

MINUTES OF NOVEMBER 14, and 16, 2016  
DUBUQUE COUNTY BOARD OF SUPERVISORS  
Present: Wayne Demmer, Darryl Klein, and Jay Wickham  
Chair Demmer called the meeting to order at 8:00 a.m.

WORKSESSION WITH ENGINEER

The Board met with County Engineer Anthony Bardgett to discuss road projects.

PROCLAMATIONS

The Dubuque County Board of Supervisors do hereby proclaim the month of November as “National Hospice Month” and urges all citizens to recognize Hospice of Dubuque and the exceptional services they provide to our terminally ill.

Motion by Klein, seconded by Wickham, carried unanimously, to adopt Proclamation 16-005 National Hospice Month November 2016.

APPROVAL OF MINUTES OF OCTOBER 24, 2016

Motion by Wickham, seconded by Klein, carried unanimously, to approve the minutes of October 24, 2016.

CONSENT ITEMS

Class LC Liquor License for Harvey’s Airline Inn Ltd, County Receipt of IDNR Annual Manure Management Plan Annual Update from Dale Rowles, County receipt of IDNR Annual Manure Management Plan Annual Update from Gene Duschner, Recommendation from County Assessor regarding 2016 Allowances and Disallowance for Family Farm Tax Credit, and 2016 Gas and Electric Utilities Replacement Tax Valuations.

Motion by Klein, seconded by Wickham, carried unanimously, to receive and file consent items.

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

Chair Demmer opened the public hearing.

Zoning Administrator Anna O'Shea explained the Hoschs' have reduced to five acres to be rezoned. Daniella Hosch Dupont addressed Klein's question as to why five acres for just one building. She agreed one acre would be sufficient.

Cindy Kramer, 18870 Roddy Lane, Peosta, came to the podium to speak against changing the agriculture zoning.

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

Motion by Wickham to approve the amendment, due to lack of a second, motion dies.

O'Shea stated it would be better if she were to write a conditional amendment to present at the next Board meeting.

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

Chair Demmer opened the public hearing.

Zoning Administrator Anna O'Shea explained the Breiner's would like to build on one lot and potentially sell the other three lots. Ron Breiner, 2155 St. John St, addressed the Board. He has the potential of subdividing each of the lots to accommodate more housing.

Rick Gansemer 20083 Four By Four Lane, Durango, spoke on behalf of his father. He understood it would be just a house, but would go along with two houses but no more.

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

Motion by Wickham to approve died for lack of a second.

O'Shea stated it would be better if she were to write a conditional amendment to present at the next Board meeting.

#### RESOLUTION - TO FIX A DATE FOR A PUBLIC HEARING ON PROPOSAL TO ENTER INTO A LOAN AGREEMENT AND TO BORROW MONEY THEREUNDER IN A PRINCIPAL AMOUNT NOT TO EXCEED \$5,300,000.

Motion by Klein, seconded by Wickham, carried unanimously, to table resolution until worksession later on agenda.

NOTICE OF PUBLIC HEARING - LOW VOLUME ROAD AMENDMENT

Motion by Wickham, seconded by Klein, carried unanimously, to advertise for a public hearing to be held Monday, November 28, 2016 at 5:30 p.m. for the above-mentioned amendment.

NOTICE OF INTENT TO EXECUTE AGREEMENT FOR TRANSFER OF PUBLIC ROAD JURISDICTION

Engineer Anthony Bardgett explained there is approximately .34 miles of US 52/Iowa 3 that lies within Dubuque County that will be transferred from the State DOT to the County. Motion by Klein, seconded by Wickham, carried unanimously, to approve the notice to publish.

RESOLUTION - FIVE POINTS ESTATES PLAT 2

The Board met with Zoning Administrator Anna O'Shea and Ronald Breiner. There will be some conditions being placed on this zoning amendment.

Motion by Wickham, seconded by Klein, carried unanimously, to table resolution.

RESOLUTION 16-284 - APPROVING FINAL PLAT OF SURVEY FOR NAUMAN FARM SUBDIVISION PLAT 2, SECTION 34, CENTER TOWNSHIP

WHEREAS, there has been presented to the Dubuque County Board of Supervisors a Final Plat of Survey for, **NAUMAN FARM SUBDIVISION PLAT 2**, comprised of Lot 2 in Nauman Farm Subdivision; Lot 2, Lot 1-2-1 and Lot 2-2-1 all in the NE ¼ NW ¼ of Section 34, T89N, R1E, of the 5<sup>th</sup> PM, Center Township, Dubuque County, Iowa; and

WHEREAS, said final plat will replat four (4) lots into four (4) new lots, namely Lot 1, Lot 2, Lot 3 and Lot 4 of Nauman Farm Subdivision Plat 2 Section 34, Center Township, Dubuque County, Iowa; and

WHEREAS, said final plat has been examined and approved by the City of Centralia; 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-1, Rural 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 Wickham, seconded by Klein, carried unanimously, to approve and authorize the Chair to sign Resolution 16-284.

#### RESOLUTION 16-285 - APPROVING 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
Maintenance	TPT Great Lakes Maintenance Intern	10-24-16	Bryan Hermann	\$15.00
Sunnycrest	PPT Food Services Worker	09-15-16	Aaron Frost	\$ 9.74
Sunnycrest	PPT PI/CNA	10-13-16	Antoinette Stanback	\$12.41
Sunnycrest	PPT PI/CNA	10-21-16	Jakob Thompson	\$12.41
Sunnycrest	PPT PI/CNA	10-13-16	Melissa Splinter	\$12.41
Sunnycrest	PPT Food Services Worker	09-22-16	Mercedes Redmond	\$ 9.74
Sunnycrest	PPT Food Services Worker	11-09-16	Audrea Walsh	\$ 9.74
Sunnycrest	PPT CNA	10-13-16	Melvina Harris	\$12.41
Sheriff	PPT CH Security Officer	09-06-16	Ray Nicks	\$23.16

Motion by Klein, seconded by Wickham, carried unanimously, to approve and authorize the Chair to sign Resolution 16-285.

RESOLUTION 16-286 - APPROVING 28E SHARING AGREEMENT WITH DELAWARE COUNTY FOR ASSISTANT COUNTY ENGINEER SERVICES

WHEREAS, Dubuque County has been presented with a 28E Agreement, which outlines the two-year sharing agreement between Dubuque County and Delaware County for Delaware Assistant County Engineer Craig Davis to be appointed as Dubuque County Engineer Assistant per Iowa Code 309.19; and

WHEREAS, the agreement requires Dubuque County to reimburse Delaware County for 40 percent of the compensation package for Mr. Davis' design and inspection services to Dubuque County; and

WHEREAS, Mr. Davis' compensation package includes wages, FICA, Employer's IPERS contribution and health insurance premiums; and

WHEREAS, the agreement ensures that Craig Davis assumes all County Engineer Assistant responsibilities while being appointed as the Dubuque County Engineer Assistant.

NOW THEREFORE BE IT RESOLVED THAT the Dubuque County Board of Supervisors approves and authorizes the Chairperson to sign the 28E Agreement, which outlines the sharing agreement between Dubuque County and Delaware County for Delaware Assistant County Engineer Craig Davis to serve as Dubuque County Engineer Assistant per Iowa Code 309.19.

Motion by Wickham, seconded by Klein, carried unanimously, to approve and authorize the Chair to sign Resolution 16-286.

RESOLUTION 16-287 - APPROVING 28E SHARING AGREEMENT WITH DELAWARE COUNTY FOR COUNTY ENGINEER SERVICES

WHEREAS, Dubuque County has been presented with a 28E Agreement, which outlines the two-year sharing agreement between Dubuque County and Delaware County for Dubuque County Engineer Anthony Bardgett to be appointed as Delaware County Engineer per Iowa Code 309.19; and

WHEREAS, the agreement requires Delaware County to reimburse Dubuque County for 30 percent of the compensation package for Mr. Bardgett's services to Delaware County; and

WHEREAS, Mr. Bardgett's compensation package includes wages, FICA, Employer's IPERS contribution and health insurance premiums; and

WHEREAS, the agreement ensures that Anthony Bardgett assumes all County Engineer responsibilities while being appointed as the Delaware County Engineer.

NOW THEREFORE BE IT RESOLVED THAT the Dubuque County Board of Supervisors approves and authorizes the Chairperson to sign the 28E Agreement, which outlines the sharing agreement between Dubuque County and Delaware County for Dubuque County Engineer Anthony Bardgett to serve as Delaware County Engineer per Iowa Code 309.19.

Motion by Klein, seconded by Wickham, carried unanimously, to approve and authorize the Chair to sign Resolution 16-287.

**RESOLUTION 16-288 - APPROVING SNOW AND ICE REMOVAL 28E AGREEMENT WITH THE CITY OF BALLTOWN FOR THE 2016-2017 WINTER**

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:

Balltown	0.46 lane miles	\$460.00
----------	-----------------	----------

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 Balltown.

Motion by Wickham, seconded by Klein, carried unanimously, to approve and authorize the Chair to sign Resolution 16-288.

**RESOLUTION 16-289 - APPROVING SNOW AND ICE REMOVAL 28E AGREEMENT WITH THE CITY OF BERNARD FOR THE 2016-2017 WINTER**

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:

Bernard	0.91 lane miles	\$910.00
---------	-----------------	----------

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 Bernard.

Motion by Klein, seconded by Wickham, carried unanimously, to approve and authorize the Chair to sign Resolution 16-289.

**RESOLUTION 16-290 - APPROVING SNOW AND ICE REMOVAL 28E AGREEMENT WITH THE CITY OF DURANGO FOR THE 2016-2017 WINTER**

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:

Durango	0.31 lane miles	\$310.00
---------	-----------------	----------

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 Durango.

Motion by Wickham, seconded by Klein, carried unanimously, to approve and authorize the Chair to sign Resolution 16-290.

**RESOLUTION 16-291 - APPROVING PLANS AND SPECIFICATIONS FOR THE HMA RESURFACING WITH COLD-IN-PLACE RECYCLING PROJECT ON GUN CLUB ROAD (FROM EPWORTH NORTH CITY LIMITS NORTH 5.225 MILES TO BANKSTON EAST CITY LIMITS), PROJECT FM-C031(85)-55-31**

WHEREAS, plans and specifications have been prepared by Dubuque County and approved by the Dubuque County Engineer for the HMA resurfacing with cold-in-place recycling project on Gun Club Road (from Epworth North City Limits north 5.225 miles to Bankston East City Limits), Project FM-C031(85)--55-31,

WHEREAS, this project will be reviewed and let by the Iowa Department of Transportation, subject to the Dubuque County Board of Supervisors approval and signatures on the plans,

THEREFORE BE IT RESOLVED that the Board of Supervisors of Dubuque County, Iowa hereby approve the plans and specifications for said project.

Motion by Klein, seconded by Wickham, carried unanimously, to approve and authorize the Chair to sign Resolution 16-291.

RESOLUTION 16-292 - APPROVING PLANS AND SPECIFICATIONS FOR THE HMA RESURFACING WITH COLD-IN-PLACE RECYCLING PROJECT ON CLAY HILL ROAD (FROM RUPP HOLLOW ROAD NORTH 1.66 MILES TO US 52), PROJECT STP-S-C031(84)-5E-31

WHEREAS, plans and specifications have been prepared by Dubuque County and approved by the Dubuque County Engineer for the HMA resurfacing with cold-in-place recycling project on Clay Hill Road (from Rupp Hollow Road north 1.66 miles to US Highway 52), Project STP-S-C031(84)--5E-31,

WHEREAS, this project will be reviewed and let by the Iowa Department of Transportation, subject to the Dubuque County Board of Supervisors approval and signatures on the plans,

THEREFORE BE IT RESOLVED that the Board of Supervisors of Dubuque County, Iowa hereby approve the plans and specifications for said project.

Motion by Wickham, seconded by Klein, carried unanimously, to approve and authorize the Chair to sign Resolution 16-292.

RESOLUTION 16-293 - APPROVING PLANS AND SPECIFICATIONS FOR THE HMA RESURFACING WITH COLD-IN-PLACE RECYCLING PROJECT ON FEENEY ROAD AND OLDE DAVENPORT ROAD (FROM THE INTERSECTION OF FEENEY ROAD AND AIRVIEW DRIVE TO THE INTERSECTION OF OLDE DAVENPORT ROAD AND FEENEY ROAD, THENCE ON OLDE DAVENPORT ROAD TO THE SOUTHEAST SIDE OF THE BRIDGE LOCATED APPROXIMATELY FOUR MILES TO THE NORTH ON OLDE DAVENPORT ROAD FOR A TOTAL OF 5.62 MILES), PROJECT STP-S-C031 (83)-5E-31

WHEREAS, plans and specifications have been prepared by Dubuque County and approved by the Dubuque County Engineer for the HMA resurfacing with cold-in-place recycling project on Feeney Road and Olde Davenport Road (from the intersection of Feeney Road and Airview Drive to the intersection of Olde Davenport Road and Feeney Road, thence on Olde Davenport Road to the southeast side of the bridge located approx. four miles to the north on Olde Davenport Road for a total of 5.62 miles), Project STP-S-C031(83)--5E-31,

WHEREAS, this project will be reviewed and let by the Iowa Department of Transportation, subject to the Dubuque County Board of Supervisors approval and signatures on the plans,

THEREFORE BE IT RESOLVED that the Board of Supervisors of Dubuque County, Iowa hereby approve the plans and specifications for said project.

Motion by Klein, seconded by Wickham, carried unanimously, to approve and authorize the Chair to sign Resolution 16-293.

**RESOLUTION 16-294 - APPROVING FEDERAL-AID AGREEMENT #6-16-STPS-28 FOR PROJECT NO. STP-S-C031(84)-5E-31. HMA RESURFACING WITH CIP RECYCLING FROM RUPP HOLLOW ROAD NORTH TO US52 ON CLAY HILL ROAD**

WHEREAS, the Iowa Department of Transportation has presented Dubuque County with a Federal-aid Agreement for a Non-Primary Highway Project, Iowa DOT Agreement No. 6-16-STPS-28 for Project No. STP-S-C031(84)--5E-31 on Clay Hill Road: HMA Resurfacing with CIP Recycling from Rupp Hollow Road north to US 52, and

WHEREAS, Dubuque County was approved for partial funding through the Surface Transportation Program (STP) fund with the portion of project costs reimbursed with STP funds limited to a maximum of either 80% of eligible costs (other than those reimbursed with Federal funds) or the amount stipulated in the approved Statewide Transportation Improvement Program (STIP), whichever is less, and the remaining balance funded by Farm to Market funds,

THEREFORE BE IT RESOLVED that the Board of Supervisors of Dubuque County, Iowa hereby approve and direct the Chair to sign said agreement with the Iowa Department of Transportation.

Motion by Wickham, seconded by Klein, carried unanimously, to approve and authorize the Chair to sign Resolution 16-294.

**RESOLUTION 16-295 - APPROVING FEDERAL-AID AGREEMENT #6-16-STPS-27 FOR PROJECT NO. STP-S-C031(83)-5E-31, HMA RESURFACING WITH CIP RECYCLING ON FEENEY ROAD/OLDE DAVENPORT ROAD FROM THE INTERSECTION OF FEENEY ROAD AND AIRVIEW DRIVE TO THE INTERSECTION OF OLDE DAVENPORT ROAD AND FEENEY ROAD, THENCE ON OLDE DAVENPORT ROAD TO THE SOUTHEAST SIDE OF THE BRIDGE LOCATED APPROXIMATELY FOUR MILES TO THE NORTH ON OLDE DAVENPORT ROAD FOR A TOTAL OF 5.62 MILES**

WHEREAS, the Iowa Department of Transportation has presented Dubuque County with a Federal-aid Agreement for a Non-Primary Highway Project, Iowa DOT Agreement No. 6-16-STPS-27 for Project No. STP-S-C031(83)--5E-31 on Feeney Road/Olde Davenport Road: HMA Resurfacing with CIP Recycling from the intersection of Feeney Road and Airview

Drive to the intersection of Olde Davenport Road and Feeney Road, thence on Olde Davenport Road to the southeast side of the bridge located approx. four miles to the north on Olde Davenport Road for a total of 5.62 miles, and

WHEREAS, Dubuque County was approved for partial funding through the Surface Transportation Program (STP) fund with the portion of project costs reimbursed with STP funds limited to a maximum of either 80% of eligible costs (other than those reimbursed with Federal funds) or the amount stipulated in the approved Statewide Transportation Improvement Program (STIP), whichever is less, and the remaining balance funded by the Farm to Market program,

THEREFORE BE IT RESOLVED that the Board of Supervisors of Dubuque County, Iowa hereby approve and direct the Chair to sign said agreement with the Iowa Department of Transportation.

Motion by Klein, seconded by Wickham, carried unanimously, to approve and authorize the Chair to sign Resolution 16-295.

#### RESOLUTION 16-296 - APPROVING LEASE AGREEMENT WITH GREG AND ROXANNE WILLE FOR WINTER EQUIPMENT PARKING

WHEREAS, the Dubuque County Secondary Road Department is in need of a location to park and store equipment out of the elements during winter months in the Holy Cross Maintenance Area, and

WHEREAS, Greg and Roxanne Wille have a machine shed with available lease space located at 23440 Route 52 N, Holy Cross, Iowa near the corner of Bankston Park Rd and Route 52 in Section 27, Civil Township Concord, T90N-R1W, Dubuque County, Iowa, and

WHEREAS, Greg and Roxanne Wille, the County Engineer, and the County Attorney have reviewed and agree to the lease agreement terms,

THEREFORE BE IT RESOLVED that the Board of Supervisors of Dubuque County, Iowa hereby approve and direct the Chair to sign the lease agreement with Greg and Roxanne Wille.

Motion by Wickham, seconded by Klein, carried unanimously, to approve and authorize the Chair to sign Resolution 16-296.

#### RESOLUTION 16-297 - APPROVING PAYMENT #100 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 \$ 16,306.

NOW THEREFORE BE IT RESOLVED that the Dubuque County Board of Supervisors hereby approves the Request for Payment Report # 100 in the amount of \$ 16,306 to be submitted to the Iowa Department of Economic Development. Upon receipt of payment, the County will remit to ECIA.

Motion by Klein, seconded by Wickham, carried unanimously, to approve and authorize the Chair to sign Resolution 16-297.

**RESOLUTION 16-298 - APPROVING PAYMENT #84 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 \$ 5,134.

NOW THEREFORE BE IT RESOLVED that the Dubuque County Board of Supervisors hereby approves the Request for Payment Report # 84 in the amount of \$ 5,134 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 Klein, carried unanimously, to approve and authorize the Chair to sign Resolution 16-298.

**RESOLUTION 16-299 - APPROVING RELEASE OF MORTGAGE FOR JUMPSTART FEDERAL HOUSING-REHABILITATION PAYMENT PROGRAM 08-DRH-004**

WHEREAS, Dubuque County serves as fiscal agent for the Jumpstart Federal Housing - Rehabilitation Payment Program, a part of the Community Development Block Grant (CDBG); and

WHEREAS, a mortgage on a property in Louisa County, which participated in the rehabilitation payment program, has been redeemed, paid off, satisfied and discharged in full, and

WHEREAS, a release of Real Estate Mortgage has been presented to the County for said property.

NOW THEREFORE BE IT RESOLVED that the Dubuque County Board of Supervisors hereby approves the release of the mortgage and authorizes the Chair to sign the release.

Motion by Klein, seconded by Wickham, carried unanimously, to approve and authorize the Chair to sign Resolution 16-299.

COMMUNICATION - CITY OF DUBUQUE CONSULTATION NOTICE AND PUBLIC HEARING ON THE AMENDED AND RESTATED NORTH CASCADE ROAD HOUSING RENEWAL AREA PLAN

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

COMMUNICATION - FROM TEAMSTERS LOCAL 120 REGARDING INITIAL PROPOSAL FOR COLLECTIVE BARGAINING FOR ELIGIBLE EMPLOYEES OF THE COURTHOUSE UNIT

Motion by Wickham, seconded by Klein, carried unanimously, to receive and file and refer to personnel.

COMMUNICATION - FROM TEAMSTERS LOCAL 120 REGARDING INITIAL PROPOSAL FOR COLLECTIVE BARGAINING FOR ELIGIBLE EMPLOYEES OF THE COUNTY ASSESSORS UNIT

Motion by Klein, seconded by Wickham, carried unanimously, to receive and file and refer to personnel.

COMMUNICATION - FROM TEAMSTERS LOCAL 120 REGARDING INITIAL PROPOSAL FOR COLLECTIVE BARGAINING FOR ELIGIBLE EMPLOYEES OF THE COUNTY SECONDARY ROADS UNIT

Motion by Wickham, seconded by Klein, carried unanimously, to receive and file and refer to personnel.

COMMUNICATION - FROM TEAMSTERS LOCAL 120 REGARDING INITIAL PROPOSAL FOR COLLECTIVE BARGAINING FOR ELIGIBLE EMPLOYEES OF THE ADMINISTRATIVE DEPUTIES UNIT

Motion by Klein, seconded by Wickham, carried unanimously, to receive and file and refer to personnel.

COMMUNICATION - ECIA REGARDING FY18 GRANT REQUEST

Motion by Wickham, seconded by Klein, carried unanimously, to receive and file and refer to the budget director.

COMMUNICATION - THE CITY OF DUBUQUE REGARDING NOTICE OF CONSULTATION AND PUBLIC HEARING FOR SOUTH POINTE HOUSING URBAN RENEWAL AREA PLAN

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

COMMUNICATION - FROM TEAMSTER LOCAL 120 REGARDING INITIAL PROPOSAL FOR COLLECTIVE BARGAINING FOR ELIGIBLE EMPLOYEES OF THE CITY ASSESSOR'S OFFICE

Motion by Wickham, seconded by Klein, carried unanimously, to receive and file and refer to personnel.

PERSONNEL REQUISITIONS

Motion by Klein, seconded by Wickham, carried unanimously, to approve the personnel requisition for the Attorney's Office for one (1) permanent part-time civil attorney.

Motion by Klein, seconded by Wickham, carried unanimously, to recess at 10:18 a.m. until 10:22 a.m.

WORKSESSION - CITY OF DUBUQUE STAFF REGARDING PROPOSED FUEL AGREEMENT

The Board met with City of Dubuque Public Works Supervisor John Klostermann and Equipment Maintenance Supervisor Kevin Cornwall to work out an agreement where the County purchased fuel for the Sheriff Department vehicles from the City of Dubuque.

Motion by Wickham, seconded by Klein, carried unanimously, to move this to a resolution.

#### WORKSESSION - ZONING ADMINISTRATOR

The Board met with Zoning Administrator Anna O'Shea.

O'Shea explained Frederick Hogan will need to upgrade the existing field entrance to residential to be able to build a new home on his property. The existing field entrance meets sight distance but does not meet spacing. Mr. Hogan is requesting a variance to the spacing so he can build the new home.

Motion by Klein, seconded by Wickham, carried unanimously, to approve the variance.

O'Shea explained Kenneth & Darla Hosch will need to upgrade their existing driveway to commercial to accommodate the beauty salon their daughters will be operating. They are asking for a variance for spacing to upgrade the driveway to commercial.

Motion by Wickham, seconded by Klein, carried unanimously, to approve the variance.

#### ZONING VIOLATION UPDATES

The Board met with Zoning Administrator Anna O'Shea to discuss violations on several properties. John Ward's property has been properly taken care of but will continue to be monitored.

Knapp Trailer Park has an agreement in place and rules for tenants to sign. There is good progress being made in the removal of the trailers.

Brian Simon has gone through the court process and the work is still not being completed. O'Shea is to work with an attorney to enforce the next step of issuing fines.

Dave & Sheila Merfeld have done nothing. O'Shea will work on the zoning issue.

Jeff Then has concrete forms in an A-1 District. O'Shea has not heard from him even after leaving several messages. Klein stated no response lowers the Board's tolerance to work with someone. She should move forward to the next zoning violation step.

Mary Davis has not had the tires removed. Klein instructed O'Shea to send a letter with a plan of remedy.

#### WORKSESSION - LOU COX OF NORTHEAST IOWA DETENTION FACILITY

The Board met with Executive Director of the Northeast Iowa Detention Facility Lou Cox, Deputy Sheriff Greg Egan, Captain Mike Muenster, CPC Director Jody Jansen, and Sheriff-elect Joe Kennedy.

Currently the juveniles are transported to Waterloo to the Detention Facility due to lack of staffing at the Dubuque Law Enforcement Center. They are then transported back to Dubuque for court hearings.

Juvenile Court Services Rhonda Klein states it is less costly and better for the children to stay in Dubuque where they are closer for the family to visit.

Executive Director of the Central Iowa Detention Facility Tony Reed was also available to offer his services to the County.

#### WORKSESSION - SUNNYCREST ADVISORY BOARD

The Board met with Scott DeSousa, Chairperson and Michelle Patzner from the Sunnycrest Manor Advisory Board to provide an update on the operations at Sunnycrest. Mr. DeSousa reported that over the past four months, FY17 expenses are over the FY17 budgeted amount by \$657,525. The bulk of the overage is due to personnel costs and related overtime expense. Mr. DeSousa related that at their last board meeting, a discussion was held regarding if Dubuque County was the proper entity to be operating a nursing home. He reviewed the constraints held by a public sector operator that a private non-profit operator would not incur, including a delayed hiring process, which attributes to increased overtime expense. He reported that the Executive Committee was analyzing the issue and would provide a report at their next meeting. Mr. Demmer reminded Mr. Desousa that the Board of Supervisors have never stated that Sunnycrest would close, and that Dubuque County is leasing the facility from the Hospital Board of Trustees. He also stated that due to the continued historical budget overages and increased tax subsidies, enough is enough and it may be time for the Hospital Board of Trustees to consider an alternative non-profit to operate the facility and provide the same level of care for the residents while reducing operational costs.

Motion by Klein, seconded by Wickham, carried unanimously, to recess at 12:27 p.m. until 1:00 p.m.

## GENERAL ASSISTANCE HEARINGS

Upon reconvening motion by Klein, seconded by Wickham, carried unanimously, to enter an executive session with General Assistance Caseworkers Doug Slaats and Nick Agan regarding case O-2-40.

Upon returning to a regular session, motion by Wickham, seconded by Klein, carried unanimously, to deny assistance to case O-2-40.

Motion by Wickham, seconded by Klein, carried unanimously, to enter an executive session with General Assistance Caseworkers Doug Slaats and Nick Agan regarding case M-10-29.

Upon returning to a regular session, motion by Klein, seconded by Wickham, carried unanimously, to approve rent assistance for case M-10-29.

Motion by Klein, seconded by Wickham, carried unanimously, to enter an executive session with General Assistance Caseworkers Doug Slaats and Nick Agan regarding case S-11-37.

Upon returning to a regular session, motion by Wickham, seconded by Klein, carried unanimously, to assist with part of the rent for case S-11-37.

Motion by Wickham, seconded by Klein, carried unanimously, to enter an executive session with General Assistance Caseworkers Doug Slaats and Nick Agan regarding case J-3-37.

Upon returning to a regular session, motion by Klein, seconded by Wickham, carried unanimously, to assist with part of the electric bill for case J-3-37.

Motion by Wickham, seconded by Klein, carried unanimously, to deny assistance for case K-7-10 due to not showing up for the hearing.

## WORKSESSION - CITY OF DUBUQUE REGARDING LOAN AGREEMENT

The Board met with DMASWA Administrator John Foster, City of Dubuque Public Works Supervisor John Klostermann, City of Dubuque Manager Mike Van Milligen, and Paul Schultz to discuss the bond issuance for DMASWA.

Wickham expressed concerns about the necessity, at this time, to develop another cell. He stated he believes 1) the bonds should be issued by the City, 2) DMASWA should issue revenue bonds, and 3) the County should issue the bonds. The County is not involved in the day-to-day operations of the agency and does not have any input until now when financing is needed. Wickham also questions the need for an additional building at the site. The issuance states not just another cell but also a building. Is it necessary?

RESOLUTION 16-300 - TO FIX A DATE AND TIME FOR PUBLIC HEARING

Resolution to Fix a Date for a Public Hearing on Proposal to Enter into a Loan Agreement and to Borrow Money Thereunder in a Principal Amount not to Exceed \$5,300,000

WHEREAS, the Board of Supervisors of Dubuque County, Iowa (the "County"), proposes to enter into a General Obligation Landfill Facility Loan Agreement (the "Loan Agreement") and to borrow money thereunder in a principal amount not to exceed \$5,300,000, pursuant to the provisions of Sections 331.402 and 331.441(2)(b)(4) of the Code of Iowa for the purpose of paying the cost, to that extent, of landfill facility improvements to be undertaken by the Dubuque Metropolitan Area Solid Waste Agency, of which the County is a constituent member, including the Cell 9 Phase III Project, improvements to the landfill maintenance building and other capital improvement needs for the landfill, and it is now necessary to fix a date of meeting of this Board at which it is proposed to take action on the proposal to enter into the Loan Agreement and to give notice thereof as required by such law;

NOW, THEREFORE, Be It Resolved by the Board of Supervisors of Dubuque County, Iowa, as follows:

Section 1. The Board will meet on November 28, 2016, at the Board Room of the Dubuque County Court House, Dubuque, Iowa, at 5:30 o'clock p.m., at which time and place a hearing will be held and proceedings will be instituted and action taken to enter into the Loan Agreement.

Section 2. The County Auditor is hereby directed to give notice of the proposed action on the Loan Agreement setting forth the amount and purpose thereof, the time when and place where the said meeting will be held by publication at least once and not less than 4 nor more than 20 days before the date of said meeting, in a legal newspaper which has a general circulation in the County. The notice shall be in substantially the following form:

NOTICE OF PROPOSED ACTION TO INSTITUTE PROCEEDINGS TO ENTER INTO A LOAN AGREEMENT AND TO BORROW MONEY THEREUNDER IN A PRINCIPAL AMOUNT NOT TO EXCEED \$5,300,000

(GENERAL OBLIGATION)

The Board of Supervisors of Dubuque County, Iowa, will meet on November 28, 2016, at the Board Room in the Dubuque County Court House, Dubuque, Iowa, at 5:30 o'clock p.m., for the purpose of instituting proceedings and taking action to enter into a loan agreement (the "Loan Agreement") and to borrow money thereunder in a principal amount not to exceed \$5,300,000 for the purpose of paying the cost, to that extent, of landfill facility improvements to be undertaken by the Dubuque Metropolitan Area Solid Waste Agency, of which the County is a constituent member, including the Cell 9 Phase III Project, improvements to the landfill maintenance building and other capital improvement needs for the landfill.

The Loan Agreement is proposed to be entered into, and bonds will be issued thereunder, pursuant to authority contained in Sections 331.402 and 331.441(2)(b)(4) of the Code of Iowa. The Loan Agreement and the bonds will constitute general obligations of the County. It is anticipated that the County will use money received under a certain revenue disbursement agreement with the Dubuque Metropolitan Area Solid Waste Agency to repay principal and interest under the Loan Agreement.

At that time and place, oral or written objections may be filed or made to the proposal to enter into the Loan Agreement. After receiving objections, the County may determine to enter into the Loan Agreement, in which case, the decision will be final unless appealed to the District Court within fifteen (15) days thereafter.

Motion by Klein, seconded by Demmer, Wickham voting nay, carried, to approve and authorize the Chair to sign Resolution 16-300.

#### EXECUTIVE SESSION PER IOWA CODE CHAPTER 20

Motion by Wickham, seconded by Klein, carried unanimously, to enter into an executive session with Teamsters 120 Union vice-president John Rosenthal, Courthouse Union Representative Kevin Saylor, Attorney Art Eggers, Budget Director Michelle Patzner, Personnel Director Mary Ann Specht, and Maintenance Superintendent Chris Soeder.

Upon returning to regular session motion by Klein, seconded by Wickham, carried unanimously, to instruct Attorney Eggers to advise the Teamsters Union 120 that the Board denies their claim.

#### WORKSESSION - MAINTENANCE SUPERINTENDENT

The Board met with Maintenance Superintendent Chris Soeder regarding the Courthouse HVAC Project. He states the project is almost complete. There will be additional expense for the well and heat extender.

Wickham is dissatisfied with the system and how the temperature cannot be regulated with the thermostat. It can be slid one way or the other but you do not know what the temperature is in the room. Soeder said there will be a fan switch inside each unit.

#### CANVASS - GENERAL ELECTION OF NOVEMBER 8, 2016 (50.24)

##### President/Vice-President

Hillary Clinton/Tim Kaine	Democrat	22,850
Donald J Trump/Michael R Pence	Republican	23,460

Gary Johnson/Bill Weld	Libertarian Party	2,013
Lynn Kahn/Jay Stolba	New Independent Party Iowa	88
Darrell L Castle/Scott N Bradley	Constitution Party	60
Jill Stein/Ajamu Baraka	Iowa Green Party	379
Dan R Vacek/Mark G Elworth	Legal Marajuana Now	38
Gloria La Riva/Dennis J Banks	Party for Socialism & Liberation	12
Rocky Roque DeLaFuete/Michael Steinberg		12
Evan McMullin/Nathan Johnson		305

U.S.Senator

Patty Judge	Democratic	19,291
Charles E Grassley	Republican	27,348
Charles Aldrich	Libertarian Party	1,266
Jim Hennager	New Independent Party Iowa	416
Michael Luick-Thrams		133

U.S. Representative District 1

Monica Vernon	Democrat	22,025
Rod Blum	Republican	26,515

Iowa State Senate District 50

Pam Jochum	Democrat	18,345
John Hulsizer Jr	Republican	10,636

Iowa State Representative District 57

Tom Stecher	Democrat	8,252
Shannon Lundgren	Republican	9,023

Iowa State Representative District 58

Jessica Kean	Democrat	547
Andy McKean	Republican	759

Iowa State Representative District 99

Abby Finkenauer	Democrat	10,778
-----------------	----------	--------

Iowa State Representative District 100

Charles Isenhardt	Democrat	9,213
-------------------	----------	-------

County Supervisor

David J Baker	Democrat	23,127
Curt Kiessling	Republican	22,883

County Supervisor -to fill a vacancy

Jay Wickham	Democrat				32,371
<u>County Auditor</u>					
Denise M Dolan	Democrat				33,252
<u>County Sheriff</u>					
Joseph Kennedy	Democrat				34,672
<u>Taylor Township Trustee</u>					
Jeffrey S. Bohle					204
<u>Washington Township Trustee</u>					
Donald Schuster					122
<u>Sunnycrest Board of Trustees - two 6-year terms</u>					
Michael J Muir					24,705
Write-ins					621
<u>Soil &amp; Water Conservation - three 4-year terms</u>					
David Ruden					12,690
Craig D Reber					5,921
Jack W Smith					8,113
Jeffrey C Schmitt					8,259
Jeffrey Reiter					7,563
Melvin Wilgenbusch					11,057
Ryan D Peterson					6,286
<u>County Agricultural Extension Council - four- 4-year terms</u>					
Bill Watters					14,081
Lou Ann Krapfl					14,545
Christopher A Dean					8,739
Matt Simon					12,124
Ron Calonder					7,901
Lindsay James					11,752
<u>County Agricultural Extension Council - 2 years unexpired term</u>					
Deb Mahoney write-in					37
Write Ins					1,129
<u>Supreme Court</u>					
Brent R Appel	Yes	21,334	No		8,381
Mark S Cady	Yes	20,516	No		8,305
Daryl L Hecht	Yes	19,931	No		8,581

Court of Appeals

Amanda Potterfield	Yes	20,629	No	6,781
Gayle Vogel	Yes	20,029	No	6,832
David R Danilson	Yes	19,732	No	7,022
Richard H Doyle	Yes	19,982	No	6,892

District Court 1A

Michael J Shubatt	Yes	23,306	No	6,186
-------------------	-----	--------	----	-------

The entire election results, as canvassed, are listed in the Official County Election Record.

Motion by Klein, seconded by Wickham, carried unanimously to recess at 6:45 p.m. until Wednesday, November 16, 2016 at 11:00 a.m.

AMENDMENT TO ZONING ORDINANCE - ZC#09-31-16 - KENNETH AND DARLA HOSCH - A-1 AGRICULTURAL TO B-1 BUSINESS-CONDITIONAL

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

ZC#09-31-16 Kenneth & Darla Hosch A-1 Agricultural to B-1 Business

The applicants are requesting to rezone from A-1 Agricultural to B-1 Business 1 acre more or less, to allow for their daughters to start a beauty salon in the existing home. The property located 0.06 miles south of the City of Peosa along Sundown Road, is legally described as NW NE Section 16, (T88N R1E) Vernon Township, Dubuque County, Iowa.

A report on the proposed amendment has been received from the Dubuque County Zoning Commission; notice of the public hearing has been published as required by law; and a public hearing has been held on Monday October 10, 2016 and Monday October 24, 2016 and November 14, 2016 and November 16, 2016.

Motion by Klein, seconded by Wickham, Demmer voting nay, carried, to approve the rezoning.

Motion by Klein, seconded by Wickham, Demmer voting nay, carried, that the amendment be adopted and that the zoning administrator be directed to enter the appropriate changes on the official zoning map and 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.

AMENDMENT TO ZONING ORDINANCE - ZC#09-33-16 - RONALD AND JESSALYN

BREINER - R-1 RURAL RESIDENTIAL TO R-2 SINGLE FAMILY RESIDENTIAL

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

ZC#09-33-16 - Ronald & Jessalynn Breiner R-1 Rural Residential to R-2 Single Family Residential

The applicants are requesting to rezone from R-1 Rural Residential to R-2 Single Family Residential 9.12 acres more or less, to allow for a residential subdivision consisting of (4) four lots. The property located 2.275 miles NW of the City of Asbury along Five Points Road, is legally described as Lot 2 Five Points Estates Section 8, (T89N R1E) Center Township, Dubuque County, Iowa.

A report on the proposed amendment has been received the Dubuque County Zoning Commission; notice of the public hearing has been published as required by laws; and a public hearing has been held on Monday November 14, 2016 and November 16, 2016.

Motion by Wickham, seconded by Klein, carried unanimously, to approve the rezoning.

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

Motion by Wickham, seconded by Klein, carried unanimously, that the amendment be adopted and that the zoning administrator be directed to enter the appropriate changes on the official zoning map and that the Auditor be directed to arrange for the publication of the amendment and portion of the official zoning map as amended in the official county newspapers as required by law.

RESOLUTION 16-301 - APPROVING FINAL PLAT OF SURVEY FOR FIVE POINTS ESTATES PLAT 2, SECTION 8, CENTER TOWNSHIP

WHEREAS, there has been presented to the Dubuque County Board of Supervisors a Final Plat of Survey for, **FIVE POINTS ESTATES PLAT 2**, a division of Lot 2 of Five Points Estates in Section 8, T89N, R1E, of the 5<sup>th</sup> PM, Center Township, Dubuque County, Iowa; and

WHEREAS, said final plat will create four (4) lots namely Lot 1 through Lot 4 inclusive of Five Points Estates Plat 2 in Section 8, Center 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 Lot 1 will access off of the county road, Five Points Road, and Lot 2, Lot 3 and Lot 4 will access off of the private road named Clay Ann Lane. No additional access to the county road will be allowed.

Section 3. That the streets shown upon said plat are not accepted as Dubuque County Streets and that Dubuque County shall assume no liability for their design, construction and/or maintenance.

Section 4. 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 Klein, seconded by Wickham, carried unanimously, to approve and authorize the Chair to sign Resolution 16-301.

#### EXECUTIVE SESSION PER IOWA CODE 21.5 (1) (A)

Motion by Klein, seconded by Wickham, carried unanimously, to enter into executive session with Sunnycrest Social Worker Ann Kouder and resident's father Fred McMurray.

Upon returning to regular session, motion by Wickham, seconded by Klein, carried unanimously to approve applicant to Sunnycrest.

#### WORKSESSION - DUBUQUE COUNTY OFFICE SPACE PROJECT AND 5<sup>TH</sup> FLOOR REMODEL PROJECT

The Board met with IT Superintendent Nathan Gilmore, Maintenance Superintendent Chris Soeder, Consultant Gordy Mills, GIS Jeff Miller, Recorder John Murphy, Administrative Assistant Mary Ann Specht, and Sheriff Shane Bockensteadt.

Mills discussed staying with an RFP for the project or another option would be bridge documents. Wickham said he is in favor of staying with an RFP because it opens up opportunities for other taxpayer firms. Gordy said by staying with FEH they will be looking to hire and other firms will then have an opportunity to participate.

Soeder discussed the storage on 5<sup>th</sup> floor. He would like to hire a moving company to move everything out right now and purge later. Specht suggested when the Board meets with the department heads they let them know what is going on and to purge what they can to save costs in moving.

Motion by Klein, seconded by Demmer, to go with option B because the construction time frame is better for the county. Motion carried with Wickham voting nay.

Motion by Klein, seconded by Wickham, carried unanimously, to adjourn at 11:23 a.m. until 5:30 p.m. on Monday, November 28, 2016.

---

Wayne Demmer, Chair  
Board of Supervisors

ATTEST:

---

Mary J Habel  
Dubuque County Deputy Auditor