

MINUTES OF DECEMBER 12 & 21, 2016  
DUBUQUE COUNTY BOARD OF SUPERVISORS  
Present: Daryl Klein, and Jay Wickham  
Vice-Chair Klein called the meeting to order at 9:00 a.m.

WORKSESSION WITH COUNTY ENGINEER

The Board met with County Engineer Anthony Bardgett who gave his report of projects that are being completed.

Wickham and Bardgett talked about software that could be developed by Cartegraph for the Roads department that would analyze the condition of roads for maintenance purposes.

Chair Demmer arrived from his legislative breakfast at 8:37 a.m.

Bardgett is working on a map of plans for secondary roads for the next five years. He is planning twelve (12) bridge repairs in the spring.

Motion by Klein, seconded by Wickham, carried unanimously, to recess at 8:52 a.m. until 9:00 a.m.

CERTIFICATES OF APPRECIATION

Upon reconvening at 9:00 a.m. Vice-Chair Klein read a Certificate of Appreciation honoring Wayne Demmer for his twelve (12) years of service on the Board of Supervisors.

Chair Demmer read a Certificate of Appreciation to County Engineer Anthony Bardgett and the Dubuque County Road Department Employees for the State Asphalt Awards they have received. This is quality recognition for the thirty-three (33) miles of asphalt roads using 130,000 tons of asphalt.

MINUTES OF NOVEMBER 28, 29 AND DECEMBER 5, 2016

Motion by Wickham, seconded by Klein, carried unanimously, to table the minutes of November 28, 29 and December 5, 2016.

PROOF OF PUBLICATION - ZONING CASES

1) ZC#11-34-16 Rick & Amy Bergfeld and Randy Urbain A-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 - R3 - 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 Wickham, seconded by Klein, carried unanimously, to receive and file the above mentioned proofs of publication for zoning cases.

**PUBLIC HEARING - AMENDMENT TO ZONING ORDINANCE - ZC#11-34-16 - RICK & AMY BERGFELD AND RANDY URBAIN - A-1 AGRICULTURAL TO R-1 RURAL RESIDENTIAL AND R-2 SINGLE FAMILY RESIDENTIAL**

Chair Demmer opened the public hearing.

Zoning Administrator Anna O'Shea and Rick Bergfeld were present. Klein asked if the intent later on is to have two more driveways and O'Shea stated there is a possibility. Bergfeld said he has no intentions of building a subdivision.

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

Motion by Wickham, seconded by Klein, carried with Demmer voting nay, 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 Wickham, seconded by Klein, carried with Demmer voting nay, 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.

**PUBLIC HEARING - AMENDMENT TO ZONING ORDINANCE - ZC#11-35-16 - RAYMOND & GRACE MUELLER REVOCABLE TRUST AND DAN MUELLER - R-3 SINGLE FAMILY RESIDENTIAL TO B-1 BUSINESS**

Chair Demmer opened the public hearing.

Zoning Administrator Anna O'Shea appeared with Dan Mueller who was representing his mother. There is no intent of opening a gas station but changing to B-1 Business will allow for inside storage, parking cars, retail or office.

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

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

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

Motion Klein, seconded by Wickham, 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.

**PUBLIC HEARING - AMENDMENT TO ZONING ORDINANCE - ZC#11-36-16 - DAVID KLIMEK & ANASTASIA MOLONY-KLIMEK - A-1 AGRICULTURAL TO A-2 AGRICULTURAL RESIDENTIAL**

Chair Demmer opened the public hearing.

Zoning Administrator Anna O'Shea appeared with Mike Weber on behalf of the owners. They are asking to combine into one for mortgage purposes.

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

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 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.

**PUBLIC HEARING - AMENDMENT TO ZONING ORDINANCE - ZC#11-37-16 - PATRICK & SHEILA BREHM AND RYAN & JESSI COATS - R-1 RURAL RESIDENTIAL TO -1**

## INDUSTRIAL

Chair Demmer opened the public hearing.

Zoning Administrator Anna O'Shea appeared with Patrick Brehm.

Mike Stecher asked the Board to be consistent. He feels this is spot zoning along the highway. His had to put in infrastructure on his property to make zoning work and he went through conditional zoning for eight years.

Brehm is not sure what he is doing yet but there will no be lots for houses.

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

Motion by Wickham, seconded by Klein, carried with Demmer voting nay, 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 with Demmer voting nay, 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.

## PUBLIC HEARING CONTINUANCE - LOW VOLUME LOCAL ROAD-AMENDMENT

Chair Demmer reminded everyone we are in a continuance of a public hearing.

Zoning Administrator Anna O'Shea gave a presentation regarding the Low Volume Road.

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

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

## PROCUREMENT PROCEDURES - SHERIFF REGARDING POLICE INTERCEPTORS UTILITY

The Dubuque County Sheriff's Office solicited bids for the outright purchase of two (2) new 2017 Ford Police Interceptor Utility, 4 Door AWD vehicles. Sheriff Vrotsos received a lone proposal from Victory Ford of Dyersville, Iowa for the amount of \$28,572 per vehicle.

Motion by Wickham, seconded by Klein, carried unanimously, to follow the recommendation of Sheriff Vrotsos and order two (2) new 2017 Ford Police Interceptor Utility vehicles from Victory Ford in Dyersville, Iowa for a total cost of \$57,144.

RESOLUTION 16-311 - APPROVING FINAL PLAT FOR TIMBER RIDGE ESTATES - SECTION 9 - DUBUQUE TOWNSHIP

WHEREAS, there has been presented to the Dubuque County Board of Supervisors, a Final Plat of Survey for, TIMBER RIDGE ESTATES, comprised of the N ½ of the SE ¼ NE ¼ except the East 10' thereof in Section 9, T89N, R2E, of the 5<sup>th</sup> PM, Dubuque Township, Dubuque County, Iowa; and

WHEREAS, said a final plat will create seventeen (17) residential lots, namely Lot 1 through Lot 17 inclusive of Timber Ridge Estates in Section 9, Dubuque Township, Dubuque County, Iowa; and

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

WHEREAS, said a 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 a 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 each lot will have a separate septic system and there will be no more than 4 shared wells. The covenants will include management oversight of the water and wastewater systems for this subdivision.

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

Section 4. That all of the lots will access off of the private road. No additional access to county roads will be allowed.

Section 5. That all down spouts must be either directly connected to the approved Bioswale or Bio-Retention cell or surface drain to the Bioswale or Bio-Retention cells in the subdivision.

Section 6. 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 Klein, carried unanimously, to approve and authorize the Chair to sign Resolution 16-311.

**RESOLUTION 16-312 - 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
Sheriff	PPT Correctional Officer	08-15-16	Todd Kaiser	\$22.47
Sunnycrest	PPT Food Services Worker	11-22-16	Kadrina Solomon	\$ 9.74
Sunnycrest	PPT Food Services Worker	11-22-16	Stephen Travis	\$ 9.74
Sunnycrest	PPT PRN PICNA	08-30-16	Jessica Houselog	\$14.00
Sunnycrest	PPT PRN CNA	08-17-16	Berkley Lyon	\$14.00

Motion by Klein, seconded by Wickham, carried unanimously, to approve and authorize the Chair to sign Resolution 16-312.

**RESOLUTION 16-313 - APPROVE URBAN COUNTY COALITION LEGISLATIVE PRIORITIES FOR THE 2017 STATE SESSION**

WHEREAS, Dubuque County has been presented with the 2017 Urban County Coalition Legislative Priorities for the upcoming state legislative session.

WHEREAS, Dubuque County has been an active member representative of the Urban County Coalition since 2014.

NOW, THEREFORE BE IT RESOLVED that the Dubuque County Board of Supervisors approves the 2017 Urban County Coalition Legislative Priorities for the upcoming state legislative session.

Motion by Wickham, seconded by Klein, carried unanimously, to approve and authorize the Chair to sign Resolution 16-313.

**RESOLUTION 16-314 - APPROVE NECESSARY CONTRACT DOCUMENTS WITH JIM SCHROEDER CONSTRUCTION, INC FOR THE BRIDGE REPLACEMENT PROJECT ON SWISS VALLEY ROAD**

WHEREAS, bids were received at the Iowa Department of Transportation State Letting on November 22, 2016 for Project BRS-C031(81)--60-31, the bridge replacement project on Swiss Valley Road (1.5 miles from Military Rd on Swiss Valley Rd), and Jim Schroeder Construction, Inc. of Bellevue, Iowa submitted the low bid of \$409,635.44, and

WHEREAS, the Iowa Department of Transportation and Jim Schroeder Construction, Inc. have submitted the necessary contract documents,

THEREFORE BE IT RESOLVED that the Board of Supervisors of Dubuque County, Iowa hereby approves and directs the Chair to sign the necessary contract documents for said project.

Motion by Klein, seconded by Wickham, carried unanimously, to approve and authorize the Chair to sign Resolution 16-314.

**RESOLUTION 16-315 - APPROVE COUNTY TO SUBMIT A SURFACE TRANSPORTATION PROGRAM FUNDING APPLICATION TO THE DMATS BOARD FOR STP FUNDING FOR USE ON THE BRIDGE FOR STP FUNDING FOR USE ON THE BRIDGE REPLACEMENT PROJECT ON OLDE MASSEY ROAD**

BE IT RESOLVED by the Board of Supervisors of Dubuque County, Iowa that Anthony Bardgett, County Engineer of Dubuque County, Iowa is be and is hereby designated, authorized, and empowered on behalf of the Board of Supervisors of said County to submit a Surface Transportation Program Funding Application to the DMATS Board for Surface Transportation Program Funding for use on the following project:

1. Olde Massey Road Bridge Replacement; located at the intersection with Massey Station

Road

THEREFORE BE IT FURTHER RESOLVED by the Board of Supervisors of Dubuque County, Iowa that Dubuque County will contribute the required matching funds for the project and will maintain or cause to be maintained the completed improvements in a manner acceptable to the Iowa DOT and FHWA.

Motion by Wickham, seconded by Klein, carried unanimously, to approve and authorize the Chair to sign Resolution 16-315.

RESOLUTION 16-316 - APPROVE PLANS AND SPECS FOR THE HMA RESURFACING WITH COLD-IN-PLACE RECYCLING PROJECT ON FIVE POINTS ROAD (FROM ASBURY ROAD NORTH 4.411 MILES TO US 52), PROJECT FM-C31(86)-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 Five Points Road (from Asbury Road north 4.411 miles to US 52), Project FM-C031(86)--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 approves the plans and specifications for said project.

Motion by Klein, seconded by Wickham, carried unanimously, to approve and authorize the Chair to sign Resolution 16-316.

RESOLUTION 16-317 - APPROVE RELEASE OF MORTGAGES FOR JUMPSTART FEDERAL HOUSING - REHABILITATION PAYMENT PROGRAM 08-DRH-204

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, mortgages on properties in Des Moines and Louisa counties, which participated in the rehabilitation payment program, have 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 releases of the mortgages and authorizes the Chair to sign the releases.

Motion by Klein, seconded by Wickham, carried unanimously, to approve and authorize the Chair to sign Resolution 16-317.

RESOLUTION 16-318 - AUTHORIZING THE ISSUANCE OF \$5,100,000 GENERAL OBLIGATION LANDFILL FACILITY BONDS, SERIES 2016, PROVIDING FOR THE LEVY OF TAXES TO PAY THE SAME, AND AUTHORIZING A REVENUE DISBURSEMENT AGREEMENT.

Resolution authorizing the issuance of \$5,100,000 General Obligation Landfill Facility Bonds, Series 2016, providing for the levy of taxes to pay the same, and authorizing a Revenue Disbursement Agreement

WHEREAS, the Board of Supervisors of Dubuque County, Iowa (the "County"), heretofore proposed 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 (the "Agency"), of which the County is a constituent member, including the Cell 9 Phase III Project (the "Project"), and pursuant to law and a notice duly published, the Board of Supervisors has held a public hearing on such proposal on November 28, 2016; and

WHEREAS, a Preliminary Official Statement (the "P.O.S.") has been prepared to facilitate the sale of General Obligation Landfill Facility Bonds, Series 2016 (the "Bonds") in evidence of the obligation of the County under the Loan Agreement, and the Board of Supervisors has made provision for the approval of the P.O.S. and has authorized its use by D.A. Davidson & Co. (the "Municipal Advisor"); and

WHEREAS, pursuant to advertisement of sale, bids for the purchase of the Bonds to be issued in evidence of the County's obligation under the Loan Agreement were received and canvassed on behalf of the County and the substance of such bids noted in the minutes; and

WHEREAS, upon final consideration of all bids, the bid of FTN Financial Capital Markets, Memphis, Tennessee (the "Purchaser"), was determined to be the best, such bid proposing the lowest interest cost to the County for the Bonds; and

WHEREAS, the Purchaser has executed a certain Sale Agreement with respect to the Loan Agreement and the Bonds, and the Board has previously approved the Sale Agreement and has made provision for its execution and delivery; and

WHEREAS, the County has determined to enter into a Revenue Disbursement Agreement (the "Revenue Agreement") with the Agency pursuant to which the County will loan the proceeds of the Bonds to the Agency in order for the Agency to pay a portion of the costs of the Project; and

WHEREAS, it is now necessary to make final provision for the approval of the Loan Agreement, authorize the issuance of the Bonds and approve the Revenue Agreement;

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

Section 1. The County shall enter into the Revenue Agreement with the Agency in substantially the form as has been placed on file with the Board, providing for a loan to the Agency.

The Chairperson and County Auditor are hereby authorized and directed to sign the Revenue Agreement on behalf of the County, and the Revenue Agreement is hereby approved.

Section 2. The County shall enter into the Loan Agreement with the Purchaser in substantially the form as has been placed on file with the Board, providing for a loan to the County in the principal amount of \$5,100,000, for the purpose or purposes set forth in the preamble hereof.

The Chairperson and County Auditor are hereby authorized and directed to sign the Loan Agreement on behalf of the County, and the Loan Agreement is hereby approved.

Section 3. The Bonds, in the aggregate principal amount of \$5,100,000, are hereby authorized to be issued in evidence of the County's obligation under the Loan Agreement. The Bonds shall be dated December 28, 2016, shall be issued in the denomination of \$5,000 each or any integral multiple thereof and shall mature on June 1 in each of the years, in the respective principal amounts and bearing interest at the respective rates, as follows:

<u>Year</u>	<u>Principal Amount</u>	<u>Interest Rate Per Annum</u>	<u>Year</u>	<u>Principal Amount</u>	<u>Interest Rate Per Annum</u>
2017	\$100,000	3.00%	2026	\$250,000	3.00%
2018	\$200,000	3.00%	2027	\$260,000	3.00%
2019	\$205,000	3.00%	2028	\$265,000	3.00%
2020	\$210,000	3.00%	2029	\$275,000	3.00%
2021	\$220,000	3.00%	2030	\$285,000	3.00%
2022	\$225,000	3.00%	2033	\$900,000	3.00%
2023	\$230,000	3.00%	2034	\$320,000	3.25%
2024	\$240,000	3.00%	2035	\$330,000	3.25%
2025	\$245,000	3.00%	2036	\$340,000	3.25%

Section 4. Bankers Trust Company, Des Moines, Iowa, is hereby designated as the Registrar and Paying Agent for the Bonds and may be hereinafter referred to as the "Registrar" or the "Paying Agent." The County shall enter into an agreement (the "Registrar/Paying Agent Agreement") with the Registrar, in substantially the form as has been placed on file with the Board, the Chairperson and County Auditor are hereby authorized and directed to sign the Registrar/Paying Agent Agreement on behalf of the County, and the Registrar/Paying Agent Agreement is hereby approved.

The County reserves the right to optionally prepay part or all of the principal of the Bonds maturing in each of the years 2025 to 2036, inclusive, prior to and in any order of maturity on June 1, 2024, or on any date thereafter upon terms of par and accrued interest. If less than all of the Bonds of any like maturity are to be redeemed, the particular part of those Bonds to be redeemed shall be selected by the Registrar by lot. The Bonds may be called in part in one or more units of \$5,000.

Principal of the Bond maturing on June 1, 2033 is subject to mandatory redemption (by lot, as selected by the Registrar) on June 1, 2031 and June 1, 2032, at a redemption price of 100% of the principal amount thereof to be redeemed, plus accrued interest thereon to the redemption date, in the following principal amounts:

<u>Year</u>	<u>Principal Amount</u>
2031	\$290,000
2032	\$300,000
2033	\$310,000 (Maturity)

If less than the entire principal amount of any Bond in a denomination of more than \$5,000 is to be redeemed, the Registrar will issue and deliver to the registered owner thereof, upon surrender of such original Bond, a new Bond or Bonds, in any authorized denomination, in a total aggregate principal amount equal to the unredeemed balance of the original Bond. Notice of such redemption as aforesaid identifying the Bond or Bonds (or portion thereof) to be redeemed shall be sent by electronic means or mailed by certified mail to the registered owners thereof at the addresses shown on the County's registration books not less than 30 days prior to such redemption date. Any notice of redemption may contain a statement that the redemption is conditioned upon the receipt by the Paying Agent of funds on or before the date fixed for redemption sufficient to pay the redemption price of the Bonds so called for redemption, and that if funds are not available, such redemption shall be cancelled by written notice to the owners of the Bonds called for redemption in the same manner as the original redemption notice was sent. All of such Bonds as to which the County reserves and exercises the right of redemption and as to which notice as aforesaid shall have been given and for the redemption of which funds are duly provided, shall cease to bear interest on the redemption date.

Accrued interest on the Bonds shall be payable semiannually on the first day of June and December in each year, commencing June 1, 2017. Interest shall be calculated on the basis of a 360-day year comprised of twelve 30-day months. Payment of interest on the Bonds shall be made to the registered owners appearing on the registration books of the County at the close of business on the fifteenth day of the month next preceding the interest payment date and shall be paid to the registered owners at the addresses shown on such registration books. Principal of the Bonds shall be payable in lawful money of the United States of America to the registered owners or their legal representatives upon presentation and surrender of the Bond or Bonds at the office of the Paying Agent.

The Bonds shall be executed on behalf of the County with the official manual or facsimile signature of the Chairperson and attested with the official manual or facsimile signature of the County Auditor, and shall be fully registered Bonds without interest coupons. In case any officer whose signature or the facsimile of whose signature appears on the Bonds shall cease to be such officer before the delivery of the Bonds, such signature or such facsimile signature shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until delivery.

The Bonds shall not be valid or become obligatory for any purpose until the Certificate of Authentication thereon shall have been signed by the Registrar.

The Bonds shall be fully registered as to principal and interest in the names of the owners on the registration books of the County kept by the Registrar, and after such registration, payment of the principal thereof and interest thereon shall be made only to the registered owners or their legal representatives or assigns. Each Bond shall be transferable only upon the registration books of the County upon presentation to the Registrar, together with either a written instrument of transfer satisfactory to the Registrar or the assignment form thereon completed and duly executed by the registered owner or the duly authorized attorney for such registered owner.

The record and identity of the owners of the Bonds shall be kept confidential as provided by Section 22.7 of the Code of Iowa.

Section 5. Notwithstanding anything above to the contrary, the Bonds shall be issued initially as Depository Bonds, with one fully registered Bond for each maturity date, in principal amounts equal to the amount of principal maturing on each such date, and registered in the name of Cede & Co., as nominee for The Depository Trust Company, New York, New York ("DTC"). On original issue, the Bonds shall be deposited with DTC for the purpose of maintaining a book-entry system for recording the ownership interests of its participants and the transfer of those interests among its participants (the "Participants"). In the event that DTC determines not to continue to act as securities depository for the Bonds or the County determines not to continue the book-entry system for recording ownership interests in the Bonds with DTC, the County will discontinue the book-entry system with DTC. If the

County does not select another qualified securities depository to replace DTC (or a successor depository) in order to continue a book- entry system, the County will register and deliver replacement Bonds in the form of fully registered certificates, in authorized denominations of \$5,000 or integral multiples of \$5,000, in accordance with instructions from Cede & Co., as nominee for DTC. In the event that the County identifies a qualified securities depository to replace DTC, the County will register and deliver replacement Bonds, fully registered in the name of such depository, or its nominee, in the denominations as set forth above, as reduced from time to time prior to maturity in connection with redemptions or retirements by call or payment, and in such event, such depository will then maintain the book-entry system for recording ownership interests in the Bonds.

Ownership interests in the Bonds may be purchased by or through Participants. Such Participants and the persons for whom they acquire interests in the Bonds as nominees will not receive certificated Bonds, but each such Participant will receive a credit balance in the records of DTC in the amount of such Participant's interest in the Bonds, which will be confirmed in accordance with DTC's standard procedures. Each such person for which a Participant has an interest in the Bonds, as nominee, may desire to make arrangements with such Participant to have all notices of redemption or other communications of the County to DTC, which may affect such person, forwarded in writing by such Participant and to have notification made of all interest payments.

The County will have no responsibility or obligation to such Participants or the persons for whom they act as nominees with respect to payment to or providing of notice for such Participants or the persons for whom they act as nominees.

As used herein, the term "Beneficial Owner" shall hereinafter be deemed to include the person for whom the Participant acquires an interest in the Bonds.

DTC will receive payments from the County, to be remitted by DTC to the Participants for subsequent disbursement to the Beneficial Owners. The ownership interest of each Beneficial Owner in the Bonds will be recorded on the records of the Participants whose ownership interest will be recorded on a computerized book-entry system kept by DTC.

When reference is made to any action which is required or permitted to be taken by the Beneficial Owners, such reference shall only relate to those permitted to act (by statute, regulation or otherwise) on behalf of such Beneficial Owners for such purposes. When notices are given, they shall be sent by the County to DTC, and DTC shall forward (or cause to be forwarded) the notices to the Participants so that the Participants can forward the same to the Beneficial Owners.

Beneficial Owners will receive written confirmations of their purchases from the Participants acting on behalf of the Beneficial Owners detailing the terms of the Bonds acquired. Transfers of ownership interests in the Bonds will be accomplished by book entries made by

DTC and the Participants who act on behalf of the Beneficial Owners. Beneficial Owners will not receive certificates representing their ownership interest in the Bonds, except as specifically provided herein. Interest and principal will be paid when due by the County to DTC, then paid by DTC to the Participants and thereafter paid by the Participants to the Beneficial Owners.

Section 6. The Bonds shall be in substantially the following form:  
(Form of Bond)

UNITED STATES OF AMERICA  
STATE OF IOWA DUBUQUE COUNTY

GENERAL OBLIGATION LANDFILL FACILITY BOND, SERIES 2016

No.			\$ ---
RATE	MATURITY DATE	DATE	CUSIP
%	June 1,	December 28, 2016	263855-

Dubuque County (the "County"), State of Iowa, for value received, promises to pay on the maturity date of this Bond to

Cede & Co. New York, NY

or registered assigns, the principal sum of THOUSAND DOLLARS

in lawful money of the United States of America upon presentation and surrender of this Bond at the office of Bankers Trust Company, Des Moines, Iowa (hereinafter referred to as the "Registrar" or the "Paying Agent"), with interest on said sum, until paid, at the rate per annum specified above, from the date of this Bond, or from the most recent interest payment date on which interest has been paid, on June 1 and December 1 of each year, commencing June 1, 2017, except as the provisions hereinafter set forth with respect to redemption prior to maturity may be or become applicable hereto. Interest on this Bond is payable to the registered owner appearing on the registration books of the County at the close of business on the fifteenth day of the month next preceding the interest payment date, and shall be paid to the registered owner at the address shown on such registration books. Interest shall be calculated on the basis of a 360-day year comprised of twelve 30-day months.

This Bond shall not be valid or become obligatory for any purpose until the Certificate of Authentication hereon shall have been signed by the Registrar.

This Bond is one of a series of General Obligation Landfill Facility Bonds, Series 2016 (the "Bonds") issued by the County in the aggregate principal amount of \$5,100,000, to evidence its obligation under a certain loan agreement, dated as of December 28, 2016 (the "Loan Agreement"), entered into by the County for the purpose of funding landfill facility improvements to be undertaken by the Dubuque Metropolitan Area Solid Waste Agency (the "Agency"), of which the County is a constituent member, including the Cell 9 Phase III Project.

The Bonds are issued pursuant to and in strict compliance with the provisions of Chapters 76 and 331 of the Code of Iowa, 2015, and all other laws amendatory thereof and supplemental thereto, and in conformity with a resolution of the County Board of Supervisors adopted and approved on December 12, 2016, authorizing and approving the Loan Agreement and providing for the issuance and securing the payment of the Bonds (the "Resolution"), and reference is hereby made to the Resolution and the Loan Agreement for a more complete statement as to the source of payment of the Bonds and the rights of the owners of the Bonds.

The County reserves the right to optionally prepay part or all of the principal of the Bonds maturing in each of the years 2025 to 2036, inclusive, prior to and in any of maturity on June 1, 2024, or on any date thereafter upon terms of par and accrued interest. Principal of the Bonds maturing on June 1, 2033 is subject to mandatory redemption (by lot, as selected by the Registrar) on June 1, 2031 and June 1, 2032, in accordance with the mandatory redemption schedules set forth in the Resolution at a redemption price of 100% of the principal amount thereof to be redeemed, plus accrued interest thereon to the redemption date.

If less than all of the Bonds of any like maturity are to be redeemed, the particular part of those Bonds to be redeemed shall be selected by the Registrar by lot. The Bonds may be called in part in one or more units of \$5,000. If less than the entire principal amount of any Bond in a denomination of more than \$5,000 is to be redeemed, the Registrar will issue and deliver to the registered owner thereof, upon surrender of such original Bond, a new Bond or Bonds, in any authorized denomination, in a total aggregate principal amount equal to the unredeemed balance of the original Bond. Notice of such redemption as aforesaid identifying the Bond or Bonds (or portion thereof) to be redeemed shall be sent by electronic means or by certified mail to the registered owners thereof at the addresses shown on the County's registration books not less than 30 days prior to such redemption date. Any notice of redemption may contain a statement that the redemption is conditioned upon the receipt by the Paying Agent of funds on or before the date fixed for redemption sufficient to pay the redemption price of the Bonds so called for redemption, and that if funds are not available, such redemption shall be cancelled by written notice to the owners of the Bonds called for redemption in the same manner as the original redemption notice was sent. All of such Bonds as to which the County reserves and exercises the right of redemption and as to which notice as aforesaid shall have been given and for the redemption of which funds are duly provided,

shall cease to bear interest on the redemption date.

This Bond is fully negotiable but shall be fully registered as to both principal and interest in the name of the owner on the books of the County in the office of the Registrar, after which no transfer shall be valid unless made on said books and then only upon presentation of this Bond to the Registrar, together with either a written instrument of transfer satisfactory to the Registrar or the assignment form hereon completed and duly executed by the registered owner or the duly authorized attorney for such registered owner.

The County, the Registrar and the Paying Agent may deem and treat the registered owner hereof as the absolute owner for the purpose of receiving payment of or on account of principal hereof, premium, if any, and interest due hereon and for all other purposes, and the County, the Registrar and the Paying Agent shall not be affected by any notice to the contrary.

And It Is Hereby Certified and Recited that all acts, conditions and things required by the laws and Constitution of the State of Iowa, to exist, to be had, to be done or to be performed precedent to and in the issue of this Bond were and have been properly existent, had, done and performed in regular and due form and time; that provision has been made for the levy of a sufficient continuing annual tax on all the taxable property within the County for the payment of the principal of and interest on this Bond as the same will respectively become due; and that the total indebtedness of the County, including this Bond, does not exceed any constitutional or statutory limitations.

IN TESTIMONY WHEREOF, Dubuque County, Iowa, by its Board of Supervisors, has caused this Bond to be executed with the duly authorized facsimile signature of its Chairperson and attested with the duly authorized facsimile signature of its County Auditor, as of December 28, 2016.

DUBUQUE COUNTY,  
IOWA  
By (DO NOT SIGN)  
Chairperson

Attest:  
(DO NOT SIGN)  
County Auditor

Registration Date: (Registration Date)

REGISTRAR'S CERTIFICATE OF AUTHENTICATION

This Bond is one of the Bonds described in the within-mentioned Resolution.

BANKERS TRUST COMPANY  
Des Moines, Iowa Registrar



By (Authorized Signature)

ABBREVIATIONS

The following abbreviations, when used in this Bond, shall be construed as though they were written out in full according to applicable laws or regulations:

TEN COM	as tenants in common	UTMA _____
TEN ENT	as tenants by the entireties	(Custodian)
JT TEN	as joint tenants with right of survivorship and not as tenants in common	As Custodian for _____ (Minor)
		under Uniform Transfers to Minors Act
		_____
		(State)

Additional abbreviations may also be used though not in the list above.

ASSIGNMENT

For valuable consideration, receipt of which is hereby acknowledged, the undersigned assigns this Bond to

\_\_\_\_\_  
(Please print or type name and address of Assignee)

PLEASE INSERT SOCIAL SECURITY OR OTHER IDENTIFYING NUMBER OF ASSIGNEE

and does hereby irrevocably appoint \_\_\_\_\_, Attorney, to transfer this Bond on the books kept for registration thereof with full power of substitution.

Dated: \_\_\_\_\_

Signature guaranteed:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Signature guarantee must be provided in accordance with the prevailing standards and procedures of the Registrar and Transfer Agent. Such standards and procedures may require signatures to be guaranteed by certain eligible guarantor institutions that participate in a recognized signature guarantee program.)

---

NOTICE: The signature to this Assignment must correspond with the name of the registered owner as it appears on this Bond in every particular, without alteration or enlargement or any change whatever.

Section 7. The Bonds shall be executed as herein provided as soon after the adoption of this resolution as may be possible, and thereupon they shall be delivered to the Registrar for registration, authentication and delivery to or on behalf of the Purchaser, upon receipt of the loan proceeds, including original issue premium (the "Loan Proceeds"), and all action heretofore taken in connection with the Loan Agreement is hereby ratified and confirmed in all respects. The Underwriter shall retain its underwriter's discount in the amount of \$83,563.50 before disbursing the Loan Proceeds.

The Loan Proceeds received from the sale of the Bonds shall be deposited in a dedicated fund (the "Project Fund"), which is hereby created, and shall be (1) loaned to the Agency for the purpose of paying costs of planning, designing and constructing the Project in the amount of \$5,076,251.40; (2) used to pay costs of issuance of the Bonds in the amount of \$58,250; and (3) to the extent that Loan Proceeds remain after the full payment of the costs set forth in (1) and (2), such Loan Proceeds shall be transferred to the Debt Service Fund for the payment of interest on the Bonds. The County shall keep a detailed and segregated accounting of the Project Fund and the expenditure of, and investment earnings on, the Loan Proceeds to ensure compliance with the requirements of the Internal Revenue Code, as hereinafter defined.

Section 8. For the purpose of providing for the levy and collection of a direct annual tax sufficient to pay the principal of and interest on the Bonds as the same become due, there is hereby ordered levied on all the taxable property in the County the following direct annual tax for collection in each of the following fiscal years:

For collection in the fiscal year beginning July 1, 2017,  
sufficient to produce the net annual sum of \$352,475;

For collection in the fiscal year beginning July 1, 2018,  
sufficient to produce the net annual sum of \$351,475;

For collection in the fiscal year beginning July 1, 2019,  
sufficient to produce the net annual sum of \$350,325;

For collection in the fiscal year beginning July 1, 2020,  
sufficient to produce the net annual sum of \$354,025;

For collection in the fiscal year beginning July 1, 2021,  
sufficient to produce the net annual sum of \$352,425;

For collection in the fiscal year beginning July 1, 2022,  
sufficient to produce the net annual sum of \$350,675;

For collection in the fiscal year beginning July 1, 2023,  
sufficient to produce the net annual sum of \$353,775;

For collection in the fiscal year beginning July 1, 2024,  
sufficient to produce the net annual sum of \$351,575;

For collection in the fiscal year beginning July 1, 2025,  
sufficient to produce the net annual sum of \$349,225;

For collection in the fiscal year beginning July 1, 2026,  
sufficient to produce the net annual sum of \$351,725;

For collection in the fiscal year beginning July 1, 2027,  
sufficient to produce the net annual sum of \$348,925;

For collection in the fiscal year beginning July 1, 2028,  
sufficient to produce the net annual sum of \$350,975;

For collection in the fiscal year beginning July 1, 2029,  
sufficient to produce the net annual sum of \$352,725;

For collection in the fiscal year beginning July 1, 2030,  
sufficient to produce the net annual sum of \$349,175;

For collection in the fiscal year beginning July 1, 2031,  
sufficient to produce the net annual sum of \$350,475;

For collection in the fiscal year beginning July 1, 2032,  
sufficient to produce the net annual sum of \$351,475;

For collection in the fiscal year beginning July 1, 2033,  
sufficient to produce the net annual sum of \$352,175;

For collection in the fiscal year beginning July 1, 2034,  
sufficient to produce the net annual sum of \$351,775; and

For collection in the fiscal year beginning July 1, 2035,

sufficient to produce the net annual sum of \$351,050.

Section 9. A certified copy of this resolution shall be filed with the County Auditor of Dubuque County, and the County Auditor is hereby instructed to enter for collection and assess the tax hereby authorized. When annually entering such taxes for collection, the County Auditor shall include the same as a part of the tax levy for Debt Service Fund purposes of the County and when collected, the proceeds of the taxes shall be converted into the Debt Service Fund of the County and set aside therein as a special account to be used solely and only for the payment of the principal of and interest on the Bonds hereby authorized and for no other purpose whatsoever. Any amount received by the County as accrued interest on the Bonds shall be deposited into such special account and used to pay interest due on the Bonds on the first interest payment date.

Pursuant to the provisions of Section 76.4 of the Code of Iowa, each year while the Bonds remain outstanding and unpaid, any other alternative funds of the County which may lawfully be applied for such purpose, including revenues of the Agency to be received by the County pursuant to the Revenue Agreement, may be appropriated, budgeted and, if received,

used for the payment of the principal of and interest on the Bonds as the same become due, and if so appropriated, the taxes for any given fiscal year as provided for in Section 9 of this Resolution, shall be reduced by the amount of such alternate funds as have been appropriated for said purpose and evidenced in the County's budget.

Section 10. The interest or principal and both of them falling due in any year or years shall, if necessary, be paid promptly from current funds on hand in advance of taxes levied and when the taxes shall have been collected, reimbursement shall be made to such current funds in the sum thus advanced.

Section 11. It is the intention of the County that interest on the Bonds be and remain excluded from gross income for federal income tax purposes pursuant to the appropriate provisions of the Internal Revenue Code of 1986, as amended, and the Treasury Regulations in effect with respect thereto (all of the foregoing herein referred to as the "Internal Revenue Code"). In furtherance thereof, the County covenants to comply with the provisions of the Internal Revenue Code as they may from time to time be in effect or amended and further covenants to comply with the applicable future laws, regulations, published rulings and court decisions as may be necessary to insure that the interest on the Bonds will remain excluded from gross income for federal income tax purposes. Any and all of the officers of the County are hereby authorized and directed to take any and all actions as may be necessary to comply with the covenants herein contained.

The County hereby designates the Bonds as "Qualified Tax Exempt Obligations" as that term is used in Section 265(b)(3)(B) of the Internal Revenue Code.

Section 12. The Securities and Exchange Commission (the "SEC") has promulgated certain amendments to Rule 15c2-12 under the Securities Exchange Act of 1934 (17 C.F.R. § 240.15c2-12) (the "Rule") that make it unlawful for an underwriter to participate in the primary offering of municipal securities in a principal amount of \$1,000,000 or more unless, before submitting a bid or entering into a purchase contract for such securities, an underwriter has reasonably determined that the issuer or an obligated person has undertaken in writing for the benefit of the holders of such securities to provide certain disclosure information to prescribed information repositories on a continuing basis so long as such securities are outstanding.

On the date of issuance and delivery of the Bonds, the County will execute and deliver a Continuing Disclosure Certificate pursuant to which the County will undertake to comply with the Rule. The County covenants and agrees that it will comply with and carry out the provisions of the Continuing Disclosure Certificate. Any and all of the officers of the County are hereby authorized and directed to take any and all actions as may be necessary to comply with the Rule and the Continuing Disclosure Certificate.

Section 13. All resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Section 14. This resolution shall be in full force and effect immediately upon its adoption and approval, as provided by law.

#### RESOLUTION 16-319 - APPROVE 2015 PROPERTY TAX ABATEMENT

WHEREAS, the City of Dubuque is currently the owner of parcel # DUBA 1032300001, 1032300002, 1032102006, 1031477002, 1031400002, 1031276005, 1503127016, 1503300006, 1503300002 and 1503300005, for the purposes of the SW Arterial. After applying prorated taxes we will need to abate \$829.00 from the 2015 tax records.

WHEREAS, The City of Cascade is currently the owner of parcel CASWD 1931426008, purchased on April 4, 2016, for the use of the Cascade Municipal Utilities, \$811 will need to be abated from the 2015 total tax bill of \$4,100 and leaving \$1,239 owing for March, 2017.

Whereas, New Century Communications Corp is currently the owner of cable for cable television assessed as real estate and New Century Communications Corp has been dissolved for some time. Parcel numbers affected are LIBWD 0300851001, LUXWD 0300851002, CONWD 0400851001, HOLWD 0400851002, NEWWD 0700851001, WORWD 1200851001. We have taxes from the 2009, 2010 and 2011 assessment years that we have been carrying on the books as inactive. Therefore, \$5,719.00 need to be abated from those parcels

WHEREAS, the City of Dubuque is currently the owner of DUBA 1024177053 by means of a court order. Therefore, \$680 will need to be abated from the 2015 tax files.

NOW THEREFORE BE IT RESOLVED by the Dubuque County Board of Supervisors, in accordance with the 2015 Iowa Code Chapter 445.63, \$8,039 shall be abated.

Motion by Wickham, seconded by Klein, carried unanimously, to approve and authorize the Chair to sign Resolution 16-319.

#### RESOLUTION 16-320 - APPROVE DUBUQUE COUNTY DEPOSITORY AGREEMENT

BE IT RESOLVED that the Dubuque County Board of Supervisors approves the following list of financial institutions to be depositories of the Dubuque County funds in conformance with all applicable provisions of Iowa Code Chapters 12B and 12C of the current code.

The County Treasurer is hereby authorized to deposit the Dubuque County funds in amounts not to exceed the maximum approved for each respective financial institution, as set out below:

DEPOSITORY NAME	LOCATION	MAX BALANCE UNDER THIS RESOLUTION
American Trust & Savings Bank	Dubuque	55,000,000
Dubuque Bank & Trust	Dubuque	60,000,000
Dupaco Community Credit Union	Dubuque	10,000,000
East Dubuque Savings Bank	Dubuque	10,000,000
Fidelity Bank & Trust	Dyersville	5,000,000
Liberty Bank	Dubuque	10,000,000
US Bank	Dubuque	30,000,000
Citizens State Bank	New Vienna	5,000,000
Peaks Investments	Colorado	500,000
Security State Bank	Cascade	4,000,000
Premier Bank	Dubuque	20,000,000
Ohnward Bank & Trust	Cascade	3,000,000
Wells Fargo	Des Moines	15,000,000

Motion by Klein, seconded by Wickham, carried unanimously, to approve and authorize the Chair to sign Resolution 16-320.

RESOLUTION 16-321 - APPROVE JOINT AGREEMENT WITH THE CITY OF DUBUQUE TO  
CREATE THE SOUTH POINTE URBAN RENEWAL AREA

WHEREAS, the Dubuque County Board of Supervisors has been presented with a Joint Agreement with the City of Dubuque to create an urban renewal area known as the South Pointe Housing Urban Renewal Area (the Area), so as to include property located within two miles of, but outside the corporate limits, of the City of Dubuque, for the purpose of undertaking urban renewal projects; and

WHEREAS, the Dubuque County Board of Supervisors has reviewed the proposed Joint Agreement and has determined to consent to the creation of the Area as so proposed.

NOW, THEREFORE BE IT RESOLVED that the Dubuque County Board of Supervisors approves and authorizes the Chairperson to sign the Joint Agreement with the City of Dubuque to create the Urban Renewal Area known as the South Pointe Housing Urban Renewal Area, so as to include property located within two miles of, but outside the corporate limits of, the City of Dubuque, for the purpose of undertaking urban renewal projects as provided by Iowa Code Section 403.17(4).

Motion by Klein, seconded by Demmer, carried with Wickham voting nay to approve and authorize the Chair to sign Resolution 16-321.

RESOLUTION 16-322 - APPROVE JOINT VEHICLE FUEL AGREEMENT WITH THE CITY  
OF DUBUQUE

WHEREAS, Dubuque County has been presented with a Joint Vehicle Fuel Agreement with the City of Dubuque; and

WHEREAS, the agreement reflects a fuel cost of \$0.293 per gallon higher than the City's net purchase price through June 30, 2017 and will be adjusted the first day of the fiscal year.

NOW, THEREFORE BE IT RESOLVED that the Dubuque County Board of Supervisors approves and authorizes the Chairperson to sign the Joint Vehicle Fuel Agreement with the City of Dubuque.

Motion by Klein, seconded by Wickham, carried unanimously, to approve and authorize the Chair to sign Resolution 16-322.

COMMUNICATION - FROM THE CITY OF DYERSVILLE REGARDING NOTICE AND  
PUBLIC HEARING DATE FOR EXPANSION OF THE CONSOLIDATED DYERSVILLE  
ECONOMIC DEVELOPMENT DISTRICT

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

COMMUNICATION - FROM THE JACKSON COUNTY BOARD OF SUPERVISORS REGARDING PARTICIPATION REQUEST TO THE MAQUOKETA RIVER WATERSHED MANAGEMENT AUTHORITY

Motion by Wickham, seconded by Klein, carried unanimously, to receive and file and set up work session with Jackson County Supervisors.

APPOINTMENT - HISTORIC PRESERVATION COMMISSION

Motion by Klein, seconded by Wickham, carried unanimously, to re-appoint Jason Neises to a 3-year term ending December 31, 2019.

APPOINTMENT - DUBUQUE COUNTY CONSERVATION BOARD

Motion by Wickham, seconded by Klein, carried unanimously, to re-appoint Cindy Gotto to a 5-year term ending December 31, 2021.

APPOINTMENT - DUBUQUE COUNTY BOARD OF HEALTH

Motion by Klein, seconded by Wickham, carried unanimously, to re-appoint Thomas J Bechen to a 3-year term ending December 31, 2019.

APPOINTMENT - TOWNSHIP TRUSTEES

Motion by Wickham, seconded by Klein, carried unanimously, to re-appoint the following to 4-year terms ending December 31, 2020:

<u>Township</u>	<u>Trustee</u>
Cascade	Eugene Gudenkauf
Center	Lawrence E Lee
Concord	Kenneth Schroeder
Dodge	Chuck Funke
Dubuque	Donna Schmitt
Iowa	Ed Lehmann



Jefferson  
Liberty  
Mosalem  
New Wine  
Peru  
Prairie Creek  
Tablemound  
Vernon  
White Water

John Gansemer  
Stanley Steffen  
Gerda Preston-Hartman  
Craig Recker  
Kenneth Schmitt  
Larry Decker  
Robert Bradley  
Tim McQuillen  
Dale Stecklein

## ENTRANCE PERMITS

The Board met with Zoning Administrator Anna O'Shea in regards to Burds Family Investments, LP.

Motion by Klein, seconded by Wickham, carried unanimously, to approve two driveway entrances.

The Board met with Zoning Administrator Anna O'Shea and Rick & Amy Bergfeld in regards to putting in two new driveways for two new houses.

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

The Board met with Zoning Administrator Anna O'Shea and Ryan & Jessi Coates

Motion by Klein, seconded by Wickham, carried unanimously, to approve the entrance for a business provided a field entrance on the other side of the road be closed.

The Board met with Zoning Administrator Anna O'Shea and Edwin Schulz. After discussion Schulz withdrew his application.

The Board met with Zoning Administrator Anna O'Shea and Nicholas & Marjorie Gindorff in regards to an entrance to a lot being sold.

Motion by Klein, seconded by Wickham, carried unanimously, to approve subject to platting.

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

Motion by Klein, seconded by Wickham, carried unanimously, to go into executive session.

Chair Demmer went in to closed session per Iowa Code 21.5(1)(C). The Board met with

attorney Les Reddick and Personnel Director Mary Ann Specht. Upon returning to regular session, no action was taken.

## DUBUQUE COUNTY CONSERVATION ANNUAL REPORT

The Board met with Conservation Director Brian Preston, and Naturalists Allie Schmalz and Kaytlan Moeller.

A presentation was made showing the activities and financials for the Conservation Department for the year.

## GENERAL ASSISTANCE HEARINGS

Motion by Wickham, seconded by Klein, carried unanimously, to enter an executive session with General Assistance Caseworkers Doug Slaats and Nick Agan regarding case G-3-30.

Upon returning to regular session, motion by Wickham, seconded by Klein, carried unanimously, to approve rent assistance for case G-3-30 provided he attends smoking class.

Motion by Klein, seconded by Wickham, carried unanimously, to enter an executive session with General Assistance Caseworkers Doug Slaats and Nick Agan regarding case B-11-15.

Upon returning to regular session, motion by Wickham, seconded by Klein, carried unanimously, to deny assistance for case B-11-15.

Motion by Klein, seconded by Wickham, carried unanimously, to enter an executive session with General Assistance Caseworkers Doug Slaats and Nick Agan regarding case M-10-30.

Upon returning to regular session, motion by Klein, seconded by Wickham, carried unanimously, to approve \$260 assistance for case M-10-30.

Motion by Wickham, seconded by Klein, carried unanimously, to enter an executive session with General Assistance Caseworkers Doug Slaats and Nick Agan regarding case W-7-7.

Upon returning to regular session, motion by Klein, seconded by Wickham, carried unanimously, to approve assistance for case W-7-7.

Motion by Wickham, seconded by Klein, carried unanimously, to enter an executive session with General Assistance Caseworkers Doug Slaats and Nick Agan regarding case L-5-12.

Upon returning to regular session, motion by Wickham, seconded by Klein, carried

unanimously, to approve assistance for case L-5-12.

#### WORKSESSION REGARDING 5<sup>TH</sup> FLOOR REMODEL PROJECT FUNDING

The Board discussed the estimated 2.7 million-dollar remodeling project to bring the juvenile court and juvenile court services to the courthouse and where the funding will come from.

#### CANVASS OF RECOUNT- NOVEMBER 8, 2016 GENERAL ELECTION FOR COUNTY SUPERVISOR (50.48(5), 50.49(5))

The Board met with Deputy Elections Commissioner Jenny Hillary to read by precinct the totals for re-count of votes for the County Supervisor position.

Final vote totals were:

David J Baker	23,127
Curt Kiessling	22,875

#### WORKSESSION - MAINTENANCE SUPERINTENDENT CHRIS SOEDER

The Board met with Maintenance Superintendent Chris Soeder to discuss the relocation of storage from the 5<sup>th</sup> floor to another location. He had information regarding renting space in the Kirby Building on White Street behind the Courthouse.

Soeder also talked to the Department of Human Services to see what their square footage requirement will be. At 9,200 sq feet needed he is looking into various locations. One being the Hartig Building in the Town Clock Plaza that is available.

Soeder also gave an update on the HVAC system that is now 97-98% complete. Fan controls are being updated on the units. Klein asked why we have a thermostat that is so hard to understand. Consensus of the Board is to withhold final payment until all issues are rectified.

#### MINUTES OF MEETING OF - NOVEMBER 28, 29 AND DECEMBER 5, 2016

Motion by Wickham, seconded by Klein, carried unanimously, to approve the minutes of November 28, 29 and December 5, 2016 as amended.

Motion by Klein, seconded by Wickham, carried unanimously, to recess at 4:37 p.m. until 12:00 noon on Wednesday, December 21, 2016.

## WORKSESSION WITH BUDGET DIRECTOR

Upon reconvening at 12:00 noon on Wednesday, December 21, 2016, the Board met with Budget Director Michelle Patzner and Personnel Director Mary Ann Specht regarding Patzner's job duties.

Charlie Brimeyer, retired from Veterans Affairs Executive Director, County Attorney Ralph Potter, Veterans Affairs Executive Director Randy Rennison, IT Superintendent Nathan Gilmore, and Maintenance Superintendent Chris Soeder each took the podium to speak on behalf of Patzner.

Wickham stated her job is not on the line, he had simply asked about the amount of time spent working for Sunnycrest. Klein stated it is not healthy the amount of hours Patzner is working and she needs to scale back to what she was hired to do.

## WORKSESSION WITH FEH REGARDING 5<sup>TH</sup> FLOOR PROJECT

The Board met with FEH Representatives Kevin Eipperle and Karen Greiner, IT Superintendent Nathan Gilmore and Maintenance Superintendent Chris Soeder. Greiner handed out a new floor plan for the 5<sup>th</sup> floor project that better utilizes the space. A break room will remain in the floor for the employees of the 5<sup>th</sup> floor. Soeder is getting banquet tables to be used in the kitchen of the Old Jail for all the courthouse employees.

The consensus of the Board is to wait to see if a second elevator is really needed. It can be a standalone project if determined necessary.

Eipperle will be attending the January 9, 2017 meeting with bid documents to be approved at the February 13, 2017 Board meeting.

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

Motion by Klein, seconded by Wickham, carried unanimously, to enter an executive session.

Chairperson Demmer went in to closed session under Iowa Code 21.5 (1) (j).

The Office Space project was discussed with no action being taken.

Motion by Klein, seconded by Wickham, carried unanimously, to return to regular session at 2:43 p.m.

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

Motion by Klein, seconded by Wickham, carried unanimously, to enter executive session.

Chairperson Demmer went in to closed session under Iowa Code 21.5 (1) (j).

The contract for storage was discussed.

Motion by Klein, seconded by Wickham, carried unanimously, to return to regular session at 2:53 p.m.

RESOLUTION 16-323 CONSENTING TO FINANCING PLAN OF DUBUQUE METROPOLITAN AREA SOLID WASTE AUTHORITY

WHEREAS, the Board of Supervisors of Dubuque County, Iowa (the “County”) and the City Council of the City of Dubuque, Iowa (the “City”) have authorized and executed a certain Intergovernmental Agreement Creating the Dubuque Metropolitan Area Solid Waste Agency (the “28E Agreement”) pursuant to Chapter 28E of the Code of Iowa; and

WHEREAS, the terms of the 28E Agreement provide for the creation of the Dubuque Metropolitan Area Solid Waste Agency (the “Agency”) for the purposes of providing for the economic transport, processing, and disposal of all solid waste produced within the metropolitan area of the Agency; and

WHEREAS, the Agency has authority pursuant to the 28E Agreement and Chapter 28F of the Code of Iowa to issue revenue bonds and interim financing notes to pay the costs of projects undertaken by the Agency; and

WHEREAS, the Agency has proposed to undertake the Cell 9 Phase III Project (the “Project”); and

WHEREAS, D.A. Davidson, the Agency’s Financial Advisor (the “Financial Advisor”), has prepared a financing plan (the “Financing Plan”) for the funding of the Project; and

WHEREAS, the Financing Plan includes: (1) the issuance by the Agency of Landfill Facility Revenue Bonds (the “Revenue Bonds”) in a principal amount not to exceed \$5,300,000; (2) the issuance by the County of General Obligation Landfill Facility Bonds (the “General Obligation Bonds”) in a principal amount not to exceed \$5,300,000; and (3) the execution of a revenue disbursement agreement (the “Revenue Agreement”) between the Agency and the County covering revenue payments by the Agency to the County in an amount equal to the principal and interest to be paid on the General Obligation Bonds, plus reasonable administrative fees to compensate the County for its issuance and maintenance of those Bonds; and

WHEREAS, it is now necessary for the Board of Supervisors of the County (the “Board”) to take action to approve the Financing Plan, the issuance of the Revenue Bonds, the issuance of the General Obligation Bonds and the execution of the Revenue Agreement;

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

Section 1. The Board hereby approves the undertaking of the Project and the Financing Plan as prepared and presented by the Financial Advisor.

Section 2. The Agency’s issuance of the Revenue Bonds, as described in the Financing Plan and the preamble hereof, is hereby approved pursuant to Chapter 28F of the Code of Iowa.

Section 3. The County hereby agrees to undertake the issuance of the General Obligation Bonds, as described in the Financing Plan and the preamble hereof. The County will contribute the proceeds derived from the issuance of the General Obligation Bonds to the payment of costs attributable to the Project, including costs of issuing said Bonds.

Section 4. The execution by the Agency of the Revenue Agreement, as described in the Financing Plan and the preamble hereof, is hereby approved pursuant to Chapter 28F of the Code of Iowa. The Agency’s fulfillment of its payment obligations to the County under the Revenue Agreement is hereby approved. The County will give separate consideration of and approval to the Revenue Agreement and any documents associated therewith at such time as those documents are drafted and available for review.

Section 5. All resolutions or parts thereof in conflict herewith be and the same are hereby repealed to the extent of such conflict.

Motion by Klein, seconded by Demmer, carried with Wickham voting nay, to approve and authorize the Chair to sign Resolution 16-323 after he receives clarification to his question.

Motion by Klein, seconded by Wickham, carried unanimously, to adjourn at 2:57 p.m. until Tuesday, January 3, 2017 at 9:00 a.m.

\_\_\_\_\_  
Daryl Klein, Vice- Chair  
Board of Supervisors

ATTEST:

\_\_\_\_\_  
Mary J. Habel  
Dubuque County Deputy Auditor