

MINUTES OF JANUARY 26, 29, FEBRUARY 4, 2015
DUBUQUE COUNTY BOARD OF SUPERVISORS
Present: Daryl Klein, Tom Hancock and Wayne Demmer
Chair Klein called the meeting to order at 8:11 a.m.

BUDGET WORKSESSION - SUNNYCREST MANOR

The Board met regarding the FY15 re-estimate and FY16 proposed budget for Sunnycrest Manor. County Budget Director Michelle Patzner presented the budget. Present were Interim Administrator Don Babbitt, Director of Nursing Wendy Fadness, Life Enrichment Director Beth Houselog, Business Office Manager Sharon Loso, Nutrition Director Donna Parker, Maintenance Superintendent Chris Soeder, Sunnycrest Manor Operational Board Chair Scott DeSousa and Members Josh Feldman and Dave Gaylor, and Pharmacy Intern Emily O'Brien.

Motion by Demmer, seconded by Hancock, carried unanimously to tentatively approve the FY15 re-estimate and FY16 proposed budget for Sunnycrest Manor, as amended.

Motion by Hancock, seconded by Demmer, carried unanimously to recess at 10:23 a.m. until 1:00 p.m.

RESIDENCY DETERMINATION OF CLIENTS

Upon reconvening at 12:55 p.m., motion by Demmer, seconded by Hancock, carried unanimously approve cases 166945, 163648, 208527, 208567, 68227 and 168195.

GENERAL ASSISTANCE

Motion by Demmer, seconded by Hancock, carried unanimously to enter executive session with General Assistance Caseworkers Michelle Fitzgibbons and Randy Rennison regarding case R-5-25.

Upon returning to regular session, motion by Demmer, seconded by Hancock, carried unanimously to approve one month rent, subject to client paying the remaining rent and attending smoking cessation classes.

Motion by Demmer, seconded by Hancock, carried unanimously to enter executive session with General Assistance Caseworkers Michelle Fitzgibbons and Randy Rennison regarding case O-2-38.

Upon returning to regular session, motion by Hancock, seconded by Demmer, carried unanimously to approve assistance for case O-2-38.

Motion by Demmer, seconded by Hancock, carried unanimously to enter executive session with General Assistance Caseworkers Michelle Fitzgibbons and Randy Rennison regarding case B-10-42.

Upon returning to regular session, motion by Demmer, seconded by Hancock, carried unanimously to approve assistance for case B-10-42.

Motion by Demmer, seconded by Hancock, carried unanimously to enter executive session with General Assistance Caseworkers Michelle Fitzgibbons and Randy Rennison regarding case M-10-8.

Upon returning to regular session, motion by Hancock, seconded by Demmer, carried unanimously to approve services for case M-10-8.

Motion by Demmer, seconded by Hancock, carried unanimously to enter executive session with General Assistance Caseworkers Michelle Fitzgibbons and Randy Rennison regarding case T-4-6.

Upon returning to regular session, motion by Demmer, seconded by Hancock, carried unanimously to deny services for case T-4-6.

WORKSESSION - WITH COUNTY AUDITOR

The Board met with County Auditor Denise Dolan and Deputy Commissioner of Elections Tom O'Neill to discuss the Time Building lease which expires in August of 2015. The Landlord will renew the lease for an additional two years and, then after the two years, a new lease will have to be negotiated.

Motion by Demmer, seconded by Klein, carried unanimously to recess at 3:20 p.m.

WORKSESSION - WITH ZONING ADMINISTRATOR

Upon reconvening at 3:30 p.m., the Board met with Zoning Administrator Anna O'Shea for an entrance permit variance. Present were Daniel and Jennifer Griffin.

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

Ms. O'Shea updated the Board on the pending and settled zoning violations.

WORKSESSION - WITH COUNTY ENGINEER

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

GENERAL ROAD DEPARTMENT DISCUSSION

Mr. Wilkinson, Zoning Administrator Anna O'Shea and Dennis Waugh from IIW Engineers met with the Board to discuss raising the Herber Road bridge just south of the Little Maquoketa River in order to increase the road reliability from a 10 year flood event to a 100 year flood event.

RESOLUTION

Mr. Wilkinson discussed with the Board a resolution prepared by the Urban County Coalition in support of road transportation system funding.

MUD LAKE ROAD

Mr. Wilkinson told the Board that the Wuertzers have signed the right of way purchase documents for Mud Lake Road. He also said a petition was submitted by residents on Mud Lake Road requesting that the Board stay with the original design for the intersection of Mud Lake Road and Circle Ridge Road.

HALES MILL ROAD

Mr. Wilkinson said he had a conference call with the Iowa DOT, Wapsi Valley Archeological and WHKS Engineering. Wapsi Valley is working with the DOT on developing the scope of services on the grading project on Hales Mill Road. Mr. Wilkinson said the Board needs to make a decision to move forward either with the grading or go with an overlay and bridge replacements. Because of the extensive costs for the grading, the Board directed Mr. Wilkinson to estimate the costs for an overlay and replacement of the three bridges.

GENERAL ROAD DEPARTMENT DISCUSSION

Mr. Wilkinson discussed the purchase of GPS/surveying equipment. The Board directed Mr. Wilkinson to budget the equipment in the FY15 re-estimate instead of the FY16 budget.

Motion by Demmer, seconded by Hancock, carried unanimously to recess at 5:27 p.m.

The Board reconvened at 5:30 p.m.

APPROVAL OF MINUTES OF JANUARY 12, 19, 20, 21, 22, 2015

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

CONSENT ITEMS

Renewal of Class LC liquor license - Thunder Hills Country Club, Inc.; Renewal of Class LC liquor license - Golf Side Grille; Renewal of Class BB beer permit - Dubuque Sports Complex; Renewal of Class BB beer permit - Massey Marina; Quarterly Report of Sheriff; Semi-annual Report of Treasurer; Quarterly Report of Auditor

Motion by Demmer, seconded by Hancock, carried unanimously to approve the preceding consent items.

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

Chair Klein announced the continuation of the public hearing.

Zoning Administrator Anna O'Shea said this zoning case was brought to the Board two weeks ago for 33 acres of M-2 to cover a quarry and a lawn/snow removal business that was operating on the property. The Board instructed her to just allow the M-2 to be around the buildings. The Board also instructed Ms. O'Shea to change the quarry, which is in the M-2 zoning district, back to A-1.

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

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

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 January 26, 2015 and will become effective upon publication and certification on the Official Zoning Map.

ZC# 12-15-14 Dan & Lou Ann Arensdorf A-1 Agricultural to M-2 Heavy Industrial

Conditional.

That portion of Dubuque County Zoning Map, described as 1.39 acres more or less, and is legally described as Arensdorf First Addition Lot 1 in Section 25 (T87N R2E) Washington Township, Dubuque County, Iowa as shown within the A-1 Agricultural District is, is repealed and said Ordinance as shown on the Official Zoning Map for the above described property is amended to the M-2 Heavy Industrial District within the boundaries of said described property and subject to the following conditions:

1. For use as a quarry and contractors business for snow removal and lawn care only.

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

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

Motion by Demmer, seconded by Hancock, 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.

NOTICE OF PUBLIC HEARING - AMENDMENT TO ZONING ORDINANCE - ZC#01-01-15 - ROYAL OAKS DEVELOPMENT/JAG PROPERTIES LLC - B-2 HIGHWAY BUSINESS TO M-1 INDUSTRIAL

Motion by Demmer, seconded by Hancock, carried unanimously to advertise for a public hearing to be held on Monday, February 9, 2015 at 9:00 a.m. in the Supervisors Chambers at the Dubuque County Courthouse, 720 Central Avenue, 4th Floor, Dubuque, Iowa for a proposed Amendment to Zoning Ordinance - ZC#01-01-15 - Royal Oaks Development/JAG Properties LLC - B-2 Highway Business to M-1 Industrial.

RESOLUTION 15-015 - 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	Angela Baker	\$12.41
Sunnycrest	PPT Nutrition Wkr	12/23/14	Shamya Peace	\$ 9.74
Sunnycrest	PPT Social Worker	11/17/14	Jacqueline Herber	\$21.00
County Attorney	Intern		Jessica McNamara	\$12.00
County Attorney	Intern		Persephone Eglaine	\$12.00
Conservation	PFT Park Ranger	11/03/14	Ryan Petty	\$15.92
Treasurer	PFT Clerk Cashier	12/15/14	Christine Ahlvin	\$16.15

Motion by Hancock, seconded by Demmer, carried unanimously to approve and authorize the Chair to sign Resolution 15-015.

RESOLUTION 15-016 - APPROVING AMENDMENT OF IEDA 08-DRH-004 CONTRACT

WHEREAS, Dubuque County has been presented with an amendment for the Iowa Economic Development Authority Dubuque County Contract, 08-DRH-004 - Multi-family New Production Round 6; and

WHEREAS, the amendment will add a Supplemental Community Development Block Grant in the amount not to exceed \$2,700,000 for the project total for a project in Mount Pleasant.

NOW THEREFORE BE IT RESOLVED that the Dubuque County Board of Supervisors approve and authorize the Chairperson to sign the amendment for Iowa Economic Development Authority Dubuque County Contract, 08-DRH-004 Multi-family New Production Round 6.

Motion by Demmer, seconded by Hancock, carried unanimously to approve and authorize the Chair to sign Resolution 15-016.

RESOLUTION 15-017 - APPROVING AMENDMENT OF IEDA 08-DRH-204 CONTRACT

WHEREAS, Dubuque County has been presented with an amendment for the Iowa Economic Development Authority Dubuque County Contract, 08-DRH-204 - Multi-family New Production Round 6; and

WHEREAS, the amendment will add a Supplemental Community Development Block Grant in the amount of \$9,000,000 for projects in Burlington, Ft. Madison and Clinton.

NOW THEREFORE BE IT RESOLVED that the Dubuque County Board of Supervisors approve and authorize the Chairperson to sign the amendment for Iowa Economic Development Authority Dubuque County Contract, 08-DRH-204 Multi-family New Production Round 6.

Motion by Hancock, seconded by Demmer, carried unanimously to approve and authorize the Chair to sign Resolution 15-017.

RESOLUTION 15-108 - REQUEST FOR PAYMENT #77 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 \$ 13,799.

NOW THEREFORE BE IT RESOLVED that the Dubuque County Board of Supervisors hereby approves the Request for Payment Report # 77 in the amount of \$ 13,799 to be submitted to the Iowa Department of Economic Development. Upon receipt of payment, the County will remit to ECIA.

Motion by Demmer, seconded by Hancock, carried unanimously to approve and authorize the Chair to sign Resolution 15-018.

DUPLICATE WARRANT - KATHY EHRLICH

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

RESOLUTION - APPROVE URBAN COUNTY COALITION RESOLUTION REGARDING SUPPORT OF ADDITIONAL ROAD AND INFRASTRUCTURE FUNDING

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

RESOLUTION 15-019 - REQUEST FOR PAYMENT #63 FOR JUMPSTART FEDERAL HOUSING REHABILITATION PAYMENT PROGRAM 08-DRH-004

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

WHEREAS, the East Central Intergovernmental Association has disbursed funds in the amount of \$ 26,432.

NOW THEREFORE BE IT RESOLVED that the Dubuque County Board of Supervisors hereby approves the Request for Payment Report # 63 in the amount of \$ 26,432 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 15-019.

RESOLUTION 15-020 - APPROVE 2ND QUARTER SUBSTANCE ABUSE GRANT (D.A.R.E.) EXPENSES

WHEREAS, Dubuque County has received a Substance Abuse Grant from the Iowa Department of Public Health for FY2015 and is required to file quarterly claims for reimbursement one-fourth (1/4) of the expenses incurred in connection with the DARE program.

THEREFORE, the Dubuque County Board of Supervisors approves and authorizes the Chairperson to sign the 2nd Quarter Report for reimbursement of expenses for the 2015 County Substance Abuse Grant in the amount of \$2,947.92.

Motion by Hancock, seconded by Demmer, carried unanimously to approve and authorize the Chair to sign Resolution 15-020.

RESOLUTION 15-021 - APPROVE STATUS REPORT FOR THE SUBSTANCE ABUSE GRANT (D.A.R.E.)

WHEREAS, Dubuque County has received a Substance Abuse Grant from the Iowa Department of Public Health for FY2015 and is required to file a Status Report in connection with the DARE program.

THEREFORE, the Dubuque County Board of Supervisors approves and authorizes the Chairperson to sign the Status Report in connection with the DARE program.

Motion by Demmer, seconded by Hancock, carried unanimously to approve and authorize the Chair to sign Resolution 15-021.

COMMUNICATION - FROM THE IOWA ECONOMIC DEVELOPMENT AUTHORITY REGARDING DUBUQUE COUNTY 08-DRH-204 - MULTI-FAMILY NEW PRODUCTION ROUND 6

Motion by Hancock, seconded by Demmer, carried unanimously to receive and file the communication.

COMMUNICATION - COUNTY'S INITIAL PROPOSAL AND RESPONSE TO THE DUBUQUE COUNTY DEPUTY SHERIFF'S ASSOCIATION FOR COLLECTIVE BARGAINING

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

COMMUNICATION - COUNTY'S INITIAL PROPOSAL AND RESPONSE TO AFSCME LOCAL 2583 REPRESENTING ELIGIBLE SUNNYCREST MANOR EMPLOYEES FOR COLLECTIVE BARGAINING.

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

PERSONNEL REQUISITIONS

Motion by Demmer, seconded by Hancock, carried unanimously to approve the personnel requisitions of the Treasurer for a permanent, full-time clerk cashier and of Conservation temporary part-time conservation aides (9 positions).

Motion by Hancock, seconded by Demmer, carried unanimously to recess at 5:50 p.m. until Thursday, January 29, 2015 at 8:00 a.m.

The Board reconvened on Thursday, January 29, 2015 at 8:00 a.m., with all Board members present.

RESOLUTION 15-022 - JOINT RESOLUTION WITH THE URBAN COUNTY COALITION SUPPORTING A LEGISLATIVE INCREASE OF FUNDING FOR IOWA'S ROAD AND BRIDGE INFRASTRUCTURE

WHEREAS, the Iowa Association of County Supervisors and the Urban County Coalition recognize that a high quality transportation system serves as the artery for economic activity and that the condition of the infrastructure in the State of Iowa is a key element for our future economic growth; and

WHEREAS, an integral part of the State of Iowa's Road Use Tax Fund (RUTF) is the fuel tax, which has not been significantly increased since 1989, while maintenance and construction costs have more than doubled during that same time frame; and

WHEREAS, there have been several state-wide studies completed over the past 10 years identifying the requirement to significantly increase the amount of funding for the administration, maintenance and improvements to our state-wide public roadway system, including the 2006 Road Use Tax Fund (RUTF) study, the 2011 Road Use Tax Fund (RUTF) study completed per 2011 Iowa Code Section 307.31, and the 2011 Governor's Transportation 2020 Citizen Advisory Commission (CAC) created by Governor Branstad; and

WHEREAS, the 2008 TIME-21 study documented the fact that under today's funding structure and highway usage, over 20% of the travel done in Iowa is by out-of-state drivers while only 13% of the state's road use revenues come from out of state drivers; and

WHEREAS, the funding provided by the implementation of the TIME-21 Fund in 2009 is inadequate to meet the critical maintenance and improvements needs for the State of Iowa's transportation system; and

WHEREAS, 95% of Road Use Tax Fund revenues are required by the Iowa Constitution to be spent only on our roadways; and

WHEREAS, due to the severe shortage in state funding to meet the critical needs of our roadway system, several Iowa counties have had to resort to issuing millions of dollars of bonds to pay for their most critical maintenance needs, which will have to be paid off through property taxes; and

WHEREAS, Dubuque County has designated \$900,000 in county debt service dollars and has transferred \$500,000 from county's General Fund to pay for our most critical roadway and bridge needs; and

WHEREAS, the 2011 Governor's Transportation 2020 Citizen Advisory Council report to Governor Branstad and the Iowa Legislature identified the need for at least \$215 million per

year of increased funding over the next 20 years, in addition to the funding being provided by the TIME-21 revenues, just to meet the most critical needs of our transportation infrastructure; and

WHEREAS, the Iowa Good Roads Association, the Iowa County Engineer's Association, and numerous business-related associations throughout Iowa have publically supported the call for increased RUTF funding;

NOW, THEREFORE, BE IT RESOLVED that the Urban County Coalition and the Dubuque County Board of Supervisors strongly encourage the implementation of a long-term, sustainable transportation funding solution to address the critical needs of our infrastructure system that:

1. Provides adequate state-wide funding to offset the projected shortfall for our most critical needs of over \$215 million annually through creative increases in funding;
2. Enables the Iowa Department of Transportation to provide primary highway funds to counties and cities, providing increased efficiencies for state and local governments; and
3. Considers an increase in the permit fee for oversize/overweight vehicles.

And, BE IT ALSO RESOLVED that the Urban County Coalition and the Dubuque County Board of Supervisors support the ongoing evaluation of creative, supplemental solutions to increased RUTF funding.

Motion by Hancock, seconded by Demmer, carried unanimously to approve and authorize the Chair to sign Resolution 15-022.

BUDGET WORKSESSION - WITH MAINTENANCE SUPERINTENDENT

The Board met with Maintenance Superintendent Chris Soeder regarding the FY15 re-estimate and FY16 proposed budget. IT Superintendent Nathan Gilmore was present.

Motion by Hancock, seconded Demmer, carried unanimously to tentatively approve the FY15 re-estimate and FY16 proposed budget, as amended.

EXECUTIVE SESSION - WITH IT SUPERINTENDENT PURSUANT TO IOWA CODE SECTION 21.5©

Motion by Demmer, seconded by Hancock, carried unanimously to enter executive session with IT Superintendent Nathan Gilmore, County Attorney Ralph Potter, Maintenance Superintendent Chris Soeder, Administrative Assistant Mary Ann Specht and County Budget Director Michelle Patzner pursuant to Iowa Code Section 21.5©.

Upon returning to regular session, the Board directed IT Superintendent Nathan Gilmore to move forward in contacting the Iowa Utilities Board.

Motion by Demmer, seconded by Hancock, carried unanimously to enter executive session with County Attorney Ralph Potter, Administrative Assistant Mary Ann Specht and County Budget Director Michelle Patzner pursuant to Iowa Code Section 21.5©.

BUDGET WORKSESSION - WITH IT SUPERINTENDENT

Upon returning to regular session, the Board met with IT Superintendent Nathan Gilmore regarding the FY15 re-estimate and FY16 proposed budget for the Information Technology Department.

Motion by Demmer, seconded by Hancock, carried unanimously to tentatively approve the operational budget for the FY15 re-estimate and FY16 proposed budget.

BUDGET DELIBERATIONS

The Board met with County Budget Director Michelle Patzner for budget deliberations.

DISCUSSION - REGARDING URBAN COUNTY COALITION

Supervisor Klein updated the Board on the Urban County Coalition legislation tracking.

Motion by Demmer, seconded by Hancock, carried unanimously to recess at 11:35 a.m.

CHAMBER HOSTED STATE OF THE COUNTY ADDRESS

Upon reconvening at 12:00 p.m., the Board attended the Chamber hosted State of the County Address at the Hotel Julien in Dubuque.

Motion by Demmer, seconded by Hancock, carried unanimously to recess at 1:20 p.m.

DISCUSSION - REGARDING URBAN COUNTY COALITION (CONTINUED)

Upon reconvening at 1:45 p.m., the Board continued their discussion on the Urban County Coalition legislation tracking.

Motion by Demmer, seconded by Hancock, carried unanimously to recess at 1:56 p.m. until 3:00 p.m.

EXECUTIVE SESSION - PER IOWA CODE SECTION 21.5(j)

Upon reconvening at 3:03 p.m., motion by Demmer, seconded by Hancock, carried unanimously to enter executive session with Administrative Assistant Mary Ann Specht, Kevin Eipperle from FEH Associates and Gordon Mills, by telephone, pursuant to Iowa Code Section 21.5(j).

Upon returning to regular session motion by Demmer, seconded by Hancock, carried unanimously to recess at 4:36 p.m. until Wednesday, February 4, 2015 at 9:00 a.m. at the Iowa Capital Building in Des Moines, Iowa.

The Board reconvened at 9:00 a.m. on Wednesday, February 4, 2015 at the Iowa Capital Building in Des Moines, Iowa, with Supervisor Hancock absent.

MEETING WITH URBAN COUNTY COALITION AND STATE LEGISLATORS

The Board met with the Urban County Coalition and State legislators regarding legislative priorities.

Motion by Demmer, seconded by Hancock, carried unanimously to adjourn at 3:00 p.m. until Monday, February 9, 2015 at 9:00 a.m.

Daryl Klein, Chair
Board of Supervisors

ATTEST:

Mona Manternach
Deputy Auditor

