

MINUTES OF JANUARY 3, 2017
DUBUQUE COUNTY BOARD OF SUPERVISORS
Present: Daryl Klein, Jay Wickham, and Dave Baker
Vice Chair Klein called the meeting to order at 9:00 a.m.

APPROVAL OF MINUTES OF DECEMBER 12 AND 21, 2016

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

ELECTION OF CHAIRPERSON AND VICE-CHAIRPERSON FOR 2017

Motion by Baker, seconded by Wickham, carried with Klein voting nay, to elect Jay Wickham as Chairperson for 2017.

Motion by Klein, seconded by Wickham, carried with Baker voting nay, to elect Dave Baker as Vice-Chairperson for 2017.

CONSENT ITEM

Motion by Klein, seconded by Baker, carried unanimously, to receive and file the Annual Manure Management Plan/Update for Pfeiler Brothers Farm, Inc.

RESOLUTION 17 - 001 APPROVING 2017 OFFICIAL COUNTY NEWSPAPERS

BE IT RESOLVED that the Dubuque County Board of Supervisors herewith designates the Dubuque Telegraph Herald, Dyersville Commercial and Cascade Pioneer-Advertiser as official newspapers for Dubuque County for 2017.

Motion by Baker, seconded by Klein, carried unanimously, to approve and authorize the Chair to sign Resolution 17-001.

RESOLUTION 17 - 002 EXECUTION OF CERTIFICATE OF COMPLETION

BE IT RESOLVED by the Board of Supervisors of Dubuque County, Iowa that Anthony Bardgett, County Engineer of Dubuque County, Iowa, be and is hereby designated, authorized and empowered on behalf of the Board of Supervisors of said County to execute the certification of completion of work and final acceptance thereof in accordance with plans and specifications in connection with all Farm-to-Market and Federal or State

aid and local construction projects in this county.

Motion by Klein, seconded by Baker, carried unanimously, to approve and authorize the signatures on Resolution 17-002.

RESOLUTION 17 - 003 ISSUANCE OF WEIGHT RESTRICTIONS

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

Motion by Baker, seconded by Klein, carried unanimously, to approve and authorize the Chair to sign Resolution 17-003.

RESOLUTION 17 - 004 ROAD CLOSINGS

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

Motion by Baker, seconded by Klein, carried unanimously, to approve and authorize the Chair to sign Resolution 17-004.

RESOLUTION 17 - 005 EXECUTION OF MOVING PERMITS

BE IT RESOLVED by the Board of Supervisors of Dubuque County, Iowa that we hereby designate, authorize and empower Anthony Bardgett, Dubuque County Engineer, and in the absence of the County Engineer, the Dubuque County Maintenance Superintendent, the Engineering Staff, or the Administrative Assistants, of the Highway Department, to execute on behalf of the Board of Supervisors all moving permits issued by the County to contractors, mobile home dealers or individuals.

Motion by Klein, seconded by Baker, carried unanimously, to approve and authorize the

Chair to sign Resolution 17-005.

RESOLUTION 17 - 006 EXECUTION OF UTILITY PERMITS

BE IT RESOLVED by the Board of Supervisors of Dubuque County, Iowa that we hereby designate, authorize and empower the Dubuque County Engineer, and in the absence of the County Engineer, the Dubuque County Maintenance Superintendent, to execute on behalf of the Board of Supervisors all utility permits issued by the County to utility companies, contractors or individuals.

Motion by Klein, seconded by Baker, carried unanimously, to approve and authorize the Chair to sign Resolution 17-006.

RESOLUTION 17 - 007 EXECUTION OF DUST CONTROL PERMITS

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

Motion by Baker, seconded by Klein, carried unanimously, to approve and authorize the Chair to sign Resolution 17-007.

RESOLUTION 17 - 008 APPROVE PLANS AND SPECIFICATIONS TO FOLLOW IDOT STANDARDS

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

Motion by Klein, seconded by Baker, carried unanimously, to approve and authorize the Chair to sign Resolution 17-008.

RESOLUTION 17 - 009 CONSTRUCTION EVALUATION

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

construction of a confinement feeding operation structure; and

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

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

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

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

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

Motion by Baker, seconded by Klein, carried unanimously, to approve and authorize the Chair to sign Resolution 17-009.

DUPLICATE WARRANT - LABORATORY CORPORATION OF AMERICA

Motion by Klein, seconded by Baker, carried unanimously, to approve the duplicate warrant.

DUPLICATE WARRANT - KAROLYN OLBERDING

Motion by Baker, seconded by Klein, carried unanimously, to approve the duplicate warrant.

RESOLUTION 17 - 010 APPROVE LEASE AGREEMENT WITH FISCHER COMPANIES

WHEREAS, Dubuque County has been presented with a Lease Agreement from the Fischer Companies to provide storage for Dubuque County records; and

WHEREAS, Dubuque County is in need of off site records storage due to the construction of the Courthouse 5th Floor Project; and

WHEREAS, the lease agreement is a term of one year for 4,725 square feet of storage space at the Kirby Building for a monthly rate of \$2,560.

NOW, THEREFORE BE IT RESOLVED that the Dubuque County Board of Supervisors approves and authorizes the Chairperson to sign the Lease Agreement from the Fischer Companies to provide storage for Dubuque County.

Motion by Klein, seconded by Baker, carried unanimously, to approve and authorize the Chair to sign Resolution 17-010.

DAMAGE CLAIM

Motion by Baker, seconded by Klein, carried unanimously, to receive and send to County Attorney a damage claim in the amount of \$353.67 to Lisa Federspiel.

RESOLUTION 17 - 011 APPROVE AMENDMENT #21 FOR IOWA ECONOMIC DEVELOPMENT AUTHORITY

WHEREAS, Dubuque County has been presented with Amendment #21 for the Iowa Economic Development Authority CDBG Contract 08-DRH-204; and

WHEREAS, Amendment #21 amends the Contract End Date from December 31, 2016 to June 30, 2017 and amends the award amount from \$19,785,288 to \$18,130,301.

NOW, THEREFORE BE IT RESOLVED that the Dubuque County Board of Supervisors approves and authorizes the Chairperson sign Amendment #21 for the Iowa Economic Development Authority CDBG Contract 08-DRH-204.

Motion by Klein, seconded by Baker, carried unanimously, to approve and authorize the Chair to sign Resolution 17-011.

PROOF OF PUBLICATION - ZONING CASES

1) ZC#11-34-16 - Rick & Amy Bergfeld and Randy UrbainA-1 Agricultural to R-1 Rural

Residential and R-2 Single Family Residential

2) ZC#11-35-16 - Raymond & Grace Mueller Revocable Trust and Dan Mueller - R-3 Single Family Residential to B-1 Business

3) ZC#11-36-16 - David Klimek & Anastasia Molony-Klimek -A-1 Agricultural to A-2 Agricultural Residential

4) ZC#11-37-16 - Patrick & Sheila Brehm and Ryan & Jessi Coates - R-1 Rural Residential to M-1 Industrial

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

COMMUNICATION - CITY OF DUBUQUE REGARDING GENERAL RELIEF

Motion by Klein, seconded by Baker, carried unanimously, to receive and file the 50/50 match for City of Dubuque utility bills.

COMMUNICATION - CITY OF DUBUQUE REGARDING VOLUNTARY ANNEXATION

Motion by Baker, seconded by Klein, carried unanimously, to receive and file the communication stating a public hearing will be held on January 17, 2017 at 6:00 p.m. in the City Council Chambers, Historic Federal Building. William and Janet Siegert, owners, are requesting a voluntary annexation of 5.0 acres of property.

COMMUNICATION - PLAT OF SURVEY FOR FARM PROPERTY AUCTION

Zoning Administrator Anna O'Shea presented a plat showing property being auctioned in the middle of Dodge Township. She suggests waiting to see who purchases the property if there is a need for the Board to approve a Farm Exemption Certificate.

Attorney George Davis questioned the Board if this could be approved at this meeting. Wickham explained there is not a final plat to be approved.

Motion by Klein, seconded by Baker, carried unanimously, to receive and file the communication.

APPOINTMENTS

Motion by Klein, seconded by Baker, carried unanimously, to appoint Board members to the following boards:

CEO/Workforce Development	Dave Baker
Convention & Visitors Bureau Advisory Comm.	Jay Wickham
Convention and Visitors Bureau Board of Dir.	Jay Wickham
Courthouse Security Committee	Dave Baker
Crime Stoppers	Jay Wickham
Dubuque Area Transportation Study Policy Comm.	Daryl Klein
Dubuque Chamber Board of Directors	Daryl Klein
Dubuque County Early Childhood	Dave Baker
Dubuque Metropolitan Area Solid Waste Agency	Jay Wickham
Dubuque Racing Assoc LTD	Daryl Klein
ECIA Council	Dave Baker alt Jay Wickham
ECIA Business Growth	Jay Wickham
E-911	Chair Wickham
First Judicial District Board of Directors	Jay Wickham/Dave Baker
Joint Emergency Management Agency	Chair Wickham
MH/DS East Central Region	Daryl Klein
Mississippi River Partnership Council	Daryl Klein
North Iowa Juvenile Detention	Dave Baker
Operation New View	Dave Baker/Jay Wickham
Regional Planning Affiliation	Daryl Klein alt Dave Baker
Resource Enhancement Committee	Chair Wickham
Road Name Advisory Committee	Dave Baker
Urban County Coalition	Jay Wickham
Area Council of Governments	ALL
RPA-(RTA Rep)	ALL - (RTA Rep Jay Wickham)

APPOINTMENT - SUNNYCREST MANOR OPERATIONAL BOARD OF DIRECTORS

Motion by Klein, with Baker and Wickham voting nay, motion does not pass to appoint Wayne Demmer to the Sunnycrest Manor Operational Board of Directors.

PERSONNEL REQUISITIONS

Motion by Baker, seconded by Klein, carried unanimously, to approve the personnel requisition for the Sheriff for a permanent, part-time correctional officer.

PUBLIC COMMENT

State Representative Chuck Isenhardt thanked the Board for their partnership over the

years. Later on the agenda is when the Board's concerns will be discussed. At this time he would like to highlight his personal priorities. He stated a high priority is clean water because it is our best asset so close to the Mississippi River. The County can capitalize on outdoor activities to bring people to the area to show case

Isenhart supports the Double Up Food Bucks Program and thanked the Board for their pledge to the program. This allows for good, healthy, locally grown food to the less fortunate.

Isenhart described the epidemic of opiates in the area that needs to be addressed. He supports CRUSH (Community Resources Unite to Stop Heroin) and believes more funding is necessary for mental health.

Wickham asked Isenhart about minimum wage being increased. He explained how some counties are already raising the minimum wage to be higher than the Federal requirement. He told the Board he would like to see Dubuque County do the same.

PUBLIC COMMENT

Resident Wayne Demmer stated his disbelief in how the Board appointed two people who have never been through a county budget will now run a sixty-five million-dollar budget. It scares him to think of the direction the Board is going to go in. It will be the "d's" against the "r's".

PUBLIC COMMENT

Vice-president of Iowa's Visiting Nurses Association Sue Whitty gave the Board a listing of the public policy priorities and legislative agenda. Some of the concerns facing nursing includes the shortage of nurses, mental health services, opioid crisis, and the nursing compact to allow nurses in the Tri-states area to practice in all three states without additional licensure requirements.

Motion by Baker, seconded by Klein, carried unanimously, to recess at 10:38 a.m. until 10:45 a.m.

WORKSESSION WITH COUNTY ENGINEER

The Board met with County Engineer Anthony Bardgett for an update on projects.

WORKSESSION WITH STATE LEGISLATORS REGARDING PRIORITIES

State Representative Chuck Isenhart addressed the Board's hand out from the Legislative Dinner naming the County's priorities.

Mental health and the funding for backfill on property tax roll back are both important to tax payers.

He suggests having more representatives able to attend a Board meeting a poll of dates and times should be sent out then pick a time that is the best for most.

Motion by Klein, seconded by Baker, carried unanimously, to recess at 11:20 a.m. until 11:30 p.m.

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

Motion by Klein, seconded by Baker, carried unanimously, to enter executive session with IT Superintendent Nathan Gilmore, Budget Director Michelle Patzner, and Administrative Assistant Mary Ann Specht per Iowa Code 21.5(1)(J).

Motion by Baker, seconded by Klein, carried unanimously, to return to a regular session at 12:08 p.m.

WORKSESSION WITH COUNTY AUDITOR

The Board met with County Auditor Denise Dolan regarding funding for the 5th floor remodeling project.

Dolan suggests sending a letter to the City of Dubuque requesting the City approve the renovation as a project within the Greater Downtown Urban Renewal area. This will provide the County additional funding options.

WORKSESSION TO REVIEW SUNNYCREST MANOR FINANCIALS

Sunnycrest Administrator Cris Kirsch and Budget Director Michelle Patzner discussed the deficit of funding and the regulations that slows the process of hiring.

Klein stated we need to take some action to mitigate the bleeding of taxpayer money. No way, shape or form does he want Sunnycrest to close. We need to find new operators. Ask the trustees to go out for RFQ to operate for a long-term solution for Sunnycrest to

continue to run. Why not do it today. It is not the job of a government to run nursing facilities, it is not a good fit, because with regulations our hands are tied.

Baker asked about working with the trustees to see if collectively solutions can be found.

Motion by Klein that we inform the hospital board of trustees our intention to end lease with them for Sunnycrest and that they go out for RFP or RFQ with all the assistance of Dubuque County available to them to help accomplish that and see if they can find a different provider for Sunnycrest that would maintain the level of care to the residents of Sunnycrest and then if unable to then we would continue our lease and try to come up with other alternatives. But for us not to do this, to at least try is ridiculous.

Due to a lack of a second, motion dies. Klein said thank you for listening.

Motion by Baker, seconded by Klein, carried unanimously, to adjourn at 1:28 p.m. until 9:00 a.m. on Monday, January 9, 2017.

Jay Wickham, Chair
Board of Supervisors

ATTEST:

Mary J Habel, Deputy Auditor