBG #14-CRL-001.

Motion by Klein, seconded by Wickham, carried unanimously, to approve and authorize the Chair to sign Resolution 16-125.

**RESOLUTION 16-126 - APPROVING QUARTERLY REPORT FOR FY16 SUBSTANCE ABUSE GRANT**

WHEREAS, Dubuque County has received a Substance Abuse Grant from the Iowa Department of Public Health for FY2016 and is required to file quarterly claims for reimbursement one-fourth (1/4) of the expenses incurred in connection with the DARE program.

THEREFORE, the Dubuque County Board of Supervisors approves and authorizes the Chairperson to sign the 3rd Quarter Report for reimbursement of expenses for the 2016 County Substance Abuse Grant in the amount of \$2,605.48.

Motion by Wickham, seconded by Klein, carried unanimously, to approve and authorize the Chair to sign Resolution 16-126.

**RESOLUTION 16-127 - APPROVING ENGAGEMENT LETTER FROM EIDE BAILLY FOR FY16 AUDIT**

WHEREAS, Eide Bailly has been contracted to perform the FY16 audit for Dubuque County; and

WHEREAS, an engagement letter explaining the process and responsibilities has been presented to the County.

NOW THEREFORE BE IT RESOLVED, that the Dubuque County Board of Supervisors approves and authorizes the Chair to sign the engagement letter.

Motion by Wickham, seconded by Klein, carried unanimously, to approve and authorize the Chair to sign Resolution 16-127.

**RESOLUTION 16-128 - REQUEST FOR PAYMENT # 92 FOR JUMPSTART FEDERAL HOUSING REHABILITATION PAYMENT PROGRAM 08-DRH-204**

WHEREAS, Dubuque County is the fiduciary agent for Jumpstart Federal Housing rehabilitation program #08-DRH-204; and

WHEREAS, the East Central Intergovernmental Association has disbursed funds in the amount of \$ 23,213.

NOW THEREFORE BE IT RESOLVED that the Dubuque County Board of Supervisors hereby approves the Request for Payment Report # 92 in the amount of \$ 1,060,818 to be submitted to the Iowa Department of Economic Development. Upon receipt of payment, the County will remit to ECIA.

Motion by Klein, seconded by Wickham, carried unanimously, to approve and authorize the Chair to sign Resolution 16-128.

**RESOLUTION 16-129 - REQUEST FOR PAYMENT #81 FOR JUMPSTART FEDERAL HOUSING -REHABILITATION PAYMENT PROGRAM 08-DRH-004**

WHEREAS, Dubuque County is the fiduciary agent for Jumpstart Federal Housing rehabilitation program #08-DRH-004; and

WHEREAS, the East Central Intergovernmental Association has disbursed funds in the amount of \$ 8,604.

NOW THEREFORE BE IT RESOLVED that the Dubuque County Board of Supervisors hereby approves the Request for Payment Report # 81 in the amount of \$ 8,604 to be submitted to the Iowa Department of Economic Development. Upon receipt of payment, the County will remit to ECIA.

Motion by Wickham, seconded by Klein, carried unanimously, to approve and authorize the Chair to sign Resolution 16-129.

**RESOLUTION 16-130 - APPROVING NECESSARY DOCUMENTS WITH HORSFIELD CONSTRUCTION INC. FOR THE CULVERT REPLACEMENTS ON COTTINGHAM ROAD, PROJECT L-C16(01)73-31**

WHEREAS, bids were received on April 25, 2016 for the culvert replacements on Cottingham Road, Project L-C16(01)--73-31 and Horsfield Construction Inc., Epworth, Iowa submitted the low bid of \$180,283.44, and

WHEREAS, the Dubuque County Engineer has reviewed the bids and recommends accepting the bid submitted by Horsfield 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 Horsfield Construction Inc. for the culvert replacements on Cottingham Road in the amount of \$180,283.44.

Motion by Klein, seconded by Wickham, carried unanimously, to approve and authorize the Chair to sign Resolution 16-130.

**RESOLUTION 16-131 - APPROVING NECESSARY DOCUMENTS WITH RIVER CITY PAVING FOR THE GRADING AND HMA PAVING ON FARLEY ROAD, PROJECT LOST-17(02)-73-31**

WHEREAS, bids were received on April 11, 2016 for the grading and HMA paving on Farley Road, Project LOST-17(02)-73-31 and River City Paving, Dubuque, Iowa submitted the low bid of \$3,721,536.11, and

WHEREAS, the Dubuque County Engineer has reviewed the bids and recommends accepting the bid submitted by River City Paving,

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 River City Paving for the grading and HMA paving on Farley Road in the amount of \$3,721,536.11.

Motion by Wickham, seconded by Klein, carried unanimously, to approve and authorize the Chair to sign Resolution 16-131.

**RESOLUTION 16-132 - APPROVING THE AMENDMENT FOR DOT-INITIATED DETOUR OF PRIMARY HIGHWAYS ONTO LOCAL ROAD FOR EMERGENCY USE ONLY**

WHEREAS, the Iowa Department of Transportation has presented Dubuque County with an Agreement for DOT-Initiated Detour of Primary Highways onto Local Roads FOR EMERGENCY USE ONLY for the new interchange project on US 20 near Dyersville, and

WHEREAS, the new interchange project near the Dyersville area has limited travel of US 20 and it will be necessary to detour traffic on Sand Springs Road if it is necessary to provide an incident management detour during the construction period,

THEREFORE BE IT RESOLVED that the Board of Supervisors of Dubuque County, Iowa do hereby approve the Agreement for DOT-Initiated Detour of Primary Highways onto Local Roads FOR EMERGENCY USE ONLY and declare that all traffic will be allowed to travel the Sand Springs Road when an incident management detour is in effect for the new interchange project on US 20 near Dyersville.

Motion by Klein, seconded by Wickham, carried unanimously, to approve and authorize the Chair to sign Resolution 16-132.

**RESOLUTION 16-133 - APPROVING NECESSARY DOCUMENTS WITH DYERSVILLE EQUIPMENT CO. FOR THE PURCHASE OF ONE 2016 JOHN DEERE 6120M HEAVY DUTY MECHANICAL FRONT WHEEL DRIVE RUBBER TIRED BOOM MOWER**

WHEREAS, quotes were received on April 25, 2016 for one current year model Heavy Duty Mechanical Front Wheel Drive Rubber Tired Boom Mower Tractor and Dyersville Equipment Company, Dyersville, Iowa submitted a quote of \$82,489.00 for a 2016 John Deere 6120M and has met all specifications, and

WHEREAS, the Shop Supervisor has reviewed said quotes and recommends accepting the quote as submitted by Dyersville Equipment Co. for a 2016 John Deere 6120M,

THEREFORE BE IT RESOLVED that the Board of Supervisors of Dubuque County, Iowa hereby approve and direct the Chair to sign the necessary documents with Dyersville Equipment Co. for the purchase of one 2016 John Deere 6120M Heavy Duty Mechanical Front Wheel Drive Rubber Tired Boom Mower Tractor at a price of \$82,489.00.

The Board reviewed the bids and recommendation with County Engineer Anthony Bardgett and Shop Foreman Ted Freiberger.

Motion by Wickham, seconded by Klein, carried unanimously, to approve and authorize the Chair to sign Resolution 16-133.

**RESOLUTION 16-134 - APPROVING NECESSARY DOCUMENTS WITH TRUCK COUNTRY OF IOWA, INC. FOR THE PURCHASE OF TWO 2017 WESTERN STAR 4700 HEAVY DUTY TANDEM AXLE TRUCKS**

WHEREAS, quotes were received on April 25, 2016 for two current model Heavy Duty Tandem Axle Trucks and Truck Country of Iowa, Inc., Dubuque Iowa submitted a quote of \$113,939.00 each for two 2017 Western Star 4700 and has met all specifications, and WHEREAS, the Shop Supervisor has reviewed said quotes and recommends accepting the quote as submitted by Truck Country of Iowa, Inc. for two 2017 Western Star 4700 and to also purchase the extended base warranty 36 month/150,000 miles at \$1,775.00, the unlimited 5-year transmission warranty at \$886.00, the heated windshield at \$253.00, and less the trade-in price of Dubuque County Equipment #63 - 2002 International 7500 Tandem Dump Truck with all snow equipment at \$25,000.00, and

THEREFORE BE IT RESOLVED that the Board of Supervisors of Dubuque County, Iowa hereby approve and direct the Chair to sign the necessary documents for the purchase of two 2017 Western Star 4700 Heavy Duty Tandem Axle Trucks with the warranties and options as stated above at a grand total price of \$208,706.00.

The Board reviewed the bids and recommendation with County Engineer Anthony Bardgett and Shop Foreman Ted Freiberger.

Motion by Wickham, seconded by Klein, carried unanimously, to approve and authorize the Chair to sign Resolution 16-134.

#### PROOF OF PUBLICATION - ZONING CASES

1) ZC # 03-13-16 - DORIS RUBEL DECLARATION OF TRUST AND CRYSTAL LAKE CAVE MINING LLC & PABLO & JULIE RAMIREZ - R-2 SINGLE FAMILY RESIDENTIAL TO B-2 HIGHWAY BUSINESS - CONDITIONAL

Motion by Klein, seconded by Wickham, carried unanimously, to receive and file the above-mentioned proof of publication for zoning cases.

#### APPOINTMENTS - SUNNYCREST MANOR OPERATIONAL BOARD OF DIRECTORS

Motion by Klein, seconded by Wickham, carried unanimously, to appoint Peggy Stockel to a four (4) year term ending December 31, 2019.

#### PERSONNEL REQUISITIONS

Motion by Wickham, seconded by Klein, carried unanimously, to approve the personnel requisitions for the Sheriff for a permanent full-time Sergeant, two (2) permanent full-time Deputies and a permanent part-time correctional officer; and for Sunnycrest Manor for a permanent full-time business office assistant and two (2) permanent part-time receptionists.

Motion by Klein, seconded by Wickham, carried unanimously, to recess at 10:50 a.m. for five minutes.

#### WORKSESSION WITH ZONING ADMINISTRATOR

##### ENTRANCE PERMITS

Upon reconvening at 10:55 a.m., the Board met with Zoning Administrator Anna O'Shea and Matt Brimeyer regarding an entrance permit for Larry & Sharon Spoerl and Matt Brimeyer. A new field entrance is being requested to allow the Spoerl's renter, Mr. Brimeyer, to safely access their farm ground.

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

Zoning Administrator Anna O'Shea met with the Board regarding an entrance permit for Horstmann Family Farm/Ryan & Sara Peterson. They are requesting to upgrade an existing field entrance to a residential entrance so a home can be built. Present was Mark Gudenkauf, contractor for the Peterson's.

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

The Board met with Zoning Administrator Anna O'Shea and Tom Pape regarding an entrance permit for Tom & Roberta Pape. The Pape's would like to install a new field entrance so they can access farm ground without using the residential driveway.

Motion by Klein, seconded by Wickham, carried unanimously, to approve the variance subject to removal of the existing field entrance.

Zoning Administrator Anna O'Shea and Gerald Koopmann met with the Board regarding an entrance permit for Wade & Jill Koopmann. The request is to install a new field entrance so they can more easily access their farm ground.

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

Zoning Administrator Anna O'Shea met with the Board regarding an entrance permit for Tim & Peggy Stockel. Present was John Herrig, realtor for the Stockel's. The request is to upgrade an existing field entrance to allow for a new residential home.

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

## WORKSESSION WITH CONSERVATION DIRECTOR

The Board met with Executive Director of the Conservation Board, Brian Preston, and Conservation Boardmembers Pat Rea and Mary Radloff.

- Preston updated the Board of the work of the Cascade Middle School students, who assisted in planting trees in White Pine Hollow.
- The Sycamore shelter at Swiss Valley Park has been re-built.
- many school groups have been visiting the Nature Center.
- The Iowa Department of Natural Resources has issued new guidelines for testing public water. Samples are now taken monthly rather than quarterly. He expressed his appreciation for the Health Department processing the tests.
- Due to the loss of one employee at Fillmore Golf Course, they are experimenting with having less staff at the facility.
- Conservation staff has been trained on how to treat for emerald ash borer. 65 trees will be treated at Fillmore Golf course and twelve (12) trees will be treated at Swiss Valley Park. The treatment can be done at other county facilities, if necessary.

– Preston explained that the cost to re-build the Sycamore shelter was less than anticipated. He requested using some of the leftover funds to install an irrigation system on four (4) tees at Fillmore Golf course. The cost would be \$4,400.

Motion by Klein, seconded by Wickham, carried unanimously, to approve the change in expenditures for the irrigation system.

## GENERAL ASSISTANCE HEARINGS

Motion by Wickham, seconded by Klein, carried unanimously, to enter executive session with General Assistance Director Randy Rennison, and General Assistance Caseworkers Doug Slaats and Nick Agan regarding case S-10-29.

Upon returning to regular session, motion by Klein, seconded by Wickham, carried unanimously, to direct staff to talk to the client's landlord to see if the landlord will work with the client if the County pays two-months rent, and to require the client obtain a payee for case S-10-19.

Motion by Klein, seconded by Wickham, carried unanimously, to enter executive session with General Assistance Director Randy Rennison and General Assistance Caseworkers Doug Slaats and Nick Agan regarding case N-2-45.

Upon returning to regular session, motion by Wickham, seconded by Klein to deny assistance for case N-2-45.

Motion by Wickham, seconded by Klein, carried unanimously, to enter executive session with General Assistance Director Randy Rennison, General Assistance Caseworkers Doug Slaats and Nick Agan and Hillcrest IHH representative Nicole Fens regarding case E-2-43.

Upon returning to regular session, motion by Wickham, seconded by Klein, carried unanimously, to approve assistance with rent and gas for case E-2-43.

Motion by Klein, seconded by Wickham, carried unanimously, to enter executive session with General Assistance Director Randy Rennison and General Assistance Caseworkers Doug Slaats and Nick Agan regarding case T-4-16.

Upon returning to regular session, motion by Klein, seconded by Wickham, carried unanimously, to deny assistance to case T-4-16.

Motion by Wickham, seconded by Klein, carried unanimously, to enter executive session with General Assistance Director Randy Rennison and General Assistance Caseworkers Doug Slaats and Nick Agan regarding case K-7-5.

Upon returning to regular session, motion by Klein, seconded by Wickham, carried unanimously, to deny assistance to case K-7-5.

Motion by Klein, seconded by Wickham, carried unanimously, to enter executive session with General Assistance Caseworkers Doug Slaats and Nick Agan regarding case B-11-7.

Upon returning to regular session, motion by Wickham, seconded by Klein, carried unanimously, to deny assistance to case B-11-7.

Motion by Wickham, seconded by Klein, carried unanimously, to return to executive session with General Assistance Caseworkers Doug Slaats, Nick Agan, and Michelle Fitzgibbons regarding case N-2-45.

Upon returning to regular session, motion by Wickham, seconded by Klein, carried unanimously, to deny assistance to case N-2-45.

Motion by Klein, seconded by Wickham, carried unanimously, to enter executive session with General Assistance Caseworkers Doug Slaats, Michelle Fitzgibbons and Nick Agan regarding case J-3-19.

Upon returning to regular session, motion by Klein, seconded by Wickham, carried unanimously, to deny assistance to case J-3-19.

Motion by Klein, seconded by Wickham, carried unanimously, to enter executive session with General Assistance Caseworkers Doug Slaats, Michelle Fitzgibbons and Nick Agan regarding case A-03-41.

Upon returning to regular session, motion by Wickham, seconded by Klein, carried unanimously, to deny assistance to case A-03-41.

Motion by Wickham, seconded by Klein, carried unanimously, to enter executive session with General Assistance Caseworkers Doug Slaats, Michelle Fitzgibbons, Nick Agan and Christopher Jones regarding case J-3-19.

Upon returning to regular session, no action was taken.

Motion by Wickham, seconded by Klein, carried unanimously, to enter executive session with General Assistance Caseworkers Doug Slaats, Michelle Fitzgibbons, Nick Agan and Christopher Jones regarding case A-03-41.

Motion by Klein, seconded by Wickham, carried unanimously, to approve \$200 rent assistance if the landlord is willing to work with the client for case A-03-41.

Motion by Wickham, seconded by Klein, carried unanimously, to enter executive session with General Assistance Caseworkers Doug Slaats, Nick Agan and Christopher Jones regarding case C-5-39.

Upon returning to regular session, motion by Klein, seconded by Wickham, carried unanimously, to deny assistance to case C-5-39.

Motion by Wickham, seconded by Klein, carried unanimously, to enter executive session with General Assistance Caseworkers Doug Slaats and Nick Agan regarding case B-11-5.

#### EXECUTIVE SESSION PER IOWA CODE 21.5(1)(J)

Motion by Wickham, seconded by Klein, carried unanimously, to enter executive session with consultant Gordy Mills, Dave Kubicek & Matt Hektoen of Simmons, Perrine regarding possible office space.

#### WORKSESSION WITH E911 SERVICE BOARD CHAIR TOM BERGER REGARDING RADIO SYSTEM PROJECT

Upon returning to regular session, the Board met with E911 Service Board Chair Chief Tom Berger, Communication Center Manager Mark Murphy, Secondary Roads Maintenance Superintendent Chad Danielson, Sheriff Don Vrotsos, Assistant Dubuque Police Chief Terry Tobin, Dubuque Fire Chief Rick Steines, Dyersville Police Chief Brent Schroeder, Chief Deputy Sheriff Greg Egan, Budget Director Michelle Patzner, IT Superintendent Nathan Gilmore and Assistant to the Board Mary Ann Specht.

Chief Berger explained the deadline to replace the current radio system and the need for space in the communications center. The Public Safety Committee retained Elert and Associates to do an initial analysis of the current radio system and make proposals for options during an upgrade (phase 1). Elert and Associates have also provided a proposal for Phase 2 (system design & RFP) and Phase 3 (implementation). Berger, also, explained that Black Hawk County received proposals for the upgrade of their system last September and selected Racom as vendor for their upgrade. Johnson, Linn and Scott Counties have, also, used Racom for the upgrade of their systems. This has allowed for redundancy to be implemented between the counties, rather than a single county needing to pay for it's own redundancy. Black Hawk County has an option that other counties can piggy-back on the prices in their proposal. Funding of the costs of the upgrade were discussed.

#### FY15 AUDIT PRESENTATION BY EIDE BAILLY

The Board met with Brian Unsen, partner at Eide Bailly, who presented the FY15 audit. Also present were Budget Director Michelle Patzner and Assistant to the Board Mary Ann Specht.

Following discussion, motion by Wickham, seconded by Klein, carried unanimously, to receive and file the audit.

RECOMMENDATION OF MAINTENANCE SUPERINTENDENT FOR COURT HOUSE HVAC PROJECT

The following bids were received and read into the record:

<u>VENDOR</u>	<u>BID AMOUNT</u>
<u>Advantage Sheet Metal</u> Dubuque, Iowa	\$ 606,800
<u>Giese Sheet Metal</u> Dubuque, Iowa	\$ 561,800
<u>Crawford Company</u> Rock Island, Illinois	\$ 688,150
<u>Geisler Brothers</u> Dubuque, Iowa	\$ 488,841

Motion by Klein, seconded by Wickham, carried unanimously, to approve the recommendation of the Maintenance Superintendent to accept the proposal from Geisler Brothers at a cost of \$488,841.

WORKSESSION WITH IT SUPERINTENDENT RE EQUIPMENT FOR WIRELESS NETWORK AT SUNNYCREST MANOR

The Board met with IT Superintendent Nathan Gilmore for further discussion about the equipment for the proposed wireless network at Sunnycrest Manor.

Motion by Wickham, seconded by Klein, carried unanimously, to adjourn at 4:55 p.m. until 5:30 p.m. on Monday, May 23, 2016.

Wayne Demmer, Chair

Board of Supervisors

ATTEST:

Denise M. Dolan  
Dubuque County Auditor