

MINUTES OF MAY 26, 28 AND JUNE 1, 2015  
DUBUQUE COUNTY BOARD OF SUPERVISORS  
Present: Daryl Klein, Tom Hancock and Wayne Demmer  
Chair Klein called the meeting to order at 8:05 a.m.

REQUEST FOR PROPOSALS - SUPPLY AND DELIVER MAINTENANCE ROCK FOR  
DUBUQUE COUNTY HIGHWAY DEPARTMENT

Motion by Demmer, seconded by Hancock, carried unanimously to advertise for a bid opening to be held on Monday, June 8, 2015 at 9:00 a.m. in the Supervisors Chambers, Dubuque County Courthouse, 720 Central Avenue, 4<sup>th</sup> Floor, Dubuque, to supply and deliver maintenance rock for the Dubuque County Highway Department.

WORKSESSION - WITH COUNTY ROAD DEPARTMENT STAFF

GENERAL ROAD DEPARTMENT DISCUSSION

The Board met with staff from the Dubuque County Engineer's Office. Present were Interim County Engineer Anthony Bardgett, Maintenance Superintendent Chad Danielson, Surveyor Wyatt Anderson, Engineer Technicians Merle Ambrosy, Kurt Rojemann and Matt Sullivan, Administrative Aide Mary Lammers and Consultant Contractor Dennis Kearney.

Residents of St. Catherine Road were present to discuss the seal coat project for the estimated 2.5 mile stretch of St. Catherine Road. Those present were Ron and Lori Thielen, Carol Townsend, Jim and Mary Drapeau and Deb Siegworth.

Deb Siegworth, 1965 St. Catherine Road, Bellevue, representing the residents of St. Catherine Road, gave a recap from a previous meeting they had with the Board and presented a new bid proposal/contract from River City Paving and Fahrner Asphalt Sealers for St. Catherine Road. She also said monetary contributions committed by the residents are currently estimated at \$90,000. Siegworth asked the Board to give this proposal serious consideration.

Ron Thielen, 946 St. Catherine Road, Bellevue, commented on the cost of maintaining the surface of the road versus the cost of maintaining gravel. He gave the Board a research document prepared by Iowa State University and the Minnesota Department of Transportation on Economics of Upgrading an Aggregate Road.

There was discussion regarding the life of a road if macadam is not placed on the road before it is seal coated.

The Board is willing to continue the discussion on the St. Catherine Road project after meeting with River City Paving and addressing other issues that need to be done in addition to what River City Paving is proposing.

#### SPECIAL EVENTS ORDINANCE

Administrative Aide Mary Lammers discussed with the Board the Special Events permits she received. Lammers said the Special Events Ordinance does not state that Dubuque County needs to be listed as an additional insured, but she spoke with County Attorney Ralph Potter and he said the Ordinance implies that they need to be listed. She also said one of the organizations does not want to acquire a certificate of insurance.

Supervisor Klein said the ordinance should to be amended to clarify that Dubuque County needs to be listed as an additional insured and, before amending the ordinance, anyone involved in approving this ordinance, since it has been in effect, should make a list of other issues or flaws that need to be addressed.

Supervisor Hancock would like the ordinance to be rescinded as he feels it is too intrusive and has a great impact on county businesses.

Motion by Demmer, seconded by Hancock, carried unanimously to refer the special events permit from Mark Reiss to the County Attorney requesting him to send a letter to Mr. Reiss to address the issue of refusing to comply with the Special Events Ordinance.

#### FAGAN ROAD - RIGHT OF WAY PERMIT

Maintenance Superintendent Chad Danielson requested a letter be sent to Cliff Pfab to remove the blocks placed in front of the box culvert on Fagan Road in the county right of way. The original permit to work in the right of way was to improve the back slope on the property so the ditch could be mowed.

Motion by Demmer, seconded by Hancock, carried unanimously to send letters to Cliff Pfab and John Hannan to remove the blocks within 48 hours pursuant to Iowa Code Section 318.5.

#### PROJECT UPDATES

Interim County Engineer Anthony Bardgett updated the Board on his visit with IIW regarding the Mud Lake Road plans. Bardgett gave direction to IIW on what needs to be corrected on this road project. IIW will review the design plans and fix those issues. Bardgett will speak with Chandra Ravada at ECIA to check on the time line of the federal funds for this project and will also speak with IIW on their time frame as to when they will have the revised plans completed.

Supervisor Klein said he spoke with Mr. Ravada at ECIA and we can use federal aid money to resurface Hales Mill Road. Bardgett said it would not work because we do not meet minimum standards for federal money. Supervisor Klein said we need to review both scenarios to determine what the total costs are for Dubuque County and then make a decision on how to proceed.

Bardgett suggested to the Board to convert the four lanes on Key West Drive to two lanes. Supervisor Klein said to contact the City of Dubuque and ask if they would be interested in contributing to the reconstruction of Key West Drive to keep it a four lane road.

Other projects discussed were the Oakland Farms Road culvert, Kluesner Road gravel and Asbury Road.

#### EXECUTIVE SESSION - PER IOWA CODE SECTION 21.5(1)(I)

Motion by Demmer, seconded by Hancock, carried unanimously to enter into executive session with Interim County Engineer Anthony Bargdett, Road Maintenance Superintendent Chad Danielson, Surveyor Wyatt Anderson, Consultant Dennis Kearney and applicant for the Dubuque County Engineer position pursuant to Iowa Code Section 21.5(1)(I).

#### MEETING - WITH ELECTED OFFICIALS AND DEPARTMENT HEADS

Upon returning to regular session, the Board met with elected officials and department heads for general discussion. Present were County Assessor Dave Kubik, City Assessor Rick Engelken, County Treasurer Eric Stierman, Sheriff Chief Deputy Greg Egan, Conservation Director Brian Preston and Deputy Director Nathan Sisler, Emergency Management Director Tom Berger, Health Director Patrice Lambert, Veterans Affairs Director Charlie Brimeyer and CVSO Randy Rennison, CPC Jody Jansen, IT Superintendent Nathan Gilmore, County Maintenance Superintendent Chris Soeder and County Budget Director Michelle Patzner.

#### UPDATE ON ELECTION ANNEX FROM AUDITOR STAFF

The Board met with County Auditor Denise Dolan, Deputy Commissioner of Elections Tom O'Neill and County Maintenance Superintendent Chris Soeder regarding the proposed lease for the election annex at the former Iowa Workforce Development building.

Dolan said there was a miscalculation on the UMIT on the proposed lease and there will be an increase of \$300. O'Neill said all concerns addressed by the County Attorney on the proposed lease have been addressed.

The was discussion regarding another possible venue for the election annex located on Jones Street. Dolan expressed her concerns with that location.

Supervisor Hancock will contact the landlord to have a proposed lease drawn up for that location.

## GENERAL RELIEF HEARINGS

Motion by Hancock, seconded by Demmer, carried unanimously to enter executive session with General Relief Caseworkers Michelle Fitzgibbons and Doug Slaats regarding case H-9-43.

Upon returning to regular session, motion by Demmer, seconded by Hancock, carried unanimously to approve services for case H-9-43.

Motion by Hancock, seconded by Demmer, carried unanimously to enter executive session with General Relief Caseworkers Michelle Fitzgibbons and Doug Slaats regarding case A-03-38.

Upon returning to regular session, motion by Hancock, seconded by Demmer, carried unanimously to approve services for case A-03-38.

Motion by Hancock, seconded by Demmer, carried unanimously to enter executive session with General Relief Caseworkers Michelle Fitzgibbons and Doug Slaats regarding case M-10-9.

Upon returning to regular session, motion by Demmer, seconded by Hancock, carried unanimously to deny services for case M-10-9.

Motion by Demmer, seconded by Hancock, carried unanimously to enter executive session with General Relief Caseworkers Michelle Fitzgibbons and Doug Slaats regarding case B-10-45

Upon returning to regular session, motion by Demmer, seconded by Hancock to table case B-1045.

Motion by Hancock, seconded by Klein, carried unanimously to deny services for case B-10-45.

Motion by Demmer, seconded by Hancock, carried unanimously to enter executive session with General Relief Caseworkers Michelle Fitzgibbons and Doug Slaats regarding case S-10-21.

Upon returning to regular session, motion by Demmer, seconded by Hancock, carried unanimously to deny services for case S-10-21.

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

Motion by Demmer, seconded by Hancock, carried unanimously to enter executive session with Architect Gordon Mills, Courthouse Maintenance Superintendent Chris Soeder and Administrative Assistant Mary Ann Specht pursuant to Iowa Code Section 21.5(1)(j).

#### EXECUTIVE SESSION - REGARDING PENDING OR POTENTIAL LITIGATION PER IOWA CODE SECTION 21.5(1)©

Upon returning to regular session, motion by Demmer, seconded by Hancock, carried unanimously to enter executive session with Attorney Les Reddick and Zoning Administrator Anna O'Shea regarding pending or potential litigation per Iowa Code Section 21.5(1)©.

#### WORKSESSION - WITH ZONING ADMINISTRATOR

##### ENTRANCE PERMIT

The Board met with Zoning Administrator Anna O'Shea regarding an entrance permit variance off of English Mill Road for Robert & Stacy Barry. Mr. Barry was present.

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

##### KAMMILLER LANE DISCUSSION

Zoning Administrator Anna O'Shea met with the Board to discuss the entrances on Kammiller Lane. Present were Holly Shea-Kammiller, Frederick Nicholas Kammiller and Frederick J. Kammiller.

The Kammillers would like to build a new home on property in which another home has burned down. There are currently four addresses on Kammiller Lane, but only two of them are being used.

The Board told the Kammillers in order to build a new home on the property where the other home burned down their best option would be to bring the road up to at least a 66' right of way, purchase 39 acres and remove the fourth address on Kammiller Lane.

## MEETING - WITH KURT HEINE REGARDING ASBURY ROAD PROJECT

The Board met with Engineer Technician Matt Sullivan, Conservation Director Brian Preston, Zoning Administrator Anna O'Shea and Asbury Road resident Kurt Heine to discuss the removal of Mr. Heine's trees for the Asbury Road project.

Mr. Heine verbally approved the removal of approximately 300 hedge plants to improve the back slope on his property on Asbury Road. Former County Engineer Bret Wilkinson assured him the hedge plants would be replaced.

The Board offered Mr. Heine \$900 for the hedge plants and \$800 for his labor to settle this issue. Mr. Heine verbally accepted the offer.

## APPROVAL OF MINUTES OF MAY 11, 2015

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

## CONSENT ITEMS

IDNR Manure Management Plan from Scott Ungs; Fireworks Permit - Thunder Hills Country Club; IDNR Manure Management Plan from Jason Wolfe Hog Site; IDNR Manure Management Plan from Zach Domeyer; IDNR Manure Management Plan from Strief Farms, Inc.; Fireworks Permit - Chris Ennis

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

## 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 concerning the HMA 4" new paving project on Asbury Road from Five Points Road east to Budd Road, Project LFM-16(01)-7X-31.

## PUBLIC HEARING - HMA 4" NEW PAVING PROJECT ON ASBURY ROAD FROM FIVE POINTS ROAD TO BUDD ROAD, PROJECT LFM-16(01)-7X-31

Chair Klein opened the public hearing.

Ron Johnson, 18671 Asbury Road, Dubuque, commented on the bids for the Asbury Road project and inquired when the project will be completed.

Dale Leslein, 17291 Asbury Road, Dubuque, commented on the paving width of Asbury Road.

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

#### NOTICE OF PUBLIC HEARING - AMENDMENT TO ZONING ORDINANCE - ZC#05-07-15 - JERALD & RICHARD REITER - A-1 AGRICULTURAL TO M-2 HEAVY INDUSTRIAL

Motion by Hancock, seconded by Demmer, carried unanimously to advertise for a public hearing to be held on Monday, June 8, 2015 at 9:00 a.m. in the Supervisors Chambers, Dubuque County Courthouse, 720 Central Avenue, 4<sup>th</sup> Floor, Dubuque, on the proposed Amendment to Zoning Ordinance - ZC#05-07-15 - Jerald & Richard Reiter - A-1 Agricultural to M-2 Heavy Industrial.

#### PUBLIC HEARING - FY15 BUDGET AMENDMENT #3

Chair Klein opened the public hearing.

With no one to speak in favor or opposition, motion by Hancock, seconded by Demmer, carried unanimously to close the public hearing.

#### PUBLIC HEARING - DECREASE IN DEPARTMENTAL APPROPRIATIONS

Chair Klein opened the public hearing.

With no one to speak in favor or opposition, motion by Demmer, seconded by Hancock, carried unanimously to close the public hearing.

#### APPROVAL OF FY15 BUDGET AMENDMENT #3

Motion by Hancock, seconded by Demmer, carried unanimously to approve the FY15 Budget Amendment #3, as published.

RESOLUTION 15-109 - FY15 APPROPRIATION AMENDMENT #3

WHEREAS, the Board of Supervisors of Dubuque County has amended the Budget for Fiscal Year 2015 on August 25, 2014, and on March 9, 2015.

WHEREAS, the Code of Iowa, Section 331.434(6) specifies that the Board of Supervisors shall, by resolution, appropriate amounts for each of the county officers and departments; and

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Dubuque County that the appropriations as designated by Resolution 14-070 as adopted on March 10, 2014; and amended by Resolution 14-213 as adopted on August 25, 2014; and amended by Resolution 15-040 as adopted on March 9, 2015; be further amended as follows:

	2014-2015 Current Appropriation	Amendment	2014-2015 Amended Appropriation
<b>Fund: 0001 - GENERAL BASIC</b>			
00 - Undesignated	1,026,598	-	1,026,598
01 - SUPERVISORS	164,170	-	164,170
02 - AUDITOR	388,481	6,960	395,441
03 - TREASURER	673,104	-	673,104
04 - COUNTY ATTORNEY	1,680,363	-	1,680,363
05 - SHERIFF	8,522,805	-	8,522,805
07 - RECORDER	346,767	-	346,767
12 - MAPPING	197,282	-	197,282
21 - VETERAN AFFAIRS	420,987	-	420,987
22 - CONSERVATION BOARD	1,241,144	-	1,241,144
23 - BOARD OF HEALTH	974,037	(117,616)	856,421
26 - COUNTY STORAGE	2,518	-	2,518
28 - MEDICAL EXAMINER	304,020	-	304,020
50 - PERSONNEL	277,610	-	277,610
51 - GENERAL SERVICES	387,197	-	387,197
52 - INFORMATION SERVICES	898,177	-	898,177
55 - CAPITAL PROJECTS/IMPROVEMENTS	1,667,016	-	1,667,016
56 - PHONE SYSTEM	102,660	-	102,660
61 - MH/MR/DD	125,025	-	125,025
62 - HUMAN SERVICES	239,154	-	239,154
63 - GENERAL RELIEF	117,825	6,660	124,485
64 - SUNNYCREST	7,840,815	26,000	7,866,815
70 - ECONOMIC DEVELOPMENT	5,690,605	100,800	5,791,405
75 - EMERGENCY SUPPORT SERVICES	134,485	-	134,485
<b>Total Fund: 0001 - GENERAL BASIC:</b>	<b>33,422,845</b>	<b>22,804</b>	<b>33,445,649</b>

	2014-2015 Current Appropriation	Amendment	2014-2015 Amended Appropriation
<b>Fund: 0002 - GENERAL SUPPLEMENTAL</b>			
01 - SUPERVISORS	67,999	-	67,999
02 - AUDITOR	500,827	-	500,827
03 - TREASURER	263,736	-	263,736
04 - COUNTY ATTORNEY	494,717	-	494,717
05 - SHERIFF	2,153,445	-	2,153,445
07 - RECORDER	115,907	-	115,907
12 - MAPPING	63,263	-	63,263
21 - VETERAN AFFAIRS	84,016	-	84,016
22 - CONSERVATION BOARD	288,095	-	288,095
23 - BOARD OF HEALTH	48,711	-	48,711
26 - COUNTY STORAGE	5,000	-	5,000
28 - MEDICAL EXAMINER	13,370	-	13,370
29 - JUVENILE PROBATION	136,389	85,000	221,389
31 - DISTRICT COURT	119,298	-	119,298
50 - PERSONNEL	111,703	-	111,703
51 - GENERAL SERVICES	82,146	-	82,146
52 - INFORMATION SERVICES	67,952	-	67,952
63 - GENERAL RELIEF	3,335	-	3,335
64 - SUNNYCREST	2,482,526	-	2,482,526
75 - EMERGENCY SUPPORT SERVICES	406,753	-	406,753
78 - RISK MANAGEMENT	410,782	-	410,782
<b>Total Fund: 0002 - GENERAL SUPPLEMENTAL:</b>	<b>7,919,970</b>	<b>85,000</b>	<b>8,004,970</b>
<b>Fund: 0003 - COUNTY ASSISTANCE</b>			
75 - EMERGENCY SUPPORT SERVICES	81,907	-	81,907
<b>Total Fund: 0003 - COUNTY ASSISTANCE:</b>	<b>81,907</b>	<b>-</b>	<b>81,907</b>
<b>Fund: 0005 - HEALTH INSURANCE-DEDUCTIBLE</b>			
90 - HEALTH INSURANCE-DEDUCTIBLE	1,003,375	-	1,003,375
<b>Total Fund: 0005 - HEALTH INSURANCE-DEDUCTIBLE:</b>	<b>1,003,375</b>	<b>-</b>	<b>1,003,375</b>
<b>Fund: 0010 - MH-DD SERVICES FUND</b>			
52 - INFORMATION SERVICES	3,500	-	3,500
60 - MH-DD COORDINATOR (CPC)	298,693	-	298,693
61 - MH/MR/DD	4,867,143	(1,171)	4,865,972
<b>Total Fund: 0010 - MH-DD SERVICES FUND:</b>	<b>5,169,336</b>	<b>(1,171)</b>	<b>5,168,165</b>
<b>Fund: 0014 - LIBRARY</b>			
33 - LIBRARY	745,388	111,486	856,874
<b>Total Fund: 0014 - LIBRARY:</b>	<b>745,388</b>	<b>111,486</b>	<b>856,874</b>

	2014-2015 Current Appropriation	Amendment	2014-2015 Amended Appropriation
<b>Fund: 0015 - ZONING</b>			
24 - ZONING COMMISSION	240,839	-	240,839
<b>Total Fund: 0015 - ZONING:</b>	<b>240,839</b>	<b>-</b>	<b>240,839</b>
<b>Fund: 0020 - SECONDARY ROADS</b>			
20 - SECONDARY ROADS	9,022,617	53,124	9,075,741
52 - INFORMATION SERVICES	10,000	-	10,000
<b>Total Fund: 0020 - SECONDARY ROADS:</b>	<b>9,032,617</b>	<b>53,124</b>	<b>9,085,741</b>
<b>Fund: 0023 - TIME-21</b>			
20 - SECONDARY ROADS	610,000	-	610,000
<b>Total Fund: 0023 - TIME-21:</b>	<b>610,000</b>	<b>-</b>	<b>610,000</b>
<b>Fund: 0045 - RECORDS MANAGEMENT FUND</b>			
07 - RECORDER	8,720	-	8,720
<b>Total Fund: 0045 - RECORDS MANAGEMENT FUND:</b>	<b>8,720</b>	<b>-</b>	<b>8,720</b>
<b>Fund: 0052 - RURAL ECONOMIC DEVELOPMENT FUND</b>			
70 - ECONOMIC DEVELOPMENT	271,468	25,000	296,468
<b>Total Fund: 0052 - RURAL ECONOMIC DEVELOPMENT FUND:</b>	<b>271,468</b>	<b>25,000</b>	<b>296,468</b>
<b>Fund: 0053 - TAX INCREMENT FINANCING</b>			
70 - ECONOMIC DEVELOPMENT	235,988	8,265	244,253
<b>Total Fund: 0053 - TAX INCREMENT FINANCING:</b>	<b>235,988</b>	<b>8,265</b>	<b>244,253</b>
<b>Fund: 0061 - DRUG TASK FORCE</b>			
77 - DRUG TASK FORCE - FORFEITURES	50,000	-	50,000
<b>Total Fund: 0061 - DRUG TASK FORCE:</b>	<b>50,000</b>	<b>-</b>	<b>50,000</b>
<b>Fund: 1500 - CAPITAL PROJECTS</b>			
57 - DEBT SERVICE	435,950	-	435,950
<b>Total Fund: 1500 - CAPITAL PROJECTS:</b>	<b>435,950</b>	<b>-</b>	<b>435,950</b>
<b>Fund: 1505 - LOCAL OPTION</b>			
20 - SECONDARY ROADS	10,001,778	-	10,001,778
<b>Total Fund: 1505 - LOCAL OPTION:</b>	<b>10,001,778</b>	<b>-</b>	<b>10,001,778</b>

	2014-2015 Current Appropriation	Amendment	2014-2015 Amended Appropriation
Fund: 2000 - DEBT SERVICE			
57 - DEBT SERVICE	608,832	-	608,832
Total Fund: 2000 - DEBT SERVICE:	608,832	-	608,832
Fund: 2002 - DEBT SERVICE - DMASWA			
57 - DEBT SERVICE	4,671,596	(54,015)	4,617,581
Total Fund: 2002 - DEBT SERVICE - DMASWA:	4,671,596	(54,015)	4,617,581
Total:	74,510,609	250,493	74,761,102

Further, that Total Appropriations for Fiscal Year 2015, inclusive of the original appropriation and its amendments, for the county officers and departments are as follows:

Fund	2014-2015 Current Appropriation	Amendment	2014-2015 Amended Appropriation
0001 - GENERAL BASIC	33,422,845	22,804	33,445,649
0002 - GENERAL SUPPLEMENTAL	7,919,970	85,000	8,004,970
0003 - COUNTY ASSISTANCE	81,907	-	81,907
0005 - HEALTH INSURANCE-DEDUCTIBLE	1,003,375	-	1,003,375
0010 - MH-DD SERVICES FUND	5,169,336	(1,171)	5,168,165
0014 - LIBRARY	745,388	111,486	856,874
0015 - ZONING	240,839	-	240,839
0020 - SECONDARY ROADS	9,032,617	53,124	9,085,741
0023 - TIME-21	610,000	-	610,000
0045 - RECORDS MANAGEMENT FUND	8,720	-	8,720
0052 - RURAL ECONOMIC DEVELOPMENT FUND	271,468	25,000	296,468
0053 - TAX INCREMENT FINANCING	235,988	8,265	244,253
0061 - DRUG TASK FORCE	50,000	-	50,000
1500 - CAPITAL PROJECTS	435,950	-	435,950
1505 - LOCAL OPTION	10,001,778	-	10,001,778
2000 - DEBT SERVICE	608,832	-	608,832
2002 - DEBT SERVICE - DMASWA	4,671,596	(54,015)	4,617,581
Total:	74,510,609	250,493	74,761,102

Motion by Demmer, seconded by Hancock, carried unanimously to approve and authorize the Chair to sign Resolution 15-109.

PROOF OF PUBLICATION - NOTICE TO BIDDERS - HMA 4" NEW PAVING ON ASBURY ROAD FROM FIVE POINTS ROAD TO BUDD ROAD, PROJECT LFM-16(01)-7X-31

Motion by Demmer, seconded by Hancock, carried unanimously to receive and file the proofs of publication for Notice to Bidders - HMA 4" New Paving on Asbury Road from Five Points Road to Budd Road, Project LFM-16(01)-7X-31.

RECEIPT OF BIDS - HMA 4" NEW PAVING ON ASBURY ROAD FROM FIVE POINTS ROAD TO BUDD ROAD, PROJECT LFM-16(01)-7X-31

The following bid was received and read into the record:

<u>VENDOR</u>	<u>BID AMOUNT</u>
<u>River City Paving</u> Dubuque, IA	\$1,166,137.26

Motion by Demmer, seconded by Hancock, carried unanimously to receive and refer the bid to the Interim County Engineer.

RESOLUTION 15-110 - FINAL PLAT OF BOCKENSTEDT ESTATES PLAT 2 - SEC 15 - NEW WINE TOWNSHIP

WHEREAS, there has been presented to the Dubuque County Board of Supervisors a Final Plat of Survey for, **BOCKENSTEDT ESTATES PLAT 2**, a subdivision of Lot 2 of Bockenstedt Estates in Section 15, T89N R2W of the 5<sup>th</sup> PM, New Wine Township, Dubuque County, Iowa; and

WHEREAS, said final plat will create two (2) lots, namely Lot 1 and Lot 2 of Bockenstedt Estates Plat 2, in Section 15, New Wine Township, Dubuque County, Iowa; and

WHEREAS, said final plat has been examined and approved by the City of Dyersville and the City of Dyersville Planning & Zoning Department; and

WHEREAS, said final 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 final 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 zoning district and subject to all the requirements of that district.

Section 2. That the above described final 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 final plat.

Motion by Demmer, seconded by Hancock, carried unanimously to approve and authorize the Chair to sign Resolution 15-110.

**RESOLUTION 15-111 - FINAL PLAT OF BURNS PLACE PLAT 2 - SEC 8 - WASHINGTON TOWNSHIP**

WHEREAS, there has been presented to the Dubuque County Board of Supervisors a Final Plat of Survey for, **BURNS PLACE PLAT 2**, a subdivision of Lot 2 of Burns Place in Section 8, T87N R2E of the 5<sup>th</sup> PM, Washington Township, Dubuque County, Iowa; and

WHEREAS, said final plat will create two lots, namely Lot 1 and Lot 2 of Burns Place Plat 2, in Section 8, Washington Township, Dubuque County, Iowa; and

WHEREAS, said final 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 final 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 final 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 final plat.

Motion by Hancock, seconded by Demmer, carried unanimously to approve and authorize the Chair to sign Resolution 15-111.

**RESOLUTION 15-112 - FINAL PLAT OF HERITAGE ACRES TO DUBUQUE COUNTY, IOWA  
SEC 5 & 8 - DODGE TOWNSHIP**

WHEREAS, there has been presented to the Dubuque County Board of Supervisors a Final Plat of Survey for, **HERITAGE ACRES TO DUBUQUE COUNTY, IOWA**, comprised of Lot 2 of Ernzen-Kennedy Addition in Sections 5 & 8, T88N R2W of the 5<sup>th</sup> PM, Dodge Township, Dubuque County, Iowa; and

WHEREAS, said final plat will create three (3) lots, namely Lot 1, Lot 2 and Lot 3 of Heritage Acres Addition to Dubuque County, Iowa, in Sections 5 & 8, Dodge Township, Dubuque County, Iowa; and

WHEREAS, said final plat has been examined and approved by the City of Dyersville and the City of Dyersville Planning & Zoning Department; and

WHEREAS, said final 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 final 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 final 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 final plat.

Motion by Demmer, seconded by Hancock, carried unanimously to approve and authorize the Chair to sign Resolution 15-112.

RESOLUTION 15-113 - FINAL PLAT OF LUX ADDITION - SEC 30 - MOSALEM TOWNSHIP

WHEREAS, there has been presented to the Dubuque County Board of Supervisors a Final Plat of Survey for, **LUX ADDITION**, as comprised of Lots 16 & 17 of Autumn Ridge in Section 30, T88N R3E of the 5<sup>th</sup> PM, Mosalem Township, Dubuque County, Iowa; and

WHEREAS, said final plat will replat two (2) lots into two (2) new lots, namely Lot 1 and Lot 2 of Lux Addition, in Section 30, Mosalem Township, Dubuque County, Iowa; and

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

WHEREAS, said final 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 final 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-2, Single family Residential district and subject to all the requirements of that district.

Section 2. That the above described final 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 final plat.

Motion by Hancock, seconded by Demmer, carried unanimously to approve and authorize the Chair to sign Resolution 15-113.

RESOLUTION 15-114 - 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	Bree Hernandez	\$12.41
Courthouse Maintenance	PPT Custodian	04-27-15	Terry Driscoll	\$14.73
Sheriff	PFT Deputy Sheriff	12-08-14	Michael Riniker, Jr.	\$21.58

Motion by Demmer, seconded by Hancock, carried unanimously to approve and authorize the Chair to sign Resolution 15-114.

RESOLUTION 15-115 - APPROVE HIPAA CONFIDENTIALITY ADDENDUM TO 28E AGREEMENT FOR THE MENTAL HEALTH DISABILITY SERVICES OF THE EAST CENTRAL REGION OF IOWA

BE IT RESOLVED that the Dubuque County Board of Supervisors approves the Chairperson to sign the "HIPAA CONFIDENTIALITY ADDENDUM TO 28E AGREEMENT" for the Mental/Health/Disability Services of the East Central Region of Iowa.

Motion by Hancock, seconded by Demmer, carried unanimously to approve and authorize the Chair to sign Resolution 15-115.

RESOLUTION 15-116 - APPROVING AMENDMENT TO ELECTRONIC TRANSACTIONS CLEARINGHOUSE 28E AGREEMENT

WHEREAS, Section 10 of the Electronic Transactions Clearinghouse 28E Agreement provides for amendment of the 28E Agreement by resolution of the ISAC Board of Directors, if the amendment is then submitted to a vote of the individual members counties; and

WHEREAS, the 28E Agreement should be amended to provide more flexibility and reflect the broader activities of the 28E entity, including: changing the entity's name to Iowa Counties Technology Services; removing the cap on the number of members of the Advisory Committee; allowing for a fee schedule; and allowing the option to have MHDS Regions and other non-county entities as members.

NOW, THEREFORE, BE IT RESOLVED by the Dubuque County Board of Supervisors that the Amended and Restated Electronic Transactions Clearinghouse 28E Agreement is hereby approved.

Motion by Hancock, seconded by Demmer, carried unanimously to approve and authorize the Chair to sign Resolution 15-116.

**RESOLUTION 15-117 - APPROVE ENGAGEMENT AGREEMENT WITH EIDE BAILLY TO CONDUCT FY15 DUBUQUE COUNTY AUDIT**

WHEREAS, Dubuque County has been presented with an Engagement Agreement with Eide Bailly to conduct the fiscal year 2015 Dubuque County audit.

NOW, THEREFORE BE IT RESOLVED that the Dubuque County Board of Supervisors approves and authorizes the Chairperson to sign the Engagement Agreement with Eide Bailly to conduct the fiscal year 2015 Dubuque County audit.

Motion by Demmer, seconded by Hancock, carried unanimously to approve and authorize the Chair to sign Resolution 15-117.

**RESOLUTION 15-118 - APPROVE AMENDED RESOLUTION 14-141 - ADDING A DEPUTY**

WHEREAS, on June 16, 2014, the Board of Supervisors approved deputies in the offices of the County Attorney, Auditor, Recorder, Sheriff and Treasurer for the fiscal year 2015; 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 14-141 to add the following deputy to the office of the Dubuque County Sheriff: Michael Riniker, Jr., effective on or about July 17, 2015.

Motion by Hancock, seconded by Demmer, carried unanimously to approve and authorize the Chair to sign Resolution 15-118.

**RESOLUTION 15-119 - APPROVE INDEPENDENT CONTRACTOR AGREEMENT WITH KELLY MC MAHON TO PROVIDE NURSING HOME ADMINISTRATOR SERVICES AT SUNNYCREST MANOR**

WHEREAS, Dubuque County has been presented the unanimously recommendation of the Sunnycrest Operations board to execute an Independent Contractor Agreement between

Dubuque County and Kelly McMahon, MSN/MBA/HCA, ARNP, an individual with an address of 1754 Creek Wood Drive, Dubuque, IA 52003, to provide interim consulting administrator services for Dubuque County.

NOW, THEREFORE BE IT RESOLVED that the Dubuque County Board of Supervisors approves and authorizes the Chairperson to sign the Independent Contractor Agreement between Dubuque County and Kelly McMahon, MSN/MBA/HCA/ARNP, an individual with an address of 1754 Creed Wood Drive, Dubuque, IA 52003, to provide interim consulting administrator services for Dubuque County.

Motion by Demmer, seconded by Hancock, carried unanimously to approve and authorize the Chair to sign Resolution 15-119.

**RESOLUTION 15-120 - REQUEST FOR PAYMENT #68 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 \$ 2,713.

NOW THEREFORE BE IT RESOLVED that the Dubuque County Board of Supervisors hereby approves the Request for Payment Report # 68 in the amount of \$ 2,713 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 15-120.

**RESOLUTION 15-121 - REQUEST FOR PAYMENT #83 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 \$ 7,043.

NOW THEREFORE BE IT RESOLVED that the Dubuque County Board of Supervisors hereby approves the Request for Payment Report # 83 in the amount of \$ 7,043 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 15-121.

**RESOLUTION 15-122 - APPROVE THIRD AMENDMENT TO THE COOPERATIVE REIMBURSEMENT AGREEMENT BETWEEN THE DUBUQUE COUNTY POLITICAL SUBDIVISION AND DEPARTMENT OF HUMAN SERVICES, BUREAU OF COLLECTIONS TO AMEND CONTRACT BOC-13-003 FOR REIMBURSEMENT OF FY16 DUBUQUE COUNTY CHILD SUPPORT RECOVERY UNIT EXPENSES**

WHEREAS, Dubuque County has been presented with a Third Amendment to the Cooperative Reimbursement Agreement between the Dubuque County Political Subdivision and the Department of Human Services, Bureau of Collections to amend Contract Number BOC-13-003; and

WHEREAS, Contract Number BOC-13-003 reflects the mechanism for Dubuque County to be reimbursed for allowable county expenses for the Dubuque County Department of Human Services/Child Support Recovery Unit; and

WHEREAS, this amendment itemizes the FY2016 budget for the Dubuque County Department of Human Services/Child Support Recovery Unit to be used for FY16 reimbursement.

Motion by Hancock, seconded by Demmer, carried unanimously to approve and authorize the Chair to sign Resolution 15-122.

**RESOLUTION 15-123 - APPROVE INDEPENDENT CONTRACTOR AGREEMENT WITH WHISPURRING HOPE RESCUE ANIMAL SHELTER TO PROVIDE FY16 ANIMAL SERVICES TO DUBUQUE COUNTY PER IOWA CODE 351**

WHEREAS, Dubuque County has been presented with an Independent Contractor Agreement between Dubuque County and Whispurring Hope Rescue Animal Shelter, 175 N. Crescent Ridge, Dubuque, IA 52003 to provide animal shelter services for Dubuque County per Iowa Code Chapter 351.

NOW, THEREFORE BE IT RESOLVED that the Dubuque County Board of Supervisors approves and authorizes the Chairperson to sign the Independent Contractor Agreement between Dubuque County and Whispurring Hope Rescue Animal Shelter, 175 N. Crescent Ridge, Dubuque, IA 52003 to provide animal shelter services for Dubuque County per Iowa

Code Chapter 351.

Motion by Demmer, seconded by Hancock, carried unanimously to approve and authorize the Chair to sign Resolution 15-123.

## PERSONNEL REQUISITIONS

Motion by Demmer, seconded by Hancock, carried unanimously to approve the personnel requisitions of Information Technology for a permanent, full-time Help Desk Manager; of the County Attorney a permanent, full-time Clerk IV and a permanent, part-time Clerk IV; of Conservation a temporary, part-time intern.

## PUBLIC COMMENTS

Doug Ernzen, 208 Horsfield Drive, Epworth, commented on the permit, insurance requirement and other issues in the Special Events Ordinance. Ernzen also inquired if changes could be made to the Ordinance.

Mark Reiss, 6568 Dayton Road, Dubuque, representing the Research for the Kids Ride, commented on the Special Events Ordinance and the insurance requirement. Reiss requested the insurance be waived for non-profit organizations.

Jeff Simons, 15700 Five Point Road, Durango, commented on the insurance requirement set forth in the Special Events Ordinance.

Lyle Theisen, 814 4<sup>th</sup> Avenue SE, Dyersville, commented on the bike rides he has been involved with over the years and the paperwork that needs to be filled out for the special events permit.

Pat Leonard, 8439 Lake Eleanor Road, Dubuque, suggested that the organizations who want to do a special event contact a venue who would be willing to co-sponsor the event and have a rider put on the vendor's policy.

Dale Leslein, 17291 Asbury Road, Dubuque, reviewed the plans for Asbury Road and asked questions regarding the width of the road. He also commented on the hiring of a county engineer.

Motion by Demmer, seconded by Hancock, carried unanimously to recess at 7:05 p.m. until Thursday, May 28, 2015 at 11:00 a.m.

The Board reconvened at 11:00 a.m. on Thursday, May 28, 2015, with all Board members present.

#### PERSONNEL REQUISITIONS

Motion by Demmer, seconded by Hancock, carried unanimously to approve the personnel requisition of the Sheriff for a permanent, part-time correctional officer - female or male, as amended.

#### RESOLUTION 15-124 - 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
Roads	TPT Maintenance Helper	03-30-15	Dylan Ambrosy	\$11.00
Roads	TPT Maintenance Helper	03-30-15	Collin Koerperich	\$11.00
Treasurer	PFT Clerk Cashier	05-11-15	Alissa Willis	\$16.15
Conservation	TPT Great Lakes Intern	05-26-15	Erica Elsbernd	\$10.00

Motion by Hancock, seconded by Demmer, carried unanimously to approve and authorize the Chair to sign Resolution 15-124.

#### EXECUTIVE SESSION - REGARDING PENDING OR POTENTIAL LITIGATION PER IOWA CODE SECTION 21.5(1)©

Motion by Hancock, seconded by Demmer, carried unanimously to enter executive session with County Attorney Ralph Potter, Interim County Engineer Anthony Bardgett,

Maintenance Superintendent Chad Danielson, Surveyor Wyatt Anderson, Engineer Technicians Merle Ambrosy, Kurt Rojemann and Matt Sullivan, Consultant Contractor Dennis Kearney and Administrative Assistant to the Board Mary Ann Specht regarding pending or potential litigation pursuant to Iowa Code Section 21.5(1)©.

#### EXECUTIVE SESSION - REGARDING PENDING OR POTENTIAL LITIGATION PER IOWA CODE SECTION 21.5(1)©

Upon returning to regular session, motion by Demmer, seconded by Hancock, carried unanimously to enter executive session with Administrative Assistant to the Board Mary Ann Specht regarding pending or potential litigation per Iowa Code Section 21.5(1)©.

Upon returning to regular session, motion by Demmer, seconded by Hancock, carried unanimously to direct legal counsel to file a legal appeal in the Riniker case.

#### EXECUTIVE SESSION - REGARDING COUNTY ENGINEER APPLICANT PER IOWA CODE SECTION 21.5(1)(I)

Motion by Demmer, seconded by Hancock, carried unanimously to enter executive session with Interim County Engineer Anthony Bardgett, Maintenance Superintendent Chad Danielson, Surveyor Wyatt Anderson, Consultant Contractor Dennis Kearney and Administrative Assistant to the Board Mary Ann Specht pursuant to Iowa Code Section 21.5(1)(I).

#### WORKSESSION - WITH COUNTY ENGINEER STAFF

Upon returning to regular session, the Board met with staff from the County Engineer's Office regarding road projects and general road issues. Present were Interim County Engineer Anthony Bardgett, Maintenance Superintendent Chad Danielson, Surveyor Wyatt Anderson, Engineer Technicians Merle Ambrosy, Kurt Rojemann and Matt Sullivan, and Consultant Contractor Dennis Kearney.

The City of Asbury contacted Administrative Assistant to the Board Mary Ann Specht to inquire if they could pay their portion of the Asbury Road project in two installments, one in FY15 and one in FY16. The Board directed Ms. Specht to respond back to the City letting them know the Board is in agreement with the installments.

Bardgett said he reviewed the bid from River City Paving for the Asbury Road HMA paving and felt it was a good bid.

Road staff addressed the questions about the Asbury Road width brought up by Dale Leslein at the May 28<sup>th</sup> Board of Supervisors meeting. Other issues were also discussed on Asbury Road.

There was discussion regarding the options to fix Key West Drive. The Board directed the road department staff to estimate what a reconstruction will cost and a time frame of construction. The Board would like to assure the residents along Key West Drive that the County is committed to fixing this road and give them a time frame as to when it will be completed.

Bardgett explained the funding for Mud Lake Road. Bardgett said he sent a set of marked up plans to IIW depicting a new set of parameters for cross sections. IIW will make those changes and send the new plans back to the Road Department for surveying. Bardgett will inquire about a time line as to when IIW will have the changes completed.

Since there will be more right of way to be purchased on Mud Lake Road, Bardgett said there are outside firms that negotiate right of way for counties and it would be beneficial for Dubuque County to consider.

Bardgett said a cost benefit analysis should be done on Hales Mill Road to see if it is feasible to use all those federal aid funds on the project. Supervisor Klein said if we are not using those funds we should contact the City of Dubuque so they are able to take advantage of those funds for their projects.

Bardgett had discussions with Taylor Construction regarding the crack in the wing wall on the Chesterman Road bridge. The former county engineer told Taylor to fix the crack with an epoxy mix and that was not sufficient. Taylor then contacted IIW on fixing the crack and they recommended doing an injection around the crack, which was not authorized by the county. Bardgett proposed to Taylor to go with the injection fix and put a 10 year warranty on it. He has not heard back from them to date.

Danielson talked with the Board regarding an old concrete drainage pipe that is causing a sink hole in a back yard in Cedar Point Court. This is a subdivision the County accepted the road and Danielson is unsure who is responsible to replace the pipe. The Board directed Danielson to let the resident know that if the pipe is outside of the right of way the County is not responsible for the repairs.

Rojemann discussed with the Board a pipe that has collapsed on Oakland Farms Road. He said there are other pipes that need replacing on that road and asked the Board if they would allow him to fix all of them. The Board agreed that all of the pipes should be fixed.

Motion by Demmer, seconded by Hancock, carried unanimously to recess at 2:03 p.m.

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

The Board chose not to go into executive session to discuss the Dubuque County Office Space project.

Motion by Demmer, seconded by Hancock, carried unanimously to contact FEH Associates to acquire an estimate on the cost of preparing an RFP for the office space project.

Motion by Hancock, seconded by Demmer, carried unanimously to recess at 2:42 p.m. until Monday, June 1, 2015 at 9:00 a.m.

The Board reconvened at 9:07 a.m. on Monday, June 1, 2015, with Supervisors Klein and Hancock present, and Supervisor Demmer absent.

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

Motion by Hancock, seconded by Klein, carried unanimously to enter executive session with Architect Gordon Mills and Kevin Eipperle from FEH Associates pursuant to Iowa Code Section 21.5(1)(j). Administrative Assistant Mary Ann Specht joined the session later.

Upon returning to regular session, motion by Hancock, seconded by Klein, carried unanimously to recess at 10:24 a.m. until Monday, June 8, 2015 at 9:00 a.m.

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Daryl Klein, Chair  
Board of Supervisors

ATTEST:

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Mona Manternach  
Deputy Auditor

