

MINUTES OF JANUARY 2, 2015  
DUBUQUE COUNTY BOARD OF SUPERVISORS  
Present: Daryl Klein, Tom Hancock and Wayne Demmer  
Chair Demmer called the meeting to order at 9:00 a.m.

APPROVAL OF MINUTES OF DECEMBER 15 AND 23, 2014

Motion by Klein, seconded by Demmer, carried unanimously to approve the minutes.

OATH OF OFFICE

County Auditor Denise Dolan administered the oath of office to County Supervisor Tom Hancock. Supervisor Demmer administered the oath of office to County Supervisor Daryl Klein and County Treasurer Eric Stierman.

ELECTION OF CHAIRPERSON AND VICE-CHAIRPERSON FOR 2015

Motion by Demmer, seconded by Hancock, carried unanimously to appoint Daryl Klein as Chair.

Motion by Klein, seconded by Demmer, carried unanimously to appoint Tom Hancock as Vice-Chair.

PROOF OF PUBLICATION - PUBLIC HEARING

Motion by Demmer, seconded by Hancock, carried unanimously to receive and file the proofs of publication for Notice of Public Hearing - Status of Funded Activities on the County's Community Development Block Grant program for assistance to Sageville (Valley Hill Trailer Park) flood buyout.

PUBLIC HEARING - STATUS OF FUNDED ACTIVITIES ON THE COUNTY'S COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM - ASSISTANCE PROVIDED TO SAGEVILLE (VALLEY HILL TRAILER PARK) FLOOD BUYOUT

Chair Klein opened the public hearing.

Mark Schneider, ECIA Community Development and Public Services Director, gave a background on the CDBG Program from the Iowa Economic Development Authority on behalf of the City of Sageville to assist in the acquisition and demolition of 32 trailers at the Valley Hill Trailer Park and also answered questions for the Board.

Motion by Demmer, seconded by Hancock, carried unanimously to close the public hearing.

NOTICE OF PUBLIC HEARING - AMENDMENT TO ZONING ORDINANCE - ZC#12-15-14 - DAN & LOU ANN ARENSDORF - A-1 AGRICULTURAL TO M-2 HEAVY INDUSTRIAL CONDITIONAL

Motion by Demmer, seconded by Hancock, carried unanimously to advertise for a public hearing to be held at 9:00 a.m. on Monday, January 12, 2015 in the 4<sup>th</sup> Floor Supervisors Office, Dubuque County Courthouse, 720 Central Avenue, Dubuque, Iowa on an Amendment to Zoning Ordinance - ZC#12-15-14 - Dan & Lou Ann Arensdorf - A-1 Agricultural to M-2 Heavy Industrial Conditional.

PROOF OF PUBLICATION - PROCUREMENT PROCEDURES

Motion by Demmer, seconded by Hancock, carried unanimously to receive and file the proofs of publication for Request for Proposals for purchase of Microsoft Enterprise Agreement for an authorized Microsoft vendor (receipt of bids at December 23, 2014 meeting).

RESOLUTION - APPROVE FINAL PLAT OF MEYER ACRES - SEC 18 - PRAIRIE TOWNSHIP

Motion by Hancock, seconded by Demmer, carried unanimously to table the resolution.

RESOLUTION 15-001 - APPROVE 2015 OFFICIAL COUNTY NEWSPAPERS

BE IT RESOLVED that the Dubuque County Board of Supervisors herewith designates the *Dubuque Telegraph Herald*, *Dyersville Commercial* and *Cascade Pioneer-Advertiser* as official newspapers for Dubuque County for 2015.

Motion by Demmer, seconded by Hancock, carried unanimously to approve and authorize the Chair to sign Resolution 15-001.

RESOLUTION 15-002 - APPROVE IDNR CONSTRUCTION EVALUATION

WHEREAS, Iowa Code section 459.304(3) sets out the procedure if a board of supervisors wishes to adopt a “construction evaluation resolution” relating to the construction of a confinement feeding operation structure; and

WHEREAS, only counties that have adopted a construction evaluation resolution can submit to the Department of Natural Resources (DNR) an adopted recommendation to approve or disapprove a construction permit application regarding a proposed confinement feeding operation structure; and

WHEREAS, only counties that have adopted a construction evaluation resolution and submitted an adopted recommendation may contest the DNR’s decision regarding a specific application; and

WHEREAS, by adopting a construction evaluation resolution the board of supervisors agrees to evaluate every construction permit application for a proposed confinement feeding operation structure received by the board of supervisors between February 1, 2015 and January 31, 2016 and submit an adopted recommendation regarding that application to the DNR; and

WHEREAS, the board of supervisors must conduct an evaluation of every construction permit application using the master matrix created in Iowa Code section 459.305, but the board’s recommendation to the DNR may be based on the final score on the master matrix or may be based on reasons other than the final score on the master matrix;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF DUBUQUE COUNTY that the Board of Supervisors hereby adopts this construction evaluation resolution pursuant to Iowa Code section 459.304(3).

Motion by Hancock, seconded by Demmer, carried unanimously to approve and authorize the Chair to sign Resolution 15-002.

RESOLUTION 15-003 - APPROVE HMA RESURFACE ON SWISS VALLEY ROAD, PROJECT LFM-(14SWVA)–7X-31 AS COMPLETED AND ACCEPTED

WHEREAS, Dubuque County awarded the contract for Dubuque County Project LFM-(14SWVA)--7X-31, HMA resurface on Swiss Valley Road to River City Paving - a Division of Mathy Construction, who completed construction work on October 31, 2014 with a final construction cost of \$719,368.99, and a total of 11.5 working days,

THEREFORE BE IT RESOLVED that the Board of Supervisors of Dubuque County, Iowa, upon the recommendation of the Dubuque County Engineer, declare said project is hereby certified as completed and accepted.

Motion by Demmer, seconded by Hancock, carried unanimously to approve and authorize the Chair to sign Resolution 15-003.

#### RESOLUTION 15-004 - EXECUTION OF CERTIFICATE OF COMPLETION

BE IT RESOLVED by the Board of Supervisors of Dubuque County, Iowa that Bret R. Wilkinson, County Engineer of Dubuque County, Iowa, be and is hereby designated, authorized and empowered on behalf of the Board of Supervisors of said County to execute the certification of completion of work and final acceptance thereof, with concurrence of the Board of Supervisors, in accordance with plans and specifications in connection with all Farm-to-Market and Federal or State aid and local construction projects in this county.

#### RESOLUTION 15-005 - ISSUANCE OF WEIGHT RESTRICTIONS

BE IT RESOLVED by the Board of Supervisors of Dubuque County, Iowa that we hereby designate the County Engineer, Bret R. Wilkinson, to execute, on behalf of the Board of Supervisors, all weight restrictions necessary to protect highways and bridges in this County, and post the same as necessary.

#### RESOLUTION 15-006 - ROAD CLOSINGS

BE IT RESOLVED by the Board of Supervisors of Dubuque County, Iowa that in accordance with Section 306.41 of the Code of Iowa, and because of the construction, reconstruction, maintenance, or natural disaster on any Dubuque County secondary road, that Bret R. Wilkinson, Dubuque County Engineer, is hereby delegated to temporarily close any Dubuque County secondary road for a period of time from the beginning of such construction, reconstruction, maintenance, or natural disaster, and that the proper ROAD CLOSED signs and partial or total barricades be erected and maintained at each end of the closed secondary road section, and on the closed secondary road section where that secondary road is intersected by other highways if such intersection remains open.

#### RESOLUTION 15-007 - EXECUTION OF MOVING PERMITS

BE IT RESOLVED by the Board of Supervisors of Dubuque County, Iowa that we hereby designate, authorize and empower Bret R. Wilkinson, Dubuque County Engineer, and in the

absence of the County Engineer, Jeffrey J. Rouse, Dubuque County Assistant Engineer, Debra L. Fondell, Office Manager, or Mary E. Lammers, Administrative Aide, of the Highway Department, to execute on behalf of the Board of Supervisors all moving permits issued by the County to contractors, mobile home dealers or individuals.

#### RESOLUTION 15-008 - EXECUTION OF UTILITY PERMITS

BE IT RESOLVED by the Board of Supervisors of Dubuque County, Iowa that we hereby designate, authorize and empower Bret R. Wilkinson, Dubuque County Engineer, and in the absence of the County Engineer, Jeffrey J. Rouse, the Dubuque County Assistant Engineer, to execute on behalf of the Board of Supervisors all utility permits issued by the County to utility companies, contractors or individuals.

#### RESOLUTION 15-009 - EXECUTION OF DUST CONTROL PERMITS

BE IT RESOLVED by the Board of Supervisors of Dubuque County, Iowa that we hereby designate, authorize and empower Bret R. Wilkinson, Dubuque County Engineer, to execute dust control permits, upon request and subject to the conditions as contained in the permit, for the application of dust control material to the roadway in front of the applicant's residence.

Motion by Hancock, seconded by Demmer, carried unanimously to authorize and approve the Chair to sign Resolutions 15-004 through 15-009.

#### RESOLUTION 15-010 - APPROVE PLANS AND SPECIFICATIONS TO FOLLOW IDOT STANDARDS

BE IT RESOLVED by the Board of Supervisors of Dubuque County, Iowa that all plans and specifications for Dubuque County projects follow current Iowa Department of Transportation Standard Design Guidelines and Standard Specifications for Highway and Bridge Construction.

Motion by Hancock, seconded by Demmer, carried unanimously to approve and authorize the Chair to sign Resolution 15-010.

#### DUPLICATE WARRANTS - MIKE FINNIN FORD, MARGARET KOTZ, MARY JO TIGGES

Motion by Demmer, seconded by Hancock, carried unanimously to approve the duplicate warrants.

RESOLUTION 15-011 - REQUEST FOR PAYMENT #75 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 \$ 200,863.

NOW THEREFORE BE IT RESOLVED that the Dubuque County Board of Supervisors hereby approves the Request for Payment Report # 75 in the amount of \$ 200,863 to be submitted to the Iowa Department of Economic Development. Upon receipt of payment, the County will remit to ECIA.

Motion by Hancock, seconded by Demmer, carried unanimously to approve and authorize the Chair to sign Resolution 15-011.

APPROVAL/DISAPPROVAL OF RICK REUTER CONSTRUCTION PERMIT APPLICATION FOR A 595,000 GALLON CONCRETE MANURE STORAGE TANK AT AN EXISTING DAIRY CONFINEMENT FACILITY

Motion by Demmer, seconded by Hancock, carried unanimously to table the recommendation and direct Zoning to contact the DNR for more information.

COMMUNICATION - DECEMBER 8, 2014 MINUTES FROM THE DUBUQUE COUNTY COMPENSATION BOARD AND RECOMMENDATION OF FY16 SALARY INCREASES FOR DUBUQUE COUNTY ELECTED OFFICIALS

Motion by Demmer, seconded by Hancock, carried unanimously to receive and refer the communication to Personnel and budget.

ANNUAL APPOINTMENTS OF DUBUQUE COUNTY SUPERVISORS FOR 2015

Motion by Hancock, seconded by Demmer, carried unanimously to table the annual appointments.

APPOINTMENT - HISTORIC PRESERVATION COMMISSION

Motion by Demmer, seconded by Hancock, carried unanimously to reappoint Robert

McNally to a three (3) year term ending December 31, 2017.

#### APPOINTMENT - BOARD OF HEALTH

Motion by Hancock, seconded by Demmer, carried unanimously to reappoint Tim Daly to a three (3) year term ending December 31, 2017.

#### APPOINTMENT - SUNNYCREST MANOR OPERATIONAL BOARD

Motion by Demmer, seconded by Hancock, carried unanimously to reappoint Jean Mausser to a four (4) term ending December 31, 2018.

#### APPOINTMENT - CONCORD TOWNSHIP TRUSTEE

Motion by Hancock, seconded by Demmer, carried unanimously to appoint Jim Brimeyer to a four (4) year term ending December 31, 2018.

#### APPOINTMENT - PRAIRIE CREEK TOWNSHIP CLERK

Motion by Demmer, seconded by Hancock, carried unanimously to appoint Nick Wagner to a four (4) year term ending December 31, 2018.

#### APPOINTMENT - PRAIRIE CREEK TOWNSHIP TRUSTEE

Motion by Hancock, seconded by Demmer, carried unanimously to appoint Dennis Helmle to a four (4) year term ending December 31, 2018.

#### APPOINTMENT - VERNON TOWNSHIP TRUSTEE

Motion by Demmer, seconded by Hancock, carried unanimously to appoint Mark McClain to a four (4) year term ending December 31, 2018.

#### PERSONNEL REQUISITIONS

Motion by Demmer, seconded by Hancock, carried unanimously to approve the personnel requisitions of Sunnycrest Manor for two (2) permanent, part-time CNA/PI staff, a

permanent, part-time CNA, a permanent, full-time CNA/PI and a permanent, full-time CNA; of the Library a permanent, part-time Clerk I.

RESOLUTION 15-012 - FINAL PLAT OF MEYER ACRES - SECTION 18 - PRAIRIE CREEK TOWNSHIP

WHEREAS, there has been presented to the Dubuque County Board of Supervisors a Final Plat of Survey for, MEYER ACRES, comprised of the NE  $\frac{1}{4}$  SW  $\frac{1}{4}$  except part of Lot 1 of the NW  $\frac{1}{4}$  SW  $\frac{1}{4}$  and of the NE  $\frac{1}{4}$  SW  $\frac{1}{4}$  in Section 18, T87N R1E of the 5<sup>th</sup> PM, Prairie Creek Township, Dubuque County, Iowa; and

WHEREAS, said plat will create two (2) lots namely Lot 1 and Lot 2 of Meyer Acres in Section 18, Prairie Creek Township, Dubuque County, Iowa; and

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

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

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

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

Section 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 Demmer, seconded by Hancock, carried unanimously to approve and authorize the Chair to sign Resolution 15-012.

Motion by Demmer, seconded by Hancock, carried unanimously to recess at 8:48 a.m.

## WORKSESSION - WITH ZONING ADMINISTRATOR

### ENTRANCE PERMIT #14-52

Upon reconvening at 8:54 a.m., the Board met with Zoning Administrator Anna O'Shea regarding an entrance permit request by Daniel and Jacqueline Zauche. County Engineer Bret Wilkinson and Daniel Zauche were present.

Motion by Demmer, seconded by Hancock, carried unanimously to approve the variance.

### ENTRANCE PERMIT #14-61

The Board met with Ms. O'Shea regarding an entrance permit request from the Dubuque County Law Enforcement Center. Present were County Engineer Bret Wilkinson and Sergeant Gary Pape from the Dubuque County Sheriff's Office.

Motion by Hancock, seconded by Demmer, carried unanimously to approve the entrance permit, subject to removal of existing field entrance to the west.

## GENERAL ASSISTANCE

Motion by Klein, seconded by Hancock, carried unanimously to enter executive session with General Assistance Director Charlie Brimeyer and General Assistance Caseworker Doug Slaats regarding case T-4-5.

Upon returning to regular session, motion by Demmer, seconded by Hancock, carried unanimously to approve services for case T-4-5 and require client to attend smoking cessation classes.

## WORKSESSION - WITH COUNTY ENGINEER

The Board met with County Engineer Bret Wilkinson regarding the following:

### INDEPENDENT CONTRACTOR AGREEMENT WITH DENNIS KEARNEY

Mr. Wilkinson discussed renewing the contract with Dennis Kearney for another six months for his services to closeout construction projects, inspection services, project documentation and other projects assigned by himself.

Motion by Demmer, seconded by Hancock, carried unanimously to approve the contract.

PROJECT UPDATES

Mr. Wilkinson discussed the Mud Lake Road project and the right of way acquisitions that are pending. Mr. Wilkinson also discussed the Farley Road project.

Motion by Demmer, seconded by Hancock, carried unanimously to adjourn at 10:10 a.m. until Monday, January 12, 2015 at 9:00 a.m.

ATTEST:

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Mona Manternach  
Deputy Auditor

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Daryl Klein, Chair  
Board of Supervisors