

MINUTES OF SEPTEMBER 8, 15, 2014
DUBUQUE COUNTY BOARD OF SUPERVISORS
Present: Daryl Klein and Eric Manternach
Absent: Wayne Demmer (attending another meeting)
Vice-Chair Klein called the meeting to order at 8:03 a.m.

WORKSESSION - WITH COUNTY ENGINEER

County Engineer Bret Wilkinson discussed the following issues with the Board:

DAMAGE CLAIM

A damage claim was submitted to Mr. Wilkinson by Bill/Morgan Sweeney regarding damage to a vehicle as a result of hitting a pot hole on Key West Drive.

Motion by Manternach, seconded by Klein, carried unanimously to receive and refer the damage claim to the County Attorney to submit to the insurance company.

ST. CATHERINE ROAD

Mr. Wilkinson discussed e-mails from residents who live on St. Catherine Road who are requesting to consider continuing the hard surfaced road improvement plan to include an extra 1.25 miles on St. Catherine Road. The Board directed Mr. Wilkinson to contact the citizens and explain why the County will not be able to fulfill their requests.

SAND SPRINGS ROAD

Delaware County has a concrete overlay project on their county road that abuts Sand Springs Road located in Dubuque County. Dubuque County has approximately a 1200 foot stretch of Sand Springs Road that will also have a concrete overlay which is estimated to cost \$89,000 to \$90,000. Mr. Wilkinson will obtain a contract from Horsfield Construction for the project for their signature.

Supervisor Demmer arrived at 8:15 a.m.

FEMA DAMAGED BRIDGES

Mr. Wilkinson updated the Board on the status of the bridges that were damaged in the 2011 flood that were partially funded by FEMA. Mr. Wilkinson will report back to the Board on a time line when all the damaged bridges will be completed and check what the deadline is for funding.

CENTRAL IOWA WATER PERMIT APPLICATION

Mr. Wilkinson said he has given information to the County Attorney regarding the Central Iowa Water Permit Application for an opinion on signing the permit and how it relates to the new law that went into effect on July 1st.

MASSEY STATION ROAD

Mr. Wilkinson discussed the proposed tree removal along Massey Station Road and road improvement options in order to keep materials from washing away behind the guardrail due to the steep slope.

MUD LAKE ROAD RIGHT OF WAY

After speaking with residents on the different options discussed with them for the intersection of Mud Lake Road and Circle Ridge Road, Mr. Wilkinson told IIW to move forward and obtain information for the County to submit a design exception at the intersection.

Motion by Manternach, seconded by Klein, carried unanimously to recess at 9:00 a.m.

The Board reconvened at 9:01 a.m., with all Board members present.

PROCLAMATION 14-005 - DAYS OF PEACE AND CEASEFIRE

NOW THEREFORE, the Dubuque County Board of Supervisors, on behalf of the Staff and Citizens of Dubuque County, do hereby recognize the 5th Anniversary of Day of Peace in Dubuque and the 30th Anniversary of the U.N. General Assembly Declaration of the Right of Peoples to Peace and proclaim September 20 and 21, 2014, as Days of Peace and Ceasefire in Dubuque County, Iowa, and urge residents to further affirm a vision of our world at peace by fostering cooperation between individuals, organizations, and nations.

Motion by Manternach, seconded by Klein, carried unanimously to adopt Proclamation 14-005. Art Roche from the Days of Peace Committee accepted the proclamation.

APPROVAL OF MINUTES OF AUGUST 25, 2014

Motion by Klein, seconded by Manternach, carried unanimously to table the minutes.

CONSENT ITEMS

Recommendation from the City of Dubuque Assessor regarding allowed and disallowed applications for the Disabled Veteran's Homestead Tax Credit; County receipt of Manure Management Plan and Update for Roling Acres - Rick Roling; Receive and file Official Report of County Highway Engineer FY2014 for Dubuque County

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

PROOF OF PUBLICATION - PUBLIC HEARING

Motion by Manternach, seconded by Klein, carried unanimously to receive and file the proofs of publication for Amendment to Zoning Ordinance - ZC#08-10-14 - June L. Siegert Estate/Jim & Sandra Regan - R-1 to B-2 Conditional.

PUBLIC HEARING - AMENDMENT TO ZONING ORDINANCE - ZC#08-10-14 - JUNE L. SIEGERT ESTATE/JIM & SANDRA REGAN - R-1 TO B-2 CONDITIONAL

Chair Demmer opened the public hearing.

Zoning Administrator Anna O'Shea explained the applicants are requesting to rezone from R-1 Rural Residential to B-2 Highway Business .75 additional acres to equal a total of 1.4 acres, more or less, to allow for the transfer of property to the grandson for use as a diesel component service.

Dave Schneider of Schneider Land Surveying, 906 1st Street NW, Farley commented on the rezoning.

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

AMENDMENT TO ZONING ORDINANCE - ZC#08-10-14 - JUNE L. SIEGERT ESTATE/JIM & SANDRA REGAN - R-1 TO B-2 CONDITIONAL

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

ZC#08-10-14 June L. Siegert Estate/Jim & Sandra Regan R-1 to B-2 Conditional

The applicants are requesting to rezone from R-1 Rural Residential to B-2 Highway Business .75 additional acres to equal a total of 1.4 acres more or less, to allow for the transfer of property to the grandson for use as a diesel component service to repair injection pumps and

turbo chargers for diesel engines only. The property is located 0.74 miles south of the City of Dubuque along Siegert Lane and is legally described as Lot 2 & Lot 2-1 Siegert Place and Lot 2 Siegert Addition all in Section 7, T88N, R2E, Table Mound 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 September 8, 2014.

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.

CONTINUATION OF PUBLIC HEARING - CHAPTER 63 - SPECIAL EVENTS ORDINANCE

Chair Demmer announced the continuation of the public hearing.

Captain Dale Snyder of the Sheriff's Department stated that the Iowa Code allows a \$50 to \$750 penalty for violating the ordinance. Captain Snyder said the County Attorney set the penalty at \$500 in the proposed ordinance, however, the Board may adjust that amount.

Motion by Klein, seconded by Manternach, carried unanimously to continue the public hearing for two more weeks.

NOTICE OF PUBLIC HEARING - AMENDMENT TO COUNTY CODE OF ORDINANCES - CHAPTER 1 - ZONING AND CHAPTER 2 - SUBDIVISION AND PLATTING

Motion by Klein, seconded by Manternach, carried unanimously to advertise for a public hearing to be held on Monday, September 22, 2014 at 5:30 p.m. in the Supervisors Chambers, Dubuque County Courthouse, 4th Floor, 720 Central Avenue, Dubuque concerning proposed amendments to Chapter 1 - Zoning Ordinance and Chapter 2 - Subdivision and Platting Ordinance.

NOTICE OF PUBLIC HEARING - HMA PAVING PROJECT ON ASBURY ROAD, PROJECT LFM-D17B-7X-31

Motion by Manternach, seconded by Klein, carried unanimously to advertise for a public hearing to be held on Monday, September 22, 2014 at 5:30 p.m. in the Supervisors Chambers, Dubuque County Courthouse, 4th Floor, 720 Central Avenue, Dubuque concerning the HMA paving project on Asbury Road, Project LFM-D17B-7X-31.

RESOLUTION - APPOINTMENTS OF DEPUTIES, ASSISTANTS AND CLERKS

Motion by Klein, seconded by Manternach, carried unanimously to table the resolution.

RESOLUTION 14-228 - REQUEST FOR PAYMENT #9 FOR COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM 13-OT-001

WHEREAS, Dubuque County is the fiduciary agent for Community Development Block Grant program #13-OT-001; and

WHEREAS, a drawdown of funds has been requested in the amount of \$ 24,282.

NOW THEREFORE BE IT RESOLVED that the Dubuque County Board of Supervisors hereby approves the Request for Payment Report # 9 in the amount of \$ 24,282 to be submitted to the Iowa Department of Economic Development. Upon receipt of payment, the County will remit to the City of Sageville.

Motion by Manternach, seconded by Klein, carried unanimously to approve and authorize the Chair to sign Resolution 14-228.

RESOLUTION 14-229 - REQUEST FOR PAYMENT #69 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 \$ 95,634.

NOW THEREFORE BE IT RESOLVED that the Dubuque County Board of Supervisors hereby approves the Request for Payment Report # 69 in the amount of \$ 95,634 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 Manternach, carried unanimously to approve and authorize the Chair to sign Resolution 14-229.

RESOLUTION 14-230 - APPROVE FY15 IDPH SUBSTANCE ABUSE PREVENTION SERVICES CONTRACT #588 5 SS31 (D.A.R.E.)

WHEREAS, Dubuque County has been presented with a FY2015 County Substance Abuse Prevention Contract, Contract #588 5 SS31, between Dubuque County and the Iowa Department of Public Health which provides \$10,000 to fund the FY15 Dubuque County D.A.R.E. Program to provide substance abuse prevention and related services for Dubuque County,

NOW, THEREFORE, BE IT RESOLVED, that the Dubuque County Board of Supervisors hereby approves and authorizes the Chairperson to sign the FY2015 County Substance Abuse Prevention Contract, Contract #588 5 SS31, between Dubuque County and the Iowa Department of Public Health which provides substance abuse prevention and related services for Dubuque County.

Motion by Manternach, seconded by Klein, carried unanimously to approve and authorize the Chair to sign Resolution 14-230.

DUPLICATE WARRANTS - MOYSON RESOURCES AND KIRSTEN GLOVER

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

CONDITIONAL ZONING AGREEMENT - ZC#07-08-14 - DENNIS WATTERS/JEFF & HANNAH HEIAR - A-1 TO R-1

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

RESOLUTION 14-231 - APPROVE FUNDING AGREEMENT WITH CITY OF EPWORTH FOR STREET PATCHING, CROSSING BEACON INSTALLATION AND SIDEWALK INSTALLATION PROJECT

WHEREAS, the City of Epworth has scheduled a street patching, crossing beacon installation and sidewalk installation project, and

WHEREAS, the City of Epworth will design, construct and inspect the project and shall initially bear all costs, and

WHEREAS, Dubuque County shall reimburse the City of Epworth for the Rural Community Transportation Program project costs, as shown by project records, at the rate of 50% up to \$26,475 as indicated in the Funding Agreement, and

WHEREAS, it is necessary for the City of Epworth and Dubuque County to enter into an agreement regarding said project,

THEREFORE BE IT RESOLVED that the Board of Supervisors of Dubuque County, Iowa hereby approve and direct the Chair to sign the Funding Agreement between Dubuque County and the City of Epworth for the street patching, crossing beacon installation and sidewalk installation project.

Motion by Klein, seconded by Manternach, carried unanimously to approve and authorize the Chair to sign Resolution 14-231.

COMMUNICATION - FROM ALLIANT ENERGY REGARDING GRAIN BIN SAFETY

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

COMMUNICATIONS - FROM TEAMSTERS LOCAL UNION NO. 120 REGARDING INTENT TO BARGAIN PER IOWA CODE 20.17 REPRESENTING THE DUBUQUE COUNTY ADMINISTRATIVE DEPUTY UNIT, DUBUQUE COUNTY COURTHOUSE AND LIBRARY UNIT, DUBUQUE COUNTY SECONDARY ROADS UNIT, AND DUBUQUE COUNTY ASSESSORS UNIT

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

COMMUNICATION - FROM TEAMSTERS LOCAL UNION NO. 120 REGARDING INTENT TO BARGAIN PER IOWA CODE 20.17 REPRESENTING THE CITY OF DUBUQUE ASSESSORS UNIT

Motion by Klein, seconded by Manternach, carried unanimously to table the communication.

COMMUNICATION - FROM COUNTY RESIDENTS REGARDING SWISS VALLEY ROAD

Motion by Manternach, seconded by Klein, carried unanimously to receive and refer the communication to the County Engineer for a worksession.

COMMUNICATION - FROM DAIRYLAND POWER COOPERATIVE REGARDING GRAIN BIN SAFETY

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

APPOINTMENT - EMINENT DOMAIN COMPENSATION COMMISSION

Motion by Klein, seconded by Manternach, carried unanimously to appoint James R. Kennedy, Jr. as a banker for a one year term expiring June of 2015.

APPOINTMENT - INVESTMENT POLICY COMMITTEE

Motion by Manternach, seconded by Klein, carried unanimously to appoint Cecilia Ann (CeAnn) Brickley for a two year term expiring June 30, 2016.

PERSONNEL REQUISITIONS

Motion by Klein, seconded by Manternach, carried unanimously to approve the personnel requisitions for Sunnycrest Manor for a permanent, part-time nutrition worker and of the Administration Department a permanent, full-time maintenance superintendent.

Motion by Klein, seconded by Manternach, carried unanimously to recess at 9:53 a.m.

APPROVAL OF MINUTES OF AUGUST 25, 2015

Upon reconvening at 10:00 a.m., motion by Klein, seconded by Manternach, carried unanimously to approve the minutes.

RESOLUTION 14-232 - 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 | 04-07-14 | Nikiesha Thomas | \$12.41 |
| Library | Library Director | 03-24-14 | Michael Wright | \$65,000.00 |

Motion by Manternach, seconded by Klein, carried unanimously to approve and authorize the Chair to sign Resolution 14-232.

WORKSESSION - WITH ZONING ADMINISTRATOR

ENTRANCE PERMIT APPEALS

Zoning Administrator Anna O'Shea met with the Board regarding an entrance permit for Garry Anstoetter. Deb Anstoetter and County Engineer Bret Wilkinson were present.

Motion by Manternach, seconded by Klein, carried unanimously to approve the entrance permit variance.

Zoning Administrator Anna O'Shea met with the Board regarding an entrance permit for Doris Graf/Christine Graf on Humke Road. Ken Kress, Cathy Schiessl and County Engineer Bret Wilkinson were present.

Motion by Klein, seconded by Manternach, carried unanimously to approve the entrance permit variance.

Zoning Administrator Anna O'Shea met with the Board regarding three (3) entrance permits for Adelicia LC/Jim Bauerly on Derby Grange Road. Present were Jim Bauerly, Greg Adams, Ken Buesing and County Engineer Bret Wilkinson.

Motion by Manternach, seconded by Klein, carried unanimously to approve option 1 or option 2 as the subdivision entrance, dependent upon the City of Dubuque's decision, and removing the existing field entrance.

Motion by Klein, seconded by Manternach, carried unanimously to table Entrance Permit #14-43 for Adelicia LC/Jim Bauerly.

FARM EXEMPTION AMENDMENT

The Board met with Zoning Administrator Anna O'Shea and County Engineer Bret Wilkinson regarding the Farm Exemption Amendment.

Ms. O'Shea presented changes to the Notice of Public Hearing to Chapter 1 - Zoning Ordinance and Chapter 2 - Subdivision and Platting Ordinance.

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

DISCUSSION - REGARDING EPA AND CORPS OF ENGINEERS PROPOSED RULE - DEFINITION OF WATERS OF THE U.S. UNDER THE CLEAN WATER ACT

Discussion on this issue was deferred until Urban Conservationist Eric Schmechel could be present. The Board directed Administrative Assistant Mary Ann Specht to contact ISAC to see if they are aware of the issue.

WORKSESSION - WITH COUNTY ENGINEER (CONTINUED)

County Engineer Bret Wilkinson discussed the Farley Road (Y-13) project. The Board directed Mr. Wilkinson to contact the contractor to see if the project is on schedule.

WORKSESSION - WITH DUBUQUE COUNTY POLICY COMMITTEE

The Board met with the Dubuque County Policy Committee regarding proposed county policies. Present were Administrative Assistant Mary Ann Specht, County Budget Director Michelle Patzner, County Engineer Bret Wilkinson, Sheriff Don Vrotsos, County Attorney Ralph Potter and Conservation Director Brian Preston.

Mr. Preston discussed the Procurement Policy, Mr. Potter addressed the Training and Travel Policy and Sheriff Vrotsos reviewed the Credit Card Policy.

Motion by Klein, seconded by Manternach, carried unanimously to recess at 12:20 p.m.

The Board reconvened at 12:58 p.m., with all Board members present.

COMMUNICATION - FROM TEAMSTERS LOCAL UNION NO. 120 REGARDING INTENT TO BARGAIN PER IOWA CODE 20.17 REPRESENTING THE CITY OF DUBUQUE ASSESSOR UNIT

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

RESIDENCY DETERMINATION OF CLIENTS

Motion by Manternach, seconded by Klein, carried unanimously to approve services for cases #203240, 203710, 203962, 162924, 166612, 164067, 63174, 199544 and 158957.

GENERAL ASSISTANCE HEARINGS

Motion by Klein, seconded by Manternach, carried unanimously to enter executive session with General Assistance Caseworker Doug Slaats and County Budget Director Michelle Patzner regarding case H-9-37.

Upon returning to regular session, motion by Klein, seconded by Manternach, carried unanimously to approve assistance for case H-9-37.

Motion by Manternach, seconded by Klein, carried unanimously to enter executive session with General Assistance Caseworker Doug Slaats and County Budget Director Michelle Patzner regarding case R-5-23.

Upon returning to regular session, motion by Manternach, seconded by Klein, carried unanimously to approve \$200 toward rent, subject to client obtaining the remaining \$200 for case R-5-23.

Motion by Klein, seconded by Manternach, carried unanimously to enter executive session with General Assistance Caseworker Doug Slaats and County Budget Director Michelle Patzner regarding case R-5-22.

Upon returning to regular session, motion by Manternach, seconded by Klein, carried unanimously to approve \$200 toward September rent and supply her with a job search card for case R-5-22.

Motion by Manternach, seconded by Klein, carried unanimously to enter executive session with General Assistance Caseworker Doug Slaats and County Budget Director Michelle Patzner regarding case T-3-34.

Upon returning to regular session, motion by Klein, seconded by Manternach, carried unanimously to deny services for case T-3-34.

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

EXECUTIVE SESSION - REGARDING REAL ESTATE PURCHASE PER IOWA CODE 21.5(1)(j)

Upon reconvening at 2:15 p.m., motion by Klein, seconded by Manternach, carried unanimously to enter executive session with Administrative Assistant Mary Ann Specht, County Budget Director Michelle Patzner and Attorneys Dave Kubicek and Matt Hektoen, by telephone, regarding real estate purchase.

WORKSESSION - WITH COUNTY IT SUPERINTENDENT

Upon returning to regular session, the Board met with the new County IT Superintendent Nathan Gilmore.

Mr. Gilmore gave a background of himself and discussed County IT issues.

WORKSESSION - REGARDING STRATEGIC PLANNING

County Budget Director Michelle Patzner discussed the proposal from the University of Iowa, Institute of Public Affairs for Community-Based Strategic Planning Facilitation.

Administrative Assistant Mary Ann Specht was present and was directed to contact the City of Dubuque regarding their strategic planning.

Motion by Klein, seconded by Manternach, carried unanimously to recess at 3:37 p.m.

WORKSESSION - WITH DUBUQUE COUNTY FAIR BOARD

Upon reconvening at 4:00 p.m., the Board met with Fair Manager Jamie Blum and Fair Board President Daryl Biecher to discuss finances from the 2014 Dubuque County Fair and other financial matters.

WORKSESSION - WITH STATE SENATOR TOD BOWMAN

The Board met with State Senator Tod Bowman to discuss Dubuque County's legislative priorities issues.

Motion by Klein, seconded by Manternach, carried unanimously to recess at 5:53 p.m. until Monday, September 15, 2014 at 1:00 p.m.

The Board reconvened at 1:00 p.m. on Monday, September 15, 2014, with all Board members present.

GRIEVANCE HEARING - TEAMSTERS LOCAL UNION NO. 120 REPRESENTING THE SECONDARY ROAD DEPARTMENT (MAY BE CLOSED SESSION PER IOWA CODE 21.5(1)(I))

Motion by Manternach, seconded by Klein, carried unanimously to enter executive session with County Engineer Bret Wilkinson, Assistant County Engineer Jeff Rouse, Teamsters Union Local No. 120 Representative John Rosenthal, Matt Sullivan and Administrative Assistant/Personnel Director Mary Ann Specht regarding Grievance No. 14-89.

Motion by Klein, seconded by Manternach, carried unanimously to return to regular session.

RESOLUTION 14-233 - 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 Park Ranger | 07-07-14 | Marcus Prull | \$15.91 |
| Sunnycrest | PPT CNA | 07-07-14 | Fritz Thimote | \$12.41 |

Motion by Klein, seconded by Manternach, carried unanimously to approve and authorize the Chair to sign Resolution 14-233.

PROPOSAL TO ENTER INTO AGREEMENT WITH URBAN COUNTY COALITION

The Board discussed joining the Urban County Coalition group for representation on legislative issues that are of interest to Dubuque County.

Motion by Manternach, seconded by Klein, carried unanimously to enter into an agreement with the Urban County Coalition.

Motion by Klein, seconded by Manternach, carried unanimously to adjourn at 3:42 p.m. until Monday, September 22, 2014 at 5:30 p.m.

CLAIMS MONTHLY

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

(Insert August Claims Register Report)

Wayne Demmer, Chair
Board of Supervisors

ATTEST:

Mona Manternach
Deputy Auditor