

MINUTES OF DECEMBER 15 AND 23, 2014
DUBUQUE COUNTY BOARD OF SUPERVISORS
Present: Wayne Demmer, Daryl Klein and Eric Manternach
Chair Demmer called the meeting to order at 8:05 a.m.

WORKSESSION - WITH COUNTY ENGINEER

The Board met with County Engineer Bret Wilkinson and Maintenance Superintendent Chad Danielson to discuss the following:

ROAD MAINTENANCE BUDGET OVERVIEW

Mr. Wilkinson and Mr. Danielson advised the Board the gravel roads have seen some distress and expenses due to the projects that have been going on. In particular, the gravel roads around Farley Road and the roads near the ITC substation project. The Board discussed whether the contractors for those projects would take some responsibility in helping get the roads back in fair condition because of the damage done with their equipment on the projects. Mr. Wilkinson will send a letter asking the contractors to share in some of the expenses for the road repairs.

GENERAL ROAD DEPARTMENT DISCUSSION

Mr. Danielson updated the Board on the status of the new trucks deliveries. He said he does not think the vendor will be delivering the trucks to the Road Department by the deadline.

ON-CALL SCHEDULE FOR WINTER SEASON

Mr. Wilkinson and Mr. Danielson spoke to the Board regarding an on-call schedule for the winter season. Mr. Danielson is currently covering the schedule and the Board would like to have that duty be shared with other employees. The Board directed Mr. Wilkinson to work on a proposed on-call schedule with Mr. Danielson.

GENERAL ROAD DEPARTMENT DISCUSSION

Mr. Danielson informed the Board that the radio system with dispatch is not properly working.

FARLEY ROAD PROJECT UPDATE

Mr. Wilkinson submitted to the Board a list of Farley Road tasks that need to be completed before federal funding can be obtained. He said he will not know if federal funding will be acquired until after the paving is completed on the Farley Road.

APPROVAL OF MINUTES OF DECEMBER 1, 2 AND 8, 2014

Motion by Klein, seconded by Manternach, carried unanimously to approve the minutes, as amended.

CONSENT ITEMS

County receipt of IDNR Manure Management Plan/Updates for Gene Duschner and Dale Rowles

Motion by Manternach, seconded by Klein, carried unanimously to approve the preceding consent items.

PROOF OF PUBLICATION - PUBLIC HEARING

Motion by Klein, seconded by Manternach, carried unanimously to receive and file the proofs of publication for Notice of Public Hearing - Amendment to Zoning Ordinance - ZC#11-11-14 - Lee and Jodi Wulfekuhle - A-1 Agricultural to M-1 Industrial and ZC#11-12-14 - Tom Brimeyer Farms LLC - A-1 Agricultural to R-2 Single Family Residential.

NOTICE OF PUBLIC HEARING - STATUS OF FUNDED ACTIVITIES REGARDING CDBG PROGRAM FOR SAGEVILLE VALLEY HILL TRAILER PARK FLOOD BUYOUT

Motion by Manternach, seconded by Klein, carried unanimously to advertise for a public hearing to be held on Friday, January 2, 2015 at 8:00 a.m. in the Supervisors Chambers at the Dubuque County Courthouse, 4th Floor, 720 Central Avenue, Dubuque regarding the status of funded activities regarding the CDBG program for Sageville Valley Hill Trailer Park flood buyout.

PUBLIC HEARING - AMENDMENT TO ZONING ORDINANCE - ZC#11-11-14 - LEE & JODI WULFEKUHLE - A-1 AGRICULTURAL TO M-1 INDUSTRIAL

Chair Demmer opened the public hearing.

Zoning Administrator Anna O'Shea said the applicants are requesting to rezone from A-1 Agricultural to M-1 Industrial 5.9 acres, more or less, to allow for manufacturing and packaging for internet sales of compost pellets. The property is located 1.46 miles west of the City of Holy Cross along Route 52 North.

Lee Wulfekuhle, 27657 Hwy 52 North, New Vienna, Iowa explained the process of manufacturing compost pellets and said he will be selling his product on the internet at this time, but may sell to other distributors in the future.

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

AMENDMENT TO ZONING ORDINANCE - ZC#11-11-14 - LEE & JODI WULFEKUHLE - A-1 AGRICULTURAL TO M-1 INDUSTRIAL

Pursuant to law, notice is hereby given to the public that the following amendment to the Dubuque County Zoning Ordinance was passed by the Dubuque County Board of Supervisors on December 15, 2014 and will become effective upon publication and certification on the Official Zoning Map.

ZC#11-11-14 Lee & Jodi Wulfekuhle A-1 Agricultural to M-1 Industrial- Conditional

That portion of Dubuque County Zoning Map, described as 5.9 acres, more or less and is legally described as Wulfekuhle Farm Sub- Lot 2 in section 24, (T90N-R2W) Liberty Township, Dubuque County, Iowa as shown within the A-1 Agricultural District, is repealed and said Ordinance as shown on the Official Zoning Map for the above described property is amended to the M-1 Industrial District within the boundaries of said described property and subject to the following conditions:

1. That a fast growing evergreen tree screen be added on the west and south boundaries of the property.
2. That the driveway width be narrowed down to 50' subject to Iowa D.O.T. approval.
3. That the business allowed on this property will be a manufacturing and packaging of compost pellets operation d.b.a. Ultra Compost and farm manure pumping business d.b.a. Wulfekuhle Injection.
4. That the M-1, Industrial zoning will revert back to A-1, Agricultural if the businesses cease operation at this location.

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

Motion by Klein, seconded by Manternach, 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 Manternach, 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#11-12-14 - TOM BRIMEYER FARMS LLC - A-1 AGRICULTURAL TO R-2 SINGLE FAMILY RESIDENTIAL

Chair Demmer opened the public hearing.

Zoning Administrator Anna O'Shea said the applicants are requesting to rezone from A-1 Agricultural to R-2 Single Family Residential 3.94 acres, more or less, to allow for the owner to build a home on the site. The property is located 0.03 miles west of the City of Sageville off of Cedar Hill Road.

Tom Brimeyer, 16870 Cedar Hill Road, Dubuque answered questions the Board had regarding the rezoning.

Ms. O'Shea answered questions of the Board.

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

AMENDMENT TO ZONING ORDINANCE - ZC#11-12-14 - TOM BRIMEYER FARMS LLC A-1 AGRICULTURAL TO R-2 SINGLE FAMILY RESIDENTIAL

Pursuant to law, notice is hereby given to the public that the following amendment to the Dubuque County Zoning Ordinance was passed by the Dubuque County Board of Supervisors on December 15, 2014 and will become effective upon publication and certification on the Official Zoning Map.

ZC# 11-12-14 Tom Brimeyer Farms LLC A-1 Agricultural to R-2 Single Family Residential

That portion of Dubuque County Zoning Map, described as 3.94 acres, more or less and is legally described as Althaus Place No. 2- Lot 2 section 02, (T89N-R2E) Dubuque Township, Dubuque County, Iowa as shown as within the A-1 Agricultural District, is repealed and said Ordinance as shown on the Official Zoning Map for the above described property is amended to the R-2 Single Family Residential District within the boundaries of said described property.

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

Motion by Manternach, 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 Manternach, 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.

RESOLUTION 14-299 - 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 CNA	07/07/14	Tracy Cocenza	\$12.41
Sunnycrest	PPT CNA/PI	07/07/14	Candace Hogan	\$11.83
Sunnycrest	PPT LPN	04/21/14	Kami Adolf	\$18.33
Sunnycrest	PPT ES Worker	10/20/14	Cortez Robinson	\$ 9.74
Sunnycrest	PPT CNA	04/07/14	Kayla Smith	\$11.83

Motion by Klein, seconded by Manternach, carried unanimously to approve and authorize the Chair to sign Resolution 14-299.

RESOLUTION 14-300 - APPROVE FIRE LOAN AGREEMENT WITH SHERRILL FIRE PROTECTION ASSOCIATION

BE IT RESOLVED, that the Dubuque County Board of Supervisors approves and authorizes the Chairperson to sign a Fire Department Loan Agreement with the Sherrill Fire Protection Association in the amount of \$30,000, to be repaid over six (6) years, for the purchase of a 2015 Freightliner/2015 OSCO fire truck body.

Motion by Manternach, seconded by Klein, carried unanimously to approve and authorize the Chair to sign Resolution 14-300.

RESOLUTION 14-301 - APPROVE AN AMENDMENT TO THE MEMORANDUM OF AGREEMENT WITH MERCY MEDICAL CENTER FOR INPATIENT SUBSTANCE ABUSE

BE IT RESOLVED that the Dubuque County Board of Supervisors approves the Amendment to the Memorandum of Agreement 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.

Motion by Klein, seconded by Manternach, carried unanimously to approve and authorize the Chair to sign Resolution 14-301.

RESOLUTION 14-302 - REQUEST FOR PAYMENT #74 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 \$ 57,542.

NOW THEREFORE BE IT RESOLVED that the Dubuque County Board of Supervisors hereby approves the Request for Payment Report # 74 in the amount of \$ 57,542 to be submitted to the Iowa Department of Economic Development. Upon receipt of payment, the County will remit to ECIA.

Motion by Manternach, seconded by Klein, carried unanimously to approve and authorize the Chair to sign Resolution 14-302.

DUPLICATE WARRANT - IAPELRA

Motion by Klein, seconded by Manternach, carried unanimously to approve the duplicate warrant.

RESOLUTION 14-303 - APPROVE WINTER MAINTENANCE AGREEMENTS WITH CITIES OF BERNARD AND RICKARDSVILLE

WHEREAS, the Dubuque County Secondary Road Department agrees to perform ice and snow removal maintenance from November 1, 2014 through May 1, 2015 for the following:

Bernard	0.91 lane miles	\$951.46
Rickardsville	2.86 lane miles	\$2,990.30

WHEREAS, it is necessary that Dubuque County enter into an agreement with each city regarding this maintenance,

THEREFORE BE IT RESOLVED that the Board of Supervisors of Dubuque County, Iowa hereby approve and direct the Chair to sign the agreement for ice and snow removal maintenance as listed above.

Motion by Manternach, seconded by Klein, carried unanimously to approve and authorize the Chair to sign Resolution 14-303.

PROOF OF PUBLICATION - ZONING CASES

Motion by Klein, seconded by Manternach, carried unanimously to receive and file the proofs of publication for Amendments to Dubuque County Code of Ordinances, Chapter 1 - Zoning and Chapter 2 - Subdivision and Platting.

COMMUNICATION - FROM THE CITY OF DYERSVILLE REGARDING AMENDMENT OF THE URBAN RENEWAL PLAN FOR THE CONSOLIDATED DYERSVILLE ECONOMIC DEVELOPMENT DISTRICT

Motion by Manternach, seconded by Klein, carried unanimously to receive and file the communication.

COMMUNICATION - FROM AFSCME IOWA COUNCIL 61 REGARDING INITIAL PROPOSAL FOR COLLECTIVE BARGAINING FOR ELIGIBLE SUNNYCREST MANOR EMPLOYEES

Motion by Klein, seconded by Manternach, carried unanimously to receive and refer the communication to Personnel.

COMMUNICATION - FROM IMWCA REGARDING DECEMBER 10, 2014 SITE VISIT

Motion by Manternach, seconded by Klein, carried unanimously to receive and file the communication.

APPOINTMENT - AIRPORT ZONING COMMISSION

Motion by Klein, seconded by Manternach, carried unanimously to reappoint Gary Frederick for a six (6) year term ending December 31, 2020.

APPOINTMENT - HISTORIC PRESERVATION COMMISSION

Motion by Manternach, seconded by Klein, carried unanimously to reappoint R.R.S. Stewart for a three (3) year term ending December 31, 2017.

APPOINTMENT - BOARD OF HEALTH

Motion by Klein, seconded by Manternach, carried unanimously to reappoint Richard Fairley for a three (3) year term ending December 31, 2017.

APPOINTMENTS - TOWNSHIP CLERKS AND TRUSTEES

Motion by Klein, seconded by Manternach, carried unanimously to table the appointments for township clerks and trustees.

APPOINTMENT - CONSERVATION BOARD

Motion by Manternach, seconded by Klein, carried unanimously to reappoint Jeff Cue for a five (5) year term ending December 31, 2019.

APPOINTMENT - SUNNYCREST MANOR OPERATIONAL BOARD

Motion by Klein, seconded by Manternach, carried unanimously to reappoint David Gaylor to a four (4) year term ending December 31, 2018.

PERSONNEL REQUISITIONS

Motion by Klein, seconded by Manternach, carried unanimously to approve the personnel requisitions of Sunnycrest Manor for a permanent, part-time LPN/RN and a permanent, full-time CNA; of the Treasurer a permanent, full-time Clerk III, Cashier.

Supervisor Demmer thanked Supervisor Manternach for his years of service as a member of the Board of Supervisors.

Motion by Manternach, seconded by Klein, carried unanimously to recess at 9:43 a.m.

WORKSESSION - WITH COUNTY ENGINEER (CONTINUED)

Upon reconvening at 9:50 a.m., the Board continued their worksession with County Engineer Bret Wilkinson.

FARLEY ROAD PROJECT UPDATE

Mr. Wilkinson spoke to the Board regarding the Farley Road project. He said he will check with Buesing and Associates to see if they agree on the additional right of way that will be needed. He also said that the pay voucher that Skyline Construction is waiting for will be sent out this week.

MUD LAKE ROAD PROJECT

Mr. Wilkinson updated the Board on the right of way purchases for the Mud Lake Road project.

PROFESSIONAL LICENSURE FEES

Mr. Wilkinson asked the Board if the County would cover the license fees for himself, Jeff Rouse and Wyatt Anderson. The Board agreed they would cover those fees, however, the fees would be prorated and reimbursed to the County if the employee has left employment with Dubuque County.

PROJECT UPDATES

Mr. Wilkinson discussed with the Board other road projects including the projects that are completed.

WORKSESSION - WITH COUNTY AUDITOR

The Board met with County Auditor Denise Dolan to discuss the clerk and trustee vacancies for the townships in Dubuque County. Tom Hancock was present for this worksession.

Motion by Manternach, seconded by Klein, carried unanimously to recess at 11:06 a.m.

GENERAL ASSISTANCE

Upon reconvening at 1:00 p.m., motion by Klein, seconded by Manternach, carried unanimously to enter executive session with General Assistance Caseworker Doug Slaats regarding case M-10-8.

Upon returning to regular session, motion by Klein, seconded by Manternach, carried unanimously to approve one month's rent, subject to obtaining verification from client that he will be receiving disability for Social Security.

Motion by Manternach, seconded by Klein, carried unanimously to enter executive session with General Assistance Caseworker Doug Slaats regarding case D-5-11.

Upon returning to regular session, motion by Manternach, seconded by Klein, carried unanimously to approve services for case D-5-11.

RESIDENCY DETERMINATION OF CLIENTS

Motion by Manternach, seconded by Klein, carried unanimously to approve services for cases #207565, 164246, 159624 and 164654.

WORKSESSION - WITH COUNTY MAINTENANCE SUPERINTENDENT

The Board met with County Maintenance Superintendent Chris Soeder to discuss staffing and maintenance projects. County Budget Director Michelle Patzner and Personnel Director Mary Ann Specht were present.

WORKSESSION - WITH IT SUPERINTENDENT

IT Superintendent Nathan Gilmore met with the Board to update them on projects he is currently working on. Maintenance Superintendent Chris Soeder, County Budget Director Michelle Patzner and Administrative Assistant Mary Ann Specht were present.

RECEIPT AND AWARD OF GENERAL OBLIGATION LANDFILL FACILITY BONDS, SERIES 2014

D.A. Davidson & Co. Managing Director of Public Finance Chip Schultz read the following bids into the record:

<u>NAME OF BIDDER</u>	<u>TRUE INTEREST COST</u>
Piper Jaffray & Co., Kansas City, MO	2.672840%
FTN Financial Capital Markets, Memphis TN	2.678273%
R. W. Baird & Co., Inc.	2.727918%
Northland Securities, Inc., Minneapolis, MN	2.745235%
SunTrust Robinson Humphrey, Nashville, TN	2.761850%
Stifel, Nicholas & Co., Inc., Memphis, TN	2.764877%
Wells Fargo Bank, N.A., Charlotte, NC	2.776706%
BMO Capital Markets, Chicago, IL	2.820056%

Bankers Bank, Madison, WI

2.935258%

Mr. Schultz recommended that the Board accept the bid from Piper Jaffray & Co. of Kansas City, MO.

RESOLUTION 14-304 - AWARDING SALE AND AUTHORIZING THE ISSUANCE OF \$4,500,000 GENERAL OBLIGATION LANDFILL FACILITY BONDS, SERIES 2014, PROVIDING FOR THE LEVY OF TAXES TO PAY THE SAME, AND AUTHORIZING A REVENUE DISBURSEMENT AGREEMENT

WHEREAS, the Board of Supervisors (the "Board") of Dubuque County, Iowa (the "County"), heretofore proposed to enter into a General Obligation Landfill Facility Loan Agreement (the "Loan Agreement") and to borrow money thereunder in a principal amount not to exceed \$4,500,000, pursuant to the provisions of Sections 331.402 and 331.44B of the Code of Iowa for the purpose of paying the cost, to that extent, of funding the construction of landfill facility improvements (the "Project") by the Dubuque Metropolitan Area Solid Waste Agency (the "Agency"), of which the County is an organized member, and the County has caused publication of notice of the proposed action and has held a hearing thereon on December 1, 2014; and

WHEREAS, a Preliminary Official Statement (the "P.O.S.") has been prepared to facilitate the sale of \$4,500,000 General Obligation Landfill Facility Bonds, Series 2014 (the "Bonds") in evidence of the obligation of the County under the Loan Agreement, and the County has made provision for the approval of the P.O.S. and has authorized its use by D.A. Davidson & Co. (the "Financial Advisor"); and

WHEREAS, pursuant to advertisement of sale, bids for the purchase of the Bonds were received and canvassed on behalf of the County and the substance of such bids noted in the minutes; and

WHEREAS, upon final consideration of all bids, the bid of Piper Jaffray & Co., Kansas City, Missouri (the "Purchaser"), is the best, such bid proposing the lowest interest cost to the County; and

WHEREAS, the County has determined to enter into a Revenue Disbursement Agreement (the "Revenue Agreement") with the Agency pursuant to which the County will loan the proceeds of the Bonds to the Agency in order for the Agency to pay a portion of the costs of the Project; and

WHEREAS, it is now necessary to approve the Loan Agreement, authorize the sale and issuance of the Bonds and approve the Revenue Agreement;

NOW, THEREFORE, Be It Resolved by the Board of Supervisors of Dubuque, Iowa, as follows:

Section 1. The County shall enter into the Revenue Agreement with the Agency in substantially the form as has been placed on file with the Board, providing for a loan to the Agency.

The Chairperson and County Auditor are hereby authorized and directed to sign the Revenue Agreement on behalf of the County, and the Revenue Agreement is hereby approved.

Section 2. The form of agreement of sale (the "Sale Agreement") of the Bonds to the Purchaser is hereby approved, and the Chairperson and County Auditor are hereby authorized to execute the Sale Agreement for and on behalf of the County.

Section 3. The County shall enter into the Loan Agreement with the Purchaser in substantially the form as will be placed on file with the Board, providing for a loan to the County in the principal amount of \$4,500,000, for the purposes set forth in the preamble hereof.

The Chairperson and County Auditor are hereby authorized and directed to sign the Loan Agreement on behalf of the County, and the Loan Agreement is hereby approved.

Section 4. The bid of the Purchaser referred to in the preamble hereof is hereby accepted, and Bonds are hereby authorized to be issued in evidence of the obligation of the County under the Loan Agreement, in the total aggregate principal amount of \$4,500,000, to be dated December 30, 2014, in the denomination of \$5,000 each, or any integral multiple thereof, maturing on June 1 in each of the years, in the respective principal amounts and bearing interest at the respective rates, as follows:

<u>Year</u>	<u>Principal Amount</u>	<u>Interest Rate Per Annum</u>	<u>Year</u>	<u>Principal Amount</u>	<u>Interest Rate Per Annum</u>
2016	\$185,000	2.00%	2023	\$220,000	2.25%
2017	\$190,000	2.00%	2024	\$225,000	2.375%
2018	\$195,000	2.00%	2025	\$230,000	2.50%
2019	\$195,000	3.00%	2027	\$485,000	2.75%
2020	\$200,000	3.00%	2029	\$515,000	2.75%
2021	\$205,000	3.00%	2034	\$1,445,000	3.20%
2022	\$210,000	4.00%			

Section 5. Bankers Trust Company, Des Moines, Iowa, is hereby designated as the Bond Registrar and Paying Agent for the Bonds and may be hereinafter referred to as the "Bond Registrar" or the "Paying Agent." The County shall enter into an agreement (the "Registrar/Paying Agent Agreement") with the Bond Registrar, in substantially the form as has been placed on file with the Board, the Chairperson and County Auditor are hereby

authorized and directed to sign the Registrar/Paying Agent Agreement on behalf of the County, and the Registrar/Paying Agent Agreement is hereby approved.

The County reserves the right to optionally prepay part or all of the principal of the Bonds maturing in each of the years 2023 to 2034, inclusive, prior to and in any order of maturity on June 1, 2022, or on any date thereafter upon terms of par and accrued interest. If less than all of the Bonds of any like maturity are to be redeemed, the particular part of those Bonds to be redeemed shall be selected by the Registrar by lot. The Bonds may be called in part in one or more units of \$5,000.

Principal of the Bond maturing on June 1, 2027 is subject to mandatory redemption (by lot, as selected by the Registrar) on June 1, 2026, at a redemption price of 100% of the principal amount thereof to be redeemed, plus accrued interest thereon to the redemption date, in the following principal amounts:

<u>Year</u>	<u>Principal Amount</u>
2026	\$240,000
2027	\$245,000 (Maturity)

Principal of the Bond maturing on June 1, 2029 is subject to mandatory redemption (by lot, as selected by the Registrar) on June 1, 2028, at a redemption price of 100% of the principal amount thereof to be redeemed, plus accrued interest thereon to the redemption date, in the following principal amounts:

<u>Year</u>	<u>Principal Amount</u>
2028	\$255,000
2029	\$260,000 (Maturity)

Principal of the Bond maturing on June 1, 2034 is subject to mandatory redemption (by lot, as selected by the Registrar) on June 1 in each of the years 2030 to 2033, inclusive, at a redemption price of 100% of the principal amount thereof to be redeemed, plus accrued interest thereon to the redemption date, in the following principal amounts:

<u>Year</u>	<u>Principal Amount</u>
2030	\$270,000
2031	\$280,000
2032	\$290,000
2033	\$300,000
2034	\$305,000 (Maturity)

If less than the entire principal amount of any Bond in a denomination of more than \$5,000 is to be redeemed, the Registrar will issue and deliver to the registered owner thereof, upon surrender of such original Bond, a new Bond or Bonds, in any authorized denomination, in

a total aggregate principal amount equal to the unredeemed balance of the original Bond. Notice of such redemption as aforesaid identifying the Bond or Bonds (or portion thereof) to be redeemed shall be sent by electronic means or mailed by certified mail to the registered owners thereof at the addresses shown on the County's registration books not less than 30 days prior to such redemption date. Any notice of redemption may contain a statement that the redemption is conditioned upon the receipt by the Paying Agent of funds on or before the date fixed for redemption sufficient to pay the redemption price of the Bonds so called for redemption, and that if funds are not available, such redemption shall be cancelled by written notice to the owners of the Bonds called for redemption in the same manner as the original redemption notice was sent. All of such Bonds as to which the County reserves and exercises the right of redemption and as to which notice as aforesaid shall have been given and for the redemption of which funds are duly provided, shall cease to bear interest on the redemption date.

Accrued interest on the Bonds shall be payable semiannually on the first day of June and December in each year, commencing June 1, 2015. Interest shall be calculated on the basis of a 360-day year comprised of twelve 30-day months. Payment of interest on the Bonds shall be made to the registered owners appearing on the registration books of the County at the close of business on the fifteenth day of the month next preceding the interest payment date and shall be paid to the registered owners at the addresses shown on such registration books. Principal of the Bonds shall be payable in lawful money of the United States of America to the registered owners or their legal representatives upon presentation and surrender of the Bond or Bonds at the office of the Paying Agent.

The Bonds shall be executed on behalf of the County with the official manual or facsimile signature of the Chairperson and attested with the official manual or facsimile signature of the County Auditor, and shall be fully registered Bonds without interest coupons. In case any officer whose signature or the facsimile of whose signature appears on the Bonds shall cease to be such officer before the delivery of the Bonds, such signature or such facsimile signature shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until delivery.

The Bonds shall not be valid or become obligatory for any purpose until the Certificate of Authentication thereon shall have been signed by the Registrar.

The Bonds shall be fully registered as to principal and interest in the name of the owners on the registration books of the County kept by the Registrar, and after such registration, payment of the principal thereof and interest thereon shall be made only to the registered owners or their legal representatives or assigns. Each Bond shall be transferable only upon the registration books of the County upon presentation to the Registrar, together with either a written instrument of transfer satisfactory to the Registrar or the assignment form thereon completed and duly executed by the registered owner or the duly authorized attorney for such registered owner.

The record and identity of the owners of the Bonds shall be kept confidential as provided by Section 22.7 of the Code of Iowa.

Section 6. Notwithstanding anything above to the contrary, the Bonds shall be issued initially as Depository Bonds, with one fully registered Bond for each maturity date, in principal amounts equal to the amount of principal maturing on each such date, and registered in the name of Cede & Co., as nominee for The Depository Trust Company, New York, New York (“DTC”). On original issue, the Bonds shall be deposited with DTC for the purpose of maintaining a book-entry system for recording the ownership interests of its participants and the transfer of those interests among its participants (the “Participants”). In the event that DTC determines not to continue to act as securities depository for the Bonds or the County determines not to continue the book-entry system for recording ownership interests in the Bonds with DTC, the County will discontinue the book-entry system with DTC. If the County does not select another qualified securities depository to replace DTC (or a successor depository) in order to continue a book-entry system, the County will register and deliver replacement Bonds in the form of fully registered certificates, in authorized denominations of \$5,000 or integral multiples of \$5,000, in accordance with instructions from Cede & Co., as nominee for DTC. In the event that the County identifies a qualified securities depository to replace DTC, the County will register and deliver replacement Bonds, fully registered in the name of such depository, or its nominee, in the denominations as set forth above, as reduced from time to time prior to maturity in connection with redemptions or retirements by call or payment, and in such event, such depository will then maintain the book-entry system for recording ownership interests in the Bonds.

Ownership interests in the Bonds may be purchased by or through Participants. Such Participants and the persons for whom they acquire interests in the Bonds as nominees will not receive certificated Bonds, but each such Participant will receive a credit balance in the records of DTC in the amount of such Participant’s interest in the Bonds, which will be confirmed in accordance with DTC’s standard procedures. Each such person for which a Participant has an interest in the Bonds, as nominee, may desire to make arrangements with such Participant to have all notices of redemption or other communications of the County to DTC, which may affect such person, forwarded in writing by such Participant and to have notification made of all interest payments.

The County will have no responsibility or obligation to such Participants or the persons for whom they act as nominees with respect to payment to or providing of notice for such Participants or the persons for whom they act as nominees.

As used herein, the term “Beneficial Owner” shall hereinafter be deemed to include the person for whom the Participant acquires an interest in the Bonds.

DTC will receive payments from the County, to be remitted by DTC to the Participants for subsequent disbursement to the Beneficial Owners. The ownership interest of each

Beneficial Owner in the Bonds will be recorded on the records of the Participants whose ownership interest will be recorded on a computerized book-entry system kept by DTC.

When reference is made to any action which is required or permitted to be taken by the Beneficial Owners, such reference shall only relate to those permitted to act (by statute, regulation or otherwise) on behalf of such Beneficial Owners for such purposes. When notices are given, they shall be sent by the County to DTC, and DTC shall forward (or cause to be forwarded) the notices to the Participants so that the Participants can forward the same to the Beneficial Owners.

Beneficial Owners will receive written confirmations of their purchases from the Participants acting on behalf of the Beneficial Owners detailing the terms of the Bonds acquired. Transfers of ownership interests in the Bonds will be accomplished by book entries made by DTC and the Participants who act on behalf of the Beneficial Owners. Beneficial Owners will not receive certificates representing their ownership interest in the Bonds, except as specifically provided herein. Interest and principal will be paid when due by the County to DTC, then paid by DTC to the Participants and thereafter paid by the Participants to the Beneficial Owners.

Section 7. The Bonds shall be in substantially the following form:
(Form of Bond)

**UNITED STATES OF AMERICA
STATE OF IOWA DUBUQUE COUNTY**

GENERAL OBLIGATION LANDFILL FACILITIES BOND, SERIES 2014

No. _____			\$ _____
RATE	MATURITY DATE	DATE	CUSIP
_____%	June 1, _____	December 30, 2014	_____

Dubuque County (the "County"), State of Iowa, for value received, promises to pay on the maturity date of this Bond to

Cede & Co.
New York, NY

or registered assigns, the principal sum of

THOUSAND DOLLARS

in lawful money of the United States of America upon presentation and surrender of this Bond at the office of Bankers Trust Company, Des Moines, Iowa (hereinafter referred to as the “Registrar” or the “Paying Agent”), with interest on said sum, until paid, at the rate per annum specified above, from the date of this Bond, or from the most recent interest payment date on which interest has been paid, on June 1 and December 1 of each year, commencing June 1, 2015, except as the provisions hereinafter set forth with respect to redemption prior to maturity may be or become applicable hereto. Interest on this Bond is payable to the registered owner appearing on the registration books of the County at the close of business on the fifteenth day of the month next preceding the interest payment date, and shall be paid to the registered owner at the address shown on such registration books. Interest shall be calculated on the basis of a 360-day year comprised of twelve 30-day months.

This Bond shall not be valid or become obligatory for any purpose until the Certificate of Authentication hereon shall have been signed by the Registrar.

This Bond is one of a series of General Obligation Landfill Facilities Bonds, Series 2014 (the “Bonds”) issued by the County in the aggregate principal amount of \$4,500,000, to evidence its obligation under a certain loan agreement, dated as of December 30, 2014 (the “Loan Agreement”), entered into by the County for the purpose of funding the construction of landfill facility improvements by the Dubuque Metropolitan Area Solid Waste Agency.

The Bonds are issued pursuant to and in strict compliance with the provisions of Chapters 76 and 331 of the Code of Iowa, 2013, and all other laws amendatory thereof and supplemental thereto, and in conformity with a resolution of the County Board of Supervisors adopted and approved on December 15, 2014, authorizing and approving the Loan Agreement and providing for the issuance and securing the payment of the Bonds (the “Resolution”), and reference is hereby made to the Resolution and the Loan Agreement for a more complete statement as to the source of payment of the Bonds and the rights of the owners of the Bonds.

The County reserves the right to optionally prepay part or all of the principal of the Bonds maturing in each of the years 2023 to 2034, inclusive, prior to and in any order of maturity on June 1, 2022, or on any date thereafter upon terms of par and accrued interest. Principal of the Bonds maturing on June 1, 2027; June 1, 2029 and June 1, 2034 is subject to mandatory redemption (by lot, as selected by the Registrar) on June 1 in each of the years 2026; 2028; and 2030, 2031, 2032 and 2033, respectively, in accordance with the mandatory redemption schedules set forth in the Resolution at a redemption price of 100% of the principal amount thereof to be redeemed, plus accrued interest thereon to the redemption date.

If less than all of the Bonds of any like maturity are to be redeemed, the particular part of those Bonds to be redeemed shall be selected by the Registrar by lot. The Bonds may be called in part in one or more units of \$5,000. If less than the entire principal amount of any Bond in a denomination of more than \$5,000 is to be redeemed, the Registrar will issue and deliver to the registered owner thereof, upon surrender of such original Bond, a new Bond

or Bonds, in any authorized denomination, in a total aggregate principal amount equal to the unredeemed balance of the original Bond. Notice of such redemption as aforesaid identifying the Bond or Bonds (or portion thereof) to be redeemed shall be sent by electronic means or mailed by certified mail to the registered owners thereof at the addresses shown on the County's registration books not less than 30 days prior to such redemption date. Any notice of redemption may contain a statement that the redemption is conditioned upon the receipt by the Paying Agent of funds on or before the date fixed for redemption sufficient to pay the redemption price of the Bonds so called for redemption, and that if funds are not available, such redemption shall be cancelled by written notice to the owners of the Bonds called for redemption in the same manner as the original redemption notice was sent. All of such Bonds as to which the County reserves and exercises the right of redemption and as to which notice as aforesaid shall have been given and for the redemption of which funds are duly provided, shall cease to bear interest on the redemption date.

This Bond is fully negotiable but shall be fully registered as to both principal and interest in the name of the owner on the books of the County in the office of the Registrar, after which no transfer shall be valid unless made on said books and then only upon presentation of this Bond to the Registrar, together with either a written instrument of transfer satisfactory to the Registrar or the assignment form hereon completed and duly executed by the registered owner or the duly authorized attorney for such registered owner.

The County, the Registrar and the Paying Agent may deem and treat the registered owner hereof as the absolute owner for the purpose of receiving payment of or on account of principal hereof, premium, if any, and interest due hereon and for all other purposes, and the County, the Registrar and the Paying Agent shall not be affected by any notice to the contrary.

And It Is Hereby Certified and Recited that all acts, conditions and things required by the laws and Constitution of the State of Iowa, to exist, to be had, to be done or to be performed precedent to and in the issue of this Bond were and have been properly existent, had, done and performed in regular and due form and time; that provision has been made for the levy of a sufficient continuing annual tax on all the taxable property within the County for the payment of the principal of and interest on this Bond as the same will respectively become due; and that the total indebtedness of the County, including this Bond, does not exceed any constitutional or statutory limitations.

IN TESTIMONY WHEREOF, Dubuque County, Iowa, by its Board of Supervisors, has caused this Bond to be executed with the duly authorized facsimile signature of its Chairperson and attested with the duly authorized facsimile signature of its County Auditor, as of December 30, 2014.

DUBUQUE COUNTY, IOWA

By (DO NOT SIGN)
Chairperson

Attest:

(DO NOT SIGN)

County Auditor

Registration Date: (Registration Date)

REGISTRAR'S CERTIFICATE OF AUTHENTICATION

This Bond is one of the Bonds described in the within-mentioned Resolution.

BANKERS TRUST COMPANY
Des Moines, Iowa
Registrar

By (Authorized Signature)

ABBREVIATIONS

The following abbreviations, when used in this Bond, shall be construed as though they were written out in full according to applicable laws or regulations:

TEN COM	-	as tenants in common	UTMA	
TEN ENT	-	as tenants by the entireties		(Custodian)
JT TEN	-	as joint tenants with right of survivorship and not as tenants in common	As Custodian for	(Minor)
			under Uniform Transfers to Minors Act	

				(State)

Additional abbreviations may also be used though not in the list above.

ASSIGNMENT

For valuable consideration, receipt of which is hereby acknowledged, the undersigned assigns this Bond to

(Please print or type name and address of Assignee)

PLEASE INSERT SOCIAL SECURITY OR OTHER IDENTIFYING NUMBER OF ASSIGNEE

and does hereby irrevocably appoint _____, Attorney, to transfer this Bond on the books kept for registration thereof with full power of substitution.

Dated:

Signature guaranteed:

(Signature guarantee must be provided in accordance with the prevailing standards and procedures of the Registrar and Transfer Agent. Such standards and procedures may require signatures to be guaranteed by certain eligible guarantor institutions that participate in a recognized signature guarantee program.)

NOTICE: The signature to this Assignment must correspond with the name of the registered owner as it appears on this Bond in every particular, without alteration or enlargement or any change whatever.

Section 8. The Bonds shall be executed as herein provided as soon after the adoption of this resolution as may be possible, and thereupon they shall be delivered to the Registrar for registration, authentication and delivery to or on behalf of the Purchaser, upon receipt of the loan proceeds, and all action heretofore taken in connection with the Loan Agreement is hereby ratified and confirmed in all respects.

The proceeds (the "Loan Proceeds") received from the sale of the Bonds shall be deposited in a dedicated fund (the "Project Fund"), which is hereby created, and shall be (1) loaned to the Agency for the purpose of paying costs of planning, designing and constructing the Project; (2) used to pay costs of issuance of the Bonds; and (3) to the extent that Loan Proceeds remain after the full payment of the costs set forth in (1) and (2), such Loan Proceeds shall be transferred to the Debt Service Fund for the payment of interest on the Bonds. The County shall keep a detailed and segregated accounting of the Project Fund and the expenditure of, and investment earnings on, the Loan Proceeds to ensure compliance with the requirements of the Internal Revenue Code, as hereinafter defined.

Section 9. For the purpose of providing for the levy and collection of a direct annual tax sufficient to pay the principal of and interest on the Bonds as the same become due, there is hereby ordered levied on all the taxable property in the County in each of the years while the Bonds are outstanding, a tax sufficient for that purpose, and in furtherance of this provision, but not in limitation thereof, there is hereby levied on all the taxable property in the County the following direct annual tax:

For collection in the fiscal year beginning July 1, 2015,
sufficient to produce the net annual sum of \$312,584;

For collection in the fiscal year beginning July 1, 2016,
sufficient to produce the net annual sum of \$313,884;

For collection in the fiscal year beginning July 1, 2017,
sufficient to produce the net annual sum of \$315,084;

For collection in the fiscal year beginning July 1, 2018,
sufficient to produce the net annual sum of \$311,184;

For collection in the fiscal year beginning July 1, 2019,
sufficient to produce the net annual sum of \$310,334;

For collection in the fiscal year beginning July 1, 2020,

sufficient to produce the net annual sum of \$309,334;

For collection in the fiscal year beginning July 1, 2021,
sufficient to produce the net annual sum of \$308,184;

For collection in the fiscal year beginning July 1, 2022,
sufficient to produce the net annual sum of \$309,784;

For collection in the fiscal year beginning July 1, 2023,
sufficient to produce the net annual sum of \$309,834;

For collection in the fiscal year beginning July 1, 2024,
sufficient to produce the net annual sum of \$309,490;

For collection in the fiscal year beginning July 1, 2025,
sufficient to produce the net annual sum of \$313,740;

For collection in the fiscal year beginning July 1, 2026,
sufficient to produce the net annual sum of \$312,140;

For collection in the fiscal year beginning July 1, 2027,
sufficient to produce the net annual sum of \$315,403;

For collection in the fiscal year beginning July 1, 2028,
sufficient to produce the net annual sum of \$313,390;

For collection in the fiscal year beginning July 1, 2029,
sufficient to produce the net annual sum of \$316,240;

For collection in the fiscal year beginning July 1, 2030,
sufficient to produce the net annual sum of \$317,600;

For collection in the fiscal year beginning July 1, 2031,
sufficient to produce the net annual sum of \$318,640;

For collection in the fiscal year beginning July 1, 2032,
sufficient to produce the net annual sum of \$319,360; and

For collection in the fiscal year beginning July 1, 2033,
sufficient to produce the net annual sum of \$314,760.

Section 10. A certified copy of this resolution shall be filed with the County Auditor of Dubuque County, and the County Auditor is hereby instructed to enter for collection and assess the tax hereby authorized. When annually entering such taxes for collection, the County Auditor shall include the same as a part of the tax levy for Debt Service Fund purposes of the County and when collected, the proceeds of the taxes shall be converted into

the Debt Service Fund of the County and set aside therein as a special account to be used solely and only for the payment of the principal of and interest on the Bonds hereby authorized and for no other purpose whatsoever. Any amount received by the County as accrued interest on the Bonds shall be deposited into such special account and used to pay interest due on the Bonds on the first interest payment date.

Pursuant to the provisions of Section 76.4 of the Code of Iowa, each year while the Bonds remain outstanding and unpaid, any other alternative funds of the County which may lawfully be applied for such purpose, including revenues of the Agency to be received by the County pursuant to the Revenue Agreement, may be appropriated, budgeted and, if received, used for the payment of the principal of and interest on the Bonds as the same become due, and if so appropriated, the taxes for any given fiscal year as provided for in Section 9 of this Resolution, shall be reduced by the amount of such alternate funds as have been appropriated for said purpose and evidenced in the County's budget.

Section 11. The interest or principal and both of them falling due in any year or years shall, if necessary, be paid promptly from current funds on hand in advance of taxes levied and when the taxes shall have been collected, reimbursement shall be made to such current funds in the sum thus advanced.

Section 12. It is the intention of the County that interest on the Bonds be and remain excluded from gross income for federal income tax purposes pursuant to the appropriate provisions of the Internal Revenue Code of 1986, as amended, and the Treasury Regulations in effect with respect thereto (all of the foregoing herein referred to as the "Internal Revenue Code"). In furtherance thereof, the County covenants to comply with the provisions of the Internal Revenue Code as they may from time to time be in effect or amended and further covenants to comply with the applicable future laws, regulations, published rulings and court decisions as may be necessary to insure that the interest on the Bonds will remain excluded from gross income for federal income tax purposes. Any and all of the officers of the County are hereby authorized and directed to take any and all actions as may be necessary to comply with the covenants herein contained.

The County hereby designates the Bonds as "Qualified Tax Exempt Obligations" as that term is used in Section 265(b)(3)(B) of the Internal Revenue Code.

Section 13. The Securities and Exchange Commission (the "SEC") has promulgated certain amendments to Rule 15c2-12 under the Securities Exchange Act of 1934 (17 C.F.R. § 240.15c2-12) (the "Rule") that make it unlawful for an underwriter to participate in the primary offering of municipal securities in a principal amount of \$1,000,000 or more unless, before submitting a bid or entering into a purchase contract for such securities, an underwriter has reasonably determined that the issuer or an obligated person has undertaken in writing for the benefit of the holders of such securities to provide certain disclosure information to prescribed information repositories on a continuing basis so long as such

securities are outstanding.

On the date of issuance and delivery of the Bonds, the County will execute and deliver a Continuing Disclosure Certificate pursuant to which the County will undertake to comply with the Rule. The County covenants and agrees that it will comply with and carry out the provisions of the Continuing Disclosure Certificate. Any and all of the officers of the County are hereby authorized and directed to take any and all actions as may be necessary to comply with the Rule and the Continuing Disclosure Certificate.

Section 14. All resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Motion by Manternach, seconded by Klein, carried unanimously to approve and authorize the Chair to sign Resolution 14-304.

WORKSESSION - WITH CITY OF FARLEY

The Board met with the City of Farley Mayor Jay Hefel, Farley Council Member David Kluesner and County Engineer Bret Wilkinson to discuss Farley's small city funding application for assistance with paving Farley Road.

The Board thanked the City for the information and will wait for the ratings from ECIA.

EXECUTIVE SESSION - WITH COUNTY ENGINEER PURSUANT TO IOWA CODE SECTION 21.5(1)(j)

Motion by Klein, seconded by Manternach, carried unanimously to enter into executive session with County Engineer Bret Wilkinson, Bruce and Laura Wuertzer and Mary Ellen Clark pursuant to Iowa Code Section 21.5(1)(j).

Upon returning to regular session, motion by Klein, seconded by Manternach, carried unanimously to recess at 4:42 p.m. until Tuesday, December 23, 2014 at 9:00 a.m .

Vice-Chairperson Klein called the meeting to order at 9:05 a.m. on December 23, 2014 with Supervisor Manternach absent and Supervisor Demmer, by telephone.

PERSONNEL REQUISITIONS

Motion by Demmer, seconded by Klein, carried unanimously to approve the personnel

requisitions of the Courthouse Maintenance Department for a temporary, full-time custodian; of the Treasurer's Office a permanent, full-time Clerk IV; of Sunnycrest Manor a permanent, part-time nutrition worker.

RESOLUTION 14-305 - 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 Nutrition Wrkr	09/22/14	Josie Bahl	\$ 9.74

Motion by Demmer, seconded by Klein, carried unanimously to approve and authorize the Chair to sign Resolution 14-305.

ACTION ITEM - ACCEPT OR REJECT THE WUERTZER RIGHT OF WAY OFFER FOR THE MUD LAKE ROAD PROJECT

Motion by Demmer, seconded by Klein, carried unanimously to accept the right of way offer from Bruce and Laura Wuertzer for the Mud Lake Road project.

PROCUREMENT PROCEDURES

The following bids for the purchase of a Microsoft Enterprise Agreement were received and read into the record by IT Superintendent Nathan Gilmore:

<u>VENDOR</u>	<u>BID AMOUNT</u>
<u>Dell Marketing LP, Round Rock, TX</u>	\$469,062.84
<u>CDW Government LLC, Vernon Hills, IL</u>	\$469,062.84

Mr. Gilmore also received a bid through Microsoft from Insight in the amount of \$481,462.98. However, the bid was not accepted due to the bid not being received in the Auditor's Office as set forth in the Request for Proposals.

Mr. Gilmore recommended that CDW Government LLC be awarded the bid for the Microsoft Enterprise Agreement.

Motion by Demmer, seconded by Klein, carried unanimously to concur with the recommendation of the IT Superintendent to award the bid to CDW Government LLC in the amount of \$469,062.84.

EXECUTIVE SESSION - PER IOWA CODE SECTION 21.5(1)(a) - SUNNYCREST ADMISSIONS APPEAL

Motion by Demmer, seconded by Klein, carried unanimously to enter executive session with Administrative Assistant Mary Ann Specht, County Budget Director Michelle Patzner and Sheila and Doug Kruser pursuant to Iowa Code Section 21.5(1)(a).

Upon returning to regular session, motion by Demmer, seconded by Klein, carried unanimously to approve the Sunnycrest Manor admissions appeal.

Motion by Demmer, seconded by Klein, carried unanimously to adjourn at 9:34 a.m. until Friday, January 2, 2015 at 8:00 a.m.

Wayne Demmer, Chair
Board of Supervisors

ATTEST:

Mona Manternach
Deputy Auditor