

STATE OF IOWA)
) Ss:
DELAWARE COUNTY)

January 2, 2020
Manchester, Iowa
1:15 p.m.

The Delaware County Board of Supervisors met in regular session this date at 1:15 p.m. with all members present. Also present were John Hansen, Jeremy Oden, Mike Adkins, Mike Corkery, Daneen Schindler, Pam Klein, Anthony Bardgett, Carla Becker, and two members of the media. 2019 Chairperson Shirley E. Helmrichs called the meeting to order.

Motion made by Madlom, second by Buschmann and carried to approve the agenda as posted. All Ayes

Motion made by Buschmann, second by Helmrichs and carried to appoint Supervisor Jeff Madlom as the 2020 Board Chairperson. All Ayes

Supervisor Madlom assumed the position of Chairperson and continued the meeting.

Motion made by Helmrichs, second by Madlom and carried to appoint Supervisor Pete Buschmann as the 2020 Board Vice-Chairperson. All Ayes

Motion made by Buschmann, second by Helmrichs and carried to acknowledge receipt of the following reaffirmations of elected official appointments:

Delaware County Attorney's Office – John W. Bernau

Kathy Hauschild Office Manager/Secretary
Courtney Vorwald Assistant County Attorney

Delaware County Auditor's Office – Carla K. Becker, Auditor

Anne Rave Deputy
Julie Hackbarth Deputy
Peggy Hildebrand Deputy
JoEllen Holtorf Clerk

Delaware County Recorder's Office – Daneen Schindler, Recorder

Marsha Mescher Deputy

Delaware County Sheriff's Department – John LeClere, Sheriff

Eric Brooks	Chief Deputy	Timothy Schwendinger	Deputy
Michael Wilson	Deputy	Judy Lee	Office Manager
Casey Snyder	Deputy/Jail Administrator	Paul Glaza	Jailer
Eric Holub	Deputy	Clark Tyrrell	Jailer
Lucas Thomsen	Deputy	Kris Hansen	Jailer
Keith Rowley	Deputy	Zachary Roths	Jailer
Jill Knipper	Deputy	Mary Loeffelholz	Jailer
Matthew Menard	Deputy	Linda Fangmann	Jailer
Travis Hemesath	Deputy	Aaron Pauls	Reserve Sergeant
Brian Hillebrand	Deputy	Matt Wieser	Reserve
Clayton Miller	Deputy	Mark Banghart	Reserve
Mitch Knipper	Deputy		

Delaware County Treasurer's Office – Pam Klein, Treasurer

Jenny Eschen Deputy – 1st Tax Deputy
Michele Africa Deputy – 2nd Tax Deputy
Karol Johnson Deputy – Autos Deputy
Barb Robinson Deputy – Drivers' License Deputy

All Ayes

Motion made by Helmrichs, second by Buschmann and carried to approve the appointment of Anthony Bardgett as Delaware County Engineer for 2020. All Ayes

Motion made by Buschmann, second by Helmrichs and carried to approve the appointment of Peggy Petlon as the Community Services/VA/GA Director and ECR Community Coordinator for 2020. All Ayes

Motion made by Helmrichs, second by Buschmann and carried to approve the appointment of Mike Corkery as County Services Administrator for 2020. All Ayes

Motion made by Buschmann, second by Helmrichs and carried to approve the appointment of Craig Davis as the 2020 Delaware County Weed Commissioner. All Ayes

Motion made by Helmrichs, second by Buschmann and carried to approve the following appointments to various Boards and Committees:

Advisory Board: Foundation for the Future of Delaware County (1 year term)

Pete Buschmann

Building Direction for Families Board (1 year term)

Pete Buschmann

Business Growth – ECIA (1 year term)

Pete Buschmann

Delaware County Communications Board (1 year term)

John LeClere, Sheriff
Jeff Madlom, Supervisor

Delaware County Economic Development Board (1 year term)

Jeff Madlom

Delaware County Medical Examiners/Deputy Medical Examiners (2 year terms)

Dr. Nicole Salow, Medical Examiner
Dr. Scot R. Christiansen, Deputy

Delaware County Recreational Center Board (1 year terms)

Jeff Madlom
Shirley E. Helmrichs
Pete Buschmann

Eastern Iowa Regional Utility Services System (EIRUSS) (1 year terms)

Shirley E Helmrichs
Mike Corkery, Alternate

Emergency Management Board (1 year term)

Jeff Madlom

First Judicial Correctional Service Board (1 year terms)

Shirley Helmrichs
Jeff Madlom, Alternate

Juvenile Detention Board (1 year term)

Pete Buschmann

Operation: New View Board (1 year terms)

Pete Buschmann
Shirley Helmrichs

Regional Planning Affiliation Board (1 year terms)

Jeff Madlom
Shirley Helmrichs, Alternate
Anthony Bardgett, TECH

Resource Conservation & Development Board (1 year term)

Jeff Madlom

Resource, Conservation, & Development Board – Cultural Council (1 year term)

Caryssa O’Connell

Regional Governance Board for ECR Mental Health Region (1 year terms)

Shirley E. Helmrichs
Jeff Madlom, Alternate

Soil & Water Assistant Commissioner (1 year term)

Shirley E. Helmrichs

All Ayes

Motion made by Buschmann, second by Helmrichs and carried to approve the minutes from the last meeting. All Ayes

Motion made by Helmrichs, second by Buschmann and carried to acknowledge the following employees to attend their respective out-of-county meetings: Sheriff’s Dept Jailers to attend Jail School at the following dates and locations: Paul Glaza, Kris Hansen and Mary Loeffelholz to attend the class held April 21st-23rd in Dubuque; Zachary Roths to attend the class held May 5th – 7th in Northwood; and Clark Tyrell to attend the class held June 16th – 18th in Marshalltown; Dennis Lyons to attend the IOWWA Conference in Cedar Rapids on January 8th – 9th; and Supervisor Helmrichs to attend the Operation New View meeting in Dubuque on January 3rd. All Ayes

Motion made by Buschmann, second by Helmrichs and carried to approve the following claims for payment:

Alliant Energy	Service	3515.72	Mediacom LLC	Data Processing	693.80
Black Hills Energy	Service	1196.49	Windstream	Telephone Service	581.76
CenturyLink	Telephone Services	352.98	Windstream	Telephone Service	1266.52

All Ayes

Motion made by Helmrichs, second by Buschmann and carried to approve the “Application for Underground Construction on Delaware County Right-of-Way” submitted by Iowa Power and Light (Alliant Energy) to install a new primary feed to the new Dollar General Store located at 2173 270th Ave by boring under 270th Ave. The proposed construction is located .25 miles south of Earlville in Section 35 of Oneida Twp. All Ayes

Motion made by Buschmann, second by Helmrichs and carried to acknowledge receipt of manure management plan updates as follows: a four-year update from Recker Farms (Roger, Terry and Tim Recker) in Section 15 of Hazel Green Township. All Ayes

Update on Sheriff’s Dept/Jail Project – John Hansen

John Hansen, Midwest Construction Consultants, updated the Board on the Sheriff’s Dept/Jail Project. Construction will most likely begin in the early spring.

Motion made by Helmrichs, second by Buschmann and carried to approve the following pay application for the Sheriff’s Dept/Jail Project:

Payments to be made during claims run of January 6, 2020:

Midwest Construction Consultants	\$8,718.23
Woodruff Construction LLC	\$15,200.00
Noah Detention	\$8,160.50
Community Electric	<u>\$6,274.75</u>
Total	\$38,353.48

All Ayes

Motion made by Buschmann, second by Helmrichs and carried to reject change proposal #1 from Woodruff Construction LLC to reduce the “hardening” of the structure surrounding the exercise area, central EOC area and/or training room in the new Sheriff’s Dept/Jail structure. The Board feels these areas need to follow the new rules requiring a hardened structure. All Ayes

Motion made by Helmrichs, second by Buschmann and carried to approve the following holidays for calendar year 2020:

2020 Holidays

Monday	1/20/20	Martin Luther King, Jr.	Thursday	11/26/20	Thanksgiving Day
Monday	2/17/20	Presidents’ Day	Friday	11/27/20	Day after Thanksgiving
Monday	5/25/20	Memorial Day	Thursday	12/24/20	Christmas Eve
Friday	7/3/20	Independence Day	Friday	12/25/20	Christmas Day
Monday	9/7/20	Labor Day	Friday	1/1/21	New Year’s Day
Wednesday	11/11/20	Veterans’ Day			

All Ayes

Motion made by Buschmann, second by Helmrichs and carried to set the 2020 mileage reimbursement rate at 50 cents per mile subject to regulations outlined in the Delaware County personnel policies. The Federal IRS business rate decreased to 57.5 cents per mile (the 2019 IRS business rate was 58 cents per mile). Currently, employees are required to take a county vehicle if one is available. If they chose to take their own vehicle instead, they receive 25 cents per mile versus the 50 cents per mile if a county vehicle was not available. The Board will consider making additional changes to this policy prior to approving the Personnel Policies for 2020. All Ayes

Motion made by Helmrichs, second by Buschmann and carried to appoint the following newspapers as the “official” newspapers of the county for calendar year 2020: *The Delaware County Leader*, *The Dyersville Commercial* and *The Manchester Press*. All Ayes

Motion made by Buschmann, second by Helmrichs and carried to appoint KMCH Radio in Manchester as the “official” radio station of Delaware County for the 2020 calendar year. All Ayes

Motion made by Helmrichs, second by Buschmann and carried to approve Resolution 2020-001 as follows:

RESOLUTION 2020-001

AUTHORIZATION OF AUDITOR TO ISSUE WARRANTS

BE IT HEREBY RESOLVED by the Board of Supervisors of Delaware County, Iowa, that the Delaware County Auditor be and is hereby authorized to issue warrants when the Board is not in session for fixed charges, including freight, postage, water, lights, fuel, telephone service, and insurance premiums upon the filing of duly authenticated bills and for salaries and payrolls as approved by the Board of Supervisors, all according to Section 331.506 of the 2017 Code of Iowa.

In addition, the Auditor is hereby authorized to issue warrants when the Board is not in session for the prepayment of civil service fees submitted by the County Attorney's Office or County Sheriff's Office and the emergency allowance of claims through the Community Services Department according to Board Resolution passed December 23, 2002.

Dated at Manchester, Iowa this 2nd day of January, 2020

Board of Supervisors

Delaware County, Iowa

/S/ Jeff Madlom, Chairperson

ATTEST: /S/ Carla K. Becker

Delaware County Auditor

All Ayes

Motion made by Buschmann, second by Helmricks and carried to approve Resolution 2020-002 as follows:

RESOLUTION #2020-002

CONSTRUCTION EVALUATION RESOLUTION

WHEREAS, Iowa Code section 459.304(3) sets out the procedure if a board of supervisors wishes to adopt a "construction evaluation resolution" relating to the construction of a confinement feeding operation structure; and

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

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

WHEREAS, by adopting a construction evaluation resolution the board of supervisors agrees to evaluate every construction permit application for a proposed confinement feeding operation structure received by the Board of Supervisors between February 1, 2020 and January 31, 2021 and submit an adopted recommendation regarding that application to the DNR; and

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

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

Dated this 2nd day of January 2020.

/S/ Jeff Madlom, Chairperson

Delaware County Board of Supervisors

ATTEST: /S/ Carla K. Becker, Delaware County Auditor

All Ayes

Motion made by Helmricks, second by Buschmann and carried to approve Resolution 2020-003 as follows:

RESOLUTION 2020-003

AUTHORIZATION FOR THE COUNTY ENGINEER TO CLOSE ANY SECONDARY ROAD FOR THE PURPOSE OF CONSTRUCTION, ROUTINE MAINTENANCE, OR EMERGENCIES DURING 2020

WHEREAS, the Delaware County Board of Supervisors is concerned about tort liability and traffic safety involved during construction and maintenance on the secondary road system, and

WHEREAS, they are further interested in accommodations for the traveling public, adjacent landowners and related users during construction and maintenance operations,

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Delaware County on this 2nd day of January, 2020, to give the Delaware County Engineer, or authorized representative thereof, the authority to temporarily close sections of highway in Delaware County's road system when necessary because of construction, maintenance, or natural disaster.

DELAWARE COUNTY BOARD OF SUPERVISORS

/S/ Jeff Madlom, Chairperson

/S/ Pete Buschmann

/S/ Shirley E. Helmricks

Attest: /S/ Carla K. Becker, County Auditor

All Ayes

Motion made by Buschmann, second by Helmricks and carried to approve Resolution 2020-004 as follows:

RESOLUTION 2020-004

FARM TO MARKET COMPLETION OF WORK AND FINAL ACCEPTANCE

BE IT RESOLVED by the Board of Supervisors of Delaware County, Iowa that the County Engineer of Delaware County, Iowa, be and is hereby designated, authorized, and empowered on behalf of the Board of Supervisors of said County to execute the certification of completion of work and final acceptance thereof in accordance with plans and specifications therefore in connection with all Farm to Market construction projects in this county.

Dated at Manchester, Iowa this 2nd day of January 2020.

Board of Supervisors

Delaware County, Manchester, Iowa

/S/ Jeff Madlom, Chairperson

/S/ Pete Buschmann

/S/ Shirley E. Helmricks

ATTEST: By /S/ Carla K. Becker, County Auditor

All Ayes

Motion made by Helmricks, second by Buschmann and carried to approve Resolution 2020-005 as follows:

RESOLUTION

2020-005

EMINENT DOMAIN COMPENSATION COMMISSION

WHEREAS, Section 331.321(1.v) of the 2013 Code of Iowa requires the Board of Supervisors to annually appoint not less than twenty-eight (28) residents of the County to an Eminent Domain Compensation Commission and,

WHEREAS, said Section establishes four (4) representative categories for said Compensation Commission,

NOW, THEREFORE BE IT RESOLVED that the following persons are hereby appointed to the Eminent Domain Compensation Commission of Delaware County, Iowa, in the category listed, for a term of one year ending December 31, 2020:

A. Owner-Operators of Agricultural Property:

1. Tom Klaus	2854 115 th St	Colesburg, IA 52035
2. Lea Ann Smith	1837 130 th Ave	Manchester, IA 52057
3. Dave Phillip	2077 140 th St	Greeley, IA 52050
4. Wilbur Kehrli	1596 210 th St	Manchester, IA 52057
5. John Ries	516 Andrew St	Hopkinton, IA 52237
6. Marvin Heims	1590 400 th St	Strawberry Point, IA 52076
7. Doran Zumbach	3278 110 th Ave	Coggon, IA 52218

B. Owners of City Property:

1. Wes Schulte	19166 Goodland Dr	Manchester, IA 52057
2. Larry Stone	307 S Washington St	Edgewood, IA 52042
3. Jeff Larson	505 Line St	Manchester, IA 52057
4. Lorraine Gaffney	PO Box 64	Ryan, IA 52330

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| 5. Barb Robinson | 306 South St | Dundee, IA 52038 |
| 6. Mary Ann Poynor | 724 E. Howard St | Manchester, IA 52057 |
| 7. Karen Schmitz | 111 Beckner St | Greeley, IA 52050 |

C. Licensed Real Estate Agents or Brokers:

- | | | |
|---------------------|-----------------------------|----------------------|
| 1. Kristine Baldwin | 1883 Honey Creek Road | Manchester, IA 52057 |
| 2. Teresa Greve | 2151 110 th Ave | Masonville, IA 50654 |
| 3. Teresa Turnis | 2418 180 th Ave | Manchester, IA 52057 |
| 4. Barb Sailer | 1100 Rosewood Dr | Manchester, IA 52057 |
| 5. Kevin Graybill | 21913 182 nd Ave | Manchester, IA 52057 |
| 6. Bob Wendt | 1101 Stiles St | Manchester, IA 52057 |
| 7. Mary Kay Starks | 25944 225 th Ave | Delhi, IA 52223 |

D. Persons Having Knowledge of Property Value:

- | | | |
|------------------|----------------------------|----------------------|
| 1. Linda Bessey | 1959 162 nd Ave | Manchester, IA 52057 |
| 2. Bruce Nieman | 800 Tanglewood Drive | Manchester, IA 52057 |
| 3. Dave Smith | 1101 Clearview Dr | Manchester, IA 52057 |
| 4. Kevin Funke | 3171 285 th Ave | Hopkinton, IA 52237 |
| 5. Eric Smith | 1108 Gales Ave | Manchester, IA 52057 |
| 6. Donna Reeder | 108 Tower Drive | Manchester, IA 52057 |
| 7. Scott Wegmann | 1017 Sunrise Dr | Manchester, IA 52057 |

Witness my hand and the Seal of this County, this 2nd day of January 2020.

Delaware County Board of Supervisors

/S/ Jeff Madlom, Chairperson

/S/ Pete Buschmann

/S/ Shirley E. Helmrichs

Attest: /S/ Carla K. Becker, County Auditor

All Ayes

Motion made by Buschmann, second by Helmrichs and carried to reinstate the 2019 military exemption for Dean Hass on property owned by Charlotte R. Smith Hass. Mr. Hass's military exemption was erroneously removed for 2019 values due to a quitclaim deed issued between the couple. All Ayes.

Motion made by Helmrichs, second by Buschmann and carried to approve the Cigarette/Tobacco/Nicotine/Vapor Permit for Dollar General Store at 2173 20th Ave in Earlville effective March 22, 2020 through June 30, 2020. A prorated fee of \$25.00 will be charged for said permit due to being issued in March. All Ayes

NEXT MEETING – The next regular session will be held on Monday, January 6, 2020 at 1:15 p.m.

PUBLIC COMMENTS

None.

There being no further business before the Board, Chairperson Madlom called for a motion to adjourn the meeting.

Motion made by Buschmann, second by Helmrichs and carried to adjourn the meeting at 2:05 p.m. All Ayes

These minutes have been read and approved for publication.

/S/ Jeff Madlom, Chairperson

/S/ Carla K. Becker, County Auditor