

MINUTES OF JULY 10 & 14, 2017
DUBUQUE COUNTY BOARD OF SUPERVISORS
Present: Jay Wickham, Daryl Klein and Dave Baker
Chair Wickham called the meeting to order at 8:15 a.m.

WORKSESSION - COUNTY ENGINEER

The Board met with County Engineer Anthony Bardgett. There was general road discussion with an update on projects.

The County has a 28E with Jackson County for shared roads that will be looked at further prior to signing.

Motion by Wickham, seconded by Baker, carried unanimously, to recess at 8:50 a.m. until 9:00 a.m.

APPROVAL OF MINUTES OF MEETING OF JUNE 26, 2017

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

CONSENT ITEMS

Partial refund of Liquor License fee to Golf Side Grill, receipt of DNR Manure Management Annual Update for Gary Wessels, receipt of DNR Manure Management Annual Update for Goose Hill Pork, Class B Native Wine Permit with ownership change for Czipars Orchard.

Motion by Klein, seconded by Baker, carried unanimously, to approve the above-mentioned consent items.

PROOF OF PUBLICATION - PROCUREMENT PROCEDURES

Motion by Baker, seconded by Klein, carried unanimously, to receive and file the proof of publication for culvert replacement on Gehl Lane, Fuel for secondary roads, Courthouse re-roof, painting and masonry repair project.

REQUEST FOR PROPOSALS - CURB AND SIDEWALK REPLACEMENT AT THE DUBUQUE LAW ENFORCEMENT CENTER

Motion by Klein, seconded by Baker, carried unanimously, to advertise for proposals to be opened on Monday, July 24, 2017 at 5:30 p.m. for the above mentioned sidewalk project.

RECEIPT OF BIDS - CULVERT REPLACEMENT ON GEHL LANE, PROJECT L-C18(04)-73-31

<u>VENDOR</u>	<u>BID AMOUNT</u>
<u>K Construction, Inc</u> Elkader, IA	\$ 84,218.15
<u>Tschiggfrie Excavating</u> Dubuque, IA	\$ 84,653.98
<u>Iowa Bridge & Culvert LC</u> Washington, IA	\$ 90,766.05
<u>Jim Schroeder Construction</u> Bellevue, IA	\$ 96,309.90
<u>Taylor Contruction, Inc</u> New Vienna, IA	\$105,171.15
<u>Portzen Construction</u> Dubuque, IA	\$139,343.65

Motion by Baker, seconded by Klein, carried unanimously, to receive and refer the bids to the County Engineer for a recommendation.

RECEIPT OF QUOTES - ETHANOL BLENDED GASOLINE (GASOHOL) AND PREMIUM BIODIESEL FUEL FOR THE DUBUQUE COUNTY HIGHWAY DEPARTMENT

The following quotes were received and read into the record:

Mulgrew Oil Co., Dubuque, IA

Dubuque	Gasohol	0.0269	#2 Diesel	.0410	#1 Diesel	.0410
Farley	Gasohol	0.0299	#2 Diesel	.0425	#1 Diesel	.0425
Bernard			#2 Diesel	.0699	#1 Diesel	.0699
Fillmore			#2 Diesel	.0699	#1 Diesel	.0699
Worthington			#2 Diesel	.0699	#1 Diesel	.0699

New Vienna			#2 Diesel	.0699	#1 Diesel	.0699
Holy Cross Area			#2 Diesel	.0699	#1 Diesel	.0699
Durango			#2 Diesel	.0699	#1 Diesel	.0699

Three Rivers FS Company, Dyersville, IA

Dubuque	Gasohol	.05	#2 Diesel	.05	#1 Diesel	.05
Farley	Gasohol	.05	#2 Diesel	.05	#1 Diesel	.05
Bernard			#2 Diesel	.07	#1 Diesel	.07
Fillmore			#2 Diesel	.07	#1 Diesel	.07
Worthington			#2 Diesel	.07	#1 Diesel	.07
New Vienna			#2 Diesel	.07	#1 Diesel	.07
Holy Cross Area			#2 Diesel	.07	#1 Diesel	.07
Durango			#2 Diesel	.07	#1 Diesel	.07

Petroleum Traders, Fort Wayne, IN

Dubuque	Gasohol	.0750	#2 Diesel	.1163	#1 Diesel	.2405
Farley	Gasohol	.0850	#2 Diesel	.1267	#1 Diesel	.2927

Demmer Oil Company, Worthington, IA

Bernard			#2 Diesel	.0647	#1 Diesel	.0647
Fillmore			#2 Diesel	.0647	#1 Diesel	.0647
Worthington			#2 Diesel	.0647	#1 Diesel	.0647
New Vienna			#2 Diesel	.0647	#1 Diesel	.0647
Holy Cross Area			#2 Diesel	.0647	#1 Diesel	.0647
Durango			#2 Diesel	.0647	#1 Diesel	.0647

Motion by Klein, seconded by Baker, carried unanimously, to receive and refer the quotes to the County Engineer for a recommendation.

RECEIPT OF BIDS - DUBUQUE COUNTY COURTHOUSE RE-ROOF, PAINTING, AND MASONRY REPAIR PROJECT

Christy Monk of FEH Engineering received read the following quotes into record.

<u>VENDOR</u>	<u>BID AMOUNT WITH ALT #1</u>	<u>WITH ALT #2</u>
<u>Klauer Construction, Inc</u> Dubuque, IA	\$857,600	\$1,050,600

<u>Tricon Construction</u>		
Dubuque, IA	\$736,000	\$ 923,000

<u>Portzen Construction</u>		
Dubuque, IA	\$978,000	\$1,233,000

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

RECOMMENDATION FROM COUNTY SHERIFF REGARDING PURCHASING ONE (1) NEW 2017 FORD INTERCEPTOR UTILITY, 4 DOOR AWD VEHICLE

<u>VENDOR</u>	<u>BID AMOUNT</u>
<u>Finnin Ford</u> Dubuque, IA	\$29,042.00
<u>State of Iowa Bid as follows:</u>	
Charles Gabus Ford DesMoines, IA	\$27,995.14

Motion by Klein, seconded by Baker, carried unanimously, to authorize the purchase of Sheriff's vehicle recommendation.

PROOFS OF PUBLICATION - ZONING CASES

- 1) ZC#05-14-17 - Gudenkauf Family Farm LLC & Eugene Gudenkauf - A-1 Agricultural to A-2 Agricultural Residential
- 2) ZC#06-15-17 - Amendment to Zoning Ordinance - Home Based Business

Motion by Baker, 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#05-14-17 - GUDENKAUF FAMILY FARM LLC & EUGENE GUDENKAUF A-1 AGRICULTURAL TO A-2 AGRICULTURAL RESIDENTIAL

Chair Wickham opened the public hearing.

Zoning Administrator Anna O'Shea explained the Gudenkauf's would like to section off the house and buildings from the crop ground. Surveyor Mike Weber was present to answer

questions for which there were none.

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

AMENDMENT TO ZONING ORDINANCE - ZC#05-14-17 - GUDENKAUF FAMILY FARM LLC & EUGENE GUDENKAUF A-1 AGRICULTURAL TO A-2 AGRICULTURAL RESIDENTIAL

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

ZC#05-14-17 Gudenkauf Family Farm LLC & Gene Gudenkauf A-1 Agricultural to A-2 Agricultural Residential

The applicants are requesting to rezone from A-1 Agricultural to A-2 Agricultural Residential 2.77 acres more or less, to split off the farm home and buildings from the crop ground for estate planning purposes. The property located 0.10 miles north of the City of Cascade along Aitchison Road, is legally described as Lot 1 SE Section 25, (T87N-R2W) Cascade 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 July 10, 2017

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

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

Motion by Klein, seconded by Baker, carried unanimously, that the amendment be adopted and 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#06-15-17 - HOME BASED BUSINESS

Chair Wickham opened the public hearing.

Jerry Sigwarth of the Zoning Board said people have told him this would be good to have to keep people in compliance. This should relieve concerns regarding spot zoning.

Rob Trilk, 14805 Hwy 20, Peosta said his construction business got in trouble for a trailer sitting on the street. This ordinance would benefit his business. Carissa Trilk, same address, stated it is good for youth to learn business practices from their parents. Their son started a skate board business.

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

AMENDMENT TO ZONING ORDINANCE - ZC#06-15-17 - HOME BASED BUSINESS

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

Definition:

1-2.XX **“Home Based Business”** – A secondary use of a residence and/or accessory building, of a commercial or light industrial nature carried on entirely within the structure by a member of the family residing on the premises, where there is no evidence of such occupation being conducted on the premises by virtue of exterior displays or outdoor storage, excessive noises, obnoxious odors, electrical disturbances, or significant increase in vehicular activity. Any merchandise sold on the premises shall be incidental to the business operated on the property.

1-91 PURPOSE. It is the purpose of this amendment to allow limited commercial or light industrial activity to take place in the county on a parcel of land which contains an owner occupied residence, where a member of the immediate family residing on the premises is operating a business. The Home Based Business must be clearly subordinate to the residential and/or agricultural use of the property and comply with the following restrictions.

1-91.1 APPLICABLE CONDITIONS. Home Based Businesses may be allowed in areas zoned A-1 Agricultural, A-2 Agricultural Residential, R-1 Rural Residential and R-2, Single Family Residential if they meet all of the requirements of this section. No variances shall be applied for if one or more of the criterial cannot be met.

a. All aspects of the business must occur inside the home and/or the accessory building. No outside storage for the business will be allowed on the property.

b. The building where the Home Based Business will operate cannot be located within five hundred (500) feet of a neighboring residential home. If the neighbor(s) live closer than five hundred (500) feet away from the proposed business, the applicant must obtain the neighbor’s signature(s) on a county form that says they understand that a business is being proposed to be operated on the neighbor’s property and they agree to waive the five

- hundred (500) foot setback requirement for the proposed business, before the application may be approved.
- c. No more than four (4) designated (inconspicuous) parking spaces are allowed or can be used for the business and the use will not lead to increased dust problems nor damage to the roads as determined by the county Engineer and the County Zoning Administrator.
 - d. No more than twenty-five (25) percent of the floor area of the residence may be devoted to the business.
 - e. No more than twenty-four hundred (2,400) square feet of an accessory building may be used for the business.
 - f. No more than four (4) non-resident employees may be employed by the business.
 - g. The business shall not create traffic or delivery concerns in the immediate area.
 - h. Signage shall be limited to one sign that is a maximum of six (6) square feet and is not lighted.
 - i. All buildings, facilities and operations used for the Home Based Business must meet all pertinent Federal, State and County regulations.
 - j. All buildings and premises shall not be objectionable or detrimental to the overall intent of the zoning district due to nuisance factors such as exterior appearance, emission of odor, gas, dust, smoke, noise or in any other way.
 - k. If an established permitted Home Based Business changes in intensity to such an extent that it no longer meets the requirements as stated above, the landowner must reduce the intensity of the use to what was originally approved or find a new location that is zoned correctly for that use. It is the property owner's responsibility to prove that the business is in compliance with this section.
 - l. Retail Sales businesses and Adult Entertainment businesses are not allowed.

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 July 10, 2017.

Motion by Baker, seconded by Klein, carried unanimously, approve the rezoning.

Motion by Baker, 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 Baker, 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.

Klein thanked Anna O'Shea and the Zoning Board for all the hard work dedicated to the changes to make this ordinance happen. Baker echoed what Klein said then singled out Jerry Sigwarth to thank him for getting the process started.

RESOLUTION 17-213 - FINAL PLAT OF ANDREW SMITH PLACE - SECTION 14 - JEFFERSON TOWNSHIP

WHEREAS, there has been presented to the Dubuque County Board of Supervisors a Final Plat of Survey for, ANDREW SMITH PLACE, comprised of Lot 1-2 Lot 2-2 and Lot 2-3 of the SE ¼ SE ¼ of Section 14, T90N, R1E, of the 5th PM, Jefferson Township, Dubuque County, Iowa; and

WHEREAS, said final plat will replat three (3) lots into two (2) new lots, namely Lot 1 and Lot 2 of Andrew Smith Place in Section 14, Jefferson Township, Dubuque County, Iowa; and

WHEREAS, said final plat has been examined and approved by the City of Sherrill; 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 and B-1, Business districts, thus subject to all the requirements of those districts.

Section 2. That the above described final plat be and is hereby approved and the Chairperson of the Board of Supervisors is authorized and directed to endorse the approval of Dubuque County, Iowa upon said final plat.

Motion by Klein, seconded by Baker, carried unanimously, to approve and authorize the Chair to sign Resolution 17-213.

RESOLUTION 17-214 - FINAL PLAT OF SCHUELLER HOMESTEAD - SECTION 8 - PERU TOWNSHIP

WHEREAS, there has been presented to the Dubuque County Board of Supervisors a Final Plat of Survey for, **SCHUELLER HOMESTEAD**, comprised of the E ½ of the SW ¼ SE ¼ Section 8, T90N, R2E, of the 5th PM, Peru Township, Dubuque County, Iowa; and

WHEREAS, said final plat will create two (2) lots, namely Lot 1 and Lot 2 of Schueller Homestead Section 8, Peru Township, Dubuque County, Iowa; and

WHEREAS, said final plat has been examined and approved by the City of Sherrill; 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 and A-1, Agricultural districts, thus subject to all the requirements of those districts.

Section 2. That the above described final plat be and is hereby approved and the Chairperson of the Board of Supervisors is authorized and directed to endorse the approval of Dubuque County, Iowa upon said final plat.

Motion by Baker, seconded by Klein, carried unanimously, to approve and authorize the Chair to sign Resolution 17-214.

RESOLUTION 17-215 - FINAL PLAT OF GUDENKAUF ACRES - SECTION 25 - CASCADE TOWNSHIP

WHEREAS, there has been presented to the Dubuque County Board of Supervisors a Final Plat of Survey for, **GUDENKAUF ACRES**, a subdivision of Lot 1 of the SE ¼ of Section 25, T87N, R2W, of the 5th PM, Cascade Township, Dubuque County, Iowa; and

WHEREAS, said final plat will create two (2) lots, namely Lot 1 and Lot 2 of Gudenkauf

Acres Section 25, Cascade Township, Dubuque County, Iowa; and

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

WHEREAS, said final plat has been examined by the Dubuque County Planning and Zoning Commission, Dubuque County Board of Health, Dubuque County Engineer, Dubuque County Treasurer and the Dubuque County Plats Officer and has their approval endorsed thereon; and

WHEREAS, said final plat has been examined by the Board of Supervisors of Dubuque County, Iowa, and they find the same conforms to the statutes and other regulatory ordinances and resolutions.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of Dubuque County, Iowa:

Section 1. That the above described property is within the A-1, Agricultural and A-2, Agricultural Residential districts, thus subject to all the requirements of those districts.

Section 2. That the above described final plat be and is hereby approved and the Chairperson of the Board of Supervisors is authorized and directed to endorse the approval of Dubuque County, Iowa upon said final plat.

Motion by Klein, seconded by Baker, carried unanimously, to approve and authorize the Chair to sign Resolution 17-215.

RESOLUTION 17-216 - APPOINTMENT OF DEPUTIES, ASSISTANTS AND CLERKS

WHEREAS, position vacancies have been approved for the following appointments by the Board of Supervisors through the Personnel Requisition Process.

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors approves and certifies the following appointments to the Auditor for payroll implementation:

DEPARTMENT	POSITION	DATE APPROVED	NAME	PAY RATE
Sunnycrest	PPT Food Services Worker	05-24-17	Willie Randle	\$ 9.74
Sunnycrest	PPT Food Services Worker	06-19-17	William Lumpkins	\$ 9.74

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

Chair to sign Resolution 17-216.

RESOLUTION 17-217 - APPROVING DUBUQUE COUNTY ZONING FEE SCHEDULE

WHEREAS, there was a Fee Schedule approved by the Board of Supervisors in 2016 listing the land use development fees charged by the County Zoning Office; and

WHEREAS, at the July 10, 2017 Board of Supervisors meeting, an amendment was adopted to allow Home Based Businesses; and

WHEREAS, the Board wanted to set a fee of \$100 for the Home & Household Occupation/Home Based Business Permit Application.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of Dubuque County, Iowa;

Effective July 10, 2017, fees charged by the Dubuque County Planning and Zoning Office for zoning and development services shall be as follows:

1. PLAT FEES:

Simple Plats	\$50
Preliminary Plats	\$200 plus \$10 per lot
Final Plats (1-4 Lots)	\$160
Final Plats (5-20 Lots)	\$200
Final Plats (21 + Lots)	\$225

2. BOARD OF ADJUSTMENT FEES:

Variances, Special Use Permits, Appeals	\$150 plus cost of certified letters and recording fees
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3. ZONING COMMISSION FEES:

Zoning Petitions and Text Amendments	\$250
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4. ZONING CERTIFICATES:

Single Family Residence	\$150
Multi-Family Residence	\$200
Additions	\$ 75
Outbuildings/Garage/Signs/Decks/Carports	\$ 50
Temporary	\$ 50
Towers	\$250
Business (under 5,000 sq')/Towers	\$250
Business (5,000 sq' & above)	\$350

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| 5. | MOBILE HOME PERMIT FEE: | \$250 |
| 6. | FLOOD PLAIN MANAGEMENT PERMITS: | \$100 |
| 7. | HOME & HOUSEHOLD OCCUPATION/HOME BASED BUSINESS PERMIT APPLICATION FEE: | \$100 |
| 8. | SIGNS | |
| | Address Identifier Signs | Per current material and labor costs as established by the office of the County Engineer |
| | <u>For New Subdivisions/Trailer Parks:</u> | |
| | Lot Identifier Signs | Per current material and labor costs as established by the office of the County Engineer |
| | Street Identification Signs | Per current material and labor costs as established by the office of the County Engineer |
| | Traffic Control Signs
(at intersection w/county road) | Per current material and labor costs as established by the office of the County Engineer |
| 9. | Permit fees double if grading or construction begins without first obtaining a Zoning Certificate. | |
| 10. | Anyone requesting a Home & Household Occupation/Home Based Business Permit must pay double the fees if the business is already started after July 9, 2019. | |

Motion by Klein, seconded by Baker, carried unanimously, to approve and authorize the Chair to sign Resolution 17-217.

RESOLUTION 17-218 - APPROVE NECESSARY DOCUMENTS WITH DYERSVILLE EQUIPMENT COMPANY FOR A MOWER WITH ROTARY CUTTING HEADS

WHEREAS, quotes were received on June 26, 2017 for a mower with rotary cutting heads and Dyersville Equipment Company, Dyersville, Iowa submitted a quote of \$18,348.00 for a mower with rotary cutting heads and has met all specifications, and

WHEREAS, the Shop Supervisor has reviewed said quotes and recommends accepting the quote as submitted by Dyersville Equipment Company for a mower with rotary cutting heads

at \$18,348.00,

THEREFORE BE IT RESOLVED that the Board of Supervisors of Dubuque County, Iowa hereby approve and direct the Chair to sign the necessary documents with Dyersville Equipment Company for the purchase of one mower with rotary cutting heads at a total price of \$18,348.00.

Motion by Baker, seconded by Klein, carried unanimously, to approve and authorize the Chair to sign Resolution 17-218.

RESOLUTION 17-219 - APPROVE THE TEMPORARY ROAD CLOSURE REQUEST FOR THE CITY OF NEW VIENNA AND ST. BONIFACE PARISH FOR A PORTION OF PETERSBURG ROAD FOR THEIR ANNUAL LABOR DAY PICNIC

WHEREAS, the City of New Vienna and St. Boniface Parish will be holding its annual Labor Day Picnic on Monday, September 4, 2017 in New Vienna, Iowa, and

WHEREAS, the New Vienna Police Department has requested a temporary road/street closure of one (1) city block of county road C64/Petersburg Road/West Main Street from the intersection of Columbus Street/Hwy 136 to Washington Street within the city limits of New Vienna, Iowa from Friday, September 1, 2017 to Tuesday, September 5, 2017, and

WHEREAS, emergency vehicles will have access, if necessary, during the temporary closure,

THEREFORE BE IT RESOLVED that the Board of Supervisors of Dubuque County, Iowa do hereby approve the temporary closure of one (1) city block of county road C64/Petersburg Road/West Main Street from the intersection of Columbus Street/Hwy 136 to Washington Street within the city limits of New Vienna, Iowa from Friday, September 1, 2017 to Tuesday, September 5, 2017.

Motion by Klein, seconded by Baker, carried unanimously, to approve and authorize the Chair to sign Resolution 17-219.

RESOLUTION 17-220 - APPROVE EASEMENT DOCUMENTS WITH PROPERTY OWNERS FOR INGRESS AND EGRESS COUNTY PROPERTY

WHEREAS, it is necessary to grant an easement for ingress and egress over Lot Four (4) of "Freiburger Place" in Section 3, Dubuque Township, T-89-N, R-2-E, currently owned by Dubuque County to serve Lot 2 of Lot 1 of Lot 7 of Marshfield Addition, in Section 3, Dubuque Township, T-89-N, R-2-E, currently owned by Bauer Family Properties LLC, as shown on Survey Plat of Easement for Ingress and Egress.

THEREFORE BE IT RESOLVED that the Board of Supervisors of Dubuque County, Iowa, hereby approve and direct the Chair to sign the easement documents with property owners for the easement for ingress and egress.

Motion by Wickham, seconded by Baker, carried unanimously, to approve and authorize the Chair to sign Resolution 17-220.

RESOLUTION 17-221 - APPROVING QUARTERLY REPORT FOR FY17 SUBSTANCE ABUSE GRANT

WHEREAS, Dubuque County has received a Substance Abuse Grant from the Iowa Department of Public Health for FY2017 and is required to file quarterly claims for reimbursement one-fourth (1/4) of the expenses incurred in connection with the DARE program.

THEREFORE, the Dubuque County Board of Supervisors approves and authorizes the Chairperson to sign the 4th Quarter Report for reimbursement of expenses for the 2017 County Substance Abuse Grant in the amount of \$1,994.22.

Motion by Baker, seconded by Klein, carried unanimously, to approve and authorize the Chair to sign Resolution 17-221.

RESOLUTION 17-222 - APPROVING AMENDMENT TO PIPER JAFFRAY ENGAGEMENT LETTER AS PLACEMENT AGENT FOR INTERIM FUNDING

WHEREAS, Dubuque County approved an engagement letter with Piper Jaffray to serve as placement agent for upcoming interim funding; and

WHEREAS, Piper Jaffray has amended their engagement letter to a lower cost.

NOW, THEREFORE BE IT RESOLVED that the Dubuque County Board of Supervisors hereby approves the amendment to the letter engaging Piper Jaffray as placement agent at a cost of \$7,500 and authorizes the Chair of the Board to sign the amendment.

Motion by Klein, seconded by Baker, carried unanimously, to approve and authorize the Chair to sign Resolution 17-222.

RESOLUTION 17-223 - APPROVE ANNUAL STATUS REPORT FOR FY17 SUBSTANCE ABUSE GRANT WHICH FUNDS THE DUBUQUE COUNTY DARE PROGRAM

WHEREAS, Dubuque County has received a Substance Abuse Grant from the Iowa Department of Public Health for FY2017 and is required to file an Annual Status Report in connection with the D.A.R.E. program.

THEREFORE, the Dubuque County Board of Supervisors approves and authorizes the Chairperson to sign the Status Report in connection with the D.A.R.E. program.

Motion by Baker, seconded by Klein, carried unanimously, to approve and authorize the Chair to sign Resolution 17-223.

RESOLUTION 17-224 - APPROVE THE THREE-YEAR COLLECTIVE BARGAINING UNIT AGREEMENT BETWEEN DUBUQUE COUNTY AND ELIGIBLE EMPLOYEES AT SUNNYCREST MANOR REPRESENTED BY AFSCME LOCAL 2843

WHEREAS, Dubuque County has been presented with a three-year Collective Bargaining Unit Agreement between the eligible employees at Sunnycrest Manor represented by AFSCME Local 2483 and Dubuque County; and

WHEREAS, the agreement reflects a FY18 1.5% wage increase and for subsequent FY19 and FY20 the wage increase will be 1.5% or the Bureau of Labor CPI-U, whichever is less; and

WHEREAS, the employee cost share for combined insurance benefits for FY18 will be assessed at 5%, FY19 at 6% and at FY20 at 7%; and

WHEREAS, it has been agreed that vacation, personal days and holiday accruals will be transferred to a Paid Time Off (PTO) model and a PTO accrual formula will be implemented.

NOW, THEREFORE BE IT RESOLVED the Dubuque County Board of Supervisors approve and authorize the Chairperson to sign the three-year Collective Bargaining Unit Agreement between eligible employees at Sunnycrest Manor represented by AFSCME Local 2843 and Dubuque County.

Motion by Baker, seconded by Wickham to approve and authorize the Chair to sign Resolution 17-224. Motion approved with Baker and Wickham voting aye, and Klein voting nay.

RESOLUTION 17-225 - APPROVE ELECTION TO PARTICIPATE AND RELEASE DOCUMENT FOR DUBUQUE COUNTY TO PARTICIPATE IN THE DISTRIBUTION OF RESTITUTION FROM TWO RIVERS INSURANCE COMPANY, INC

WHEREAS, Dubuque County has been presented with a Court Order and Election to Participate and Release Form from the State of Iowa Insurance Commission regarding their investigation and findings related to Two Rivers Insurance Company, Inc.; and

WHEREAS, for Dubuque County to participate in the distribution of restitution from Two Rivers Insurance Company, Inc., the form must be approved and executed by the Dubuque County Board of Supervisors.

NOW, THEREFORE BE IT RESOLVED that the Dubuque County Board of Supervisors approve and authorize the Chairperson of the Dubuque County Board of Supervisors to sign Election to Participate and Release Form from the State of Iowa Insurance Commission.

Motion by Klein, seconded by Baker, carried unanimously, to approve and authorize the Chair to sign Resolution 17-225.

RESOLUTION - APPROVE DUBUQUE COUNTY CONSENT TO THE CITY OF EPWORTH FOR COUNTY OWNED PROPERTY TO BE INCLUDED IN THE CITY OF EPWORTH HOUSING URBAN RENEWAL AREA PER IOWA CODE 403.17

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

RESOLUTION - APPROVE LEASE AGREEMENT BETWEEN THE CITY OF DUBUQUE AND DUBUQUE COUNTY TO LEASE OFFICE SPACE AT THE HISTORICAL FEDERAL BUILDING FOR THE DUBUQUE COUNTY JUVENILE COURT SERVICES

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

RESOLUTION 17-226 - APPROVE THE FY18 ADDENDUM TO THE AGREEMENT BETWEEN THE DUBUQUE COUNTY BOARD OF HEALTH/DUBUQUE COUNTY AND THE VISITING NURSE ASSOCIATION FOR THE VNA TO PROVIDE PUBLIC NURSING SERVICE DUBUQUE COUNTY

WHEREAS, Dubuque County has been presented with an Addendum to the Agreement between Dubuque County/Dubuque County Board of Health and the Visiting Nurse Association to provide public health services to Dubuque County residents for the amount of \$273,636.00 for Fiscal Year 2018.

NOW, THEREFORE BE IT RESOLVED to approve and authorize the Chairperson of the Dubuque County Board of Supervisors to sign the Addendum to the Agreement between Dubuque County/Dubuque County Board of Health and the Visiting Nurse Association to

provide public health services to Dubuque County residents for the amount of \$273,636.00 for Fiscal Year 2018.

Motion by Baker, seconded by Klein, carried unanimously, to approve and authorize the Chair to sign Resolution 17-226.

RESOLUTION 17-227 - APPROVING ISSUANCE OF GENERAL OBLIGATION EMERGENCY COMMUNICATION EQUIPMENT LOAN AGREEMENT ANTICIPATION PROJECT NOTE

WHEREAS, the Board of Supervisors of Dubuque County, Iowa (the "County"), heretofore proposed to enter into a General Obligation Emergency Communication Equipment Loan Agreement (the "Loan Agreement") and to borrow money thereunder in a principal amount not to exceed \$10,500,000, pursuant to the provisions of Sections 331.402 and 331.441(2)(b)(17) of the Code of Iowa, for the purpose of paying the cost, to that extent, of acquiring and installing emergency communications equipment and systems, and pursuant to law and duly published notice of the proposed action has held a hearing thereon on April 24, 2017; and

WHEREAS, Piper Jaffray & Co., the County's placement agent, has negotiated the sale of a \$915,000 General Obligation Emergency Communication Equipment Loan Agreement Anticipation Project Note (the "Project Note") to be issued to KS StateBank, Manhattan, Kansas (the "Purchaser"); and

WHEREAS, it is necessary at this time to make provision for the issuance of a Project Note, pursuant to the provisions of Section 76.13 of the Code of Iowa, in anticipation of the receipt of and payable from the proceeds (the "Loan Proceeds") of the Loan Agreement;

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

Section 1. The County hereby covenants for the benefit of the Purchaser, and all who may at any time be an owner of the Project Note to enter into the Loan Agreement and to issue long-term debt thereunder for the repayment of the Project Note prior to January 1, 2018, the maturity date of the Project Note (the "Maturity Date").

Section 2. The Project Note is hereby authorized to be issued to the Purchaser in anticipation of the receipt of and being payable from the Loan Proceeds or from other sources to be received and expended in connection with the Project during the period thereof. The Project Note shall be signed by the Chairperson, attested by the County Auditor and delivered to the Purchaser. The Project Note shall be dated the date of delivery, shall mature on the Maturity Date, and shall bear interest at the rate of 2.71% per annum, payable on the Maturity Date, except as the provisions hereinafter set forth with respect to prepayment prior

to maturity may be or become applicable hereto. Interest will be calculated on the basis of a 360-day year comprised of twelve 30-day months.

Section 3. The County Auditor is hereby designated as the Registrar and Paying Agent for the Project Note and may be hereinafter referred to as the “Registrar” or the “Paying Agent.”

The County reserves the right to prepay principal of the Project Note in whole or in part on any date prior to maturity upon terms of par and accrued interest. All principal so prepaid shall cease to bear interest on the prepayment date.

The Project Note shall be fully registered as to both principal and interest in the name of the owner in the records of the County kept for such purpose, after which no transfer shall be valid unless made on said records by the County Auditor, and then only upon a written instrument of transfer satisfactory to the County, duly executed by the registered owner or the duly authorized attorney for such registered owner.

The County shall maintain as confidential the record of identity of owners of the Project Note, as provided by Section 22.7 of the Code of Iowa.

Section 4. The Project Note shall be in substantially the following form:

**UNITED STATES OF AMERICA
STATE OF IOWA
DUBUQUE COUNTY**

**GENERAL OBLIGATION EMERGENCY COMMUNICATION EQUIPMENT
LOAN AGREEMENT ANTICIPATION PROJECT NOTE**

DATED DATE: July 20, 2017
PRINCIPAL AMOUNT: \$915,000
INTEREST RATE: 2.71%
MATURITY DATE: January 1, 2018

The Board of Supervisors of Dubuque County, Iowa (the “County”), for value received, promises to pay on the Maturity Date to KS StateBank, Manhattan, Kansas (the “Purchaser”), its successors or assigns, the principal sum of NINE HUNDRED FIFTEEN THOUSAND DOLLARS (\$915,000), in lawful money of the United States of America upon presentation and surrender of this Project Note to the Dubuque County Auditor, Dubuque, Iowa (hereinafter referred to as the “Registrar” or the “Paying Agent”), with interest thereon at the rate of 2.71% per annum, payable on the Maturity Date, or upon prepayment of this instrument as hereinafter provided.

This Project Note is issued by the County for the purpose of paying the costs, to that extent, of acquiring and installing emergency communications equipment and systems (the "Project") and is issued under authority of Section 76.13 of the Code of Iowa in anticipation of the receipt of and is payable from the future proceeds (the "Loan Proceeds") of an authorized loan agreement (the "Loan Agreement") and a corresponding issuance of General Obligation Emergency Communication Equipment Bonds or Notes in a principal amount not to exceed \$10,500,000.

A sufficient portion of the Loan Proceeds has been appropriated to the payment of this Project Note and may also be appropriated to the payment of other obligations issued to pay costs of the Project.

The County reserves the right to prepay principal of this Project Note, in whole or in part, at any time prior to its maturity, upon terms of par and accrued interest to the date of such prepayment. All principal of this Project Note so prepaid shall cease to bear interest on the prepayment date.

This Project Note shall be fully registered as to both principal and interest in the name of the owner in the records of the County kept for such purpose, after which no transfer shall be valid unless made on said records by the Registrar, and then only upon a written instrument of transfer satisfactory to the Registrar, duly executed by the registered owner or the duly authorized attorney for such registered owner.

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 Project Note were and have been properly existent, had, done and performed in regular and due form and time; and that the total indebtedness of the County, including this Project Note, does not exceed any constitutional or statutory limitations.

IN TESTIMONY WHEREOF, Dubuque County, Iowa, by its Board of Supervisors, has caused this Project Note to be executed by its Chairperson and attested by its County Auditor, on the Dated Date.

DUBUQUE COUNTY, IOWA
Chairperson, Board of Supervisors

By [DO NOT SIGN]

Attest:
[DO NOT SIGN]
County Auditor

Section 5. The Loan Proceeds anticipated to be received under the Loan Agreement are hereby appropriated to the payment of the Project Note and may also be appropriated to the

payment of other obligations issued to pay costs of the Project. At its sole discretion, the City Council may appropriate to the payment of the Project Note proceeds to be received from State or federal grants and/or income or revenues from sources to be received and expended for the Project during the period of its construction.

Section 6. It is anticipated that the closing of the credit transaction contemplated herein will occur on July 20, 2017. To the extent that the date of closing needs to be adjusted, the City staff, with advice from the Placement Agent, the Purchaser and Bond Counsel to the City, is hereby authorized to make such adjustment and to modify the transaction documents accordingly.

Section 7. The County shall keep a detailed and segregated accounting of 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. It is the intention of the County that interest on the Project Note 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 Project Note 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 Project Note as a "Qualified Tax Exempt Obligation" as that term is used in Section 265(b)(3)(B) of the Internal Revenue Code.

Section 9. All resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Section 10. This resolution shall be in full force and effect immediately upon its adoption and approval, as provided by law.

Motion by Klein, seconded by Baker, carried unanimously, to approve and authorize the Chair to sign Resolution 17-227.

COMMUNICATION FROM THE DUBUQUE COUNTY SHERIFF REGARDING THE APPOINTMENT OF CHIP MAY AS HIS REPRESENTATIVE TO THE DUBUQUE COUNTY COMPENSATION BOARD FOR A FOUR-YEAR TERM

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

COMMUNICATION FROM THE CITY OF EPWORTH REGARDING NOTICE OF PUBLIC HEARING ON DESIGNATION OF THE EPWORTH HOUSING URBAN RENEWAL AREA AND PROPOSED RENEWAL PLAN AND PROJECT

Motion by Klein, seconded by Baker, carried unanimously, to receive and file the notice from the City of Epworth.

APPOINTMENTS

GREATER DUBUQUE DEVELOPMENT BOARD OF DIRECTORS - ONE 1-YEAR TERM ENDING JUNE 30, 2018 (ONE RESIDENT OF DUBUQUE COUNTY FROM OUTSIDE THE CITY OF DUBUQUE) POSTED JUNE 12, 2017

Motion by Klein, seconded by Baker, carried unanimously, to appoint Jacque Rahe to the Greater Dubuque Development Board of Directors.

COMPENSATION BOARD - TWO (BOARD APPOINTED) 4-YEAR TERMS ENDING JULY 1, 2021 POSTED JUNE 12, 2017

The current Compensation Board members applied to maintain their positions. Baker stated he would like to investigate this further to see if there are other interested parties.

PUBLIC COMMENTS

Clay Gavin, 616 1st Ave W Cascade, is not addressing the Board as the Clerk of Court, however as a citizen.

Gavin voiced his concerns about moving the juvenile court room into the courthouse. He believes it is a citizen issue due to the amount of money involved. He asks the Board to look at all options before spending money.

Motion by Klein, seconded by Baker, carried unanimously, to recess at 11:00 a.m.

ENTRANCE PERMITS

Upon reconvening at 11:05 a.m. the Board met with Zoning Administrator Anna O'Shea and Jeff Walker, 1370 Kelly Lane. Carl and Barbara Gantenbein are asking for and upgrade to an existing field entrance to residential. They are looking to sell a portion of their land to

Walker to build a new home.

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

The Board met with Zoning Administrator Anna O'Shea to discuss the variance request from Robert and Cathy Sabers. They would like to build a new home toward the back of their property. They would like to install a new residential entrance to their property off of North Cascade Road.

Motion by Baker, seconded by Klein, carried unanimously, to approve the new residential entrance with the stipulation they remove the other entrance.

MAQUOKETA VALLEY WATER MANAGEMENT AUTHORITY REGARDING DUBUQUE COUNTY MEMBERSHIP

The Board discussed membership being in the best interest of the County. A 28E Agreement will be on the next agenda.

DUBUQUE COUNTY FACILITIES MAINTENANCE

The Board met with Facilities Maintenance Superintendent Chris Soeder who discussed the Courthouse re-roofing, painting, and masonry repair project.

The bids came in double what he was expecting. He would like to do a temporary repair now then in the spring the scaffolding can go up.

Soeder had estimates from two contractors to replace the fire alarm system in the Courthouse and the Veterans Affairs building. The highest \$226,400 and lowest \$202,000. If we have an electrical storm and the panel gets hit he is looking at a 50% higher cost. Klein asked if this is more important than the roof. Soeder said safety should be first but people shouldn't be sitting in a draft either and will cost more if we wait.

Administrative Assistant Mary Ann Specht was able to reach the Epworth City Clerk Janet Berger putting her on speaker phone for the Board to ask questions.

RESOLUTION 17-228 - APPROVE DUBUQUE COUNTY CONSENT TO THE CITY OF EPWORTH FOR COUNTY OWNED PROPERTY TO BE INCLUDED IN THE CITY OF EPWORTH HOUSING URBAN RENEWAL AREA PER IOWA CODE 403.17

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

Chair to sign Resolution 17-288.

Motion by Klein, seconded by Baker, carried unanimously, to recess at 12:26 p.m. until 1:00 p.m.

GENERAL ASSISTANCE HEARINGS

Upon reconvening at 1:00 p.m. Motion by Baker, seconded by Klein, carried unanimously, to enter executive session with General Assistance Case Workers Doug Slaats and Nick Agan regarding case T-4-24.

Upon returning to regular session, motion by Klein, seconded by Baker, carried unanimously, to deny case T-4-24.

Motion by Baker, seconded by Klein, carried unanimously, to enter executive session with General Assistance Case Workers Doug Slaats and Nick Agan regarding case M-10-38.

Upon returning to regular session, motion by Baker, seconded by Klein, carried unanimously, to approve \$630.66 assistance to case M-10-38.

Motion by Klein, seconded by Wickham, carried unanimously, to enter executive session with General Assistance Case Workers Doug Slaats and Nick Agan regarding case K-7-11.

Upon returning to regular session, motion by Wickham, seconded by Baker, carried unanimously, to approve \$585 rent assistance to case K-7-11.

Motion by Wickham, seconded by Baker, carried unanimously, to enter executive session with General Assistance Case Workers Doug Slaats and Nick Agan regarding case L-5-18.

Upon returning to regular session, motion by Klein, seconded by Baker, carried unanimously, to deny assistance to case L-5-18.

Motion by Wickham, seconded by Baker, carried unanimously, to recess at 1:32 p.m. until Friday, July 14, 2017 at 10:00 a.m.

GRIEVANCE HEARING WITH TEAMSTERS LOCAL 120

Upon reconvening at 10:00 a.m. the Board met with Vice President of Local 120 John Rosenthal, Personnel Director Mary Ann Specht, Department Head, and claimant.

Wickham asked if the person filing the grievance would like to go into closed session per

Iowa code 21.5 (1)(I).

Vice President of Local 120 stated yes this person would like to go into closed session.

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

Motion by Baker, seconded by Klein, carried unanimously, to recess at 10:46 a.m.

Upon reconvening at 10:53 a.m. the Board remained in executive session.

Motion by Wickham, seconded by Baker, carried unanimously to close the executive session.

Motion by Wickham, seconded by Baker, carried unanimously, to approve the recommendation of the Personnel Director and Department Head.

RESOLUTION 17-229 - APPOINTMENT OF DEPUTIES, CLERKS AND ASSISTANTS

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
County Attorney	PPT Clerk IV	02-13-17	Cynthia Sanders	\$18.13
Sunnycrest	PPT PI	06-26-17	Kanishia Thomas	\$12.01
Sunnycrest	PPT CNA	06-23-17	Ashley Edwards	\$12.60

Motion by Klein, seconded by Baker, carried unanimously, to approve and authorize the Chair to sign Resolution 17-229.

AMENDMENT TO THE DUBUQUE COUNTY CREDIT/PROCUREMENT CARD POLICY TO ALLOW A MAXIMUM LIMIT ON SPECIAL USE CREDIT CARDS

Budget Director Michelle Patzner explained she would like to have the limits raised on the “P-Card” to allow the County Engineer Anthony Bardgett to charge larger invoices.

Motion by Wickham, seconded by Baker, to table the amendment with Klein voting nay.

SUNNYCREST MANOR FINANCIALS

The Board met with Sunnycrest Administrator Cris Kirsch, Sunnycrest Finance Director Emily Gosche, and Advisory Board Chair Craig Takes.

Kirsch gave an overview of the censuses at Sunnycrest; next week they will be full.

Wickham left at 12:00 for another commitment.

Klein said the advisory board should get a full update of the county budget from Budget Director Michelle Patzner as soon as possible. They need to look at the county's financials and where the money will come from for Sunnycrest.

Baker does not think it is as bad as what Klein does. He told Takes he is doing a good job at involving people in holding down costs.

Wayne Demmer, 9018 Lone Pine Road Epworth, asked where the figures came from that were discussed at the meeting the night before. He asked about the cost of food. Previously it was \$10-11 per day and now it is much higher.

Aramarck Food Services Director Brian Gephart said they will continue their service even though the contract is up. He will work with Kirsch to negotiate prices.

Motion by Klein, seconded by Baker, carried unanimously, to adjourn at 12:30 p.m.

Jay Wickham, Chair
Board of Supervisors

ATTEST:

Mary J. Habel, Dubuque County Deputy Auditor