

MINUTES OF OCTOBER 24, 2016
DUBUQUE COUNTY BOARD OF SUPERVISORS
Present: Wayne Demmer and Jay Wickham
Chair Demmer called the meeting to order at 10:30 a.m.

WORKSESSION - LOU COX - NORTH IOWA JUVENILE DETENTION CENTER

Due to his unavailability, Mr. Cox has been postponed to a later date.

WORKSESSION - TELECONFERENCE CALL WITH DELAWARE COUNTY BOARD TO DISCUSS COUNTY ENGINEER AND ASSISTANT COUNTY ENGINEER

Present in Manchester were Engineer Anthony Bardgett, Assistant Engineer Craig Davis, Supervisors Jeff Madlom, Shirley Helmrichs, Doug Dabroski, Auditor Carla Becker, and citizen Pete Bushman.

The contracts for the Engineer and Assistant Engineer are renewable annually. It was discussed to extend this to multiple years. Also, use of the county trucks and if it is necessary to switch vehicles when going from one county to the other.

It was agreed the contracts will cover a two-year period and let the employees decide when appropriate to use which county vehicle.

Wickham suggests the two Boards get together after the election in November and before December 31st. This will allow the newly elected supervisors to be involved in the discussion and those leaving the Board to have input knowing the history. Madlom agreed this would be beneficial.

WORKSESSION - IT SUPERINTENDENT NATHAN GILMORE, BUDGET DIRECTOR MICHELLE PATZNER, ASSISTANT TO THE BOARD MARY ANN SPECHT

The Board met with staff to discuss an intern policy. Utilizing the Great Lake Program the intern would be on the County payroll with wages being reimbursed through the grant. Engineer reimbursement is 100% with Personnel and IT interns 90%. Specht is asking to avoid the first step of including the intern on line 7A of the agenda each time due to the fact they are temporary.

Motion by Wickham, seconded by Demmer, carried unanimously, to approve such a policy.

Specht reminded the Board they should be thinking about legislative priorities for when

legislators come to Dubuque to listen to what is important to the County.

Patzner explained the County Library District is asking the Board for their thoughts on the budget. Currently they have their own board that makes the decisions. Wickham asked what input the supervisors have. Patzner said the Board only authorizes the funding but the Library Board determines what the funding will be. Currently it is \$542,000 that comes from the Rural Fund on property taxes.

Patzner also discussed the travel reimbursement policy. When county employees travel they are given a per diem for meals. Patzner said the department heads are finding this has increased the amount coming out of their budgets. A solution would be to require employees turn in a receipt to be reimbursed for their meals. They would still have a per diem amount per meal but will only receive the actual amount spent.

Motion by Wickham, seconded by Demmer, carried unanimously, to recess at 12:40 p.m. until 1:00 p.m.

GENERAL RELIEF HEARINGS

Motion by Wickham, seconded by Demmer, carried unanimously, to enter executive session with General Assistance Caseworkers Doug Slaats and Nick Agan regarding case C-5-40.

Upon returning to regular session, motion by Wickham, seconded by Demmer, carried unanimously, to approve assistance with rent for case C-5-40.

Motion by Wickham, seconded by Demmer, carried unanimously, to enter executive session with General Assistance Caseworkers Doug Slaats and Nick Agan regarding case D-5-17.

Upon returning to regular session, motion by Wickham, seconded by Demmer, carried unanimously, to approve assistance with rent for case D-5-17.

Motion by Wickham, seconded by Demmer, carried unanimously, to enter executive session with General Assistance Caseworkers Doug Slaats and Nick Agan regarding case H-10-13.

Upon returning to regular session, motion by Wickham, seconded by Demmer, carried unanimously, to deny assistance for case H-10-13.

Motion by Wickham, seconded by Demmer, carried unanimously, to deny assistance for case J-3-34 due to not showing up for hearing.

Motion by Wickham, seconded by Demmer, carried unanimously, to recess at 1:43 p.m. until 2:00 p.m.

EXECUTIVE SESSION PER IOWA CODE 21.5 (1) (J)

Motion by Wickham, seconded by Demmer, carried unanimously, to enter into executive session with Consultant Gordy Mills, FEH Representatives Christy Monk and Bryan Blair, Maintenance Superintendent Chris Soeder, IT Superintendent Nathan Gilmore, GIS Coordinator Jeff Miller, Deputy Sheriff Shane Bockensteadt, Administrative Assistant Mary Ann Specht, and Recorder John Murphy.

There was discussion and an update on the Office Space Project.

Upon returning to regular session motion by Wickham, seconded by Demmer, carried unanimously, to forward a letter to the City of Dubuque's Maurice Jones and Dubuque City Manager Mike Van Milligen on the status of the federal building with a response back to the County by November 3, 2016.

Motion by Wickham, seconded by Demmer, carried unanimously, to discontinue outside consultant work until we know the status.

WORKSESSION - 5TH FLOOR COURTHOUSE REMODEL PROJECT

FEH Structural Engineer Bryan Blair has examined the fifth floor of the courthouse and determined it is not designed for an occupied space. Office space is less weight on the structure than storage. He would suggest taking up the floor, put in support reinforcements, then replace the floor.

Motion by Wickham, seconded by Demmer, to have Consultant Gordy Mills move forward to create and write a Request For Proposal (RFP) for the next meeting.

WORKSESSION - COUNTY ATTORNEY

The Board met with County Attorney Ralph Potter, IT Superintendent Nathan Gilmore, Maintenance Superintendent Chris Soeder, Administrative Assistant Mary Ann Specht.

The purpose of this worksession is to discuss the storage on the 5th floor.

Potter displayed a box representing just one court case and why this cannot be digitalized. There is an issue of privacy. Gilmore explained there are good computer programs capable of digitalizing all the court records in a well organized manner that would remain private.

Soeder said short term storage off site needs to be found in order for work to be started on the

fifth floor. This will need to be climate controlled, bonded and insured.

Potter would like to have a part-time civil attorney hired in the spring to help the Board and the zoning department. This position has been budgeted for but not utilized.

EXECUTIVE SESSION PER IOWA CODE 21.5 (1)(c)

Motion by Wickham, seconded by Demmer, carried unanimously, to enter into executive session with Attorney Ralph Potter, Maintenance Superintendent Chris Soeder, and Administrative Assistant Mary Ann Specht.

Upon returning to regular session, no action was taken.

WORKSESSION - COUNTY SHERIFF REGARDING JUVENILE DETENTION STAFFING

The Board met with Sheriff Don Vrotsos and Captain Mike Muenster to discuss the juvenile detention center that will be temporarily closed on November 1, 2016, due to lack of staffing.

The population of inmates has grown with a daily average of 181 compared to 119 a year ago.

When asked, Vrotsos said he believes there is a turn over in correction officers because with the County they work part-time so they leave to go elsewhere for full-time employment. This is an issue that needs to be examined once the new Sheriff starts.

The juvenile detention centers in Des Moines and Waterloo will be taking the juveniles until sufficient staff can be hired. Muenster believes it will be at least February.

Motion by Wickham, seconded by Demmer, carried unanimously, to recess at 4:18 p.m. until 4:25 p.m.

WORKSESSION - ZONING ADMINISTRATOR

The Board met with Zoning Administrator Anna O'Shea and Engineer Anthony Bardgett.

O'Shea would like to amend the low volume local road ordinance. Low volume is considered a maximum of 400 vehicles per day. A road with 20 lots produces roughly 200. Changes would clean up small areas in the county where there are only a few houses in a subdivision.

WORKSESSION - CHANDRA RAVADA TRANSPORTATION DIRECTOR WITH EAST

CENTRAL INTERGOVERNMENTAL ASSOCIATION (ECIA)

Transportation Director Chandra Ravada met with the Board to ask what types of highway projects they would like to see within the county. Currently the SW Arterial and the interchange by Swiss Valley Road are the two projects slated to be constructed. Wickham said anywhere along the Highway 20 corridor is a major safety issue.

A meeting will be held on November 3, 2016 with the City of Asbury and the City of Dubuque at ECIA to discuss trail grants. There is approximately \$550,000 to be used on trails in the State. Ravada stated they will discuss the possibility of asphaltting the Heritage Trail but would be looking for public input for suggestions.

WORKSESSION - ENGINEER

The Board continued to meet with Engineer Anthony Bardgett. He read his report of updates of road projects that are now complete and those near completion.

The State has a Transfer of Jurisdiction of Hwy 52/3 they would like the County to sign taking over ownership of a small section of highway. This stems back to the SW Arterial project. The Board will discuss this again at the next meeting.

Motion by Wickham, seconded by Demmer, carried unanimously, to recess at 5:28 p.m. to 5:30 p.m.

APPROVAL OF MINUTES OF OCTOBER 10, 2016

Motion by Wickham, seconded by Demmer, carried unanimously, to approve the minutes as amended.

CONSENT ITEMS

Special Class C Liquor License for Sacred Heart Church, Fillmore, Class C Native Wine for Barrel Head Winery, Class C Liquor License for Sundown Mountain, quarterly report of the Dubuque County Sheriff, County receipt of IDNR Manure Management Plan/Update for Recker Farm, receipt of IDNR Manure Management Plan/Update for Dave Schieltz Home Place and receipt of IDNR Manure Management Plan/Update for Dave Schieltz South Site.

Motion by Wickham, seconded by Demmer, carried unanimously, to approve the above listed consent items.

PROOFS OF PUBLICATION - PUBLIC HEARINGS

Motion by Wickham, seconded by Demmer, carried unanimously, to receive and file the proofs of publication for the Notice of Public Hearing of Amendment to Chapter 26 and Notice of Public Hearing of Amendment to Chapter 38.

PUBLIC HEARING - AMENDMENT TO CHAPTER 26 - USE OF CERTAIN SECONDARY ROADS BY TRUCKS AND COMMERCIAL VEHICLES AND RESTRICTIONS

Chair Demmer opened the public hearing. Engineer Anthony Bardgett explained the truck traffic on Cottingham Road should be limited to three axles due to safety concerns.

With no one speaking for or against the ordinance, motion by Wickham, seconded by Demmer, carried unanimously, to close the public hearing.

Motion by Wickham, seconded by Demmer, carried unanimously, to suspend the requirement that the ordinance be considered and voted on for passage at two prior meetings.

Motion by Wickham, seconded by Demmer, carried unanimously, that the Ordinance be adopted and the Auditor be directed to arrange for the publication of the Ordinance in the official county newspapers as required by law.

PUBLIC HEARING - AMENDMENT TO CHAPTER 38 - TATTOOING

Chair Demmer opened the public hearing. The purpose of the Amendment is to bring the County into compliance.

With no one speaking for or against the ordinance, motion by Wickham, seconded by Demmer, carried unanimously, to close the public hearing.

Motion by Wickham, seconded by Demmer, carried unanimously, to suspend the requirement that the ordinance be considered and voted on for passage at two prior meetings.

Motion by Wickham, seconded by Demmer, carried unanimously, that the Ordinance be adopted and the Auditor be directed to arrange for the publication of the Ordinance in the official county newspapers as required by law.

NOTICE OF PUBLIC HEARING - AMENDMENT TO CHAPTER 2 - SUBDIVISION AND PLATTING

Zoning Administrator Anna O'Shea stated there were a few things that need to be clarified.

Motion by Wickham, seconded by Demmer, carried unanimously, to table the Notice of Public Hearing.

CONTINUATION OF PUBLIC HEARING - AMENDMENT TO ZONING ORDINANCE ZC#09-31-16 KENNETH & DARLA HOSCH - A-1 AGRICULTURAL TO B-1 BUSINESS

Chair Demmer announced the continuation of the public hearing.

Zoning Administrator Anna O'Shea spoke briefly then Daniella Hosch Dupont stated she sent an email to the Mayor of Peosta looking for information however; did not get a response.

Cindy Kramer 18870 Roddy Lane, Peosta, came to the podium to speak against changing the agricultural zoning. She states this is spot zoning. If the Board allows this change they are opening a "flood gate" for the future. She has empathy and with this being of great importance asks the Board to hold off for the full Board to vote.

Motion by Wickham, seconded by Demmer, carried unanimously, to continue and table the public hearing for two weeks.

NOTICE OF PUBLIC HEARING - AMENDMENT TO ZONING ORDINANCE ZC#10-33-16 RONALD & JESSALYNN BREINER R-1 RURAL RESIDENTIAL TO R-2 SINGLE FAMILY RESIDENTIAL

Motion by Wickham, seconded by Demmer, carried unanimously, to advertise for a public hearing to be held on Monday, November 14, 2016, at 9:00 a.m. for the above-mentioned Amendment to the Zoning Ordinance.

PROCUREMENT PROCEDURES - SHERIFF REGARDING VAN PURCHASES

The following bids were received and read into the record:

<u>VENDOR</u>	<u>BID AMOUNT</u>
<u>Louisburg Garage Inc</u> Cuba City WI	\$25,000.00 each
<u>Brad Deery Auto</u> Maquoketa IA	\$22,632.00 each

Turpin Dodge
Dubuque IA

\$21,900.00 each

Galena Chrysler
Galena IL

\$15,092.00 each

Motion by Wickham, seconded by Demmer, carried unanimously, to follow the recommendation of Sheriff Vrotsos to purchase two (2) new 2016 Dodge extended front wheel drive seven (7) passenger transport vans from Galena Chrysler.

RESOLUTION 16-276 - FINAL PLAT OF FERRING ESTATES - SECTION 9 - IOWA TOWNSHIP

WHEREAS, there has been presented to the Dubuque County Board of Supervisors a Final Plat of Survey for, FERRING ESTATES, comprised of Lot 2-1-1, Lot 2-1 and Lot 2 of the SE ¼ NE ¼ all in Section 9, T89N, R1W, of the 5th PM, Iowa Township, Dubuque County, Iowa; and

WHEREAS, said final plat will replat three (3) lots into two (2) new lots, namely Lot 1 and Lot 2 of Ferring Estates Section 9, Iowa 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, thus 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 Wickham, seconded by Demmer, carried unanimously, to approve and authorize the Chair to sign Resolution 16-276.

RESOLUTION 16-277 - FINAL PLAT OF HERUM FARM SUBDIVISION - SECTION 15-
MOSALEM TOWNSHIP

WHEREAS, there has been presented to the Dubuque County Board of Supervisors a Final Plat of Survey for, HERUM FARM SUBDIVISION, comprised of the NW ¼ SW ¼ and Lot 1 of the NE ¼ SW ¼ lying southwesterly of the county road in Section 15, T88N, R3E, of the 5th 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 Herum Farm Subdivision Section 15, Mosalem 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 R-2, Single Family Residential district, thus 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 Wickham, seconded by Demmer, carried unanimously, to approve and authorize the Chair to sign Resolution 16-277.

RESOLUTION 16-278 - 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	PFT CNA	10-06-16	Dawn Pollock	\$12.41
Sunnycrest	PPT Food Services Worker	10-06-16	Mercedes Redmond	\$ 9.74
Sunnycrest	PPT PICNA	10-13-16	Niellia Latime	\$12.41
Sunnycrest	PPT PICNA	10-13-16	Aaron Freisinger	\$12.41
Sunnycrest	PPT Food Services Worker	10-06-16	Audrea Walsh	\$ 9.74
Sunnycrest	PFT Sunnycrest Manor Plant Supervisor	09-20-16	Brian Schultes	\$51,825.79
Maintenance	TPT Great Lakes Maintenance Intern	10-24-16	Robert Brophy	\$15.00

Motion by Wickham, seconded by Demmer, carried unanimously, to approve and authorize the Chair to sign Resolution 16-278.

RESOLUTION 16-279 - AUTHORIZE PAYMENT #99 - 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 \$ 799,357.

NOW THEREFORE BE IT RESOLVED that the Dubuque County Board of Supervisors hereby approves the Request for Payment Report # 99 in the amount of \$ 799,357 to be submitted to the Iowa Department of Economic Development. Upon receipt of payment, the County will remit to ECIA

Motion by Wickham, seconded by Demmer, carried unanimously, to approve and authorize the Chair to sign Resolution 16-279.

RESOLUTION 16-280 - APPROVING AMENDED RESOLUTION 16-171 - ADDING FOUR DEPUTIES

WHEREAS, on June 27, 2016, the Board of Supervisors approved deputies in the offices of the County Attorney, Auditor, Recorder, Sheriff and Treasurer for the fiscal year 2017; and

WHEREAS, four additional deputies have been designated by County Sheriff Don Vrotsos.

NOW THEREFORE BE IT RESOLVED that this resolution will amend Resolution Number 16-171 to add the following deputies to the office of the Dubuque County Sheriff: Daniel Ostendorf, effective July 2016; Brett Epping and Justin McElmeel, effective October 2016 and Carlton Nebergall, effective on or about August 2016.

Motion by Wickham, seconded by Demmer, carried unanimously, to approve and authorize the Chair to sign Resolution 16-280.

RESOLUTION 16-281 - APPROVING SNOW AND ICE 28E WITH THE CITY OF RICKARDSVILLE

WHEREAS, the Dubuque County Secondary Road Department agrees to perform ice and snow removal maintenance from November 1, 2016 through May 1, 2017 for the following city:

Rickardsville	2.86 lane miles	\$2,860.00
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WHEREAS, it is necessary that Dubuque County enter into a 28E agreement with each city regarding this maintenance,

THEREFORE BE IT RESOLVED that the Board of Supervisors of Dubuque County, Iowa hereby approve and direct the Chair to sign the 28E agreement for ice and snow removal maintenance with the City of Rickardsville.

Motion by Wickham, seconded by Demmer, carried unanimously, to approve and authorize the Chair to sign Resolution 16-281.

RESOLUTION 16-282 - APPROVING SNOW AND ICE 28E WITH THE CITY OF SHERRILL

WHEREAS, the Dubuque County Secondary Road Department agrees to perform ice and snow removal maintenance from November 1, 2016 through May 1, 2017 for the following city:

Sherrill	2.12 lane miles	\$2,120.00
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WHEREAS, it is necessary that Dubuque County enter into a 28E agreement with each city regarding this maintenance,

THEREFORE BE IT RESOLVED that the Board of Supervisors of Dubuque County, Iowa hereby approve and direct the Chair to sign the 28E agreement for ice and snow removal maintenance with the City of Sherrill.

Motion by Wickham, seconded by Demmer, carried unanimously, to approve and authorize the Chair to sign Resolution 16-282.

RESOLUTION APPROVING JOINT AGREEMENT WITH THE CITY OF DUBUQUE TO CREATE AN URBAN RENEWAL AREA KNOWN AS SOUTH POINTE URBAN RENEWAL AREA

City of Dubuque Attorney Crenna Brumwell was present to explain the maps and paperwork. Wickham thought it would be best to wait for the full Board to be present to vote.

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

RESOLUTION 16-283 - APPROVING QUARTERLY REPORT FOR FY SUBSTANCE ABUSE GRANT (D.A.R.E.)

WHEREAS, Dubuque County has received a Substance Abuse Grant from the Iowa Department of Public Health for FY2017 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 1st Quarter Report for reimbursement of expenses for the 2017 County Substance Abuse Grant in the amount of \$1,391.83.

Motion by Wickham, seconded by Demmer, carried unanimously, to approve and authorize the Chair to sign Resolution 16-283.

RESOLUTION - APPROVING SOLID WASTE CONTRACT WITH REPUBLIC SERVICES

Maintenance Superintendent Chris Soeder received pricing from Republic Services and signed a three (3) year contract.

Chair Demmer asked if Soeder had received bids from other contract haulers in the area. Soeder was not present to respond. Also, contracts must be approved by the Board and signed by the Chair.

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

PROOF OF PUBLICATION - ZONING CASES

- 1) ZC#09-32-19 McAllister Real Estate LLC A-1 to B-1 Business
- 2) ZC#09-30-16 Richard Reuter and Daniel & Jill Reuter A-1 Agricultural to A-2 Agricultural Residential

Motion by Wickham, seconded by Demmer, carried unanimously, to receive and file the above-mentioned proofs of publication for zoning cases.

COMMUNICATION - THE CITY OF LUXEMBURG- AMENDMENT OF URBAN RENEWAL PLAN

Motion by Wickham, seconded by Demmer, carried unanimously, to receive and file.

COMMUNICATION - THE CITY OF DUBUQUE - NOTICE OF CONSULTATION FOR THE AMENDED AND RESTATED GREATER DOWNTOWN RENEWAL AREA PLAN

Motion by Wickham, seconded by Demmer, carried unanimously, to receive and file.

PERSONNEL REQUISITIONS

Motion by Wickham, seconded by Demmer, carried unanimously, to approve the personnel requisitions for the Sheriff's Office for a permanent, part-time Courthouse Security Officer, a permanent, part-time Correctional Officer, and for Facilities Maintenance a temporary Intern.

WORKSESSION - ZONING ADMINISTRATOR

The Board met with Zoning Administrator Anna O'Shea.

Motion by Wickham, seconded by Demmer, carried unanimously, to approve as recommended the removal of two entrances and replace with one for Brian and Lisa Wolf.

Treeco Lane discussion continued. There are no new lots and the road is not up to code. Wickham instructed O'Shea to send a letter to the owners making them aware of what they are suppose to be doing.

Motion by Wickham, seconded by Demmer, carried unanimously, to recess at 7:04 p.m.

Wayne Demmer, Chair
Board of Supervisors

ATTEST:

Mary J Habel
Dubuque County Deputy Auditor