

MINUTES OF FEBRUARY 24, 2014
DUBUQUE COUNTY BOARD OF SUPERVISORS
Present: Wayne Demmer, Daryl Klein and Eric Manternach
Chair Demmer called the meeting to order at 1:00 p.m.

GENERAL ASSISTANCE HEARINGS

Motion by Manternach, seconded by Klein, carried unanimously to enter executive session with General Assistance Director Charlie Brimeyer, General Assistance Caseworker Doug Slaats and County Budget Director Michelle Patzner regarding case Y-1-16.

Upon returning to regular session, motion by Klein, seconded by Manternach, carried unanimously to refer case Y-1-16 back to General Assistance.

WORKSESSION - WITH STAFF FROM COUNTY AUDITOR'S OFFICE

The Board requested Network Administrator Alan Grant to give an update on the status of the new phone system.

Motion by Klein, seconded by Manternach, carried unanimously to send a letter to the Auditor relaying our disappointment for not having someone present for this worksession to give a status report on the phone system, not receiving an update on the phone system as requested two weeks ago, and to request a detailed time line report to the Board by March 5th regarding the installation of the phone system.

Motion by Klein, seconded by Manternach, carried unanimously to recess at 2:05 p.m.

RESIDENCY DETERMINATION OF CLIENTS

Upon reconvening at 2:12 p.m., motion by Manternach, seconded by Klein, carried unanimously to approve services for cases #160035, 166136, 165229, 197007, 164689, 168214, 160675 and 178942.

ADMISSIONS TO COMMUNITY-BASED FACILITIES

Motion by Klein, seconded by Manternach, carried unanimously to approve services for case #9475.

WORKSESSION - WITH CPC

The Board met with CPC Jody Jansen for an update on the MHDS redesign meeting held February 9, 2014 and attended by herself and Supervisor Klein.

FY15 BUDGET DELIBERATIONS

County Budget Director Michelle Patzner told the Board the Notice of Public Hearing for the FY15 budget, the Notice of Public Hearing for the FY14 Amendment #2 and Notice of Public Hearing for the Decrease in Appropriations for FY14 are on the agenda tonight for approval.

Motion by Klein, seconded by Manternach, carried unanimously to approve debt service, as presented, which was submitted by County Auditor Denise Dolan on February 11, 2014.

Ms. Patzner also discussed the grant request from the Farley Area Historical Society and the new request from Project Concern for FY15. The Board did not approve the Farley Area Historical Society request and will decrease Project Concern's request to \$19,005 for direct service in the first amendment for FY15.

EXECUTIVE SESSION - WITH LEGAL COUNSEL

Motion by Manternach, seconded by Klein, carried unanimously to enter executive session with Assistant County Attorney Brigit Barnes, Zoning Administrator Anna O'Shea, County Engineer Bret Wilkinson and County Budget Director Michelle Patzner regarding pending or potential litigation per Iowa Code 21.5(1)©.

WORKSESSION - WITH ZONING ADMINISTRATOR

Upon returning to regular session, the Board met with Zoning Administrator Anna O'Shea regarding zoning complaints. Present were County Engineer Bret Wilkinson, County Budget Director Michelle Patzner, Clarence Kramer, 10833 Utah Street, Dubuque, Candice Beam, 10843 Utah Street, Dubuque and Catherine Mueller, 10854 Utah Street, Dubuque.

Mr. Kramer, Mrs. Beam and Mrs. Mueller all commented on the neighbor at 10777 Key West Drive they believe is running a construction business out of a shed on the property and parking construction equipment on site.

The Board directed Ms. O'Shea to send a letter to the property owner advising him, as a habitual offender, that the County will assess the zoning violation issues, and give him notice

that he has 10 days to clean up the property or a civil infraction will be issued.

WORKSESSION - WITH COUNTY ENGINEER

MEETING WITH SHERIFF AND CONSERVATION DIRECTOR

The Board met with County Engineer Bret Wilkinson, County Sheriff Don Vrotsos, Chief Deputy Greg Egan, Captain Dale Snyder and Conservation Director Brian Preston regarding events being held on county roadways.

The Board directed that a letter be sent to the County Attorney for an opinion regarding the County's liability when law enforcement service is requested by the event coordinator and if the County is able to regulate the event or require a special events permit.

The Board also directed that a worksession be held at the March 10th Board meeting with the County Attorney and the County's liability carrier to discuss the issues.

TELEPHONE CONFERENCE WITH HAROLD CLARK

Mr. Wilkinson and the Board met with Harold Clark, by telephone, to discuss the purchase of right of way from him for the Mud Lake Road project. Mr. Clark was requesting more money than was offered to him for the purchase.

Mr. Clark agreed on the original purchase price and will send the right of way documents back to Mr. Wilkinson.

GENERAL ROAD DEPARTMENT DISCUSSION

Mr. Wilkinson said he received next year's contract from the State for the purchase of road salt. He will contract for 7500 ton for next year's winter road maintenance.

MAILBOX CLAIMS

The Board directed Mr. Wilkinson to authorize Maintenance Superintendent Chad Danielson to pay mailbox damage claims for the ones he deems necessary.

Motion by Manternach, seconded by Klein, carried unanimously to recess at 5:28 p.m.

The Board reconvened at 5:30 p.m.

APPROVAL OF MINUTES - FEBRUARY 10 AND 11, 2014

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

CONSENT ITEMS

Renewal of Class LC liquor license - Golf Side Grille; Renewal of Class BB beer permit - Divot's Golf Shop LLC; New Class BW beer-wine permit - Dubuque County Firefighters Association

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

PUBLIC HEARINGS

Motion by Manternach, seconded by Klein, carried unanimously to advertise for public hearings to be held on Monday, March 10, 2014 at 5:30 p.m. in the Supervisors Chambers, Dubuque County Courthouse, 4th Floor, Dubuque, Iowa for the FY15 Proposed Budget, FY14 Budget Amendment #2 and Decrease in Departmental Appropriations.

PROOF OF PUBLICATION - PROCUREMENT PROCEDURES

Motion by Manternach, seconded by Klein, carried unanimously to receive and file the proofs of publication for the Amended Request for Quotes for food services to be provided at Sunnycrest Manor.

RESOLUTION 14-046 - FINAL PLAT OF DAVIS ADDITION - SEC 26 - MOSALEM TOWNSHIP

WHEREAS, there has been presented to the Dubuque County Board of Supervisors a Final Plat of Survey for DAVIS ADDITION, comprised of Lot 2 and Lot 3 of Ahmann Place and Lot 2-2-2 in the SE ¼ in Section 26, T88N, R3E of the 5th PM, Mosalem Township, Dubuque County, Iowa; and

WHEREAS, said plat will create one (1) lot, namely Lot 1 of Davis Addition in Section 26, Mosalem Township, Dubuque County, Iowa; and

WHEREAS, said plat has been examined by Dubuque County Planning and Zoning

Commission, Dubuque County Board of Health, Dubuque County Engineer, Dubuque County Treasurer and Dubuque County Plats Officer and has their approval endorsed thereon; and

WHEREAS, said 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:

1. That the above described property is within the "R-1", Rural Residential, thus subject to all the requirements of that district.
2. That the above described 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 plat.

Motion by Manternach, seconded by Klein, carried unanimously to approve and authorize the Chair to sign Resolution 14-046.

RESOLUTION 14-047 - FINAL PLAT OF AHMANN PLACE - SEC 26 - MOSALEM TOWNSHIP

WHEREAS, there has been presented to the Dubuque County Board of Supervisors a Final Plat of Survey for AHMANN PLACE, comprised of Lot 1-1-2-2 in the SE ¼ and Lot 2-2-2 in the SE ¼ NE ¼ all in Section 26, T88N, R3E of the 5th PM, Mosalem Township, Dubuque County, Iowa; and

WHEREAS, said plat will create three (3) lots, namely Lot 1, Lot 2 and Lot 3 of Ahmann Place in Section 26, Mosalem Township, Dubuque County, Iowa; and

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

WHEREAS, said 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:

1. That the above described property is within the “R-1”, Rural Residential district, thus subject to all requirements of that district.
2. That Lot 2 and Lot 3 of Ahmann Place are non-conforming lots and must be added to other property to become legal conforming lots.
3. That the above described 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 plat.

Motion by Klein, seconded by Manternach, carried unanimously to approve and authorize the Chair to sign Resolution 14-047.

RESOLUTION 14-048 - FINAL PLAT OF SAND VALLEY ADDITION - SEC 33 - WHITEWATER TOWNSHIP

WHEREAS, there has been presented to the Dubuque County Board of Supervisors a Final Plat of Survey for SAND VALLEY ADDITION, comprised of Lot 1-1 and Lot 2-1 of the SW ¼ and SE ¼ of Section 33, T 87 N, R 1W of the 5th PM, Whitewater Township, Dubuque County, Iowa; and

WHEREAS, said plat will replat two (2) lots into two (2) new lots namely Lot 1 and Lot 2 of Sand Valley Addition in Section 33, Whitewater Township, Dubuque County, Iowa; and

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

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

WHEREAS, said 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:

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

2. That the above described 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 plat.

Motion by Manternach, seconded by Klein, carried unanimously to approve and authorize the Chair to sign Resolution 14-048.

RESOLUTION 14-049 - PRELIMINARY PLAT OF BLOCK 5 OF THUNDER RIDGE ESTATE - SEC 2 & SEC 3 VERNON TOWNSHIP

WHEREAS, there has been presented to the Dubuque County Board of Supervisors an Affidavit of Preliminary Plat of Survey for BLOCK 5 OF THUNDER RIDGE ESTATES, as comprised of Lot D of Thunder Ridge Estates, Lot 1 Block 4 of Thunder Ridge Estates, Lot 2 of Lot B of Thunder Ridge Estates and Lot A Block 3 of Thunder Ridge Estates all in Section 2 (T88N, R1E) and all that part of the SE ¼ SE ¼ of Section 3 lying east of the centerline of Thunder Hills Road, all in T88N, R1E of the 5th PM, Vernon Township, Dubuque County, Iowa; and

WHEREAS, said preliminary plat will create Lot 1 through Lot 32 inclusive and Lot A, of Thunder Ridge Estates, in Sections 2 & 3, Vernon Township, Dubuque County, Iowa; and

WHEREAS, said preliminary plat has been examined and approved by the City of Peosta; and

WHEREAS, said preliminary plat has been examined by Dubuque County Planning and Zoning Commission, Dubuque County Board of Health, Dubuque County Engineer and Dubuque County Plats Officer and has their approval; and

WHEREAS, said preliminary 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-3” Single Family Residential district, thus subject to all the requirements of that district.

Section 2. That said plat is only approved as a preliminary plat, thus subject to change.

Section 3. That the subdivision will be served by a public water supply and will be

connected to the City of Peosta sewer system, so no additional wells will be allowed.

Section 4. That the streets shown upon said preliminary plat are not accepted as Dubuque County Streets and that Dubuque County shall assume no liability for their design, construction and/or maintenance.

Section 5. That all of the lots will access off of the private roads except in Lot 31 and Lot 32. No additional access to county roads will be allowed.

Section 6. That fence agreements with adjoining agricultural property owners will be required.

Section 8. That the above described preliminary 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 preliminary plat.

Motion by Klein, seconded by Manternach, carried unanimously to approve and authorize the Chair to sign Resolution 14-049.

RESOLUTION 14-050 - FINAL PLAT OF LEIBOLD HOMESTEAD NO. 2 - SEC 27 - CENTER TOWNSHIP

WHEREAS, there has been presented to the Dubuque County Board of Supervisors a Final Plat of Survey for LEIBOLD HOMESTEAD NO. 2, comprised of Lot 1-2 and Lot 2-2 of Leibold Homestead in Section 27, T89N, R1E of the 5th PM, Center Township, Dubuque County, Iowa; and

WHEREAS, said plat will replat two (2) lots into two (2) new lots namely Lot 1 and Lot 2 of Leibold Homestead No. 2, in Section 27, Center Township, Dubuque County, Iowa; and

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

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

WHEREAS, said 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:

1. That the above described property is within the R-2, Single Family Residential district, thus subject to all the requirements of that district.
2. That the above described 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 plat.

Motion by Manternach, seconded by Klein, carried unanimously to approve and authorize the Chair to sign Resolution 14-050.

RESOLUTION 14-051 - FINAL PLAT OF BRITT ACRES - SEC 19 - WHITEWATER TOWNSHIP

WHEREAS, there has been presented to the Dubuque County Board of Supervisors a Final Plat of Survey for BRITT ACRES, comprised of Lot 1 of Lot 1 of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ and Lot 1 of Lot 1 of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ all in Section 19, T87N, R1W of the 5th PM, Whitewater Township, Dubuque County, Iowa and;

WHEREAS, said plat will replat two (2) lots into two (2) new lots, namely Lot 1 and Lot 2 of Britt Acres in Section 19, Whitewater Township, Dubuque County, Iowa; and

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

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

WHEREAS, said 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:

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

Motion by Klein, seconded by Manternach, carried unanimously to approve and authorize the Chair to sign Resolution 14-051.

RESOLUTION 14-052 - APPOINTMENT OF DEPUTIES, CLERKS AND ASSISTANTS

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 PI/CNA	08/12/2013	Vanessa Weiner	\$11.71
Sunnycrest	PPT PI/CNA	11/04/2013	Hannah Garrigus	\$11.71
Sunnycrest	PPT CNA	07/29/2013	Angela Baker	\$12.79
Sunnycrest	PPT CNA	11/18/2013	Morgan McFadden	\$12.79
Sheriff	PFT Deputy Sheriff	01/27/2014	Thomas Ammon	\$21.23

Motion by Manternach, seconded by Klein, carried unanimously to approve and authorize the Chair to sign Resolution 14-052.

RESOLUTION 14-053 - APPROVE 2013 IOWA GOVERNMENT ANNUAL REPORT TO CERTIFY THE DUBUQUE COUNTY HISTORIC PRESERVATION COMMISSION

WHEREAS, Dubuque County Board of Supervisors has been presented with an Iowa Certified Local Government Annual Report for 2013 to be submitted to State Historical Society to certify the Dubuque County Historic Preservation Commission on behalf of Dubuque County.

NOW, THEREFORE BE IT RESOLVED that the Dubuque County Board of Supervisors approves and authorizes the Chairperson to sign the Iowa Certified Local Government Annual Report for 2013 to be submitted to State Historical Society to certify the Dubuque County Historic Preservation Commission on behalf of Dubuque County.

Motion by Klein, seconded by Manternach, carried unanimously to approve and authorize the Chair to sign Resolution 14-053.

RESOLUTION 14-054 - APPROVE OFFER TO BUY REAL ESTATE WITH BRIAN HODGSON FOR COUNTY OWNED PROPERTY

WHEREAS, Dubuque County Board of Supervisors has been presented with an Offer to Buy Real Estate and Acceptance from Brian Hodgson for property located and described as the South 75 feet of western 100 feet and the western 50 feet of the south 234 feet of Lot 2 of Seippel Road Place for the amount of \$5,000.

NOW, THEREFORE BE IT RESOLVED that the Dubuque County Board of Supervisors approves and authorizes the Chairperson to sign the Offer to Buy Real Estate and Acceptance from Brian Hodgson for property located and described as the South 75 feet of western 100 feet and the western 50 feet of the south 234 feet of Lot 2 of Seippel Road Place for the amount of \$5,000.

Motion by Klein, seconded by Manternach, carried unanimously to approve and authorize the Chair to sign Resolution 14-054.

RESOLUTION 14-055 - APPROVE LOAN AGREEMENT WITH SUNNYCREST MANOR HOSPITAL BOARD OF TRUSTEES FOR ROAD PROJECT

WHEREAS, Dubuque County Board of Supervisors has been presented with short-term Loan Agreement in the amount of \$420,000 between Dubuque County and the Sunnycrest Manor Hospital Board of Trustees to assist with funding of the Road Project; and

WHEREAS, the Sunnycrest Manor Hospital Board of Trustees has indicated that with receipt of the short-term finding from Dubuque County, the Sunnycrest Road Project can be completed in a single season with an estimated cost saving of \$150,000.

NOW, THEREFORE BE IT RESOLVED that the Dubuque County Board of Supervisors approves and authorizes the Chairperson to sign the Loan Agreement.

Motion by Manternach, seconded by Klein, carried unanimously to approve and authorize the Chair to sign Resolution 14-055.

RESOLUTION 14-056 - AMEND DEPUTY RESOLUTION 13-153 ADDING DEPUTY SHERIFF

WHEREAS, on June 17, 2013, the Board of Supervisors approved deputies in the offices of the County Attorney, Auditor, Recorder, Sheriff and Treasurer for the fiscal year 2014; and

WHEREAS, one additional deputy has been designated by County Sheriff Don Vrotsos.

NOW THEREFORE BE IT RESOLVED that this resolution will amend Resolution Number 13-153 to add the following deputy to the office of the Dubuque County Sheriff: Thomas Ammon, effective on or about March 7, 2014.

Motion by Klein, seconded by Manternach, carried unanimously to approve and authorize the Chair to sign Resolution 14-056.

COMMUNICATION - FROM CITY OF DUBUQUE REGARDING TRUCK COUNTRY VOLUNTARY ANNEXATION

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

COMMUNICATION - FROM CITY OF DUBUQUE REGARDING CITY TAX ASSESSMENT APPEALS

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

COMMUNICATION - FROM CITY OF HOLY CROSS REGARDING VOLUNTARY ANNEXATION

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

COMMUNICATION - FROM CITY OF DUBUQUE REGARDING MEETING BROADCASTING

Motion by Klein, seconded by Manternach, carried unanimously to receive and file the communication and set up a worksession with the City of Dubuque.

COMMUNICATION - FROM IOWA DEPARTMENT OF HUMAN SERVICES REGARDING 28E AGREEMENTS

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

COMMUNICATION - FROM GERDA PRESTON HARTMAN REGARDING THE ABSENTEE VOTING PROCESS

Motion by Klein, seconded by Manternach, carried unanimously to receive and file the communication, set up a worksession with the Auditor and Elections and invite Ms. Preston to attend.

PERSONNEL REQUISITIONS

Motion by Manternach, seconded by Klein, carried unanimously to approve the personnel requisitions of Sunnycrest Manor for four (4) permanent, part-time program instructors/CNA's, a permanent, part-time nutrition worker and a permanent, part-time environmental services worker.

Motion by Klein, seconded by Manternach, carried unanimously to adjourn at 6:03 p.m. until Monday, March 10, 2014 at 9:00 a.m.

CLAIMS MONTHLY

The following claims for supplies and services provided to Dubuque County were allowed for the month of February 2014, and the Auditor was ordered to issue the corresponding warrants.

(Insert February Claims Register Report Here)

Wayne Demmer, Chair
Board of Supervisors

ATTEST:

Mona Manternach
Deputy Auditor

